

111<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 1707

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## AN ACT

To authorize appropriations for fiscal years 2010 through 2014 to promote an enhanced strategic partnership with Pakistan and its people, 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,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the  
3 “Enhanced Partnership with Pakistan Act of 2009”.

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

- Sec. 1. Short title; table of contents.
- Sec. 2. Definitions.
- Sec. 3. Findings.
- Sec. 4. Statement of principles.

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

- Sec. 101. Authorization of assistance.
- Sec. 102. Authorization of appropriations.
- Sec. 103. Auditing.

TITLE II—SECURITY ASSISTANCE FOR PAKISTAN

- Sec. 201. Purposes of assistance.
- Sec. 202. Authorization of assistance.
- Sec. 203. Limitations on certain assistance.
- Sec. 204. Pakistan Counterinsurgency Capability Fund.
- Sec. 205. Requirements for civilian control of certain assistance.

TITLE III—STRATEGY, ACCOUNTABILITY, MONITORING, AND  
OTHER PROVISIONS

- Sec. 301. Strategy Reports.
- Sec. 302. Monitoring Reports.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) APPROPRIATE CONGRESSIONAL COMMIT-  
9 TEES.—Except as otherwise provided in this Act, the  
10 term “appropriate congressional committees” means  
11 the Committees on Appropriations and Foreign Re-  
12 lations of the Senate and the Committees on Appro-  
13 priations and Foreign Affairs of the House of Rep-  
14 resentatives.

1           (2) COUNTERINSURGENCY.—The term “counterinsurgency” means efforts to defeat organized  
2 movements that seek to overthrow the duly constituted Governments of Pakistan and Afghanistan  
3 through violent means.  
4

5           (3) COUNTERTERRORISM.—The term “counterterrorism” means efforts to combat al Qaeda and  
6 other foreign terrorist organizations that are designated by the Secretary of State in accordance with  
7 section 219 of the Immigration and Nationality Act (8 U.S.C. 1189), or other individuals and entities  
8 engaged in terrorist activity or support for such activity.  
9

10           (4) FATA.—The term “FATA” means the Federally Administered Tribal Areas of Pakistan.  
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12           (5) FRONTIER CRIMES REGULATION.—The term “Frontier Crimes Regulation” means the Frontier  
13 Crimes Regulation, codified under British law in 1901, and applicable to the FATA.  
14

15           (6) IMPACT EVALUATION RESEARCH.—The term “impact evaluation research” means the application  
16 of research methods and statistical analysis to measure the extent to which change in a population-based  
17 outcome can be attributed to program intervention instead of other environmental factors.  
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1           (7) MAJOR DEFENSE EQUIPMENT.—The term  
2 “major defense equipment” has the meaning given  
3 the term in section 47(6) of the Arms Export Con-  
4 trol Act (22 U.S.C. 2794(6)).

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

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

17           (10) SECURITY FORCES OF PAKISTAN.—The  
18 term “security forces of Pakistan” means the mili-  
19 tary and intelligence services of the Government of  
20 Pakistan, including the Armed Forces, Inter-Serv-  
21 ices Intelligence Directorate, Intelligence Bureau,  
22 police forces, levies, Frontier Corps, and Frontier  
23 Constabulary.

24           (11) SECURITY-RELATED ASSISTANCE.—The  
25 term “security-related assistance”—

1 (A) means—

2 (i) grant assistance to carry out sec-  
3 tion 23 of the Arms Export Control Act  
4 (22 U.S.C. 2763); and

5 (ii) assistance under chapter 2 of part  
6 II of the Foreign Assistance Act of 1961  
7 (22 U.S.C. 2311 et. seq); but

8 (B) does not include—

9 (i) assistance authorized to be appro-  
10 priated or otherwise made available under  
11 any provision of law that is funded from  
12 accounts within budget function 050 (Na-  
13 tional Defense); and

14 (ii) amounts appropriated or other-  
15 wise available to the Pakistan Counter-  
16 insurgency Capability Fund established  
17 under the Supplemental Appropriations  
18 Act, 2009 (Public Law 111–32).

19 **SEC. 3. FINDINGS.**

20 Congress finds the following:

21 (1) The people of the Islamic Republic of Paki-  
22 stan and the United States share a long history of  
23 friendship and comity, and the interests of both na-  
24 tions are well-served by strengthening and deepening  
25 this friendship.

1           (2) Since 2001, the United States has contrib-  
2       uted more than \$15,000,000,000 to Pakistan, of  
3       which more than \$10,000,000,000 has been security-  
4       related assistance and direct payments.

5           (3) With the free and fair election of February  
6       18, 2008, Pakistan returned to civilian rule, revers-  
7       ing years of political tension and mounting popular  
8       concern over military rule and Pakistan's own demo-  
9       cratic reform and political development.

10          (4) Pakistan is a major non-NATO ally of the  
11       United States and has been a valuable partner in  
12       the battle against al Qaeda and the Taliban, but  
13       much more remains to be accomplished by both na-  
14       tions.

15          (5) The struggle against al Qaeda, the Taliban,  
16       and affiliated terrorist groups has led to the deaths  
17       of several thousand Pakistani civilians and members  
18       of the security forces of Pakistan over the past seven  
19       years.

20          (6) Despite killing or capturing hundreds of al  
21       Qaeda operatives and other terrorists—including  
22       major al Qaeda leaders, such as Khalid Sheikh Mu-  
23       hammad, Ramzi bin al-Shibh, and Abu Faraj al-  
24       Libi—the FATA, parts of the NWFP, Quetta in  
25       Balochistan, and Muridke in Punjab remain a sanc-

1 tuary for al Qaeda, the Afghan Taliban, the Terikh-  
2 e Taliban and affiliated groups from which these  
3 groups organize terrorist actions against Pakistan  
4 and other countries.

5 (7) The security forces of Pakistan have strug-  
6 gled to contain a Taliban-backed insurgency, re-  
7 cently taking direct action against those who threat-  
8 en Pakistan’s security and stability, including mili-  
9 tary operations in the FATA and the NWFP.

10 (8) On March 27, 2009, President Obama  
11 noted, “Multiple intelligence estimates have warned  
12 that al Qaeda is actively planning attacks on the  
13 United States homeland from its safe-haven in Paki-  
14 stan.”.

15 (9) According to a Government Accountability  
16 Office report (GAO–08–622), “since 2003, the  
17 [A]dministration’s national security strategies and  
18 Congress have recognized that a comprehensive plan  
19 that includes all elements of national power—diplo-  
20 matic, military, intelligence, development assistance,  
21 economic, and law enforcement support—was needed  
22 to address the terrorist threat emanating from the  
23 FATA” and that such a strategy was also mandated  
24 by section 7102(b)(3) of the Intelligence Reform and  
25 Terrorism Prevention Act of 2004 (Public Law 108–

1 458; 22 U.S.C. 2656f note) and section 2042(b)(2)  
2 of the Implementing the Recommendations of the 9/  
3 11 Commission Act of 2007 (Public Law 110–53; 22  
4 U.S.C. 2375 note).

