

PROVIDING FOR CONSIDERATION OF H.R. 2601, FOREIGN
RELATIONS AUTHORIZATION ACT, FISCAL YEARS 2006
AND 2007

JULY 18, 2005.—Referred to the House Calendar and ordered to be printed

Mr. BISHOP of Utah, from the Committee on Rules
submitted the following

R E P O R T

[To accompany H. Res. 365]

The Committee on Rules, having had under consideration House Resolution 365, by a non-record vote, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of H.R. 2601, the Foreign Relations Authorization Act, Fiscal Years 2006 and 2007, under a structured rule. The rule provides one hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on International Relations. The rule waives all points of order against consideration of the bill.

The rule provides that the amendment in the nature of a substitute recommended by the Committee on International Relations now printed in the bill modified by the amendment printed in Part A of the Rules Committee report shall be considered as an original bill for the purpose of amendment and shall be considered as read. The rule waives all points of order against the amendment in the nature of a substitute recommended by the Committee on International Relations.

The rule makes in order only those amendments printed in Part B of this report. The rule provides that amendments shall be considered only in the order specified in this report, may be offered only by a Member designated in this report, shall be debatable for the time specified in this report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment except as specified in this report, shall be considered as read, and shall not be subject to a demand for division of the question in the

House or in the Committee of the Whole. The rule waives all points of order against amendments printed in this report.

Finally, the rule provides one motion to recommit with or without instructions.

EXPLANATION OF WAIVERS

The waiver of all points of order against the consideration of the bill and amendment in the nature of a substitute recommended by the Committee on International Relations includes waivers of clause 3(c)4 of Rule XIII (requiring the inclusion of a statement of general performance goals and objectives in the committee report), clause 4 of Rule XXI (prohibiting appropriations in legislative bills), clause 5(a) of Rule XXI (prohibiting tax or tariff provisions in a bill not reported by a committee with jurisdiction over revenue measures), section 302(f) of the Congressional Budget Act (consideration of legislation providing new budget authority in excess of a subcommittee's 302(b) allocation of such authority), and section 401 of the Congressional Budget Act (prohibiting consideration of legislation providing new entitlement authority which becomes effective during the current fiscal year); however, the amendment printed in part A of this report, which modifies the amendment in the nature of a substitute recommended by the Committee on International Relations, cures the points of order applicable under clause 4 of Rule XXI, clause 5(a) of Rule XXI, and section 302(f) of the Congressional Budget Act.

COMMITTEE VOTES

Pursuant to clause 3(b) of House rule XIII the results of each record vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

Rules Committee record vote No. 91

Date: July 18, 2005.

Measure: H.R. 2601, Foreign Relations Authorization Act, Fiscal Years 2006 and 2007.

Motion By: Mrs. Slaughter.

Summary of Motion: To make in order and provide the appropriate waivers for the amendment offered by Rep. Spratt, which enhances language already included in H.R. 2601 regarding the Non-Proliferation Treaty (NPT). Adds provisions to reaffirm the support of the U.S. toward the NPT and expresses a desire to strengthen the treaty. Codifies U.S. policy regarding the NPT on nuclear weapons reductions, security, and accounting.

Results: Defeated 4 to 7.

Vote by Members: Diaz-Balart—Nay; Hastings (WA)—Nay; Putnam—Nay; Cole—Nay; Bishop—Nay; Gingrey—Nay; Slaughter—Yea; McGovern—Yea; Hastings (FL)—Yea; Matsui—Yea; Dreier—Nay.

Rules Committee record vote No. 92

Date: July 18, 2005.

Measure: H.R. 2601, Foreign Relations Authorization Act, Fiscal Years 2006 and 2007.

Motion By: Mrs. Slaughter.

Summary of Motion: To make in order and provide the appropriate waivers for the amendment offered by Rep. Velazquez, which ensures that small businesses have access to prime and subcontracting opportunities for State Department contracts performed overseas by ensuring that small business goals are applied to these efforts.

Results: Defeated 4 to 7.

Vote by Members: Diaz-Balart—Nay; Hastings (WA)—Nay; Putnam—Nay; Cole—Nay; Bishop—Nay; Gingrey—Nay; Slaughter—Yea; McGovern—Yea; Hastings (FL)—Yea; Matsui—Yea; Dreier—Nay.

Rules Committee record vote No. 93

Date: July 18, 2005.

Measure: H.R. 2601, Foreign Relations Authorization Act, Fiscal Years 2006 and 2007.

Motion By: Mr. McGovern.

Summary of Motion: To make in order and provide the appropriate waivers for the amendment offered by Rep. McGovern, which substitutes the certification language adopted by the Senate Appropriations Committee on H.R. 3057 regarding U.S. funds that may be made available to support the Government of Colombia's demobilization of paramilitary forces for the certification language under section 944 in H.R. 2601.

Results: Defeated 4 to 7.

Vote by Members: Diaz-Balart—Nay; Hastings (WA)—Nay; Putnam—Nay; Cole—Nay; Bishop—Nay; Gingrey—Nay; Slaughter—Yea; McGovern—Yea; Hastings (FL)—Yea; Matsui—Yea; Dreier—Nay.

Rules Committee record vote No. 94

Date: July 18, 2005.

Measure: H.R. 2601, Foreign Relations Authorization Act, Fiscal Years 2006 and 2007.

Motion By: Mr. McGovern.

Summary of Motion: To make in order and provide the appropriate waivers for the amendment offered by Rep. Lee, which mandates that 40 percent of Andean Counterdrug Initiative funds allocated through the Bureau for International Narcotics and Law Enforcement be dedicated for alternative economic and social development in rural areas, strengthening civilian governance, encouraging human rights protections, maintaining the rule of law, and protecting democratic institutions.

Results: Defeated 4 to 7.

Vote by Members: Diaz-Balart—Nay; Hastings (WA)—Nay; Putnam—Nay; Cole—Nay; Bishop—Nay; Gingrey—Nay; Slaughter—Yea; McGovern—Yea; Hastings (FL)—Yea; Matsui—Yea; Dreier—Nay.

Rules Committee record vote No. 95

Date: July 18, 2005.

Measure: H.R. 2601, Foreign Relations Authorization Act, Fiscal Years 2006 and 2007.

Motion By: Mr. Hastings of Florida.

Summary of Motion: To make in order and provide the appropriate waivers for the amendment offered by Rep. Capuano, which takes several measures to stop the genocide in Darfur, Sudan and bring the perpetrators to justice, including: calling on the African Union to expand their mandate in Sudan to include the protection of civilians, urging the President to work with NATO to deploy a bridging force to accelerate the African Union Mission in Sudan's Phase III deployment of 12,300 troops, calling on the U.S. to share all of its intelligence of the perpetrators with the International Criminal Court, directing the U.S. Permanent Representative to the UN to call on the UN Security Council to establish a sanctions committee to implement the adopted sanctions and encouraging the President to appoint a Special Envoy to Sudan.

Results: Defeated 4 to 7.

Vote by Members: Diaz-Balart—Nay; Hastings (WA)—Nay; Putnam—Nay; Cole—Nay; Bishop—Nay; Gingrey—Nay; Slaughter—Yea; McGovern—Yea; Hastings (FL)—Yea; Matsui—Yea; Dreier—Nay.

Rules Committee record vote No. 96

Date: July 18, 2005.

Measure: H.R. 2601, Foreign Relations Authorization Act, Fiscal Years 2006 and 2007.

Motion By: Mrs. Matsui.

Summary of Motion: To make in order and provide the appropriate waivers for the amendment offered by Rep. Markey, which prohibits funds to be used for transferring or rendering persons to countries where they are likely to face torture and restricts the U.S. from relying on diplomatic assurances from countries known to practice torture as a basis for transferring a person to that country .

Results: Defeated 4 to 7.

Vote by Members: Diaz-Balart—Nay; Hastings (WA)—Nay; Putnam—Nay; Cole—Nay; Bishop—Nay; Gingrey—Nay; Slaughter—Yea; McGovern—Yea; Hastings (FL)—Yea; Matsui—Yea; Dreier—Nay.

Rules Committee record vote no. 97

Date: July 18, 2005.

Measure: H.R. 2601, Foreign Relations Authorization Act, Fiscal Years 2006 and 2007.

Motion By: Mrs. Slaughter.

Summary of Motion: To not make in order and provide the appropriate waivers for the amendment offered by Rep. Ros-Lehtinen, which enhances the security of the U.S. by making it the policy of the U.S. to pursue a transfer of responsibility for Iraqi forces only when they are ready to assume such responsibility and not to withdraw prematurely the U.S. Armed Forces from Iraq. Requires any withdrawal to be done only with careful coordination with a decision by the elected government of Iraq which shall be reached jointly when it is clear that the aim of the establishment of a free and stable Iraq that is at peace and not a threat to its neighbors has been or is about to be achieved.

Results: Defeated 4 to 7.

Vote by Members: Diaz-Balart—Nay; Hastings (WA)—Nay; Putnam—Nay; Cole—Nay; Bishop—Nay; Gingrey—Nay; Slaughter—Yea; McGovern—Yea; Hastings (FL)—Yea; Matsui—Yea; Dreier—Nay.

PART A—SUMMARY OF AMENDMENT INCLUDED AS PART OF THE ORIGINAL TEXT FOR THE PURPOSE OF AMENDMENT

(Summary derived from information provided by the amendment sponsor.)

Hyde/Lantos: Strikes section 204 from the bill.

PART B—SUMMARY OF AMENDMENTS MADE IN ORDER

(Summaries derived from information provided by the amendment sponsor.)

1. Hyde/Lantos: Manager's Amendment. Contains technical revisions and minor, non-controversial changes and amendments to clarify certain provisions and correct oversights and errors found after H.R. 2601 was reported. (10 minutes).

2. Hyde: Adds the Henry J. Hyde United Nations Reform Act of 2005 as passed by the House to H.R. 2601. (20 minutes).

3. Dreier: Provides that the Secretary of State, in consultation with the Administrator of the USAID, is authorized to establish an Active Response Corps to provide assistance in support of stabilization and reconstruction activities in foreign countries or regions that are in, are in transition from, or are likely to enter into, conflict or civil strife. Provides that the Corps shall be available if the President determines that is in the national security interests of the United States to engage in stabilization and reconstruction activities in such a country or region. Provides that the Coordinator for Stabilization and Reconstruction (Department of State) is authorized to conduct and arrange for training of the Active Response Corps. Outlines specific areas of potential training. Provides that training programs should be coordinated with and utilize to the extent possible existing programs and facilities. Provides that the Secretary is authorized to establish and maintain a volunteer roster of Federal, State, local, and non-governmental personnel to serve as a reserve component of the Corps. Provides that not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report on the status of efforts to establish the Active Response Corps. (10 minutes).

4. Poe: Authorizes \$3 million for FY06 and \$3 million for FY07 to provide emergency aid to the internally displaced people of Burma. Funding is through the Migration and Refugee Assistance account. (10 minutes).

5. Poe: Amends the Foreign Service Act to strengthen the statutory basis of the Department's requirement for worldwide availability for new entrants to the Foreign Service, and also to make clear that the Department's Office of Medical Services sets medical standards for admission to the Service's medical program. Also allows each agency to continue to exercise its own hiring authority, and to utilize its discretion in situations where a Foreign Service applicant who is not worldwide available but nonetheless has skills that are so needed it is in the agency's best interests to waive the requirement. Requires the Secretary to establish an internal ad-

ministrative review process for medical ineligibility determinations. (10 minutes).

6. Issa: Eliminates language that would transfer over \$240 million away from the existing U.S. foreign military financing program for Egypt and place it in the economic support fund. It also eliminates a proposed restructuring of economic assistance to Egypt. Amendment adds a Sense of Congress supporting political and economic reform in Egypt. It also contains a Statement of Policy urging the development of an economic assistance disbursement strategy for Egypt that places an emphasis on strengthening democratic institutions and individual freedoms, reducing corruption in the public and private sectors, promoting economic growth including economic freedom, and improving education and health systems for the people of Egypt. (10 minutes).

7. Burton: Authorizes the transfer to the government of Colombia two tactical, unpressurized marine patrol aircraft for use by the Colombian Navy in order to disable ships laden with cocaine and heroin closer to the Colombian shore before they hit open water. (10 minutes).

8. Kennedy (MN)/Hooley/Osborne/Souder: Requires the State Department to annually certify that the five biggest exporters and the five biggest importers of certain methamphetamine precursors are "fully cooperating" with U.S. law enforcement to prevent diversion of these chemicals for illicit purposes. If not so certified, these countries would be subject to foreign aid eligibility provisions already in law (the Foreign Assistance Act). (10 minutes).

9. Hooley/Souder/Baird: Directs the Bureau for International Narcotics and Law Enforcement Affairs (INL) to make a priority of stemming the influx of methamphetamine from Mexico into the U.S. Directs INL to improve border security and coordinate with Mexican law enforcement as well as the Mexican government. (10 minutes).

10. Souder: Requires a report on extradition requests for Afghans who have committed violations of narcotics laws in the United States. (10 minutes).

11. Souder: Authorizes up to \$25 million to enable the State Department's Bureau for International Narcotics Control and Law Enforcement Affairs (INL) to purchase or lease a maritime refueling support vessel capable of refueling U.S. and allied vessels engaged in drug interdiction in the Eastern Pacific transit zone. (10 minutes).

