

111TH CONGRESS
1ST SESSION

H. R. 1886

To authorize democratic, economic, and social development assistance for Pakistan, to authorize security assistance for Pakistan, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 2, 2009

Mr. BERMAN (for himself, Mr. KIRK, Mr. ACKERMAN, Mr. ROYCE, Ms. JACKSON-LEE of Texas, Mr. SHERMAN, and Mr. WEXLER) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To authorize democratic, economic, and social development assistance for Pakistan, to authorize security assistance for Pakistan, 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 “Pakistan Enduring Assistance and Cooperation En-
6 hancement Act of 2009” or the “PEACE Act of 2009”.

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

- Sec. 1. Short title and table of contents.
- Sec. 2. Definitions.
- Sec. 3. Findings.
- Sec. 4. Declaration of principles.

TITLE I—DEMOCRATIC, ECONOMIC, AND SOCIAL DEVELOPMENT
 ASSISTANCE FOR PAKISTAN

- Sec. 101. Purposes of assistance.
- Sec. 102. Authorization of assistance.
- Sec. 103. Multilateral support for Pakistan.
- Sec. 104. Pakistan Democracy and Prosperity Fund.
- Sec. 105. Authorization of appropriations.

TITLE II—SECURITY ASSISTANCE FOR PAKISTAN

- Sec. 201. Sense of Congress.
- Sec. 202. Purposes of assistance.
- Sec. 203. Authorization of assistance.
- Sec. 204. Drawdown authority.
- Sec. 205. Exchange program between military and civilian personnel of Pakistan and certain other countries.
- Sec. 206. Limitation on United States military assistance to Pakistan.
- Sec. 207. Role of Secretary of State.
- Sec. 208. Authorization of appropriations.

TITLE III—MISCELLANEOUS PROVISIONS

- Sec. 301. Regional security strategy.
- Sec. 302. Monitoring and evaluation of assistance.
- Sec. 303. Auditing.
- Sec. 304. Requirements for civilian control of United States assistance for Pakistan.
- Sec. 305. Sense of Congress.
- Sec. 306. Reports.
- Sec. 307. Sunset.

3 **SEC. 2. DEFINITIONS.**

4 In this Act:

5 (1) APPROPRIATE CONGRESSIONAL COMMIT-
 6 TEES.—Except as otherwise provided in this Act, the
 7 term “appropriate congressional committees” means
 8 the Committees on Appropriations and Foreign Af-
 9 fairs of the House of Representatives and the Com-

1 mittees on Appropriations and Foreign Relations of
2 the Senate.

3 (2) COUNTERINSURGENCY.—The term “coun-
4 terinsurgency” means efforts to defeat organized
5 movements that seek to overthrow the duly con-
6 stituted Governments of Pakistan and Afghanistan
7 through the use of subversion and armed conflict.

8 (3) COUNTERTERRORISM.—The term “counter-
9 terrorism” means efforts to combat—

10 (A) al Qaeda; and

11 (B) other terrorist organizations, as such
12 term is defined in section 212(a)(3)(B)(vi) of
13 the Immigration and Nationality Act (8 U.S.C.
14 1182(a)(3)(B)(vi)).

15 (4) FATA.—The term “FATA” means the
16 Federally Administered Tribal Areas of Pakistan.

17 (5) FCR.—The term “FCR” means the Fron-
18 tier Crimes Regulation, codified under British law in
19 1901, and applicable to the FATA.

20 (6) NWFP.—The term “NWFP” means the
21 North West Frontier Province of Pakistan, which
22 has Peshawar as its provincial capital.

23 **SEC. 3. FINDINGS.**

24 Congress finds the following:

1 (1) The Islamic Republic of Pakistan has been
2 an invaluable ally of the United States for more
3 than 4 decades.

4 (2) With the free and fair election of February
5 18, 2008, Pakistan returned to civilian rule after al-
6 most 9 years under a military dictatorship.

7 (3) After the September 11, 2001, terrorist at-
8 tacks against the United States, Pakistan recognized
9 the significant challenges emanating from within its
10 borders, and chose to partner with the United States
11 in its fight against al Qaeda, the Taliban, and other
12 extremist and terrorist groups.

13 (4) Since 2001, the United States has contrib-
14 uted more than \$10,000,000,000 to Pakistan to
15 strengthen Pakistan's governance, economy, edu-
16 cation system, healthcare services, and military, so
17 as to bring freedom and opportunities to the people
18 of Pakistan while helping to combat terrorism and
19 to counter a domestic insurgency.

20 (5) The United States requires a balanced, inte-
21 grated, countrywide strategy that targets assistance
22 throughout Pakistan and does not disproportionately
23 focus on military activities or one particular area or
24 province.

1 (6) Despite apprehending the top leadership of
2 al Qaeda—Khalid Sheikh Muhammad, Ramzi bin al-
3 Shibh, and Abu Faraj al-Libi—as well as the leader-
4 ship and rank and file of affiliated terrorist groups,
5 Pakistan, particularly the FATA as well as areas
6 under central government authority such as Quetta
7 in Balochistan and Muridke in Punjab, remains a
8 sanctuary for al Qaeda, the Afghan Taliban, and af-
9 filiated groups from which these groups organize ter-
10 rorist actions against Pakistan and other countries.

11 **SEC. 4. DECLARATION OF PRINCIPLES.**

12 Congress declares that the relationship between the
13 United States and Pakistan should be based on the fol-
14 lowing principles:

15 (1) Pakistan is an invaluable friend and ally to
16 the United States, both in times of strife and in
17 times of peace, and the 2 countries share many com-
18 mon goals, including combating terrorism and vio-
19 lent radicalism, solidifying democracy and rule of
20 law in Pakistan, and promoting the social and mate-
21 rial well-being of the people of Pakistan.

22 (2) The United States seeks a sustained, long-
23 term, multifaceted relationship with Pakistan based
24 on friendship between the peoples of the 2 countries,
25 the commitment to democracy and the rule of law,

1 and the mutual interests of stability, security, and
2 prosperity.

3 (3) It is critical for the United States to sup-
4 port Pakistan's democratic government and
5 strengthen its democratic institutions, including its
6 parliament and the judicial system.

7 (4) The United States supports Pakistan's
8 struggle against extremist elements and recognizes
9 the profound sacrifice made by Pakistan in the fight
10 against terrorism, including the loss of more than
11 1,600 soldiers since 2001 in combat with al Qaeda,
12 the Taliban, and other extremist and terrorist
13 groups.

14 (5) The United States intends—

15 (A) to actively and consistently pursue a
16 sustained, long-term, multifaceted relationship
17 with Pakistan, devoted to strengthening the
18 mutual security, stability, and prosperity of
19 both countries;

20 (B) to support the people of Pakistan and
21 their democratic government in their efforts to
22 consolidate democracy, expand good governance,
23 and enhance the rule of law, through strength-
24 ening Pakistan's parliament and in helping

1 Pakistan reestablish an independent and trans-
2 parent judicial system;

3 (C) to promote long-term development
4 projects, including healthcare, water manage-
5 ment, and energy programs, in all areas of
6 Pakistan;

7 (D) to encourage sustainable economic de-
8 velopment in Pakistan and the integration of
9 Pakistan into the global economy in order to
10 improve the living conditions of the people of
11 Pakistan;

12 (E) to work with the Government of Paki-
13 stan, particularly with provincial education au-
14 thorities, to improve Pakistan's public school
15 system, including by increasing access to sec-
16 ondary education and vocational training, and
17 help to create an appropriate national cur-
18 riculum program that would apply to public,
19 private, and religious schools;

20 (F) to expand people-to-people engagement
21 between the United States and Pakistan,
22 through increased educational, technical, and
23 cultural exchanges and other methods;

24 (G) to redouble its efforts to work with the
25 Government of Pakistan, through all appro-

1 appropriate means, in establishing a counterinsur-
2 gency and counterterrorism strategy to prevent
3 any territory of Pakistan from being used as a
4 base or conduit for terrorist attacks in Paki-
5 stan, Afghanistan, or elsewhere, and ensure
6 that madrasas in Pakistan are not used to in-
7 cite terrorism; and

8 (H) to ensure that Pakistan has strong
9 and effective law enforcement and national de-
10 defense forces, under civilian leadership, with suf-
11 ficient and appropriate defense equipment and
12 training to effectively defend Pakistan against
13 internal and external threats.