5 (10) During 2008 and 2009, the people of  
6 Pakistan have been especially hard hit by rising food  
7 and commodity prices and severe energy shortages,  
8 with  $\frac{2}{3}$  of the population living on less than \$2 a  
9 day and  $\frac{1}{5}$  of the population living below the pov-  
10 erty line according to the United Nations Develop-  
11 ment Program.

12 (11) Economic growth is a fundamental founda-  
13 tion for human security and national stability in  
14 Pakistan, a country with more than 175,000,000  
15 people, an annual population growth rate of two per-  
16 cent, and a ranking of 136 out of 177 countries in  
17 the United Nations Human Development Index.

18 (12) The 2009 Pakistani military offensive in  
19 the NWFP and the FATA displaced millions of resi-  
20 dents in one of the gravest humanitarian crises  
21 Pakistan has faced, and despite the heroic efforts of  
22 Pakistanis to respond to the needs of the displaced  
23 millions and facilitate the return of many, it has  
24 highlighted the need for Pakistan to develop an ef-  
25 fective national counterinsurgency strategy.

1 **SEC. 4. STATEMENT OF PRINCIPLES.**

2 Congress declares that the relationship between the  
3 United States and Pakistan should be based on the fol-  
4 lowing principles:

5 (1) Pakistan is a critical friend and ally to the  
6 United States, both in times of strife and in times  
7 of peace, and the two countries share many common  
8 goals, including combating terrorism and violent  
9 radicalism, solidifying democracy and rule of law in  
10 Pakistan, and promoting the social and economic de-  
11 velopment of Pakistan.

12 (2) United States assistance to Pakistan is in-  
13 tended to supplement, not supplant, Pakistan's own  
14 efforts in building a stable, secure, and prosperous  
15 Pakistan.

16 (3) The United States requires a balanced, inte-  
17 grated, countrywide strategy for Pakistan that pro-  
18 vides assistance throughout the country and does  
19 not disproportionately focus on security-related as-  
20 sistance or one particular area or province.

21 (4) The United States supports Pakistan's  
22 struggle against extremist elements and recognizes  
23 the profound sacrifice made by Pakistan in the fight  
24 against terrorism, including the loss of more than  
25 1,900 soldiers and police since 2001 in combat with

1 al Qaeda, the Taliban, and other extremist and ter-  
2 rorist groups.

3 (5) The United States intends to work with the  
4 Government of Pakistan—

5 (A) to build mutual trust and confidence  
6 by actively and consistently pursuing a sus-  
7 tained, long-term, multifaceted relationship be-  
8 tween the two countries, devoted to strength-  
9 ening the mutual security, stability, and pros-  
10 perity of both countries;

11 (B) to support the people of Pakistan and  
12 their democratic government in their efforts to  
13 consolidate democracy, including strengthening  
14 Pakistan’s parliament, helping Pakistan rees-  
15 tablish an independent and transparent judicial  
16 system, and working to extend the rule of law  
17 in all areas in Pakistan;

18 (C) to promote sustainable long-term de-  
19 velopment and infrastructure projects, including  
20 in healthcare, education, water management,  
21 and energy programs, in all areas of Pakistan,  
22 that are sustained and supported by each suc-  
23 cessive democratic government in Pakistan;

24 (D) to ensure that all the people of Paki-  
25 stan, including those living in areas governed by

1 the Frontier Crimes Regulation, have access to  
2 public, modernized education and vocational  
3 training to enable them to provide for them-  
4 selves, for their families, and for a more pros-  
5 perous future for their children;

6 (E) to support the strengthening of core  
7 curricula and the quality of schools across Paki-  
8 stan, including madrassas, in order to improve  
9 the prospects for Pakistani children's futures  
10 and eliminate incitements to violence and intol-  
11 erance;

12 (F) to encourage and promote public-pri-  
13 vate partnerships in Pakistan in order to bol-  
14 ster ongoing development efforts and strength-  
15 en economic prospects, especially with respect  
16 to opportunities to build civic responsibility and  
17 professional skills of the people of Pakistan, in-  
18 cluding support for institutions of higher learn-  
19 ing with international accreditation;

20 (G) to expand people-to-people engagement  
21 between the two countries, through increased  
22 educational, technical, and cultural exchanges  
23 and other methods;

24 (H) to encourage the development of local  
25 analytical capacity to measure program effec-

1           tiveness and progress on an integrated basis,  
2           especially across the areas of United States as-  
3           sistance and payments to Pakistan, and in-  
4           crease accountability for how such assistance  
5           and payments are being spent;

6           (I) to assist Pakistan's efforts to improve  
7           counterterrorism financing and anti-money  
8           laundering regulatory structure in order to  
9           achieve international standards and encourage  
10          Pakistan to apply for "Financial Action Task  
11          Force" observer status and adhere to the  
12          United Nations International Convention for  
13          the Suppression of the Financing of Terrorism;

14          (J) to strengthen Pakistan's counterinsur-  
15          gency and counterterrorism strategy to help  
16          prevent any territory of Pakistan from being  
17          used as a base or conduit for terrorist attacks  
18          in Pakistan or elsewhere;

19          (K) to strengthen Pakistan's efforts to de-  
20          velop strong and effective law enforcement and  
21          national defense forces under civilian leader-  
22          ship;

23          (L) to achieve full cooperation in matters  
24          of counter-proliferation of nuclear materials and  
25          related networks;

1 (M) to strengthen Pakistan’s efforts to  
2 gain control of its under-governed areas and ad-  
3 dress the threat posed by any person or group  
4 that conducts violence, sabotage, or other ter-  
5 rorist activities in Pakistan or its neighboring  
6 countries; and

7 (N) to explore means to consult with and  
8 utilize the relevant expertise and skills of the  
9 Pakistani-American community.

10 **TITLE I—DEMOCRATIC, ECO-**  
11 **NOMIC, AND DEVELOPMENT**  
12 **ASSISTANCE FOR PAKISTAN**

13 **SEC. 101. AUTHORIZATION OF ASSISTANCE.**

14 (a) IN GENERAL.—The President is authorized to  
15 provide assistance to Pakistan—

16 (1) to support the consolidation of democratic  
17 institutions;

18 (2) to support the expansion of rule of law,  
19 build the capacity of government institutions, and  
20 promote respect for internationally-recognized  
21 human rights;

22 (3) to promote economic freedoms and sustain-  
23 able economic development;

1           (4) to support investment in people, including  
2 those displaced in on-going counterinsurgency oper-  
3 ations; and

4           (5) to strengthen public diplomacy.

5       (b) ACTIVITIES SUPPORTED.—Activities that may be  
6 supported by assistance under subsection (a) include the  
7 following:

8           (1) To support democratic institutions in Paki-  
9 stan in order to strengthen civilian rule and long-  
10 term stability, including assistance such as—

11           (A) support for efforts to strengthen Paki-  
12 stan’s institutions, including the capacity of the  
13 National Parliament of Pakistan, such as en-  
14 hancing the capacity of committees to oversee  
15 government activities, including national secu-  
16 rity issues, enhancing the ability of members of  
17 parliament to respond to constituents, and sup-  
18 porting of parliamentary leadership;

19           (B) support for voter education and civil  
20 society training as well as appropriate support  
21 for political party capacity building and respon-  
22 siveness to the needs of all the people of Paki-  
23 stan; and

24           (C) support for strengthening the capacity  
25 of the civilian Government of Pakistan to carry

1 out its responsibilities at the national, provin-  
2 cial, and local levels.

