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MARKUP OF H.R. 3373, H.R. 5038, S. 1340, H.R. 4864, H.R. 4508, H.Res.752, H.R. 2343, H. Res. 754, H.R. 630, H.R. 3843, H.R. 2529, H.R. 2444, H.R. 4331, and H.R. 3571

MARKUP

BEFORE THE

COMMITTEE ON FOREIGN AFFAIRS
HOUSE OF REPRESENTATIVES

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Wednesday, December 18, 2019
House of Representatives
Committee on Foreign Affairs

Washington, DC

The committee met, pursuant to notice, at 10 a.m., in room 2172 Rayburn House Office Building, Hon. Eliot Engel (chairman of the committee) presiding.

Mr. ENGEL. The committee will come to order. Without objection, the chair is authorized to declare a recess of the committee at any point. Pursuant to committee rule 4, the chair may postpone further proceedings on approving any measure or matter or adopting an amendment. Without objection, all members may 5 days to submit statements or extraneous materials on today's business.

As members were notified yesterday, we tend to consider 12, now 12 bipartisan measures and amendments, en bloc. Pursuant to notice for purposes of markup, I now call the en bloc package consisting of 11 measures: H.R. 3373, Office of International Disability Rights Act; H.R. 5038 Global Hope Act, with a McCaul amendment; H.R. 4864, the Global ChildThrive Act, with a Castor Amendment in the Nature of a Substitute; H.R. 4508, Malala Yousafzai Scholarship Act with a Smith amendment; H.Res. 752, Supporting the rights of the people of Iran to free expression, condemning the Iranian regime for its crackdown on legitimate protests, with a Deutch Amendment in the Nature of a Substitute and an Engel amendment to the Amendment in the Nature of a Substitute; H.R. 2343, Peace and Tolerance in Palestinian Education Act, with a Sherman Amendment in the Nature of a Substitute; H.Res 754, Expressing the sense of the House of Representatives that the United States should continue to support the people of Nicaragua in their peaceful efforts to promote democracy and human rights and use the tools under United States law to increase political and financial pressure on the government of Daniel Ortega; H.R. 360, Counterterrorism Screening and Assistance Act of 2019, with a Zeldin Amendment in the Nature of a Substitute and an Omar amendment to the Amendment in the Nature of a Substitute; H.R. 3843, Countering Russian and Other Overseas Kleptocracy Act, which is the CROOK Act, with a Keating Amendment in the Nature of a Substitute; H.R. 2444, Eastern European Security Act, with an Engel Amendment in the Nature of a Substitute; H.R. 4331, Tibetan Policy and Support Act of 2019, with an Engel Amendment in the Nature of a Substitute and an Engel amendment to the

Amendment in the Nature of a Substitute; H.R. 3571, City and State Diplomacy Act, with a Lieu Amendment in the Nature of a Substitute and a Meeks amendment to the Amendment in the Nature of a Substitute.

Senate 1340, the Ebola Eradication Act, was noticed for this markup, but I am not calling it up at this time; H.R. 2529, the New START Bill, was noticed, but I am also not calling it up as well since we have a few things to work out. I will continue to work on this bill and list it for the next markup.

At this time, I recognize myself to speak on today's business. I am pleased to support all of the bipartisan measures before us today and I thank our members for their hard work. I will keep my remarks brief and highlight just a few of the 12 bills and resolutions.

OK, I will turn now to the Countering Russian and Other Overseas Kleptocracy Act authored by Mr. Keating and Mr. Fitzpatrick on the subject of Mr. Putin. Putin and kleptocrats like him keep their power by corruption enriching a circle of loyal cronies at the expense of the citizens they represent. And as we have seen here in our Nation, they export corruption to gain leverage over world leaders and undermine democracies from within.

As we take this measure up, I am reminded that prior to becoming, taking office, President Trump spoke against the Foreign Corrupt Practices Act which bans bribery and other corruption in foreign business dealings, so I am pleased to support the CROOK Act which provides support to other countries combating corruption.

I also wanted to thank Mr. McCaul for his work on the Eastern European Security Act, a measure that mirrors my bill, the NATO Defense Financing Act. It is critical that NATO allies modernize their military forces and shift away from reliance on Russian or old Soviet-era equipment. This legislation which would complement U.S. security assistance allows for loans to our allies so they can update their equipment and security needs. Our own security depends upon a strong NATO alliance, so I hope all members will join me in approving this measure that supports our European allies.

Next, I will turn to House Resolution 752, which reaffirms our support for the rights of the Iranian people and condemns the Iranian regime for violently cracking down on protests. In the past months, I have been horrified by the images coming from Iran. Peaceful protestors met with violence, abuse, and brutality; internet and communications technology completely cutoff and censored.

It is just sickening to see the way that the regime treats the people of Iran, so I am pleased that we are considering this measure to reaffirm Congress's longstanding, bipartisan support for the Iranian people's right to freedom of expression and our strong opposition to the regime's cruel tactics. I hope all members will join me and support this measure.

Next, I will turn to my Amendment in the Nature of a Substitute to Tibetan Policy and Support Act of 2019, a measure offered by my friend, Mr. McGovern, the co-chair of the congressional Executive Committee on China and a leading advocate for the people of Tibet. Congress has always been a strong supporter of the Tibetan people's fight for their religious freedom and human rights.

Now, Beijing has made it clear that they plan to select future Tibetan Buddhist religious leaders including the next Dalai Lama. It is an unthinkable violation of the basic principles of religious freedom that the Chinese Government would choose a religious leader for the Tibetan people rather than allowing the Tibetan people to make this decision through their ancient and sacred traditions. So with this bill, we send a clear message. If Chinese officials infringe on the religious freedom of the Tibetan people in this manner, we will hold them accountable. I am proud to support this measure and hope all members will do the same.

Next, I want to thank Mr. Jeffries for his Malala Yousafzai Scholarship Act to ensure that at least half of USAID's merit and needs-based educational scholarships in Pakistan go to women. I am glad to see it is named after Malala, an iconic champion for girls' education, who persisted and who the Taliban attacked simply because she wanted to go to school. This is an excellent bill that I am proud to move forward in today's markup.

And, finally, I will turn to the Global Hope Act, a measure I cosponsored with Ranking Member McCaul, a longtime advocate in the fight against childhood cancer. The Global Hope Act takes the successful advances developed in the U.S. to fight childhood cancer and uses them to explore public-private partnerships for this mission throughout the world. It is a good bill I am pleased to support.

I strongly support all the measures we are considering today and I urge all members to join me and do the same. And I will now recognize our ranking member, Mr. McCaul of Texas, for his remarks.

Mr. MCCAUL. Well, thank you, Chairman Engel, for working with me and my side of the aisle over the past year to move important bipartisan measures through the committee and the House. I think, today, we are once again demonstrating that we can get things done in Congress.

Today, we are considering 12 measures including two measures I introduced, the Global Hope Act and the Eastern European Security Act. I would like to thank the chairman for his support and for partnering with me on the Global Hope Act. I founded the Childhood Cancer Caucus over a decade ago and since then we have made tremendous strides toward taking steps to cure this terrible disease. I am proud of the bipartisan work we have accomplished.

In the United States, childhood cancer is largely curable with over an 80 percent survival rate. Sadly, in developing countries this is reversed. The mortality rate for children diagnosed with cancer is 80 percent. In Africa it is as high as 90 percent. This is unacceptable, particularly given the low-cost measures and drugs that we have to cure this disease.

The United States has invested billions of dollars through PEPFAR and other programs to strengthen health systems and reduce disease burdens on developing countries. Because of these sustained investments, we are seeing impressive gains in global health and infectious disease survival rates. This bill is an opportunity to build on those successes. Important activities are already underway and showing results including training doctors and health professionals and increasing access to low-cost generic medi-

cines and interventions such as Texas Children's Hospital in Botswana.

In September 2018, the Global Health Organization announced a global initiative for childhood cancer that aims to reach at least a 60 percent survival rate for children with cancer by 2030, and the private sector has stepped up to the plate and worked with health ministries and invested money on their own. That is why I introduced the Global Hope Act, to leverage the strength of the U.S. Government global health activities by partnering with the private sector, NGO's, hospitals, and international organizations.

My bill authorizes the Secretary of State to engage in public-private partnerships and build on the successes of our current programs to address childhood cancer. This bill does not take away from our existing infectious disease programs, but rather catalyzes effective partnerships with hospitals and the private sector to work with health ministries, train medical personnel, and support the infrastructure to diagnosis, treat, and care for these children. A child's survival from cancer should not be predicted on where they are born and I look forward to working with my colleagues on this important bill.

On the Eastern European Security Act, it is vital that NATO-member countries who were formerly part of the Soviet bloc have modern and effective defense articles that are easily integrated with those used by the United States and other NATO allies. The Eastern European Security Act authorizes direct loans to these NATO allies so that they are not dependent on Russian or former Soviet-era defense articles. The bill supports our NATO allies and American jobs and is the best way to secure the alliance.

Last, on the Iran Resolution, I would like to thank my colleagues, Mr. Deutch and Mr. Wilson, for their work on a resolution supporting the rights of the people of Iran to free expression and condemning the Iranian regime for its crackdown on legitimate protests. This resolution is an important step in responding to their protests and subsequent crackdown.

I think particularly with this maximum pressure campaign, Iran is starting to feel the squeeze. They are crippled, they are getting provocative, and now is the time, I think, to act, so that we can topple the regime and free the Iranian people and the rights, the human rights of the Iranian people. And so with that I would like to thank all the members of the committee. I know it is a busy day today. And with that, Mr. Chairman, I yield back.

Mr. ENGEL. Thank you, Mr. McCaul.

Mr. Sherman.

Mr. SHERMAN. Mr. Chairman, this is perhaps the most partisan day in which has been perhaps the most partisan year in an era noted for its extreme partisan divisions. Yet today we will pass 11 bills, all of which have wide, near-unanimous, bipartisan support. It is a testament to the chair and the ranking member of this committee that those who listen to our proceedings in audio format, who hear but do not see, have difficulty discerning which Congress member is a member of which political party. This committee is an island of calm in a very stormy sea. I support the en bloc measure and I yield back.

Mr. ENGEL. Thank you, Mr. Sherman.

Mr. Smith.

Mr. SMITH. Thank you very much, Mr. Chairman. These are great bills, and I want to thank Mr. McCaul for his efforts to try to mitigate the challenges of childhood cancer in the developing world. I also want to thank Congressman Jeffries for accepting my amendment. As difficult as it is to be a woman in search of an education in Pakistan, it is even more difficult if you are a woman who is part of a disfavored religious minority, and my amendment includes reference to religion as a factor in marginalization, responds to a need identified by the U.S. Conference of Catholic Bishops on behalf of all—I say again, all—religious minorities in Pakistan.

I want to thank Albio Sires, especially, for his resolution of Nicaragua. I first met with Daniel Ortega in 1984 on a human rights mission to Nicaragua when there was a terrible war going on and his human rights abuses, which were egregious and pervasive then, continue to be so today. So thank you, Albio, for a great resolution.

I also want to speak to the Tibet Policy and Support Act of 2019. I am the prime Republican sponsor of that bill working with my good friend and colleague, Jim McGovern. Just last month, a 24-year-old Tibetan former monk named Yonten set himself on fire, and he is one of 150 self-immolations which have occurred over Tibet since 2009 in protest of China's continuing and worsening occupation of the people.

What could drive a man to that extreme? Well, under Xi Jinping there has been an expansion of the effort to erase Tibetan culture and to bring about what they call the sinicization of Tibetan Buddhism, just as it seeks to bring all religions or religious believers to heel in China, a phenomena which I discussed in an op-ed article that I wrote for the Washington Post nearly a year ago. Xi Jinping is trying to take every faith including Tibetan Buddhists and say they must cow-tow to him and to Marxist-Leninist principles or else they will be jailed, tortured, and even worse, killed.

In the past year, according to the China Commission—and I am the former chairman of it and now I am currently the ranking member—the Chinese Government has forced Tibetans to remove photos of the Dalai Lama from their homes, and whose picture goes up instead? Xi Jinping. This Congress, this year, has a list of important acts of legislation focused on China. Two Hong Kong bills, a bill just the other week on the human rights situation of the Muslim Uyghurs, and now we are addressing the issue of Tibet.

Keep in mind that just 1 year after the Communists took control over the Chinese mainland, China began the process of annexing the neighboring country of Tibet. Beginning in October 1950 and continuing into the next year, troops of the People's Liberation Army marched into Tibet easily overcoming resistance and forcing the Government of Tibet to acknowledge the overlordship of China. An uneasy period of semi-autonomy existed until 1959 when Tibet tried to overthrow the yoke of Communist occupation. This too was crushed, and crushed brutally.

China completed its incorporation of Tibet and the Dalai Lama fled 60 years ago. In exile, the Dalai Lama became the personification of Tibetan national and religious aspirations. Thirty years ago, the Nobel Committee recognized the Dalai Lama for his peaceful

challenge to Chinese occupation and his defense for the dignity and autonomy of the Tibetan people.

This year, incidentally, I plan to nominate the Hong Kong protestors for the Nobel Peace Prize and hope that my colleagues on this committee will sign that letter of nomination. I would point out that Liu Xiaobo led the effort in this House and it was joined by people all across the world when he was named the Nobel Peace Prize winner and that at least brought a tremendous focus on the ongoing human rights abuses by China.

In the 17 years since the original Tibetan Policy Act of 2002, the human rights situation in Tibet, sadly and tragically, has worsened. The Chinese Government has refused to enter into dialog with Tibetan leaders and Chinese officials have threatened to select future Tibetan Buddhist leaders, including the successor to the 14th Dalai Lama, in clear violation of their international religious freedom obligations and the traditional practices of the Tibetan Buddhist faith community. Furthermore, the policies of the Chinese Government have severely degraded Tibetan religion, culture, language, livelihoods, and the natural environment.

This bill, along with the Reciprocal Access to Tibet Act which Congress passed in 2016, sends the right message to Beijing. The fate of Tibet, its people and resources and religion are a strategic interest to the United States, but above all they are entitled—they are entitled—to freedom and they are entitled to democracy. I yield back the balance of my time.

Mr. ENGEL. Thank you. Thank you, Mr. Smith.

Mr. Sires.

Mr. SIRES. Thank you very much, Mr. Chairman, for calling this markup. I am grateful we are able to advance these bipartisan measures today.

I want to speak about the resolution I introduced with my colleague, Francis Rooney, ranking member of the Western Hemisphere Subcommittee. This resolution highlights the severe human rights abuses that have taken place in Nicaragua since last year and conveys bipartisan support for the people of Nicaragua as they seek to reclaim their fundamental rights.

Last year, repression by Nicaragua's security force has resulted in more 300 deaths. Amnesty International described the Nicaraguan Government's repressive tactics as a deliberate strategy of shooting to kill. Independent experts from the Organization of American States found that Nicaraguan officials committed crimes against humanity. Unfortunately, the situation remains dire. Today there are over 150 political prisoners in Nicaragua while hundreds of others have been released. They are routinely harassed by the authorities.

Tens of thousands of Nicaraguans have fled the country to escape prosecution. A recent report from Nicaraguan civil society organizations detailed the torture and abuses suffered by 56 political prisoners in Nicaragua including sexual abuse, suffocation with plastic bags, and electric shocks. This resolution makes clear that the U.S. Congress stands with the Nicaraguan people who are demanding accountability in the face of such brutal repression.

It calls for tangible steps from the Nicaraguan Government including immediate release of all political prisoners and the imple-

mentation of electoral reforms the Nicaraguan civil society organizations have long called for. However, the resolution also makes clear that if the Nicaraguan Government continues its repression, the international community should increase economic and political pressure on the Nicaraguan Government.

I appreciate the efforts of Congressman Rooney and his staff to work with me on this important resolution. I thank Chairman Engel for this effort to have this markup and I thank all our members and their staff for their hard work, and I yield back.

Mr. ENGEL. Thank you, Mr. Sires.

Mr. Chabot.

Mr. CHABOT. Thank you, Mr. Chairman. I just want to discuss briefly four of the bills before us today.

As former chairman of the Middle East Subcommittee, I want to thank Mr. Deutch and Mr. Wilson for their hard work on H. Res. 752 of which I am a cosponsor. This important resolution reaffirms our support for the rights of the Iranian people and condemns the regime's crackdown on recent protests. The people of Iran have a right to hold their tyrannical rulers accountable for the economic stagnation that they have brought upon their country.

Second, I am a cosponsor of Mr. Sherman and Mr. Zeldin's H.R. 2343, the Peace and Tolerance in Palestinian Education Act, which seeks to weed out anti-Israeli propaganda in Palestinian textbooks. Some Palestinians are willing to live side by side with Israel in peace, but there will not be peace, truly peace, until more Palestinians are willing to do so. And one step in the right direction is to stop teaching hate in the Palestinian schools and these textbooks are big part of that hatred.

Third, I would like to mention Mr. Sires and Mr. Rooney's H.Res 754, which I am also a cosponsor. This important resolution expresses our unwavering commitment to democracy and human rights in Nicaragua. The Ortega regime has brutally suppressed protestors, and over a year and a half later no one has been brought to justice for, arguably, crimes against humanity. Ortega's lust for power and rank corruption proves he has long overstayed his welcome. It is time that Nicaragua had a free and fair election reflecting the will of the people to bring needed change to that country.

And, finally, I would like to voice my support for H.R. 4331, the Tibetan Policy and Support Act of 2019, and I want to thank Mr. McGovern and Mr. Smith for their work on this important legislation which defends the religious freedom of Tibet Buddhists by affirming the religious nature of the Dalai Lama's succession. The Chinese Communist Party is unwilling to recognize any authority beyond its own power, human or divine. We cannot live in a world where government, not people's consciences determines how religion is to be practiced.

With that I would urge my colleagues to support these bills and many of the other bills, and I yield back.

Mr. ENGEL. Thank you, Mr. Chabot.

And, Mr. Connolly.

Mr. CONNOLLY. Thank you, Mr. Chairman. And I thank you and the ranking member for bringing 11 bills to this markup. I regret that we are not going to consider two bills, especially the Lugar-

Tauscher Act, and I certainly look forward to next year when we do address that issue, because I believe that a failure to extend the New START agreement risks the utter collapse of any structure on arms reduction between Russia and the United States and I think that creates a very dangerous world. So I hope we will address that.

I also want to echo part of the sentiments of my friend from California, Mr. Sherman, in terms of the bipartisan nature of the approach of this committee which is certainly something I hope we will continue to pursue. But I think it is also important to say bipartisanship is not intrinsically good or bad. It is not a goal in and of itself, it is a means toward an end. And bipartisanship requires two parties to willfully agree to compromise and cooperate, and the one denying its support cannot be used as a lever to prevent the work of the people's business, and I would simply note that. I support bipartisan approaches whenever and wherever we can achieve them, but they are not a goal in and of themselves.

Mr. Chairman, I would like to talk about the Tibetan Policy and Support Act, H.R. 4331, in particular. This past August, I traveled to Dharmsala, India with the House Democracy Partnership where we met with His Holiness, the Dalai Lama, for several hours, as well as officials from the Tibetan Government in exile, the Central Tibetan Administration.

We heard firsthand how the Chinese Government has strengthened its persecution of Tibetans through expulsions and demolitions of religious sites, the marginalizations of Tibetan culture and language, and further restrictions on Tibetans' travel especially through third countries like Nepal, which is an issue I hope this committee will take up because it is creating a very serious situation for the exiled community in Dharmsala.

I am proud to be a cosponsor of H.R. 4331, the Tibetan Policy and Support Act, to update and strengthen the Tibetan Policy Act of 2002. In response to Chinese official threats to select future Tibetan Buddhist leaders, the bill establishes as U.S. policy that the succession or reincarnation of Tibetan Buddhist leaders, including the future 15th Dalai Lama, is an exclusively religious matter to be decided solely by the Tibetan Buddhist community not by the Chinese Government.

I think that is a very important assertion by this committee and by this Congress and is a strong symbol of support for the Tibetan people and I hope a source of warning to the Chinese Government not to interfere with such an important process. I believe reinforcing and supporting the goals and aspirations of an entire ethnic population, the Tibetan people, is a very important value for this committee and, ultimately, the Congress to support and reassert, and I thank the authors for bringing this bill before us.

With that I yield back. Thank you, Mr. Chairman.

Mr. ENGEL. Thank you, Mr. Connolly.

Mr. Wilson.

Mr. WILSON. Thank you, Chairman Eliot Engel and our lead Republican Michael McCaul for bringing these important bipartisan measures before us today, and I appreciate and want to reaffirm the comments by Chairman Gerry Connolly. Indeed, we can work together on bipartisan issues that are important to the American

people. I am grateful to support a number of these bills and I appreciate the committee's commitment to bipartisanship and cooperation.

First and foremost, I would like to express my strong support for my friend, Chairman Ted Deutch's, H.Res 752, supporting the rights and people of Iran. I truly believe that we are witnessing history today in Iran. Protests have erupted in mid-November over an announced rise in price of fuel has managed to ignite a massive, countrywide, popular protest that challenge the very nature of the political system in Iran.

The Iranian people want a government that works for them, not to prop up a network of criminals and terrorists that include Assad and Hezbollah. The ayatollah cares more about death to America and death to Israel than he does about the Iranian people who have lived through unimaginable suffering over the past 40 years at the regime's hands. The great heritage of Persia has been subverted. The foremost State's sponsor of terrorism, the world has reacted in exactly the way any terrorist group would to these organized expressions of democracy. It is killing protestors by the hundreds, with a recent report suggesting the number could reach a thousand persons killed. In some cases, the terrorist regime is even refusing to return bodies to the families and loved ones.

The news has been tragic, but I am hopeful and inspired by the energy and commitment of the people of Iran. I believe that 1 day we will see the Iranian people take back their government and their destiny. This important resolution sends a strong message of support to the Iranian people and I thank Chairman Deutch for his work as well as for his tireless advocacy on behalf of human rights to the people of Iran. The very valued Iranian American community has been effective promoting freedom and democracy for their beloved families at home.

I would also like to thank my colleague, Mr. Lee Zeldin, for his hard work on H.R. 630, the Counterterrorism Screening Assistance Act of 2019. This critical piece of legislation prioritizes capacity-building in foreign countries to prevent and detect terrorist travel internationally. This serious problem will continue to threaten our homeland and our partners abroad until we can minimize any gaps in the international terrorism screening system. I am grateful to Mr. Zeldin as well as lead Republican McCaul for their long history of work on this crucial issue.

Last, I would like to express my strong support for Mr. Ted Lieu's H.R. 3571, the City and State Diplomacy Act. As a South Carolinian, I know all too well how important the bridges we build with foreign partners on a State and city level can be. The social and economic benefits that come from subnational diplomacy are extremely important and I thank Mr. Lieu for this legislation which will strengthen these kinds of more local efforts.

The Columbia World Affairs Council has been so meaningfully established sister-city relationships with both Plovdiv, Bulgaria, Kaiserslautern, Germany, Chelyabinsk, Russia, and Cluj-Napoca, Romania. Chair Emeritus Fred Monk has been very effective. South Carolina, with the leadership of Governor Henry McMaster, promotes the sister-State relationship with Rhineland-Palatinate, Germany.

The City and State Diplomacy Act will establish an Office of Subnational Diplomacy at the State Department to make sure that cities and States can leverage the power and network of the Federal Government to promote their own partnerships abroad. This will bring more tourism, more trade, and more foreign direct investments to cities and States across the country. I urge my colleagues on the committee to support this far-reaching bill. Thank you again, Chairman Engel and Leader Republican, and with that I yield back.

Chairman ENGEL. Thank you, Mr. Wilson.

Mr. Deutch.

Mr. DEUTCH. Thank you, Mr. Chairman, for holding this markup today. I would like to congratulate you and the ranking member for the terrific work this committee has accomplished this year.

I am proud to support all of the good bills that we will be advancing today. The House Foreign Affairs Committee recognizes the importance of bipartisan American leadership in advancing American values. That is the leadership that we are providing today, and I commend my colleagues on both sides of the aisle for doing so.

In mid-November, popular protests against the Iranian regime began and rapidly spread to at least 100 cities throughout the country in the most significant anti-government demonstrations in Iran since 2009. While protestors took to the streets in response to an announced increase in the price of fuel, they also called for structural reform of the Iranian political system and condemned current and former leaders. In response, Iranian authorities shut down the internet; security forces used lethal force, killing hundreds of people, marking the highest casualty rate of any protest movement in Iran since the Islamic Revolution four decades ago, and arresting at least 7,000 more.

Congress has long expressed bipartisan support for the human rights of the Iranian people, including the rights to peaceably assemble and protest. Congress has also supported the rights of Iranian dissidents and authorized the licensing of communications services to improve the ability of the Iranian people to speak freely.

In keeping with that tradition, H. Res. 752 expresses the support of the House of Representatives for the rights of the Iranian people to free expression and condemns the regime for its crackdown on the recent legitimate, peaceful protests in Iran. The resolution condemns the Iranian regime's serious human rights abuses, significant corruption, and destabilizing activities abroad, and urges the President and the Secretary of State to work with the international community to ensure that violations of human rights are part of all formal and informal multilateral or bilateral discussions with and regarding Iran.

I thank my friend, Mr. Wilson, for his leadership on this and so many other issues I am proud to partner with him on. I thank all of my colleagues for their support of this resolution which demonstrates that Congress stands with the Iranian people against the brutal regime and supports their right to live in a free society.

And I yield back the balance of my time.

Chairman ENGEL. Thank you. Thank you very much, Mr. Deutch.

Mr. Rooney.

Mr. ROONEY. Thank you, Chairman Engel and Ranking Member McCaul.

I want to thank Chairman Sires, chairman of the Western Hemisphere Subcommittee, and voice my support for his very important resolution for which I am thankful to be an original cosponsor, H. Res. 754, which expresses the House's support for the brave people of Nicaragua in their struggle for freedom and democracy against the oppressive regime of Daniel Ortega.

The resolution highlights the regime's human rights abuses that have led to the deaths of 325 innocent Nicaraguans and injured thousands more in 2018. Today, the regime continues its assault on the Nicaraguan people with no signs of letting up. Just last month, the regime's police forces attacked churches and church leaders throughout the country and cut water to peaceful hunger strikers inside a church in the city of Masaya.

These attacks harken back to Ortega's first round as Nicaragua's Marxist Communist leader in the early 1980's. Ortega is clearly no less an authoritarian and anti-democratic leader now than he was back then. Ortega mirrors his close allies in Cuba and Venezuela by oppressing dissent. We have seen the reports of arbitrary detentions and attacks on civil society and independent media that have forced many journalists and government dissenters to flee the country.

The Ortegas are responsible for systematic corruption, getting rich by stealing from the people of the second poorest country in the Western Hemisphere. The Trump Administration has rightly responded by imposing sanctions on the Ortega family and other members of the regime who are responsible for corruption and human rights abuses. This resolution recognizes and supports the administration's efforts and calls for additional sanctions and restrictions on the regime's access to foreign financing.

Today, I support this resolution in calling on Daniel Ortega to cease all attacks on the Nicaraguan people, release all political prisoners, and set the conditions for free and fair elections. The people of Nicaragua have suffered enough, and the House is rightly speaking out against the Ortega regime's crimes. I thank Western Hemisphere Subcommittee Chairman Sires again for introducing this resolution and will continue to work with him and our colleagues on the committee to support democracy for the Nicaraguan people.

I yield back. Thank you very much.

Chairman ENGEL. Thank you, Mr. Rooney.

Before I call on our next people, I want to just remind everyone on the committee that we have our annual holiday party this evening, starting at five o'clock, right in this room with nice ambience. So, we would like members on both sides of the aisle. Mr. McCaul and I invite you. Please, please show up for a few minutes and welcome the holiday season. Thank you.

Mr. Keating.

Mr. KEATING. Thank you, Mr. Chairman.

I am also pleased to join with all of us here supporting all the legislation that is being considered en bloc today in a bipartisan fashion.

I am also honored to join Representative Fitzpatrick in sponsoring the Countering Russian and Other Overseas Kleptocracy Act, or the CROOK Act. Russia's political system is built on a network of cronyism and kleptocracy, and exposing and countering Russian corruption and malign influence is a priority for our Europe, Eurasia, Energy and the Environment Subcommittee.

For too long, Russian President Vladmir Putin and other Russian politicians and oligarchs have acted with impunity, exerting undue influence over Russian political and economic policies at home and abroad, and manipulating U.S. and European financial systems to move and disguise their dark money. Their illicit funds are being used to control key economic sectors, fund political parties and organizations that advance Russian interests and manipulate political processes and policies.

Of course, corruption is not limited to Russia. Corruption can be found everywhere, inhabiting the dark corners of every country around the globe. So, we must shine a light on kleptocrats' ill-gotten gains and on those who benefit from them. The CROOK Act will help prevent Russian and other forms of kleptocracy from eroding democracy, security, and rule of law. It reaffirms U.S. policy to support key partners in promoting good governance and combating corruption.

The CROOK Act would establish an Anti-Corruption Action Fund to assist governments and non-governmental organizations in their efforts to prevent, investigate, combat, and deal with corruption and bribery around the world. The Act would impose a $5 million prevention payment on some of the most corrupt offenders of the Foreign Corrupt Practices Act and against the leaders in spreading this malign practice throughout the world. They will be subject to fines and penalties that exceed $50 million and would, thus, ensure those responsible for corrupt acts that contribute to efforts around the world and inhibit the rule of law, that they will seek leadership in countering this from the United States. The CROOK Act also establishes an interagency task force to work in coordination with U.S. embassies to coordinate assistance efforts, promote good governance in foreign States, and enhance the ability of foreign States to combat public corruption and evaluate foreign States' efforts.

I hope all of you will join me in supporting the CROOK Act and ensuring that corruption has no place here, in Russia, or anywhere else.

I yield back.

Chairman ENGEL. Thank you, Mr. Keating.

Mr. Fitzpatrick.

Mr. FITZPATRICK. Thank you, Mr. Chairman.

I would like to speak briefly about two pieces of legislation that are being marked up today, that I know both measures will help further our Nation's strategic goals.

I was proud to partner with my colleague on this committee, Representative Castro, to sponsor the Global Child Thrive Act. This legislation will bolster global early childhood development. Dedicating renewed attention to improving lives, the Act emphasizes the effective approaches to assist other countries in implementing child-focused initiatives and reauthorizes sections of the Foreign Assistance Act that will provide help to orphans and other vulner-

able children through the year 2025. I would also encourage my colleagues in the Senate to take up the companion bill that is being led by Senator Blunt and Senator Coons as we have in the House today.

The second piece of legislation I would like to highlight, which was just spoken to from my colleague, Mr. Keating, is the Countering Russian and Other Overseas Kleptocracy Act, or CROOK Act. The CROOK Act will establish an Anti-Corruption Action Fund to provide extra funding for anti-corruption reform in partner countries as well as streamline the U.S. Government's work building the rule of law abroad. I was fortune to be able to work with Mr. Keating on this bill and combine my role as a member of this committee and, also, as a Commissioner on the Helsinki Commission.

Mr. Chairman, this legislation is critically important. As an FBI agent who led the FBI's Mission to End International Corruption, this bill is key to making sure that the right resources are available to the men and women on the front lines of this fight.

I would ask all my colleagues to join me in supporting both of these important measures.

I yield back, Mr. Chairman.

Chairman ENGEL. Thank you, Mr. Fitzpatrick.

Mr. Cicilline.

Mr. CICILLINE. Thank you, Mr. Chairman. I want to thank you and the ranking member for once again holding a markup of bipartisan measures, all of which make progress on important foreign policy initiatives that will further American national security and global leadership. And I particularly want to thank you and to acknowledge the strong, bipartisan leadership of the chairman and the ranking member for what has been a very productive year of work on the House Foreign Affairs Committee.

I plan to support each of these measures and thank the sponsors for their hard work. I would like to take a few minutes to talk about some of the bills being considered today.

I strongly support H.R. 4864, the Global Child Thrive Act, sponsored by my friends, Joaquin Castro and Brian Fitzpatrick. This bill will make important investments in education and early childhood development, recognizing the importance of safety, access to clean water and food, and access to education, for the development of healthy young people who can contribute to their own societies. With so many countries around the world experiencing decreasing child mortality rates, it is vital that the United States continue to support important programs to help children not just survive, but thrive.

I am pleased to support H.R. 4508, the Malala Yousafzai Scholarship Act, sponsored by my colleague and good friend, Hakeem Jeffries from New York. This legislation, of which I am a proud cosponsor, requires USAID to provide at least 50 percent of its merit and needs-based scholarships to women in Pakistan. Women in Pakistan still face enormous discrimination and hardship in accessing education. I am pleased to see this effort to ensure that our assistance will help give Pakistani women the educational opportunities they need to build leaders of the next generation who will follow in Malala's footsteps.

I also want to thank Mr. Deutch and Mr. Wilson for their leadership in sponsoring H. Res. 752, a resolution supporting the rights of the people of Iran to free expression and condemning the Iranian regime for its crackdown on legitimate protests. I continuously am in awe of the courage of the Iranian people who are willing to risk their own personal safety to protest the corrupt and violent regime. The Iranian people want the same things everyone wants for themselves and their families—food to eat, a safe place to live, and access to real opportunities. The Iranian regime has used repression and fear to maintain control for decades, and when coupled with bad economic policies, the Iranians have no choice but to say, "Enough." I stand with these brave Iranians and I support their efforts to live freely and strongly support this resolution and urge my colleagues to do the same.

Finally, I want to make reference to the CROOK Act, sponsored by my esteemed classmate, Mr. Keating, and Mr. Fitzpatrick. I am very proud to support this legislation to really reaffirm America's global leadership in combating corruption as a key and effective tool to promoting democracy, transparency, and honest government around the world. This legislation will strengthen U.S. efforts to advance the rule of law by establishing an Anti-Corruption Action Fund at the State Department. And now more than ever, America's leadership on this issue is necessary.

So, with that, Mr. Chairman, I am going to urge my colleagues to support all of these bills and, again, thank my colleagues for their strong leadership in presenting them.

With that, I yield back.

Chairman ENGEL. Thank you, Mr. Cicilline.

Ms. Titus.

Ms. TITUS. Thank you, Mr. Chairman, for holding this markup and for including my bill, H.R. 3373, the Office of International Disability Rights Act, in the en bloc package.

There are more than 1 billion persons with disabilities around the world. Eighty percent live in developing countries. Around 60 percent are women and there are more than 90 million children with disabilities. Women with disabilities are more likely to experience sexual violence and children with disabilities are more likely to be malnourished and subjected to violence, isolation, and abuse. They are also less likely to be in school than children without disabilities.

Persons with disabilities are often excluded from the labor market, political participation, and meaningful involvement in public life. They are more likely to experience poverty, discrimination, and lack of access to vital resources. The world faces economic losses and costs when societies marginalize people with disabilities.