14 (6) Simultaneously, the United States expects
15 Pakistan—

16 (A) to ensure a transparent, mutually ben-
17 efcial, and trusting relationship with the
18 United States which expands beyond the com-
19 mitment of the 2 countries to fighting ter-
20 rorism;

21 (B) to maintain its commitment to and en-
22 sure the uninterrupted practice of democracy
23 and democratic governance, including the devel-
24 opment of a strong parliament, an independent
25 judicial system, and an extension of rule of law

1 to all areas of Pakistan, as committed to by the
2 elected civilian government;

3 (C) to promote the long-term development
4 of Pakistan through investments in infrastruc-
5 ture, rural development, and other similar pro-
6 grams that are sustained and supported by
7 each successive democratic government in Paki-
8 stan;

9 (D) to ensure that the people of Pakistan,
10 including those living in areas governed by the
11 FCR, have access to public, modernized edu-
12 cation and vocational training to enable them to
13 provide for themselves, for their families, and
14 for a more prosperous future for their children,
15 and establish increased government oversight of
16 the education curriculum of madrasas, as cur-
17 rently mandated by Pakistani law, to include
18 the closing of any madrasas found to have links
19 to terrorism;

20 (E) to ensure transparency and provide ef-
21 fective accountability of all United States as-
22 sistance and reimbursements provided to Paki-
23 stan;

24 (F) to take steps to improve counterter-
25 rorism financing and anti-money laundering

1 laws to comply with international standards, to
2 include applying for “Financial Action Task
3 Force” observer status and adhering to the
4 United Nations International Convention for
5 the Suppression of the Financing of Terrorism;

6 (G) to take all appropriate measures to
7 adapt its Armed Forces to be able to conduct
8 effective and sustained counterinsurgency and
9 counterterrorism operations;

10 (H) not to provide any support, direction,
11 guidance to, or acquiescence in the activities of,
12 any person or group that engages in any degree
13 in acts of violence or intimidation against civil-
14 ians, civilian groups, or governmental entities;

15 (I) to redouble its efforts to prevent the
16 presence of the Taliban and Taliban-affiliated
17 groups in Pakistan that support insurgents in
18 Afghanistan;

19 (J) not to support any person or group
20 that conducts violence, sabotage, or other activi-
21 ties meant to instill fear or terror in India; and

22 (K) to ensure access of United States in-
23 vestigators to individuals suspected of engaging
24 in worldwide proliferation of nuclear materials,
25 and restrict such individuals from travel or any

1 other activity that could result in further pro-
2 liferation.

3 **TITLE I—DEMOCRATIC, ECO-**
4 **NOMIC, AND SOCIAL DEVEL-**
5 **OPMENT ASSISTANCE FOR**
6 **PAKISTAN**

7 **SEC. 101. PURPOSES OF ASSISTANCE.**

8 The purposes of assistance under this title are—

9 (1) to demonstrate unequivocally the long-term
10 commitment of the United States to the people of
11 Pakistan and Pakistan’s democratic institutions;

12 (2) to support the consolidation of democracy,
13 good governance, and the rule of law in Pakistan;

14 (3) to help build the capacity of law enforce-
15 ment forces in Pakistan to combat terrorism and ex-
16 peditiously investigate, arrest, and prosecute alleged
17 criminals, consistent with the rule of law and due
18 process;

19 (4) to further the sustainable and effective eco-
20 nomic and social development of Pakistan and the
21 improvement of the living conditions of the people of
22 Pakistan, especially in areas of direct interest and
23 importance to their daily lives;

1 (5) to strengthen regional ties between Pakistan
2 and its neighbors by offering concrete nonmilitary
3 assistance for issues of mutual concern;

4 (6) to strengthen Pakistan’s public education
5 system, increase literacy, expand opportunities for
6 vocational training, and help create an appropriate
7 national curriculum for all schools in Pakistan;

8 (7) to expand people-to-people engagement be-
9 tween the United States and Pakistan, through in-
10 creased educational, technical, and cultural ex-
11 changes and other methods; and

12 (8) to strengthen respect for internationally rec-
13 ognized human rights in efforts to stabilize the secu-
14 rity environment in Pakistan.

15 **SEC. 102. AUTHORIZATION OF ASSISTANCE.**

16 (a) IN GENERAL.—To carry out the purposes of sec-
17 tion 101, the President is authorized to provide assistance
18 for Pakistan to support the activities described in sub-
19 section (b).

20 (b) ACTIVITIES SUPPORTED.—Activities that may be
21 supported by assistance under subsection (a) include the
22 following:

23 (1) FORTIFYING DEMOCRATIC INSTITUTIONS.—
24 To support, notwithstanding any other provision of
25 law, democratic institutions in Pakistan in order to

1 strengthen civilian rule and long-term stability, in-
2 cluding assistance such as—

3 (A) support for efforts to strengthen the
4 National Parliament of Pakistan, including—

5 (i) assistance to parliamentary com-
6 mittees to enhance the capacity to conduct
7 public hearings and oversee government
8 activities, to solicit input on key public pol-
9 icy issues, and to oversee the conduct of
10 elections;

11 (ii) support for the establishment of
12 constituency offices and otherwise promote
13 the responsibility of members of par-
14 liament to respond to constituents;

15 (iii) strengthening of the role of par-
16 liamentary leadership; and

17 (iv) efforts to increase the use of in-
18 formation technology by members of par-
19 liament, in addition to newspapers and
20 leaflets, as a means of communication in-
21 ternally and with constituents;

22 (B) support for voter education and civil
23 society training, including training with grass-
24 roots organizations to enhance the capacity of

1 the organizations to advocate for the develop-
2 ment of public policy;

3 (C) support for political parties, including
4 increasing their capacity and protecting their
5 right to carry out political activities without re-
6 striction (other than reasonable administrative
7 requirements commonly applied in democratic
8 countries) and fostering the responsiveness of
9 such parties to the needs of the people of Paki-
10 stan;

11 (D) support for strengthening the capacity
12 of the civilian Government of Pakistan to carry
13 out its responsibilities, including supporting the
14 establishment of frameworks that promote gov-
15 ernment transparency and criminalize corrup-
16 tion in both the government and private sector,
17 audit offices, inspectors general offices, third
18 party monitoring of government procurement
19 processes, whistle blower protections, and anti-
20 corruption agencies; and

21 (E) in particular, support for strength-
22 ening of governance programs in the FATA, in-
23 cluding—

24 (i) programs to develop and promote
25 political parties;

1 (ii) assistance to conduct voter edu-
2 cation and training of elected officials; and

3 (iii) education in drafting legislation.