12. Smith (NJ): Expands activities to treat women suffering from obstetric fistula to include increased access to emergency obstetrical care. Expands activities for the prevention of fistula from providing access to contraceptive services to providing access to family planning services. Makes these prevention activities discretionary rather than obligatory. Increases the FY07 authorization from \$5 million to \$7.5 million. (10 minutes).

13. Hyde/Lantos/Hunter/Manzullo: Authorizes measures to deter arms transfers by foreign countries to the People's Republic of China. Requires the submission of an annual report to Congress on European companies who are aiding China's military buildup and on European governments whose policies support those sales. Expands U.S. export license requirements and increases Congressional oversight to those countries. Gives the President new au-

thority to help deter future European arms-related sales. (10 minutes).

14. Ackerman/King (NY): Raises the authorized level for the State Department program which provides for reimbursement to localities for services provided for the protection of foreign missions and officials to \$15 million. Authorizes the State Department to pay \$19.58 million in "back payments" to NYC for expenses incurred since 2002. (10 minutes).

15. Blunt: Declares that it is U.S. policy to use the voice, vote, and influence of the U.S. to oppose the creation of any international or global taxation by the UN or its affiliated agencies. Declares that no U.S. person shall be subject to an international tax if it is levied. (30 minutes).

16. Bordallo/Faleomavaega: Provides for equal treatment of employees of the Department of State who are residents of the territories of the U.S. in the personnel policies of the Department. Permits the same reimbursements for the travel of dependents of Department employees from overseas stations to public colleges and universities in the territory of the employee's legal residence as provided in law for residents of the 50 states and the District of Columbia. (10 minutes).

17. Burton: Requires the Secretary of State to conduct a cost-benefit analysis in conjunction with all appropriate Federal departments and agencies, including DHS, and the U.S. Coast Guard, on how to best use American security assistance dollars to thwart alien smuggling, trafficking in person, and possible terrorists entering from Ecuador. (10 minutes).

18. Crowley: Expresses concern about language in the declaration of the Heads of State of the Shanghai Cooperation Organization calling for the anti-terrorist coalition to set a deadline for the temporary use of the infrastructure facilities of the SCO Member States and for their military presence in these countries and calls on the President, and the Secretaries of State and Defense to open a dialogue with the SCO concerning the importance of the use of bases in the SCO Member States and report to Congress on the outcome of such dialogue. (10 minutes).

19. Fossella: Withholds funding to the UN for any of its agencies or committees headed by nations on the State Department's terrorist watch list. (10 minutes).

20. Issa: Requires the Secretary of State to submit a report that describes the weakness of identification documents, including birth certificates, required for the issuance of passports. Establishes a requirement that all passport acceptance agents undergo background investigations and a comprehensive training program to improve document fraud detection efforts. Expands the authority of the U.S. government to investigate cases of the illegal sale of U.S. passports and visas by U.S. government personnel. Authorizes that Federal District Court for the District of Columbia to issue warrants in such cases and authorizes special agents under the direction of the Director of the Diplomatic Security Service to execute such warrants. (30 minutes).

21. King (IA): Requires the Secretary of State to submit a report to the appropriate congressional committees identifying each non-governmental organization that receives funding under the President's Emergency Plan for AIDS Relief, the date on which the

funding was provided to the NGO, and the date on which the NGO filed a statement with the U.S. government certifying that the NGO has in effect a policy explicitly opposing prostitution and sex trafficking. (10 minutes).

22. King (IA): Inserts the text of H. Con. Res. 144, condemning the attacks on U.S. citizens by Palestinian terrorists and lists all 53 victims. Encourages the Palestinian leaders to work with Israel to end all terrorist acts on innocent individuals, regardless of citizenship. (10 minutes).

23. Kucinich: Requires the President to direct the U.S. representatives to the United Nations to commence negotiations for an international treaty banning space-based weapons. (10 minutes).

24. Lantos: Requires the Department of State to develop a strategy to counter widespread perceptions among foreign students that the U.S. is no longer a welcoming place for them; undertake annual consultations with non-governmental organizations, university officials, foreign students, and other interested parties to seek input on the development of this strategy; identify and report on priority posts where important declines in visa application rates have occurred and best practice posts which have developed to improve application rates; and provide enhance training for processing and facilitating student visas. (10 minutes).

25. Mack: Authorizes the Broadcasting Board of Governors to initiate radio and television broadcasts to Venezuela for at least 30 minutes a day of balanced, objective, and comprehensive news programming. (10 minutes).

26. Rogers (MI): States that Congress recognizes and affirms the efforts of the Great Lakes Governors and Canadian Premiers in developing a common standard for decisions relating to the withdrawal of water from the Great Lakes and urges that the management authority over the waters of the Great Lakes should remain vested with the Governors or Premiers of the eight Great Lakes States and two Canadian Provinces that share stewardship over the Great Lakes. (10 minutes).

27. Tancredo: Expresses the sense of Congress that recent comments made by Chinese Major General Zhu Chenghu's openly advocating the use of nuclear weapons against the United States damages U.S.-China relations and violates China's commitment to resolve its differences with Taiwan peacefully. Expresses further that the government of the People's Republic of China should renounce the use of force against Taiwan, disavow General Zhu's statements, and remove Zhu from his position. (10 minutes).

28. Watson: States that it shall be the policy of the U.S. Government to seek the expeditious transfer of Charles Ghankay Taylor, former President of the Republic of Liberia, to the jurisdiction of the Special Court for Sierra Leone to undergo a fair and open trial for war crimes, crimes against humanity, and other serious violations of international humanitarian law. (10 minutes).

29. Watson: Authorizes \$5 million for the State Department to improve intellectual property law and enforcement in developing countries. (10 minutes).

30. Berkley/Crowley: Contains a declaration of policy that states that the U.S. should promote the emergence of a democratic Palestinian government that denounces and combats terrorism; has agreed to disarm terrorists; has agreed to work to eliminate ter-

rorist incitement; has agreed to respect the boundaries and sovereignty of its neighbors; and respects the human rights of all people. Adds a limitation of not more than 25 percent of the total funds available to the PA can be obligated and expended during any calendar quarter to section 932. (10 minutes).

31. Biggert: Makes a technical correction to section 1106 to reflect existing responsibilities regarding World Bank policy. Clarifies that the Financial Services Committee is an “appropriate committee” to receive any reports prepared by the Department of the Treasury regarding the World Bank’s activities in Iran. (10 minutes).

32. Eshoo: Expresses the sense of Congress that special attention should be paid to the welfare of ChaldoAssyrians and other indigenous Christians in Iraq. (10 minutes).

33. Fossella: Authorizes the U.S. Interests Sections in Havana to disseminate the names of fugitives who are enjoying safe haven in Cuba and any rewards for their capture. (10 minutes).

34. Franks: Strikes section 1019 of the bill, relating to consular and visa services in Pristina, Kosova. (10 minutes).

35. McCotter: Withholds funds from the International Criminal Tribunal for the Former Yugoslavia (ICTY) until the ICTY dismisses all criminal charges against journalists reporting the work of the ICTY, and until the ICTY commits to taking no further action to curtail the freedom of the press. (10 minutes).

36. Reyes: Urges the President and Secretary of State to boost efforts that would aid Mexican authorities in their struggle to pinpoint the identities of yet unidentified remains of murdered young women in Ciudad Juarez, Mexico. (10 minutes).

37. Rohrabacher: Sense of Congress that the capture, detention and interrogation of international terrorists are essential to the successful prosecution of the Global War on Terrorism and to the defense of the U.S., its citizens, and coalition partners from future terrorist attacks; and that the detention and lawful, humane interrogation by the U.S. of detainees at Guantanamo Bay, Cuba is essential to the defense of the U.S. and its coalition partners and to the successful prosecution of the Global War on Terrorism. (60 minutes).

38. Ros-Lehtinen: Enhances the security of the U.S. by making it the policy of the U.S. to pursue a transfer of responsibility for Iraqi forces only when they are ready to assume such responsibility and not to withdraw prematurely the U.S. Armed Forces from Iraq. Requires any withdrawal to be done only with careful coordination with a decision by the elected government of Iraq which shall be reached jointly when it is clear that the aim of the establishment of a free and stable Iraq that is at peace and not a threat to its neighbors has been or is about to be achieved. (60 minutes).

PART A—TEXT OF AMENDMENT TO BE INCLUDED AS PART OF THE ORIGINAL TEXT FOR THE PURPOSE OF AMENDMENT

Page 25, strike line 21 and all that follows through line 24.

PART B—TEXT OF AMENDMENTS MADE IN ORDER

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HYDE OF ILLINOIS, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 9, strike line 19 through page 11, line 20.

Page 9, beginning line 19, insert the following new subparagraph:

(E) ORGANIZATION FOR SECURITY AND COOPERATION AND EUROPE.—Of the amounts authorized to be appropriated under subparagraph (A), the following amounts are authorized to be appropriated for the following activities of the Organization for Security and Cooperation in Europe (OSCE):

(i) ANTI-SEMITISM.—For necessary expenses to fund secondments, hiring of staff, and support targeted projects of the Office of Democratic Institutions and Human Rights (ODIHR) regarding anti-Semitism and intolerance and for the OSCE/ODIHR Law Enforcement Officers Hate Crimes Training Program, \$225,000 for fiscal year 2006 and \$225,000 for fiscal year 2007.

(ii) OSCE PROJECTS AND ACTIVITIES REGARDING RELIGIOUS FREEDOM.—For necessary expenses to fund secondments, hiring of staff, and support targeted projects of ODIHR regarding religious freedom and for the OSCE/ODIHR Panel of Experts on Freedom of Religion or Belief, \$125,000 for fiscal year 2006 and \$125,000 for fiscal year 2007.

(iii) OSCE MISSIONS RELATED TO RELIGIOUS FREEDOM.—For OSCE Missions in Armenia, Azerbaijan, Georgia, Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan for activities to address issues relating to religious freedom and belief and to fund the hiring of new staff who are dedicated to religious freedom and belief, \$80,000 for fiscal year 2006 and \$80,000 for fiscal year 2007.

Page 11, line 21, strike “(G)” and insert “(F)”.

Page 12, line 3, strike “(H)” and insert “(G)”.

Page 26, line 3, strike “Beginning” and insert “(a) IN GENERAL.—Beginning”.

Page 26, line 6, before “title” insert “the last paragraph under the heading ‘DIPLOMATIC AND CONSULAR PROGRAMS’ under”.

Page 26, after line 10, insert the following new subsection:

(b) REQUIREMENTS.—In carrying out subsection (a) and the provision of law described in such subsection, the Secretary shall meet the following requirements:

(1) The amounts of the surcharges shall be reasonably related to the costs of providing services in connection with the activity or item for which the surcharges are charged.

(2) The aggregate amount of surcharges collected may not exceed the aggregate amount obligated and expended for the costs related to consular services in support of enhanced border security incurred in connection with the activity or item for which the surcharges are charged.

(3) A surcharge may not be collected except to the extent the surcharge will be obligated and expended to pay the costs related to consular services in support of enhanced border security incurred in connection with the activity or item for which the surcharge is charged.

(4) A surcharge shall be available for obligation and expenditure only to pay the costs related to consular services in support of enhanced border security incurred in providing services in connection with the activity or item for which the surcharge is charged.

Page 29, beginning line 12, insert the following new paragraphs:

(3) The Annual Report on Democracy required under section 612 of this Act.

(4) The annual Trafficking in Persons Report prepared by the Office to Monitor and Combat Trafficking in Persons of the Department of State, required under section 110(b) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)).

Page 32, line 2, insert “that is not later than 90 days after the date” after “after the date”.

Page 46, line 10, redesignate paragraph (4) as paragraph (5).

Page 46, beginning line 10, insert the following new paragraph:

“(4) In the case of a grievance filed under paragraph (3), the Foreign Service Grievance Board may not exercise the authority provided under section 1106(8).”.

Page 46, strike lines 11 through 19 and insert the following new subparagraph:

(A) The term “reasonable time” means 30 days after receiving notice of the proposed suspension.

Page 79, line 21, strike “at least one” and insert “a”.

Page 79, line 22, strike “one” and insert “a”.

Page 83, line 15, strike “and”.

Page 83, line 22, strike the period at the end and insert “; and”.

Page 83, beginning line 23, insert the following new clause:

(iii) evaluate the effectiveness of United States programs that promote democracy.

Page 97, beginning line 22, insert “the Director of the Office for Reconstruction and Stabilization of the Department of State,” after “Assistant Secretary of State for Democracy, Human Rights, and Labor,”.

Page 98, line 2, strike “democracy and” and insert “democracy, the means of coordinating United States policies and programs related to the promotion of democracy, and United States policies regarding”.

Page 101, line 14, strike “potential contribution that” and insert “advantages and disadvantages of”.

Page 101, line 17, strike “reaching” and insert “reach”.

Page 101, beginning line 17, strike “countries, the situations where such support may be appropriate,” and insert “countries”.

Page 103, line 5, insert before the period at the end the following: “or for any additional period determined by the Secretary pursuant to paragraph (5)”.

Page 115, beginning line 5, strike “at posts so designated by the chief of mission” and insert “serving in a position in which the primary responsibility is to monitor or promote democracy or human rights”.

Page 115, strike line 20 through page 116, line 13.