The United States has historically been a leader on disability rights, and it is critical that we remain at the forefront and continue to give this issue the importance it deserves in U.S. foreign policy. The Special Advisor for International Disability Rights was a position created in 2010, and Judy Heumann, who served in that position, is with us here today. Thank you very much. She was instrumental in the drafting of this proposed legislation, and I thank her and her team for working with Erica on my staff to bring this forward.

As Special Advisor, Ms. Heumann and her team helped boost the profile of disability rights within the State Department, raise the visibility of persons with disabilities in the Department's policies and programs, and improve the inclusion of disabilities in the annual Human Rights and Trafficking in Persons reports. They helped encourage foreign governments to combat discrimination, make democracy and human rights activities more inclusive, and work to ensure emergency planning and humanitarian aid were accessible to persons with disabilities. Indeed, their work made a real difference around the world.

Just one small example, in a meeting with young Mongolian leaders visiting Congress through a USAID program earlier this year, they mentioned to me the support that the U.S. team had provided in helping them to craft their new law on the rights of persons with disabilities in 2016.

Unfortunately, the position of Special Advisor has been vacant since January 2017, and with the vacancy, there has been a corresponding decline in U.S. leadership in the international disability rights arena. H.R. 3373 would restore U.S. leadership by codifying the Special Advisor position and the Office of International Disability Rights at the State Department. It would ensure that State Department personnel receive training, so that our programming, policies, and budgets are disability-inclusive and so personnel working in their respective missions will be able to perform their work through the lens of disability-inclusion.

The bill also directs State to develop a formal policy on disability inclusion, something USAID has done and is in the process of updating, but State has not. This will ensure that Congress, disability people's organizations, and the public can better understand the State Department's efforts in these areas and hold them accountable for implementing such work.

Disability rights cut across all sectors of foreign assistance—democracy promotion, voting in elections, human rights, labor, global health, education, economic growth and trade, gender equality, agriculture and food security, conflict transformation, and humanitarian recovery and relief.

We cannot have more than 1 billion people invisible in the global development agenda or in our foreign policy because of disabilities. It is in the diplomatic, economic, and humanitarian interest of the U.S. to continue to lead internationally on disability rights, and this bill would ensure that we continue to do so. Disability rights are human rights, and I look forward to the bill's full consideration by the House.

And I yield back.

Chairman ENGEL. Thank you, Ms. Titus.

Mr. Lieu.

Mr. LIEU. Thank you, Mr. Chairman.

Across the country, our cities and States are laboratories of democracy. They are places where innovative policies are developed on everything from resource management to trade, to public safety, but our cities and States are also instruments of U.S. diplomacy. For years, mayors, council members, school board members, and Governors have been engaging with their foreign counterparts around the globe to share best practices and strike agreements on

a range of issues. The growth of subnational cooperation has enabled cities and States to play an increasingly significant role in foreign policy and complement the efforts of the State Department. These engagements support U.S. trade and investment, facilitate cooperation on energy and the environment, increase the health and safety of our citizens, and promote people-to-people exchanges.

Today, global networks made up exclusively of local government officials are at the forefront of harnessing the power of cities to advance international cooperation, including organizations such as the Global Parliament of Mayors, Urban 20, and more. It is in the interest of the United States to promote these subnational engagements, align them with national objectives, and leverage Federal resources to enhance their impact.

For too long, however, our cities and States have been conducting this subnational diplomacy with little to no support from the Federal Government. That is a missed opportunity by both sides. My legislation being considered today, the City and State Diplomacy Act, seeks to address this major gap. This legislation will do two things.

First, it will establish a new Office of Subnational Diplomacy at the State Department that will coordinate all Federal resources needed to support our mayors and Governors on the world stage. This office will be headed by a senior official of an appropriate rank to represent the U.S. in international fora and develop the agreements necessary to facilitate more subnational engagement.

Second, the legislation authorizes State Department detailees to city halls and State capitals across the country to advise and assist our mayors, council members, school board members, and Governors and help them achieve their specific international objectives.

I am pleased this legislation has broad support not only from my colleagues across the aisle, but from across the country as well. This legislation will benefit every American city and every State with international interests.

I am also pleased that this legislation has garnered the support of the U.S. Conference of Mayors, the American Foreign Service Association, Los Angeles Mayor Eric Garcetti, and a number of former senior State Department officials from both Republican and Democratic administrations. I am also very pleased this legislation has bipartisan coauthors.

I would like to extend my deep thanks to Congressman Joe Wilson of South Carolina for partnering with me on this legislation and for his kind remarks about the bill today. I also want to thank Chairman Engel and Ranking Member McCaul for bringing this legislation forward to markup.

And I yield back.

Chairman ENGEL. Thank you, Mr. Lieu.

Ms. Wild.

Ms. WILD. Thank you, Mr. Chairman.

I move to strike the last word. I am proud to speak in support of H.R. 4864, the Global Child Thrive Act of 2019. I want to thank my colleagues, Representatives Joaquin Castro and Brian Fitzpatrick, for leading on this important legislation.

Around the world and here at home, millions of children lack access to vital early childhood development programs. We know from

a rich body of research that the first years of a child's life are unparalleled in their potential to shape outcomes later in life. As a result, discrepancies in accessing early learning are a leading cause of inequity in health and well-being as well as academic and professional success throughout their lives.

The Global Child Thrive Act will position our country to advance early childhood development globally as a major priority of U.S. Government international programming. At a time when 35 million children around the world are refugees or displaced, and when 1 in every 5 children internationally lives in a conflict-affected area, this work could not be more urgently needed. Particularly given the profoundly negative impact of stressful, unstable environments on children's development, we must ensure that coming generations can access these vital services, regardless of the tragic circumstances that they had the misfortune to be born into. We must remember our common humanity.

I commend my colleagues from both parties for working together to make clear that belief in the importance of early childhood development is a core interest and value of the United States. I urge all of my colleagues on the committee to join me in voting for the passage of H.R. 4864, the Global Child Thrive Act.

Thank you, Mr. Chairman, and I yield back.

Chairman ENGEL. Thank you, Ms. Wild.

Mr. Allred.

Mr. ALLRED. Thank you, Mr. Chairman, and I also want to thank the ranking member for your work in bringing together these bills for us to consider today.

I am happy to support all of them. I would want to specifically mention three bills that I am a cosponsor of—the Global Child Thrive Act, the Malala Yousafzai Scholarship Act, and the resolution supporting the rights of the Iranian people to free expression.

The Global Child Thrive Act, introduced by my fellow Texan, Congressman Castro, takes an important step forward in coordinating U.S. interagency efforts toward taking a more holistic approach to supporting early childhood health and development. Through focusing on early childhood development across all sectors from water and sanitation to basic education, the U.S., with our international partners, can lead the way in improving the lives of children across the world.

The Malala Yousafzai Scholarship Act, named after the world-famous Pakistani activist for education and the youngest Nobel Laureate, would require that half of all USAID merit and needs-based scholarships in Pakistan go to women. This fix takes a huge leap forward in ensuring that women have the same opportunities as men to go to school and reach their full potential around the world.

Finally, H. Res. 752, introduced by my esteemed colleague and friend, Ted Deutch, supports the rights of the Iranian people to free expression and condemns the violent crackdown by the Iranian regime. We in Congress support the rights of the Iranian people to freely assemble without fear of violence from their government. This resolution makes it clear that Congress is watching the events closely and will continue to speak out against violence against peaceful protestors.

I yield back.

Chairman ENGEL. Thank you.

Are there any other members seeking recognition? Mr. Zeldin.

Mr. ZELDIN. Thank you, Mr. Chairman.

I appreciate the committee's consideration of these measures in the en bloc package today.

First, I would like to express my support for H.R. 630, the Counterterrorism Screening and Assistance Act. This legislation is very similar to legislation that passed twice through this committee in the 114th and 115th Congress with bipartisan support.

Since 2011, the situation in Iraq and Syria has presented extra-significant challenges for the global community's ability to track and combat foreign terrorist actors. In Europe, roughly 5,000 EU citizens have traveled to Syria or Iraq to become foreign fighters for the Islamic State or other foreign terrorist groups. Our foreign partners have employed various measures to combat foreign fighters, to include increasing surveillance and prohibiting travel, that have successfully thwarted a number of plots. But we need to do more.

There is a very serious and well-recognized need for improved international border security and information-sharing between governments. This bipartisan legislation would ensure U.S. resources are utilized in the most efficient way possible to help international partners close loopholes in international airport security, better track these terrorists, and prevent them from traveling internationally, with a special focus on high-risk and medium-risk countries.

H.R. 630 would do this by requiring the Department of State and Department of Homeland Security to accelerate the delivery of certain surplus border security systems to countries of greatest concern and risk for a foreign fighter or terrorist to travel. The U.S. will attempt to collect reimbursement for transferred equipment, and all equipment transfers will comply with existing regulations related to the export of sensitive technologies.

This legislation would also recognize a reporting system to hold our partners accountable by monitoring efforts of foreign governments to combat terrorism and foreign fighter travel. It is essential that the United States work with the global community to monitor and stop the movement of terrorists abroad.

I look forward to working with my colleagues in the House and our friends in the Senate to pass and send this bill to the President.

In addition to other great bills in this en bloc, I would also like to express my support for H.R. 2343, the Peace and Tolerance in Palestinian Education Act. This was a bipartisan effort, working with Mr. Sherman, to maintain oversight over UNRWA's educational activities in the West Bank and Gaza. Last year, Congressman Perry and I secured declassification of a shocking GAO UNRWA textbook report revealing what we had suspected all along. The UNRWA textbook initiative was a sham. Textbook content in UNRWA schools did not mention Israel or Judaism and included regional maps that excluded Israel, and content was included that incited hate and violence.

The GAO report found that supplementary material, purchased using U.S. tax dollars, to counter the anti-Semitic and anti-Israel bias injected by the PA was being rejected and not utilized on the

ground. What is worse, the GAO report concluded that Congress has been unable to fully assess the nature and extent of the material in PA textbooks because of the State Department's misleading reports to Congress. It is unacceptable that textbooks that are used de-legitimize Israel and demonize Jewish people.

We must demand transparency over the anti-Israel textbooks in this program that are fueling another generation of hate. Our bill requires the Secretary of State to submit annual reports to Congress to determine whether schools operated by UNRWA and the Palestinian Authority have removed this offensive textbook content and determine whether any U.S. foreign assistance is being used to support this hateful curriculum. The United States cannot support a program that goes against the best interest of our greatest ally.

I would like to thank Chairman Engel and Lead Republican McCaul for their leadership and assistance on these important issues.

I yield back.

Chairman ENGEL. Thank you, Mr. Zeldin.

Are there any other members seeking recognition?

Hearing no further requests, then, without objection, the committee will proceed to consider the noticed items en bloc.

Without objection, each measure is considered as read and the amendments to each are considered as read and are agreed to.

[The bills and amendments en bloc follow:]

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116TH CONGRESS
1ST SESSION

H. R. 3373

To establish the Office of International Disability Rights, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 20, 2019

Ms. TITUS (for herself and Mr. YOUNG) introduced the following bill; which was referred to the Committee on Foreign Affairs

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A BILL

To establish the Office of International Disability Rights, and for other purposes.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Office of International Disability Rights Act".

SEC. 2. FINDINGS.

Congress finds the following:

(1) The United States has shown leadership domestically on disability rights with the Americans

with Disabilities Act, and this leadership should be leveraged to support international disability rights.

(2) There are more than one billion persons with disabilities around the world, and 80 percent live in developing countries.

(3) 60 percent of persons with disabilities are women.

(4) Women with disabilities are more likely to experience sexual violence than women without disabilities.

(5) There are more than 90 million children with disabilities worldwide.

(6) Children with disabilities are more likely to be malnourished than children without disabilities.

(7) Persons with disabilities are subject to economic and social marginalization. The World Bank has estimated the Gross Domestic Product loss due to disability to be between $1.71 trillion and $2.23 trillion annually.

(8) The inclusion of persons with disabilities is a fundamental part of democracy and essential to the full realization of human rights.

(9) The political participation and leadership of persons with disabilities, including those who ac-

1 quired a disability through conflict, is crucial to sus-
2 taining democratic institutions.
3 (10) Persons with disabilities face disadvan-
4 tages in educational attainment, labor market out-
5 comes, financial stability, housing, and standard of
6 living conditions.
7 (11) Issues related to disability rights cut
8 across all sectors, including democracy, human
9 rights, labor, global health, education, and disaster
10 relief.
11 (12) Persons with disabilities are members of
12 all marginalized groups, including women, young
13 people, the LGBTI community, ethnic and religious
14 minorities, internally displaced people, and refugees.
15 (13) The public presence of the Special Advisor
16 for International Disability Rights at the Depart-
17 ment of State, first appointed in 2010, helped raise
18 the visibility of persons with disabilities in Depart-
19 ment policies and programs and improved the inclu-
20 sion of disabilities in the Department's annual Coun-
21 try Reports on Human Rights Practices and Traf-
22 ficking in Persons reports.
23 (14) There is currently no mandate that all De-
24 partment of State programming be disability inclu-

1 sive and the Department does not have a formal,
2 publicly available disability policy.

3 **SEC. 3. OFFICE OF INTERNATIONAL DISABILITY RIGHTS.**

4 (a) IN GENERAL.—The Secretary of State shall es-
5 tablish an Office of International Disability Rights (re-
6 ferred to in this section as the "Office"), which should
7 be placed within the Bureau for Democracy, Human
8 Rights, and Labor (DRL).

9 (b) PURPOSE.—The Office shall coordinate efforts of
10 the United States Government, as directed by the Sec-
11 retary, regarding human rights for persons with disabil-
12 ities and advancing the status of persons with disabilities
13 in United States foreign policy.

14 (c) DUTIES.—The Office shall carry out the fol-
15 lowing:

16 (1) Serve as the principal advisor to the De-
17 partment of State on all matters related to inter-
18 national rights for persons with disabilities.

19 (2) Represent the United States in diplomatic
20 and multilateral fora on matters relevant to the
21 rights of persons with disabilities and work to raise
22 the profile of disability across a broader range of or-
23 ganizations contributing to international develop-
24 ment efforts.

1 (3) Work to ensure that disability inclusive
2 practices and empowerment of persons with disabil-
3 ities are fully integrated into all United States for-
4 eign operations.
5 (4) Conduct regular consultation with civil soci-
6 ety organizations working to advance international
7 disability rights and empower persons with disabil-
8 ities internationally.
9 (5) Consult with other relevant offices at the
10 Department of State that are responsible for draft-
11 ing annual reports documenting progress on human
12 rights to include references to instances of discrimi-
13 nation, prejudice, or abuses of persons with disabil-
14 ities wherever applicable.
15 (6) Advise the Department of State's Bureau of
16 Human Resources Development on the hiring and
17 recruitment and overseas practices of civil service
18 employees and foreign service officers with disabil-
19 ities and their family members with chronic medical
20 conditions or disabilities.
21 (d) SUPERVISION.—The Office shall be headed by a
22 Special Advisor for International Disability Rights. The
23 Special Advisor should be a person of recognized distinc-
24 tion in the field of disability rights.

1 (c) CONSULTATION.—The Secretary shall direct Am-
2 bassadors at Large, Representatives, Special Envoys, and
3 coordinators working on human rights to consult with the
4 Office to promote the human rights and full participation
5 in international development activities of all persons with
6 disabilities.

7 **SEC. 4. TRAINING.**

8 (a) IN GENERAL.—The Secretary of State shall re-
9 quire online or in-person mandatory disability inclusion
10 training for all civil service and foreign service personnel
11 of the Department of State and chiefs of mission, includ-
12 ing on—

13 (1) how to develop solicitations, programming,
14 budgets, and policies that are inclusive;

15 (2) how to ensure a disability-inclusive work en-
16 vironment;

17 (3) how to conduct disability-inclusive analyses
18 of laws and programming;

19 (4) how to support local disabled people's orga-
20 nizations; and

21 (5) how to ensure nongovernmental organiza-
22 tions that receive funding from the Department
23 mainstream disability rights throughout all pro-
24 grams.

1 (b) FOREIGN SERVICE OFFICERS.—The Secretary
2 shall ensure that training for foreign service officers under
3 subsection (a) should include country-specific and cultural
4 considerations.

5 **SEC. 5. DISABILITY INCLUSION IN FOREIGN POLICY.**

6 (a) SENSE OF CONGRESS.—It is the sense of Con-
7 gress that, since international disability rights is
8 foundational to development, national security, and eco-
9 nomic outcomes, disability inclusion should be
10 mainstreamed through all foreign assistance and program-
11 ming.

12 (b) FORMAL POLICY FOR DISABILITY INCLUSION.—

13 (1) IN GENERAL.—Not later than one year
14 after the date of the enactment of this Act, the Sec-
15 retary of State shall develop and adopt a formal pol-
16 icy for disability inclusion in the Department of
17 State.

18 (2) MATTERS TO BE INCLUDED.—Such policy
19 should include information and guidance on the De-
20 partment's approach to disability inclusion in United
21 States foreign assistance programming, including—

22 (A) recruiting and hiring, employment,
23 overseas assignments, accessibility, foreign as-
24 sistance, program monitoring and evaluation,
25 and reporting; and

1 (B) access and inclusion at the Depart-
2 ment's headquarters and United States diplo-
3 matic posts.
4 (3) CONSULTATION.—In developing and adopt-
5 ing such policy, the Secretary shall consult with—
6 (A) disabled person's organizations and
7 international nongovernmental organizations
8 working on disability rights; and
9 (B) the Administrator of the United States
10 Agency for International Development (USAID)
11 to promote coherence of such policy with
12 USAID's formal disability policy.
13 (4) PUBLIC AVAILABILITY.—The Secretary
14 shall publish such policy on a publicly available
15 website of the Department.
16 **SEC. 6. REPORT AND BRIEFING REQUIREMENTS.**
17 (a) IN GENERAL.—Not later than 180 days after the
18 date of the enactment of this Act, and annually thereafter,
19 the Secretary of State shall submit a report and provide
20 a briefing to the Committee on Foreign Affairs of the
21 House of Representatives and the Committee on Foreign
22 Relations of the Senate on the steps taken to implement
23 this Act.
24 (b) MATTERS TO BE INCLUDED.—The report and
25 briefing required by subsection (a) shall include—

1 (1) an explanation of policies and programs to
2 fulfill—
3 (A) the duties of the Office of Inter-
4 national Disability Rights under section 3; and
5 (B) the training requirements under sec-
6 tion 4;
7 (2) the status of efforts to mainstream dis-
8 ability rights throughout Department of State pro-
9 gramming without regard to whether such program-
10 ming is specifically directed toward persons with dis-
11 abilities;
12 (3) explanation of disability-specific program-
13 ming across the Department;
14 (4) any policy, programming, or human re-
15 sources gaps to mainstreaming disability rights
16 throughout the Department and plans to address
17 gaps through appropriate mechanisms;
18 (5) progress made on the realization of the
19 rights of persons with disabilities as a result of De-
20 partment policies and programming; and
21 (6) recommendations for legislative actions to
22 fully implement the matters described in paragraphs
23 (1) through (5).

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I

116TH CONGRESS
1ST SESSION

H. R. 5338

To authorize the Secretary of State to pursue public-private partnerships, innovative financing mechanisms, research partnerships, and coordination with international and multilateral organizations to address childhood cancer globally, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 6, 2019

Mr. MCCAUL (for himself and Mr. ENGEL) introduced the following bill; which was referred to the Committee on Foreign Affairs

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A BILL

To authorize the Secretary of State to pursue public-private partnerships, innovative financing mechanisms, research partnerships, and coordination with international and multilateral organizations to address childhood cancer globally, and for other purposes.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Global Hope Act of 2019".

SEC. 2. FINDINGS.

Congress finds the following:

(1) Cancer is a leading cause of death for children and adolescents around the world, and approximately 300,000 children aged 0 to 19 years old are diagnosed with cancer each year.

(2) The most common categories of childhood cancers include leukemia, brain cancer, lymphoma, and solid tumors, such as neuroblastoma and Wilms tumor.

(3) Most childhood cancers can be cured with generic medicines and can be cost-effective for all income levels.

(4) In the United States, the survival rate for children diagnosed with cancer is over 80 percent. In many developing countries, the mortality rate of children diagnosed with cancer is around 80 percent. In some parts of Africa, the mortality rate reaches 90 percent.

(5) In September 2018, the World Health Organization announced a new effort—the Global Initiative for Childhood Cancer—with the aim of reaching at least a 60-percent survival rate for children with cancer by 2030, thereby saving an additional 1,000,000 lives.

SEC. 3. SENSE OF CONGRESS.

It is the sense of Congress as follows:

1 (1) The work of the United States on infectious
2 disease remains the core tenet of United States work
3 on global health.
4 (2) As the United States and international
5 partners continue to succeed in lowering incidences
6 of infectious diseases, global mortality rates of non-
7 communicable diseases will become an increasing
8 burden that must be addressed.
9 (3) The United States should work to support
10 the goals of the World Health Organization Initia-
11 tive for Childhood Cancer, helping increase survival
12 rates for children with cancer.

13 **SEC. 4. STATEMENT OF POLICY.**

14 The United States shall seek to—
15 (1) increase political commitment for childhood
16 cancer diagnosis, treatment, and care globally;
17 (2) support efforts to increase the survival rate
18 of children with cancer globally;
19 (3) support efforts to train medical personnel
20 and develop the capabilities of other existing health-
21 care infrastructure to diagnose, treat, and care for
22 childhood cancer;
23 (4) improve access to affordable and essential
24 medicines and technologies that treat childhood can-
25 cer;

1 (5) elevate and prioritize efforts to reduce the
2 mortality rate of childhood cancer in international
3 organizations such as the United Nations;
4 (6) pursue research and research partnerships
5 with international institutions to identify low-cost
6 interventions and best practices to diagnose, treat,
7 and care for childhood cancer globally; and
8 (7) improve partnerships with international
9 health ministries and pharmaceutical companies to
10 facilitate efforts for broader, global clinical trials for
11 medicines to treat or care for childhood cancer.

12 **SEC. 5. AUTHORIZATION.**

13 The Secretary of State, in coordination with the
14 heads of relevant Federal departments and agencies, is au-
15 thorized and encouraged to—
16 (1) pursue public-private partnerships, other re-
17 search partnerships, and innovative financing mech-
18 anisms to address childhood cancer globally; and
19 (2) coordinate with appropriate agencies of the
20 United Nations and other relevant multilateral orga-
21 nizations to address childhood cancer globally.

22 **SEC. 6. REPORT.**

23 Not later than 1 year after the date of the enactment
24 of this Act, the Secretary of State shall submit to the
25 Committee on Foreign Affairs of the House of Representa-

1 tives and the Committee on Foreign Relations of the Sen-
2 ate a report that includes the following:
3 (1) An assessment of opportunities for United
4 States engagement in global efforts to increase the
5 worldwide survival rate of children with cancer.
6 (2) An assessment of efforts taken by the
7 United States to support efforts to increase the
8 worldwide survival rate of children with cancer.
9 (3) An assessment of existing programs funded
10 by the United States that could be expanded to sup-
11 port efforts to increase the worldwide survival rate
12 of children with cancer.
13 (4) An assessment of how such increased inter-
14 national engagement could positively affect—
15 (A) survival rates of individuals with child-
16 hood cancer in the United States; and
17 (B) reductions in the rates of infant and
18 pediatric morbidity and mortality.
19 **SEC. 7. COST LIMITATION.**
20 No additional funds are authorized to be appro-
21 priated to carry out the provisions of this Act.

1 **SEC. 8. CHILDHOOD CANCER DEFINED.**

2 In this Act, the term "childhood cancer" means can-
3 cers formed or diagnosed in individuals under the age of
4 20.

○

AMENDMENT TO H.R. 5338

OFFERED BY MR. MCCAUL OF TEXAS

Section 2(1), strike "Cancer" and all that follows through "approximately" and insert "Approximately".

Section 4(6), insert "in the United States and" before "globally".

Section 4(7), insert "in the United States and globally" before the period at the end.

☒

I

116TH CONGRESS
1ST SESSION

H. R. 4864

To develop and implement policies to advance early childhood development, to provide assistance for orphans and other vulnerable children in developing countries, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 28, 2019

Mr. CASTRO of Texas (for himself, Mr. FITZPATRICK, Mrs. WATSON COLEMAN, Mr. CISNEROS, and Ms. MOORE) introduced the following bill; which was referred to the Committee on Foreign Affairs

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A BILL

To develop and implement policies to advance early childhood development, to provide assistance for orphans and other vulnerable children in developing countries, and for other purposes.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Global Child Thrive Act of 2019".

SEC. 2. FINDINGS.

Congress finds the following:

(1) According to a 2019 report from the United Nations Inter-Agency Group for Child Mortality Estimation entitled "Levels & Trends in Child Mortality", the total number of deaths among children younger than 15 years of age dropped by 56 percent between 1990 and 2018, from approximately 14,200,000 to approximately 6,200,000.

(2) According to a 2016 article published in The Lancet entitled "Early childhood development: the foundation of sustainable development"—

(A) an estimated 250,000,000 children in low-income and middle-income countries suffer suboptimal development due to poverty and stunting alone; and

(B) children who do not meet developmental milestones are expected to lose about 25 percent of their average yearly income once they become adults.

(3) According to a report from the United Nations Children's Fund (UNICEF), entitled "The State of the World's Children 2016: A fair chance for every child", nearly 250,000,000 of the world's 650,000,000 primary school age children do not master basic literacy and numeracy.

(4) According to a 2018 report from the World Health Organization entitled "Nurturing Care for early childhood development"—

(A) the environment in which a child grows has a profound impact on future learning, behavior, and health; and

(B) a country's economic diversity and growth could be improved by investment in early childhood development.

(5) According to a 2017 UNICEF report entitled "UNICEF's Programme Guidance for Early Childhood Development", nurturing care, which is key to early childhood development, consists of a core set of interrelated components, including—

(A) behaviors, attitudes, and knowledge about caregiving, including health, hygiene care, and feeding;

(B) stimulation, such as talking, singing, and playing;

(C) responsiveness, such as early bonding, secure attachment, trust, and sensitive communication; and

(D) safety, including routines, protection from violence, abuse, neglect, harm, and environmental pollution.

(6) According to a 2016 report published in The Lancet entitled "Advancing Early Childhood Development: From Science to Scale"—

(A) nurturing care from parents, relatives, and other caregivers and services are formative experiences for young children;

(B) programs promoting nurturing care can improve early childhood development outcomes; and

(C) children who do not receive nurturing care display negative development outcomes, such as greater sensitivity to the effects of stress or behavioral problems, especially children who do not receive nurturing care before their second birthday.

(7) According to the "United States Government Action Plan on Children in Adversity, A Framework for International Assistance: 2012–2017", children who live without protective family care, in abusive households, on the streets, or in institutions, or who are trafficked, are participating in armed groups, or are being exploited for their labor are more likely to be exposed to violence, exploitation, abuse, and neglect.

(8) According to a 2017 UNICEF report entitled "Early Moments Matter for every child", violence, abuse, neglect, and traumatic experiences produce toxic stress that limits neural connectivity in developing brains.

(9) According to a 2014 working paper from the National Scientific Council on the Developing Child at Harvard University entitled "Excessive Stress Disrupts the Architecture of the Developing Brain"—

(A) situations that produce toxic stress increase the production of cortisol in a child's brain, which disrupts its healthy development; and

(B) chronic stress can potentially affect the expression of genes that regulate the stress response across the life course.

(10) According to a 2018 article in the North Carolina Medical Journal entitled "Adverse Childhood Experiences (ACEs): An Important Element of a Comprehensive Approach to the Opioid Crisis", adverse childhood experiences (ACEs) are traumatic or stressful experiences, including emotional, physical, or sexual abuse, domestic violence, household substance abuse, household mental illness, parental

1 separation or divorce, and the incarceration of a
2 household family member.
3 (11) According to a 2016 report in Develop-
4 ment and Psychopathology entitled "Childhood Ad-
5 versity and Epigenetic Regulation of Glucocorticoid
6 Signaling Genes: Associations in Children and
7 Adults"—
8 (A) children and adults are at risk of de-
9 veloping psychiatric disorders and other medical
10 conditions if they have had an adverse child-
11 hood experience (ACE); and
12 (B) adults who have had numerous ACEs
13 die nearly 20 years earlier, on average, than
14 adults who have not had numerous ACEs.
15 **SEC. 3. SENSE OF CONGRESS.**
16 It is the sense of Congress that—
17 (1) it is time to build on the reduction in pre-
18 ventable child deaths worldwide achieved by focusing
19 new efforts and attention on—
20 (A) saving children's lives; and
21 (B) supporting the healthy development of
22 children's brains;
23 (2) methods of delivering parent training and
24 education on nurturing care, such as the Center for
25 Disease Control and Prevention's Maternal, Infant,

1 and Early Childhood Home Visiting programs, could
2 help other countries realize greater gains in early
3 childhood development;
4 (3) negative early childhood experiences can ob-
5 struct lifelong health and opportunity;
6 (4) well-developed and inquisitive children are
7 the global leaders of tomorrow;
8 (5) countries will only be able to reach and ex-
9 ceed their development goals if their youngest chil-
10 dren get a strong start; and
11 (6) focused cross-sectoral coordination for pro-
12 moting early childhood development is essential for
13 the efficiency, effectiveness, and sustainability of all
14 early childhood development initiatives.

15 **SEC. 4. ASSISTANCE TO IMPROVE EARLY CHILDHOOD OUT-**
16 **COMES GLOBALLY.**

17 Chapter 1 of part I of the Foreign Assistance Act
18 of 1961 (22 U.S.C. 2151 et seq.) is amended—
19 (1) in section 135(f)(1) (22 U.S.C.
20 2152f(f)(1)), by striking "2006 and 2007" and in-
21 serting "2020 through 2025"; and
22 (2) by adding at the end the following:

23 **"SEC. 137. ASSISTANCE TO IMPROVE EARLY CHILDHOOD**
24 **OUTCOMES GLOBALLY.**

25 "(a) DEFINITIONS.—In this section:

1 "(1) APPROPRIATE CONGRESSIONAL COMMIT-
2 TEES.—The term 'appropriate congressional com-
3 mittees' means—
4 "(A) the Committee on Appropriations of
5 the Senate;
6 "(B) the Committee on Foreign Relations
7 of the Senate;
8 "(C) the Committee on Appropriations of
9 the House of Representatives; and
10 "(D) the Committee on Foreign Affairs of
11 the House of Representatives.
12 "(2) CHILDREN.—The term 'children' means
13 persons who are younger than 18 years of age.
14 "(3) DEINSTITUTIONALIZATION.—The term
15 'deinstitutionalization' means the process of
16 transitioning from a child care protection system
17 that relies on residential care to a system that pri-
18 marily supports family-based care.
19 "(4) EARLY CHILDHOOD DEVELOPMENT.—The
20 term 'early childhood development' means the devel-
21 opment and learning of a child younger than 8 years
22 of age, including physical, cognitive, social, and emo-
23 tional development and approaches to learning that
24 allow a child to reach his or her full developmental
25 potential.