4 (2) ENHANCEMENT AND STRENGTHENING OF
5 THE JUDICIAL SYSTEM AND LAW ENFORCEMENT.—

6 To support, notwithstanding any other provision of
7 law, Pakistan’s efforts to expand the rule of law and
8 build the capacity, transparency, and trust in gov-
9 ernment institutions, at the national, provincial, and
10 local levels, including assistance such as—

11 (A) support for the rule of law and system-
12 atic improvement of judicial and criminal jus-
13 tice institutions, including—

14 (i) management of courts;

15 (ii) promotion of oral trials via train-
16 ing for the judicial sector;

17 (iii) increase in the number of judges,
18 courtrooms, and related facilities;

19 (iv) professional training for judges;

20 (v) establishment of a center in the
21 Ministry of Justice for receipt of citizen
22 complaints; and

23 (vi) capacity building for public de-
24 fenders and prosecutors;

1 (B) support for professionalization of the
2 police, including—

3 (i) training regarding use of force;

4 (ii) education and training regarding
5 human rights;

6 (iii) training regarding evidence pres-
7 ervation and chain of custody; and

8 (iv) training regarding community po-
9 licing;

10 (C) support for revising the FCR to extend
11 the writ of national law to all areas in Pakistan,
12 as committed to by the Government of Paki-
13 stan; and

14 (D) support for independent law enforce-
15 ment agencies, such as the Intelligence Bureau
16 of the Ministry of Interior, responsive to civilian
17 control, including—

18 (i) enhanced coordination with judicial
19 processes;

20 (ii) enhancement of forensics capabili-
21 ties;

22 (iii) data collection and analyses;

23 (iv) case tracking and management;

24 (v) financial intelligence functions;

25 and

1 (vi) maintenance of data systems to
2 track terrorist or criminal activity.

3 (3) SUPPORT FOR BROAD-BASED AND SUSTAIN-
4 ABLE ECONOMIC DEVELOPMENT.—To support eco-
5 nomic development in Pakistan by—

6 (A) promoting energy sector reform and
7 development;

8 (B) enhancing commercial supply and dis-
9 tribution networks;

10 (C) increasing employment opportunities,
11 including support to small and medium enter-
12 prises, microfinance and microenterprise activi-
13 ties, and in particular programs to improve the
14 lives of Pakistani women and girls;

15 (D) increasing investment in infrastruc-
16 ture, including construction of roads, water re-
17 source management systems, and irrigation
18 channels; and

19 (E) expanding assistance for agricultural
20 and rural development.

21 (4) SUPPORT TO INCREASE LOCAL CAPACITY.—
22 To increase the capacity and improve the sustain-
23 ability of Pakistani national, provincial, and local
24 governmental and nongovernmental institutions, in-
25 cluding assistance to—

1 (A) increase and improve the capacity of
2 Pakistani national, provincial, and local govern-
3 mental institutions by—

4 (i) providing technical assistance to all
5 Pakistani ministries to improve trans-
6 parency and ability to respond to the needs
7 of the people of Pakistan;

8 (ii) promoting the implementation of
9 fiscal and personnel management, includ-
10 ing revenue tracking and expenditure sys-
11 tems;

12 (iii) assisting in developing ministry-
13 wide recruitment systems;

14 (iv) creating or improving databases
15 and other human resource information sys-
16 tems;

17 (v) providing training and technical
18 assistance to the Ministry of Finance to
19 better account for funding implemented by
20 the Government of Pakistan; and

21 (vi) providing technical assistance to
22 train provincial and local governmental
23 personnel; and

24 (B) enhance the capacity of Pakistani non-
25 governmental and civil society organizations to

1 respond to the needs of the people of Pakistan
2 by—

3 (i) increasing support for local non-
4 governmental organizations with dem-
5 onstrated experience in delivering services
6 to the people of Pakistan, particularly to
7 women, children, and other vulnerable pop-
8 ulations in Pakistan;

9 (ii) providing training and education
10 to local nongovernmental and civil society
11 organizations on ways to identify and im-
12 prove the delivery of services to the people
13 of Pakistan; and

14 (iii) promoting local ownership and
15 participation, including encouraging com-
16 munities to contribute a percentage of the
17 value of United States projects or activities
18 carried out under this title in the form of
19 labor, in-kind materials, or other provi-
20 sions.

21 (5) SUPPORT FOR PUBLIC EDUCATION SYS-
22 TEM.—To support Pakistan’s public education sys-
23 tem, including—

24 (A) implementation of a national education
25 strategy, to include both primary and secondary

1 education, focused on literacy and civic edu-
2 cation, including—

3 (i) programs to assist development of
4 modern, nationwide school curriculums for
5 public, private, and religious schools that
6 incorporate relevant subjects, such as
7 math, science, literature, and human rights
8 awareness, in addition to agricultural edu-
9 cation and training;

10 (ii) enhancement of civic education
11 programs focused on political participation,
12 democratic institutions, and tolerance of
13 diverse ethnic and religious groups; and

14 (iii) support for the proper oversight
15 of all educational institutions, including
16 madrasas, as required by Pakistani law, in-
17 cluding registration with the Ministry of
18 Education and regular monitoring of cur-
19 riculum by the Ministry of Education to
20 ensure students in Pakistan receive a com-
21 prehensive education;

22 (B) initiatives to enhance the access to
23 education for women and girls, and to increase
24 women's literacy;

1 (C) funding to the Government of Pakistan
2 to use to increase immediately teacher salaries
3 and to recruit and train teachers and adminis-
4 trators, as well as develop formalized salary
5 scales with merit-based pay increases;

6 (D) establishment of vocational and tech-
7 nical programs to enhance employment opportu-
8 nities;

9 (E) encouragement of United States and
10 Pakistani public-private partnerships to in-
11 crease investment in higher education and tech-
12 nical training opportunities;

13 (F) construction and maintenance of public
14 schools, including water sanitation, perimeter
15 walls, and recreation areas;

16 (G) provision of textbooks and other learn-
17 ing materials and food assistance for student
18 meals; and

19 (H) provision of software to educational in-
20 stitutions and students at the lowest possible
21 cost, specifically targeting universities that spe-
22 cialize in information technology, and women's
23 colleges and women's secondary schools.

24 (6) SUPPORT FOR HUMAN RIGHTS.—To pro-
25 mote respect for and compliance with internationally

1 recognized human rights, including assistance such
2 as—

3 (A) support for the establishment of a pro-
4 fessional and independent National Human
5 Rights Commission;

6 (B) promotion of education regarding
7 internationally recognized human rights;

8 (C) programs designed to end traditional
9 practices and punishments that are inconsistent
10 with internationally recognized human rights
11 norms and protections, such as honor killings
12 and other forms of cruel and unusual punish-
13 ments;

14 (D) promotion of freedom of religion and
15 religious tolerance, protection of religious mi-
16 norities, and promotion of freedom of expres-
17 sion and association, including support for re-
18 sponsible independent media;

19 (E) promotion of nongovernmental organi-
20 zations that focus on the protection of women
21 and girls, including women-led organizations
22 and programs that support the participation of
23 women in the national, provincial, and local po-
24 litical process, and programs to end violence
25 against women, including rape;

1 (F) technical, legal, and law enforcement
2 assistance for the investigation of past dis-
3 appearances of individuals in Pakistan and the
4 development of a national data base of such in-
5 dividuals;

6 (G) programs in support and protection of
7 the rights of ethnic minorities in Pakistan, in-
8 cluding Baluchis, Sindhis, and Pashtuns, to
9 preserve their language, culture, traditional
10 areas of inhabitancy, and to fight any direct or
11 indirect discrimination; and

12 (H) programs to strengthen civil society
13 organizations that promote internationally rec-
14 ognized human rights, including religious free-
15 dom, freedom of expression, and freedom of as-
16 sociation, and that support human rights moni-
17 toring.