Page 116, beginning line 14, strike “(b) CHIEFS OF MISSION.—Section 304(a)(1) of such Act” and insert “(a) CHIEFS OF MISSION.—Section 304(a)(1) of the Foreign Service Act of 1980”.

Page 117, after line 2, insert the following new subsection:

(b) REPORT TO CONGRESS.—Section 304(b) of such Act (22 U.S.C. 3944(b)) is amended by adding at the end the following new paragraph:

“(3) If an individual (with respect to section 302(a)) or a member of the Service (with respect to section 302(b)) is nominated by the President to be a chief of mission in a country categorized as nondemocratic in an Annual Report on Democracy (required under section 612(a) of the Advance Democratic Values, Address Nondemocratic Countries, and Enhance Democracy Act of 2005), and if such individual or such member has previously served as chief of mission in a country that was so categorized, the President shall, at the time of nomination, submit to the Committee on Foreign Relations of the Senate a written report summarizing the actions that such individual or member took during the period of such prior service to promote democracy and human rights in such country, including actions in furtherance of the strategy contained in such report.”.

Page 125, line 21, after “available” insert the following: “to carry out chapter 4 of Part II of the Foreign Assistance Act of 1961”.

Page 153, line 2, strike “shall be sold or transferred” and insert “shall be knowingly sold or transferred for military end use”.

Page 153, beginning on line 8, strike “the Secretary of State” and all that follows through “license” on line 10 and insert the following: “the sale or transfer is approved through issuance of a license by the Secretary of State or the Secretary of Commerce, as the case may be”.

Page 153, strike line 11 and all that follows through line 17.

Page 153, line 18, strike “(d)” and insert “(c)”.

Page 153, line 19, after “Secretary of State” insert “, in consultation with the Secretary of Commerce and the Secretary of Defense,”.

Page 153, beginning on line 21, strike “to implement the requirements of subsection (c)” and insert “to ensure the effective implementation of section 38(k) of the Arms Export Control Act, as added by subsection (b).”.

Page 156, after line 9, insert the following new section:

SEC. 736. PURPOSES OF ARMS SALES.

Section 4 of the Arms Export Control Act (22 U.S.C. 2754) is amended in the first sentence by inserting after “solely for internal security” the following: “(including antiterrorism and border security)”.

Page 177, line 22, strike “to the foreign person for the export or import” and insert “for the export or import to the foreign person”.

Page 178, line 5, strike “to the foreign person for the export” and insert “for the export to the foreign person”.

Page 212, line 6, strike “section” and insert “section or subsections (d) or (f) of section 921 of the Foreign Relations Authorization Act, Fiscal Years 2006 and 2007,”.

Page 212, beginning on line 7, strike “the Foreign Relations Authorization Act, Fiscal Years 2006 and 2007,” and insert “such Act”.

Page 212, line 10, strike “this section” and insert “this section or subsections (d) or (f) of section 921 of such Act, as the case may be”.

Page 265, line 24, insert “, or disadvantaged” after “minority-owned”.

Page 289, beginning line 11, insert the following new paragraphs (and redesignate subsequent paragraphs accordingly):

(4) Hizballah utilizes its resources to operate its television station, al-Manar, to recruit terrorists and incite violence, which contributes to instability in Lebanon and throughout the region;

(5) the Government of Lebanon should take steps to address the threat posed by al-Manar, including by revoking its license;

Page 291, line 10, strike “and” at the end.

Page 291, line 13, strike the period at the end and insert “; and”.

Page 291, beginning line 14, insert the following new paragraph:

(8) efforts by the Government of Lebanon and the United States and its allies to end broadcasts by al-Manar.

Page 316, line 19, strike “educations” and insert “education”.

2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HYDE OF ILLINOIS, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Redesignate title XI as title XII and redesignate sections 1101 through 1126 as sections 1201 through 1226, respectively (and conform the table of contents accordingly).

Insert after title X the following new title (and conform the table of contents accordingly):

TITLE XI—HENRY J. HYDE UNITED NATIONS REFORM ACT OF 2005

SECTION 1101. SHORT TITLE.

This title may be cited as the “Henry J. Hyde United Nations Reform Act of 2005”.

SEC. 1102. DEFINITIONS.

In this title:

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

(2) **GENERAL ASSEMBLY.**—The term “General Assembly” means the General Assembly of the United Nations.

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

(4) **SECRETARY.**—The term “Secretary” means the Secretary of State.

(5) **SECRETARY GENERAL.**—The term “Secretary General” means the Secretary General of the United Nations.

(6) **SECURITY COUNCIL.**—The term “Security Council” means the Security Council of the United Nations.

(7) SPECIALIZED AGENCIES AND SPECIALIZED AGENCIES OF THE UNITED NATIONS.—The terms “specialized agencies” and “specialized agencies of the United Nations” mean—

- (A) the Food and Agriculture Organization (FAO);
- (B) the International Atomic Energy Agency (IAEA);
- (C) the International Civil Aviation Organization (ICAO);
- (D) the International Fund for Agricultural Development (IFAD);
- (E) the International Labor Organization (ILO);
- (F) the International Maritime Organization (IMO);
- (G) the International Telecommunication Union (ITU);
- (H) the United Nations Educational, Scientific, and Cultural Organization (UNESCO);
- (I) the United Nations Industrial Development Organization (UNIDO);
- (J) the Universal Postal Union (UPU);
- (K) the World Health Organization (WHO) and its regional agencies;
- (L) the World Meteorological Organization (WMO); and
- (M) the World Intellectual Property Organization (WIPO).

SEC. 1103. STATEMENT OF CONGRESS.

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

SUBTITLE A—MISSION AND BUDGET OF THE UNITED NATIONS

SEC. 1111. UNITED STATES FINANCIAL CONTRIBUTIONS TO THE UNITED NATIONS.

(a) STATEMENTS OF POLICY.—

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

- (A) pursue a streamlined, efficient, and accountable regular assessed budget of the United Nations; and
- (B) shift funding mechanisms of certain organizational programs of the United Nations specified under paragraph (4) from the regular assessed budget to voluntarily funded programs.

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

- (A) redirect United States contributions to the United Nations to achieve the policy objectives described in paragraph (1)(B); and
- (B) redirect a portion of funds from the following organizational programs to pursue the policy objectives described in paragraph (1)(A):

- (i) Public Information.
- (ii) General Assembly affairs and conference services.

(3) FUTURE BIENNIUM BUDGETS.—It shall be the policy of the United States to use its voice, vote, and influence at the United

Nations to ensure that future biennial budgets of the United Nations, as agreed to by the General Assembly, reflect the shift in funding mechanisms described in paragraph (1)(B) and the redirection of funds described in paragraph (2).

(4) CERTAIN ORGANIZATIONAL PROGRAMS.—The organizational programs referred to in paragraph (1)(B) are the following:

- (A) Economic and social affairs.
- (B) Least-developed countries, landlocked developing countries and small island developing States.
- (C) United Nations support for the New Partnership for Africa's Development.
- (D) Trade and development.
- (E) International Trade Center UNCTAD/WTO.
- (F) Environment.
- (G) Human settlements.
- (H) Crime prevention and criminal justice.
- (I) International drug control.
- (J) Economic and social development in Africa.
- (K) Economic and social development in Asia and the Pacific.
- (L) Economic development in Europe.
- (M) Economic and social development in Latin America and the Caribbean.
- (N) Economic and social development in Western Asia.
- (O) Regular program of technical cooperation.
- (P) Development account.
- (Q) Protection of and assistance to refugees.
- (R) Palestine refugees.

(b) AUTHORIZATION WITH RESPECT TO THE REGULAR ASSESSED BUDGET OF THE UNITED NATIONS.—Subject to the amendment made by subsection (c), the Secretary of State is authorized to make contributions toward the amount assessed to the United States by the United Nations for the purpose of funding the regular assessed budget of the United Nations.

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

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

“(a) POLICY OF THE UNITED STATES RELATING TO THE REGULAR ASSESSED BUDGET OF THE UNITED NATIONS.—

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

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

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

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

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

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

“(i) Public Information.

“(ii) General Assembly affairs and conferences services.

“(3) FUTURE BIENNIUM BUDGETS.—The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to ensure that the shifting of funding mechanisms under paragraph (1)(B) and redirecting of contributions under paragraph (2) be reflected in future resolutions agreed to by the General Assembly for the regular assessed budget of the United Nations for the period of a current biennium. To achieve the policies described in paragraphs (1) and (2), the United States Permanent Representative to the United Nations shall withhold the support of the United States for a consensus for such budget until such time as such budget is reflective of such policies.

“(b) 22 PERCENT LIMITATION.—In accordance with section 1171 of the Henry J. Hyde United Nations Reform Act of 2005, the Secretary may not make a contribution to a regularly assessed biennial budget of the United Nations in an amount greater than 22 percent of the amount calculable under subsection (c).

“(c) ANNUAL DUES.—

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

“(2) CALCULATION WITH RESPECT TO CERTAIN ORGANIZATIONAL PROGRAMS FOR REDIRECTION.—The percentage specified in subsection (b) shall be multiplied by one-half of the sum of amounts budgeted by resolution of the General Assembly for a current biennial period for the following certain organizational programs:

“(A) Economic and social affairs.

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

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

“(D) Trade and development.

“(E) International Trade Center UNCTAD/WTO.

“(F) Environment.

“(G) Human settlements.

“(H) Crime prevention and criminal justice.

“(I) International drug control.

“(J) Economic and social development in Africa.

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

“(L) Economic development in Europe.

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

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

“(O) Regular program of technical cooperation.

“(P) Development account.

“(Q) Protection of and assistance to refugees.

“(R) Palestine refugees.

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

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

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

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

“(A) Internal oversight.

“(B) Human rights.

“(C) Humanitarian assistance.

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

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

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

“(B) 10 PERCENT LIMITATION.—A voluntary contribution under subparagraph (A) to an organizational program of the United Nations specified in subparagraphs (A) through

(P) of paragraph (2) may not exceed 10 percent of the total contribution made under paragraph (3)(A).

“(d) FURTHER CALCULATION WITH RESPECT TO BUDGETS FOR PUBLIC INFORMATION AND GENERAL ASSEMBLY AFFAIRS AND CONFERENCE SERVICES.—

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

“(2) ANNUAL DUES EACH FISCAL YEAR.—

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

“(B) CALCULATION WITH RESPECT TO PUBLIC INFORMATION AND GENERAL ASSEMBLY AFFAIRS AND CONFERENCE SERVICES.—With respect to such United States annual dues, the percentage specified in paragraph (1) shall be multiplied by one-half of the sum of amounts budgeted by resolution of the General Assembly for the 2004–2005 biennial period for the following organizational programs:

“(i) Public Information.

“(ii) General Assembly affairs and conferences services.

“(C) REDIRECTION OF FUNDS.—

“(i) IN GENERAL.—The President shall direct the United States Permanent Representative to the United Nations to make every effort, including the withholding of United States support for a consensus budget of the United Nations, to reduce the budgets of the organizational programs specified in subparagraph (B) for 2007 by 10 percent against the budgets of such organizational programs for the 2004–2005 biennial period. If the budgets of such organizational programs are not so reduced, 20 percent the amount determined under subparagraph (B) for contributions towards payment of regular assessed dues for 2007 shall be redirected from payment for the amount assessed for United States annual contributions to the regular assessed budget of the United Nations.

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

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

“(A) IN GENERAL.—The President shall direct the United States Permanent Representative to the United Nations to make every effort, including the withholding of United States support for a consensus budget of the United Nations, to reduce the budgets of the organizational programs specified in subparagraph (B) of paragraph (2) for the

2008–2009 biennial period and each subsequent biennial period by 20 percent against the budgets of such organizational programs for the 2004–2005 biennial period.

“(B) CERTIFICATION.—In accordance with section 1171 of the Henry J. Hyde United Nations Reform Act of 2005, a certification shall be required that certifies that the reduction in budgets described in subparagraph (A) has been implemented.”.

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

(e) LIMITATION ON UNITED STATES CONTRIBUTIONS TO UNRWA.—The Secretary of State may not make a contribution to the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) in an amount greater than the highest contribution to UNRWA made by an Arab country, but may not exceed 22 percent of the total budget of UNRWA. For purposes of this subsection, an Arab country includes the following: Algeria, Bahrain, Comoros, Djibouti, Egypt, Iran, Jordan, Kuwait, Lebanon, Libya, Mauritania, Morocco, Oman, Qatar, Saudi Arabia, Somalia, Sudan, Syria, Tunisia, the United Arab Emirates, Iraq, and Yemen.

(f) POLICY RELATING TO ZERO NOMINAL GROWTH.—It shall be the policy of the United States to use the voice, vote, and influence of the United States at the United Nations to make every effort to enforce zero nominal growth in all assessed dues to the regular budget of the United Nations, its specialized agencies, and its funds and programs.

(g) 5.6 RULE.—It shall be the policy of the United States to use the voice, vote, and influence of the United States at the United Nations to actively enforce the 5.6 rule at the United Nations, requiring the Secretariat to identify low-priority activities in the budget proposal. The United Nations should strengthen the 5.6 rule by requiring that managers identify the lowest priority activities equivalent to 15 percent of their budget request or face an across the board reduction of such amount.