3 (2) To support Pakistan's efforts to expand  
4 rule of law, build the capacity, transparency, and  
5 trust in government institutions, and promote inter-  
6 nationally recognized human rights, including assist-  
7 ance such as—

8 (A) supporting the establishment of frame-  
9 works that promote government transparency  
10 and criminalize corruption in both the govern-  
11 ment and private sector;

12 (B) support for police professionalization,  
13 including training regarding use of force,  
14 human rights, and community policing;

15 (C) support for independent, efficient, and  
16 effective judicial and criminal justice systems,  
17 such as case management, training, and efforts  
18 to enhance the rule of law to all areas in Paki-  
19 stan;

20 (D) support for the implementation of  
21 legal and political reforms in the FATA;

22 (E) support to counter the narcotics trade;

23 (F) support for internationally recognized  
24 human rights, including strengthening civil soci-  
25 ety and nongovernmental organizations working

1 in the area of internationally recognized human  
2 rights, as well as organizations that focus on  
3 protection of women and girls, promotion of  
4 freedom of religion and religious tolerance, and  
5 protection of ethnic or religious minorities; and

6 (G) support for promotion of a responsible,  
7 capable, and independent media.

8 (3) To support economic freedom and economic  
9 development in Pakistan, including—

10 (A) programs that support sustainable eco-  
11 nomic growth, including in rural areas, and the  
12 sustainable management of natural resources  
13 through investments in water resource manage-  
14 ment systems;

15 (B) expansion of agricultural and rural de-  
16 velopment, such as farm-to-market roads, sys-  
17 tems to prevent spoilage and waste, and other  
18 small-scale infrastructure improvements;

19 (C) investments in energy, including en-  
20 ergy generation and cross-border infrastructure  
21 projects with Afghanistan;

22 (D) employment generation, including in-  
23 creasing investment in infrastructure projects,  
24 including construction of roads and the contin-  
25 ued development of a national aviation industry

1 and aviation infrastructure, as well as support  
2 for small and medium enterprises;

3 (E) worker rights, including the right to  
4 form labor unions and legally enforce provisions  
5 safeguarding the rights of workers and local  
6 community stakeholders;

7 (F) access to microfinance for small busi-  
8 ness establishment and income generation, par-  
9 ticularly for women; and

10 (G) countering radicalization by providing  
11 economic, social, educational, and vocational op-  
12 portunities and life-skills training to at-risk  
13 youth.

14 (4) To support investments in people, particu-  
15 larly women and children, including—

16 (A) promoting modern, public primary and  
17 secondary education and vocational and tech-  
18 nical training, including programs to assist in  
19 the development of modern, nationwide school  
20 curriculums for public, private, and religious  
21 schools; support for the proper oversight of all  
22 educational institutions, including religious  
23 schools, as required by Pakistani law; initiatives  
24 to enhance access to education and vocational  
25 and technical training for women and girls and

1 to increase women’s literacy, with a special em-  
2 phasis on helping girls stay in school; and con-  
3 struction and maintenance of libraries and pub-  
4 lic schools;

5 (B) programs relating to higher education  
6 to ensure a breadth and consistency of Paki-  
7 stani graduates, including through public-pri-  
8 vate partnerships;

9 (C) improving quality public health to  
10 eliminate diseases such as hepatitis and to re-  
11 duce maternal and under-five mortality rates;

12 (D) building capacity for nongovernmental  
13 and civil society organizations, particularly or-  
14 ganizations with demonstrated experience in de-  
15 livering services to the people of Pakistan, par-  
16 ticularly to women, children, and other vulner-  
17 able populations; and

18 (E) support for refugees and internally dis-  
19 placed persons and long-term development in  
20 regions of Pakistan where internal conflict has  
21 caused large-scale displacement.

22 (5) To strengthen public diplomacy to combat  
23 militant extremism and promote a better under-  
24 standing of the United States, including—

1 (A) encouraging civil society, respected  
2 scholars, and other leaders to speak out against  
3 militancy and violence; and

4 (B) expanded exchange activities under the  
5 Fulbright Program, the International Visitor  
6 Leadership Program, the Youth Exchange and  
7 Study Program, and related programs adminis-  
8 tered by the Department of State designed to  
9 promote mutual understanding and interfaith  
10 dialogue and expand sister institution programs  
11 between United States and Pakistani schools  
12 and universities.

13 (c) ADDITIONAL AND RELATED ACTIVITIES.—

14 (1) AVAILABILITY OF AMOUNTS FOR PAKISTANI  
15 POLICE PROFESSIONALIZATION, EQUIPPING, AND  
16 TRAINING.—Not less than \$150,000,000 of the  
17 amounts appropriated for fiscal year 2010 pursuant  
18 to the authorization of appropriations under section  
19 102 should be made available for assistance to Paki-  
20 stan under this section for police professionalization,  
21 equipping, and training.

22 (2) AVAILABILITY OF AMOUNTS FOR ADMINIS-  
23 TRATIVE EXPENSES.—Up to \$10,000,000 of the  
24 amounts appropriated for each fiscal year pursuant  
25 to the authorization of appropriations under section

1 102 may be made available for administrative ex-  
2 penses of civilian departments and agencies of the  
3 United States Government in connection with the  
4 provision of assistance under this section. Such  
5 amounts shall be in addition to amounts otherwise  
6 available for such purposes.

7 (3) UTILIZING PAKISTANI ORGANIZATIONS.—

8 The President is encouraged, as appropriate, to uti-  
9 lize Pakistani firms and community and local non-  
10 governmental organizations in Pakistan, including  
11 through host country contracts, and to work with  
12 local leaders to provide assistance under this section.

13 (4) USE OF DIRECT EXPENDITURES.—Amounts

14 appropriated for each fiscal year pursuant to the au-  
15 thorization of appropriations under section 102 or  
16 otherwise made available to carry out this section  
17 shall be utilized to the maximum extent possible as  
18 direct expenditures for projects and programs, sub-  
19 ject to existing reporting and notification require-  
20 ments.

21 (5) CHIEF OF MISSION FUND.—Of the amounts

22 appropriated for each fiscal year pursuant to the au-  
23 thorization of appropriations under section 102, up  
24 to \$5,000,000 may be used by the Secretary of State  
25 to establish a fund for use by the Chief of Mission

1 in Pakistan to provide assistance to Pakistan under  
2 this title or the Foreign Assistance Act of 1961 (22  
3 U.S.C. 2151 et seq.) to address urgent needs or op-  
4 portunities, consistent with the purposes of this sec-  
5 tion, or for purposes of humanitarian relief. The  
6 fund established pursuant to this paragraph may be  
7 referred to as the “Chief of Mission Fund”.