18 (7) SUPPORT FOR REFUGEES AND INTERNALLY
19 DISPLACED PERSONS.—It is the sense of Congress
20 that—

21 (A) counterinsurgency operations being
22 carried out by the Government of Pakistan
23 should be designed to minimize the impact on
24 the people of Pakistan and to provide security

1 for the delivery of humanitarian assistance to
2 the affected civilian population;

3 (B) the United States should continue to
4 provide robust assistance to the people of Paki-
5 stan who have been displaced as a result of on-
6 going conflict and violence;

7 (C) the United States should support
8 international efforts to coordinate assistance to
9 refugees and internally displaced persons in
10 Pakistan, including by providing support to
11 international and nongovernmental organiza-
12 tions for this purpose;

13 (D) the Administrator of the United States
14 Agency for International Development should
15 support the development objectives of the Ref-
16 ugee Affected and Host Areas (RAHA) Initia-
17 tive in Pakistan to address livelihoods, heath,
18 education, infrastructure development, and en-
19 vironmental restoration in identified parts of
20 the county where Afghan refugees have lived;
21 and

22 (E) the Administrator of the United States
23 Agency for International Development should
24 evaluate the effectiveness of the livelihoods
25 projects in the FATA in order to determine

1 whether systems need to be put into place to
2 improve programming in this key sector.

3 (8) SUPPORT FOR HEALTHCARE EFFORTS.—To
4 provide urgently needed healthcare assistance to the
5 people of Pakistan, including assistance to supple-
6 ment the Government of Pakistan’s efforts to elimi-
7 nate diseases, including hepatitis.

8 (9) SUPPORT FOR PUBLIC DIPLOMACY EF-
9 FORTS.—To increase and improve existing programs
10 to expose the people of Pakistan to the United
11 States, including through the following:

12 (A) Expanded exchange activities under
13 the Fulbright Program, the International Vis-
14 itor Leadership Program, and related programs
15 administered by the Department of State.

16 (B) Contributions toward the establish-
17 ment of cultural centers that can facilitate edu-
18 cational and cultural exchange and deeper un-
19 derstanding of Western social democracy. The
20 centers shall be operated with Pakistani part-
21 ners and overseen by United States staff
22 present on-site.

23 (C) Expansion of sister institution pro-
24 grams between United States and Pakistani
25 schools and universities, towns and cities, and

1 other organizations in such fields as medicine
2 and healthcare, business management, environ-
3 mental protection, information technology, and
4 agriculture.

5 (D) Additional scholarships to enable stu-
6 dents to study in the United States.

7 **SEC. 103. MULTILATERAL SUPPORT FOR PAKISTAN.**

8 To the extent that Pakistan continues to evolve to-
9 ward civilian control of the government and to develop and
10 implement comprehensive economic reform programs, the
11 President should do the following:

12 (1) **MULTILATERAL SUPPORT.**—Take the lead
13 in mobilizing international financial institutions, in
14 particular the International Monetary Fund and af-
15 filiated institutions in the World Bank group, to pro-
16 vide timely and appropriate resources to help Paki-
17 stan.

18 (2) **STABILIZATION ASSISTANCE.**—In conjunc-
19 tion with other governments and international finan-
20 cial institutions (including the International Mone-
21 tary Fund), support the implementation of a plan of
22 the Government of Pakistan to attack structural
23 economic problems, address pressing social problems,
24 carry out comprehensive economic reform, and re-

1 lieve immediate and urgent balance of payments re-
2 quirements in Pakistan.

3 (3) CURRENCY STABILIZATION LOANS.—Pro-
4 vide leadership in supporting multilateral agree-
5 ments to provide government-to-government loans
6 for currency stabilization in Pakistan if the loans
7 can reduce inflation and thereby foster conditions
8 necessary for the effective implementation of eco-
9 nomic reforms.

10 **SEC. 104. PAKISTAN DEMOCRACY AND PROSPERITY FUND.**

11 (a) ESTABLISHMENT OF FUND.—There is estab-
12 lished in the Treasury of the United States a fund to be
13 known as the “Pakistan Democracy and Prosperity Fund”
14 (hereinafter in this section referred to as the “Fund”),
15 consisting of such amounts as may be appropriated or
16 transferred to the Fund as provided in this section.

17 (b) TRANSFERS TO FUND.—The Fund shall consist
18 of the following:

19 (1) Amounts appropriated to carry out this
20 title.

21 (2) Amounts appropriated on or after the date
22 of the enactment of this Act for “Development As-
23 sistance”, “Global Health and Child Survival”, and
24 the “Economic Support Fund” for assistance for
25 Pakistan under the Foreign Assistance Act of 1961

1 (22 U.S.C. 2151 et seq.) that, notwithstanding any
2 other provision of law, are transferred by the Presi-
3 dent to the Fund.

4 (3) To the extent or in the amounts provided in
5 advance in appropriations Acts, amounts accepted by
6 the President under subsection (c) that, notwith-
7 standing any other provision of law, are transferred
8 by the President to the Fund.

9 (c) ACCEPTANCE OF AMOUNTS FROM OUTSIDE
10 SOURCES.—The President may accept funds from non-
11 United States Government sources, including foreign gov-
12 ernments, nongovernmental organizations, private busi-
13 ness entities, and private individuals, for purposes of car-
14 rying out this title.

15 (d) STATUS OF AVAILABILITY OF AMOUNTS IN
16 FUND.—Amounts transferred to the Fund under sub-
17 section (b) (2) and (3) shall be merged with and shall be
18 available for any purpose for which any of the amounts
19 so transferred are available.

20 (e) REPORT.—The President shall transmit to the
21 appropriate congressional committees not later than 180
22 days after the date of the enactment of this Act, and every
23 180 days thereafter until September 30, 2019, a report
24 on programs, projects, and activities carried out using
25 amounts obligated and expended from the Fund.

1 **SEC. 105. AUTHORIZATION OF APPROPRIATIONS.**

2 (a) IN GENERAL.—There are authorized to be appro-
3 priated to the President to carry out this title
4 \$1,500,000,000 for each of the fiscal years 2009 through
5 2013.

6 (b) AVAILABILITY.—Amounts authorized to be appro-
7 priated to carry out this title for a fiscal year are—

8 (1) authorized to remain available until Sep-
9 tember 30 of the succeeding fiscal year; and

10 (2) in addition to amounts otherwise available
11 for such purposes.

12 (c) SENSE OF THE CONGRESS.—It is the sense of
13 Congress that United States assistance provided under
14 this title should be made available on a proportional and
15 equitable basis between the FATA and other regions of
16 Pakistan.

17 **TITLE II—SECURITY**
18 **ASSISTANCE FOR PAKISTAN**

19 **SEC. 201. SENSE OF CONGRESS.**

20 It is the sense of Congress that—

21 (1) United States security assistance for Paki-
22 stan should be used to improve relationships between
23 United States military and Pakistani military per-
24 sonnel, including outreach to the “lost generation”
25 of Pakistan’s officers who did not attend United
26 States-sponsored training as a result of restrictions

1 placed on United States assistance for Pakistan fol-
2 lowing Pakistan's detonation of a nuclear device;
3 and

4 (2) United States security assistance for Paki-
5 stan should be fully accountable, should be contin-
6 gent on Pakistan ending support for terrorist
7 groups, and should meet the national security needs
8 of Pakistan.

9 **SEC. 202. PURPOSES OF ASSISTANCE.**

10 The purposes of assistance under this title are—

11 (1) to support Pakistan's paramount national
12 security need to fight and win the ongoing counter-
13 insurgency within its borders;

14 (2) to work with the Government of Pakistan to
15 protect and secure Pakistan's borders and prevent
16 any Pakistani territory from being used as a base or
17 conduit for terrorist attacks in Pakistan, Afghani-
18 stan, or elsewhere;

19 (3) to work in close cooperation with the Gov-
20 ernment of Pakistan to coordinate military action
21 against terrorist targets; and

22 (4) to develop knowledge of and appreciation
23 for democratic governance and a military that is
24 controlled by and responsible to democratically elect-
25 ed civilian leadership.