(h) ANNUAL PUBLICATION.—It shall be the policy of the United States to use the voice, vote, and influence of the United States at the United Nations to ensure the United Nations is annually publishing a list of all subsidiary bodies and their functions, budgets, and staff.

(i) SCALE OF ASSESSMENTS.—

(1) IN GENERAL.—The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to make every effort to ensure that the difference between the scale of assessments for the five permanent members of the Security Council is not greater than five times that of any other permanent member of the Security Council.

(2) DENIAL OF USE OF VETO.—If the Secretary of State determines that a permanent member of the Security Council with veto power is not in compliance with the requirement described in paragraph (1), the President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to make every effort to deny to such permanent mem-

ber the use of the veto power of such permanent member until such time as such permanent member satisfies the requirement of such paragraph.

SEC. 1112. WEIGHTED VOTING.

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

SEC. 1113. BUDGET CERTIFICATION REQUIREMENTS.

(a) CERTIFICATION.—In accordance with section 1171, a certification shall be required that certifies that the conditions described in subsection (b) have been satisfied.

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

(1) NEW BUDGET PRACTICES FOR THE UNITED NATIONS.—The United Nations is implementing budget practices that—

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

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

(2) PROGRAM EVALUATION.—

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

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

(ii) programs of the specialized agencies.

(B) DEVELOPMENT OF EVALUATION CRITERIA.—

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

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

(C) REPORT.—The Secretary General is assessing budget requests and, on the basis of evaluations conducted under subparagraph (B) for the relevant preceding year, submits

to the General Assembly a report containing the results of such evaluations, identifying programs that have satisfied the criteria for continuing relevance and effectiveness, and an identification of programs that have not satisfied such criteria and should be terminated.

(D) SUNSET OF PROGRAMS.—Consistent with the July 16, 1997, recommendations of the Secretary General regarding a sunset policy and results-based budgeting for United Nations programs, the United Nations and each specialized agency has established and is implementing procedures to require all new programs approved by the General Assembly to have a specific sunset date.

SEC. 1114. ACCOUNTABILITY.

(a) CERTIFICATION OF CREATION OF INDEPENDENT OVERSIGHT BOARD.—In accordance with section 1171, a certification shall be required that certifies that the following reforms related to the establishment of an Independent Oversight Board (IOB) have been adopted by the United Nations:

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

(2) The head of the IOB shall be a Director, who shall be nominated by the Secretary General and who shall be subject to Security Council approval by a majority vote. The IOB shall also consist of four other board members who shall be nominated by the Secretary General and subject to Security Council approval by a majority vote. The IOB shall be responsible to the Security Council and the Director and board members shall each serve terms of six years, except that the terms of the initial board shall be staggered so that no more than two board members' terms will expire in any one year. No board member may serve more than two terms. An IOB board member may be removed for cause by a majority vote of the Security Council. The Director shall appoint a professional staff headed by a Chief of Staff and may employ contract staff as needed.

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

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

ing information relating to the inventory and status of investigations by the Office of Internal Oversight Services.

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

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

(7)(A) The IOB shall review the Final Report of the Independent Inquiry Committee (IIC) into the United Nations Oil for Food Program (OFF). The IOB's review should focus on the adequacy of the IIC's Final Report or any subsequent reports of the IIC or of any possible successor to the IIC. The IOB's review of the IIC's Final Report should address the Final Report's treatment of and adequacy in the following areas—

(i) OFF's operations from inception through the transfer of power from the Coalition Provisional Authority to the interim Iraqi government;

(ii) claims of oil smuggling, illegal surcharges on oil and commissions on commodity contracts, illegal kick-backs, use of oil allocations to influence foreign government officials and international people of influence, and use of funds for military purposes;

(iii) the involvement, directly or indirectly, of any entity, bureau, division, department, specialized agency, or employee (including the Secretary General) of the United Nations, including any employee of the specialized agencies of the United Nations or any employee or officer of the Secretariat;

(iv) the IIC's findings, discovery and use of evidence, and investigation practices; and

(v) the extent of cooperation by the United Nations with requests by Congress for testimony, interviews, documents, correspondence, reports, memoranda, books, papers, accounts, or records related to the Oil for Food Program.

(B) Subsequent to the IOB's review, the IOB shall determine in a written report whether the IIC investigation is incomplete or inadequate in any respects and whether any additional investigation is justified. If the IOB determines that additional investigation is warranted, it shall appoint, in accordance with paragraph (5), a special investigator and staff consisting of individuals who are not employees of the United Nations and to identify specific areas within the OFF to investigate.

(b) CERTIFICATION OF UNITED NATIONS REFORMS OF THE OFFICE OF INTERNAL OVERSIGHT SERVICES.—In accordance with section

1171, a certification shall be required that certifies that the following reforms related to the Office of Internal Oversight Services (OIOS) have been adopted by the United Nations:

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

(2) The regular assessed budget of the United Nations shall fully fund the Internal Oversight Budget from existing levels of United Nations budgetary and personnel resources and shall not be dependent upon any other entity, bureau, division, department, or specialized agency of the United Nations for such funding.

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

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

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

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

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

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

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

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

grams permanently or as needed to liaison with existing audit functions within each specialized agency and fund and program.

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

(10) Not later than six months after the date of the enactment of this Act, the Director shall establish a position of Associate Director of OIOS for Procurement and Contract Integrity, who shall be responsible for auditing and inspecting procurement and contracting within the United Nations, including within the specialized agencies. The Associate Director of OIOS for Procurement and Contract Integrity shall receive informational leads and testimony from any person regarding allegations of wrongdoing by United Nations officials or regarding inefficiencies associated with United Nations procurement or contracting activities. The Associate Director of OIOS for Procurement and Contract Integrity shall be responsible for initiating, conducting, and overseeing investigations of procurement and contract activities. Not later than 12 months after the establishment of the position of Associate Director of OIOS for Procurement and Contract Integrity, the Director, with the assistance of the Associate Director of OIOS for Procurement and Contract Integrity, shall undertake a review of contract procedures to ensure that practices and policies are in place to ensure that—

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

(B) the United Nations has established effective controls to prevent conflicts of interest in the award of contracts; and

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

(c) CERTIFICATION OF ESTABLISHMENT OF UNITED NATIONS OFFICE OF ETHICS.—In accordance with section 1171, a certification shall be required that certifies that the following reforms related to the establishment of a United Nations Office of Ethics have been adopted by the United Nations:

(1) A United Nations Office of Ethics (UNOE) is established. The UNOE shall be an independent entity within the United Nations and shall not be subject to budget authority or organi-

zational authority of any entity within the United Nations. The UNEO shall be responsible for establishing, managing, and enforcing a code of ethics for all employees of the United Nations and its specialized agencies. The UNEO shall also be responsible for providing such employees with annual training related to such code. The head of the UNEO shall be a Director who shall be nominated by the Secretary General and who shall be subject to Security Council approval by majority vote. The UNEO shall promulgate ethics rules, including the following:

(A) No employee of any United Nations entity, bureau, division, department, or specialized agency may be compensated while participating in the domestic politics of the country of such employee, except for voting or acting as part of a Security Council, General Assembly, or legitimately authorized United Nations mission or assignment.

(B) No United Nations entity, bureau, division, department, or specialized agency may hire an individual convicted in a generally recognized court of a democratically-elected government with an independent judiciary and an extradition treaty with the United States and the European Union for any crime or crimes involving financial misfeasance, malfeasance, fraud, or perjury.

(C) The employment of an employee of any United Nations entity, bureau, division, department, or specialized agency who is convicted in a generally recognized court of a democratically-elected government with an independent judiciary and an extradition treaty with the United States and the European Union of any crime or crimes involving financial misfeasance, malfeasance, fraud, or perjury shall be subject to termination.

(D) If an employee of any United Nations entity, bureau, division, department, or specialized agency has contact regarding the disposition of ongoing internal United Nations operations or decisions with an individual who is not an employee or official of the government of a Member State (or a similarly situated individual), with an individual who is not officially employed by any United Nations entity, bureau, division, department, or specialized agency, or with an individual who is not a working member of the media, a memorandum of such contact shall be prepared by such employee and, upon request, be made available to Member States.

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

(3) The Director of the UNEO shall, not later than six months after the date of its establishment, publish a report containing proposals for implementing a system for the filing and review of individual Annual Financial Disclosure Forms by each employee of the United Nations, including by each employee of its specialized agencies, at the P-5 level and above and by all contractors and consultants compensated at any sal-

ary level. Such system shall be in place and operational not later than six months after the date of the publication of the report. Such completed forms shall be made available to the Office of Internal Oversight Services at the request of the Director of the Office of Internal Oversight Services. Such system shall seek to identify and prevent conflicts of interest by United Nations employees and shall be comparable to the system used for such purposes by the United States Government. Such report shall also address broader reforms of the ethics program for the United Nations, including—

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

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

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

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

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

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

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

(d) **CERTIFICATION OF UNITED NATIONS ESTABLISHMENT OF POSITION OF CHIEF OPERATING OFFICER.**—In accordance with section 1171, a certification shall be required that certifies that the following reforms related to the establishment of the position of a Chief Operating Officer have been adopted by the United Nations:

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

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

(e) **CERTIFICATION OF ACCESS BY MEMBER STATES TO REPORTS AND AUDITS BY BOARD OF EXTERNAL AUDITORS.**—In accordance with section 1171, a certification shall be required that certifies

that Member States may, upon request, have access to all reports and audits completed by the Board of External Auditors.

(f) **WAIVER OF IMMUNITY.**—The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to ensure that the Secretary General exercises the right and duty of the Secretary General under section 20 of the Convention on the Privileges and Immunities of the United Nations to waive the immunity of any United Nations official in any case in which such immunity would impede the course of justice. In exercising such waiver, the Secretary General is urged to interpret the interests of the United Nations as favoring the investigation or prosecution of a United Nations official who is credibly under investigation for having committed a serious criminal offense or who is credibly charged with a serious criminal offense.

(g) **CERTIFICATION OF UNITED NATIONS COOPERATION RELATING TO OIL-FOR-FOOD PROGRAM.**—

(1) **ACTIONS.**—In accordance with section 1171, a certification shall be required that certifies that the following actions relating to the oil-for-food program have been taken by the United Nations:

(A) The United Nations Secretary General has authorized the release to a law enforcement authority of any Member State (upon request by the permanent representative to the United Nations of such Member State on behalf of such law enforcement authority) or to a national legislative authority authentic copies of any document in the possession of the United Nations, including any document in the possession of a person who was engaged on a contract basis to provide goods or services to the United Nations, that in the judgment of such requesting law enforcement authority or national legislative authority directly or indirectly concerns the oil-for-food program or a sanction imposed on Iraq related to the oil-for-food program.

(B) The United Nations has waived any immunity enjoyed by any United Nations official from the judicial process in the United States for any civil or criminal acts or omissions under Federal or State law that may have transpired within the jurisdiction of the United States in connection with the oil-for-food program.

(2) **DEFINITION.**—As used in this subsection, the term “oil-for-food program” means the program established and administered pursuant to United Nations Security Council Resolution 986 (April 14, 1995) and subsequent United Nations resolutions to permit the sale of petroleum products exported from Iraq and to use the revenue generated from such sale for humanitarian assistance.

SEC. 1115. TERRORISM AND THE UNITED NATIONS.

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

(1) a definition of terrorism that builds upon the recommendations of the Secretary General’s High-Level Panel on Threats, Challenges, and Change, and includes as an essential

component of such definition any action that is intended to cause death or serious bodily harm to civilians with the purpose of intimidating a population or compelling a government or an international organization to do, or abstain from doing, any act; and

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

SEC. 1116. UNITED NATIONS TREATY BODIES.

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

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

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

SEC. 1117. EQUALITY AT THE UNITED NATIONS.

(a) **INCLUSION OF ISRAEL IN WEOG.**—

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

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

(b) **DEPARTMENT OF STATE REVIEW AND REPORT.**—

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

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

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

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

(A) The United Nations Division for Palestinian Rights.

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

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

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

(E) The Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories.

(F) Any other entity the Secretary determines results in duplicative efforts or funding or fails to ensure balance in the approach to Israeli-Palestinian issues.

(c) IMPLEMENTATION BY PERMANENT REPRESENTATIVE.—

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

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

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

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

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

SEC. 1118. REPORT ON UNITED NATIONS REFORM.

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

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

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

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

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

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

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

(6) whether the United Nations or any of its specialized agencies has contracted with any party included on the Lists of Parties Excluded from Federal Procurement and Non-procurement Programs.

SEC. 1119. REPORT ON UNITED NATIONS PERSONNEL.

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

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

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

(b) CONTENTS.—The report shall include—

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

(A) tenure;

(B) performance reviews;

(C) the promotion system;

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

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

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

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

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

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

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

SEC. 1120. REPORT ON UNITED STATES CONTRIBUTIONS TO THE UNITED NATIONS.

Not later than one year after the date of the enactment of this Act, the Director of the Office of Management and Budget shall submit to the Committee on International Relations of the House of Representatives, the Committee on Foreign Relations of the Senate, the Committee on Appropriations of the House of Representatives, and the Committee on Appropriations of the Senate a report on United States contributions to the United Nations. Such report shall examine assessed, voluntary, in-kind, and all other United States contributions.

SEC. 1121. UNITED NATIONS SECURITY COUNCIL AND LEBANON.