8 (6) SENSE OF CONGRESS.—It is the sense of  
9 Congress that—

10 (A) the United States should provide ro-  
11 bust assistance to the people of Pakistan who  
12 have been displaced as a result of ongoing con-  
13 flict and violence in Pakistan and support inter-  
14 national efforts to coordinate assistance to refu-  
15 gees and internally displaced persons in Paki-  
16 stan, including by providing support to inter-  
17 national and nongovernmental organizations for  
18 this purpose;

19 (B) the Administrator of the United States  
20 Agency for International Development should  
21 support the development objectives of the Ref-  
22 ugee Affected and Host Areas (RAHA) Initia-  
23 tive in Pakistan to address livelihoods, health,  
24 education, infrastructure development, and en-  
25 vironmental restoration in identified parts of

1 the country where Afghan refugees have lived;  
2 and

3 (C) the United States should have a co-  
4 ordinated, strategic communications strategy to  
5 engage the people of Pakistan and to help en-  
6 sure the success of the measures authorized by  
7 this title.

8 (d) NOTIFICATION.—For fiscal years 2010 through  
9 2014, the President shall notify the appropriate congres-  
10 sional committees not later than 15 days before obligating  
11 any assistance under this section as budgetary support to  
12 the Government of Pakistan or any element of the Govern-  
13 ment of Pakistan and shall include in such notification  
14 a description of the purpose and conditions attached to  
15 any such budgetary support.

16 **SEC. 102. AUTHORIZATION OF APPROPRIATIONS.**

17 (a) IN GENERAL.—There are authorized to be appro-  
18 priated to the President, for the purposes of providing as-  
19 sistance to Pakistan under this title and to provide assist-  
20 ance to Pakistan under the Foreign Assistance Act of  
21 1961 (22 U.S.C. 2151 et seq.), up to \$1,500,000,000 for  
22 each of the fiscal years 2010 through 2014.

23 (b) AVAILABILITY OF FUNDS.—

1           (1) IN GENERAL.—Of the amounts appro-  
2           priated in each fiscal year pursuant to the authoriza-  
3           tion of appropriations in subsection (a)—

4                   (A) none of the amounts appropriated for  
5                   assistance to Pakistan may be made available  
6                   after the date that is 60 days after the date of  
7                   the enactment of this Act unless the Pakistan  
8                   Assistance Strategy Report has been submitted  
9                   to the appropriate congressional committees  
10                  pursuant to section 301(a); and

11                   (B) not more than \$750,000,000 may be  
12                   made available for assistance to Pakistan unless  
13                   the President’s Special Representative to Af-  
14                   ghanistan and Pakistan submits to the appro-  
15                   priate congressional committees during such fis-  
16                   cal year—

17                           (i) a certification that assistance pro-  
18                           vided to Pakistan under this title or the  
19                           Foreign Assistance Act of 1961 to date  
20                           has made or is making reasonable progress  
21                           toward achieving the principal objectives of  
22                           United States assistance to Pakistan con-  
23                           tained in the Pakistan Assistance Strategy  
24                           Report; and

1                   (ii) a memorandum explaining the  
2                   reasons justifying the certification de-  
3                   scribed in clause (i).

4                   (2) **MAKER OF CERTIFICATION.**—In the event  
5                   of a vacancy in, or the termination of, the position  
6                   of the President’s Special Representative to Afghani-  
7                   stan and Pakistan, the certification and memo-  
8                   randum described under paragraph (1)(B) may be  
9                   made by the Secretary of State.

10                  (c) **WAIVER.**—The Secretary of State may waive the  
11                  limitations in subsection (b) if the Secretary determines,  
12                  and certifies to the appropriate congressional committees,  
13                  that it is in the national security interests of the United  
14                  States to do so.

15                  (d) **SENSE OF CONGRESS ON FOREIGN ASSISTANCE**  
16                  **FUNDS.**—It is the sense of Congress that, subject to an  
17                  improving political and economic climate in Pakistan,  
18                  there should be authorized to be appropriated up to  
19                  \$1,500,000,000 for each of the fiscal years 2015 through  
20                  2019 for the purpose of providing assistance to Pakistan  
21                  under the Foreign Assistance Act of 1961.

22                  **SEC. 103. AUDITING.**

23                  (a) **ASSISTANCE AUTHORIZED.**—The Inspector Gen-  
24                  eral of the Department of State, the Inspector General  
25                  of the United States Agency for International Develop-

1 ment, and the inspectors general of other Federal depart-  
2 ments and agencies (other than the Inspector General of  
3 the Department of Defense) carrying out programs,  
4 projects, and activities using amounts appropriated to  
5 carry out this title shall audit, investigate, and oversee the  
6 obligation and expenditure of such amounts.

7 (b) AUTHORIZATION FOR IN-COUNTRY PRESENCE.—  
8 The Inspector General of the Department of State and  
9 the Inspector General of the United States Agency for  
10 International Development, after consultation with the  
11 Secretary of State and the Administrator of the United  
12 States Agency for International Development, are author-  
13 ized to establish field offices in Pakistan with sufficient  
14 staff from each of the Offices of the Inspector General,  
15 respectively, to carry out subsection (a).

16 (c) AUTHORIZATION OF APPROPRIATIONS.—

17 (1) IN GENERAL.—Of the amounts authorized  
18 to be appropriated under section 102 for each of the  
19 fiscal years 2010 through 2014, up to \$30,000,000  
20 for each fiscal year is authorized to be made avail-  
21 able to carry out this section.

22 (2) RELATION TO OTHER AVAILABLE FUNDS.—  
23 Amounts made available under paragraph (1) are in  
24 addition to amounts otherwise available for such  
25 purposes.

1                   **TITLE II—SECURITY**  
2                   **ASSISTANCE FOR PAKISTAN**

3 **SEC. 201. PURPOSES OF ASSISTANCE.**

4           The purposes of assistance under this title are—

5               (1) to support Pakistan’s paramount national  
6               security need to fight and win the ongoing counter-  
7               insurgency within its borders in accordance with its  
8               national security interests;

9               (2) to work with the Government of Pakistan to  
10              improve Pakistan’s border security and control and  
11              help prevent any Pakistani territory from being used  
12              as a base or conduit for terrorist attacks in Paki-  
13              stan, or elsewhere;

14              (3) to work in close cooperation with the Gov-  
15              ernment of Pakistan to coordinate action against ex-  
16              tremist and terrorist targets; and

17              (4) to help strengthen the institutions of demo-  
18              cratic governance and promote control of military in-  
19              stitutions by a democratically elected civilian govern-  
20              ment.

21 **SEC. 202. AUTHORIZATION OF ASSISTANCE.**

22           (a) **INTERNATIONAL MILITARY EDUCATION AND**  
23 **TRAINING.—**

24               (1) **IN GENERAL.**—There are authorized to be  
25               appropriated such sums as may be necessary for

1 each of the fiscal years 2010 through 2014 for as-  
2 sistance under chapter 5 of part II of the Foreign  
3 Assistance Act of 1961 (22 U.S.C. 2347 et seq.; re-  
4 lating to international military education and train-  
5 ing) for Pakistan, including expanded international  
6 military education and training (commonly known as  
7 “E-IMET”).

8 (2) USE OF FUNDS.—It is the sense of Con-  
9 gress that a substantial amount of funds made avail-  
10 able to carry out this subsection for a fiscal year  
11 should be used to pay for courses of study and train-  
12 ing in counterinsurgency and civil-military relations.