1 **SEC. 203. AUTHORIZATION OF ASSISTANCE.**

2 (a) INTERNATIONAL MILITARY EDUCATION AND
3 TRAINING.—

4 (1) IN GENERAL.—Of the amounts authorized
5 to be appropriated to carry out this title for a fiscal
6 year, not less than \$4,000,000 is authorized be
7 made available for assistance under chapter 5 of
8 part II of the Foreign Assistance Act of 1961 (22
9 U.S.C. 2347 et seq.; relating to international mili-
10 tary education and training) for Pakistan, including
11 expanded international military education and train-
12 ing (commonly known as “E-IMET”).

13 (2) USE OF FUNDS.—Not less than 30 percent
14 of the amount authorized to be made available under
15 this subsection for a fiscal year is authorized to be
16 used to pay for courses of study and training in
17 counterinsurgency and civil-military relations.

18 (b) FOREIGN MILITARY FINANCING PROGRAM.—

19 (1) IN GENERAL.—Of the amounts authorized
20 to be appropriated to carry out this title for a fiscal
21 year, not less than \$500,000,000 is authorized to be
22 made available for grant assistance under section 23
23 of the Arms Export Control Act (22 U.S.C. 2763;
24 relating to the Foreign Military Financing program)
25 for the purchase of defense articles, defense services,
26 and military education and training for Pakistan.

1 (2) USE OF FUNDS.—Not less than 75 percent
2 of the amount authorized to be made available under
3 this subsection for a fiscal year is authorized to be
4 used for the purchase of defense articles, defense
5 services, and military education and training for ac-
6 tivities relating to counterinsurgency and counterter-
7 rorism operations in Pakistan. Such articles, serv-
8 ices, and military education and training may in-
9 clude the following:

10 (A) Aviation maintenance and logistics
11 support for United States-origin and United
12 States-supported rotary wing aircraft and up-
13 grades to such aircraft to include modern night
14 vision and targeting capabilities.

15 (B) Intelligence, surveillance, and recon-
16 naissance (ISR) ground and air manned and
17 unmanned platforms, including sustainment.

18 (C) Command and control capabilities.

19 (D) Force protection and counter impro-
20 vised explosive device capabilities, including pro-
21 tection of vehicles.

22 (E) Protective equipment, such as body
23 armor and helmets, night vision goggles, and
24 other individual equipment, including load-bear-
25 ing equipment, individual and unit level first

1 aid equipment, ballistic eye protection, and cold
2 weather equipment.

3 (F) Appropriate individual and unit level
4 medical services and articles for the Pakistan
5 Army and Pakistan Frontier Corps.

6 (G) Assistance to enable the Pakistani
7 military to distribute humanitarian assistance
8 and establish a tactical civil-military operations
9 capability, including a civil affairs directorate.

10 (3) RESTRICTION RELATING TO F-16 PRO-
11 GRAM.—

12 (A) IN GENERAL.—Except as provided in
13 subparagraph (B), and subject to subparagraph
14 (C), amounts authorized to be made available
15 under this subsection for a fiscal year may not
16 be used for the purchase of, or upgrade to, F-
17 16 fighter aircraft or munitions for such air-
18 craft.

19 (B) EXCEPTIONS.—Not more than
20 \$142,000,000 of the amount authorized to be
21 made available under this subsection for fiscal
22 year 2009 is authorized to be used for upgrade
23 to F-16 fighter aircraft pursuant to letters of
24 agreement signed between the United States
25 and Pakistan in 2006. Amounts authorized to

1 be made available under this subsection for a
2 fiscal year are authorized to be used for mili-
3 tary construction pursuant to the security plan
4 signed between the United States and Pakistan
5 in 2006.

6 (C) WAIVER.—The President may waive
7 the restriction under subparagraph (A) with re-
8 spect to amounts authorized to be made avail-
9 able under this subsection for a fiscal year,
10 other than amounts authorized to be made
11 available under paragraph (2) of this sub-
12 section, if the President certifies to the appro-
13 priate congressional committees not later than
14 15 days prior to exercising the authority of this
15 subparagraph that the waiver is vital to the na-
16 tional security interests of the United States.

17 (4) SECURITY ASSISTANCE PLAN.—Not later
18 than 90 days after the date of the enactment of this
19 Act, the President shall transmit to the appropriate
20 congressional committees a plan for the proposed
21 use of amounts authorized to be made available
22 under this subsection for each of the fiscal years
23 2009 through 2013.

24 (5) DEFINITIONS.—In this section, the terms
25 “defense articles”, “defense services”, and “military

1 education and training” have the meaning given
2 such terms in section 644 of the Foreign Assistance
3 Act of 1961 (22 U.S.C. 2403).

4 (c) SENSE OF CONGRESS.—It is the sense of Con-
5 gress that the United States should facilitate Pakistan’s
6 establishment of a program to enable the Pakistani mili-
7 tary to provide reconstruction assistance in areas damaged
8 by combat operations.

9 **SEC. 204. DRAWDOWN AUTHORITY.**

10 (a) IN GENERAL.—The President is authorized to di-
11 rect the drawdown of defense articles from the stocks of
12 the Department of Defense, defense services of the De-
13 partment of Defense, and military education and training
14 for the purpose of providing such articles, services, and
15 military education and training to the Government of
16 Pakistan. The aggregate value of assistance provided
17 under this subsection may not exceed \$20,000,000 for any
18 fiscal year.

19 (b) PRIOR NOTIFICATION.—The President may exer-
20 cise the authority of subsection (a) only if—

21 (1) the President determines and notifies Con-
22 gress in accordance with section 652 of the Foreign
23 Assistance Act of 1961 (22 U.S.C. 2411) that it is
24 important to the national security interests of the
25 United States; and

1 (2) the President notifies the appropriate con-
2 gressional committees at least 15 days in advance of
3 the exercise of such authority in accordance with the
4 procedures applicable to reprogramming notifications
5 under section 634A of the Foreign Assistance Act
6 (22 U.S.C. 2394–1).

7 (c) INFORMATION AND REPORTS.—The President
8 shall keep the appropriate congressional committees fully
9 and currently informed of all defense articles, defense
10 services, and military education and training provided
11 under subsection (a), including providing the appropriate
12 congressional committees with a report that describes the
13 articles, services, and military education and training upon
14 delivery of the articles or upon completion of the services
15 or education and training (as the case may be).

16 (d) RELATION TO OTHER AUTHORITIES.—The au-
17 thority provided by this section is in addition to any other
18 drawdown authority under the Foreign Assistance Act of
19 1961 (22 U.S.C. 2151 et seq.).

20 (e) DEFINITIONS.—In this section, the terms “de-
21 fense articles”, “defense services”, “military education
22 and training”, and “value” have the meaning given such
23 terms in section 644 of the Foreign Assistance Act of
24 1961 (22 U.S.C. 2403).

1 (f) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated to the President such
3 sums as may be necessary for each of the fiscal years 2009
4 through 2013 to reimburse the applicable appropriation,
5 fund, or account for defense articles, defense services, and
6 military education and training provided under subsection
7 (a).

8 **SEC. 205. EXCHANGE PROGRAM BETWEEN MILITARY AND**
9 **CIVILIAN PERSONNEL OF PAKISTAN AND**
10 **CERTAIN OTHER COUNTRIES.**

11 (a) IN GENERAL.—The Secretary of State is author-
12 ized to establish an exchange program between military
13 and civilian personnel of Pakistan and military and civil-
14 ian personnel of countries determined by the Secretary of
15 State to be in transition to democracy and military and
16 civilian personnel of North Atlantic Treaty Organization
17 member countries, in order to foster greater respect for
18 and understanding of the principle of civilian rule of Paki-
19 stan’s military. The program established under this sub-
20 section shall be known as the “Pakistan Military Transi-
21 tion Program”.