1 "(5) EARLY CHILDHOOD DEVELOPMENT PRO-
2 GRAM.—The term 'early childhood development pro-
3 gram' means a program that ensures that every
4 child has the conditions for healthy growth, nur-
5 turing family-based care, development and learning,
6 and protection from violence, exploitation, abuse,
7 and neglect, including—
8 "(A) a health, clean water, sanitation, and
9 hygiene program that serves pregnant women,
10 children younger than 5 years of age, and the
11 parents of such children;
12 "(B) a nutrition program, combined with
13 stimulating child development activity;
14 "(C) age appropriate cognitive stimulation,
15 especially for newborns, infants, and toddlers,
16 including an early childhood intervention pro-
17 gram for children experiencing at-risk situa-
18 tions, developmental delays, disabilities, and be-
19 havioral and mental health conditions;
20 "(D) an early learning (36 months and
21 younger), preschool, and basic education pro-
22 gram for children until they reach 8 years of
23 age or complete primary school; and
24 "(E) a child protection program, with an
25 emphasis on the promotion of permanent, safe,

1 and nurturing families, rather than placement
2 in residential care or institutions, including for
3 children with disabilities.
4 "(6) INCLUSIVE EARLY CHILDHOOD DEVELOP-
5 MENT.—The term 'inclusive early childhood develop-
6 ment' means the full and effective participation, ac-
7 cessibility, attendance, and achievement of all chil-
8 dren, especially children who are excluded or at risk
9 of being marginalized, such as children with disabil-
10 ities.
11 "(7) RELEVANT EXECUTIVE BRANCH AGENCIES
12 AND OFFICIALS.—The term 'relevant Executive
13 branch agencies and officials' means—
14 "(A) the Department of State;
15 "(B) the United States Agency for Inter-
16 national Development;
17 "(C) the Department of the Treasury;
18 "(D) the Department of Labor;
19 "(E) the Department of Education;
20 "(F) the Department of Agriculture;
21 "(G) the Department of Defense;
22 "(H) the Department of Health and
23 Human Services, including—
24 "(i) the Centers for Disease Control
25 and Prevention; and

1 "(ii) the National Institutes of
2 Health;
3 "(I) the Office of the Global AIDS Coordi-
4 nator;
5 "(J) the Chief Executive Officer of the
6 Millennium Challenge Corporation;
7 "(K) the National Security Advisor; and
8 "(L) the Director of the Peace Corps.
9 "(8) RESIDENTIAL CARE.—The term 'residen-
10 tial care' means care provided in any nonfamily-
11 based group setting, including orphanages, transit or
12 interim care centers, children's homes, children's vil-
13 lages or cottage complexes, group homes, and board-
14 ing schools used primarily for care purposes as an
15 alternative to a children's home.
16 "(b) STATEMENT OF POLICY.—It is the policy of the
17 United States—
18 "(1) to support early childhood development in
19 all child-focused international assistance programs,
20 in partnership with affected countries, other donor
21 country governments, international financial institu-
22 tions, nongovernmental organizations, faith-based
23 organizations, international organizations, multilat-
24 eral organizations, and the private sector; and

1 "(2) to encourage partner countries to lead
2 early childhood development initiatives that include
3 incentives for building local capacity for sustainable
4 implementation by—
5 "(A) scaling up the most effective, evi-
6 dence-based, national interventions, including
7 for the most vulnerable populations and chil-
8 dren with disabilities and developmental delays,
9 with a focus on adaptation to country re-
10 sources, cultures, and languages;
11 "(B) designing, implementing, monitoring,
12 and evaluating programs in a way that en-
13 hances their quality, transparency, equity, and
14 accountability, increases sustainability, and im-
15 proves child and family outcomes in partner
16 countries; and
17 "(C) utilizing and expanding innovative
18 public-private financing mechanisms.
19 "(e) IMPLEMENTATION.—
20 "(1) IN GENERAL.—Not later than 1 year after
21 the date of the enactment of the Global Child Thrive
22 Act of 2019, the Administrator of the United States
23 Agency for International Development, on behalf of
24 the President, shall direct relevant Executive branch
25 agencies and officials supporting young children—

1 "(A) to incorporate early childhood devel-
2 opment into current programming to be carried
3 out during the following 5 fiscal years; and
4 "(B) to promote inclusive early childhood
5 development in partner countries.
6 "(2) ELEMENTS.—In carrying out paragraph
7 (1), the Administrator and relevant Executive
8 branch agencies and officials shall—
9 "(A) build on the evidence and priorities
10 outlined in 'Advancing Protection and Care for
11 Children in Adversity: A U.S. Government
12 Strategy for International Assistance 2019–
13 2023', published in June 2019 (referred to in
14 this section as 'APCCA');
15 "(B) to the extent practicable, identify evi-
16 dence-based strategic priorities, indicators, out-
17 comes, and targets, particularly emphasizing
18 the most vulnerable populations and children
19 with disabilities and developmental delays, to
20 support inclusive early childhood development;
21 "(C) support the design, implementation,
22 and evaluation of pilot projects in partner coun-
23 tries, with the goal of taking such projects to
24 scale;

1 "(D) support inclusive early childhood de-
2 velopment by supporting bureaus, working
3 groups, and task forces implementing relevant
4 sector strategies and public laws, including—
5 "(i) the Global Water Strategy re-
6 quired under section 136(j) of the Foreign
7 Assistance Act of 1961 (22 U.S.C.
8 2152h(j));
9 "(ii) the whole-of-government strategy
10 required under section 5 of the Global
11 Food Security Act of 2016 (22 U.S.C.
12 9304 note);
13 "(iii) the Basic Education Strategy
14 set forth in section 105(c) of the Foreign
15 Assistance Act of 1961 (22 U.S.C.
16 2151c(c));
17 "(iv) the U.S. Government Global Nu-
18 trition Coordination Plan, 2016–2021; and
19 "(v) APCCA;
20 "(E) focus on improving coordination with
21 foreign governments and international and re-
22 gional organizations with respect to official
23 country policies and plans for early childhood
24 development, maternal, newborn, and child
25 health and nutrition care, basic education plans,

1 water, sanitation and hygiene, and child protec-
2 tion plans;
3 "(F) support strategies that—
4 "(i) enable parents to care for their
5 children;
6 "(ii) prevent unnecessary family-child
7 separation;
8 "(iii) assist families with children with
9 disabilities;
10 "(iv) assist countries in planning and
11 implementing deinstitutionalization pro-
12 grams; and
13 "(v) promote nurturing, appropriate,
14 protective, and permanent family care,
15 while reducing the percentage of children
16 living in residential care or on the street;
17 and
18 "(G) consult with governments, inter-
19 national financial institutions, nongovernmental
20 organizations, local and international civil soci-
21 ety groups, multilateral organizations, the pri-
22 vate sector, faith-based organizations, commu-
23 nity-based organizations, organizations run by
24 people with disabilities, and early childhood net-

1 works academic and professional associations,
2 and local field workers, as appropriate.
3 "(d) ANNUAL REPORT ON THE IMPLEMENTATION OF
4 THE STRATEGY.—The Special Adviser for Children in Ad-
5 versity shall include, in the annual report required under
6 section 5 of the Assistance for Orphans and Other Vulner-
7 able Children in Developing Countries Act of 2005 (22
8 U.S.C. 2152g), which shall be submitted to the appro-
9 priate congressional committees and made available to the
10 public, a description of—
11 "(1) the progress made toward integrating early
12 childhood development interventions into current
13 programming;
14 "(2) the efforts made by relevant Executive
15 branch agencies and officials to implement sub-
16 section (c), with a particular focus on the activities
17 described in such subsection;
18 "(3) the progress achieved during the reporting
19 period toward meeting the goals, objectives, bench-
20 marks, and timeframes described in subsection (c);
21 and
22 "(4) the progress achieved during the reporting
23 period toward meeting the goals, objectives, bench-
24 marks, and timeframes described in subsection (c) at
25 the program level, along with specific challenges or

1 gaps that may require shifts in targeting, financing,
2 or timeframes in the following fiscal year.
3 "(e) INTERAGENCY TASK FORCE.—The Special Advi-
4 sor for Children in Adversity shall regularly convene an
5 interagency task force, which should—
6 "(1) provide intergovernmental and interagency
7 coordination, monitoring, evaluation, and reporting
8 of the activities carried out pursuant to this Act;
9 "(2) promote coordination on early childhood
10 development initiatives that include children with a
11 variety of needs and circumstances; and
12 "(3) establish a coordination mechanism within
13 United States Agency for International Development
14 to oversee and coordinate United States Government
15 Early Childhood Development programs, strategies,
16 and partnerships across Federal departments and
17 agencies.".

18 **SEC. 5. SPECIAL ADVISOR FOR ASSISTANCE TO ORPHANS**
19 **AND VULNERABLE CHILDREN.**

20 Section 135(e)(2) of the Foreign Assistance Act of
21 1961 (22 U.S.C. 2152f(e)(2)) is amended—
22 (1) by amending subparagraph (A) to read as
23 follows:

"(A) Coordinate assistance to orphans and other vulnerable children among the relevant Executive branch agencies and officials."; and

(2) in subparagraph (B), by striking "the various offices, bureaus, and field missions within the United States Agency for International Development" and inserting "the relevant Executive branch agencies and officials, partner governments, multilateral institutions, the private sector, and nongovernmental and civil society organizations".

SEC. 6. RULE OF CONSTRUCTION.

Nothing in the amendments made by sections 4 and 5 of this Act may be construed to restrict or abrogate any other authorization for United States Agency for International Development activities or programs.

○

AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 4864 OFFERED BY MR. CASTRO OF TEXAS

Strike all after the enacting clause and insert the following:

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the "Global Child Thrive
3 Act of 2020".

4 **SEC. 2. FINDINGS.**

5 Congress finds the following:

6 (1) According to a 2019 report from the United
7 Nations Inter-Agency Group for Child Mortality Es-
8 timation entitled "Levels & Trends in Child Mor-
9 tality", the annual number of deaths among children
10 younger than 15 years of age dropped by 56 percent
11 between 1990 and 2018, from approximately
12 14,200,000 to approximately 6,200,000.

13 (2) According to a 2016 article published in
14 The Lancet entitled "Early childhood development:
15 the foundation of sustainable development"—

16 (A) an estimated 250,000,000 children in
17 low-income and middle-income countries suffer

1 suboptimal development due to poverty and
2 stunting alone; and
3 (B) children who do not meet develop-
4 mental milestones are expected to lose about 25
5 percent of their average yearly income once
6 they become adults.
7 (3) According to a report from the United Na-
8 tions Children's Fund (UNICEF), entitled "The
9 State of the World's Children 2016: A fair chance
10 for every child", nearly 250,000,000 of the world's
11 650,000,000 primary school age children do not
12 master basic literacy and numeracy.
13 (4) According to a 2018 report from the World
14 Health Organization entitled "Nurturing Care for
15 early childhood development"—
16 (A) the environment in which a child grows
17 has a profound impact on future learning, be-
18 havior, and health; and
19 (B) a country's economic diversity and
20 growth could be improved by investment in
21 early childhood development.
22 (5) According to a 2017 UNICEF report enti-
23 tled "UNICEF's Programme Guidance for Early
24 Childhood Development", nurturing care, which is

1 key to early childhood development, consists of a
2 core set of interrelated components, including—
3 (A) behaviors, attitudes, and knowledge
4 about caregiving, including health, hygiene care,
5 and feeding;
6 (B) stimulation, such as talking, singing,
7 and playing;
8 (C) responsiveness, such as early bonding,
9 secure attachment, trust, and sensitive commu-
10 nication; and
11 (D) safety, including routines, protection
12 from violence, abuse, neglect, harm, and envi-
13 ronmental pollution.
14 (6) According to a 2016 report published in
15 The Lancet entitled "Advancing Early Childhood
16 Development: From Science to Scale"—
17 (A) nurturing care from parents, relatives,
18 and other caregivers and services are formative
19 experiences for young children;
20 (B) programs promoting nurturing care
21 can improve early childhood development out-
22 comes; and
23 (C) children who do not receive nurturing
24 care display negative development outcomes,
25 such as greater sensitivity to the effects of

1 stress or behavioral problems, especially chil-
2 dren who do not receive nurturing care before
3 their second birthday.
4 (7) According to the "Advancing Protection and
5 Care for Children in Adversity 2019–2023: A U.S.
6 Government Strategy for International Assistance",
7 children who live without protective family care, in
8 abusive households, on the streets, or in institutions,
9 or who are trafficked, are participating in armed
10 groups, or are being exploited for their labor are
11 more likely to be exposed to violence, exploitation,
12 abuse, and neglect.
13 (8) According to a 2017 UNICEF report enti-
14 tled "Early Moments Matter for every child", vio-
15 lence, abuse, neglect, and traumatic experiences
16 produce toxic stress that limits neural connectivity
17 in developing brains.
18 (9) According to a 2014 working paper from
19 the National Scientific Council on the Developing
20 Child at Harvard University entitled "Excessive
21 Stress Disrupts the Architecture of the Developing
22 Brain"—
23 (A) situations that produce toxic stress in-
24 crease the production of cortisol in a child's

1 brain, which disrupts its healthy development;
2 and
3 (B) chronic stress can potentially affect
4 the expression of genes that regulate the stress
5 response across the life course.
6 (10) According to a 2018 article in the North
7 Carolina Medical Journal entitled "Adverse Child-
8 hood Experiences (ACEs): An Important Element of
9 a Comprehensive Approach to the Opioid Crisis",
10 adverse childhood experiences (ACEs) are traumatic
11 or stressful experiences, including emotional, phys-
12 ical, or sexual abuse, domestic violence, household
13 substance abuse, household mental illness, parental
14 separation or divorce, and the incarceration of a
15 household family member.
16 (11) According to a 2016 report in Develop-
17 ment and Psychopathology entitled "Childhood Ad-
18 versity and Epigenetic Regulation of Glucocorticoid
19 Signaling Genes: Associations in Children and
20 Adults"—
21 (A) children and adults are at risk of de-
22 veloping psychiatric disorders and other medical
23 conditions if they have had an adverse child-
24 hood experience; and

1 (B) adults who have had numerous ACEs
2 die nearly 20 years earlier, on average, than
3 adults who have not had numerous ACEs.

4 **SEC. 3. SENSE OF CONGRESS.**

5 It is the sense of Congress that—
6 (1) the United States Government should con-
7 tinue efforts to reduce child mortality rates and in-
8 crease attention on prevention efforts and early
9 childhood development programs;
10 (2) investments in early childhood development
11 ensure healthy and well-developed future generations
12 that contribute to a country's stability, security and
13 economic prosperity;
14 (3) efforts to provide training and education on
15 nurturing care could result in improved early child-
16 hood development outcomes and support healthy
17 brain development; and
18 (4) integration and cross-sector coordination of
19 early childhood development programs is critical to
20 ensure the efficiency, effectiveness, and continued
21 implementation of such programs.

22 **SEC. 4. ASSISTANCE TO IMPROVE EARLY CHILDHOOD OUT-**
23 **COMES GLOBALLY.**

24 (a) AUTHORIZATION OF ASSISTANCE.—Amounts au-
25 thorized to be appropriated to carry out section 135 in

1 chapter 1 of part 1 of the Foreign Assistance Act of 1961
2 (22 U.S.C. 2151 et seq.) for each of the fiscal years 2021
3 through 2025 are authorized to be made available to sup-
4 port early childhood development activities in conjunction
5 with relevant, existing programming, such as water, sani-
6 tation and hygiene, maternal and child health, basic edu-
7 cation, nutrition and child protection.

8 (b) ASSISTANCE TO IMPROVE EARLY CHILDHOOD IN-
9 COMES GLOBALLY.—Chapter 1 of part I of the Foreign
10 Assistance Act of 1961 (22 U.S.C. 2151 et seq.) is amend-
11 ed by adding at the end the following:

12 **"SEC. 137. ASSISTANCE TO IMPROVE EARLY CHILDHOOD**
13 **OUTCOMES GLOBALLY.**

14 "(a) DEFINITIONS.—In this section:

15 "(1) APPROPRIATE CONGRESSIONAL COMMIT-
16 TEES.—The term 'appropriate congressional com-
17 mittees' means—

18 "(A) the Committee on Appropriations of
19 the Senate;

20 "(B) the Committee on Foreign Relations
21 of the Senate;

22 "(C) the Committee on Appropriations of
23 the House of Representatives; and

24 "(D) the Committee on Foreign Affairs of
25 the House of Representatives.

1 "(2) EARLY CHILDHOOD DEVELOPMENT.—The
2 term 'early childhood development' means the devel-
3 opment and learning of a child younger than 8 years
4 of age, including physical, cognitive, social, and emo-
5 tional development and approaches to learning that
6 allow a child to reach his or her full developmental
7 potential.
8 "(3) EARLY CHILDHOOD DEVELOPMENT PRO-
9 GRAM.—The term 'early childhood development pro-
10 gram' means a program that ensures that every
11 child has the conditions for healthy growth, nur-
12 turing family-based care, development and learning,
13 and protection from violence, exploitation, abuse,
14 and neglect, which may include—
15 "(A) a health, clean water, sanitation, and
16 hygiene program that serves pregnant women,
17 children younger than 5 years of age, and the
18 parents of such children;
19 "(B) a nutrition program, combined with
20 stimulating child development activity;
21 "(C) age appropriate cognitive stimulation,
22 especially for newborns, infants, and toddlers,
23 including an early childhood intervention pro-
24 gram for children experiencing at-risk situa-

1 tions, developmental delays, disabilities, and be-
2 havioral and mental health conditions;
3 "(D) an early learning (36 months and
4 younger), preschool, and basic education pro-
5 gram for children until they reach 8 years of
6 age or complete primary school; or
7 "(E) a child protection program, with an
8 emphasis on the promotion of permanent, safe,
9 and nurturing families, rather than placement
10 in residential care or institutions, including for
11 children with disabilities.
12 "(4) FEDERAL DEPARTMENTS AND AGEN-
13 CIES.—The term 'Federal departments and agencies'
14 means—
15 "(A) the Department of State;
16 "(B) the United States Agency for Inter-
17 national Development;
18 "(C) the Department of the Treasury;
19 "(D) the Department of Labor;
20 "(E) the Department of Education;
21 "(F) the Department of Agriculture;
22 "(G) the Department of Defense;
23 "(H) the Department of Health and
24 Human Services, including—

1 "(i) the Centers for Disease Control
2 and Prevention; and
3 "(ii) the National Institutes of
4 Health;
5 "(I) the Millennium Challenge Corpora-
6 tion;
7 "(J) the Peace Corps; and
8 "(K) any other department or agency spec-
9 ified by the President for the purposes of this
10 section.
11 "(5) RESIDENTIAL CARE.—The term 'residen-
12 tial care' means care provided in any non-family-
13 based group setting, including orphanages, transit or
14 interim care centers, children's homes, children's vil-
15 lages or cottage complexes, group homes, and board-
16 ing schools used primarily for care purposes as an
17 alternative to a children's home.
18 "(b) STATEMENT OF POLICY.—It is the policy of the
19 United States—
20 "(1) to support early childhood development in
21 relevant foreign assistance programs, including by
22 integrating evidence-based, efficient, and effective
23 interventions into relevant strategies and programs,
24 in coordination with partner countries, other donors,
25 international organizations, international financial

1 institutions, local and international nongovernmental
2 organizations, private sector partners, civil society,
3 and faith-based and community-based organizations;
4 and
5 "(2) to encourage partner countries to lead
6 early childhood development initiatives that include
7 incentives for building local capacity for continued
8 implementation and measurable results, by—
9 "(A) scaling up the most effective, evi-
10 dence-based, national interventions, including
11 for the most vulnerable populations and chil-
12 dren with disabilities and developmental delays,
13 with a focus on adaptation to country re-
14 sources, cultures, and languages;
15 "(B) designing, implementing, monitoring,
16 and evaluating programs in a manner that en-
17 hances their quality, transparency, equity, ac-
18 countability, efficiency and effectiveness in im-
19 proving child and family outcomes in partner
20 countries; and
21 "(C) utilizing and expanding innovative
22 public-private financing mechanisms.
23 "(c) IMPLEMENTATION.—
24 "(1) IN GENERAL.—Not later than 1 year after
25 the date of the enactment of this section, the Admin-

1 istrator of the United States Agency for Inter-
2 national Development, in coordination with the Sec-
3 retary of State, shall direct relevant Federal depart-
4 ments and agencies—
5 "(A) to incorporate, to the extent practical
6 and relevant, early childhood development into
7 foreign assistance programs to be carried out
8 during the following 5 fiscal years; and
9 "(B) to promote inclusive early childhood
10 development in partner countries.
11 "(2) ELEMENTS.—In carrying out paragraph
12 (1), the Administrator, the Secretary, and the heads
13 of other relevant Federal departments and agencies
14 as appropriate shall—
15 "(A) build on the evidence and priorities
16 outlined in 'Advancing Protection and Care for
17 Children in Adversity: A U.S. Government
18 Strategy for International Assistance 2019–
19 2023', published in June 2019 (referred to in
20 this section as 'APCCA');
21 "(B) to the extent practicable, identify evi-
22 dence-based strategic priorities, indicators, out-
23 comes, and targets, particularly emphasizing
24 the most vulnerable populations and children

1 with disabilities and developmental delays, to
2 support inclusive early childhood development;
3 "(C) support the design, implementation,
4 and evaluation of pilot projects in partner coun-
5 tries, with the goal of taking such projects to
6 scale;
7 "(D) support inclusive early childhood de-
8 velopment within all relevant sector strategies
9 and public laws, including—
10 "(i) the Global Water Strategy re-
11 quired under section 136(j);
12 "(ii) the whole-of-government strategy
13 required under section 5 of the Global
14 Food Security Act of 2016 (22 U.S.C.
15 9304 note);
16 "(iii) the Basic Education Strategy
17 set forth in section 105(c);
18 "(iv) the U.S. Government Global Nu-
19 trition Coordination Plan, 2016–2021; and
20 "(v) APCCA; and others as appro-
21 priate;
22 "(E) improve coordination with foreign
23 governments and international and regional or-
24 ganizations with respect to official country poli-
25 cies and plans to improve early childhood devel-

1 opment, maternal, newborn, and child health
2 and nutrition care, basic education, water, sani-
3 tation and hygiene, and child protection plans
4 which promote nurturing, appropriate, protec-
5 tive, and permanent family care, while reducing
6 the percentage of children living in residential
7 care or on the street; and
8 "(F) consult with partner countries, other
9 donors, international organizations, inter-
10 national financial institutions, local and inter-
11 national nongovernmental organizations, private
12 sector partners and faith-based and community-
13 based organizations, as appropriate.
14 "(d) ANNUAL REPORT ON THE IMPLEMENTATION OF
15 THE STRATEGY.—The Special Advisor for Children in Ad-
16 versity shall include, in the annual report required under
17 section 5 of the Assistance for Orphans and Other Vulner-
18 able Children in Developing Countries Act of 2005 (22
19 U.S.C. 2152g), which shall be submitted to the appro-
20 priate congressional committees and made publicly avail-
21 able, a description of—
22 "(1) the progress made toward integrating early
23 childhood development interventions into relevant
24 strategies and programs;

1 "(2) the efforts made by relevant Federal de-
2 partments and agencies to implement subsection (c),
3 with a particular focus on the activities described in
4 such subsection;
5 "(3) the progress achieved during the reporting
6 period toward meeting the goals, objectives, bench-
7 marks, described in subsection (c); and
8 "(4) the progress achieved during the reporting
9 period toward meeting the goals, objectives, bench-
10 marks, and timeframes described in subsection (c) at
11 the program level, along with specific challenges or
12 gaps that may require shifts in targeting or financ-
13 ing in the following fiscal year.
14 "(c) INTERAGENCY TASK FORCE.—The Special Advi-
15 sor for Assistance to Orphans and Vulnerable Children
16 should regularly convene an interagency task force, to co-
17 ordinate—
18 "(1) intergovernmental and interagency moni-
19 toring, evaluation, and reporting of the activities
20 carried out pursuant to this section;
21 "(2) early childhood development initiatives
22 that include children with a variety of needs and cir-
23 cumstances; and

1 "(3) United States Government early childhood
2 development programs, strategies, and partnerships
3 across relevant Federal departments and agencies.".

4 **SEC. 5. SPECIAL ADVISOR FOR ASSISTANCE TO ORPHANS**
5 **AND VULNERABLE CHILDREN.**

6 Section 135(e)(2) of the Foreign Assistance Act of
7 1961 (22 U.S.C. 2152f(e)(2)) is amended—
8 (1) by amending subparagraph (A) to read as
9 follows:
10 "(A) Coordinate assistance to orphans and
11 other vulnerable children among the relevant
12 Executive branch agencies and officials."; and
13 (2) in subparagraph (B), by striking "the var-
14 ious offices, bureaus, and field missions within the
15 United States Agency for International Develop-
16 ment" and inserting "the relevant Executive branch
17 agencies and officials".

18 **SEC. 6. RULE OF CONSTRUCTION.**

19 Nothing in the amendments made by this Act may
20 be construed to restrict or abrogate any other authoriza-
21 tion for United States Agency for International Develop-
22 ment activities or programs.

I

116TH CONGRESS
1ST SESSION

H. R. 4508

To expand the number of scholarships available to Pakistani women under the Merit and Needs-Based Scholarship Program.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 26, 2019

Mr. JEFFRIES (for himself and Mrs. WAGNER) introduced the following bill; which was referred to the Committee on Foreign Affairs

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A BILL

To expand the number of scholarships available to Pakistani women under the Merit and Needs-Based Scholarship Program.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Malala Yousafzai Scholarship Act".

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) In late 2008, Malala Yousafzai began making the case for access to education for women and girls despite objections from the Pakistani Taliban.

1 On October 9, 2012, Malala was shot in the head by
2 Pakistani Taliban on her way home from school.
3 (2) In 2013, Malala Yousafzai and her father
4 Ziauddin Yousafzai co-founded the Malala Fund.
5 The Malala Fund works to secure twelve years of
6 free, safe, and quality education for all girls. Com-
7 pletion of a full twelve-year cycle of primary and sec-
8 ondary education ensures a pipeline of girls able to
9 pursue higher education.
10 (3) On July 12, 2013, Malala delivered a
11 speech before the United Nations General Assembly
12 calling for expanded access to education for women
13 and girls across the globe. She said, "[L]et us wage
14 a glorious struggle against illiteracy, poverty, and
15 terrorism. Let us pick up our books and our pens.
16 They are the most powerful weapons . . . Education
17 is the only solution.".
18 (4) On October 10, 2014, Malala Yousafzai be-
19 came the co-recipient of the Nobel Peace Prize for
20 her "struggle against the suppression of children
21 and young people and for the right of all children to
22 education".
23 (5) According to the United Nations 2016
24 Global Education Monitoring Report, more than 130
25 million girls worldwide are out of school. 15 million

1 girls of primary-school age will never enter a class-
2 room. As of 2016, at least 500 million adult women
3 across the globe are illiterate.

4 (6) According to the World Bank, "Girls' edu-
5 cation is a strategic development priority. Better
6 educated women tend to be healthier, participate
7 more in the formal labor market, earn higher in-
8 comes, . . . marry at a later age, and enable better
9 health care and education for their children, should
10 they choose to become mothers. All these factors
11 combined can help lift households, communities, and
12 nations out of poverty.".

13 (7) In 2015, all United Nations Member States,
14 including the United States, adopted quality edu-
15 cation, including access to higher education, and
16 gender equality as sustainable development goals to
17 be attained by 2030. One of the education goal tar-
18 gets is to "ensure equal access for all women and
19 men to affordable and quality technical, vocational
20 and tertiary education, including university".

21 (8) In January 2010, Secretary of State Hillary
22 Rodham Clinton stated, "We will open the doors of
23 education to all citizens, but especially to girls and
24 women . . . We are doing all of these things because
25 we have seen that when women and girls have the

tools to stay healthy and the opportunity to contribute to their families" well-being, they flourish and so do the people around them.

(9) In February 2019, the White House launched the Women's Global Development and Prosperity Initiative to advance women's economic empowerment across the globe and reach more than 100,000 women.

(10) The World Economic Forum ranks Pakistan the second lowest among all countries in the world evaluated for gender equality. On educational attainment for women, Pakistan is ranked the tenth lowest.

(11) In Pakistan, the rate of higher education enrollment beyond high school for girls and women is just 9 percent as reported by the World Bank. The global rate is 40 percent. Less than 6 percent of women 25 and older in Pakistan attain a bachelor's degree or equivalent as of 2016.

(12) According to the World Bank, "Higher education benefits both individuals and society. Economic returns for college graduates are the highest in the entire educational system—an average 17 percent increase in earnings per year of schooling as compared with 10 percent for primary school.".

(13) The United States provides critical foreign assistance to Pakistan's education sector to improve access to and the quality of basic and higher education. Since 2010, the United States Agency for International Development (referred to in this Act as "USAID") has awarded more than 6,000 scholarships for young women to receive higher education in Pakistan.

(14) The Merit and Needs-Based Scholarship Program administered by USAID awards scholarships to academically talented, financially needy Pakistani students from all regions, including female students from rural areas of the country, to pursue bachelor's or master's degrees at participating Pakistani universities.

SEC. 3. SENSE OF CONGRESS.

(a) IN GENERAL.—It is the sense of Congress that—

(1) every individual should have the opportunity to pursue a full cycle of primary, secondary, and higher education;

(2) every individual, regardless of gender, should have the opportunity to pursue an education without fear of discrimination;

1 (3) educational exchanges promote institutional
2 linkages between the United States and Pakistan;
3 and
4 (4) recipients of scholarships referred to in sec-
5 tion 4 should commit to improving their local com-
6 munities.
7 (b) CONTINUED SUPPORT FOR EDUCATIONAL INITIA-
8 TIVES IN PAKISTAN.—Congress encourages the Depart-
9 ment of State and USAID to continue their support for
10 initiatives led by the Government of Pakistan and civil so-
11 ciety that promote education in Pakistan, especially edu-
12 cation for women, in accordance with USAID's 2018 Edu-
13 cation Policy.

14 **SEC. 4. MERIT AND NEEDS-BASED SCHOLARSHIP PRO-**
15 **GRAM.**

16 (a) IN GENERAL.—The USAID Administrator shall
17 award at least 50 percent of the number of scholarships
18 under the Merit and Needs-Based Scholarship Program
19 (referred to in this Act as the "Program") to women for
20 each of the calendar years 2020 through 2022.
21 (b) LIMITATIONS.—
22 (1) CRITERIA.—The scholarships available
23 under subsection (a) may only be awarded in accord-
24 ance with other scholarship eligibility criteria already
25 established by USAID.

1 (2) ACADEMIC DISCIPLINES.—Scholarships au-
2 thorized under subsection (a) shall be awarded for a
3 range of disciplines to improve the employability of
4 graduates and to meet the needs of the scholarship
5 recipients.
6 (3) OTHER SCHOLARSHIPS.—The USAID Ad-
7 ministrator shall make every effort to award 50 per-
8 cent of the scholarships available under the Program
9 to Pakistani women.
10 (c) LEVERAGING INVESTMENT.—The USAID Ad-
11 ministrator shall, to the greatest extent practicable, con-
12 sult with and leverage investments by the Pakistani pri-
13 vate sector and Pakistani diaspora communities in the
14 United States as part of USAID's greater effort to im-
15 prove the quality of, expand access to, and ensure sustain-
16 ability of education programs in Pakistan.
17 **SEC. 5. ANNUAL CONGRESSIONAL BRIEFING.**
18 (a) IN GENERAL.—The USAID Administrator shall
19 designate appropriate USAID officials to brief the appro-
20 priate congressional committees, not later than 1 year
21 after the date of enactment of this Act, and annually
22 thereafter for the next 3 years, on the implementation of
23 section 4.

1 (b) CONTENTS.—The briefing described in subsection
2 (a) shall include, among other relevant information, for
3 the most recently concluded fiscal year—
4 (1) the total number of scholarships that were
5 awarded through the Program, including a break-
6 down by gender;
7 (2) the disciplines of study chosen by the schol-
8 arship recipients;
9 (3) the percentage of the scholarships that were
10 awarded to students seeking a bachelor's degree or
11 a master's degree, respectively;
12 (4) the percentage of scholarship recipients who
13 voluntarily dropped out of school or were involun-
14 tarily pushed out of the program for failure to meet
15 program requirements; and
16 (5) the percentage of scholarship recipients who
17 dropped out of school due to retaliation for seeking
18 an education, to the extent that such information is
19 available.

○

AMENDMENT TO H.R. 4508

OFFERED BY MR. SMITH OF NEW JERSEY

Page 4, after line 19, insert the following:

1 (12) Factors such as poverty, early marriage,
2 disability, ethnicity, and religion can contribute to
3 the lack of educational opportunities for women in
4 marginalized communities.

Page 5, after line 20, insert the following:

5 (2) every individual, regardless of gender, socio-
6 economic status, ethnicity, or religion should have
7 the opportunity to pursue an education without fear
8 of discrimination;

116TH CONGRESS
1ST SESSION

H. RES. 752

Supporting the rights of the people of Iran to free expression, condemning the Iranian regime for its crackdown on legitimate protests, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 9, 2019

Mr. DEUTCH (for himself and Mr. WILSON of South Carolina) submitted the following resolution; which was referred to the Committee on Foreign Affairs

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RESOLUTION

Supporting the rights of the people of Iran to free expression, condemning the Iranian regime for its crackdown on legitimate protests, and for other purposes.

Whereas, on November 15, 2019, popular protests against the Iranian regime began and rapidly spread to at least 21 cities throughout the country, in the most significant antigovernment protests in Iran since June 2009;

Whereas the protests began in response to an announced increase on the price of fuel and protesters have expressed numerous economic grievances, while also calling for the structural reform of the political system and condemning current and former Iranian leaders;

Whereas reports indicate that Iranian security forces have used lethal force in arresting more than 7,000 people and killed at least 208 in connection with the protests;

Whereas reports indicate that Iranian Government authorities have, in many instances, refused to return victims' bodies to their families and that security forces have removed bodies from morgues and transferred them to unknown locations;

Whereas, on November 16, 2019, Iranian authorities began implementing a near-total shutdown of internet services, stopping nearly all means of online communications for people inside Iran, to preclude the sharing of images and videos of deadly violence being used by security forces;

Whereas section 103(b)(2)(B) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8512(b)(2)(B)) authorizes licensing services relating to personal communications over the internet, to improve the ability of the Iranian people to speak freely;

Whereas, on November 16, 2019, Iran's Interior Minister Abdolreza Rahmani Fazli said that the Iranian regime will no longer show "tolerance" and "self-control" toward the protesters;

Whereas, on November 17, 2019, Iranian Supreme Leader Ayatollah Ali Khamenei called the demonstrators "villains" galvanized by foreign enemies and domestic insurgents and ordered Iranian security services to "implement their duties" to end the protests;

Whereas, on November 18, 2019, Iran's Islamic Revolutionary Guard Corps deployed to the city of Mahshahr and engaged in mass repression, reportedly killing as many as 100 people;

Whereas several laws provide authorities to designate and sanction elements of the Iranian regime involved in significant corruption or serious human rights abuses, including the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010, the Countering America's Adversaries Through Sanctions Act, and the Iran Threat Reduction and Syria Human Rights Act of 2012;

Whereas the Iranian regime was implicated in a June 2018 terrorist plot against a meeting of Iranian opposition activists in Paris;

Whereas Iran's Islamic Revolutionary Guard Corps and its Basij militia have been sanctioned by the United States for planning and carrying out serious human rights abuses against the Iranian people, including for the cruel and prolonged torture of political dissidents;

Whereas the regime has routinely violated the human rights of Iranian citizens, including by implementing ongoing, systematic, and serious restrictions of freedom of peaceful assembly and association and freedom of opinion and expression, including the continuing closures of media outlets, arrests of journalists, and the censorship of expression in online forums such as blogs and websites;

Whereas the Department of State's 2018 Human Rights Report on Iran noted "severe restrictions on free expression, the press, and the internet, including censorship, site blocking, and criminalization of libel; substantial interference with the rights of peaceful assembly and freedom of association, such as overly restrictive nongovernmental organization (NGO) laws; egregious restrictions of religious freedom; restrictions on political participation; widespread corruption at all levels of government";

Whereas, on November 18, 2019, Secretary of State Mike Pompeo stated that, "The United States is monitoring the ongoing protests in Iran closely. We condemn strongly any acts of violence committed by this regime against the Iranian people and are deeply concerned by reports of several fatalities . . . The Islamic Republic must cease violence against its own people and should immediately restore the ability of all Iranians to access a free and open internet.";

Whereas, on November 22, 2019, the United States imposed sanctions on Iran's Minister of Information and Communications Technology for his role in shutting down internet access in Iran;

Whereas, on November 18, 2019, the Office of the German Chancellor stated that, "It is legitimate and deserving of our respect when people courageously air their economic and political grievances, as is currently happening in Iran. The Iranian Government should respond to the current protests with a willingness to engage in dialogue . . . We urge the government in Tehran to respect freedom of assembly and expression.";

Whereas, on November 20, 2019, the French Foreign Ministry stated that, "France is following the demonstrations taking place in Iran with concern. It expresses its deep concern at reports that a large number of demonstrators have been killed in the last few days. It reaffirms its attachment to respect for the freedom of expression and to access to means of communication, as well as to the right to demonstrate peacefully. France calls on Iran to comply with its international human rights obligations, in particular the International Covenant on Civil and Political Rights.";

Whereas, on November 21, 2019, the European Union stated that, "The protests in several Iranian cities over the past days have, according to reports, led to serious loss of life and left many people injured. We convey our condolences to the families of victims and wish a speedy recovery to those injured. Socio-economic challenges should be addressed through inclusive dialogue and not through the use of violence. We expect Iran's security forces to exercise maximum restraint in handling the protests and for protestors to demonstrate peacefully. Any violence is unacceptable. The rights to freedom of expression and assembly must be guaranteed. We also expect the Iranian authorities to ensure the free flow of information and access to the internet.";

Whereas Iran is a member of the United Nations, voted for the Universal Declaration of Human Rights, and is a signatory to the International Covenant on Civil and Political Rights, among other international human rights treaties;

Whereas in violation of these and other international obligations, Iranian regime officials continue to violate the fundamental human rights of the Iranian people;

Whereas the Iranian regime has a long history of violent repression of dissent, including—

(1) in 1988, the Iranian regime carrying out the barbaric mass executions of thousands of political prisoners by hanging and firing squad for refusing to renounce their political affiliations and in some cases for possessing political reading material, including prisoners of conscience, teenagers, and pregnant women;

(2) in 1999, the Iranian regime brutally suppressing a student revolt that was one of the largest mass uprisings up until that point in the country since 1979;

(3) following voting irregularities that resulted in the 2009 election of President Mahmoud Ahmadinejad, the Iranian regime brutally suppressing peaceful political dissent from wide segments of civil society during the Green Revolution in a cynical attempt to retain its undemocratic grip on power; and

(4) beginning in December 2017, and continuing for several months after protests erupted in more than 80 cities, the Iranian regime suppressing such protests with repressive force that resulted in at least 25 deaths and 4,000 arrests;

Whereas, on January 9, 2018, the House of Representatives overwhelmingly passed H. Res. 676, a resolution supporting the rights of the people of Iran to free expression and condemning the Iranian regime for its crackdown on legitimate protests; and

Whereas, on December 5, 2019, the Department of State identified the Great Tehran Penitentiary (Fashafuyeh) and Qarchack Prison as entities responsible for gross violations of internationally recognized human rights in Iran and subject to the imposition of sanctions under section 106 of the Countering America's Adversaries Through Sanctions Act (22 U.S.C. 9405): Now, therefore, be it

1 *Resolved,* That the House of Representatives—

2 (1) stands with the people of Iran that are en-
3 gaged in legitimate and peaceful protests against an
4 oppressive, corrupt regime;

1 (2) condemns the Iranian regime's serious
2 human rights abuses against the Iranian people, sig-
3 nificant corruption, and destabilizing activities
4 abroad;
5 (3) commends the statements of support for the
6 protesters from the executive branch and key allies;
7 (4) calls on all democratic governments and in-
8 stitutions to clearly support the Iranian people's
9 right to live in a free society;
10 (5) demands that the Iranian regime abide by
11 its international obligations with respect to human
12 rights and civil liberties, including freedoms of as-
13 sembly, speech, and press;
14 (6) urges the Administration to work to con-
15 vene emergency sessions of the United Nations Secu-
16 rity Council and the United Nations Human Rights
17 Council to condemn the ongoing human rights viola-
18 tions perpetrated by the Iranian regime and estab-
19 lish a mechanism by which the Security Council can
20 monitor such violations;
21 (7) encourages the Administration to expedite
22 the license of communications technology to Iran to
23 improve the ability of the Iranian people to speak
24 freely;

(8) calls on companies to reject requests by the regime to cut off the Iranian people from social media and other communications platforms;

(9) respects the proud history and rich culture of the Iranian nation and fully supports efforts by the people of Iran to promote the establishment of basic freedoms that build the foundation for the emergence of a freely elected, open, and democratic political system;

(10) supports the right of Iranian dissidents to assemble, without fear of persecution and violence, whether in Iran or internationally; and

(11) urges the President and the Secretary of State to work with the international community to ensure that violations of human rights are part of all formal and informal multilateral or bilateral discussions with and regarding Iran.