13 (b) FOREIGN MILITARY FINANCING PROGRAM.—

14 (1) IN GENERAL.—There are authorized to be  
15 appropriated such sums as may be necessary for  
16 each of the fiscal years 2010 through 2014 for grant  
17 assistance under section 23 of the Arms Export  
18 Control Act (22 U.S.C. 2763; relating to the For-  
19 eign Military Financing program) for the purchase  
20 of defense articles, defense services, and military  
21 education and training for Pakistan.

22 (2) USE OF FUNDS.—

23 (A) IN GENERAL.—A significant portion of  
24 the amount made available to carry out this  
25 subsection for a fiscal year shall be for the pur-

1           chase of defense articles, defense services, and  
2           military education and training for activities re-  
3           lating to counterinsurgency and counterter-  
4           rorism operations in Pakistan.

5           (B) SENSE OF CONGRESS.—It is the sense  
6           of Congress that a significant majority of funds  
7           made available to carry out this subsection for  
8           a fiscal year should be used for the purpose de-  
9           scribed in subparagraph (A).

10          (3) ADDITIONAL AUTHORITY.—Except as pro-  
11          vided in sections 3 and 102 of the Arms Export  
12          Control Act, the second section 620J of the Foreign  
13          Assistance Act of 1961 (as added by Public Law  
14          110–161), and any provision of an Act making ap-  
15          propriations for the Department of State, foreign  
16          operations, and related programs that restricts as-  
17          sistance to the government of any country whose  
18          duly elected head of government is deposed by mili-  
19          tary coup or decree, and except as otherwise pro-  
20          vided in this title, amounts authorized to be made  
21          available to carry out paragraph (2) for fiscal years  
22          2010 and 2011 are authorized to be made available  
23          notwithstanding any other provision of law.

24          (4) 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 provide reconstruction as-  
7 sistance, including through Pakistan’s military as appro-  
8 priate, in areas damaged by combat operations.

9 (d) EXCHANGE PROGRAM BETWEEN MILITARY AND  
10 CIVILIAN PERSONNEL OF PAKISTAN AND CERTAIN  
11 OTHER COUNTRIES.—

12 (1) IN GENERAL.—The Secretary of State is  
13 authorized to establish an exchange program be-  
14 tween—

15 (A) military and civilian personnel of Paki-  
16 stan; and

17 (B)(i) military and civilian personnel of  
18 countries determined by the Secretary of State  
19 to be in the process of consolidating and  
20 strengthening a democratic form of government;  
21 or

22 (ii) military and civilian personnel of North  
23 Atlantic Treaty Organization member countries,

1 in order to foster greater mutual respect for and un-  
2 derstanding of the principle of civilian rule of the  
3 military.

4 (2) ELEMENTS OF PROGRAM.—The program  
5 authorized under paragraph (1) may include con-  
6 ferences, seminars, exchanges, and other events, dis-  
7 tribution of publications and reimbursements of ex-  
8 penses of foreign military personnel participating in  
9 the program, including transportation, translation  
10 and administrative expenses.

11 (3) ROLE OF NONGOVERNMENTAL ORGANIZA-  
12 TIONS.—Amounts authorized to be appropriated to  
13 carry out this section for a fiscal year are authorized  
14 to be made available for nongovernmental organiza-  
15 tions to facilitate the implementation of the program  
16 authorized under paragraph (1).

17 (4) AUTHORIZATION OF APPROPRIATIONS.—  
18 There are authorized to be appropriated such sums  
19 as may be necessary for each of the fiscal years  
20 2010 through 2014 to carry out the program estab-  
21 lished by this subsection.

22 **SEC. 203. LIMITATIONS ON CERTAIN ASSISTANCE.**

23 (a) LIMITATION ON SECURITY-RELATED ASSIST-  
24 ANCE.—For fiscal years 2011 through 2014, no security-  
25 related assistance may be provided to Pakistan in a fiscal

1 year until the Secretary of State, under the direction of  
2 the President, makes the certification required under sub-  
3 section (c) for such fiscal year.

4 (b) LIMITATION ON ARMS TRANSFERS.—For fiscal  
5 years 2012 through 2014, no letter of offer to sell major  
6 defense equipment to Pakistan may be issued pursuant to  
7 the Arms Export Control Act (22 U.S.C. 2751 et seq.)  
8 and no license to export major defense equipment to Paki-  
9 stan may be issued pursuant to such Act in a fiscal year  
10 until the Secretary of State, under the direction of the  
11 President, makes the certification required under sub-  
12 section (c) for such fiscal year.

13 (c) CERTIFICATION.—The certification required by  
14 this subsection is a certification by the Secretary of State,  
15 under the direction of the President, to the appropriate  
16 congressional committees that—

17 (1) the Government of Pakistan is continuing  
18 to cooperate with the United States in efforts to dis-  
19 mantle supplier networks relating to the acquisition  
20 of nuclear weapons-related materials, such as pro-  
21 viding relevant information from or direct access to  
22 Pakistani nationals associated with such networks;

23 (2) the Government of Pakistan during the pre-  
24 ceding fiscal year has demonstrated a sustained  
25 commitment to and is making significant efforts to-

1       wards combating terrorist groups, consistent with  
2       the purposes of assistance described in section 201,  
3       including taking into account the extent to which the  
4       Government of Pakistan has made progress on mat-  
5       ters such as—

6               (A) ceasing support, including by any ele-  
7               ments within the Pakistan military or its intel-  
8               ligence agency, to extremist and terrorist  
9               groups, particularly to any group that has con-  
10              ducted attacks against United States or coal-  
11              ition forces in Afghanistan, or against the terri-  
12              tory or people of neighboring countries;

13             (B) preventing al Qaeda, the Taliban and  
14             associated terrorist groups, such as Lashkar-e-  
15             Taiba and Jaish-e-Mohammed, from operating  
16             in the territory of Pakistan, including carrying  
17             out cross-border attacks into neighboring coun-  
18             tries, closing terrorist camps in the FATA, dis-  
19             mantling terrorist bases of operations in other  
20             parts of the country, including Quetta and  
21             Muridke, and taking action when provided with  
22             intelligence about high-level terrorist targets;  
23             and

24             (C) strengthening counterterrorism and  
25             anti-money laundering laws; and

1           (3) the security forces of Pakistan are not ma-  
2           terially and substantially subverting the political or  
3           judicial processes of Pakistan.

4           (d) CERTAIN PAYMENTS.—

5           (1) IN GENERAL.—Subject to paragraph (2),  
6           none of the funds appropriated for security-related  
7           assistance for fiscal years 2010 through 2014, or  
8           any amounts appropriated to the Pakistan Counter-  
9           insurgency Capability Fund established under the  
10          Supplemental Appropriations Act, 2009 (Public Law  
11          111–32), may be obligated or expended to make  
12          payments relating to—

13                   (A) the Letter of Offer and Acceptance  
14                   PK–D–YAD signed between the Governments  
15                   of the United States of America and Pakistan  
16                   on September 30, 2006;

17                   (B) the Letter of Offer and Acceptance  
18                   PK–D–NAP signed between the Governments  
19                   of the United States of America and Pakistan  
20                   on September 30, 2006; and

21                   (C) the Letter of Offer and Acceptance  
22                   PK–D–SAF signed between the Governments of  
23                   the United States of America and Pakistan on  
24                   September 30, 2006.