(a) RESOLUTION 1559.—The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to make every effort to ensure that the Security Council is undertaking the necessary steps to secure the implementation of Security Council Resolution 1559, including—

(1) deploying United Nations inspectors to verify and certify to the Security Council that—

(A) all foreign forces, including intelligence, security, and policing forces, have been withdrawn from Lebanon; and

(B) all militias in Lebanon have been permanently disarmed and dismantled and their weapons have been decommissioned; and

(2) continuing the presence of United Nations elections monitoring teams in Lebanon to verify and certify to the Security Council that—

(A) citizens of Lebanon are not being targeted for assassination by foreign forces, in particular by foreign forces of Syria, or by their proxies, as a means of intimidation and coercion in an effort to manipulate the political process in Lebanon;

(B) elections in Lebanon are being conducted in a fair and transparent manner and are free of foreign interference; and

(C) that such foreign forces, or their proxies, are not seeking to infringe upon the territorial integrity or political sovereignty of Lebanon.

(b) UNITED STATES ACTION.—If the steps described in paragraphs (1) and (2) of subsection (a) have not been verified and certified to the Security Council by July 31, 2005, or by the date that is not later than 30 days after the date of the enactment of this Act, whichever is sooner, the President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to secure the adoption of a resolution in the Security Council imposing punitive measures on the governments of countries whose forces remain in Lebanon in violation of Security Council Resolution 1559 and who directly, or through proxies, are infringing upon the territorial integrity or political sovereignty of Lebanon.

SEC. 1122. POLICY WITH RESPECT TO EXPANSION OF THE SECURITY COUNCIL.

It shall be the policy of the United States to use the voice, vote, and influence of the United States at the United Nations to oppose any proposals on expansion of the Security Council if such expansion would—

(1) diminish the influence of the United States on the Security Council;

(2) include veto rights for any new members of the Security Council; or

(3) undermine the effectiveness of the Security Council.

SEC. 1123. GENOCIDE AND THE UNITED NATIONS.

(a) UNITED STATES ACTION.—The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to make every effort to ensure the formal adoption and implementation of mechanisms to—

(1) suspend the membership of a Member State if it is determined that the government of such Member State is engaged in or complicit in, either by commission or omission, acts of genocide, ethnic cleansing, or crimes against humanity;

(2) impose an arms and trade embargo and travel restrictions on, and freeze the assets of, all groups and individuals responsible for committing or allowing such acts of genocide, ethnic cleansing, or crimes against humanity to occur;

(3) deploy a United Nations peacekeeping operation or authorize and support the deployment of a peacekeeping operation from an international or regional organization to the Member State with a mandate to stop such acts of genocide, ethnic cleansing, or crimes against humanity;

(4) deploy monitors from the United Nations High Commissioner for Refugees to the area in the Member State where such acts of genocide, ethnic cleansing, or crimes against humanity are occurring; and

(5) authorize the establishment of an international commission of inquiry into such acts of genocide, ethnic cleansing, or crimes against humanity.

(b) CERTIFICATION.—In accordance with section 1171, a certification shall be required that certifies that the mechanisms described in subsection (a) have been adopted and implemented.

SEC. 1124. ANTI-SEMITISM AND THE UNITED NATIONS.

(a) IN GENERAL.—The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to make every effort to—

(1) ensure the issuance and implementation of a directive by the Secretary General or the Secretariat, as appropriate, that—

(A) requires all employees of the United Nations and its specialized agencies to officially and publicly condemn anti-Semitic statements made at any session of the United Nations or its specialized agencies, or at any other session sponsored by the United Nations;

(B) requires employees of the United Nations and its specialized agencies to be subject to punitive action, including immediate dismissal, for making anti-Semitic statements or references;

(C) proposes specific recommendations to the General Assembly for the establishment of mechanisms to hold accountable employees and officials of the United Nations and its specialized agencies, or Member States, that make such anti-Semitic statements or references in any forum of the United Nations or of its specialized agencies; and

(D) develops and implements education awareness programs about the Holocaust and anti-Semitism throughout the world, as part of an effort to combat intolerance and hatred;

(2) work to secure the adoption of a resolution by the General Assembly that establishes the mechanisms described in paragraph (1)(C); and

(3) continue working toward further reduction of anti-Semitic language and anti-Israel resolutions in the United Nations and its specialized agencies.

(b) CERTIFICATION.—In accordance with section 1171, a certification shall be required that certifies that the requirements described in subsection (a) have been satisfied.

Subtitle B—Human Rights and the Economic and Social Council (ECOSOC)

SEC. 1131. HUMAN RIGHTS.

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

(b) **HUMAN RIGHTS REFORMS AT THE UNITED NATIONS.**—The President shall direct the United States Permanent Representative to the United Nations to ensure that the following human rights reforms have been adopted by the United Nations:

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

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

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

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

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

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

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

(6) The practice of considering in the principal body in the United Nations for the promotion and protection of human rights country specific resolutions relating to human rights abuses perpetrated by the government of a Member State within such Member State shall not be eliminated.

(c) **CERTIFICATION.**—In accordance with section 1171, a certification shall be required that certifies that the human rights reforms described under subsection (b) have been adopted by the United Nations.

(d) **PREVENTION OF ABUSE OF “NO ACTION” MOTIONS.**—The United States Permanent Representative shall work to prevent abuse of “no action” motions, particularly as such motions relate to country specific resolutions.

(e) **OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS.**—

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

(2) **CERTIFICATION.**—In accordance with section 1171, a certification shall be required that certifies that the Office of the United Nations High Commissioner for Human Rights has been given greater authority in field operation activities, such as in the Darfur region of Sudan and in the Democratic Republic of Congo, in furtherance of the purpose and mission of the United Nations.

(f) **PROHIBITION ON CONTACT WITH MEMBER STATES SUBJECT TO SANCTIONS.**—An employee from of any United Nations entity, bureau, division, department, or specialized agency may not have unauthorized contact, including business contact, with a Member State that is subject to United Nations sanctions.

SEC. 1132. ECONOMIC AND SOCIAL COUNCIL (ECOSOC).

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

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

(2) ensure that, until such time as the Commission on Human Rights of the United Nations is abolished, only countries that are not ineligible for membership on a human rights body in accordance with paragraphs (1) through (4) of section 1131(b) shall be considered for membership on the Commission on Human Rights; and

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

(b) **CERTIFICATION.**—In accordance with section 1171, a certification shall be required that certifies that the policies described in subsection (a) have been implemented by the Economic and Social Council.

SEC. 1133. UNITED NATIONS DEMOCRACY FUND.

(a) **IN GENERAL.**—The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to make every effort to—

(1) establish a Democracy Fund at the United Nations to be administered by Member States of the United Nations Democracy Caucus;

(2) secure political and financial support for the Democracy Fund from Member States of the United Nations Democracy Caucus; and

(3) establish criteria that limits recipients of assistance from the Democracy Fund to Member States that—

(A) are not ineligible for membership on any United Nations human rights body, in accordance with paragraphs (1) through (4) of section 1131(b); and

(B) are determined by the Secretary of State to be emerging democracies or democracies in transition.

(b) **POLICY RELATING TO FUNDING FOR THE DEMOCRACY FUND.**—It shall be the policy of the United States to shift contributions of the United States to the regularly assessed budget of the United Nations for a biennial period to initiate and support the Democracy Fund referred to in subsection (a).

(c) **CERTIFICATION.**—In accordance with section 1171, a certification shall be required that certifies that the requirements described in subsection (a) have been satisfied.

Subtitle C—International Atomic Energy Agency

SEC. 1141. INTERNATIONAL ATOMIC ENERGY AGENCY.

(a) **ENFORCEMENT AND COMPLIANCE.**—

(1) **OFFICE OF COMPLIANCE.**—

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

(B) **OPERATION.**—The Office of Compliance shall—

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

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

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

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

(2) **SPECIAL COMMITTEE ON SAFEGUARDS AND VERIFICATION.**—

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

(B) **RESPONSIBILITIES.**—The Special Committee shall—

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

(ii) consider which additional measures are necessary to enhance the ability of the IAEA, beyond the verification mechanisms and authorities contained in the Additional Protocol to the Safeguards Agreements

between the IAEA and Member States of the IAEA, to detect with a high degree of confidence undeclared nuclear activities by a Member State.

(3) PENALTIES WITH RESPECT TO THE IAEA.—

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

- (i) limiting its ability to vote on its case;
- (ii) being prevented from receiving any technical assistance; and
- (iii) being prevented from hosting meetings.

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

(4) PENALTIES WITH RESPECT TO THE NUCLEAR NON-PROLIFERATION TREATY.—The President shall direct the United States Permanent Representative to the IAEA to use the voice, vote, and influence of the United States at the IAEA to ensure that a Member State of the IAEA that is found to be in breach of, in noncompliance with, or has withdrawn from the Nuclear Nonproliferation Treaty shall return to the IAEA all nuclear materials and technology received from the IAEA, any Member State of the IAEA, or any Member State of the Nuclear Nonproliferation Treaty.

(b) UNITED STATES CONTRIBUTIONS.—

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

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

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

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

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

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

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

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

(c) **MEMBERSHIP.**—

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

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

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

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

(d) **SMALL QUANTITIES PROTOCOL.**—The President shall direct the United States Permanent Representative to the IAEA to use the voice, vote, and influence of the United States at the IAEA to make every effort to ensure that the IAEA changes the policy regarding the Small Quantities Protocol in order to—

(1) rescind and eliminate the Small Quantities Protocol;

(2) require that any IAEA Member State that has previously signed a Small Quantities Protocol to sign, ratify, and implement the Additional Protocol, provide immediate access for IAEA inspectors to its nuclear-related facilities, and agree to the strongest inspections regime of its nuclear efforts; and

(3) require that any IAEA Member State that does not comply with paragraph (2) to be ineligible to receive nuclear material, technology, equipment, or assistance from any IAEA Member State and subject to the penalties described in subsection (a)(3).

(e) **NUCLEAR PROGRAM OF IRAN.**—

(1) **UNITED STATES ACTION.**—The President shall direct the United States Permanent Representative to the IAEA to use the voice, vote, and influence of the United States at the IAEA to make every effort to ensure the adoption of a resolution by the IAEA Board of Governors that makes Iran ineligible to receive any nuclear material, technology, equipment, or assistance from any IAEA Member State and ineligible for any IAEA assistance not related to safeguards inspections or nuclear se-

curity until the IAEA Board of Governors determines that Iran—

(A) is providing full access to IAEA inspectors to its nuclear-related facilities;

(B) has fully implemented and is in compliance with the Additional Protocol; and

(C) has permanently ceased and dismantled all activities and programs related to nuclear-enrichment and reprocessing.

(2) PENALTIES.—If an IAEA Member State is determined to have violated the prohibition on assistance to Iran described in paragraph (1) before the IAEA Board of Governors determines that Iran has satisfied the conditions described in subparagraphs (A) through (C) of such paragraph, such Member State shall be subject to the penalties described in subsection (a)(3), shall be ineligible to receive nuclear material, technology, equipment, or assistance from any IAEA Member State, and shall be ineligible to receive any IAEA assistance not related to safeguards inspections or nuclear security until such time as the IAEA Board of Governors makes such determination with respect to Iran.

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

SEC. 1142. SENSE OF CONGRESS REGARDING THE NUCLEAR SECURITY ACTION PLAN OF THE IAEA.

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

Subtitle D—Peacekeeping

SEC. 1151. SENSE OF CONGRESS REGARDING REFORM OF UNITED NATIONS PEACEKEEPING OPERATIONS.

It is the sense of Congress that—

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

(2) if the reputation of and confidence in United Nations peacekeeping operations is to be restored, fundamental and far-reaching reforms, particularly in the areas of planning, management, training, conduct, and discipline, must be implemented without delay.

SEC. 1152. STATEMENT OF POLICY RELATING TO REFORM OF UNITED NATIONS PEACEKEEPING OPERATIONS.

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

(1) PLANNING AND MANAGEMENT.—

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

(B) REVIEW OF MANDATES AND CLOSING OPERATIONS.—In conjunction with the audit described in subparagraph (A), the United Nations Department of Peacekeeping Operations should conduct a comprehensive review of all United Nations peacekeeping operation mandates, with a view toward identifying objectives that are practical and achievable, and report its findings to the Security Council. In particular, the review should consider the following:

(i) Activities that fall beyond the scope of traditional peacekeeping activities should be delegated to a new Peacebuilding Commission, described in paragraph (3).

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

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

(C) LEADERSHIP.—As peacekeeping operations become larger and increasingly complex, the Secretariat should adopt a minimum standard of qualifications for senior leaders and managers, with particular emphasis on specific skills and experience, and current senior leaders and managers who do not meet those standards should be removed or reassigned.

(D) PRE-DEPLOYMENT TRAINING.—Pre-deployment training on interpretation of the mandate of the operation, specifically in the areas of use of force, civilian protection and field conditions, the Code of Conduct, HIV/AIDS, and human rights should be mandatory, and all personnel, regardless of category or rank, should be required to sign an oath that each has received and understands such training as a condition of participation in the operation.

(E) GRATIS MILITARY PERSONNEL.—The General Assembly should lift restrictions on the utilization at the headquarters in New York, the United States, of the Department of Peacekeeping Operations of gratis military personnel by the Department so that the Department may accept secondments from Member States of military personnel with expertise in mission planning, logistics, and other operational specialties.