22 (b) ELEMENTS OF PROGRAM.—The program author-
23 ized under subsection (a) may include—

- 24 (1) conferences, seminars, and other events;
25 (2) distribution of publications; and

1 (3) reimbursement of expenses of foreign mili-
2 tary personnel participating in the program, includ-
3 ing transportation expenses, translation services ex-
4 penses, and administrative expenses relating to the
5 program.

6 (c) **ROLE OF NONGOVERNMENTAL ORGANIZA-**
7 **TIONS.**—Amounts authorized to be appropriated to carry
8 out this title for a fiscal year are authorized to be made
9 available for nongovernmental organizations to facilitate
10 the implementation of the program authorized under sub-
11 section (a).

12 **SEC. 206. LIMITATION ON UNITED STATES MILITARY AS-**
13 **SISTANCE TO PAKISTAN.**

14 (a) **PROHIBITION ON USE OF FUNDS.**—No military
15 assistance to Pakistan for a fiscal year may be obligated
16 or expended if the President has not made the determina-
17 tions described in subsection (c) for such fiscal year, or
18 if a joint resolution described in subsection (f) dis-
19 approving any such determination is enacted into law.

20 (b) **EXCEPTION.**—Notwithstanding subsection (a),
21 the President may provide military assistance to Pakistan
22 for purposes of enhancing the ability of the Pakistan
23 Frontier Corps to conduct counterterrorism operations
24 along the border between Pakistan and Afghanistan.

1 (c) DETERMINATIONS REGARDING ENHANCED CO-
2 OPERATION BETWEEN THE UNITED STATES AND PAKI-
3 STAN.—The determinations referred to in subsection (a)
4 are—

5 (1) a determination by the President within 180
6 days of enactment of this Act and at the beginning
7 of each fiscal year thereafter that the Government
8 of Pakistan is continuing to cooperate with the
9 United States in efforts to dismantle supplier net-
10 works relating to the acquisition of nuclear weapons-
11 related materials, including, as necessary, providing
12 access to Pakistani nationals associated with such
13 networks; and

14 (2) a determination by the President at the be-
15 ginning of each fiscal year that the Government of
16 Pakistan during the preceding fiscal year has dem-
17 onstrated a sustained commitment to and made
18 progress towards combating terrorist groups, includ-
19 ing taking into account the progress the Government
20 of Pakistan has made with regard to—

21 (A) ceasing support, including by any ele-
22 ments within the Pakistan military or its intel-
23 ligence agency, to extremist and terrorist
24 groups, particularly to any group that has con-
25 ducted attacks against United States or coali-

1 tion forces in Afghanistan, including Afghani-
2 stan National Security Forces, or against the
3 territory of India or the people of India;

4 (B) closing terrorist camps in the FATA,
5 dismantling terrorist bases of operations in
6 other parts of the country, including Quetta
7 and Muridke, and taking action when provided
8 with intelligence about high-level terrorist tar-
9 gets;

10 (C) preventing cross border attacks into
11 neighboring countries; and

12 (D) strengthening counter-terrorism and
13 anti-money laundering laws.

14 (d) WAIVER.—The President may waive the restric-
15 tion under subsection (a) for any fiscal year if the Presi-
16 dent certifies to the appropriate congressional committees
17 15 days before the President exercises the authority of this
18 subsection that the provision of military assistance to
19 Pakistan is vital to the national security interest of the
20 United States.

21 (e) CONSULTATION AND WRITTEN JUSTIFICATION.—
22 Not later than 5 days prior to making a determination
23 described in subsection (c), the President shall consult
24 with the appropriate congressional committees and, upon
25 making such determination, shall submit to the appro-

1 piate congressional committees a written justification
2 that specifies the basis upon which the President made
3 such a determination. The justification shall be unclassi-
4 fied but may include a classified annex.

5 (f) JOINT RESOLUTION DISAPPROVING PRESI-
6 DENTIAL DETERMINATION.—

7 (1) CONTENTS OF RESOLUTION.—For purposes
8 of this subsection, a joint resolution referred to in
9 subsection (a) is a joint resolution of the two Houses
10 of Congress, which does not contain a preamble, and
11 the sole matter after the resolving clause of which is
12 as follows: “that the Congress disapproves the deter-
13 mination of the President transmitted to the Con-
14 gress on _____” with the date of the deter-
15 mination described in subsection (c) filled in.

16 (2) INTRODUCTION OF RESOLUTION.—

17 (A) IN GENERAL.—A joint resolution de-
18 scribed in paragraph (1) may be introduced at
19 any time during the 90-day period beginning on
20 the date on which the President transmits to
21 Congress a determination or determinations de-
22 scribed in subsection (c) in accordance with an
23 applicable date described in such subsection.
24 During the first 30 days of the 90-day period
25 specified in the preceding sentence, a joint reso-

1 lution will be considered to be a joint resolution
2 described in paragraph (1) only if it is intro-
3 duced in the House of Representatives by the
4 majority leader or minority leader of the House
5 or introduced in the Senate by the majority
6 leader or minority leader of the Senate. Only
7 the first resolution introduced in accordance
8 with this subparagraph with respect to a par-
9 ticular determination shall be considered to be
10 a joint resolution described in paragraph (1).

11 (B) LIMITATION.—After a committee re-
12 ports, or is discharged from further consider-
13 ation of, a joint resolution disapproving a deter-
14 mination or determinations described in sub-
15 section (c) for an applicable deadline described
16 in such subsection it shall not be in order to
17 move to proceed to the consideration of another
18 joint resolution disapproving such determination
19 or determinations in either House.

20 (3) REFERRAL TO COMMITTEES.—A joint reso-
21 lution described in paragraph (1) introduced in the
22 House of Representatives shall be referred to the
23 Committee on Foreign Affairs and a joint resolution
24 described in paragraph (1) introduced in the Senate

1 shall be referred to the Committee on Foreign Rela-
2 tions.

3 (4) DISCHARGE OF COMMITTEES.—If the com-
4 mittee of either House to which a joint resolution
5 described in paragraph (1) has been referred has not
6 reported such joint resolution at the end of 10 cal-
7 endar days (excluding Saturdays, Sundays, or legal
8 holidays, except when the relevant House is in ses-
9 sion on such a day) after its introduction, such com-
10 mittee shall be discharged from further consider-
11 ation of such joint resolution, and such joint resolu-
12 tion shall be placed on the appropriate calendar of
13 the relevant House.

14 (5) FLOOR CONSIDERATION IN THE HOUSE OF
15 REPRESENTATIVES AND SENATE.—

16 (A) IN GENERAL.—On or after the third
17 calendar day (excluding Saturdays, Sundays, or
18 legal holidays, except when the relevant House
19 is in session on such a day) after the date on
20 which the committee to which a joint resolution
21 described in paragraph (1) is referred has re-
22 ported, or has been discharged from further
23 consideration of, such a joint resolution, it shall
24 be in order for any Member of the relevant
25 House to move to proceed to the consideration

1 of the joint resolution. A Member of the rel-
2 evant House may make the motion only on the
3 day after the calendar day on which the Mem-
4 ber announces to the relevant House the Mem-
5 ber's intention to do so. Such motion shall be
6 privileged and shall not be debatable. The mo-
7 tion shall not be subject to amendment or to a
8 motion to postpone. A motion to reconsider the
9 vote by which the motion is agreed to shall not
10 be in order. If a motion to proceed to the con-
11 sideration of the joint resolution is agreed to,
12 the relevant House shall immediately proceed to
13 consideration of the joint resolution which shall
14 remain the unfinished business until disposed
15 of.