○

AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H. RES. 752 OFFERED BY MR. DEUTCH OF FLORIDA

Strike the preamble and insert the following:

Whereas, on November 15, 2019, popular protests against the Iranian regime began and rapidly spread to at least 100 cities throughout the country, in the most significant antigovernment protests in Iran since June 2009;

Whereas the protests began in response to an announced increase on the price of fuel and protesters have expressed numerous economic grievances, while also calling for the structural reform of the political system and condemning current and former Iranian leaders;

Whereas reports indicate that Iranian security forces have used lethal force in arresting more than 7,000 people and killed hundreds of people in connection with the protests;

Whereas reports indicate that Iranian Government authorities have, in many instances, refused to return victims' bodies to their families and that security forces have removed bodies from morgues and transferred them to unknown locations;

Whereas, on November 16, 2019, Iranian authorities began implementing a near-total shutdown of internet services, stopping nearly all means of online communications for people inside Iran, to preclude the sharing of images and videos of deadly violence being used by security forces;

Whereas section 103(b)(2)(B) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8512(b)(2)(B)) authorizes licensing services relating to personal communications over the Internet, to improve the ability of the Iranian people to speak freely;

Whereas General License D–1 authorizes the provision of key communication tools to the Iranian people with the aim of ensuring that the Iranian people can freely access the internet;

Whereas, on November 16, 2019, Iran's Interior Minister Abdolreza Rahmani Fazli said that the Iranian regime will no longer show "tolerance" and "self-control" toward the protesters;

Whereas, on November 17, 2019, Iranian Supreme Leader Ayatollah Ali Khamenei called the demonstrators "villains" galvanized by foreign enemies and domestic insurgents and ordered Iranian security services to "implement their duties" to end the protests;

Whereas, on November 18, 2019, Iran's Islamic Revolutionary Guard Corps deployed to the city of Mahshahr and engaged in mass repression, reportedly killing as many as 100 people;

Whereas several laws provide authorities to designate and sanction elements of the Iranian regime involved in significant corruption or serious human rights abuses, including the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010, the Countering America's Adversaries Through Sanctions Act, and the Iran Threat Reduction and Syria Human Rights Act of 2012;

Whereas the Iranian regime was implicated in a March 2018 plot in Albania and June 2018 plot in France against Iranian opposition activists;

Whereas Iran's Islamic Revolutionary Guard Corps and its Basij militia have been sanctioned by the United States for planning and carrying out serious human rights abuses against the Iranian people, including for the cruel and prolonged torture of political dissidents;

Whereas in August 2018 the United States criminally charged two persons for acting as illegal agents of the Government of Iran for having conducted surveillance on Jewish and Israeli facilities and Iranian political dissidents;

Whereas the regime has routinely violated the human rights of Iranian citizens, including by implementing ongoing, systematic, and serious restrictions of freedom of peaceful assembly and association and freedom of opinion and expression, including the continuing closures of media outlets, arrests of journalists, and the censorship of expression in online forums such as blogs and websites;

Whereas the Department of State's 2018 Human Rights Report on Iran noted "severe restrictions on free expression, the press, and the internet, including censorship, site blocking, and criminalization of libel; substantial interference with the rights of peaceful assembly and freedom of association, such as overly restrictive nongovernmental organization (NGO) laws; egregious restrictions of religious freedom; restrictions on political participation; widespread corruption at all levels of government";

Whereas, on November 18, 2019, Secretary of State Mike Pompeo stated that, "The United States is monitoring

the ongoing protests in Iran closely. We condemn strongly any acts of violence committed by this regime against the Iranian people and are deeply concerned by reports of several fatalities. . .The Islamic Republic must cease violence against its own people and should immediately restore the ability of all Iranians to access a free and open Internet.";

Whereas, on November 22, 2019, the United States imposed sanctions on Iran's Minister of Information and Communications Technology for his role in shutting down internet access in Iran;

Whereas, on November 18, 2019, the Office of the German Chancellor stated that, "It is legitimate and deserving of our respect when people courageously air their economic and political grievances, as is currently happening in Iran. The Iranian government should respond to the current protests with a willingness to engage in dialogue. . .We urge the government in Tehran to respect freedom of assembly and expression.";

Whereas, on November 20, 2019, the French Foreign Ministry stated that, "France is following the demonstrations taking place in Iran with concern. It expresses its deep concern at reports that a large number of demonstrators have been killed in the last few days. It reaffirms its attachment to respect for the freedom of expression and to access to means of communication, as well as to the right to demonstrate peacefully. France calls on Iran to comply with its international human rights obligations, in particular the International Covenant on Civil and Political Rights.";

Whereas, on November 21, 2019, the European Union stated that, "The protests in several Iranian cities over the past

days have, according to reports, led to serious loss of life and left many people injured. We convey our condolences to the families of victims and wish a speedy recovery to those injured. Socio-economic challenges should be addressed through inclusive dialogue and not through the use of violence. We expect Iran's security forces to exercise maximum restraint in handling the protests and for protestors to demonstrate peacefully. Any violence is unacceptable. The rights to freedom of expression and assembly must be guaranteed. We also expect the Iranian authorities to ensure the free flow of information and access to the internet.";

Whereas Iran is a member of the United Nations, voted for the Universal Declaration of Human Rights, and is a signatory to the International Covenant on Civil and Political Rights, among other international human rights treaties;

Whereas in violation of these and other international obligations, Iranian regime officials continue to violate the fundamental human rights of the Iranian people;

Whereas the Iranian regime has a long history of violent repression of dissent, including—

(1) in 1988, the Iranian regime carrying out the barbaric mass executions of thousands of political prisoners by hanging and firing squad for refusing to renounce their political affiliations and in some cases for possessing political reading material, including prisoners of conscience, teenagers, and pregnant women;

(2) in 1999, the Iranian regime brutally suppressing a student revolt that was one of the largest

mass uprisings up until that point in the country since 1979;

(3) following voting irregularities that resulted in the 2009 election of President Mahmoud Ahmadinejad, the Iranian regime brutally suppressing peaceful political dissent from wide segments of civil society during the Green Revolution in a cynical attempt to retain its undemocratic grip on power; and

(4) beginning in December 2017, and continuing for several months after protests erupted in more than 80 cities, the Iranian regime suppressing such protests with repressive force that resulted in at least 25 deaths and 4,000 arrests;

Whereas, on January 9, 2018, the House of Representatives overwhelmingly passed H. Res. 676, a resolution supporting the rights of the people of Iran to free expression and condemning the Iranian regime for its crackdown on legitimate protests; and

Whereas, on December 5, 2019, the Department of State identified the Great Tehran Penitentiary (Fashafuyeh) and Qarchack Prison as entities responsible for gross violations of internationally recognized human rights in Iran and subject to the imposition of sanctions under section 106 of the Countering America's Adversaries Through Sanctions Act (22 U.S.C. 9405): Now, therefore, be it

Strike the resolved clause and insert the following:

1 *Resolved,* That the House of Representatives—

1 (1) stands with the people of Iran that are en-
2 gaged in legitimate and peaceful protests against an
3 oppressive, corrupt regime;
4 (2) condemns the Iranian regime's serious
5 human rights abuses against the Iranian people, sig-
6 nificant corruption, and destabilizing activities
7 abroad;
8 (3) commends the statements of support for the
9 protesters from the executive branch and key allies;
10 (4) calls on all democratic governments and in-
11 stitutions to clearly support the Iranian people's
12 right to live in a free society;
13 (5) demands that the Iranian regime abide by
14 its international obligations with respect to human
15 rights and civil liberties, including freedoms of as-
16 sembly, speech, and press;
17 (6) urges the Administration to work to con-
18 vene emergency sessions of the United Nations Secu-
19 rity Council and the United Nations Human Rights
20 Council to condemn the ongoing human rights viola-
21 tions perpetrated by the Iranian regime and estab-
22 lish a mechanism by which the Security Council can
23 monitor such violations;
24 (7) encourages the Administration to provide
25 assistance to the Iranian people to have free and un-

1 interrupted access to the internet, including by
2 broadening General License D–1;
3 (8) calls on companies to reject requests by the
4 regime to cut off the Iranian people from social
5 media and other communications platforms;
6 (9) respects the proud history and rich culture
7 of the Iranian nation and fully supports efforts by
8 the people of Iran to promote the establishment of
9 basic freedoms that build the foundation for the
10 emergence of a freely elected, open, and democratic
11 political system;
12 (10) supports the right of Iranian dissidents to
13 assemble, without fear of persecution and violence,
14 whether in Iran or internationally; and
15 (11) urges the President and the Secretary of
16 State to work with the international community to
17 ensure that violations of human rights are part of all
18 formal and informal multilateral or bilateral discus-
19 sions with and regarding Iran.

AMENDMENT TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H. RES. 752 OFFERED BY MR. ENGEL OF NEW YORK

After the 21st clause of the preamble, insert the following:

Whereas on November 26, 2019, Secretary of State Michael Pompeo stated, "The Iranian people are once again on the streets because of the regime's poor economic management. And instead of addressing their grievances, Tehran has responded with violence and blaming those outside of the country.";

Whereas, on December 8, 2019, the High Representative of the European Union Josep Borrell Fontelles stated that, "A growing body of evidence indicates that despite repeated calls for restraint, the Iranian security forces' disproportionate response to recent demonstrations has led to high numbers of deaths and injuries. For the European Union and its Member States, the widespread and disproportionate use of force against nonviolent protestors is unacceptable.";

116TH CONGRESS
1ST SESSION

H. R. 2343

To require the Secretary of State to submit annual reports reviewing the educational material used by the Palestinian Authority or the United Nations Relief and Works Agency for Palestine Refugees in the Near East in the West Bank and Gaza, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 18, 2019

Mr. SHERMAN (for himself, Mr. ZELDIN, Mr. TRONE, Mr. MAST, Mr. GOTTHEIMER, and Mr. WEBER of Texas) introduced the following bill; which was referred to the Committee on Foreign Affairs

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A BILL

To require the Secretary of State to submit annual reports reviewing the educational material used by the Palestinian Authority or the United Nations Relief and Works Agency for Palestine Refugees in the Near East in the West Bank and Gaza, and for other purposes.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Peace and Tolerance in Palestinian Education Act".

SEC. 2. FINDINGS.

Congress finds the following:

(1) In 2016 and 2017, the Palestinian Authority published modified curriculums for school-aged children in grades 1 through 11.

(2) The new Palestinian curriculums fail to meet the international standards of peace and tolerance in educational materials established by the United Nations Educational, Scientific and Cultural Organization.

(3) Textbooks used by the Palestinian Authority and the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) in the West Bank and Gaza demonize Israel, encourage war, and teach children that Palestinian statehood can be achieved through violence.

(4) On April 26, 2018, the Government Accountability Office published a report that found that textbooks in UNRWA schools do not mention Israel or Judaism, feature maps of the region that exclude Israel, and include content that incites violence.

SEC. 3. SENSE OF CONGRESS.

It is the sense of Congress that the Palestinian Authority and UNRWA have not sufficiently worked to eliminate all content and passages encouraging violence or in-

1 tolerance toward other nations or ethnic groups from the
2 curriculum used in their respective schools.

3 **SEC. 4. REPORT REQUIRED.**

4 (a) IN GENERAL.—Not later than 180 days after the
5 date of the enactment of this Act, and annually thereafter
6 for ten years in accordance with subsection (c), the Sec-
7 retary of State shall submit to the Committee on Foreign
8 Affairs of the House of Representatives and the Com-
9 mittee on Foreign Relations of the Senate a report review-
10 ing curriculum used in schools controlled by the Pales-
11 tinian Authority or UNRWA in the West Bank and Gaza
12 that includes the following:

13 (1) A determination whether all content and
14 passages encouraging violence or intolerance toward
15 other nations or ethnic groups has been removed in
16 such curriculum, and a detailed explanation of the
17 reasons for reaching such determination.

18 (2) An assessment of the steps the Palestinian
19 Authority and UNRWA are taking to reform such
20 curriculum at schools to conform with standards of
21 peace and tolerance in the Declaration of Principles
22 on Tolerance by the United Nations Educational,
23 Scientific and Cultural Organization (adopted No-
24 vember 16, 1995).

1 (3) A determination whether United States for-
2 eign assistance is used, directly or indirectly, to fund
3 the dissemination of such curriculum by the Pales-
4 tinian Authority or UNRWA.

5 (b) PUBLIC AVAILABILITY.—The Secretary shall
6 make each report submitted pursuant to subsection (a) on
7 a publicly available website of the Department of State.

8 (c) SUBSEQUENT DEADLINES.—Each report required
9 by subsection (a), other than first, shall be submitted not
10 later than 90 days after the date on which a new school
11 year begins for schools controlled by the Palestinian Au-
12 thority or UNRWA schools in the West Bank and Gaza.

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AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 2343 OFFERED BY MR. SHERMAN OF CALIFORNIA

Strike all after the enacting clause and insert the following:

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the "Peace and Tolerance
3 in Palestinian Education Act".

4 **SEC. 2. FINDINGS.**

5 Congress finds the following:

6 (1) In 2016 and 2017, the Palestinian Author-
7 ity published modified curricula for school-aged chil-
8 dren in grades 1 through 11.

9 (2) Textbooks used by the Palestinian Author-
10 ity (PA) in the West Bank and Gaza include graph-
11 ics portraying violence against Israeli soldiers, posi-
12 tive portrayals of individuals who have committed at-
13 tacks against citizens of Israel, and references to
14 Palestinian efforts to target the "Zionists".

15 (3) PA textbooks are used at schools sponsored
16 by the United Nations Relief and Works Agency
17 (UNRWA) because UNRWA schools use the text-
18 books of the host government.

1 (4) On April 26, 2018, the Government Ac-
2 countability Office (GAO) published a report that
3 found the following:
4 (A) Textbooks in PA schools feature inac-
5 curate and misleading maps of the region and
6 include militaristic, adversarial imagery and
7 content that incite hatred.
8 (B) The Department of State raised with
9 Palestinian officials the objectionable content in
10 textbooks, including a specific math problem
11 using the number of Palestinian casualties in
12 the First and Second Intifadas.
13 (C) The United Nations Relief and Works
14 Agency (UNRWA), in its review of the text-
15 books, identified content not aligned with
16 United Nations values, the majority of which
17 content related to neutrality or bias issues, in-
18 cluding issues related to maps and references to
19 Jerusalem as the capital of Palestine.
20 **SEC. 3. SENSE OF CONGRESS.**
21 It is the sense of Congress that the Palestinian Au-
22 thority has not sufficiently eliminated content and pas-
23 sages encouraging violence or intolerance toward other
24 countries or ethnic groups from the curriculum used in
25 their schools.

1 **SEC. 4. REPORTS REQUIRED.**

2 (a) IN GENERAL.—Not later than 180 days after the
3 date of the enactment of this Act, and annually thereafter
4 for two years in accordance with subsection (c), the Sec-
5 retary of State shall submit to the Committee on Foreign
6 Affairs of the House of Representatives and the Com-
7 mittee on Foreign Relations of the Senate a report review-
8 ing curriculum used in schools in areas controlled by the
9 Palestinian Authority or located in Gaza and controlled
10 by any other entity. Each such report shall include the
11 following:

12 (1) A determination of whether there is content
13 or passages encouraging violence or intolerance to-
14 ward other countries or ethnic groups in such cur-
15 riculum, and a detailed explanation of the reasons
16 for reaching such determination.

17 (2) An assessment of the steps the Palestinian
18 Authority is taking to reform such curriculum at
19 schools to conform with standards of peace and tol-
20 erance in the Declaration of Principles on Tolerance
21 by the United Nations Educational, Scientific and
22 Cultural Organization (adopted November 16,
23 1995).

24 (3) A determination whether United States for-
25 eign assistance is used, directly or indirectly, to fund

1 the dissemination of such curriculum by the Pales-
2 tinian Authority.
3 (4) A detailed report on how United States as-
4 sistance is being used to address curriculum that en-
5 courages violence or intolerance toward other nations
6 or ethnic groups.
7 (5) A detailed report about United States diplo-
8 matic efforts in the preceding five years to encour-
9 age peace and tolerance in Palestinian education.
10 (6) If any diplomatic efforts referred to in para-
11 graph (5) were stopped by the Secretary of State,
12 the reasons for such stoppages.
13 (b) PUBLIC AVAILABILITY.—The Secretary of State
14 shall post on a publicly available website of the Depart-
15 ment of State each report required under subsection (a).
16 (c) SUBSEQUENT DEADLINES.—Each report required
17 by subsection (a), other than the first such report, shall
18 be submitted not later than 90 days after the date on
19 which a new school year begins for schools controlled by
20 the Palestinian Authority.

Amend the title so as to read: "A bill to require the Secretary of State to submit annual reports reviewing the educational material used by the Palestinian Authority, and for other purposes.".

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IV

116TH CONGRESS
1ST SESSION

H. RES. 754

Expressing the sense of the House of Representatives that the United States should continue to support the people of Nicaragua in their peaceful efforts to promote democracy and human rights, and use the tools under United States law to increase political and financial pressure on the government of Daniel Ortega.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 9, 2019

Mr. SIRES (for himself, Mr. ROONEY of Florida, Ms. MUCARSEL-POWELL, Mr. PHILLIPS, Mr. CÁRDENAS, Mr. COSTA, Ms. WILSON of Florida, Ms. WASSERMAN SCHULTZ, Mr. MCCAUL, Mr. YOHO, Mr. GUEST, Mr. DIAZ-BALART, Miss GONZÁLEZ-COLÓN of Puerto Rico, and Mr. SMITH of New Jersey) submitted the following resolution; which was referred to the Committee on Foreign Affairs

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RESOLUTION

Expressing the sense of the House of Representatives that the United States should continue to support the people of Nicaragua in their peaceful efforts to promote democracy and human rights, and use the tools under United States law to increase political and financial pressure on the government of Daniel Ortega.

Whereas the government of Daniel Ortega has concentrated power and brought about the progressive deterioration of democratic conditions in Nicaragua;

Whereas recent elections in Nicaragua, including the 2016 Presidential elections, have been marred by irregularities and characterized by significant restrictions on the participation of opposition parties and the absence of credible international and local electoral observers;

Whereas Nicaraguan security forces, parapolice, and other actors working under the direction of the Ortega regime committed gross violations of human rights and acts of repression, resulting in more than 325 deaths, over 2,000 injuries, and at least 800 arbitrary detentions during the peaceful protests that took place in 2018, according to the Organization of American States;

Whereas a report by the Interdisciplinary Group of Independent Experts, appointed by the Organization of American States Inter-American Commission on Human Rights, determined that the Ortega regime used deliberate, lethal force against protesters and committed acts of torture that meet the international legal standard of crimes against humanity;

Whereas an estimated 62,000 Nicaraguans fled the country between April 2018 and April 2019, according to the United Nations High Commissioner for Refugees;

Whereas the Ortega government reneged on its commitment to release all political prisoners by releasing just 392 people, of which 286 were released to house arrest with charges still pending, while the Civic Alliance for Justice and Democracy alleges that there remain over 150 political prisoners as of November 29, 2019;

Whereas a United States citizen and Navy veteran, 57-year-old Eddy Montes, was shot and killed while in the cus-

tody of the Nicaraguan police at La Modelo Prison on May 16, 2019;

Whereas the government of Daniel Ortega has severely restricted freedom of the press by closing five local television stations, attacking independent radio stations, arbitrarily detaining journalists, and illegally restricting print supplies from entering the country;

Whereas the Ortega regime has violated the economic and political rights protections of indigenous communities, rural campesinos, land rights defenders, and those living in the Caribbean Autonomous Regions of Nicaragua;

Whereas, on November 27, 2018, Executive Order 13851 was issued, which blocks the property of certain persons contributing to the situation in Nicaragua, and its application was expanded on September 4, 2019;

Whereas the Departments of State and the Treasury have imposed targeted sanctions on nine Nicaraguan officials, including First Lady and Vice President Rosario Murillo and Daniel Ortega's son, Laureano Ortega, as well as Nicaragua's Banco Corporativo (Bancorp);

Whereas the bipartisan Nicaraguan Investment Conditionality Act (NICA Act), was signed into law on December 20, 2018, allowing the Department of the Treasury to sanction non-United States persons implicated in egregious human rights abuses and corruption in Nicaragua;

Whereas, in June 2019, Canada imposed sanctions on 12 members of the Nicaraguan Government engaged in gross and systemic human rights violations;

Whereas the Ortega government has not complied with efforts of the commission appointed by the Permanent

Council of the Organization of American States seeking a peaceful resolution to the social and political crisis;

Whereas, on September 15, 2019, the Ortega government denied entry into the country to an official Organization of American States delegation mission; and

Whereas, beginning on November 14, 2019, Nicaraguan police conducted attacks on churches throughout the country, cut water to hunger strikers barricaded inside a church in Masaya, and arrested 13 people attempting to bring them water: Now, therefore, be it

Resolved, That the House of Representatives—

(1) calls on the Nicaraguan Government to immediately release all political prisoners without conditions and cease all acts of violence, repression, and intimidation against dissenting voices in Nicaragua;

(2) condemns the Nicaraguan Government's continued failure to comply with agreements made with the Organization of American States;

(3) urges the Ortega government to respect Nicaraguans' constitutional rights and implement electoral reforms including free, fair, multiparty elections open to international observers, in compliance with the agreement reached through negotiations with the Civic Alliance for Justice and Democracy and the Blue and White National Unity (UNAB) in March 2019;

(4) expresses full support for the people of Nicaragua, Nicaraguan independent media, and Nicaraguan civil society organizations that are working for a peaceful return to democratic order in Nicaragua;

(5) recognizes and supports efforts of the United States Government to promote democracy in Nicaragua and hold corrupt actors and human rights abusers in the Nicaraguan Government accountable for their actions;

(6) urges the United States Government to continue to apply pressure on the Ortega government and consider additional sanctions against those Nicaraguan officials who have violated the human rights of their citizens or committed acts of significant corruption; and

(7) urges the international community to hold the Ortega government accountable for human rights abuses, including attacks on religious freedom, and restrict its access to foreign financing unless or until it allows for free, fair, and prompt elections monitored by credible international and local electoral observers.

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I

116TH CONGRESS
1ST SESSION

H. R. 630

To require a plan to combat international travel by terrorists and foreign fighters, accelerate the transfer of certain border security systems to foreign partner governments, establish minimum international border security standards, authorize the suspension of certain foreign assistance to countries not making significant efforts to comply with such minimum standards, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 16, 2019

Mr. ZELDIN (for himself, Mr. MCCAUL, and Mr. ROSE of New York) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committees on Homeland Security, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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A BILL

To require a plan to combat international travel by terrorists and foreign fighters, accelerate the transfer of certain border security systems to foreign partner governments, establish minimum international border security standards, authorize the suspension of certain foreign assistance to countries not making significant efforts to comply with such minimum standards, 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,*

SECTION 1. SHORT TITLE.

This Act may be cited as the "Counterterrorism Screening and Assistance Act of 2019".

SEC. 2. FOREIGN PARTNER ENGAGEMENT PLAN.

(a) FINDINGS.—Consistent with the final report of the Committee on Homeland Security of the House of Representatives bipartisan "Task Force on Combating Terrorist and Foreign Fighter Travel", Congress makes the following findings:

(1) It is important for the national security of the United States to assist foreign partners in closing security gaps which may allow terrorists and foreign fighters to travel internationally, avoiding detection.

(2) Building foreign partner capacity to combat terrorist travel helps extend the United States security beyond its border to mitigate threats before they reach the United States.

(3) United States Government departments and agencies have spent billions of dollars to help foreign partners improve their security against terrorist travel since the attacks of September 11, 2001, including through the provision of technical assistance, equipment, training, and other tools.

(4) The lack of a United States Government-wide, risk-based approach increases the odds that

1 systematic security gaps abroad may persist and
2 that United States response efforts will not be maxi-
3 mized in order to close these gaps.
4 (5) Failure to effectively coordinate capacity-
5 building activities also results in greater risk of over-
6 lap, waste, and unnecessary duplication between the
7 United States and international programs.
8 (b) SENSE OF CONGRESS.—It is the sense of Con-
9 gress that the United States Government must ensure ca-
10 pacity-building assistance to deter travel by terrorists and
11 foreign fighters is coordinated both among United States
12 Government departments and agencies as well as with for-
13 eign implementing partners.
14 (c) PLAN.—
15 (1) IN GENERAL.—Not later than 180 days
16 after the date of the enactment of this Act and every
17 two years thereafter at the time of the President's
18 budget submission to Congress under section 1105
19 of title 31, United States Code, until 2025, the Sec-
20 retary of State shall, in accordance with the protec-
21 tion of intelligence sources and methods, develop and
22 submit to the appropriate congressional committees
23 unclassified and classified versions of a foreign part-
24 ner engagement plan which catalogues existing ca-
25 pacity-building initiatives abroad to combat travel by

terrorists and foreign fighters and identifies areas for adjustment to align ongoing efforts with risk-based priorities.

(2) COORDINATION.—Each plan required under paragraph (1) shall be developed in coordination with all relevant United States Government departments and agencies and in consultation with the Secretary of Homeland Security, the Secretary of the Treasury, the Secretary of Defense, the Attorney General, the Director of National Intelligence, and the Director of the Federal Bureau of Investigation.

(3) CONTENTS.—Each plan required under paragraph (1) shall—

(A) include an assessment of the countries of greatest concern and risk for travel to the United States by members of foreign terrorist organizations and foreign fighters, which may be based on the minimum standards described in section 4(b), as well as other factors, as appropriate, including—

(i) an identification of the number of flights that originate from last points of departure in each country to the United States;

1 (ii) visa waiver program status or visa
2 application and denial rates for each coun-
3 try;
4 (iii) recent threats, terrorist and for-
5 eign fighter travel trends, and the overall
6 terror threat environment in each country;
7 and
8 (iv) other criteria as determined by
9 the Secretary of State and the Secretary of
10 Homeland Security;
11 (B) detail existing United States Govern-
12 ment programs, projects, and activities which
13 are intended to or have the substantial effect of
14 building the capacity of such countries to com-
15 bat travel by terrorists and foreign fighters, in-
16 cluding estimated spending levels by country
17 where practicable; and
18 (C) outline a plan for prioritizing United
19 States Government resources toward countries
20 referred to in subparagraph (A), including—
21 (i) identifying efforts which should be
22 reformed, consolidated, or eliminated; and
23 (ii) detailing new programs, projects,
24 or activities that are requested, being

planned, or are undergoing implementation and associated costs.

SEC. 3. SHARING SYSTEMS AND EQUIPMENT TO OBSTRUCT TRAVEL BY TERRORISTS AND FOREIGN FIGHTERS.

(a) BORDER SECURITY AND COUNTERTERRORISM SCREENING TOOLS.—

(1) IN GENERAL.—Subject to paragraph (2) and subsection (d), the Secretary of Homeland Security and the Secretary of State shall, to the extent practicable and consistent with the national security of the United States, accelerate the provision of appropriate versions of the following systems to foreign governments:

(A) U.S. Customs and Border Protection's global travel targeting and analysis systems.

(B) The Department of State's watchlisting, identification, and screening systems.

(2) PRIORITIZATION.—The Secretary of Homeland Security and the Secretary of State shall coordinate to prioritize the provision of the systems specified in paragraph (1) to countries determined to be countries referred to in subsection (c)(3)(A) of section 2 in the foreign partner engagement plan required under such section.

1 (b) EQUIPMENT TRANSFER.—

2 (1) IN GENERAL.—Subject to paragraphs (2),
3 (3), and (8), the Secretary of Homeland Security is
4 authorized to provide to a foreign government, with
5 or without reimbursement, excess nonlethal equip-
6 ment and supplies owned by the Department of
7 Homeland Security.

8 (2) DETERMINATION.—The Secretary of Home-
9 land Security is authorized to provide equipment and
10 supplies pursuant to paragraph (1) if the Secretary
11 determines that the provision of such equipment and
12 supplies would—

13 (A) further the homeland security interests
14 of the United States; and

15 (B) enhance the recipient government's ca-
16 pacity to—

17 (i) mitigate the risk or threat of ter-
18 rorism, infectious disease, or natural dis-
19 aster;

20 (ii) protect and expedite lawful trade
21 and travel; or

22 (iii) protect the legal framework relat-
23 ing to intellectual property rights and en-
24 force such rights.

(3) LIMITATION ON TRANSFER.—The Secretary of Homeland Security may not—

(A) provide any equipment or supplies that are designated as items on the United States Munitions List pursuant to section 38 of the Arms Export Control Act (22 U.S.C. 2778); or

(B) provide any vessel or aircraft pursuant to this subsection.

(4) RELATED TRAINING.—In conjunction with a provision of equipment or supplies pursuant to paragraph (1), the Secretary of Homeland Security may provide such equipment-related or supplies-related training and assistance as the Secretary determines to be necessary.

(5) MAINTENANCE OF TRANSFERRED EQUIPMENT.—The Secretary of Homeland Security may provide for the maintenance of transferred equipment or supplies through service contracts or other means, with or without reimbursement, as the Secretary determines appropriate.

(6) REIMBURSEMENT OF EXPENSES.—The Secretary of Homeland Security is authorized to collect payment from the recipient government for the provision of training, shipping costs, supporting materials, maintenance, supplies, or other assistance in

1 support of provided equipment or supplies under this
2 subsection.
3 (7) RECEIPTS CREDITED AS OFFSETTING COL-
4 LECTIONS.—Notwithstanding section 3302 of title
5 31, United States Code, any amount collected under
6 this subsection—
7 (A) shall be credited as offsetting collec-
8 tions, subject to appropriations, to the account
9 that finances the activities and services for
10 which the payment is received; and
11 (B) shall remain available until expended
12 for the purpose of providing for the security in-
13 terests of the homeland.
14 (8) CONCURRENCE.—The Secretary of Home-
15 land Security may exercise the authority under this
16 subsection only with the concurrence of the Sec-
17 retary of State.
18 (9) RULE OF CONSTRUCTION.—Nothing in this
19 subsection may be construed as affecting, aug-
20 menting, or diminishing the authority of the Sec-
21 retary of State.
22 (10) DEFINITION.—For the purposes of this
23 section, the term "excess nonlethal equipment and
24 supplies" means equipment and supplies the Sec-
25 retary of Homeland Security has determined is ei-

1 ther not required for United States domestic oper-
2 ations, or would be more effective to homeland secu-
3 rity if deployed for use outside of the United States.
4 (c) NOTIFICATION TO CONGRESS.—
5 (1) IN GENERAL.—Not later than 15 days be-
6 fore providing any systems or equipment or supplies
7 under this section, the Secretary of Homeland Secu-
8 rity and Secretary of State shall provide notification
9 to the appropriate congressional committees of such
10 provision.
11 (2) CONTENTS.—A notification required under
12 paragraph (1) shall include the following:
13 (A) The specific vulnerability, risk, or
14 threat that will be mitigated by the provision of
15 any systems or equipment or supplies under
16 this section.
17 (B) An explanation as to why the recipient
18 is unable or unwilling to independently acquire
19 such systems or equipment or supplies.
20 (C) An evacuation plan for any sensitive
21 technologies in case of emergency or instability
22 in the country to which such systems or equip-
23 ment or supplies is being provided.
24 (D) How the United States Government
25 will ensure that such systems or equipment or

1 supplies are being maintained appropriately and
2 used as intended.
3 (E) The total dollar value of such systems,
4 equipment, or supplies.
5 (d) RULE OF CONSTRUCTION.—
6 (1) IN GENERAL.—The authority provided
7 under this section shall be exercised in accordance
8 with applicable provisions of the Arms Export Con-
9 trol Act (22 U.S.C. 2751 et seq.), the Export Ad-
10 ministration Regulations, or any other similar provi-
11 sion of law.
12 (2) DEFINITION.—In this subsection, the term
13 "Export Administration Regulations" means—
14 (A) the Export Administration Regulations
15 as maintained and amended under the authority
16 of the International Emergency Economic Pow-
17 ers Act (50 U.S.C. 1701 et seq.) and codified
18 in subchapter C of chapter VII of title 15, Code
19 of Federal Regulations; or
20 (B) any successor regulations.