(2) CONDUCT AND DISCIPLINE.—

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

(B) UNDERSTANDING THE CODE OF CONDUCT.—All personnel, regardless of category or rank, should receive training on the Code of Conduct prior to deployment with a peacekeeping operation, in addition to periodic follow-on training. In particular—

(i) all personnel, regardless of category or rank, should be provided with a personal copy of the Code of Conduct that has been translated into the national language of such personnel, regardless of whether such language is an official language of the United Nations;

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

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

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

(i) should report simultaneously to the Head of Mission, the United Nations Department of Peacekeeping Operations, and the Associate Director of OIOS for Peacekeeping Operations (established under section 1114(b)(9)); and

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

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

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

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

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

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

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

(i) promulgating measures to prevent misconduct;

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

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

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

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

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

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

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

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

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

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

(3) PEACEBUILDING COMMISSION.—

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

(B) STRUCTURE AND MEMBERSHIP.—The Commission should—

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

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

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

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

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

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

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

SEC. 1153. CERTIFICATION.

(a) NEW OR EXPANDED PEACEKEEPING OPERATIONS CONTINGENT UPON PRESIDENTIAL CERTIFICATION OF PEACEKEEPING OPERATIONS REFORMS.—

(1) NO NEW OR EXPANDED PEACEKEEPING OPERATIONS.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(G) A professional and independent investigative and audit function has been established within the United Na-

tions Department of Peacekeeping Operations and the OIOS to monitor United Nations peacekeeping operations.

SEC. 1154. RULE OF CONSTRUCTION RELATING TO PROTECTION OF UNITED STATES OFFICIALS AND MEMBERS OF THE ARMED FORCES.

Nothing in this subtitle shall be construed as superseding the Uniform Code of Military Justice or operating to effect the surrender of United States officials or members of the Armed Forces to a foreign country or international tribunal, including the International Criminal Court, for prosecutions arising from peacekeeping operations or other similar United Nations-related activity, and nothing in this subtitle shall be interpreted in a manner inconsistent with the American Servicemembers' Protection Act of 2002 (title II of the 2002 Supplemental Appropriations Act for Further Recovery From and Response To Terrorist Attacks on the United States; Public Law 107-206).

TITLE V—DEPARTMENT OF STATE AND GOVERNMENT ACCOUNTABILITY OFFICE

SEC. 1161. POSITIONS FOR UNITED STATES CITIZENS AT INTERNATIONAL ORGANIZATIONS.

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

SEC. 1162. BUDGET JUSTIFICATION FOR REGULAR ASSESSED BUDGET OF THE UNITED NATIONS.

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

(b) **CONTENTS OF DETAILED ITEMIZATION.**—The detailed itemization required under subsection (a) shall—

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

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

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

SEC. 1163. REVIEW AND REPORT.

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

(1) the findings of such review; and

(2) recommendations relating to—

(A) the continuation of such programs; and

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

through (R) of subsection (c)(2) of section 11 of the United Nations Participation Act of 1945, as amended by section 1111(c) of this title.

SEC. 1164. GOVERNMENT ACCOUNTABILITY OFFICE.

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

(b) **REPORT ON DEPARTMENT OF STATE CERTIFICATIONS.**—Not later than six months after each certification submitted by the Secretary of State to the appropriate congressional committees under this title and subsection (d)(3) of section 11 of the United Nations Participation Act of 1945 (as amended by section 1111(c) of this title), the Comptroller General shall submit to the appropriate congressional committees a report on each such certification. The Secretary shall provide the Comptroller General with any information required by the Comptroller General to submit any such report.

(c) **UNITED NATIONS CONSTRUCTION AND CONTRACTING.**—Not later than six months after the date of the enactment of this Act, the Comptroller General shall submit to the Committee on International Relations of the House of Representatives, the Committee on Foreign Relations of the Senate, the Committee on Appropriations of the House of Representatives, and the Committee on Appropriations of the Senate a report describing the costs associated with the contracting for and construction of the Geneva, Switzerland, buildings of the World Meteorological Organization (WMO) and the World Intellectual Property Organization (WIPO). The report shall include analyses of the procurement procedures for each such building and shall specifically address issues of any corrupt contracting practices that are discovered, such as rigged bids and kickbacks, as well as other improprieties. The report shall also include an identification of other credible allegations of corrupt contracting at United Nations construction projects that involve major construction on a scale comparable to the WMO and WIPO construction projects, and a description of the results of an investigation into each such credible allegation.

Subtitle F—Certifications and Withholding of Contributions

SEC. 1171. CERTIFICATIONS AND WITHHOLDING OF CONTRIBUTIONS.

(a) **CERTIFICATIONS.**—

(1) **IN GENERAL.**—Except as provided in paragraph (3), the certifications required under subsection (d)(3) of section 11 of the United Nations Participation Act of 1945 (as amended by section 1111(c) of this title) and section 1113, sections 1114(a) through 1114(e), section 1114(g), section 1123, section 1124, sections 1131(c) and 1131(e), section 1132, and section 1133 of this title are certifications submitted to the appropriate congressional committees by the Secretary of State that the re-

quirements of each such section have been satisfied with respect to reform of the United Nations.

(2) ALTERNATE CERTIFICATION MECHANISM.—

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

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

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

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

(C) WRITTEN JUSTIFICATION AND CONSULTATION.—

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

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

(3) LIMITED EXCEPTION FOR SUBSTANTIAL COMPLIANCE.—

(A) SUBSTANTIAL COMPLIANCE.—Subject to subparagraph (B), if at least 32 of the 46 reforms represented by the 14 certifications specified under paragraph (1) have been implemented, all such reforms (including the unimplemented reforms) so represented shall be deemed to have been implemented for the year in which the Secretary submits such certifications.

(B) MANDATORY IMPLEMENTATION OF CERTAIN REFORMS.—

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

(I) Subsection (d)(3) of section 11 of the United Nations Participation Act of 1945 (as amended by section 1111(c) of this title).

(II) Section 1113(b)(1)(A).

(III) Section 1113(b)(2)(D).

(IV) Section 1114(a)(1).

(V) Section 1114(a)(6).

(VI) Section 1114(b)(1).

(VII) Section 1114(b)(2).

(VIII) Section 1114(c)(1).

(IX) Section 1131(b)(1).

(X) Section 1131(b)(2).

(XI) Section 1131(b)(3).

(XII) Section 1131(b)(5).

(XIII) Section 1131(b)(6).

(XIV) Section 1132(a)(1).

(XV) Section 1132(a)(2).

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

(b) WITHHOLDING OF UNITED STATES CONTRIBUTIONS TO REGULAR ASSESSED BUDGET OF THE UNITED NATIONS.—

(1) IN GENERAL.—Except as provided in paragraph (4) and in accordance with paragraph (2), until such time as all certifications (or alternate certifications) are submitted in accordance with subsection (a), the United States shall appropriate, but withhold from expenditure, 50 percent of the contributions of the United States to the regular assessed budget of the United Nations for a biennial period.

(2) AVAILABLE UNTIL EXPENDED.—The contributions appropriated but withheld from expenditure under paragraph (1) are authorized to remain available until expended.

(3) APPLICATION WITH RESPECT TO SECTION 11(B) OF THE UNITED NATION PARTICIPATION ACT OF 1945.—Until such time as all certifications (or alternate certifications) are submitted in accordance with subsection (a), subsection (b) of section 11 of the United Nations Participation Act of 1945 (as amended by section 1111(c) of this title) shall be administered as though such section reads as follows: “The Secretary may not make a contribution to a regularly assessed biennial budget of the United Nations in an amount greater than 11 percent of the amount calculable under subsection (c).”

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

(A) SPECIAL RULE.—A certification under subsection (d)(3) of section 11 of the United Nations Participation Act of 1945 (as amended by section 1111(c) of this title) (relating to the 2008–2009 biennial period and subsequent biennial periods) shall not be required until such time as the United Nations makes its formal budget presentation for the 2008–2009 biennial period.

- (B) APPLICATION.—If the Secretary does not submit a certification under such section, the 50 percent withholding described under paragraph (1) shall apply.
- (c) RELEASE OF FUNDS.—At such time as all certifications (or alternate certifications) are submitted in accordance with subsection (a), the United States shall transfer to the United Nations amounts appropriated but withheld from expenditure under subsection (b).
- (d) ANNUAL REVIEWS.—
- (1) IN GENERAL.—The Secretary shall conduct annual reviews, beginning one year after the date on which the Secretary submits the final certification (or alternate certification) in accordance with subsection (a), to determine if the United Nations continues to remain in compliance with all such certifications (or alternate certifications). Not later than 30 days after the completion of each such review, the Secretary shall submit to the appropriate congressional committees a report containing the findings of each such review.
- (2) ACTION.—If during the course of any such review the Secretary determines that the United Nations has failed to remain in compliance with a certification (or an alternate certification) that was submitted in accordance with subsection (a), the 50 percent withholding described under subsection (b) shall reapply with respect to United States contributions each fiscal year to the regular assessed budget of the United Nations beginning with the fiscal year immediately following such review and subsequent fiscal years until such time as all certifications (or alternate certifications) under subsection (a) have been submitted.
- (e) EFFECTIVE DATE.—The certifications (or alternate certifications) specified under subsection (a) shall be required with respect to United States contributions towards payment of regular assessed dues of the United Nations for 2007 and subsequent years.

3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE DREIER OF CALIFORNIA, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of title II, add the following new section:

SEC. 217. ESTABLISHMENT OF THE ACTIVE RESPONSE CORPS.

- (a) ESTABLISHMENT.—The Secretary of State, in consultation with the Administrator of the United States Agency for International Development, is authorized to establish an Active Response Corps (referred to in this section as the “Corps”) to provide assistance in support of stabilization and reconstruction activities in foreign countries or regions that are in, are in transition from, or are likely to enter into, conflict or civil strife.
- (b) COMPOSITION.—If the Corps is established in accordance with subsection (a), the Secretary and Administrator shall coordinate in the identification and training, and if necessary, in the recruitment and hiring, of necessary personnel. Such personnel shall be composed of employees of United States civilian agencies or non-Federal employees.
- (c) USE OF ACTIVE RESPONSE CORPS.—The members of the Active Response Corps shall be available—

(1) if the President determines that it is in the national security interests of the United States to engage in stabilization and reconstruction activities in a country or region that is in, is in transition from, or is likely to enter into, conflict or civil strife; and

(2) if not engaged in such stabilization and reconstruction activities, for assignment in the United States, at diplomatic missions of the United States, and at missions of the United States Agency for International Development.

(d) TRAINING.—

(1) IN GENERAL.—The Coordinator for Stabilization and Reconstruction is authorized to conduct and arrange for training of the Active Response Corps.

(2) EMPHASIS.—Training shall emphasize acquisition of general skills needed to operate in a post-conflict environment and training specific to the job skill set for which the member has been identified to participate in the Active Response Corps.

(3) CONTENTS.—Training may consist of—

(A) conducting inter-agency training, including training related to inter-agency decisionmaking, operational planning, and execution simulations, for mid-level government officials and managers to prepare such officials and managers to address stabilization and reconstruction operations;

(B) conducting advanced training related to stabilization and reconstruction operations for members of the Active Response Corps;

(C) conducting pre-deployment training related to stabilization and reconstruction operations for civilians and military-civil affairs personnel;

(D) conducting exercises related to stabilization and reconstruction operations for United States and international experts;

(E) developing a uniform set of operating procedures for stabilization and reconstruction operations; and

(F) conducting ongoing evaluations and after-action reviews of stabilization and reconstruction operations.

(e) FACILITIES.—Training programs should be coordinated with and utilize to the extent possible existing programs and facilities such as the George P. Shultz National Foreign Affairs Training Center (commonly referred to as the “Foreign Service Institute”), the National Defense University, the Center for Stabilization and Reconstruction Studies at the Naval Postgraduate School, and the United States Institute for Peace.

(f) ADDITIONAL AUTHORITIES.—

(1) ESTABLISHMENT AND PURPOSE OF RESERVE COMPONENT OF ACTIVE RESPONSE CORPS.—The Secretary, in consultation with the heads of other relevant Executive agencies, is authorized to establish and maintain a roster of personnel who are trained and available as needed to perform services necessary to carry out the purpose of the Corps under subsection (c). The personnel listed on the roster shall constitute a reserve component of the Active Response Corps.

(2) FEDERAL EMPLOYEES.—The reserve component may include employees of the Department of State, including Foreign

Service Nationals, employees of the United States Agency for International Development, employees of any other Executive agency (as such term is defined in section 105 of title 5, United States Code), and employees from the legislative and judicial branches who—

(A) have the training and skills necessary to enable them to contribute to stabilization and reconstruction activities under this section; and

(B) have volunteered for deployment to carry out such stabilization and reconstruction activities.

(g) USE OF RESERVE COMPONENT.—The Secretary may deploy members of the reserve component in support of stabilization and reconstruction activities in a foreign country or region if the President makes a determination regarding a stabilization and reconstruction crisis. The Secretary is authorized to employ contractor personnel, nongovernmental organization personnel, and State and local government employees, who—

(1) have the training and skills necessary to enable them to contribute to stabilization and reconstruction activities under this section; and

(2) have volunteered to carry out such stabilization and reconstruction activities.