16 (B) DEBATE.—Debate on a joint resolu-
17 tion described in paragraph (1) and on all de-
18 batable motions and appeals in connection
19 therewith, shall be limited to not more than 36
20 hours in the House of Representatives and not
21 more than 50 hours in the Senate, which shall
22 be divided equally between those favoring and
23 those opposing the joint resolution. An amend-
24 ment to the joint resolution shall not be in
25 order. A motion to further limit debate shall be

1 in order and shall not be debatable. A motion
2 to table, a motion to postpone, or a motion to
3 recommit the joint resolution shall not be in
4 order. A motion to reconsider the vote by which
5 the joint resolution is agreed to or disagreed to
6 shall not be in order.

7 (C) APPEALS.—Appeals from the decisions
8 of the Chair to the procedure relating to a joint
9 resolution described in paragraph (1) shall be
10 decided without debate.

11 (6) CONSIDERATION BY THE OTHER HOUSE.—
12 If, before the passage by one House of a joint reso-
13 lution described in paragraph (1) of that House dis-
14 approving a determination or determinations de-
15 scribed in subsection (c) for an applicable deadline
16 described in such subsection, that House receives a
17 joint resolution described in paragraph (1) from the
18 other House disapproving the same determination or
19 determinations, then the following procedures shall
20 apply:

21 (A) The joint resolution of the other House
22 shall not be referred to a committee and may
23 not be considered in the House receiving it ex-
24 cept in the case of final passage as provided in
25 subparagraph (B)(ii).

1 (B) With respect to a joint resolution of
2 the House receiving the joint resolution—

3 (i) the procedure in that House shall
4 be the same as if no joint resolution had
5 been received from the other House; but

6 (ii) the vote on final passage shall be
7 on the joint resolution of the other House.

8 (C) Upon disposition of the joint resolution
9 received from the other House, it shall no
10 longer be in order to consider the joint resolu-
11 tion that originated in the receiving House.

12 (7) RULES OF HOUSE OF REPRESENTATIVES
13 AND SENATE.—This section is enacted by Con-
14 gress—

15 (A) as an exercise of the rulemaking power
16 of the House of Representatives and the Sen-
17 ate, respectively, and as such is deemed a part
18 of the rules of each House, respectively, and
19 such procedures supersede other rules only to
20 the extent that they are inconsistent with such
21 other rules; and

22 (B) with the full recognition of the con-
23 stitutional right of either House to change the
24 rules (so far as relating to the procedures of
25 that House) at any time, in the same manner,

1 and to the same extent as any other rule of that
2 House.

3 (g) DEFINITIONS.—For purposes of this section—

4 (1) the term “appropriate congressional com-
5 mittees” means the Committees on Foreign Affairs
6 and Armed Services of the House of Representatives
7 and the Committees on Foreign Relations and
8 Armed Services of the Senate; and

9 (2) the term “military assistance” means—

10 (A) assistance authorized under section 23
11 of the Arms Export Control Act (22 U.S.C.
12 2763; relating to the Foreign Military Financ-
13 ing program), including assistance authorized
14 under section 203(b) of this Act, assistance au-
15 thorized under section 204 of this Act, and as-
16 sistance authorized under part II of the For-
17 eign Assistance Act of 1961 (22 U.S.C. 2301 et
18 seq.), other than assistance authorized under
19 chapter 5 of part II of such Act (22 U.S.C.
20 2347 et seq.); and

21 (B) assistance authorized under any other
22 provision of law that is similar to assistance de-
23 scribed in subparagraph (A).

1 Government of Pakistan and other relevant governments
2 and organizations in the region and elsewhere to best im-
3 plement effective counterinsurgency and counterterrorism
4 efforts in and near the border areas of Pakistan and Af-
5 ghanistan, including the FATA, NWFP, and parts of
6 Balochistan.

7 (c) REPORT.—

8 (1) IN GENERAL.—Not later than 90 days after
9 the date of the enactment of this Act, the President
10 shall transmit to the appropriate congressional com-
11 mittees a report on the regional security strategy re-
12 quired under subsection (b).

13 (2) CONTENTS.—The report shall include a
14 copy of the regional security strategy, including
15 specification of goals, and proposed timelines and
16 budgets for implementation of the strategy.

17 **SEC. 302. MONITORING AND EVALUATION OF ASSISTANCE.**

18 (a) DEFINITIONS.—In this section:

19 (1) IMPACT EVALUATION RESEARCH.—The
20 term “impact evaluation research” means the appli-
21 cation of research methods and statistical analysis to
22 measure the extent to which change in a population-
23 based outcome can be attributed to program inter-
24 vention instead of other environmental factors.

1 (2) OPERATIONS RESEARCH.—The term “oper-
2 ations research” means the application of social
3 science research methods, statistical analysis, and
4 other appropriate scientific methods to judge, com-
5 pare, and improve policies and program outcomes,
6 from the earliest stages of defining and designing
7 programs through their development and implemen-
8 tation, with the objective of the rapid dissemination
9 of conclusions and concrete impact on programming.

10 (3) PROGRAM MONITORING.—The term “pro-
11 gram monitoring” means the collection, analysis,
12 and use of routine program data to determine how
13 well a program is carried out and how much the pro-
14 gram costs.

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

17 (1) to successfully enhance democracy and the
18 rule of law in Pakistan, defeat extremist elements,
19 and ensure the protection of human rights, the
20 President should establish a program to conduct im-
21 pact evaluation research, operations research, and
22 program monitoring to ensure effectiveness of assist-
23 ance provided under title I of this Act;

24 (2) long-term solutions to Pakistan’s security
25 problems depend on increasing the effectiveness and

1 responsiveness of civilian institutions in Pakistan,
2 including the parliament and judicial system;

3 (3) a specific program of impact evaluation re-
4 search, operations research, and program moni-
5 toring, established at the inception of the program,
6 is required to permit assessment of the operational
7 effectiveness of impact of United States assistance
8 towards these goals; and

9 (4) the President, in developing performance
10 measurement methods under the impact evaluation
11 research, operations research, and program moni-
12 toring, should consult with the appropriate congres-
13 sional committees as well as the Government of
14 Pakistan.

15 (c) IMPACT EVALUATION RESEARCH, OPERATION
16 RESEARCH AND PROGRAM MONITORING OF ASSIST-
17 ANCE.—The President shall establish and implement a
18 program to assess the effectiveness of assistance provided
19 under title I of this Act through impact evaluation re-
20 search on a selected set of programmatic interventions, op-
21 erations research in areas to ensure efficiency and effec-
22 tiveness of program implementation, and monitoring to
23 ensure timely and transparent delivery of assistance.

24 (d) REQUIREMENTS.—The program required under
25 subsection (c) shall include—

1 (1) a delineation of key impact evaluation re-
2 search and operations research questions for main
3 components of assistance provided under title I of
4 this Act;

5 (2) an identification of measurable performance
6 goals for each of the main components of assistance
7 provided under title I of this Act to be expressed in
8 an objective and quantifiable form at the inception
9 of the program;

10 (3) the use of appropriate methods, based on
11 rigorous social science tools, to measure program im-
12 pact and operational efficiency; and

13 (4) adherence to a high standard of evidence in
14 developing recommendations for adjustments to the
15 assistance to enhance the impact of the assistance.

16 (e) ASSISTANCE TO ENHANCE THE CAPACITY OF
17 PAKISTAN.—In carrying out the program required under
18 subsection (c), the President is authorized to provide as-
19 sistance to enhance the capacity of the Government of
20 Pakistan to monitor and evaluate programs carried out
21 by the national, provincial, and local governments in Paki-
22 stan in order to maximize the long-term sustainable devel-
23 opment impact of such programs.