1           (2) EXCEPTION.—Funds appropriated for secu-  
2           rity-related assistance for fiscal years 2010 through  
3           2014 may be used for construction and related ac-  
4           tivities carried out pursuant to the Letters of Offer  
5           and Acceptance described in paragraph (1).

6           (e) WAIVER.—

7           (1) IN GENERAL.—The Secretary of State,  
8           under the direction of the President, may waive the  
9           limitations contained in subsections (a), (b), and (d)  
10          for a fiscal year if the Secretary of State determines  
11          that is important to the national security interests  
12          of the United States to do so.

13          (2) PRIOR NOTICE OF WAIVER.—The Secretary  
14          of State, under the direction of the President, may  
15          not exercise the authority of paragraph (1) until 7  
16          days after the Secretary of State provides to the ap-  
17          propriate congressional committees a written notice  
18          of the intent to issue to waiver and the reasons  
19          therefor. The notice may be submitted in classified  
20          or unclassified form, as necessary.

21          (f) APPROPRIATE CONGRESSIONAL COMMITTEES DE-  
22          FINED.—In this section, the term “appropriate congres-  
23          sional committees” means—

24                (1) the Committee on Foreign Affairs, the  
25                Committee on Armed Services, the Committee on

1 Oversight and Government Reform, and the Perma-  
2 nent Select Committee on Intelligence of the House  
3 of Representatives; and

4 (2) the Committee on Foreign Relations, the  
5 Committee on Armed Services, and the Select Com-  
6 mittee on Intelligence of the Senate.

7 **SEC. 204. PAKISTAN COUNTERINSURGENCY CAPABILITY**  
8 **FUND.**

9 (a) FOR FISCAL YEAR 2010.—

10 (1) IN GENERAL.—For fiscal year 2010, the  
11 Department of State’s Pakistan Counterinsurgency  
12 Capability Fund established under the Supplemental  
13 Appropriations Act, 2009 (Public Law 111–32),  
14 hereinafter in this section referred to as the  
15 “Fund”, shall consist of the following:

16 (A) Amounts appropriated to carry out  
17 this subsection (which may not include any  
18 amounts appropriated to carry out title I of this  
19 Act).

20 (B) Amounts otherwise available to the  
21 Secretary of State to carry out this subsection.

22 (2) PURPOSES OF FUND.—Amounts in the  
23 Fund made available to carry out this subsection for  
24 any fiscal year are authorized to be used by the Sec-  
25 retary of State, with the concurrence of the Sec-

1       retary of Defense, to build and maintain the coun-  
2       terinsurgency capability of Pakistan under the same  
3       terms and conditions (except as otherwise provided  
4       in this subsection) that are applicable to amounts  
5       made available under the Fund for fiscal year 2009.

6           (3) TRANSFER AUTHORITY.—

7           (A) IN GENERAL.—The Secretary of State  
8       is authorized to transfer amounts in the Fund  
9       made available to carry out this subsection for  
10      any fiscal year to the Department of Defense's  
11      Pakistan Counterinsurgency Fund established  
12      under the Supplemental Appropriations Act,  
13      2009 (Public Law 111–32) and such amounts  
14      may be transferred back to the Fund if the Sec-  
15      retary of Defense, with the concurrence of the  
16      Secretary of State, determines that such  
17      amounts are not needed for the purposes for  
18      which initially transferred.

19          (B) TREATMENT OF TRANSFERRED  
20      FUNDS.—Subject to subsections (d) and (e) of  
21      section 203, transfers from the Fund under the  
22      authority of subparagraph (A) shall be merged  
23      with and be available for the same purposes and  
24      for the same time period as amounts in the De-

1           partment of Defense’s Pakistan Counterinsur-  
2           gency Fund.

3           (C) RELATION TO OTHER AUTHORITIES.—

4           The authority to provide assistance under this  
5           subsection is in addition to any other authority  
6           to provide assistance to foreign countries.

7           (D) NOTIFICATION.—The Secretary of  
8           State shall, not less than 15 days prior to mak-  
9           ing transfers from the Fund under subpara-  
10          graph (A), notify the appropriate congressional  
11          committees in writing of the details of any such  
12          transfer.

13          (b) SUBMISSION OF NOTIFICATIONS.—Any notifica-  
14          tion required by this section may be submitted in classified  
15          or unclassified form, as necessary.

16          (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-  
17          FINED.—In this section, the term “appropriate congres-  
18          sional committees” means—

19               (1) the Committee on Appropriations, the Com-  
20               mittee on Armed Services, and the Committee on  
21               Foreign Affairs of the House of Representatives;  
22               and

23               (2) the Committee on Appropriations, the Com-  
24               mittee on Armed Services, and the Committee on  
25               Foreign Relations of the Senate.

1 **SEC. 205. REQUIREMENTS FOR CIVILIAN CONTROL OF CER-**  
2 **TAIN ASSISTANCE.**

3 (a) REQUIREMENTS.—

4 (1) IN GENERAL.—For fiscal years 2010  
5 through 2014, any direct cash security-related as-  
6 sistance or non-assistance payments by the United  
7 States to the Government of Pakistan may only be  
8 provided or made to civilian authorities of a civilian  
9 government of Pakistan.

10 (2) DOCUMENTATION.—For fiscal years 2010  
11 through 2014, the Secretary of State, in coordina-  
12 tion with the Secretary of Defense, shall ensure that  
13 civilian authorities of a civilian government of Paki-  
14 stan have received a copy of final documentation  
15 provided to the United States related to non-assist-  
16 ance payments provided or made to the Government  
17 of Pakistan.

18 (b) WAIVER.—

19 (1) SECURITY-RELATED ASSISTANCE.—The  
20 Secretary of State, in consultation with the Sec-  
21 retary of Defense, may waive the requirements of  
22 subsection (a) with respect to security-related assist-  
23 ance described in subsection (a) funded from ac-  
24 counts within budget function 150 (International Af-  
25 fairs) if the Secretary of State certifies to the appro-  
26 priate congressional committees that the waiver is

1 important to the national security interest of the  
2 United States.

3 (2) NON-ASSISTANCE PAYMENTS.—The Sec-  
4 retary of Defense, in consultation with the Secretary  
5 of State, may waive the requirements of subsection  
6 (a) with respect to non-assistance payments de-  
7 scribed in subsection (a) funded from accounts with-  
8 in budget function 050 (National Defense) if the  
9 Secretary of Defense certifies to the appropriate  
10 congressional committees that the waiver is impor-  
11 tant to the national security interest of the United  
12 States.