(h) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report on the status of efforts to establish the Active Response Corps. The report shall include recommendations—

(1) for any legislation necessary to implement subsection (a); and

(2) concerning the regulation and structure of the Active Response Corps, including recommendations related to pay and employment security for, and benefit and retirement matters related to, members of the Corps.

4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE POE OF TEXAS, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 21, after line 21, insert the following new subsection:

(d) INTERNALLY DISPLACED PERSONS IN EASTERN BURMA.—Of the amounts authorized to be appropriated under subsection (a), there are authorized to be appropriated \$3,000,000 for fiscal year 2006 and \$3,000,000 for fiscal year 2007 for assistance to Thailand-based non-governmental organizations operating along the border between Thailand and Burma to provide food, medical, and other humanitarian assistance to internally displaced persons in eastern Burma.

5. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE POE OF TEXAS, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of title III (relating to the organization and personnel of the Department of State), add the following new section (and conform the table of contents accordingly):

SEC. 319. WORLDWIDE AVAILABILITY.

Section 301(b) of the Foreign Service Act of 1980 (22 U.S.C. 3491(b)) is amended by adding at the end the following new sentence: "At the time of entry into the Service, each member of the Service must be worldwide available, as determined by the Secretary of State through appropriate medical examinations, unless the Secretary determines that a waiver of the worldwide availability requirement is required to fulfill a compelling Service need. The Secretary shall establish an internal administrative review process for medical ineligibility determinations."

6. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ISSA OF CALIFORNIA, OR HIS DESIGNEE, DEBATABLE FOR 20 MINUTES:

Page 204, strike line 24 and all that follows through line 5 on page 214 and insert the following new section:

SEC. 921. ECONOMIC AND MILITARY ASSISTANCE FOR EGYPT.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Government of Egypt, in consultation with the United States Agency for International Development and local Egyptian nongovernmental organizations, should develop a strategy for allocating economic assistance provided by the United States;

(2) the strategy referred to in paragraph (1) should address how Egypt's economic assistance will be used to—

(A) promote economic growth, including economic freedom;

(B) reduce poverty;

(C) improve humanitarian conditions among the poorest individuals in Egypt;

(D) improve education and health systems for the people of Egypt;

(E) reduce corruption in the public and private sectors; and

(F) strengthen democratic institutions and individual freedoms; and

(3) nongovernmental organizations should be funded in order to promote democracy good governance and political freedoms in Egypt and for the purpose of strengthening and emboldening Egyptian civil society organizations, increasing participation in the political process, and promoting and monitoring human rights.

(b) STATEMENT OF POLICY.—It shall be the policy of the United States to—

(1) provide economic assistance to Egypt that results in sustainable outcomes measured in terms of strengthening democratic institutions and individual freedoms, promoting a free and fair electoral process, enhancing economic growth and poverty reduction, and improving public healthcare, literacy, and education; and

(2) provide military assistance to Egypt which improves the security and stability of the Middle East, enables Egypt to continue to assist with the war in Iraq and the Global War on

Terrorism, and maintains the ongoing peace with Israel established in the 1979 Camp David Peace Accords.

7. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BURTON OF INDIANA, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 241, after line 21, insert the following new section:

SEC. 947. TRANSFER OF MARINE PATROL AIRCRAFT TO THE GOVERNMENT OF COLOMBIA.

(a) **TRANSFER AUTHORITY.**—The Secretary of State, acting through the Assistant Secretary of the Bureau for International Narcotics and Law Enforcement Affairs, is authorized to procure for transfer to the Government of Colombia two tactical, unpresurized marine patrol aircraft for use by the Colombia Navy to interdict and disable drug trafficking vessels in and near the territorial waters of Colombia. Such transfers may be on a grant or lease basis, as appropriate.

(b) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the Secretary to carry out this section \$25,000,000 for fiscal year 2006.

8. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE KENNEDY OF MINNESOTA, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 201, after line 10, insert the following new section:

SEC. 907. REQUIREMENTS RELATING TO THE LARGEST EXPORTING AND IMPORTING COUNTRIES OF CERTAIN PRECURSOR CHEMICALS.

(a) **REPORTING REQUIREMENTS.**—Section 489(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291h(a)), as amended by sections 317(d) and 906 of this Act, is further amended by adding at the end the following new paragraph:

“(10)(A) A separate section that contains the following:

“(i) An identification of the five countries that exported the largest amount of pseudoephedrine, ephedrine, and phenylpropanolamine during the preceding calendar year.

“(ii) An identification of the five countries that imported the largest amount of precursor chemicals described in clause (i) during the preceding calendar year and have the highest rate of diversion of such precursor chemicals for use in the illicit production of methamphetamine.

“(iii) An economic analysis of the total worldwide production of the precursor chemicals described in clause (i) as compared to the legitimate demand for such precursor chemicals worldwide.

“(B) The identification of countries that imported the largest amount of precursor chemicals under subparagraph (A)(ii) shall be based on the following:

“(i) An economic analysis that estimates the legitimate demand for such precursor chemicals in such countries as compared to the actual or estimated amount of such chemicals that is imported into such countries.

“(ii) The best available data and other information regarding the production of methamphetamine in such coun-

tries and the diversion of such precursor chemicals for use in the production of methamphetamine.”.

(b) ANNUAL CERTIFICATION PROCEDURES.—Section 490(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291j(a)) is amended—

(1) in paragraph (1), by striking “major illicit drug producing country or major drug-transit country” and inserting “major illicit drug producing country, major drug-transit country, or country identified under clause (i) or (ii) of section 489(a)(10)(A) of this Act”; and

(2) in paragraph (2), by inserting after “(as determined under subsection (h))” the following: “or country identified under clause (i) or (ii) of section 489(a)(10)(A) of this Act”.

9. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HOOLEY OF OREGON, OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 312, after line 8, insert the following new section:

SEC. 1110A. PREVENTION OF SMUGGLING OF METHAMPHETAMINE INTO THE UNITED STATES FROM MEXICO.

(a) IN GENERAL.—The Secretary of State, acting through the Assistant Secretary of the Bureau for International Narcotics and Law Enforcement Affairs, shall take such actions as are necessary to prevent the smuggling of methamphetamine into the United States from Mexico.

(b) SPECIFIC ACTIONS.—In carrying out subsection (a), the Secretary shall—

(1) improve bilateral efforts at the United States-Mexico border to prevent the smuggling of methamphetamine into the United States from Mexico;

(2) seek to work with Mexican law enforcement authorities to improve the ability of such authorities to combat the production and trafficking of methamphetamine, including by providing equipment and technical assistance, as appropriate; and

(3) encourage the Government of Mexico to take immediate action to reduce the diversion of pseudoephedrine by drug trafficking organizations for the production and trafficking of methamphetamine.

(c) REPORT.—Not later than one year after the date of the enactment of this Act, and annually thereafter, the Secretary shall submit to the appropriate congressional committees a report on the implementation of this section for the prior year.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out this section not less than \$4,000,000 for each of the fiscal years 2006 and 2007.

10. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SOUDER OF INDIANA, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of title X (relating to reporting requirements), add the following new section:

SEC. 1027. EXTRADITIONS OF AFGHAN DRUG TRAFFICKERS AND DRUG KINGPINS.

Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congres-

sional committees a report describing all pending United States requests for extradition from Afghanistan of illicit drug traffickers and drug kingpins who are under indictment in the United States. Such report shall also include a description of the status and response to such requests from the Government of Afghanistan.

11. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SOUDER OF INDIANA, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

In subtitle B of title XI, redesignate sections 1111 through 1126 as sections 1121 through 1136, respectively.

In subtitle A of title XI, add at the end the following new section:

SEC. 1111. ACQUISITION OF MARITIME REFUELING SUPPORT VESSEL FOR UNITED STATES DRUG INTERDICTION EFFORTS IN THE EASTERN PACIFIC MARITIME TRANSIT ZONE.

(a) FINDINGS.—Congress finds the following:

(1) The Department of Defense and Department of Homeland Security report that narcotics smuggling organizations continue to avoid United States drug interdiction efforts by transiting deep into the Eastern Pacific, well beyond the capabilities of United States ships.

(2) Drug trafficking organizations have already adapted to these long transit routes by employing logistical support vessels (LSVs) to refuel drug laden boats on the high seas.

(3) United States drug interdiction forces currently do not have this at-sea refueling capability.

(4) On June 29, 2005, the Subcommittee on Criminal Justice, Drug Policy and Human Resources of the Committee on Government Reform of the House of Representatives held a hearing entitled “Interrupting Narco-Terrorist Threats on the High Seas: Do We Have Enough Wind in Our Sails?”.

(5) During the hearing, the acting United States Interdiction Coordinator (USIC), Ralph Utley, spoke of the substantial benefits to be gained if a maritime “oiler” ship were employed to support interdiction activities in the Eastern Pacific maritime transit zone.

(6) The Subcommittee was very interested to see that all witnesses representing the Department of Defense, the Office of National Drug Control Policy (ONDCP), the United States Coast Guard, Customs and Border Protection, and the Drug Enforcement Administration testified that they believe the employment of a maritime oiler vessel would be an immediate improvement to United States interdiction operations in the transit zone.

(7) On any given day, United States and Allied forces seize an average of 100 kilograms of cocaine per ship when patrolling in the Eastern Pacific maritime transit zone.

(8) Each year, the United States Coast Guard estimates it loses 100 “ship-days” due to lengthy refueling trips to Central and South American countries. The United States Navy also faces similar refueling challenges.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated \$25,000,000 for fiscal year 2006 and \$25,000,000 for fiscal year 2007 for the Bureau for International Narcotics and Law Enforcement Affairs (INL) of the Department of State to pur-

chase or lease a maritime refueling support vessel that is capable of refueling United States and allied warships and vessels employed in support of United States drug interdiction duties in the Eastern Pacific maritime transit zone.

12. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SMITH OF NEW JERSEY, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 191, line 8, insert “repair and rehabilitation” before “activities”.

Page 191, beginning line 14, insert the following new clause (and redesignate subsequent clauses accordingly):

“(ii) increased access for women to emergency obstetrical care, including increased access to skilled birth attendants and care facilities.”.

Page 191, beginning line 21, insert the following new subparagraph (and redesignate the subsequent subparagraphs accordingly):

“(D) Each center established pursuant to subparagraph (A) may carry out the following prevention activities:”.

Page 191, line 21, redesignate clause (iii) as clause (i).

Page 192, line 10, strike “(i) and (ii)” and insert “(i), (ii), and (iii)”.

Page 192, strike lines 1 through 5, and insert the following new clause:

“(ii) Activities to expand abstinence education, postponement of marriage and childbearing until after the teenage years, and activities to expand access to family planning services for the prevention of pregnancies among women whose age or health status place them at high risk of prolonged or obstructed childbirth.”.

Page 192, beginning line 23, strike “\$5,000,000 for each such fiscal year” and insert “\$5,000,000 for fiscal year 2006 and \$7,500,000 for fiscal year 2007”.

13. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HYDE OF ILLINOIS, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

After title VIII of the bill, insert the following new title:

**TITLE IX—EAST ASIA SECURITY ACT OF
2005**

SEC. 901. SHORT TITLE.

This title may be cited as the “East Asia Security Act of 2005”.

SEC. 902. STATEMENTS OF POLICY.

Congress—

(1) previously expressed its strong concerns in House Resolution 57 of February 2, 2005, and Senate Resolution 91 of March 17, 2005, with the transfer of armaments and related technology to the People’s Republic of China by member states of the European Union, which increased eightfold from 2001 to 2003, and with plans to terminate in the near future the arms

embargo they imposed in 1989 following the Tiananmen Square massacre;

(2) welcomes deferral of a decision by the European Council to terminate its arms embargo following adoption of those Resolutions, the President's visit to Europe, and growing concern among countries in the regions and the general public on both sides of the Atlantic;

(3) welcomes the decision by the European Parliament on April 14, 2005, by a vote of 421 to 85, to oppose the lifting of the European Union's arms embargo on the People's Republic of China, and resolutions issued by a number of elected parliamentary bodies in Europe also opposing the lifting of the arms embargo;

(4) also welcomes the onset of a strategic dialogue between the European Commission and the Government of the United States on the security situation in East Asia, through which it is hoped a greater understanding will emerge of the consequences of European assistance to the military buildup of the People's Republic of China for peace and stability in that region, to the security interests of the United States and its friends and allies in the region, and, in particular, to the safety of United States Armed Forces whose presence in the region has been a decisive factor in ensuring peace and prosperity since the end of World War II;

(5) hopes that a more intensive dialogue with Europe on this matter will clarify for United States friends and allies in Europe how their "non-lethal" arms transfers improve the force projection of the People's Republic of China, are far from benign, and enhance the prospects for the threat or use of force in resolving the status of Taiwan, a troubling prospect made more ominous by recent adoption of a new law by the Chinese National People's Congress expressly authorizing the use of force;

(6) also hopes that this dialogue will result in an important new consensus between the United States and its European partners on the need for coordinated policies which encourage the development of democracy in the People's Republic of China and which discourage, not assist, China's unjustified military buildup and pursuit of weapons that threaten its neighbors;

(7) however, deeply regrets that none of the European friends and allies of the United States who have been transferring arms to the People's Republic of China has announced a cessation or even a temporary halt to those transfers while this new dialogue with the United States ensues, and notes with concern that such European friends and allies have provided little, if any, transparency to the United States Government into the full range and capabilities of all of the armaments and related technology that they have transferred to date and continue even now to do so;

(8) is further troubled by public reports describing well known European companies as suppliers to weapons programs of the People's Republic of China, who are also participants in numerous sensitive United States Government weapons programs, and the increased risks of diversion of United States

weapons technology to China inherent in such an undesirable situation; and

(9) in view of the gravity of European arms sales to the People's Republic of China, which have not abated, believes it is necessary to make provision for greater scrutiny and oversight with respect to those areas of international armament cooperation that present increased levels of risk to the security interests of the United States and to authorize appropriate measures which the President may draw on in deterring foreign support for China's military buildup in order to safeguard the national security interests of the United States and peace and security in East Asia.