SEC. 4. ACTIONS WITH RESPECT TO FOREIGN COUNTRIES THAT FAIL TO MEET MINIMUM STANDARDS FOR SERIOUS AND SUSTAINED EFFORTS TO COMBAT TERRORIST AND FOREIGN FIGHTER TRAVEL.

(a) REPORTS TO CONGRESS.—

(1) IN GENERAL.—Not later than April 30 of each year through 2024, the Secretary of State, in coordination with the Secretary of Homeland Security, shall submit to the appropriate congressional committees a report with respect to the status of efforts of foreign governments to combat terrorist and foreign fighter travel, which shall include an update to the foreign partner engagement plan required under section 2(c). Such reports shall include descriptions of relevant United States Government actions taken to help countries comply with minimum standards for serious and sustained efforts to combat terrorist and foreign fighter travel, such as the efforts described in subsection (b).

(2) FORM.—The reports required by paragraph (1) shall be submitted in unclassified and classified form.

(3) INCLUSION IN COUNTRY REPORTS ON TERRORISM.—To the extent practicable, the Secretary of State, in coordination with the Secretary of Home-

1 land Security, should incorporate the reports re-
2 quired by paragraph (1) into the annual country re-
3 ports on terrorism submitted pursuant to section
4 140 of the Foreign Relations Authorization Act, Fis-
5 cal Years 1988 and 1989 (22 U.S.C. 2656f).
6 (b) MINIMUM STANDARDS DESCRIBED.—The min-
7 imum standards for serious and sustained efforts to com-
8 bat terrorist and foreign fighter travel applicable to the
9 government of a foreign country include the following:
10 (1) The government of the foreign country
11 makes meaningful efforts to identify and monitor
12 terrorists and foreign fighters operating within the
13 territory of the country.
14 (2) The government of the foreign country reg-
15 ularly exchanges substantive counterterrorism infor-
16 mation with other foreign governments, including
17 the United States Government, through bilateral or
18 multilateral channels and international organizations
19 such as INTERPOL, and cooperates with other for-
20 eign governments in the investigation and prosecu-
21 tion of terrorists and foreign fighters.
22 (3) The government of the foreign country im-
23 plements effective border controls or participates in
24 an existing border-crossing control regime that has

1 been determined by the United States Government
2 to employ effective border-crossing oversight.
3 (4) The government of the foreign country has
4 controls and systems in place to prevent and report
5 upon counterfeiting, forgery, and fraudulent use or
6 possession of false, stolen, or lost identity papers
7 and travel documents.
8 (5) The government of the foreign country col-
9 lects air passenger data and employs evidence-based
10 traveler risk assessment and screening procedures,
11 including collection and analysis of travel data.
12 (6) The government of the foreign country ap-
13 propriately screens travelers, including vetting of
14 travelers at air, sea, and land ports of entry, against
15 counterterrorism and other criminal databases, as
16 appropriate.
17 (7) The government of the foreign country sub-
18 mits information to INTERPOL databases and
19 screens travelers against INTERPOL databases at
20 ports of entry and exit.
21 (8) The government of the foreign country has
22 established and implemented domestic laws criminal-
23 izing material support to foreign terrorist organiza-
24 tions and has the ability and willingness to prosecute

1 cases involving such material support to foreign ter-
2 rorist organizations.
3 (9) The government of the foreign country
4 takes measures to prevent individuals in its territory
5 from traveling abroad to enlist with or provide mate-
6 rial support to foreign terrorist organizations.
7 (10) The government of the foreign country—
8 (A) takes measures to minimize—
9 (i) corruption and the likelihood that
10 corruption could impact the veracity of se-
11 curity and intelligence reporting from the
12 country; and
13 (ii) the likelihood that such corruption
14 could adversely affect the legitimacy of na-
15 tional identity papers of the country; and
16 (B) does not shelter suspects from inves-
17 tigation and prosecution.
18 (11) The government of the foreign country is
19 not determined to be a high-risk program country
20 under section 217(c)(12) of the Immigration and
21 Nationality Act (8. U.S.C. 1187(c)(12)).
22 (c) SUSPENSION OF ASSISTANCE.—
23 (1) IN GENERAL.—The Secretary of State, in
24 consultation with the Secretary of Homeland Secu-
25 rity and the heads of other Federal agencies, as ap-

1 propriate, is authorized to suspend nonhumani-
2 tarian, nontrade-related foreign assistance to a gov-
3 ernment of a foreign country if such government is
4 not making significant efforts to comply with the
5 minimum standards for serious and sustained efforts
6 to combat terrorist and foreign fighter travel de-
7 scribed in subsection (b).

8 (2) CONGRESSIONAL NOTIFICATION PROCE-
9 DURES.—Any suspension of assistance under para-
10 graph (1) shall be subject to the prior notification
11 procedures applicable to reprogrammings pursuant
12 to section 634A of the Foreign Assistance Act of
13 1961 (22 U.S.C. 2394–1).

14 **SEC. 5. DEFINITIONS.**

15 In this Act:

16 (1) APPROPRIATE CONGRESSIONAL COMMIT-
17 TEES.—The term "appropriate congressional com-
18 mittees" means the Committee on Homeland Secu-
19 rity and Governmental Affairs, the Committee on
20 Foreign Relations, the Committee on the Judiciary,
21 and the Committee on Commerce, Science, and
22 Transportation of the Senate and the Committee on
23 Homeland Security, the Committee on the Judiciary,
24 and the Committee on Foreign Affairs of the House
25 of Representatives.

1 (2) FOREIGN TERRORIST ORGANIZATION.—The
2 term "foreign terrorist organization" means an or-
3 ganization that is designated as a foreign terrorist
4 organization pursuant to section 219 of the Immi-
5 gration and Nationality Act (8 U.S.C. 1189).
6 (3) NONHUMANITARIAN, NONTRADE-RELATED
7 FOREIGN ASSISTANCE.—The term "nonhumani-
8 tarian, nontrade-related foreign assistance" has the
9 meaning given the term in section 103(8)(B) of the
10 Trafficking Victims Protection Act of 2000 (22
11 U.S.C. 7102(8)(B)).

12 **SEC. 6. NO ADDITIONAL FUNDS AUTHORIZED.**

13 No additional funds are authorized to carry out the
14 requirements of this Act. Such requirements shall be car-
15 ried out using amounts otherwise authorized.

○

AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 630 OFFERED BY MR. ZELDIN OF NEW YORK

Strike all after the enacting clause and insert the following:

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the "Counterterrorism
3 Screening and Assistance Act of 2019".

4 **SEC. 2. FOREIGN PARTNER ENGAGEMENT PLAN.**

5 (a) FINDINGS.—Consistent with the final report of
6 the Commission on Homeland Security of the House of
7 Representatives bipartisan "Task Force on Combating
8 Terrorist and Foreign Fighter Travel", published in the
9 114th Congress, Congress makes the following findings:

10 (1) It is important for the national security of
11 the United States to assist foreign partners in de-
12 tecting foreign terrorist fighters traveling inter-
13 nationally.

14 (2) It remains important for the national secu-
15 rity of the United States to extend security beyond
16 its borders by enhancing the capacity of foreign
17 partners to combat foreign terrorist fighter travel to
18 mitigate threats before they reach the United States.

1 (3) It remains important for the national secu-
2 rity of the United States that Federal departments
3 and agencies make funds available to help foreign
4 partners improve their security against foreign ter-
5 rorist fighter travel, especially since the attacks of
6 September 11, 2001, including through the provision
7 of technical assistance, equipment, training, and
8 other tools.
9 (4) It remains important for the United States
10 to use a risk-based approach when prioritizing for-
11 eign partners' capacity building activities and re-
12 source allocation.
13 (5) United States Government coordination of
14 capacity-building assistance remains important to
15 avoid overlap, waste, and unnecessary duplication
16 between United States and international programs.
17 (b) SENSE OF CONGRESS.—It is the sense of Con-
18 gress that the United States Government should coordi-
19 nate both among Federal departments and agencies as
20 well as with foreign partners capacity-building assistance
21 to deter, detect, and disrupt foreign terrorist fighter trav-
22 el.
23 (c) PLAN.—
24 (1) IN GENERAL.—Not later than 180 days
25 after the date of the enactment of this Act and every

1 two years thereafter until 2029 at the time of the
2 President's budget submission to Congress under
3 section 1105 of title 31, United States Code, the
4 Secretary of State, in consultation with the Sec-
5 retary of Homeland Security, the Secretary of the
6 Treasury, the Secretary of Defense, the Attorney
7 General, the Director of National Intelligence, the
8 Director of the Federal Bureau of Investigation, and
9 the heads of other relevant Federal departments and
10 agencies, shall, in accordance with the protection of
11 intelligence sources and methods, develop and sub-
12 mit to the appropriate congressional committees un-
13 classified and classified versions of a foreign partner
14 engagement plan that—
15 (A) catalogues existing United States Gov-
16 ernment programs, projects, and activities in-
17 tended to build the capacity of foreign countries
18 to combat travel by foreign terrorist fighters,
19 including estimated spending levels where prac-
20 ticable;
21 (B) identifies areas for adjustment to align
22 ongoing efforts to combat travel by foreign ter-
23 rorist fighters with risk-based priorities;
24 (C) includes a list of countries identified as
25 high risk to the security of the United States

1 due to potential travel by foreign terrorist fight-
2 ers based on a threat assessment that takes
3 into account—
4 (i) whether a country is included on
5 the list of high-risk program countries pur-
6 suant to section 217(c)(12) of the Immi-
7 gration and Nationality Act (8. U.S.C.
8 1187(c)(12));
9 (ii) the number of direct flights from
10 a country to the United States;
11 (iii) the presence of foreign terrorist
12 fighters or networks to recruit such fight-
13 ers, terrorist groups, or infrastructure
14 within a country's territory; and
15 (iv) travel by individuals from a coun-
16 try's territory to enlist in, train with, or
17 fight alongside terrorist groups or partici-
18 pate in a conflict where terrorist and ex-
19 tremist groups are known to operate;
20 (D) prioritizes United States Government
21 resources toward countries identified as high
22 risk based on the threat assessment described
23 in paragraph (C) and whether such countries
24 meet minimum standards to—

1 (i) identify and monitor known foreign
2 terrorist fighters within its territory; and
3 (ii) prevent individuals from traveling
4 from its territory to enlist in, train with, or
5 fight alongside terrorist groups or partici-
6 pate in a conflict where terrorist and ex-
7 tremist groups are known to operate; and
8 (E) describes how United States capacity
9 building efforts in countries identified as high
10 risk based on the threat assessment described
11 in paragraph (C) and do not meet the minimum
12 standards described in subparagraph (D)
13 should be reformed, consolidated, or eliminated,
14 and details any new programs, projects, or ac-
15 tivities to combat travel by foreign terrorist
16 fighters that are requested by such countries or
17 planned or ongoing in such countries.
18 (2) ADDITIONAL CRITERIA.—When prioritizing
19 United States capacity building efforts referred to in
20 paragraph (1)(E) in countries described in such
21 paragraph, the Secretary of State may consider
22 whether the governments of countries—
23 (A) exchange counterterrorism information
24 with the United States, including through bilat-

1 eral or multilateral channels and international
2 organizations such as INTERPOL;
3 (B) cooperate with other foreign govern-
4 ments in the investigation and prosecution or
5 rehabilitation of foreign terrorist fighters;
6 (C) collect air passenger data and employs
7 evidence-based traveler risk assessment and
8 screening procedures, including collection and
9 analysis of travel data;
10 (D) screen travelers, including vetting of
11 travelers at air, sea, and land ports of entry,
12 against INTERPOL, counterterrorism and
13 other criminal databases, as appropriate; and
14 (E) submit information to INTERPOL
15 databases, as appropriate.

16 **SEC. 3. SHARING SYSTEMS AND EQUIPMENT TO COMBAT**
17 **TRAVEL BY FOREIGN TERRORIST FIGHTERS.**

18 (a) BORDER SECURITY AND COUNTERTERRORISM
19 SCREENING TOOLS.—
20 (1) IN GENERAL.—Subject to paragraph (2)
21 and subsection (d), the Secretary of State and Sec-
22 retary of Homeland Security, shall, to the extent
23 practicable and consistent with the national security
24 of the United States, accelerate the provision of ap-

1 propriate versions of the following systems to foreign
2 governments:
3 (A) The Department of State's
4 watchlisting, identification, and screening sys-
5 tems.
6 (B) The Department of Homeland Secu-
7 rity's Automated Targeting System or successor
8 system.
9 (2) PRIORITIZATION.—The Secretary of State
10 and the Secretary of Homeland Security shall co-
11 ordinate to prioritize the provision of the systems
12 specified in paragraph (1) based on the foreign part-
13 ner engagement plan under section 2.
14 (b) EQUIPMENT TRANSFER.—
15 (1) IN GENERAL.—Subject to paragraphs (2),
16 (3), and (8), the Secretary of Homeland Security is
17 authorized to provide a foreign government, with or
18 without reimbursement, excess nonlethal equipment
19 and supplies owned by the Department of Homeland
20 Security.
21 (2) DETERMINATION.—The Secretary of Home-
22 land Security is authorized to provide excess non-
23 lethal equipment and supplies pursuant to para-
24 graph (1) if the Secretary determines that the provi-
25 sion of such equipment and supplies would—

1 (A) further the national security interests
2 of the United States; and
3 (B) enhance the recipient government's ca-
4 pacity to combat travel by foreign terrorist
5 fighters.
6 (3) LIMITATION ON TRANSFER.—The Secretary
7 of Homeland Security may not—
8 (A) provide any equipment or supplies that
9 are designated as items on the United States
10 Munitions List pursuant to section 39 of the
11 Arms Export Control Act (22 U.S.C. 2778); or
12 (B) provide any vessel or aircraft pursuant
13 to this subsection.
14 (4) RELATED TRAINING.—In conjunction with a
15 provision of excess nonlethal equipment or supplies
16 pursuant to paragraph (1), the Secretary of Home-
17 land Security shall provide such equipment-related
18 training or supplies-related training and assistance
19 as the Secretary determines to be necessary.
20 (5) MAINTENANCE OF TRANSFERRED EQUIP-
21 MENT.—The Secretary of Homeland Security may
22 provide through service contracts or other means,
23 with or without reimbursement, as the Secretary de-
24 termines appropriate, for the maintenance of equip-
25 ment or supplies provided under this subsection.

1 (6) REIMBURSEMENT OF EXPENSES.—The Sec-
2 retary of Homeland Security is authorized to collect
3 payment from the recipient government for the pro-
4 vision of training, shipping costs, supporting mate-
5 rials, maintenance, supplies, or other assistance in
6 support of equipment or supplies provided under this
7 subsection.
8 (7) RECEIPTS CREDITED AS OFFSETTING COL-
9 LECTIONS.—Notwithstanding section 3302 of title
10 31, United States Code, any amount collected under
11 this subsection—
12 (A) shall be credited as offsetting collec-
13 tions, subject to appropriations, to the account
14 that finances the activities and services for
15 which the payment is received; and
16 (B) shall remain available until expended
17 for the purpose of providing for the security in-
18 terests of the United States.
19 (8) CONCURRENCE.—The Secretary of Home-
20 land Security may exercise the authority under this
21 subsection only with the concurrence of the Sec-
22 retary of State.
23 (9) RULE OF CONSTRUCTION.—Nothing in this
24 subsection may be construed as affecting, aug-

1 menting, or diminishing the authority of the Sec-
2 retary of State.
3 (c) NOTIFICATION TO CONGRESS.—
4 (1) IN GENERAL.—Not later than 15 days be-
5 fore providing any excess nonlethal equipment or
6 supplies under this section, the Secretary of Home-
7 land Security and Secretary of State, as appropriate,
8 shall provide notification to the appropriate congres-
9 sional committees of such provision.
10 (2) CONTENTS.—A notification required under
11 paragraph (1) shall include the following:
12 (A) The specific vulnerability, risk, or
13 threat that will be mitigated by the provision of
14 such equipment or supplies.
15 (B) An explanation as to why the recipient
16 is unable to independently acquire such equip-
17 ment or supplies.
18 (C) An evacuation plan for any sensitive
19 technologies in case of emergency or instability
20 in the country to which such equipment or sup-
21 plies is being provided.
22 (D) How the United States Government
23 will ensure that such equipment or supplies are
24 being maintained appropriately and used as in-
25 tended.

1 (E) The total dollar value of such equip-
2 ment or supplies.
3 (d) APPLICATION OF OTHER LAWS.—
4 (1) IN GENERAL.—The authority provided
5 under this section shall be exercised in accordance
6 with applicable provisions of the Arms Export Con-
7 trol Act (22 U.S.C. 2751 et seq.), the Export Ad-
8 ministration Regulations, or any other similar provi-
9 sion of law.
10 (2) DEFINITION.—In this subsection, the term
11 "Export Administration Regulations" means—
12 (A) the Export Administration Regulations
13 as described in subchapter C of chapter VII of
14 title 15, Code of Federal Regulations; or
15 (B) any successor regulations.
16 **SEC. 4. DEFINITIONS.**
17 In this Act:
18 (1) APPROPRIATE CONGRESSIONAL COMMIT-
19 TEES.—The term "appropriate congressional com-
20 mittees" means the Committee on Foreign Rela-
21 tions, the Committee on Homeland Security and
22 Government Affairs, the Committee on the Judici-
23 ary, and the Committee on Commerce, Science, and
24 Transportation of the Senate and the Committee on
25 Foreign Affairs, the Committee on Homeland Secu-

1 rity, and the Committee on the Judiciary of the
2 House of Representatives.
3 (2) FOREIGN TERRORIST FIGHTER.—The term
4 "foreign terrorist fighter" means any individual who
5 traveled to a conflict zone, including, Iraq, Syria,
6 Libya, and Afghanistan, for the purposes of fighting
7 alongside or otherwise supporting a foreign terrorist
8 organization.
9 (3) FOREIGN TERRORIST ORGANIZATION.—The
10 term "foreign terrorist organization" means an or-
11 ganization that is designated as a foreign terrorist
12 pursuant to section 219 of the Immigration and Na-
13 tionality Act (8 U.S.C. 1189).
14 (4) EXCESS NONLETHAL EQUIPMENT AND SUP-
15 PLIES.—The term "excess nonlethal equipment and
16 supplies" mean equipment and supplies the Sec-
17 retary of Homeland Security has determined is ei-
18 ther not required for United States domestic oper-
19 ations, or would be more effective to homeland secu-
20 rity if deployed for use outside of the United States.

AMENDMENT TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 630 OFFERED BY MS. OMAR OF MINNESOTA

Page 2, line 22, insert before the period the following: ", and such coordination and assistance should be implemented in a manner that does not discriminate against or unduly burden the general population of the United States or any other country".

Page 7, line 13, insert before the period the following: "and an assessment by the Department of State of the potential recipient country's adherence to relevant rule of law and internationally recognized human rights standards".

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I

116TH CONGRESS
1ST SESSION

H. R. 3843

To promote international efforts in combating corruption, kleptocracy, and illicit finance by foreign officials and other foreign persons, including through a new anti-corruption action fund, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 18, 2019

Mr. KEATING (for himself, Mr. FITZPATRICK, Mr. HASTINGS, Mr. WILSON of South Carolina, Mr. COHEN, Mr. ADERHOLT, Ms. JACKSON LEE, Mr. HUDSON, Ms. MOORE, Mr. CURTIS, Mr. SUOZZI, and Mr. MALINOWSKI) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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A BILL

To promote international efforts in combating corruption, kleptocracy, and illicit finance by foreign officials and other foreign persons, including through a new anti-corruption action fund, 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,*

SECTION 1. SHORT TITLE.

This Act may be cited as the "Countering Russian and Other Overseas Kleptocracy Act" or the "CROOK Act".

SEC. 2. FINDINGS.

Congress finds the following:

(1) Authoritarian leaders in foreign countries abuse their power to steal assets from state institutions, enrich themselves at the expense of their countries' economic development, and use corruption as a strategic tool both to solidify their grip on power and to undermine democratic institutions abroad.

(2) Global corruption harms the competitiveness of United States businesses, feeds terrorist recruitment and transnational organized crime, enables drug smuggling and human trafficking, and stymies economic growth.

(3) Illicit financial flows often inconspicuously penetrate a country through what appears to be legitimate financial transactions, as kleptocrats launder money, use shell companies, amass offshore wealth, and participate in a global shadow economy.

(4) The government of Vladimir Putin in Russia is the leading model of this type of foreign kleptocratic system, using corruption to erode democratic governance from within and discrediting de-

1 mocracy abroad, thereby strengthening his authori-
2 tarian rule.
3 (5) Russia uses stolen money to—
4 (A) purchase key assets in other countries,
5 particularly with a goal of attaining monopo-
6 listic control of a sector;
7 (B) gain access to and influence the poli-
8 cies of democratic countries; and
9 (C) directly fund political parties and orga-
10 nizations that advance Russian interests in
11 other countries, particularly those that under-
12 mine confidence and trust in democratic sys-
13 tems.
14 (6) Thwarting these tactics by Russia and other
15 kleptocratic governments requires the international
16 community to strengthen democratic governance, the
17 rule of law, and international cooperation in com-
18 bating illicit finance, especially by empowering re-
19 formers in foreign countries during historic political
20 openings for the establishment of the rule of law in
21 those countries.
22 (7) New reformers in foreign countries must act
23 quickly to seize political openings for anti-corruption
24 reform, but as these reformers are often outsiders
25 with little government experience, they may need sig-

1 nificant technical assistance to root out deep-seated
2 corruption.

3 **SEC. 3. DEFINITIONS.**

4 In this Act:

5 (1) RULE OF LAW.—The term "rule of law"
6 means the principle of governance in which all per-
7 sons, institutions, and entities, whether public or
8 private, including the state itself, are accountable to
9 laws that are publicly promulgated, equally enforced,
10 and independently adjudicated, and which are con-
11 sistent with international human rights norms and
12 standards.

13 (2) FOREIGN STATE.—The term "foreign state"
14 has the meaning given such term in section 1603 of
15 title 28, United States Code.

16 (3) INTELLIGENCE COMMUNITY.—The term
17 "intelligence community" has the meaning given
18 such term in section 3(4) of the National Security
19 Act of 1947 (50 U.S.C. 3003(4)).

20 (4) PUBLIC CORRUPTION.—The term "public
21 corruption" means the unlawful exercise of entrusted
22 public power for private gain, including by bribery,
23 nepotism, fraud, or embezzlement.

(5) FOREIGN ASSISTANCE.—The term "foreign assistance" means foreign assistance authorized under the Foreign Assistance Act of 1961.

(6) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means—

(A) the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Finance of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Financial Services, and the Committee on Ways and Means of the House of Representatives.

SEC. 4. INTERNATIONAL STANDARDS.

It is the sense of Congress that the following international standards should be the foundation for foreign states to combat corruption, kleptocracy, and illicit finance:

(1) The United Nations Convention against Corruption.

(2) Recommendations of the Financial Action Task Force (FATF) comprising the International Standards on Combating Money Laundering and the Financing of Terrorism & Proliferation.

1 (3) The Organisation for Economic Co-oper-
2 ation and Development Convention on Combating
3 Bribery of Foreign Public Officials in International
4 Business Transactions (OECD Anti-Bribery Conven-
5 tion), the 2009 Recommendation of the Council for
6 Further Combating Bribery, the 2009 Recommenda-
7 tion on the Tax Deductibility of Bribes to Foreign
8 Public Officials; and other related instruments.
9 (4) Legal instruments adopted by the Council
10 of Europe and monitored by the Group of States
11 against Corruption (GRECO), including the Crimi-
12 nal Law Convention on Corruption, the Civil Law
13 Convention on Corruption, the Additional Protocol
14 to the Criminal Law Convention on Corruption, the
15 Twenty Guiding Principles against Corruption, the
16 Recommendation on Codes of Conduct for Public
17 Officials, and the Recommendation on Common
18 Rules against Corruption in the Funding of Political
19 Parties and Electoral Campaigns.
20 (5) Organization for Security and Cooperation
21 in Europe (OSCE) "Second Dimension" commit-
22 ments on good governance, anti-corruption, anti-
23 money laundering, and related issues.

(6) The Inter-American Convention Against Corruption under the Organization of American States.

SEC. 5. STATEMENT OF POLICY.

It is the policy of the United States to—

(1) leverage United States diplomatic engagement and foreign assistance to promote the rule of law;

(2) promote the international standards identified in section 4, as well as other relevant international standards and best practices as such standards and practices develop, and to seek the universal adoption and implementation of such standards and practices by foreign states;

(3) support foreign states in promoting good governance and combating public corruption;

(4) encourage and assist foreign partner countries to identify and close loopholes in their legal and financial architecture, including the misuse of anonymous shell companies, free trade zones, and other legal structures, that are enabling illicit finance and authoritarian capital to penetrate their financial systems;

(5) help foreign partner countries to investigate and combat the use of corruption by authoritarian

1 governments, particularly that of Vladimir Putin in
2 Russia, as a tool of malign influence worldwide;
3 (6) make use of sanctions authorities, such as
4 the Global Magnitsky Human Rights Accountability
5 Act (enacted as subtitle F of title XII of the Na-
6 tional Defense Authorization Act for Fiscal Year
7 2017 (Public Law 114–328; 22 U.S.C. 2656 note)),
8 to identify and take action against corrupt foreign
9 actors; and
10 (7) ensure coordination between the depart-
11 ments and agencies of the United States Govern-
12 ment with jurisdiction over the advancement of good
13 governance in foreign states.

14 **SEC. 6. ANTI-CORRUPTION ACTION FUND.**

15 (a) IN GENERAL.—The Secretary of State shall es-
16 tablish in the Department of State a fund to be known
17 as the "Anti-Corruption Action Fund" to aid foreign
18 states to prevent and fight public corruption and develop
19 rule of law-based governance structures, including ac-
20 countable investigative, prosecutorial, and judicial bodies,
21 and supplement existing foreign assistance and diplomacy
22 with respect to such efforts.
23 (b) FUNDING.—An amount equal to five percent of
24 each civil and criminal fine and penalty imposed pursuant
25 to actions brought under the Foreign Corrupt Practices

1 Act on or after the date of the enactment of this Act that
2 would otherwise be deposited in the Treasury of the
3 United States shall be deposited in the Anti-Corruption
4 Action Fund under subsection (a), to be available without
5 need for subsequent appropriation and without fiscal year
6 limitation.

7 (c) SUPPORT.—The Anti-Corruption Action Fund
8 may support governmental and nongovernmental parties
9 in advancing the goals specified in subsection (a) and shall
10 be allocated in a manner complementary to existing
11 United States foreign assistance, diplomacy, and the anti-
12 corruption activities of other international donors.

13 (d) PREFERENCE.—In programing foreign assistance
14 using the Anti-Corruption Action Fund, the Secretary of
15 State shall give preference to projects that—

16 (1) assist countries that are undergoing historic
17 opportunities for democratic transition, combating
18 corruption, and the establishment of the rule of law;

19 (2) are important to United States national in-
20 terests; and

21 (3) where United States foreign assistance
22 could significantly increase the chance of a success-
23 ful transition described in paragraph (1).

24 (e) PUBLIC DIPLOMACY.—The Secretary of State
25 shall publicize that funds provided to the Anti-Corruption

1 Action Fund originate from actions brought under the
2 Foreign Corrupt Practices Act so as to demonstrate that
3 monies obtained under such Act are contributing to inter-
4 national anti-corruption work under this section, including
5 by reducing the pressure that United States businesses
6 face to pay bribes overseas, thereby contributing to greater
7 United States competitiveness.

8 **SEC. 7. INTERAGENCY TASK FORCE.**

9 (a) IN GENERAL.—The Secretary of State shall have
10 primary responsibility for managing a whole-of-govern-
11 ment effort to improve coordination among United States
12 Government departments and agencies, as well as with
13 other donor organizations, that have a role in promoting
14 good governance in foreign states and enhancing the abil-
15 ity of foreign states to combat public corruption.

16 (b) INTERAGENCY TASK FORCE.—Not later than 180
17 days after the date of the enactment of this Act, the Sec-
18 retary of State shall establish and convene an Interagency
19 Task Force composed of—

20 (1) representatives appointed by the President
21 from appropriate departments and agencies, includ-
22 ing the Department of State, the United States
23 Agency for International Development (USAID), the
24 Department of Justice, the Department of the
25 Treasury, the Department of Homeland Security,

1 the Department of Defense, the Department of
2 Commerce, the Millennium Challenge Corporation,
3 and the intelligence community; and
4 (2) representatives from any other United
5 States Government departments or agencies, as de-
6 termined by the Secretary.
7 (c) ADDITIONAL MEETINGS.—The Interagency Task
8 Force established in subsection (b) shall meet not less
9 than twice per year.
10 (d) DUTIES.—The Interagency Task Force estab-
11 lished in subsection (b) shall—
12 (1) evaluate, on a general basis, the effective-
13 ness of existing foreign assistance programs, includ-
14 ing programs funded by the Anti-Corruption Action
15 Fund under section 6, that have an impact on pro-
16 moting good governance in foreign states and en-
17 hancing the ability of foreign states to combat public
18 corruption;
19 (2) assist the Secretary of State in managing
20 the whole-of-government effort described in sub-
21 section (a);
22 (3) identify general areas in which such whole-
23 of-government effort could be enhanced; and

1 (4) recommend specific programs for foreign
2 states that may be used to enhance such whole-of-
3 government effort.

4 **SEC. 8. DESIGNATION OF EMBASSY ANTI-CORRUPTION**
5 **POINTS OF CONTACT.**

6 (a) EMBASSY ANTI-CORRUPTION POINT OF CON-
7 TACT.—The chief of mission of each United States em-
8 bassy shall designate an anti-corruption point of contact
9 for each such embassy.

10 (b) DUTIES.—The designated anti-corruption points
11 of contact under subsection (a) shall—

12 (1) with guidance from the Interagency Task
13 Force established under section 7, coordinate an
14 interagency approach within United States embas-
15 sies to combat public corruption in the foreign states
16 in which such embassies are located that is tailored
17 to the needs of such foreign states, including all rel-
18 evant United States Government departments and
19 agencies with a presence in such foreign states, such
20 as the Department of State, USAID, the Depart-
21 ment of Justice, the Department of the Treasury,
22 the Department of Homeland Security, the Depart-
23 ment of Defense, the Millennium Challenge Corpora-
24 tion, and the intelligence community;

1 (2) make recommendations regarding the use of
2 the Anti-Corruption Action Fund under section 6
3 and other foreign assistance related to anti-corrup-
4 tion efforts in their respective foreign states, align-
5 ing such assistance with United States diplomatic
6 engagement; and
7 (3) ensure that anti-corruption activities carried
8 out within their respective foreign states are in-
9 cluded in regular reporting to the Secretary of State
10 and the Interagency Task Force under section 7, in-
11 cluding United States embassy strategic planning
12 documents and foreign assistance-related reporting,
13 as appropriate.
14 (c) TRAINING.—The Secretary of State shall develop
15 and implement appropriate training for designated anti-
16 corruption points of contact under this section.
17 **SEC. 9. REPORTING REQUIREMENTS.**
18 (a) REPORT ON PROMOTING INTERNATIONAL
19 STANDARDS IN COMBATING CORRUPTION, KLEPTOCRACY,
20 AND ILLICIT FINANCE.—Not later than 180 days after the
21 date of the enactment of this Act, the Secretary of State,
22 in consultation with the Administrator of the USAID and
23 the Secretary of the Treasury, shall submit to the appro-
24 priate congressional committees a report that—

1 (1) summarizes any progress made by foreign
2 states to adopt and implement each of the inter-
3 national standards in combating corruption,
4 kleptocracy, and illicit finance listed in section 4;
5 (2) details the efforts of the United States Gov-
6 ernment to promote such international standards;
7 (3) identifies priority countries for outreach re-
8 garding such international standards; and
9 (4) outlines a plan to encourage the adoption
10 and implementation of such international standards,
11 including specific steps to take with the priority
12 countries identified in accordance with paragraph
13 (3).
14 (b) REPORT ON PROGRESS TOWARD IMPLEMENTA-
15 TION.—Not later than one year after the date of the enact-
16 ment of this Act and annually thereafter for three years,
17 the Secretary of State, in consultation with the Adminis-
18 trator of the USAID, shall submit to the appropriate con-
19 gressional committees a report summarizing progress in
20 implementing this Act, including—
21 (1) a description of the bureaucratic structure
22 of the offices within the Department and USAID
23 that are engaged in activities to combat corruption,
24 kleptocracy, and illicit finance, and how such offices
25 coordinate with one another;

1 (2) information relating to the amount of funds
2 deposited in the Anti-Corruption Action Fund estab-
3 lished under section 6 and the obligation, expendi-
4 ture, and impact of such funds;
5 (3) the activities of the Interagency Task Force
6 established pursuant to section 7(b);
7 (4) the designation of anti-corruption points of
8 contact for foreign states pursuant to section 8(a)
9 and any training provided to such points of contact
10 pursuant to section 8(c); and
11 (5) additional resources or personnel needs to
12 better achieve the goals of this Act to combat cor-
13 ruption, kleptocracy, and illicit finance overseas.
14 (c) ONLINE PLATFORM.—The Secretary of State, in
15 conjunction with the Administrator of the USAID, shall
16 consolidate existing reports and briefings with anti-corrup-
17 tion components into one online, public platform, that in-
18 cludes the following:
19 (1) The Annual Country Reports on Human
20 Rights Practices.
21 (2) The Fiscal Transparency Report.
22 (3) The Investment Climate Statement reports.
23 (4) The International Narcotics Control Strat-
24 egy Report.
25 (5) Any other relevant public reports.

1 (6) Links to third-party indicators and compli-
2 ance mechanisms used by the United States Govern-
3 ment to inform policy and programming, such as the
4 following:
5 (A) The International Finance Corpora-
6 tion's Doing Business surveys.
7 (B) The International Budget Partner-
8 ship's Open Budget Index.
9 (C) Multilateral peer review anti-corrup-
10 tion compliance mechanisms, such as the
11 Organisation for Economic Co-operation and
12 Development's Working Group on Bribery in
13 International Business Transactions, the Fol-
14 low-Up Mechanism for the Inter-American Con-
15 vention against Corruption (MESICIC), and
16 the United Nations Convention against Corrup-
17 tion, done at New York October 31, 2003, to
18 further highlight expert international views on
19 foreign state challenges and efforts.

○

AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 3843 OFFERED BY MR. KEATING OF MASSACHUSETTS

Strike all after the enacting clause and insert the following:

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the "Countering Russian
3 and Other Overseas Kleptocracy Act" or the "CROOK
4 Act".