13 (c) APPLICATION TO CERTAIN ACTIVITIES.—Nothing  
14 in this section shall apply with respect to—

15 (1) any activities subject to reporting require-  
16 ments under title V of the National Security Act of  
17 1947 (50 U.S.C. 413 et seq.);

18 (2) any assistance to promote democratic elec-  
19 tions or public participation in democratic processes;

20 (3) any assistance or payments if the Secretary  
21 of State determines and certifies to the appropriate  
22 congressional committees that subsequent to the ter-  
23 mination of assistance or payments a democratically  
24 elected government has taken office;

1           (4) any assistance or payments made pursuant  
2 to section 1208 of the Ronald W. Reagan National  
3 Defense Authorization Act for Fiscal Year 2005  
4 (Public Law 108–375; 118 Stat. 2086), as amended;

5           (5) any payments made pursuant to the Acqui-  
6 sition and Cross-Servicing Agreement between the  
7 Department of Defense of the United States of  
8 America and the Ministry of Defense of the Islamic  
9 Republic of Pakistan; and

10          (6) any assistance or payments made pursuant  
11 to section 943 of the Duncan Hunter National De-  
12 fense Authorization Act for Fiscal Year 2009 (Pub-  
13 lic Law 110–417; 122 Stat. 4578).

14 (d) DEFINITIONS.—In this section—

15          (1) the term “appropriate congressional com-  
16 mittees” means the Committees on Appropriations,  
17 Armed Services, and Foreign Affairs of the House of  
18 Representatives and the Committees on Appropria-  
19 tions, Armed Services, and Foreign Relations of the  
20 Senate; and

21          (2) the term “civilian government of Pakistan”  
22 does not include any government of Pakistan whose  
23 duly elected head of government is deposed by mili-  
24 tary coup or decree.

1 **TITLE III—STRATEGY, ACCOUNT-**  
2 **ABILITY, MONITORING, AND**  
3 **OTHER PROVISIONS**

4 **SEC. 301. STRATEGY REPORTS.**

5 (a) PAKISTAN ASSISTANCE STRATEGY REPORT.—  
6 Not later than 45 days after the date of enactment of this  
7 Act, the Secretary of State shall submit to the appropriate  
8 congressional committees a report describing United  
9 States policy and strategy with respect to assistance to  
10 Pakistan under this Act. The report shall include the fol-  
11 lowing:

12 (1) A description of the principal objectives of  
13 United States assistance to Pakistan to be provided  
14 under title I of this Act.

15 (2) A general description of the specific pro-  
16 grams, projects, and activities designed to achieve  
17 the purposes of section 101 and the respective fund-  
18 ing levels for such programs, projects, and activities  
19 for fiscal years 2010 through 2014.

20 (3) A plan for program monitoring, operations  
21 research, and impact evaluation research for assist-  
22 ance authorized under title I of this Act.

23 (4) A description of the role to be played by  
24 Pakistani national, regional, and local officials and  
25 members of Pakistani civil society and local private

1 sector, civic, religious, and tribal leaders in helping  
2 to identify and implement programs and projects for  
3 which assistance is to be provided under this Act,  
4 and of consultations with such representatives in de-  
5 veloping the strategy.

6 (5) A description of the steps taken, or to be  
7 taken, to ensure assistance provided under this Act  
8 is not awarded to individuals or entities affiliated  
9 with terrorist organizations.

10 (6) A projection of the levels of assistance to be  
11 provided to Pakistan under this Act, broken down  
12 into the following categories as described in the an-  
13 nual “Report on the Criteria and Methodology for  
14 Determining the Eligibility of Candidate Countries  
15 for Millennium Challenge Account Assistance”:

16 (A) Civil liberties.

17 (B) Political rights.

18 (C) Voice and accountability.

19 (D) Government effectiveness.

20 (E) Rule of law.

21 (F) Control of corruption.

22 (G) Immunization rates.

23 (H) Public expenditure on health.

24 (I) Girls’ primary education completion  
25 rate.

1           (J) Public expenditure on primary edu-  
2           cation.

3           (K) Natural resource management.

4           (L) Business start-up.

5           (M) Land rights and access.

6           (N) Trade policy.

7           (O) Regulatory quality.

8           (P) Inflation control.

9           (Q) Fiscal policy.

10           (7) An analysis for the suitable replacement for  
11           existing Pakistani helicopters, including rec-  
12           ommendations for sustainment and training.

13           (b) COMPREHENSIVE REGIONAL STRATEGY RE-  
14           PORT.—

15           (1) SENSE OF CONGRESS.—It is the sense of  
16           Congress that the achievement of United States na-  
17           tional security goals to eliminate terrorist threats  
18           and close safe havens in Pakistan requires the devel-  
19           opment of a comprehensive plan that utilizes all ele-  
20           ments of national power, including in coordination  
21           and cooperation with other concerned governments,  
22           and that it is critical to Pakistan's long-term pros-  
23           perity and security to strengthen regional relation-  
24           ships among India, Pakistan, and Afghanistan.

1           (2) COMPREHENSIVE REGIONAL SECURITY  
2 STRATEGY.—The President shall develop a com-  
3 prehensive interagency regional security strategy to  
4 eliminate terrorist threats and close safe havens in  
5 Pakistan, including by working with the Government  
6 of Pakistan and other relevant governments and or-  
7 ganizations in the region and elsewhere, as appro-  
8 priate, to best implement effective counterinsurgency  
9 and counterterrorism efforts in and near the border  
10 areas of Pakistan and Afghanistan, including the  
11 FATA, the NWFP, parts of Balochistan, and parts  
12 of Punjab.

13           (3) REPORT.—

14           (A) IN GENERAL.—Not later than 180  
15 days after the date of the enactment of this  
16 Act, the President shall submit to the appro-  
17 priate congressional committees a report on the  
18 comprehensive regional security strategy re-  
19 quired under paragraph (2).

20           (B) CONTENTS.—The report shall include  
21 a copy of the comprehensive regional security  
22 strategy, including specifications of goals, and  
23 proposed timelines and budgets for implementa-  
24 tion of the strategy.

1 (C) APPROPRIATE CONGRESSIONAL COM-  
2 MITTEES DEFINED.—In this paragraph, the  
3 term “appropriate congressional committees”  
4 means—

5 (i) the Committee on Appropriations,  
6 the Committee on Armed Services, the  
7 Committee on Foreign Affairs, and the  
8 Permanent Select Committee on Intel-  
9 ligence of the House of Representatives;  
10 and

11 (ii) the Committee on Appropriations,  
12 the Committee on Armed Services, the  
13 Committee on Foreign Relations, and the  
14 Select Committee on Intelligence of the  
15 Senate.

16 (c) SECURITY-RELATED ASSISTANCE PLAN.—Not  
17 later than 180 days after the date of the enactment of  
18 this Act, the Secretary of State shall submit to the appro-  
19 priate congressional committees a plan for the proposed  
20 use of amounts authorized for security-related assistance  
21 for each of the fiscal years 2010 through 2014. Such plan  
22 shall include an assessment of how the use of such  
23 amounts complements or otherwise is related to amounts  
24 described in section 204.