24 (f) CONSULTATION WITH CONGRESS.—Not later
25 than 120 days after the date of the enactment of this Act,

1 the President shall brief and consult with the appropriate
2 congressional committees regarding the progress in estab-
3 lishing and implementing the program required under sub-
4 section (c).

5 (g) AUTHORIZATION OF APPROPRIATIONS.—Of the
6 amounts authorized to be appropriated under section 105
7 for each of the fiscal years 2009 through 2013, up to 5
8 percent of such amounts for such fiscal year is authorized
9 to be made available to carry out this section for the fiscal
10 year.

11 **SEC. 303. AUDITING.**

12 (a) ASSISTANCE AUTHORIZED.—The Inspector Gen-
13 eral of the Department of State and the Inspector General
14 of the United States Agency for International Develop-
15 ment shall audit, investigate, and oversee the obligation
16 and expenditure of funds to carry out title I of this Act.

17 (b) REQUIREMENT FOR IN-COUNTRY PRESENCE.—
18 The Inspector General of the Department of State and
19 the Inspector General of the United States Agency for
20 International Development, after consultation with the
21 Secretary of State and the Administrator of the United
22 States Agency for International Development, are author-
23 ized to establish field offices in Pakistan with sufficient
24 staff from each of the Offices of the Inspector General
25 in Pakistan respectively to carry out subsection (a).

1 (c) AUTHORIZATION OF APPROPRIATIONS.—

2 (1) IN GENERAL.—Of the amounts authorized
3 to be appropriated under section 105 for each of the
4 fiscal years 2009 through 2013, not less than
5 \$2,000,000 for each fiscal year is authorized to be
6 made available to the Office of the Inspector General
7 of the Department of State and not less than
8 \$2,000,000 for each fiscal year is authorized to be
9 made available to the Office of the Inspector General
10 of the United States Agency for International Devel-
11 opment to carry out this section.

12 (2) RELATION TO OTHER AVAILABLE FUNDS.—
13 Amounts made available under paragraph (1) are in
14 addition to amounts otherwise available for such
15 purposes.

16 **SEC. 304. REQUIREMENTS FOR CIVILIAN CONTROL OF**
17 **UNITED STATES ASSISTANCE FOR PAKISTAN.**

18 (a) REQUIREMENTS.—Any direct assistance provided
19 or payments made on or after January 1, 2010, by the
20 United States to the Government of Pakistan, and any
21 information required by the United States prior to pro-
22 viding the assistance or making the payments, may only
23 be provided or made to, or received from, civilian authori-
24 ties of a government of Pakistan constituted through a
25 free and fair election. For purposes of this subsection, a

1 government of Pakistan constituted through a free and
2 fair election is a government that is determined by the
3 President to have been elected in a free and fair manner,
4 taking into account the laws and constitution of Pakistan
5 and internationally recognized standards.

6 (b) WAIVER.—The President may waive the require-
7 ments under subsection (a) for a fiscal year if the Presi-
8 dent certifies to the appropriate congressional committees
9 that the waiver is vital to the national security interests
10 of the United States.

11 (c) RULE OF CONSTRUCTION.—Nothing in this sec-
12 tion shall apply with respect to any activities subject to
13 reporting requirements under title V of the National Secu-
14 rity Act of 1947 (50 U.S.C. 413 et seq.).

15 (d) DEFINITION.—In this section, the term “appro-
16 priate congressional committees” means the Committees
17 on Appropriations, Armed Services, and Foreign Affairs
18 of the House of Representatives and the Committees on
19 Appropriations, Armed Services, and Foreign Relations of
20 the Senate.

21 **SEC. 305. SENSE OF CONGRESS.**

22 It is the sense of Congress that—

23 (1) the Secretary of State, with the concurrence
24 of the Secretary of Defense, should establish a co-
25 ordinated, strategic communications strategy to en-

1 gage the people of Pakistan—one that is fully fund-
2 ed, staffed, and implemented—to help ensure the
3 success of the measures authorized by this Act; and

4 (2) the strategy should have clear and achiev-
5 able objectives, based on available resources, and
6 should be overseen by the United States Chief of
7 Mission in Pakistan.

8 **SEC. 306. REPORTS.**

9 (a) REPORT BY PRESIDENT.—

10 (1) IN GENERAL.—The President shall transmit
11 to the appropriate congressional committees a report
12 on assistance provided under titles I and II of this
13 Act during the preceding fiscal year. The first report
14 shall be transmitted not later than 180 days after
15 the date of the enactment of this Act and subse-
16 quent reports shall be transmitted not later than
17 December 31 of each year thereafter.

18 (2) MATTERS TO BE INCLUDED.—The report
19 required under subsection (a) shall include the fol-
20 lowing:

21 (A) A detailed description of the assistance
22 by program, project, and activity, as well as by
23 geographic area.

1 (B) A general description of the perform-
2 ance goals established under section 302 and
3 the progress made in meeting the goals.

4 (C) An evaluation of efforts undertaken by
5 the Government of Pakistan to—

6 (i) disrupt, dismantle, and defeat al
7 Qaeda, the Taliban, and other extremist
8 and terrorist groups in the FATA and set-
9 tled areas;

10 (ii) close terrorist camps, including
11 those of Jamaat-ud-Dawa and Lashkar-e-
12 Taiba;

13 (iii) cease all support for extremist
14 and terrorist groups;

15 (iv) prevent cross-border attacks;

16 (v) increase oversight over curriculum
17 in madrasas, including closing madrasas
18 with direct links to the Taliban or other
19 extremist and terrorist groups; and

20 (vi) improve counter-terrorism financ-
21 ing and anti-money laundering laws, apply
22 for observer status for the Financial Ac-
23 tion Task Force, and steps taken to adhere
24 to the United Nations International Con-

1 vention for the Suppression of Financing
2 of Terrorism.

3 (D) A detailed description of Pakistan's ef-
4 forts to prevent proliferation of nuclear-related
5 material and expertise.

6 (E) A description of the transfer or pur-
7 chase of military equipment pursuant to title II
8 of this Act, including—

9 (i) a list of equipment provided; and

10 (ii) a detailed description of the extent
11 to which funds obligated and expended
12 pursuant to section 203(b) meet the re-
13 quirements of such section.

14 (F) An analysis of a suitable replacement
15 for the AH-1F and AH-1S Cobra attack heli-
16 copters, which includes recommendations for
17 sustainment, training, and any other matters
18 determined to be appropriate.

19 (b) REPORT BY COMPTROLLER GENERAL.—

20 (1) IN GENERAL.—Not later than April 1,
21 2011, the Comptroller General of the United States
22 shall submit to the appropriate congressional com-
23 mittees a report evaluating the effectiveness of secu-
24 rity assistance provided to Pakistan under title II of
25 this Act during fiscal years 2009 and 2010.

1 (2) MATTERS TO BE INCLUDED.—The report
2 required under subsection (a) shall include the fol-
3 lowing:

4 (A) A detailed description of the expendi-
5 tures made by Pakistan pursuant to grant as-
6 sistance under section 23 of the Arms Export
7 Control Act (22 U.S.C. 2763; relating to the
8 Foreign Military Financing program).

9 (B) An assessment of the impact of the as-
10 sistance on the security and stability of Paki-
11 stan.

12 (C) An evaluation of any issues of financial
13 impropriety on behalf of personnel imple-
14 menting the assistance.

15 (D) An assessment of the extent to which
16 civilian authorities are involved in administra-
17 tion of the assistance provided by the United
18 States.

19 **SEC. 307. SUNSET.**

20 The authority of this Act shall expire after September
21 30, 2013.

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