5 **SEC. 2. FINDINGS.**

6 Congress finds the following:

7 (1) Authoritarian leaders in foreign countries
8 abuse their power to steal assets from state institu-
9 tions, enrich themselves at the expense of their coun-
10 tries' economic development, and use corruption as
11 a strategic tool both to solidify their grip on power
12 and to undermine democratic institutions abroad.

13 (2) Global corruption harms the competitiveness
14 of United States businesses, feeds terrorist recruit-
15 ment and transnational organized crime, enables
16 drug smuggling and human trafficking, and stymies
17 economic growth.

1 (3) Illicit financial flows often inconspicuously
2 penetrate a country through what appears to be le-
3 gitimate financial transactions, as kleptocrats laun-
4 der money, use shell companies, amass offshore
5 wealth, and participate in a global shadow economy.
6 (4) The government of Vladimir Putin in Rus-
7 sia is the leading model of this type of foreign
8 kleptocratic system, using corruption to erode demo-
9 cratic governance from within and discrediting de-
10 mocracy abroad, thereby strengthening his authori-
11 tarian rule.
12 (5) Russia uses stolen money to—
13 (A) purchase key assets in other countries,
14 particularly with a goal of attaining monopo-
15 listic control of a sector;
16 (B) gain access to and influence the poli-
17 cies of democratic countries; and
18 (C) directly fund political parties and orga-
19 nizations that advance Russian interests in
20 other countries, particularly those that under-
21 mine confidence and trust in democratic sys-
22 tems.
23 (6) Thwarting these tactics by Russia and other
24 kleptocratic governments requires the international
25 community to strengthen democratic governance, the

1 rule of law, and international cooperation in com-
2 bating illicit finance, especially by empowering re-
3 formers in foreign countries during historic political
4 openings for the establishment of the rule of law in
5 those countries.
6 (7) New reformers in foreign countries must act
7 quickly to seize political openings for anti-corruption
8 reform, but as these reformers are often outsiders
9 with little government experience, they may need sig-
10 nificant technical assistance to root out deep-seated
11 corruption.
12 **SEC. 3. DEFINITIONS.**
13 In this Act:
14 (1) APPROPRIATE CONGRESSIONAL COMMIT-
15 TEES.—The term "appropriate congressional com-
16 mittees" means—
17 (A) the Committee on Foreign Relations,
18 the Committee on Banking, Housing, and
19 Urban Affairs, and the Committee on Finance
20 of the Senate; and
21 (B) the Committee on Foreign Affairs, the
22 Committee on Financial Services, and the Com-
23 mittee on Ways and Means of the House of
24 Representatives.

1 (2) FOREIGN ASSISTANCE.—The term "foreign
2 assistance" means foreign assistance authorized
3 under the Foreign Assistance Act of 1961.
4 (3) FOREIGN STATE.—The term "foreign state"
5 has the meaning given such term in section 1603 of
6 title 28, United States Code.
7 (4) INTELLIGENCE COMMUNITY.—The term
8 "intelligence community" has the meaning given
9 such term in section 3(4) of the National Security
10 Act of 1947 (50 U.S.C. 3003(4)).
11 (5) PERSON.—The term "person" means an in-
12 dividual or entity.
13 (6) PUBLIC CORRUPTION.—The term "public
14 corruption" means the unlawful exercise of entrusted
15 public power for private gain, including by bribery,
16 nepotism, fraud, or embezzlement.
17 (7) RULE OF LAW.—The term "rule of law"
18 means the principle of governance in which all per-
19 sons, institutions, and entities, whether public or
20 private, including the state itself, are accountable to
21 laws that are publicly promulgated, equally enforced,
22 and independently adjudicated, and which are con-
23 sistent with international human rights norms and
24 standards.

1 **SEC. 4. INTERNATIONAL STANDARDS.**

2 It is the sense of Congress that the foundation for
3 foreign countries to fight corruption, kleptocracy, and il-
4 licit finance include the following international standards:

5 (1) The United Nations Convention against
6 Corruption.

7 (2) Recommendations of the Financial Action
8 Task Force (FATF) comprising the International
9 Standards on Combating Money Laundering and the
10 Financing of Terrorism & Proliferation.

11 (3) The Organisation for Economic Co-oper-
12 ation and Development Convention on Combating
13 Bribery of Foreign Public Officials in International
14 Business Transactions (OECD Anti-Bribery Conven-
15 tion), the 2009 Recommendation of the Council for
16 Further Combating Bribery, the 2009 Recommenda-
17 tion on the Tax Deductibility of Bribes to Foreign
18 Public Officials; and other related instruments.

19 (4) Legal instruments adopted by the Council
20 of Europe and monitored by the Group of States
21 against Corruption (GRECO), including the Crimi-
22 nal Law Convention on Corruption, the Civil Law
23 Convention on Corruption, the Additional Protocol
24 to the Criminal Law Convention on Corruption, the
25 Twenty Guiding Principles against Corruption, the
26 Recommendation on Codes of Conduct for Public

1 Officials, and the Recommendation on Common
2 Rules against Corruption in the Funding of Political
3 Parties and Electoral Campaigns.
4 (5) Organization for Security and Cooperation
5 in Europe (OSCE) "Second Dimension" commit-
6 ments on good governance, anti-corruption, anti-
7 money laundering, and related issues.
8 (6) The Inter-American Convention Against
9 Corruption under the Organization of American
10 States.

11 **SEC. 5. STATEMENT OF POLICY.**

12 It is the policy of the United States to—
13 (1) leverage United States diplomatic engage-
14 ment and foreign assistance to promote the rule of
15 law;
16 (2) promote the international standards identi-
17 fied in section 4, as well as other relevant inter-
18 national standards and best practices as such stand-
19 ards and practices develop, and to seek the universal
20 adoption and implementation of such standards and
21 practices by foreign states;
22 (3) support foreign states in promoting good
23 governance and combating public corruption;
24 (4) encourage and assist foreign partner coun-
25 tries to identify and close loopholes in their legal and

1 financial architecture, including the misuse of anon-
2 ymous shell companies, free trade zones, and other
3 legal structures, that are enabling illicit finance and
4 authoritarian capital to penetrate their financial sys-
5 tems;
6 (5) help foreign partner countries to investigate
7 and combat the use of corruption by authoritarian
8 governments, particularly that of Vladimir Putin in
9 Russia, as a tool of malign influence worldwide;
10 (6) assist in the recovery of kleptocracy-related
11 stolen assets for victims, including through the use
12 of appropriate bilateral arrangements and inter-
13 national agreements, such as the United Nations
14 Convention against Corruption;
15 (7) make use of sanctions authorities, such as
16 the Global Magnitsky Human Rights Accountability
17 Act (enacted as subtitle F of title XII of the Na-
18 tional Defense Authorization Act for Fiscal Year
19 2017 (Public Law 114–328; 22 U.S.C. 2656 note)),
20 to identify and take action against corrupt foreign
21 actors;
22 (8) ensure coordination between the depart-
23 ments and agencies of the United States Govern-
24 ment with jurisdiction over the advancement of good
25 governance in foreign states; and

1 (9) lead the creation of a formal grouping of
2 countries to coordinate efforts to counter corruption,
3 kleptocracy, and illicit finance and strengthen collec-
4 tive financial defense.

5 **SEC. 6. ANTI-CORRUPTION ACTION FUND.**

6 (a) IN GENERAL.—There is established in the United
7 States Treasury a special fund to be known as the "Anti-
8 Corruption Action Fund" which shall be available to the
9 Secretary of State, without fiscal year limitation or need
10 for subsequent appropriation, to aid foreign states to pre-
11 vent and fight public corruption and develop rule of law-
12 based governance structures, including accountable inves-
13 tigative, prosecutorial, and judicial bodies, and supplement
14 existing foreign assistance and diplomacy with respect to
15 such efforts.

16 (b) FUNDING.—If, on or after the date of enactment
17 of this Act, total criminal fines and penalties in excess of
18 $50,000,000 are imposed against a person under the For-
19 eign Corrupt Practices Act of 1977 or section 13, 30A,
20 or 32 of the Securities Exchange Act of 1934 (whether
21 pursuant to a criminal prosecution, enforcement pro-
22 ceeding, deferred prosecution agreement, non-prosecution
23 agreement, a declination to prosecute or enforce, or any
24 other resolution), the court in the case of a conviction or
25 otherwise the Attorney General shall in addition assess a

1 prevention payment equal to $5,000,000 on that person,
2 which shall be deposited in the Anti-Corruption Action
3 Fund established under subsection (a).

4 (c) SUPPORT.—The Anti-Corruption Action Fund
5 may support governmental and nongovernmental parties
6 in advancing the goals specified in subsection (a) and shall
7 be allocated in a manner complementary to existing
8 United States foreign assistance, diplomacy, and the anti-
9 corruption activities of other international donors.

10 (d) PREFERENCE.—In programing foreign assistance
11 using the Anti-Corruption Action Fund, the Secretary of
12 State shall give preference to projects that—

13 (1) assist countries that are undergoing historic
14 opportunities for democratic transition, combating
15 corruption, and the establishment of the rule of law;

16 (2) are important to United States national in-
17 terests; and

18 (3) could significantly increase the chance of a
19 successful transition described in paragraph (1).

20 (e) PUBLIC DIPLOMACY.—The Secretary of State
21 shall publicize that funds provided to the Anti-Corruption
22 Action Fund originate from actions brought under the
23 Foreign Corrupt Practices Act so as to demonstrate that
24 monies obtained under such Act are contributing to inter-
25 national anti-corruption work under this section, including

1 by reducing the pressure that United States businesses
2 face to pay bribes overseas, thereby contributing to greater
3 United States competitiveness.

4 **SEC. 7. INTERAGENCY TASK FORCE.**

5 (a) IN GENERAL.—The Secretary of State shall have
6 primary responsibility for managing a whole-of-govern-
7 ment effort to improve coordination among United States
8 Government departments and agencies, as well as with
9 other donor organizations, that have a role in promoting
10 good governance in foreign states and enhancing the abil-
11 ity of foreign states to combat public corruption.

12 (b) INTERAGENCY TASK FORCE.—Not later than 180
13 days after the date of the enactment of this Act, the Sec-
14 retary of State shall establish and convene an Interagency
15 Task Force composed of—

16 (1) representatives appointed by the President
17 from appropriate departments and agencies, includ-
18 ing the Department of State, the United States
19 Agency for International Development (USAID), the
20 Department of Justice, the Department of the
21 Treasury, the Department of Homeland Security,
22 the Department of Defense, the Department of
23 Commerce, the Millennium Challenge Corporation,
24 and the intelligence community; and

1 (2) representatives from any other United
2 States Government departments or agencies, as de-
3 termined by the Secretary.
4 (c) ADDITIONAL MEETINGS.—The Interagency Task
5 Force established in subsection (b) shall meet not less
6 than twice per year.
7 (d) DUTIES.—The Interagency Task Force estab-
8 lished in subsection (b) shall—
9 (1) evaluate, on a general basis, the effective-
10 ness of existing foreign assistance programs, includ-
11 ing programs funded by the Anti-Corruption Action
12 Fund under section 6, that have an impact on pro-
13 moting good governance in foreign states and en-
14 hancing the ability of foreign states to combat public
15 corruption;
16 (2) assist the Secretary of State in managing
17 the whole-of-government effort described in sub-
18 section (a);
19 (3) identify general areas in which such whole-
20 of-government effort could be enhanced; and
21 (4) recommend specific programs for foreign
22 states that may be used to enhance such whole-of-
23 government effort.

1 **SEC. 8. DESIGNATION OF EMBASSY ANTI-CORRUPTION**
2 **POINTS OF CONTACT.**

3 (a) EMBASSY ANTI-CORRUPTION POINT OF CON-
4 TACT.—The chief of mission of each United States em-
5 bassy shall designate an anti-corruption point of contact
6 for each such embassy.

7 (b) DUTIES.—The designated anti-corruption points
8 of contact under subsection (a) shall—

9 (1) with guidance from the Interagency Task
10 Force established under section 7, coordinate an
11 interagency approach within United States embas-
12 sies to combat public corruption in the foreign states
13 in which such embassies are located that is tailored
14 to the needs of such foreign states, including all rel-
15 evant United States Government departments and
16 agencies with a presence in such foreign states, such
17 as the Department of State, USAID, the Depart-
18 ment of Justice, the Department of the Treasury,
19 the Department of Homeland Security, the Depart-
20 ment of Defense, the Millennium Challenge Corpora-
21 tion, and the intelligence community;

22 (2) make recommendations regarding the use of
23 the Anti-Corruption Action Fund under section 6
24 and other foreign assistance related to anti-corrup-
25 tion efforts in their respective foreign states, align-

1 ing such assistance with United States diplomatic
2 engagement; and
3 (3) ensure that anti-corruption activities carried
4 out within their respective foreign states are in-
5 cluded in regular reporting to the Secretary of State
6 and the Interagency Task Force under section 7, in-
7 cluding United States embassy strategic planning
8 documents and foreign assistance-related reporting,
9 as appropriate.
10 (c) TRAINING.—The Secretary of State shall develop
11 and implement appropriate training for designated anti-
12 corruption points of contact under this section.
13 **SEC. 9. REPORTING REQUIREMENTS.**
14 (a) REPORT ON PROMOTING INTERNATIONAL
15 STANDARDS IN COMBATING CORRUPTION, KLEPTOCRACY,
16 AND ILLICIT FINANCE.—Not later than 180 days after the
17 date of the enactment of this Act, the Secretary of State,
18 in consultation with the Administrator of the USAID and
19 the Secretary of the Treasury, shall submit to the appro-
20 priate congressional committees a report that—
21 (1) summarizes any progress made by foreign
22 states to adopt and implement each of the inter-
23 national standards in combating corruption,
24 kleptocracy, and illicit finance listed in section 4;

1 (2) details the efforts of the United States Gov-
2 ernment to promote such international standards;
3 (3) identifies priority countries for outreach re-
4 garding such international standards; and
5 (4) outlines a plan to encourage the adoption
6 and implementation of such international standards,
7 including specific steps to take with the priority
8 countries identified in accordance with paragraph
9 (3).
10 (b) REPORT OR BRIEFING ON PROGRESS TOWARD
11 IMPLEMENTATION.—Not later than one year after the
12 date of the enactment of this Act and annually thereafter
13 for three years, the Secretary of State, in consultation
14 with the Administrator of the USAID, shall submit to the
15 appropriate congressional committees a report or provide
16 a briefing summarizing progress in implementing this Act,
17 including—
18 (1) a description of the bureaucratic structure
19 of the offices within the Department and USAID
20 that are engaged in activities to combat corruption,
21 kleptocracy, and illicit finance, and how such offices
22 coordinate with one another;
23 (2) information relating to the amount of funds
24 deposited in the Anti-Corruption Action Fund estab-

1 lished under section 6 and the obligation, expendi-
2 ture, and impact of such funds;
3 (3) the activities of the Interagency Task Force
4 established pursuant to section 7(b);
5 (4) the designation of anti-corruption points of
6 contact for foreign states pursuant to section 8(a)
7 and any training provided to such points of contact
8 pursuant to section 8(c); and
9 (5) additional resources or personnel needs to
10 better achieve the goals of this Act to combat cor-
11 ruption, kleptocracy, and illicit finance overseas.
12 (c) ONLINE PLATFORM.—The Secretary of State, in
13 conjunction with the Administrator of the USAID, shall
14 consolidate existing reports and briefings with anti-corrup-
15 tion components into one online, public platform, that in-
16 cludes the following:
17 (1) The Annual Country Reports on Human
18 Rights Practices.
19 (2) The Fiscal Transparency Report.
20 (3) The Investment Climate Statement reports.
21 (4) The International Narcotics Control Strat-
22 egy Report.
23 (5) Any other relevant public reports.
24 (6) Links to third-party indicators and compli-
25 ance mechanisms used by the United States Govern-

1 ment to inform policy and programming, such as the
2 following:
3 (A) The International Finance Corpora-
4 tion's Doing Business surveys.
5 (B) The International Budget Partner-
6 ship's Open Budget Index.
7 (C) Multilateral peer review anti-corrup-
8 tion compliance mechanisms, such as the
9 Organisation for Economic Co-operation and
10 Development's Working Group on Bribery in
11 International Business Transactions, the Fol-
12 low-Up Mechanism for the Inter-American Con-
13 vention Against Corruption (MESICIC), and
14 the United Nations Convention Against Corrup-
15 tion, done at New York October 31, 2003, to
16 further highlight expert international views on
17 foreign state challenges and efforts.

I

116TH CONGRESS
1ST SESSION

H. R. 2444

To authorize the Secretary of State to make direct loans under section 23 of the Arms Export Control Act, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 1, 2019

Mr. MCCAUL introduced the following bill; which was referred to the Committee on Foreign Affairs

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A BILL

To authorize the Secretary of State to make direct loans under section 23 of the Arms Export Control Act, and for other purposes.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Eastern European Security Act".

SEC. 2. SENSE OF CONGRESS.

It is the sense of Congress that it is in the national security interest of the United States for member countries of the North Atlantic Treaty Organization (NATO) that were formerly part of the Soviet Eastern Bloc—

(1) to have modern and effective defense articles that are in use and easily integrated with those used by the United States and other NATO allies; and

(2) not use or be dependent on Russian or former Soviet-era defense articles.

SEC. 3. FOREIGN MILITARY LOAN AUTHORITY.

(a) IN GENERAL.—Subject to the notification requirements under subsection (b), the President, acting through the Secretary of State, is authorized—

(1) to make direct loans under section 23 of the Arms Export Control Act (22 U.S.C. 2763) to NATO countries that joined the alliance after March 1, 1999, notwithstanding the minimum interest rate required by subsection (c)(1) of such section; and

(2) to charge fees for such loans under paragraph (1), which shall be collected from borrowers in accordance with section 502(7) of the Congressional Budget Act of 1974, and which may be used to cover the costs of such loans as defined in section 502 of the Congressional Budget Act of 1974.

(b) NOTIFICATION.—A loan may not be made under the authority provided by subsection (a) unless the Secretary of State submits to the appropriate congressional

1 committees a certification, not fewer than fifteen days be-
2 fore entering into an agreement to make such loan, that—
3 (1) the recipient country is making demon-
4 strable progress toward meeting its spending obliga-
5 tions in accordance with the 2014 NATO Wales
6 Summit; and
7 (2) the government of such recipient country is
8 respecting that country's constitution and upholds
9 democratic values such as freedom of religion, free-
10 dom of speech, freedom of the press, the rule of law,
11 and the rights of religious minorities.
12 (c) REPAYMENT.—A loan made under the authority
13 provided by subsection (a) shall be repaid in not more than
14 12 years, but may include a grace period of up to one
15 year on the repayment of the principal.
16 (d) APPROPRIATE CONGRESSIONAL COMMITTEES
17 DEFINED.—In this Act, the term "appropriate congres-
18 sional committees" means—
19 (1) the Committee on Foreign Affairs and the
20 Committee on Appropriations of the House of Rep-
21 resentatives; and
22 (2) the Committee on Foreign Relations and
23 the Committee on Appropriations of the Senate.

○

AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 2444 OFFERED BY MR. ENGEL OF NEW YORK

Strike all after the enacting clause and insert the following:

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the "Eastern European Se-
3 curity Act".

4 **SEC. 2. SENSE OF CONGRESS.**

5 It is the sense of Congress that it is in the national
6 security interest of the United States to—

7 (1) deter aggression against North Atlantic
8 Treaty Organization (NATO) allies by Russia or any
9 other adversary;

10 (2) assist NATO allies in acquiring and deploy-
11 ing modern, NATO interoperable military equipment
12 and reducing their dependence on Russian or former
13 Soviet-era defense articles;

14 (3) ensure that NATO allies meet alliance de-
15 fense commitments, including through adequate in-
16 vestments in national defense;

17 (4) supplement existing grant assistance to key
18 allies through foreign military financing loans, at

1 rates competitive with those already available on
2 commercial markets, to purchase NATO-interoper-
3 able military equipment; and
4 (5) work to maintain and strengthen the demo-
5 cratic institutions and practices of all NATO allies,
6 in accordance with the goals of Article 2 of the
7 North Atlantic Treaty.

8 **SEC. 3. FOREIGN MILITARY LOAN AUTHORITY.**

9 (a) IN GENERAL.—Subject to the notification re-
10 quirements under subsection (b), the President, acting
11 through the Secretary of State, is authorized—
12 (1) to make direct loans under section 23 of the
13 Arms Export Control Act (22 U.S.C. 2763) to
14 NATO member countries that joined the alliance
15 after March 1, 1999, notwithstanding the minimum
16 interest rate required by subsection (c)(1) of such
17 section; and
18 (2) to charge fees for such loans under para-
19 graph (1), which shall be collected from borrowers in
20 accordance with section 502(7) of the Congressional
21 Budget Act of 1974, and which may be used to
22 cover the costs of such loans as defined in section
23 502 of the Congressional Budget Act of 1974.
24 (b) NOTIFICATION.—A loan may not be made under
25 the authority provided by subsection (a) unless the Sec-

1 retary of State submits to the appropriate congressional
2 committees a certification, not fewer than fifteen days be-
3 fore entering into an agreement to make such loan, that—
4 (1) the recipient country is making demon-
5 strable progress toward meeting its defense spending
6 commitments in accordance with the 2014 NATO
7 Wales Summit Declaration; and
8 (2) the government of such recipient country is
9 respecting that country's constitution and upholds
10 democratic values such as freedom of religion, free-
11 dom of speech, freedom of the press, the rule of law,
12 and the rights of religious minorities.
13 (c) REPAYMENT.—A loan made under the authority
14 provided by subsection (a) shall be repaid in not more than
15 12 years, but may include a grace period of up to one
16 year on the repayment of the principal.
17 (d) APPROPRIATE CONGRESSIONAL COMMITTEES
18 DEFINED.—In this Act, the term "appropriate congres-
19 sional committees" means—
20 (1) the Committee on Foreign Affairs and the
21 Committee on Appropriations of the House of Rep-
22 resentatives; and
23 (2) the Committee on Foreign Relations and
24 the Committee on Appropriations of the Senate.

I

116TH CONGRESS
1ST SESSION

H. R. 4331

To modify and reauthorize the Tibetan Policy Act of 2002, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 13, 2019

Mr. MCGOVERN (for himself, Mr. SMITH of New Jersey, Ms. KAPTUR, Mr. SHERMAN, Mr. MEADOWS, Mr. SUOZZI, Mr. MALINOWSKI, and Mr. MCADAMS) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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A BILL

To modify and reauthorize the Tibetan Policy Act of 2002, and for other purposes.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Tibetan Policy and Support Act of 2019".

SEC. 2. MODIFICATIONS TO AND REAUTHORIZATION OF TIBETAN POLICY ACT OF 2002.

(a) TIBETAN NEGOTIATIONS.—Section 613 of the Tibetan Policy Act of 2002 (22 U.S.C. 6901 note) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by inserting "without preconditions" after "a dialogue";

(ii) by inserting "or Central Tibetan Administration representatives" after "his representatives"; and

(iii) by adding at the end before the period the following: "and should coordinate with other governments in multilateral efforts toward this goal";

(B) by redesignating paragraph (2) as paragraph (3); and

(C) by inserting after paragraph (1) the following:

"(2) POLICY COMMUNICATION.—The President shall direct the Secretary of State to ensure that, in accordance with this Act, United States policy on Tibet, as coordinated by the United States Special Coordinator for Tibetan Issues, is communicated to

all Federal departments and agencies in contact with the Government of the People's Republic of China.";

(2) in subsection (b)—

(A) in the matter preceding paragraph (1)—

(i) by striking "until December 31, 2021"; and

(ii) by inserting "and direct the Department of State to make public on its website" after "appropriate congressional committees";

(B) in paragraph (1), by striking "and" at the end;

(C) in paragraph (2), by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

"(3) the steps taken by the United States Government to promote the human rights and genuine cultural, religious, linguistic, and national identity of the Tibetan people, including the right of the Tibetan people to choose their own religious leaders in accordance with their established religious practice and system; and

"(4) an analysis of United States business activities in Tibet, whether those activities employ Ti-

1 betans and how many, whether those activities are
2 consistent with the protection of the environment
3 and Tibetan cultural traditions, and whether those
4 activities contribute to or support, through goods or
5 services, the surveillance of the people of Tibet.".
6 (b) ECONOMIC DEVELOPMENT IN TIBET.—Section
7 616 of such Act (22 U.S.C. 6901 note) is amended—
8 (1) in subsection (d)—
9 (A) in paragraph (5), by inserting "human
10 rights" after "respect Tibetan";
11 (B) in paragraph (8), by striking "and" at
12 the end;
13 (C) in paragraph (9), by striking the pe-
14 riod at the end and inserting "; and"; and
15 (D) by adding at the end the following:
16 "(10) neither provide incentive for, nor facili-
17 tate the involuntary or coerced relocation of, Tibetan
18 nomads from their traditional pasturelands into con-
19 centrated settlements."; and
20 (2) by adding at the end the following:
21 "(e) PRIVATE SECTOR INVESTMENT.—The Secretary
22 of State, in coordination with the Secretary of Commerce,
23 should—
24 "(1) encourage United States businesses and
25 individuals that are engaged in commerce or invest-

1 ing in enterprises in Tibet to abide by the principles
2 contained in subsection (d) and the United Nations
3 Guiding Principles on Business and Human Rights;
4 and
5 "(2) request that such businesses and individ-
6 uals provide to the Department of State periodic re-
7 ports on their adherence to such principles.
8 "(f) UNITED STATES ASSISTANCE.—The President
9 shall provide grants to nongovernmental organizations to
10 support sustainable economic development, cultural and
11 historical preservation, health care, education, and envi-
12 ronmental sustainability projects for Tibetan communities
13 in Tibet, in accordance with the principles specified in sub-
14 section (d) and subject to the review and approval of the
15 United States Special Coordinator for Tibetan Issues
16 under section 621(d) or, if the Coordinator has not been
17 appointed, the Assistant Secretary of State for Democ-
18 racy, Human Rights, and Labor.".
19 (c) DIPLOMATIC REPRESENTATION RELATING TO
20 TIBET.—Section 618 of such Act (22 U.S.C. 6901 note)
21 is amended to read as follows:
22 **"SEC. 618. DIPLOMATIC REPRESENTATION RELATING TO**
23 **TIBET.**
24 "(a) UNITED STATES CONSULATE IN LHASA,
25 TIBET.—

1 "(1) IN GENERAL.—The Secretary shall seek to
2 establish a United States consulate in Lhasa, Tibet,
3 to provide consular services to United States citizens
4 traveling in Tibet and to monitor political, economic,
5 and cultural developments in Tibet.
6 "(2) CONSULAR DISTRICTS.—The Secretary
7 should organize the United States Embassy's con-
8 sular districts within the People's Republic of China
9 so that all areas designated as autonomous for Ti-
10 betans are contained within the same consular dis-
11 trict.
12 "(b) TIBET SECTION IN UNITED STATES EMBASSY
13 IN BEIJING, CHINA.—
14 "(1) IN GENERAL.—The Secretary shall estab-
15 lish a Tibet section within the United States Em-
16 bassy in Beijing, China, to follow political, economic,
17 and social developments in Tibet until such time as
18 a United States consulate in Lhasa, Tibet, is estab-
19 lished under subsection (a).
20 "(2) DUTIES.—The Tibet section established
21 under paragraph (1) shall have the primary respon-
22 sibility of reporting on human rights issues and ac-
23 cess to Tibet by United States Government officials,
24 journalists, non-governmental organizations, and the
25 Tibetan diaspora and shall work in close cooperation

1 with the United States Special Coordinator for Ti-
2 betan Issues.
3 "(c) POLICY.—The Secretary should not authorize
4 the establishment in the United States of any additional
5 consulate of the People's Republic of China until such
6 time as a United States consulate in Lhasa, Tibet, is es-
7 tablished under subsection (a).".
8 (d) RELIGIOUS PERSECUTION IN TIBET.—Section
9 620(b) of such Act (22 U.S.C. 6901 note) is amended by
10 adding at the end before the period the following: ", in-
11 cluding with respect to the reincarnation system of Ti-
12 betan Buddhism".
13 (e) UNITED STATES SPECIAL COORDINATOR FOR TI-
14 BETAN ISSUES.—Section 621 of such Act (22 U.S.C. 6901
15 note) is amended—
16 (1) in subsection (c) to read as follows:
17 "(c) OBJECTIVES.—The objectives of the Special Co-
18 ordinator are to—
19 "(1) promote substantive dialogue without pre-
20 conditions between the Government of the People's
21 Republic of China and the Dalai Lama or his rep-
22 resentatives or Central Tibetan Administration rep-
23 resentatives leading to a negotiated agreement on
24 Tibet;

"(2) encourage the Government of the People's Republic of China to address the aspirations of the Tibetan people with regard to their cultural, religious, linguistic, and national identity;

"(3) promote the human rights and religious freedoms of the Tibetan people, including women's human rights;

"(4) promote activities to preserve the distinct environment and water resources of the Tibetan plateau;

"(5) promote economic development as enumerated in section 616(e) of this Act; and

"(6) promote access to Tibet in accordance with the Reciprocal Access to Tibet Act of 2018.";

(2) in subsection (d)—

(A) in paragraph (5), by striking "and" at the end;

(B) by redesignating paragraph (6) as paragraph (8); and

(C) by inserting after paragraph (5) the following:

"(6) review and approve all projects carried out pursuant to section 616(f) and section 7(b) of the Tibetan Policy and Support Act of 2019;

"(7) seek to establish international diplomatic coalitions to—

"(A) oppose any effort by the Government of the People's Republic of China to identify or install Tibetan Buddhist religious leaders in a manner inconsistent with the established religious practice and system of Tibetan Buddhism; and

"(B) ensure that the identification and installation of Tibetan Buddhist religious leaders, including a future 15th Dalai Lama, is determined solely within the Tibetan Buddhist faith community, in accordance with the universally-recognized right to religious freedom; and"; and

(3) by adding at the end the following:

"(e) PERSONNEL.—The Secretary shall assign not less than three individuals to the Office of the Special Coordinator to assist in the management of the responsibilities of this section.".

(f) GEOGRAPHIC DEFINITION OF TIBET.—Such Act (22 U.S.C. 6901 note), as so amended, is further amended by adding at the end the following:

1 **"SEC. 622. GEOGRAPHIC DEFINITION OF TIBET.**

2 "In this Act and in implementing policies relating to
3 the Tibetan people under other provisions of law, the term
4 'Tibet', unless otherwise specified, means—

5 "(1) the Tibet Autonomous Region; and

6 "(2) the Tibetan areas of Qinghai, Sichuan,
7 Gansu, and Yunnan provinces.".

8 **SEC. 3. STATEMENT OF POLICY REGARDING THE SUCCES-**
9 **SION OR REINCARNATION OF THE DALAI**
10 **LAMA.**

11 (a) FINDINGS.—Congress finds the following:

12 (1) Tibetan Buddhism is practiced in many
13 countries including the People's Republic of China,
14 Bhutan, Nepal, Mongolia, India, the Russian Fed-
15 eration, and the United States.

16 (2) No single political entity encompasses the
17 territory in which Tibetan Buddhism is practiced.

18 (3) The Dalai Lama is widely revered by Ti-
19 betan Buddhists and those who practice Tibetan
20 Buddhism around the world, including those in the
21 United States, as their spiritual leader.

22 (4) Under the Tibetan Buddhist belief system,
23 there have been 14 persons recognized as the Dalai
24 Lama, each a manifestation of the Bodhisattva of
25 Compassion, selected according to the spiritual tra-
26 ditions and practices of Tibetan Buddhism.

(5) The 14th Dalai Lama, Tenzin Gyatso, issued a statement on September 24, 2011, explaining the traditions and spiritual precepts of the selection of Dalai Lamas, setting forth his views on the considerations and process for selecting his successor, and providing a response to the Chinese government's claims that only the Chinese government has the ultimate authority in the selection process of the Dalai Lama.

(6) The 14th Dalai Lama said in his statement that if a decision to continue the institution of the Dalai Lama is made, that the responsibility shall primarily rest with the Dalai Lama's Gaden Phodrang Trust, who will be informed by the written instructions of the 14th Dalai Lama.

(7) Since 2011, the 14th Dalai Lama has reiterated publicly on numerous occasions that decisions on the succession or reincarnation of the next Dalai Lama belongs to the Tibetan Buddhist faith community alone.

(8) The Government of the People's Republic of China has interfered in the process of recognizing a successor or reincarnation of Tibetan Buddhist leaders, including in 1995 by arbitrarily detaining Gedhun Choekyi Nyima, a 6-year old boy who was

1 identified as the 11th Panchen Lama, and pur-
2 porting to install its own candidate as the Panchen
3 Lama.

4 (9) During his confirmation hearings to be Sec-
5 retary of State, Michael Pompeo testified to the Sen-
6 ate Foreign Relations Committee that "If confirmed,
7 I will press the Chinese government to respect the
8 legitimacy of Tibetan Buddhists' religious practices.
9 This includes the decisions of Tibetan Buddhists in
10 selecting, educating, and venerating the lamas who
11 lead the faith, such as the Dalai Lama.".

12 (10) The Department of State's Report on
13 International Religious Freedom for 2017 reported
14 on policies and efforts of the Government of the
15 People's Republic of China to exert control over the
16 selection of Tibetan Buddhist religious leaders, in-
17 cluding reincarnate lamas, and stated that "U.S. of-
18 ficials underscored that decisions on the reincarna-
19 tion of the Dalai Lama should be made solely by
20 faith leaders.".

21 (11) In July 2015, Under Secretary of State
22 for Civilian Security, Democracy and Human
23 Rights, Sarah Sewall, serving concurrently as United
24 States Special Coordinator for Tibetan Issues, testi-
25 fied to Congress that "the basic and universally rec-

1 ognized right of religious freedom demands that any
2 decision on the next Dalai Lama be reserved to the
3 current Dalai Lama, Tibetan Buddhist leaders, and
4 the Tibetan people".

5 (12) On June 8, 2015, the United States
6 House of Representatives unanimously approved
7 House Resolution 337 which calls on the United
8 States Government to "underscore that government
9 interference in the Tibetan reincarnation process is
10 a violation of the internationally recognized right to
11 religious freedom, and that matters related to rein-
12 carnations in Tibetan Buddhism are of keen interest
13 to Tibetan Buddhist populations worldwide".

14 (13) On April 25, 2018, the United States Sen-
15 ate unanimously approved Senate Resolution 429
16 which "expresses its sense that the identification
17 and installation of Tibetan Buddhist religious lead-
18 ers, including a future 15th Dalai Lama, is a matter
19 that should be determined solely within the Tibetan
20 Buddhist faith community, in accordance with the
21 inalienable right to religious freedom".