1 **SEC. 302. MONITORING REPORTS.**

2 (a) SEMI-ANNUAL MONITORING REPORT.—Not later  
3 than 180 days after the submission of the Pakistan Assist-  
4 ance Strategy Report pursuant to section 301(a), and  
5 every 180 days thereafter through September 30, 2014,  
6 the Secretary of State, in consultation with the Secretary  
7 of Defense, shall submit to the appropriate congressional  
8 committees a report that describes the assistance provided  
9 under this Act during the preceding 180-day period. The  
10 report shall include—

11 (1) a description of all assistance by program,  
12 project, and activity, as well as by geographic area,  
13 provided pursuant to title I of this Act during the  
14 period covered by the report, including the amount  
15 of assistance provided for each program or project,  
16 and with respect to the first report a description of  
17 all amounts made available for assistance to Paki-  
18 stan during fiscal year 2009, including a description  
19 of each program, project, and activity for which  
20 funds were made available;

21 (2) a list of persons or entities from the United  
22 States or other countries that have received funds in  
23 excess of \$100,000 to conduct projects under title I  
24 of this Act during the period covered by the report,  
25 which may be included in a classified annex, if nec-

1       essary to avoid a security risk, and a justification for  
2       the classification;

3               (3) with respect to the plan described in section  
4       301(a)(3), updates to such plan and a description of  
5       best practices to improve the impact of the assist-  
6       ance authorized under title I of this Act;

7               (4) an assessment of the effectiveness of assist-  
8       ance provided under title I of this Act during the pe-  
9       riod covered by the report in achieving desired objec-  
10      tives and outcomes as guided by the plan described  
11      in section 301(a)(3), and as updated pursuant to  
12      paragraph (3) of this subsection, including a system-  
13      atic, qualitative, and where possible, quantitative  
14      basis for assessing whether desired outcomes are  
15      achieved and a timeline for completion of each  
16      project and program;

17              (5) a description of any shortfall in United  
18      States financial, physical, technical, or human re-  
19      sources that hinder the effective use and monitoring  
20      of such funds;

21              (6) a description of any negative impact, includ-  
22      ing the absorptive capacity of the region for which  
23      the resources are intended, of United States bilateral  
24      or multilateral assistance and recommendations for  
25      modification of funding, if any;

1           (7) any incidents or reports of waste, fraud,  
2 and abuse of expenditures under title I of this Act;

3           (8) the amount of funds authorized to be appro-  
4 priated pursuant to section 102 that were used dur-  
5 ing the reporting period for administrative expenses  
6 or for audits and program reviews pursuant to the  
7 authority under sections 101(c)(2) and 103;

8           (9) a description of the expenditures made from  
9 any Chief of Mission Fund established pursuant to  
10 section 101(c)(5) during the period covered by the  
11 report, the purposes for which such expenditures  
12 were made, and a list of the recipients of any ex-  
13 penditures from the Chief of Mission Fund in excess  
14 of \$100,000;

15           (10) an accounting of assistance provided to  
16 Pakistan under title I of this Act, broken down into  
17 the categories set forth in section 301(a)(6);

18           (11) an evaluation of efforts undertaken by the  
19 Government of Pakistan to—

20                   (A) disrupt, dismantle, and defeat al  
21                    Qaeda, the Taliban, and other extremist and  
22                    terrorist groups in the FATA and settled areas;

23                   (B) eliminate the safe havens of such  
24                    forces in Pakistan;

1 (C) close terrorist camps, including those  
2 of Lashkar-e-Taiba and Jaish-e-Mohammed;

3 (D) cease all support for extremist and ter-  
4 rorist groups;

5 (E) prevent attacks into neighboring coun-  
6 tries;

7 (F) increase oversight over curriculum in  
8 madrassas, including closing madrassas with di-  
9 rect links to the Taliban or other extremist and  
10 terrorist groups; and

11 (G) improve counterterrorism financing  
12 and anti-money laundering laws, apply for ob-  
13 server status for the Financial Action Task  
14 Force, and take steps to adhere to the United  
15 Nations International Convention for the Sup-  
16 pression of Financing of Terrorism;

17 (12) a detailed description of Pakistan's efforts  
18 to prevent proliferation of nuclear-related material  
19 and expertise;

20 (13) an assessment of whether assistance pro-  
21 vided to Pakistan has directly or indirectly aided the  
22 expansion of Pakistan's nuclear weapons program,  
23 whether by the diversion of United States assistance  
24 or the reallocation of Pakistan's financial resources

1 that would otherwise be spent for programs and ac-  
2 tivities unrelated to its nuclear weapons program;

3 (14) a detailed description of the extent to  
4 which funds obligated and expended pursuant to sec-  
5 tion 202(b) meet the requirements of such section;  
6 and

7 (15) an assessment of the extent to which the  
8 Government of Pakistan exercises effective civilian  
9 control of the military, including a description of the  
10 extent to which civilian executive leaders and par-  
11 liament exercise oversight and approval of military  
12 budgets, the chain of command, the process of pro-  
13 motion for senior military leaders, civilian involve-  
14 ment in strategic guidance and planning, and mili-  
15 tary involvement in civil administration.

16 (b) GOVERNMENT ACCOUNTABILITY OFFICE RE-  
17 PORTS.—

18 (1) PAKISTAN ASSISTANCE STRATEGY RE-  
19 PORT.—Not later than one year after the submission  
20 of the Pakistan Assistance Strategy Report pursuant  
21 to section 301(a), the Comptroller General of the  
22 United States shall submit to the appropriate con-  
23 gressional committees a report that contains—

24 (A) a review of, and comments addressing,  
25 the Pakistan Assistance Strategy Report;

1           (B) recommendations relating to any addi-  
2           tional actions the Comptroller General believes  
3           could help improve the efficiency and effective-  
4           ness of United States efforts to meet the objec-  
5           tives of this Act;

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

11          (D) an assessment of the impact of the as-  
12          sistance on the security and stability of Paki-  
13          stan.

14          (2) CERTIFICATION REPORT.—Not later than  
15          120 days after the date on which the President  
16          makes the certification described in section 203(c)  
17          for a fiscal year, the Comptroller General of the  
18          United States shall conduct an independent analysis  
19          of the certification described in such section and  
20          shall submit to the appropriate congressional com-  
21          mittees a report containing the results of the inde-  
22          pendent analysis.

23          (c) SUBMISSION.—The Secretary of State may sub-  
24          mit the reports required by this section in conjunction with  
25          other reports relating to Pakistan required under other

1 provisions of law, including sections 1116 and 1117 of the  
2 Supplemental Appropriations Act, 2009 (Public Law 111–  
3 32; 123 Stat. 1906 and 1907).

4 (d) APPROPRIATE CONGRESSIONAL COMMITTEES  
5 DEFINED.—In this section, the term “appropriate con-  
6 gressional committees” means—

7 (1) the Committee on Appropriations, the Com-  
8 mittee on Armed Services, and the Committee on  
9 Foreign Affairs of the House of Representatives;  
10 and

11 (2) the Committee on Appropriations, the Com-  
12 mittee on Armed Services, and the Committee on  
13 Foreign Relations of the Senate.

Passed the Senate September 24, 2009.

Attest:

*Secretary.*



111<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

**S. 1707**

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**AN ACT**

To authorize appropriations for fiscal years 2010 through 2014 to promote an enhanced strategic partnership with Pakistan and its people, and for other purposes.