22 (b) STATEMENT OF POLICY.—It is the policy of the
23 United States that—

24 (1) decisions regarding the identification and
25 installation of Tibetan Buddhist religious leaders, in-

1 cluding a future 15th Dalai Lama, are exclusively
2 spiritual matters that should be made by the appro-
3 priate religious authorities within the Tibetan Bud-
4 dhist tradition and in the context of the will of reli-
5 gious practitioners and the instructions of the 14th
6 Dalai Lama; and
7 (2) interference by the Government of the Peo-
8 ple's Republic of China or any other government in
9 the process of recognizing a successor or reincarna-
10 tion of the Dalai Lama would represent a clear vio-
11 lation of the fundamental religious freedoms of Ti-
12 betan Buddhists and the Tibetan people.
13 (c) AMENDMENTS TO FOREIGN RELATIONS AUTHOR-
14 IZATION ACT, FISCAL YEARS 1990 AND 1991.—Section
15 901(b) of the Foreign Relations Authorization Act, Fiscal
16 Years 1990 and 1991 (Public Law 101–246; 104 Stat.
17 80) is amended—
18 (1) by redesignating paragraphs (7), (8), and
19 (9) as paragraphs (8), (9), and (10), respectively;
20 and
21 (2) by inserting after paragraph (6) the fol-
22 lowing:
23 "(7) protecting the internationally recognized
24 right to the freedom of religion and belief, including
25 ensuring that the identification and installation of

1 Tibetan Buddhist religious leaders, including a fu-
2 ture 15th Dalai Lama, is a matter determined solely
3 within the Tibetan Buddhist faith community, based
4 on instructions of the 14th Dalai Lama, without in-
5 terference by the Government of the People's Repub-
6 lic of China;".

7 (d) HOLDING CHINESE OFFICIALS RESPONSIBLE
8 FOR RELIGIOUS FREEDOM ABUSES TARGETING TIBETAN
9 BUDDHISTS.—It is the policy of the United States—

10 (1) to consider any effort by the Government of
11 the People's Republic of China to identify or install
12 its own candidate as the future 15th Dalai Lama of
13 Tibetan Buddhism to be—

14 (A) a serious human rights abuse as such
15 term is used in Executive Order 13818 (2017);
16 and

17 (B) a particularly severe violation of reli-
18 gious freedom for purposes of applying section
19 212(a)(2)(G) of the Immigration and Nation-
20 ality Act (8 U.S.C. 1182(a)(2)(G)); and

21 (2) to consider any official of the Government
22 of the People's Republic of China determined to be
23 complicit in identifying or installing a government-
24 approved candidate as the future 15th Dalai Lama,
25 contrary to the instructions provided by the 14th

1 Dalai Lama, and one not recognized by the faith
2 community of Tibetan Buddhists globally to be sub-
3 ject to sanctions described in Executive Order 13818
4 (2017) and to inadmissibility into the United States
5 under section 212(a)(2)(G) of the Immigration and
6 Nationality Act (8 U.S.C. 1182(a)(2)).

7 (c) DEPARTMENT OF STATE PROGRAMMING TO PRO-
8 MOTE RELIGIOUS FREEDOM FOR TIBETAN BUDDHISTS.—
9 Consistent with section 401 of the Frank R. Wolf Inter-
10 national Religious Freedom Act (Public Law 114–281;
11 130 Stat. 1436), of the funds available to the Department
12 of State for international religious freedom programs, the
13 Ambassador-at-Large for International Religious Freedom
14 should provide funding to vigorously protect and promote
15 international religious freedom in China and for programs
16 to protect Tibetan Buddhism in China and elsewhere.

17 **SEC. 4. REPORTING ON TIBET UNDER THE INTERNATIONAL**
18 **RELIGIOUS FREEDOM ACT OF 1998.**

19 Section 102(b)(1) of the International Religious
20 Freedom Act of 1998 (22 U.S.C. 6412(b)(1)) is amend-
21 ed—

22 (1) in subparagraph (B), by striking ", includ-
23 ing policies" and inserting ", including interference
24 in the right of religious communities to choose their
25 leaders, policies"; and

1 (2) by adding at the end the following:
2 "(H) CHINA.—Because matters relating to
3 religious freedom in China are complex in scope
4 and intensity and often vary by ethnicity and
5 geographic or administrative region, each chap-
6 ter on China in the Annual Report shall include
7 separate sections on—
8 "(i) Tibet;
9 "(ii) the Xinjiang Uyghur Autono-
10 mous Region;
11 "(iii) Hong Kong and Macau;
12 "(iv) unrecognized or independent
13 Catholics and Protestant 'house churches';
14 and
15 "(v) Falun Gong and other faith-
16 based or new religious movements.".

17 **SEC. 5. POLICY REGARDING THE ENVIRONMENT AND**
18 **WATER RESOURCES ON THE TIBETAN PLA-**
19 **TEAU.**

20 (a) FINDINGS.—Congress finds the following:
21 (1) Glaciers in Tibet feed ten of the major riv-
22 ers of South and East Asia, which supply freshwater
23 to an estimated 1.8 billion people.
24 (2) Chinese scientists have reported that since
25 1960 the Tibetan Plateau's annual average tempera-

ture has increased at twice the global average, causing melting of the glaciers, which will result in variable water flows in the future.

(3) Tibet's rivers support wetlands that play a key role in water storage, water quality, and the regulation of water flow, and support biodiversity, foster vegetation growth, and act as carbon sinks.

(4) The grasslands of Tibet play a significant role in carbon production and sequestration.

(5) Changes in permafrost levels, caused by rising temperatures and intensifying evaporation, can affect the water supply, cause desertification, and destabilize infrastructure on the Tibetan Plateau and beyond.

(6) The warming of the Tibetan plateau may cause changes in the monsoon cycle in South and Southeast Asia, which could lead to droughts or floods that overwhelm infrastructure and damage crops.

(7) The resettlement of nomads from Tibetan grasslands undermines the application of traditional stewardship practices developed though centuries of pastoral practices, which can be key to mitigating the negative effects of warming on the Tibetan Plateau.

(8) The construction of large hydroelectric power dams in Tibet, planned to be used in part to transmit power to Chinese provinces outside of Tibet, as well as other infrastructure projects, including the Sichuan-Tibet railroad may also lead to the resettlement of thousands of Tibetans and transform the environment.

(9) Cambodia, Laos, Thailand, and Vietnam are members of the Mekong River Commission, which promotes sustainable management and development of water and related resources among member nations.

(10) The People's Republic of China is not a full party to the Mekong River Commission.

(11) The People's Republic of China has approximately 20 percent of the world's population but only around 7 percent of the world's water supply, with India and the rest of South and Southeast Asia also relying on the rivers flowing from the Himalayas of the Tibetan Plateau.

(12) The People's Republic of China has already completed water transfer programs diverting billions of cubic meters of water yearly and there are plans to divert more waters from the Tibetan plateau in China.

1 (b) WATER RESOURCES IN TIBET AND THE TIBETAN
2 WATERSHED.—The Secretary of State, in coordination
3 with relevant agencies of the United States Government,
4 shall—
5 (1) pursue collaborative efforts with Chinese
6 and international scientific institutions to monitor
7 the environment on the Tibetan Plateau, including
8 glacial retreat, temperature rise, and carbon levels,
9 in order to promote a greater understanding of the
10 effects on permafrost, river flows, grasslands and
11 desertification, and the monsoon cycle;
12 (2) engage with the Government of the People's
13 Republic of China and nongovernmental organiza-
14 tions to encourage the participation of Tibetan no-
15 mads and other Tibetan stakeholders in the develop-
16 ment and implementation of grassland management
17 policies, in order to utilize their indigenous experi-
18 ence in mitigation and stewardship of the land and
19 to assess policies on the forced resettlement of no-
20 mads; and
21 (3) encourage a regional framework on water
22 security, or use existing frameworks, such as the
23 Lower Mekong Initiative, to facilitate cooperative
24 agreements among all riparian nations that would
25 promote transparency, sharing of information, pollu-

1 tion regulation, and arrangements on impounding
2 and diversion of waters that originate on the Ti-
3 betan Plateau.

4 (c) TIBETAN WATER RESOURCES AND NATIONAL SE-
5 CURITY.—Section 1202(b) of the National Defense Au-
6 thorization Act of 2000 (Public Law 106–65; 10 U.S.C.
7 113 note) is amended by adding at the end the following:

8 "(29) Tibet's strategic importance and the stra-
9 tegic importance of water resources from the Ti-
10 betan Plateau in regional and territorial disputes.".

11 **SEC. 6. DEMOCRACY IN THE TIBETAN EXILE COMMUNITY.**

12 (a) FINDINGS.—Congress finds the following:

13 (1) The 14th Dalai Lama has overseen a proc-
14 ess of democratization within the Tibetan polity, be-
15 ginning in Tibet in the 1950s and continuing in exile
16 from the 1960s to the present.

17 (2) The first representative body in Tibetan his-
18 tory, formed on September 2, 1960, was the pre-
19 cursor of the Tibetan Parliament in Exile, the legis-
20 lative branch within the Central Tibetan Administra-
21 tion.

22 (3) The first direct election for the chief execu-
23 tive of the Central Tibetan Administration was held
24 on July 29, 2001, with the election of Professor
25 Samdhong Rinpoche.

1 (4) On March 10, 2011, the 14th Dalai Lama
2 announced that he would relinquish his political re-
3 sponsibilities and on August 8, 2011, he transferred
4 full political power to the elected leadership of the
5 Central Tibetan Administration.
6 (5) On March 20, 2011, members of the Ti-
7 betan exile community across some 30 countries held
8 elections, monitored by international observers and
9 assessed to be free and fair, to select the next par-
10 liament and chief executive.
11 (6) As a result of the codification of the trans-
12 fer of political power from the Dalai Lama, the
13 Kalon Tripa, or Chief of the Cabinet, assumed full
14 executive authority and the Tibetan Parliament in
15 Exile assumed full legislative authority within the
16 Central Tibetan Administration.
17 (7) As a result of the 2011 elections, the 15th
18 Tibetan Parliament was seated and Lobsang Sangay
19 was chosen as Kalon Tripa, a title changed to
20 Sikyong in 2012.
21 (8) Approximately six million Tibetans in Tibet
22 do not enjoy a democratic form of government or the
23 ability to elect their political representatives.
24 (9) Section 355 of the Foreign Relations Au-
25 thorization Act, Fiscal Years 1992 and 1993 ex-

1 pressed the sense of Congress that Tibet's true rep-
2 resentatives are the Dalai Lama and the Tibetan
3 government-in-exile as recognized by the Tibetan
4 people and that Tibet has maintained throughout its
5 history a distinctive and sovereign national, cultural,
6 and religious identity separate from that of China
7 and, except during periods of illegal Chinese occupa-
8 tion, has maintained a separate and sovereign polit-
9 ical and territorial identity.
10 (10) The Middle Way Approach, the official
11 policy of the Central Tibetan Administration, seeks
12 genuine autonomy for the six million Tibetans in
13 Tibet.
14 (b) SENSE OF CONGRESS.—It is the sense of Con-
15 gress that—
16 (1) Tibetan exile communities around the world
17 should be commended for the successful adoption of
18 a system of self governance with democratic institu-
19 tions and free elections to choose their leaders;
20 (2) the Dalai Lama should be commended for
21 his decision to transfer political authority to elected
22 leaders in accordance with democratic principles;
23 (3) the Central Tibetan Administration legiti-
24 mately represents and reflects the aspirations of Ti-

1 betan people around the world and the Sikyong is
2 the President of the Central Tibetan Administration;
3 (4) as consistent with section 621(d)(3) of the
4 Tibetan Policy Act of 2002 (22 U.S.C. 6901 note),
5 the United States Special Coordinator for Tibetan
6 Issues should continue to maintain close contact
7 with the religious, cultural, and elected leaders of
8 the Tibetan people; and
9 (5) the adoption of democracy within the Ti-
10 betan exile community can serve as an example to
11 other sub-national or non-sovereign communities
12 around the world.

13 **SEC. 7. SUSTAINABILITY IN TIBETAN COMMUNITIES SEEK-**
14 **ING TO PRESERVE THEIR CULTURE, RELI-**
15 **GION, AND LANGUAGE.**

16 (a) FINDINGS.—Congress finds the following:
17 (1) Following the flight into exile of the Dalai
18 Lama and tens of thousands of fellow Tibetans, the
19 Government of India graciously granted land on
20 which the Tibetan refugees could settle.
21 (2) Under the leadership of the Dalai Lama,
22 Tibetan refugees established in settlements in India,
23 Nepal, and Bhutan monastic, cultural, and edu-
24 cational institutions for the purpose of preserving

1 their religion, culture, and language until the time
2 that they could return to Tibet.
3 (3) Many of the Tibetan settlements are more
4 than 50 years old with aging infrastructure, chal-
5 lenging the capacity to absorb new refugees and pro-
6 vide modern services and gainful employment.
7 (4) The threats to Tibetan culture, religion, and
8 language in the People's Republic of China justify
9 support for efforts by Tibetans outside China to pre-
10 serve their heritage.
11 (5) Many long-staying Tibetans in Nepal have
12 not received documentation that would provide legal
13 resident status and allow them fuller access to edu-
14 cational opportunities and sustainable participation
15 in the economy and society of Nepal.
16 (6) It is United States policy to promote the
17 human rights of the Tibetan people and the preser-
18 vation of the distinct Tibetan cultural, religious, and
19 linguistic heritage.
20 (7) The Dalai Lama has said that the Central
21 Tibetan Administration will cease to exist once a ne-
22 gotiated settlement has been achieved that allows Ti-
23 betans to freely enjoy their culture, religion, and lan-
24 guage in Tibet.

1 (b) DEVELOPMENT ASSISTANCE.—Of the amount au-
2 thorized to be appropriated for development assistance for
3 fiscal year 2020, such sums as may be necessary are au-
4 thorized to be available to support the preservation of Ti-
5 betan cultural, religious, and linguistic heritage, as well
6 as the education, skills development, and entrepreneurship
7 of Tibetans residing in settlements in South Asia, subject
8 to review and approval of the United States Special Coor-
9 dinator for Tibetan Issues.

10 (c) STATUS OF TIBETANS IN NEPAL.—The Secretary
11 of State shall urge the Government of Nepal to provide
12 legal documentation to long-staying Tibetan residents in
13 Nepal who fled a credible threat of persecution in Tibet
14 in order to allow them to more fully participate in the
15 economy and society of Nepal.

16 (d) SENSE OF CONGRESS.—It is the sense of Con-
17 gress that the Office of Tibet in Washington, DC, is the
18 representative office in the United States of the Dalai
19 Lama and the Central Tibetan Administration.

20 (e) SUNSET.—This section shall terminate on the
21 date that is one year after the date on which the Secretary
22 of State certifies to Congress that a negotiated settlement
23 between the Government of the People's Republic of China
24 and the Dalai Lama or his representatives on Tibet has
25 been concluded.

1 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

2 (a) OFFICE OF THE UNITED STATES SPECIAL COOR-
3 DINATOR FOR TIBETAN ISSUES.—Of the amounts author-
4 ized to be appropriated to the Department of State for
5 administration of foreign affairs, not less than $1,000,000
6 is authorized to be appropriated for fiscal year 2020 and
7 each subsequent fiscal year for the Office of the United
8 States Special Coordinator for Tibetan Issues.

9 (b) TIBETAN SCHOLARSHIP PROGRAM AND
10 "NGWANG CHOEPEL EXCHANGE PROGRAMS".—Of the
11 amounts authorized to be appropriated for educational
12 and cultural exchange programs for fiscal year 2020 and
13 each subsequent fiscal year—

14 (1) not less than $750,000 is authorized to be
15 appropriated to carry out the Tibetan scholarship
16 program established under section 103(b)(1) of the
17 Human Rights, Refugee, and Other Foreign Rela-
18 tions Provisions Act of 1996 (Public Law 104–319;
19 22 U.S.C. 2151 note); and

20 (2) not less than $650,000 is authorized to be
21 appropriated to carry out the "Ngwang Choepel Ex-
22 change Programs" (formerly known as "programs of
23 educational and cultural exchange between the
24 United States and the people of Tibet") under sec-
25 tion 103(a) of the Human Rights, Refugee, and
26 Other Foreign Relations Provisions Act of 1996.

1 (c) HUMANITARIAN ASSISTANCE TO TIBETAN REFU-
2 GEES IN SOUTH ASIA.—Of the amounts authorized to be
3 appropriated for migration and refugee assistance for fis-
4 cal year 2020 and each subsequent fiscal year, such sums
5 as may be necessary are authorized to be appropriated for
6 humanitarian assistance, including food, medicine, cloth-
7 ing, and medical and vocational training, to Tibetan refu-
8 gees in South Asia who have fled facing a credible threat
9 of persecution in the People's Republic of China.
10 (d) DEVELOPMENT ASSISTANCE.—Of the funds ap-
11 propriated under the heading Economic Support Fund for
12 fiscal year 2020 and each subsequent fiscal year, not less
13 than $6,000,000 is authorized for programs to promote
14 and preserve Tibetan culture and language both in the ref-
15 ugee and diaspora Tibetan communities, development, and
16 the resilience of Tibetan communities and the Central Ti-
17 betan Administration in India and Nepal, and to assist
18 in the education and development of the next generation
19 of Tibetan leaders from such communities.
20 (e) TIBETAN GOVERNANCE.—Of the funds appro-
21 priated under the heading "Economic Support Fund" for
22 fiscal year 2020 and each subsequent fiscal year, not less
23 than $3,000,000 is authorized for programs to strengthen
24 the capacity of the Central Tibetan Administration, insti-

1 tutions and strengthen democracy, governance, informa-
2 tion and international outreach, and research.

○

AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 4331 OFFERED BY MR. ENGEL OF NEW YORK

Strike all after the enacting clause and insert the following:

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the "Tibetan Policy and
3 Support Act of 2019".

4 **SEC. 2. MODIFICATIONS TO AND REAUTHORIZATION OF TI-**
5 **BETAN POLICY ACT OF 2002.**

6 (a) TIBETAN NEGOTIATIONS.—Section 613 of the Ti-
7 betan Policy Act of 2002 (22 U.S.C. 6901 note) is amend-
8 ed—

9 (1) in subsection (a)—

10 (A) in paragraph (1)—

11 (i) by inserting "without pre-
12 conditions" after "a dialogue";

13 (ii) by inserting "or democratically-
14 elected leaders of the Tibetan community"
15 after "his representatives"; and

16 (iii) by adding at the end before the
17 period the following: "and should coordi-

1 nate with other governments in multilat-
2 eral efforts toward this goal";
3 (B) by redesignating paragraph (2) as
4 paragraph (3); and
5 (C) by inserting after paragraph (1) the
6 following:
7 "(2) POLICY COMMUNICATION.—The President
8 shall direct the Secretary of State to ensure that, in
9 accordance with this Act, United States policy on
10 Tibet, as coordinated by the United States Special
11 Coordinator for Tibetan Issues, is communicated to
12 all Federal departments and agencies in contact with
13 the Government of the People's Republic of China.";
14 (2) in subsection (b)—
15 (A) in the matter preceding paragraph
16 (1)—
17 (i) by striking "until December 31,
18 2021"; and
19 (ii) by inserting "and direct the De-
20 partment of State to make public on its
21 website" after "appropriate congressional
22 committees";
23 (B) in paragraph (1), by striking "and" at
24 the end;

1 (C) in paragraph (2), by striking the pe-
2 riod at the end and inserting "; and" ; and
3 (D) by adding at the end the following:
4 "(3) the steps taken by the United States Gov-
5 ernment to promote the human rights and distinct
6 religious, cultural, linguistic, and historical identity
7 of the Tibetan people, including the right of the Ti-
8 betan people to select, educate, and venerate their
9 own religious leaders in accordance with their estab-
10 lished religious practice and system.".
11 (b) TIBET PROJECT PRINCIPLES.—Section 616 of
12 such Act (22 U.S.C. 6901 note) is amended—
13 (1) in subsection (d), by striking paragraphs
14 (1) through (9) and inserting the following:
15 "(1) neither provide incentive for, nor facilitate
16 the migration and settlement of, non-Tibetans into
17 Tibet;
18 "(2) neither provide incentive for, nor facilitate
19 the transfer of ownership of, Tibetan land or natural
20 resources to non-Tibetans;
21 "(3) neither provide incentive for, nor facilitate
22 the involuntary or coerced relocation of, Tibetan no-
23 mads from their traditional pasture lands into con-
24 centrated settlements;

1 "(4) be implemented in consultation with the
2 Tibetan people and, as appropriate, after the con-
3 duct of cultural and environmental impact assess-
4 ments;
5 "(5) foster self-sufficiency and self-reliance of
6 Tibetans;
7 "(6) respect human rights and Tibetan culture
8 and traditions;
9 "(7) be subject to ongoing monitoring and eval-
10 uation; and
11 "(8) be conducted, as much as possible, in the
12 Tibetan language."; and
13 (2) by adding at the end the following:
14 "(e) UNITED STATES ASSISTANCE.—The President
15 shall provide funds to nongovernmental organizations to
16 support sustainable development, cultural and historical
17 preservation, health care, education, and environmental
18 sustainability projects for Tibetan communities in Tibet,
19 in accordance with the principles specified in subsection
20 (d) and with the concurrence of the United States Special
21 Coordinator for Tibetan Issues under section 621(d) or,
22 if the Coordinator has not been appointed, the Assistant
23 Secretary of State for Democracy, Human Rights, and
24 Labor.".

1 (c) DIPLOMATIC REPRESENTATION RELATING TO
2 TIBET.—Section 618 of such Act (22 U.S.C. 6901 note)
3 is amended to read as follows:

4 **"SEC. 618. DIPLOMATIC REPRESENTATION RELATING TO**
5 **TIBET.**

6 "(a) UNITED STATES CONSULATE IN LHASA,
7 TIBET.—The Secretary should seek to establish a United
8 States consulate in Lhasa, Tibet—

9 "(1) to provide consular services to United
10 States citizens traveling in Tibet; and

11 "(2) to monitor political, economic, and cultural
12 developments in Tibet.

13 "(b) POLICY.—The Secretary may not authorize the
14 establishment in the United States of any additional con-
15 sulate of the People's Republic of China until such time
16 as a United States consulate in Lhasa, Tibet, is estab-
17 lished under subsection (a).".

18 (d) RELIGIOUS PERSECUTION IN TIBET.—Section
19 620(b) of such Act (22 U.S.C. 6901 note) is amended by
20 adding at the end before the period the following: ", in-
21 cluding with respect to the reincarnation system of Ti-
22 betan Buddhism".

23 (e) UNITED STATES SPECIAL COORDINATOR FOR TI-
24 BETAN ISSUES.—Section 621 of such Act (22 U.S.C. 6901
25 note) is amended—

1 (1) in subsection (c) to read as follows:
2 "(c) OBJECTIVES.—The objectives of the Special Co-
3 ordinator are to—
4 "(1) promote substantive dialogue without pre-
5 conditions between the Government of the People's
6 Republic of China and the Dalai Lama or his rep-
7 resentatives or democratically-elected leaders of the
8 Tibetan community leading to a negotiated agree-
9 ment on Tibet and coordinate with other govern-
10 ments in multilateral efforts toward this goal;
11 "(2) encourage the Government of the People's
12 Republic of China to address the aspirations of the
13 Tibetan people with regard to their distinct histor-
14 ical, cultural, religious, and linguistic identity;
15 "(3) promote the human rights of the Tibetan
16 people;
17 "(4) promote activities to preserve environment
18 and water resources of the Tibetan plateau;
19 "(5) encourage sustainable development in ac-
20 cordance with section 616(d), cultural and historical
21 preservation, health care, education, and environ-
22 mental sustainability projects for Tibetan commu-
23 nities in Tibet; and

1 "(6) promote access to Tibet in accordance with
2 the Reciprocal Access to Tibet Act of 2018 (Public
3 Law 115–330).";
4 (2) in subsection (d)—
5 (A) in paragraph (5), by striking "and" at
6 the end;
7 (B) by redesignating paragraph (6) as
8 paragraph (8); and
9 (C) by inserting after paragraph (5) the
10 following:
11 "(6) provide concurrence with respect to all
12 projects carried out pursuant to assistance provided
13 under section 616(e);
14 "(7) seek to establish international diplomatic
15 coalitions to—
16 "(A) oppose any effort by the Government
17 of the People's Republic of China to select, edu-
18 cate, and venerate Tibetan Buddhist religious
19 leaders in a manner inconsistent with Tibetan
20 Buddhism in which the succession or identifica-
21 tion of Tibetan Buddhist lamas, including the
22 Dalai Lama, should occur without interference,
23 in a manner consistent with Tibetan Buddhists'
24 beliefs; and

1 "(B) ensure that the identification and in-
2 stallation of Tibetan Buddhist religious leaders,
3 including any future Dalai Lama, is determined
4 solely within the Tibetan Buddhist faith com-
5 munity, in accordance with the universally-rec-
6 ognized right to religious freedom; and"; and
7 (3) by adding at the end the following:
8 "(e) PERSONNEL.—The Secretary shall ensure that
9 the Office of the Special Coordinator is adequately staffed
10 at all times to assist in the management of the responsibil-
11 ities of this section.".

12 **SEC. 3. STATEMENT OF POLICY REGARDING THE SUCCES-**
13 **SION OR REINCARNATION OF THE DALAI**
14 **LAMA.**

15 (a) FINDINGS.—Congress finds the following:
16 (1) Notwithstanding that Tibetan Buddhism is
17 practiced in many countries including Bhutan, India,
18 Mongolia, Nepal, the People's Republic of China, the
19 Russian Federation, and the United States, the Gov-
20 ernment of the People's Republic of China has re-
21 peatedly insisted on its role in managing the selec-
22 tion of Tibet's next spiritual leader, the Dalai Lama,
23 through actions such as those described in the
24 "Measures on the Management of the Reincarnation
25 of Living Buddhas" in 2007.

1 (2) On March 19, 2019, Chinese Ministry of
2 Affairs spokesperson reiterated that the "reincarna-
3 tion of living Buddhas including the Dalai Lama
4 must comply with Chinese laws and regulations and
5 follow religious rituals and historical conventions".
6 (3) The Government of the People's Republic of
7 China has interfered in the process of recognizing a
8 successor or reincarnation of Tibetan Buddhist lead-
9 ers, including in 1995 by arbitrarily detaining
10 Gedhun Choekyi Nyima, a 6-year old boy who was
11 identified as the 11th Panchen Lama, and pur-
12 porting to install its own candidate as the Panchen
13 Lama.
14 (4) The 14th Dalai Lama, Tenzin Gyatso,
15 issued a statement on September 24, 2011, explain-
16 ing the traditions and spiritual precepts of the selec-
17 tion of Dalai Lamas, setting forth his views on the
18 considerations and process for selecting his suc-
19 cessor, and providing a response to the Chinese gov-
20 ernment's claims that only the Chinese government
21 has the ultimate authority in the selection process of
22 the Dalai Lama.
23 (5) The 14th Dalai Lama said in his statement
24 that the person who reincarnates has sole legitimate
25 authority over where and how he or she takes re-

1 birth and how that reincarnation is to be recognized
2 and if there is a need for a 15th Dalai Lama to be
3 recognized, then the responsibility shall primarily
4 rest with the officers of the Dalai Lama's Gaden
5 Phodrang Trust, who will be informed by the written
6 instructions of the 14th Dalai Lama.
7 (6) Since 2011, the 14th Dalai Lama has reit-
8 erated publicly on numerous occasions that decisions
9 on the successions, emanations, or reincarnations of
10 the Dalai Lama belongs to the Tibetan Buddhist
11 faith community alone.
12 (7) On June 8, 2015, the United States House
13 of Representatives unanimously approved House
14 Resolution 337 which calls on the United States
15 Government to "underscore that government inter-
16 ference in the Tibetan reincarnation process is a vio-
17 lation of the internationally recognized right to reli-
18 gious freedom . . . and to highlight the fact that
19 other countries besides China have long Tibetan
20 Buddhist traditions and that matters related to rein-
21 carnations in Tibetan Buddhism are of keen interest
22 to Tibetan Buddhist populations worldwide".
23 (8) On April 25, 2018, the United States Sen-
24 ate unanimously approved Senate Resolution 429
25 which "expresses its sense that the identification

1 and installation of Tibetan Buddhist religious lead-
2 ers, including a future 15th Dalai Lama, is a matter
3 that should be determined solely within the Tibetan
4 Buddhist faith community, in accordance with the
5 inalienable right to religious freedom".
6 (9) The Department of State's Report on Inter-
7 national Religious Freedom for 2018 reported on
8 policies and efforts of the Government of the Peo-
9 ple's Republic of China to exert control over the se-
10 lection of Tibetan Buddhist religious leaders, includ-
11 ing reincarnate lamas, and stated that "U.S. offi-
12 cials underscored that decisions on the reincarnation
13 of the Dalai Lama should be made solely by faith
14 leaders.".
15 (b) STATEMENT OF POLICY.—It is the policy of the
16 United States that—
17 (1) decisions regarding the selection, education,
18 and veneration of Tibetan Buddhist religious leaders
19 are exclusively spiritual matters that should be made
20 by the appropriate religious authorities within the
21 Tibetan Buddhist tradition and in the context of the
22 will of practitioners of Tibetan Buddhism;
23 (2) the wishes of the 14th Dalai Lama, includ-
24 ing any written instructions, should play a deter-

1 minative role in the selection, education, and vener-
2 ation of a future 15th Dalai Lama; and
3 (3) interference by the Government of the Peo-
4 ple's Republic of China or any other government in
5 the process of recognizing a successor or reincarna-
6 tion of the 14th Dalai Lama and any future Dalai
7 Lamas would represent a clear violation of the fun-
8 damental religious freedoms of Tibetan Buddhists
9 and the Tibetan people.
10 (c) HOLDING CHINESE OFFICIALS RESPONSIBLE
11 FOR RELIGIOUS FREEDOM ABUSES TARGETING TIBETAN
12 BUDDHISTS.—It is the policy of the United States to con-
13 sider senior officials of the Government of the People's
14 Republic of China who are responsible for, complicit in,
15 or have directly or indirectly engaged in the identification
16 or installation of a candidate chosen by China as the fu-
17 ture 15th Dalai Lama of Tibetan Buddhism to have com-
18 mitted—
19 (1) a gross violation of internationally recog-
20 nized human rights for purposes of imposing sanc-
21 tions with respect to such officials under the Global
22 Magnitsky Human Rights Accountability Act (22
23 U.S.C. 2656 note); and
24 (2) a particularly severe violation of religious
25 freedom for purposes of applying section

1 212(a)(2)(G) of the Immigration and Nationality
2 Act (8 U.S.C. 1182(a)(2)(G)) with respect to such
3 officials.
4 (d) DEPARTMENT OF STATE PROGRAMMING TO PRO-
5 MOTE RELIGIOUS FREEDOM FOR TIBETAN BUDDHISTS.—
6 Consistent with section 401 of the Frank R. Wolf Inter-
7 national Religious Freedom Act (Public Law 114–281;
8 130 Stat. 1436), of the funds available to the Department
9 of State for international religious freedom programs, the
10 Ambassador-at-Large for International Religious Freedom
11 should support efforts to protect and promote inter-
12 national religious freedom in China and for programs to
13 protect Tibetan Buddhism in China and elsewhere.
14 **SEC. 4. POLICY REGARDING THE ENVIRONMENT AND**
15 **WATER RESOURCES ON THE TIBETAN PLA-**
16 **TEAU.**
17 (a) FINDINGS.—Congress finds the following:
18 (1) The Tibetan Plateau contains glaciers, riv-
19 ers, grasslands, and other geographical and ecologi-
20 cal features that are crucial for supporting vegeta-
21 tion growth and biodiversity, regulating water flow
22 and supply for an estimated 1.8 billion people. Glob-
23 al warming threatens the glaciers in Tibet that feed
24 the major rivers of South and East Asia, which sup-
25 ply freshwater to an estimated 1.8 billion people.

1 (2) Rising global temperatures—especially in
2 the Tibetan Plateau where the average temperature
3 has increased at twice the global average—will result
4 in variable water flows in the future.
5 (3) The construction in Tibet of large hydro-
6 electric power dams intended to be used in part to
7 transmit power to Chinese provinces outside of
8 Tibet, as well as other infrastructure projects, in-
9 cluding the Sichuan-Tibet railroad, may also lead to
10 the resettlement of thousands of Tibetans and trans-
11 form the environment.
12 (4) The grasslands of Tibet play a significant
13 role in carbon production and sequestration and Ti-
14 bet's rivers support wetlands that play a key role in
15 water storage, water quality, and the regulation of
16 water flow, support biodiversity, foster vegetation
17 growth, and act as carbon sinks.
18 (5) Rising temperatures and intensifying evapo-
19 ration, can affect the water supply, cause
20 desertification, and destabilize infrastructure on the
21 Tibetan Plateau and beyond.
22 (6) Traditional Tibetan grassland stewardship
23 practices, which can be key to mitigating the nega-
24 tive effects of warming on the Tibetan Plateau, are

1 undermined by the resettlement of nomads from Ti-
2 betan grasslands.
3 (7) The People's Republic of China has ap-
4 proximately 20 percent of the world's population but
5 only around 7 percent of the world's water supply,
6 while many countries in South and Southeast Asia
7 rely on the rivers flowing from the Himalayas of the
8 Tibetan Plateau.
9 (8) The People's Republic of China has already
10 completed water transfer programs diverting billions
11 of cubic meters of water yearly and has plans to di-
12 vert more waters from the Tibetan plateau in China.
13 (b) WATER RESOURCES IN TIBET AND THE TIBETAN
14 WATERSHED.—The Secretary of State, in coordination
15 with relevant agencies of the United States Government,
16 should—
17 (1) pursue collaborative efforts with Chinese
18 and international scientific institutions, as appro-
19 priate, to monitor the environment on the Tibetan
20 Plateau, including glacial retreat, temperature rise,
21 and carbon levels, in order to promote a greater un-
22 derstanding of the effects on permafrost, river flows,
23 grasslands and desertification, and the monsoon
24 cycle;

1 (2) engage with the Government of the People's
2 Republic of China, the Tibetan people, and non-
3 governmental organizations to encourage the partici-
4 pation of Tibetan nomads and other Tibetan stake-
5 holders in the development and implementation of
6 grassland management policies, in order to utilize
7 their indigenous experience in mitigation and stew-
8 ardship of the land and to assess policies on the
9 forced resettlement of nomads; and
10 (3) encourage a regional framework on water
11 security, or use existing frameworks, such as the
12 Lower Mekong Initiative, to facilitate cooperative
13 agreements among all riparian nations that would
14 promote transparency, sharing of information, pollu-
15 tion regulation, and arrangements on impounding
16 and diversion of waters that originate on the Ti-
17 betan Plateau.
18 **SEC. 5. DEMOCRACY IN THE TIBETAN EXILE COMMUNITY.**
19 (a) FINDINGS.—Congress finds the following:
20 (1) The 14th Dalai Lama advocates the Middle
21 Way Approach, which seeks genuine autonomy for
22 the six million Tibetans in Tibet.
23 (2) The 14th Dalai Lama has overseen a proc-
24 ess of democratization within the Tibetan polity, be-
25 ginning in Tibet in the 1950s and continuing in exile

1 from the 1960s to the present and to address the
2 needs of the Tibetan people until such time as gen-
3 uine autonomy in Tibet is realized, the 14th Dalai
4 Lama devolved his political responsibilities to the
5 elected representatives of the Tibetan people in exile
6 in 2011.
7 (3) In 2011 and again in 2016, members of the
8 Tibetan exile community across some 30 countries
9 held elections to select political leaders to serve in
10 the Central Tibetan Administration parliament and
11 as chief executive, elections which were monitored by
12 international observers and assessed to be free and
13 fair.
14 (4) The Dalai Lama has said that the Central
15 Tibetan Administration will cease to exist once a ne-
16 gotiated settlement has been achieved that allows Ti-
17 betans to freely enjoy their culture, religion and lan-
18 guage in Tibet.
19 (b) SENSE OF CONGRESS.—It is the sense of Con-
20 gress that—
21 (1) Tibetan exile communities around the world
22 should be commended for the adoption of a system
23 of self-governance with democratic institutions to
24 choose their leaders;

1 (2) the Dalai Lama should be commended for
2 his decision to devolve political authority to elected
3 leaders in accordance with democratic principles;
4 and
5 (3) as consistent with section 621(d)(3) of the
6 Tibetan Policy Act of 2002 (22 U.S.C. 6901 note),
7 the United States Special Coordinator for Tibetan
8 Issues should continue to maintain close contact
9 with the religious, cultural, and political leaders of
10 the Tibetan people.

11 **SEC. 6. SUSTAINABILITY IN TIBETAN COMMUNITIES SEEK-**
12 **ING TO PRESERVE THEIR CULTURE, RELI-**
13 **GION, AND LANGUAGE.**

14 The Secretary of State should urge the Government
15 of Nepal to honor the Gentleman's Agreement with the
16 United Nations High Commissioner for Refugees and to
17 provide legal documentation to long-staying Tibetan resi-
18 dents in Nepal who fled a credible threat of persecution
19 in Tibet in order to allow them to more fully participate
20 in the economy and society of Nepal.

21 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

22 (a) OFFICE OF THE UNITED STATES SPECIAL COOR-
23 DINATOR FOR TIBETAN ISSUES.—There is authorized to
24 be appropriated not less than $1,000,000 for each of the

1 fiscal years 2021 through 2025 for the Office of the
2 United States Special Coordinator for Tibetan Issues.
3 (b) TIBETAN SCHOLARSHIP PROGRAM AND
4 NGAWANG CHOEPHEL EXCHANGE PROGRAMS.—
5 (1) TIBETAN SCHOLARSHIP PROGRAM.—There
6 is authorized to be appropriated $675,000 for each
7 of the fiscal years 2021 through 2025 to carry out
8 the Tibetan scholarship program established under
9 section 103(b)(1) of the Human Rights, Refugee,
10 and Other Foreign Relations Provisions Act of 1996
11 (Public Law 104–319; 22 U.S.C. 2151 note).
12 (2) NGAWANG CHOEPHEL EXCHANGE PRO-
13 GRAMS.—There is authorized to be appropriated
14 $575,000 for each of the fiscal years 2021 through
15 2025 to carry out the "Ngwang Choepel Exchange
16 Programs" (formerly known as "programs of edu-
17 cational and cultural exchange between the United
18 States and the people of Tibet") under section
19 103(a) of the Human Rights, Refugee, and Other
20 Foreign Relations Provisions Act of 1996.
21 (c) HUMANITARIAN ASSISTANCE AND SUPPORT TO
22 TIBETAN REFUGEES IN SOUTH ASIA.—Amounts author-
23 ized to be appropriated to carry out chapter 9 of part I
24 of the Foreign Assistance Act of 1961 and the Migration
25 and Refugee Assistance Act of 1962 for each of the fiscal

1 years 2021 through 2025 are authorized to be made avail-
2 able for humanitarian assistance, including food, medicine,
3 clothing, and medical and vocational training, for Tibetan
4 refugees in South Asia who have fled facing a credible
5 threat of persecution in the People's Republic of China.
6 (d) TIBETAN AUTONOMOUS REGION AND TIBETAN
7 COMMUNITIES IN CHINA.—There is authorized to be ap-
8 propriated not less than $8,000,000 for each year of the
9 fiscal years 2021 through 2025 under chapter 4 of part
10 II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346
11 et seq.) to support activities which preserve cultural tradi-
12 tions and promote sustainable development, education,
13 and environmental conservation in Tibetan communities
14 in the Tibet Autonomous Region and in other Tibetan
15 communities in China.
16 (e) ASSISTANCE FOR TIBETANS IN INDIA AND
17 NEPAL.—There is authorized to be appropriated not less
18 than $6,000,000 for each of the fiscal years 2021 through
19 2025 under part I of the Foreign Assistance Act of 1961
20 (22 U.S.C. 2151 et seq.) for programs to promote and
21 preserve Tibetan culture and language development, and
22 the resilience of Tibetan communities in India and Nepal,
23 and to assist in the education and development of the next
24 generation of Tibetan leaders from such communities.

1 (f) TIBETAN GOVERNANCE.—There is authorized to
2 be appropriated not less than $3,000,000 for each of the
3 fiscal years 2021 through 2025 for programs to strength-
4 en the capacity of Tibetan institutions and strengthen de-
5 mocracy, governance, information and international out-
6 reach, and research.
7 (g) VOICE OF AMERICA AND RADIO FREE ASIA.—
8 (1) VOICE OF AMERICA.—There is authorized to
9 be appropriated not less than $3,344,000 for each of
10 the fiscal years 2021 through 2025 to Voice of
11 America for broadcasts described in paragraph (3).
12 (2) RADIO FREE ASIA.—There is authorized to
13 be appropriated not less than $4,060,000 for each of
14 the fiscal years 2021 through 2025 to Radio Free
15 Asia for broadcasts described in paragraph (3).
16 (3) BROADCASTS DESCRIBED.—Broadcasts de-
17 scribed in this paragraph are broadcasts to provide
18 uncensored news and information in the Tibetan lan-
19 guage to Tibetans, including Tibetans in Tibet.

AMENDMENT TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 4331 OFFERED BY MR. ENGEL OF NEW YORK

Page 4, beginning on line 21, strike "or," and all that follows through "Labor" on line 24.

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I

116TH CONGRESS
1ST SESSION

H. R. 3571

To establish an Office of Subnational Diplomacy within the Department of State, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 27, 2019

Mr. TED LIEU of California (for himself and Mr. WILSON of South Carolina) introduced the following bill; which was referred to the Committee on Foreign Affairs

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A BILL

To establish an Office of Subnational Diplomacy within the Department of State, and for other purposes.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "City and State Diplomacy Act".

SEC. 2. FINDINGS.

Congress finds the following:

(1) The supremacy clause of the United States Constitution (article VI, clause 2) establishes that the Federal Government has the primary role in con-

1 ducting diplomacy on behalf of the United States; in
2 turn, the Department of State, which was created
3 pursuant to statute by Congress in 1789, has the
4 lead role in formulating and implementing United
5 States foreign policy.
6 (2) The growth of subnational cooperation has
7 enabled States and municipalities to play an increas-
8 ingly significant role in foreign policy and com-
9 plement the efforts of the Department of State by—
10 (A) supporting exchanges and cooperation
11 agreements between elected leaders and officials
12 of State and municipal governments and those
13 of international cities, regions, and countries;
14 (B) promoting United States exports to
15 foreign markets and foreign direct investment
16 into the United States; and
17 (C) sharing best practices and striking
18 agreements with foreign counterparts on a wide
19 range of topics, including facilitating trade and
20 investment, protecting the health and safety of
21 their respective citizens, cooperating on energy
22 and the environment, and promoting people-to-
23 people exchanges.
24 (3) Global networks made up exclusively of local
25 government officials are at the forefront of har-

1 nessing the power of cities to advance international
2 cooperation, including C40 Cities Climate Leader-
3 ship Group, ICLEI, United Cities and Local Govern-
4 ments, Global Parliament of Mayors, Urban20,
5 Strong Cities Network, and Global Compact of May-
6 ors.

7 (4) In 2010, the Department of State appointed
8 the first-ever special representative for Global Inter-
9 governmental Affairs, who led efforts to build stra-
10 tegic peer-to-peer relationships between the Depart-
11 ment of State, State and local officials, and their
12 foreign counterparts.

13 **SEC. 3. SENSE OF CONGRESS.**

14 It is the sense of Congress that it is in the interest
15 of the United States to promote subnational engagements,
16 align such engagements with national foreign policy objec-
17 tives, and leverage Federal resources to enhance the im-
18 pact of such engagements.

19 **SEC. 4. ESTABLISHMENT OF THE OFFICE OF SUBNATIONAL**
20 **DIPLOMACY.**

21 Section 1 of the State Department Basic Authorities
22 Act of 1956 (22 U.S.C. 2651a) is amended by adding at
23 the end the following new subsection:

24 "(h) OFFICE OF SUBNATIONAL DIPLOMACY.—

1 "(1) IN GENERAL.—There shall be established
2 within the Department of State an Office of Sub-
3 national Diplomacy (in this subsection referred to as
4 the 'Office').
5 "(2) HEAD OF OFFICE.—The head of the Office
6 shall be the Ambassador-at-Large for Subnational
7 Diplomacy (in this subsection referred to as the
8 'Ambassador'). The Ambassador shall—
9 "(A) be appointed by the President, by and
10 with the advice and consent of the Senate; and
11 "(B) report directly to the Under Sec-
12 retary for Political Affairs.
13 "(3) DUTIES.—
14 "(A) PRINCIPAL DUTY.—The principal
15 duty of the Ambassador shall be the overall su-
16 pervision (including policy oversight of re-
17 sources) of Federal support for subnational en-
18 gagements by State and municipal governments
19 with foreign governments. The Ambassador
20 shall be the principal adviser to the Secretary
21 of State on subnational engagements and the
22 principal official on such matters within the
23 senior management of the Department of State.

"(B) ADDITIONAL DUTIES.—The additional duties of the Ambassador shall include the following:

"(i) Coordinating overall United States policy and programs in support of subnational engagements by State and municipal governments with foreign governments, including with respect to the following:

"(I) Coordinating resources across the Department of State and throughout the Federal Government in support of such engagements.

"(II) Identifying policy, program, and funding disputes among relevant Federal agencies regarding such coordination.

"(III) Identifying gaps in Federal support for such engagements and developing corresponding policy or programmatic changes to address such gaps.

"(ii) Promoting United States foreign policy goals through support for subnational engagements and aligning sub-

1 national priorities with national foreign
2 policy goals, as appropriate.
3 "(iii) Maintaining a public database of
4 subnational engagements.
5 "(iv) Providing advisory support to
6 subnational engagements, including by as-
7 sisting State and municipal governments
8 to—
9 "(I) develop, implement, and, as
10 necessary, adjust global engagement
11 and public diplomacy strategies; and
12 "(II) implement programs to co-
13 operate with foreign governments on
14 policy priorities or managing shared
15 resources.
16 "(v) Facilitating linkages and net-
17 works between State and municipal govern-
18 ments and their foreign counterparts.
19 "(vi) Overseeing the work of Depart-
20 ment of State detailees assigned to State
21 and municipal governments pursuant to
22 this subsection.
23 "(vii) Negotiating agreements and
24 memoranda of understanding with foreign

1 governments to support subnational en-
2 gagements and priorities.
3 "(viii) Promoting United States trade
4 and foreign exports on behalf of United
5 States businesses through exchanges be-
6 tween the United States and foreign state,
7 municipal, and provincial governments, and
8 by establishing a more enduring relation-
9 ship overall between subnational govern-
10 ments.
11 "(ix) Coordinating subnational en-
12 gagements with the associations of sub-
13 national elected leaders, including the U.S.
14 Conference of Mayors, National Governors
15 Association, National League of Cities, Na-
16 tional Association of Counties, Council of
17 State Governments, National Conference of
18 State Legislators, and State International
19 Development Offices.
20 "(4) DETAILEES.—
21 "(A) IN GENERAL.—The Secretary of
22 State, acting through the Ambassador, is au-
23 thorized to detail Foreign Service officers to
24 State and municipal governments on a reim-
25 bursable or nonreimbursable basis. Such details

1 shall be for a period not to exceed two years,
2 and shall be without interruption or loss of For-
3 eign Service status or privilege.
4 "(B) RESPONSIBILITIES.—Detailees under
5 subparagraph (A) shall carry out the following:
6 "(i) Supporting the mission and objec-
7 tives of the Office.
8 "(ii) Coordinating activities relating to
9 State and municipal government sub-
10 national engagements with the Department
11 of State, including the Office, Department
12 leadership, and regional and functional bu-
13 reaus of the Department, as appropriate.
14 "(iii) Engaging the Department of
15 State and other Federal agencies regarding
16 security, public health, trade promotion,
17 and other programs executed at the State
18 or municipal government level.
19 "(iv) Advising State and municipal
20 government officials regarding questions of
21 global affairs, foreign policy, cooperative
22 agreements, and public diplomacy.
23 "(v) Any other duties requested by
24 State and municipal governments and ap-
25 proved by the Office.

"(5) REPORT AND BRIEFING.—

"(A) REPORT.—Not later than one year after the date of the enactment of this subsection, the Ambassador shall submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a report that includes information relating to the following:

"(i) The staffing plan (including permanent and temporary staff) for the Office.

"(ii) The funding level provided to the Office for the Office, together with a justification relating to such level.

"(iii) The status of filling the position of Ambassador-at-Large for Subnational Diplomacy.

"(iv) A strategic plan for the Office.

"(v) Any other matters as determined relevant by the Ambassador.

"(B) BRIEFINGS.—Not later than 30 days after the submission of the report required under subparagraph (A) and annually thereafter, the Ambassador shall brief the Committee on Foreign Affairs of the House of Representa-

1 tives and the Committee on Foreign Relations
2 of the Senate on the work of the Office and any
3 changes made to the organizational structure or
4 funding of the Office.
5 "(6) DEFINITIONS.—In this subsection:
6 "(A) MUNICIPAL.—The term 'municipal'
7 means, with respect to the government of a mu-
8 nicipality, a municipality with a population of
9 not fewer than 100,000 people.
10 "(B) STATE.—The term 'State' means the
11 50 States, the District of Columbia, and any
12 territory or possession of the United States.
13 "(C) SUBNATIONAL ENGAGEMENT.—The
14 term 'subnational engagement' means formal
15 meetings or events between elected officials of
16 State or municipal governments and their for-
17 eign counterparts.".

○

AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 3571 OFFERED BY MR. TED LIEU OF CALIFORNIA

Strike all after the enacting clause and insert the following:

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the "City and State Diplo-
3 macy Act".

4 **SEC. 2. FINDINGS.**

5 Congress finds the following:

6 (1) The supremacy clause of the United States
7 Constitution (article VI, clause 2) establishes that
8 the Federal Government has the primary role in con-
9 ducting diplomacy on behalf of the United States; in
10 turn, the Department of State, which was created
11 pursuant to statute by Congress in 1789, has the
12 lead role in formulating and implementing United
13 States foreign policy.

14 (2) The growth of subnational cooperation has
15 enabled States and municipalities to play an increas-
16 ingly significant role in foreign policy and com-
17 plement the efforts of the Department of State by—

1 (A) supporting exchanges and cooperation
2 agreements between elected leaders and officials
3 of State and municipal governments and those
4 of international cities, regions, and countries;
5 (B) promoting United States exports to
6 foreign markets and foreign direct investment
7 into the United States; and
8 (C) sharing best practices and striking
9 agreements with foreign counterparts on a wide
10 range of topics, including facilitating trade and
11 investment, protecting the health and safety of
12 their respective citizens, cooperating on energy
13 and the environment, and promoting people-to-
14 people exchanges.
15 (3) Global networks made up exclusively of local
16 government officials are at the forefront of har-
17 nessing the power of cities to advance international
18 cooperation, including C40 Cities Climate Leader-
19 ship Group, ICLEI, United Cities and Local Govern-
20 ments, Global Parliament of Mayors, Urban20,
21 Strong Cities Network, and Global Compact of May-
22 ors.
23 (4) In 2010, the Department of State appointed
24 the first-ever special representative for Global Inter-
25 governmental Affairs, who led efforts to build stra-

1 tegic peer-to-peer relationships between the Depart-
2 ment of State, State and local officials, and their
3 foreign counterparts.

4 **SEC. 3. SENSE OF CONGRESS.**

5 It is the sense of Congress that—
6 (1) it is in the interest of the United States to
7 promote subnational engagements, align such en-
8 gagements with national foreign policy objectives,
9 and leverage Federal resources to enhance the im-
10 pact of such engagements; and
11 (2) the creation in the Department of State of
12 an Office of Subnational Diplomacy, headed by a
13 senior Department official of appropriate rank to
14 represent the United States at international fora
15 would bolster United States interests through inter-
16 national agreements and Federal support to State
17 and local entities.

18 **SEC. 4. ESTABLISHMENT OF THE OFFICE OF SUBNATIONAL**
19 **DIPLOMACY.**

20 Section 1 of the State Department Basic Authorities
21 Act of 1956 (22 U.S.C. 2651a) is amended by adding at
22 the end the following new subsection:
23 "(h) OFFICE OF SUBNATIONAL DIPLOMACY.—
24 "(1) IN GENERAL.—There shall be established
25 within the Department of State an Office of Sub-

1 national Diplomacy (in this subsection referred to as
2 the 'Office').
3 "(2) HEAD OF OFFICE.—The head of the Office
4 shall be a full-time position filled by a senior De-
5 partment official. The head of the Office shall report
6 directly to the Under Secretary for Political Affairs.
7 "(3) DUTIES.—
8 "(A) PRINCIPAL DUTY.—The principal
9 duty of the head of the Office shall be the over-
10 all supervision (including policy oversight of re-
11 sources) of Federal support for subnational en-
12 gagements by State and municipal governments
13 with foreign governments. The head of the Of-
14 fice shall be the principal adviser to the Sec-
15 retary of State on subnational engagements and
16 the principal official on such matters within the
17 senior management of the Department of State.
18 "(B) ADDITIONAL DUTIES.—The addi-
19 tional duties of the head of the Office shall in-
20 clude the following:
21 "(i) Coordinating overall United
22 States policy and programs in support of
23 subnational engagements by State and mu-
24 nicipal governments with foreign govern-

1 ments, including with respect to the fol-
2 lowing:
3 "(I) Coordinating resources
4 across the Department of State and
5 throughout the Federal Government
6 in support of such engagements.
7 "(II) Identifying policy, program,
8 and funding disputes among relevant
9 Federal agencies regarding such co-
10 ordination.
11 "(III) Identifying gaps in Fed-
12 eral support for such engagements
13 and developing corresponding policy
14 or programmatic changes to address
15 such gaps.
16 "(ii) Promoting United States foreign
17 policy goals through support for sub-
18 national engagements and aligning sub-
19 national priorities with national foreign
20 policy goals, as appropriate.
21 "(iii) Maintaining a public database of
22 subnational engagements.
23 "(iv) Providing advisory support to
24 subnational engagements, including by as-

1 sisting State and municipal governments
2 to—
3 "(I) develop, implement, and, as
4 necessary, adjust global engagement
5 and public diplomacy strategies; and
6 "(II) implement programs to co-
7 operate with foreign governments on
8 policy priorities or managing shared
9 resources.
10 "(v) Facilitating linkages and net-
11 works between State and municipal govern-
12 ments and their foreign counterparts.
13 "(vi) Overseeing the work of Depart-
14 ment of State detailees assigned to State
15 and municipal governments pursuant to
16 this subsection.
17 "(vii) Negotiating agreements and
18 memoranda of understanding with foreign
19 governments to support subnational en-
20 gagements and priorities.
21 "(viii) Promoting United States trade
22 and foreign exports on behalf of United
23 States businesses through exchanges be-
24 tween the United States and foreign state,
25 municipal, and provincial governments, and

1 by establishing a more enduring relation-
2 ship overall between subnational govern-
3 ments.
4 "(ix) Coordinating subnational en-
5 gagements with the associations of sub-
6 national elected leaders, including the U.S.
7 Conference of Mayors, National Governors
8 Association, National League of Cities, Na-
9 tional Association of Counties, Council of
10 State Governments, National Conference of
11 State Legislators, and State International
12 Development Offices.
13 "(4) DETAILEES.—
14 "(A) IN GENERAL.—The Secretary of
15 State, acting through the head of the Office, is
16 authorized to detail Foreign Service officers to
17 State and municipal governments on a reim-
18 bursable or nonreimbursable basis. Such details
19 shall be for a period not to exceed two years,
20 and shall be without interruption or loss of For-
21 eign Service status or privilege.
22 "(B) RESPONSIBILITIES.—Detailees under
23 subparagraph (A) shall carry out the following:
24 "(i) Supporting the mission and objec-
25 tives of the Office.

1 "(ii) Coordinating activities relating to
2 State and municipal government sub-
3 national engagements with the Department
4 of State, including the Office, Department
5 leadership, and regional and functional bu-
6 reaus of the Department, as appropriate.
7 "(iii) Engaging the Department of
8 State and other Federal agencies regarding
9 security, public health, trade promotion,
10 and other programs executed at the State
11 or municipal government level.
12 "(iv) Advising State and municipal
13 government officials regarding questions of
14 global affairs, foreign policy, cooperative
15 agreements, and public diplomacy.
16 "(v) Any other duties requested by
17 State and municipal governments and ap-
18 proved by the Office.
19 "(5) REPORT AND BRIEFING.—
20 "(A) REPORT.—Not later than one year
21 after the date of the enactment of this sub-
22 section, the head of the Office shall submit to
23 the Committee on Foreign Affairs of the House
24 of Representatives and the Committee on For-

1 eign Relations of the Senate a report that in-
2 cludes information relating to the following:
3 "(i) The staffing plan (including per-
4 manent and temporary staff) for the Of-
5 fice.
6 "(ii) The funding level provided to the
7 Office for the Office, together with a jus-
8 tification relating to such level.
9 "(iii) The status of filling the position
10 of head of the Office.
11 "(iv) The rank and title granted to
12 the head of the Office, together with a jus-
13 tification relating to such decision and an
14 analysis of whether the rank and title of
15 Ambassador-at-Large is required to fulfill
16 the duties of the Office.
17 "(v) A strategic plan for the Office.
18 "(vi) Any other matters as determined
19 relevant by the head of the Office.
20 "(B) BRIEFINGS.—Not later than 30 days
21 after the submission of the report required
22 under subparagraph (A) and annually there-
23 after, the head of the Office shall brief the
24 Committee on Foreign Affairs of the House of
25 Representatives and the Committee on Foreign

1 Relations of the Senate on the work of the Of-
2 fice and any changes made to the organiza-
3 tional structure or funding of the Office.
4 "(6) RULE OF CONSTRUCTION.—Nothing in
5 this subsection may be construed as precluding—
6 "(A) the Office from being elevated to a
7 bureau within the Department of State; or
8 "(B) the head of the Office from being ele-
9 vated to an Assistant Secretary, if such an As-
10 sistant Secretary position does not increase the
11 number of Assistant Secretary positions at the
12 Department above the number authorized under
13 subsection (c)(1).
14 "(7) DEFINITIONS.—In this subsection:
15 "(A) MUNICIPAL.—The term 'municipal'
16 means, with respect to the government of a mu-
17 nicipality, a municipality with a population of
18 not fewer than 100,000 people.
19 "(B) STATE.—The term 'State' means the
20 50 States, the District of Columbia, and any
21 territory or possession of the United States.
22 "(C) SUBNATIONAL ENGAGEMENT.—The
23 term 'subnational engagement' means formal
24 meetings or events between elected officials of

1 State or municipal governments and their for-
2 eign counterparts.".

AMENDMENT TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 3571 OFFERED BY MR. MEEKS OF NEW YORK

Page 7, line 15, strike "acting through the head of the Office" and insert "with respect to employees of the Department of State".

Page 7, line 16, strike "Foreign Service officers" and insert "a member of the civil service or Foreign Service".

Page 7, lines 20 through 21, strike "Foreign Service".

Page 10, line 17, insert "in the United States" before the comma.

Chairman ENGEL. The question is on the measures en bloc, as amended, if amended.

All those in favor say aye.

All those opposed, no.

In the opinion of the chair, the ayes have it. The measures considered en bloc are agreed to.

And without objection, each measure is ordered favorably reported, as amended, if amended, and each amendment to each bill shall be reported as a single Amendment in the Nature of a Substitute.

Without objection, staff is authorized to make any technical and conforming changes.

The committee is now adjourned. Thank you very much for your hard work.

[Whereupon, at 11:24 a.m., the committee was adjourned.]

APPENDIX

FULL COMMITTEE MARKUP NOTICE
COMMITTEE ON FOREIGN AFFAIRS
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, DC 20515-6128

Eliot L. Engel (D-NY), Chairman

December 18, 2019

TO: MEMBERS OF THE COMMITTEE ON FOREIGN AFFAIRS

You are respectfully requested to attend an OPEN markup of the Committee on Foreign Affairs to be held in Room 2172 of the Rayburn House Office Building (and available live on the Committee website at https://foreignaffairs.house.gov/):

DATE: Wednesday, December 18, 2019

TIME: 10:00 a.m.

MARKUP OF: H.R. 3373, Office of International Disability Rights Act

H.R. 5338, Global Hope Act

H.R. 4864, Global Child Thrive Act of 2019

H.R. 4508, Malala Yousafzai Scholarship Act

H.Res. 752, Supporting the rights of the people of Iran to free expression, condemning the Iranian regime for its crackdown on legitimate protests, and for other purposes

H.R. 2343, Peace and Tolerance in Palestinian Education Act

H.Res. 754, Expressing the sense of the House of Representatives that the United States should continue to support the people of Nicaragua in their peaceful efforts to promote democracy and human rights, and use the tools under United States law to increase political and financial pressure on the government of Daniel Ortega

H.R. 630, Counterterrorism Screening and Assistance Act of 2019

H.R. 3843, Countering Russian and Other Overseas Kleptocracy (CROOK) Act

H.R. 2444, Eastern European Security Act

H.R. 4331, Tibetan Policy and Support Act of 2019

H.R. 3571, City and State Diplomacy Act

By Direction of the Chairman

The Committee on Foreign Affairs seeks to make its facilities accessible to persons with disabilities. If you are in need of special accommodations, please call 202/225-5021 at least four business days in advance of the event, whenever practicable. Questions with regard to special accommodations in general (including availability of Committee materials in alternative formats and assistive listening devices) may be directed to the Committee.

COMMITTEE ON FOREIGN AFFAIRS

MINUTES OF FULL COMMITTEE MARKUP

Day *Wednesday* **Date** *12/18/2019* **Room** *2172 RHOB*

Starting Time *10:22 a.m.* **Ending Time** *11:24 a.m.*

Recesses [*0*] (____to ____) (____to ____) (____to ____) (____to ____) (____to ____) (____to ____)

Presiding Member(s)
Chairman Eliot Engel

Check all of the following that apply:

Open Session [✓]
Executive (closed) Session [ ]
Televised [✓]

Electronically Recorded (taped) [✓]
Stenographic Record [✓]

BILLS FOR MARKUP: *(Include bill number(s) and title(s) of legislation.)*
H.R. 3373; H.R. 5338; H.R. 4864; H.R. 4508; H.Res. 752; H.R. 2343;

H.Res. 754; H.R. 630; H.R. 3843; H.R. 2444; H.R. 4331; H.R. 3571

COMMITTEE MEMBERS PRESENT:
See attached.

NON-COMMITTEE MEMBERS PRESENT:
N/A

STATEMENTS FOR THE RECORD: *(List any statements submitted for the record.)*
SFR - Jeffries

ACTIONS TAKEN DURING THE MARKUP: *(Attach copies of legislation and amendments.)*
The measures considered en bloc were agreed to by voice vote. By unanimous consent, the measures were ordered favorably reported, as amended if amended. S. 1340, Ebola Eradication Act of 2019, and H.R. 2529, Richard G. Lugar and Ellen O. Tauscher Act to Maintain Limits on Russian Nuclear Forces, were ultimately pulled from the markup and not ordered reported.

RECORDED VOTES TAKEN (FOR MARKUP): *(Attach final vote tally sheet listing each member.)*

Subject	Yeas	Nays	Present	Not Voting
N/A	*N/A*	*N/A*	*N/A*	*N/A*

TIME SCHEDULED TO RECONVENE _____
or
TIME ADJOURNED *11:24 a.m.*

Evan Burberg
Full Committee Hearing Coordinator

HOUSE COMMITTEE ON FOREIGN AFFAIRS

FULL COMMITTEE ATTENDANCE

PRESENT	*MEMBER*
X	Eliot L. Engel, NY
X	Brad Sherman, CA
X	Gregory W. Meeks, NY
X	Albio Sires, NJ
X	Gerald E. Connolly, VA
X	Theodore E. Deutch, FL
X	Karen Bass, CA
X	William Keating, MA
X	David Cicilline, RI
	Ami Bera, CA
X	Joaquin Castro, TX
X	Dina Titus, NV
X	Adriano Espaillat, NY
X	Ted Lieu, CA
X	Susan Wild, PA
	Dean Phillips, MN
	Ilhan Omar, MN
X	Colin Allred, TX
	Andy Levin, MI
X	Abigail Spanberger, VA
X	Chrissy Houlahan, PA
X	Tom Malinowski, NJ
	David Trone, MD
X	Jim Costa, CA
X	Juan Vargas, CA
X	Vicente Gonzalez, TX

PRESENT	*MEMBER*
X	Michael T. McCaul, TX
X	Christopher H. Smith, NJ
X	Steve Chabot, OH
X	Joe Wilson, SC
X	Scott Perry, PA
	Ted Yoho, FL
	Adam Kinzinger, IL
X	Lee Zeldin, NY
	James Sensenbrenner, Jr., WI
X	Ann Wagner, MO
	Brian J. Mast, FL
X	Francis Rooney, FL
X	Brian K. Fitzpatrick, PA
	John Curtis, UT
	Ken Buck, CO
X	Ron Wright, TX
X	Guy Reschenthaler, PA
X	Tim Burchett, TN
X	Greg Pence, IN
X	Steve Watkins, KS
X	Michael Guest, MS

STATEMENTS FOR THE RECORD

Statement for the Record from Representative Hakeem Jeffries
Markup of Various Measures
December 18, 2019

Thank you Chairman Engel and Ranking Member McCaul for your leadership in today's committee consideration of my bill, H.R. 4508, the Malala Yousafzai Scholarship Act. I would also like to thank Congresswoman Wagner for partnering with me on this legislation to expand girls' education in Pakistan.

Around the world, women and girls face barriers to education, hindering their ability to fulfill their potential. As a result, today more than 500 million women across the globe are illiterate. In Pakistan, the hurdles that women and girls face when seeking education are especially pronounced.

In Pakistan, only 32 percent of primary school-age girls are in school. After primary and secondary school, the rate of higher education enrollment for women and girls drops down to just 9 percent. In comparison, the global average rate of higher education enrollment is 40 percent. Moreover, in Pakistan, less than 6 percent of women 25 and older attain a bachelor's degree or equivalent.

Every girl around the world deserves access to a quality education. Educated women are more likely to find work, earn higher incomes, improve their health and empower their communities.

In 2015, all United Nations Member States, including the United States, adopted quality education, including access to higher education, and gender equality as sustainable development goals to be attained by 2030. One of the education goal targets was to ensure equal access for all women and men to affordable and quality technical, vocational and tertiary education, including university.

The U.S. Agency for International Development's (USAID) Merit and Needs Based Scholarship Program currently funds full tuition and stipends for housing, textbooks and food for financially strained Pakistani youth to complete a bachelor's or master's degree at partner universities across Pakistan.

The Malala Yousafzai Scholarship Act (H.R. 4508) would ensure at least half of those scholarship go to women and girls in Pakistan. It would expand the pipeline of disadvantaged women entering higher education in South Asia.

U.S. development efforts have helped close the gender gap for primary education in many countries, but significant gaps remain in higher education. The Malala Yousafzai Scholarship Act would help close that gap in Pakistan.

I appreciate your consideration and urge your support for this bill to address this critical issue.

MARKUP SUMMARY

12/18/2019 House Foreign Affairs Committee Markup Summary

The Chair called up the following measures and amendments, previously provided to Members, to be considered *en bloc*:

(1) H.R. 3373, Office of International Disability Rights Act (Titus)

(2) H.R. 5338, Global Hope Act (McCaul)
- McCaul Amendment #51

(3) H.R. 4864, Global Child Thrive Act of 2019 (Castro)
- Castro, an amendment in the nature of a substitute to H.R. 4864

(4) H.R. 4508, Malala Yousafzai Scholarship Act (Jeffries)
- Smith Amendment #179

(5) H.Res. 752, Supporting the rights of the people of Iran to free expression, condemning the Iranian regime for its crackdown on legitimate protests, and for other purposes (Deutch)
- Deutch, an amendment in the nature of a substitute to H.Res. 752
- Engel Amendment #110

(6) H.R. 2343, Peace and Tolerance in Palestinian Education Act (Sherman)
- Sherman, an amendment in the nature of a substitute to H.R. 2343

(7) H.Res. 754, Expressing the sense of the House of Representatives that the United States should continue to support the people of Nicaragua in their peaceful efforts to promote democracy and human rights, and use the tools under United States law to increase political and financial pressure on the government of Daniel Ortega (Sires)

(8) H.R. 630, Counterterrorism Screening and Assistance Act of 2019 (Zeldin)
- Zeldin, an amendment in the nature of a substitute to H.R. 630
- Omar Amendment #80

(9) H.R. 3843, Countering Russian and Other Overseas Kleptocracy (CROOK) Act (Keating)
- Keating, an amendment in the nature of a substitute to H.R. 3843

(10) H.R. 2444, Eastern European Security Act (McCaul)
- Engel, an amendment in the nature of a substitute to H.R. 2444

(11) H.R. 4331, Tibetan Policy and Support Act of 2019 (McGovern)
- Engel, an amendment in the nature of a substitute to H.R. 4331
- Engel Amendment #109

(12) H.R. 3571, City and State Diplomacy Act (Lieu)
- Lieu, an amendment in the nature of a substitute to H.R. 3571
- Meeks Amendment #35

The measures considered *en bloc* were agreed to by voice vote. By unanimous consent, the measures were ordered favorably reported, as amended if amended. The Chairman intends to seek House consideration under suspension of the rules.

The Committee adjourned.

***All measures can be found here.

○