SEC. 903. REPORT ON FOREIGN MILITARY EXPORTS TO CHINA.

(a) **REPORT.**—The President shall, at the times specified in subsection (b), transmit to the appropriate congressional committees a report that identifies every person of a member country of the European Union, and any other foreign person the President may consider appropriate, with respect to whom there is credible information indicating that the person, on or after January 1, 2005, exported to—

(1) the People's Republic of China any item on the Wassenaar Munitions List of July 12, 1996, and subsequent revisions; or

(2) the military, intelligence, or other security forces of the People's Republic of China—

(A) any item on the Wassenaar List of Dual Use Goods and Technologies of July 12, 1996, and subsequent revisions; or

(B) any other dual use item if the item is intended, entirely or in part, for use with an item described in paragraph (1).

(b) **TIMING OF REPORT.**—The report required under subsection (a) shall be transmitted not later than 180 days after the date of the enactment of this Act and not later than the end of each 12-month period thereafter.

(c) **EXCEPTIONS.**—A foreign person is not required to be identified in a report required under subsection (a) if the person—

(1) was identified in a previous report transmitted under subsection (a) on account of a particular export, except to the extent that the export may have continued, involved additional transfers, or was larger, more significant, or different in nature than described in the previous report;

(2) was engaged solely in an export on behalf of, or in concert with, the Government of the United States; or

(3) was engaged in an export which, as determined by the President, would be exempt from the restrictions of section 902(a) of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 (Public Law 101-246; 22 U.S.C. 2151 note), if the export were subject to the jurisdiction of the United States, by reason of the issuance of a report under section 902(b) of such Act.

(d) **FORM.**—If the President considers it appropriate, reports transmitted under subsection (a), or appropriate parts thereof, may be transmitted in classified form.

SEC. 904. REPORT ON CHINA ARMS TRANSFER POLICIES OF COUNTRIES PARTICIPATING IN UNITED STATES DEFENSE COOPERATIVE PROJECTS; CERTAIN LICENSE REQUIREMENTS.

(a) **STATEMENT OF POLICY.**—Congress is concerned with the significant additional risk of unlawful use and diversion of sensitive United States weapons system research, design, and development arising from cooperative research and development projects with foreign governments and foreign persons who may also transfer arms and related technology to the People's Republic of China.

(b) **REPORT.**—The President shall, at the times specified in subsection (c), transmit to the appropriate congressional committees a report that—

(1) identifies every foreign government with respect to which the United States is carrying out a cooperative project described in subsection (d) and whose policies or practices, on or after the date of the enactment of this Act, permit the export of any item described in paragraph (1), or subparagraph (A) or (B) of paragraph (2), of section 903(a); and

(2) describes the cooperative projects and policies or practices referred to in paragraph (1) of every foreign government identified under such paragraph.

(c) **TIMING OF REPORT.**—The report required under subsection (b)—

(1) shall be transmitted not later than 180 days after the date of the enactment of this Act and not later than the end of each 12-month period thereafter; and

(2) may be included in the report required under section 903, as the President determines appropriate.

(d) **COOPERATIVE PROJECTS.**—The cooperative projects referred to in subsection (b) are projects carried out under section 27 of the Arms Export Control Act (22 U.S.C. 2767) or section 2350a, 2358, or a memorandum of understanding under section 2531 of title 10, United States Code.

(e) **LICENSE REQUIREMENTS.**—

(1) **REQUIREMENT.**—Notwithstanding any other provision of law, a license under section 38 of the Arms Export Control Act (22 U.S.C. 2778) shall be required for the export of defense articles or defense services by any person who is not an officer or employee of the Government of the United States in furtherance of a cooperative project described in subsection (d) with a country identified in a report transmitted under subsection (b).

(2) **CONGRESSIONAL NOTIFICATION.**—The issuance of a license pursuant to paragraph (1) shall be subject to the same requirements as are applicable to the export of items described in section 36(c) of the Arms Export Control Act (22 U.S.C. 2776(c)) (without regard to the dollar amount requirements relating to contracts contained in such section), including the transmittal of information and the application of congressional review procedures in accordance with such section.

(3) **EXCEPTIONS.**—The Secretary of State shall not be required to apply the license requirement of paragraph (1)—

(A) in the case of contracts or subcontracts in effect on the date of the enactment of this Act, including the exer-

cise of options for production quantities to satisfy United States operational military requirements;

(B) if the Secretary determines in writing that the person or other entity to which the export of defense articles or defense services would be made is a sole source supplier of the articles or services, that the articles or services are essential, and that the articles or services are not readily or reasonably available;

(C) in the case of routine servicing and maintenance, to products or services provided under contracts entered into before transmittal of the report required under subsection (b), if the Secretary determines in writing that alternative sources are not readily or reasonably available; or

(D) with respect to other defense articles or defense services, the export of which without a license the Secretary determines in writing is essential to the national security of the United States and provides written notification thereof to the appropriate congressional committees.

(4) PUBLICATION IN THE FEDERAL REGISTER.—The Secretary of State shall publish in the Federal Register each determination made under paragraph (3).

SEC. 905. CERTAIN FOREIGN OWNERSHIP AND CONTROL OF DEFENSE ARTICLES IN THE UNITED STATES.

(a) STATEMENT OF POLICY.—Congress determines that special care should be taken by the United States with respect to foreign persons who sell arms and related technology to the People's Republic of China, while simultaneously seeking ownership of United States defense articles or defense services, including the results of United States Government funded defense research and development, through the acquisition or control of United States defense firms, directly or through their subsidiaries and affiliates based in the United States.

(b) LICENSE REQUIREMENTS.—

(1) REQUIREMENT.—The President shall require a license pursuant to regulations issued under section 38(g)(6) of the Arms Export Control Act (22 U.S.C. 2778(g)(6)) for the transfer of ownership or control of United States defense articles or defense services arising from the acquisition or control of a person required to be registered under section 38(b)(1) of such Act (22 U.S.C. 2778(b)(1)), or any subsidiary, division, affiliate or other entity thereof, whenever the person gaining acquisition or control is—

(A) a foreign national of the People's Republic of China or a foreign person otherwise subject to the jurisdiction, ownership, or control of the People's Republic of China;

(B) a foreign person identified in a report transmitted under section 903 or having its principal place of business in a country described in a report transmitted under section 904; or

(C) a United States person owned or controlled by a foreign person, including a subsidiary or affiliate of a foreign person described in subparagraph (B).

(2) ADDITIONAL REQUIREMENT.—A license under section 38(g)(6) of the Arms Export Control Act for a person described in paragraph (1)(A) shall not be issued until 30 days after the

date on which the President transmits a report that contains a determination of the President that—

(A) the Government of the People's Republic of China meets the requirements of section 902(b)(1) of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 (Public Law 101-246; 22 U.S.C. 2151 note); or

(B) it is in the national interest of the United States to issue the license.

(c) CONGRESSIONAL NOTIFICATION.—The issuance of a license pursuant to subsection (b) shall be subject to the same requirements as are applicable to the export of items described in section 36(c) of the Arms Export Control Act (22 U.S.C. 2776(c)) (without regard to the dollar amount requirements relating to contracts contained in such section), including the transmittal of information and the application of congressional review procedures in accordance with such section.

(d) EXCEPTION.—The issuance of a license pursuant to subsection (b) shall not be required in the case of an amendment to a munitions license or a change in registration arising from a sale or transfer of ownership or control of United States defense articles or defense services to a person described in subparagraph (A), (B), or (C) of subsection (b)(1) that was approved prior to the date of enactment of this Act unless the President determines that it is in the national security interests of the United States to require the issuance of a new license pursuant to subsection (b).

SEC. 906. CHINESE MILITARY END USE OF DUAL USE EXPORTS.

(a) STATEMENT OF POLICY.—Congress welcomes the understanding reached at the Wassenaar Arrangement's December 2003 plenary meeting to require governmental authorization for the transfer of non-listed dual use items intended for military end use in a destination subject to any relevant regional arms embargo or to any United Nations Security Council resolution.

(b) REPORTS.—

(1) REPORT TO SECRETARY OF COMMERCE.—As prescribed in regulations issued under the Export Administration Act of 1979 (as continued in effect under the International Emergency Economic Powers Act), a United States person who exports an item described in subparagraph (A) or (B) of section 903(a)(2) for military end use shall, not later than 15 days after the item is exported, submit to the Secretary of Commerce a report that contains a description of all shipment information, including a description of the item and the quantity, value, port of exit, and end user.

(2) REPORT TO CONGRESS.—Not later than 60 days after the end of each calendar quarter, the Secretary of Commerce shall submit to the appropriate congressional committees a written report that contains a compilation all of information submitted in each report to the Secretary under paragraph (1) for the prior calendar quarter.

(c) DEFINITION.—In this section, the term “military end use” means, with respect to an item, the item is or may be intended, entirely or in part, for use in conjunction with an item described on the Wassenaar Munitions List of July 12, 1996, and subsequent revisions.

SEC. 907. APPLICATION OF MEASURES TO CERTAIN FOREIGN PERSONS.

(a) APPLICATION OF MEASURES.—Subject to sections 908 and 909, the President may apply with respect to any foreign person (including a foreign government) identified in a report transmitted under section 903, and shall apply with respect to any foreign person (including a foreign government) identified in more than one report transmitted under section 903, any or all of the following measures:

(1) RESEARCH AND DEVELOPMENT.—Denial of participation in existing and new cooperative research and development programs and projects under section 27 of the Arms Export Control Act (22 U.S.C. 2767) or sections 2350a, 2358, or a memorandum of understanding under 2531 of title 10, United States Code.

(2) CONTROL OF UNITED STATES DEFENSE FIRMS.—Prohibition of ownership and control of any business organization required to be registered with the United States Government as a manufacturer or exporter of defense articles or defense services under section 38(b)(1) of the Arms Export Control Act (22 U.S.C. 2778(b)(1)).

(3) SECURITY ASSISTANCE.—Prohibition on participation in any foreign military sales under chapter 2 of the Arms Export Control Act (22 U.S.C. 2761 et seq.) or any design and construction sales under chapter 2A of such Act (22 U.S.C. 2769).

(4) MUNITIONS LIST APPROVALS.—Prohibition on licenses and other forms of approval under section 38 of the Arms Export Control Act (22 U.S.C. 2778) for the export of any item on the United States Munitions List as in effect on August 8, 1995.

(b) APPLICATION OF ADDITIONAL MEASURES.—Subject to sections 908 and 909, and notwithstanding any other provision of law, the President may, with respect to any foreign person (including a foreign government) identified in a report transmitted under section 903, and shall, with respect to any foreign person (including a foreign government) identified in more than one report transmitted under section 903—

(1) suspend the use of any license exemption and expedited license procedure established in the International Traffic in Arms Regulations or other provisions of law for the export or temporary import of defense articles and defense services;

(2) require the execution of a non-transfer and end use certificate for the export of any defense articles and defense services; and

(3) require, as a condition of issuance of any license for the export of defense articles and defense services, United States access to and verification of the items after the export of the items or alternative measures to ensure compliance with restrictions on the transfer of the items to third-parties.

(c) EFFECTIVE DATE OF MEASURES.—Measures applied pursuant to subsection (a) or (b) shall be effective with respect to a foreign person (including a foreign government) no later than—

(1) 30 days after the report identifying the foreign person is transmitted, if the report is transmitted on or before the date required by section 903(b); or

(2) on the date that the report identifying the foreign person is transmitted, if the report is transmitted more than 30 days after the date required by section 903(b).

(d) **DURATION OF MEASURES.**—Measures applied pursuant to subsection (a) shall be for a period of 2 years or longer, as the President determines appropriate. Measures applied pursuant to subsection (b) shall be, at a minimum, consistent with the duration of the license and the normal requirements for record keeping established in the International Traffic in Arms Regulations or longer, as the President determines appropriate.

(e) **PUBLICATION IN FEDERAL REGISTER.**—The application of measures to a foreign person pursuant to subsection (a) or (b) shall be announced by notice published in the Federal Register, except if the President determines that doing so would be inconsistent with the protection of classified information.

SEC. 908. PROCEDURES IF DISCRETIONARY MEASURES ARE NOT APPLIED.

(a) **REQUIREMENT TO NOTIFY CONGRESS.**—If the President does not exercise the authority of subsection (a) or (b) of section 907 to apply any or all of the discretionary measures described in such subsection with respect to a foreign person identified in a report transmitted under section 903, the President shall so notify the appropriate congressional committees not later than the effective date under section 907(c) for measures with respect to that person.

(b) **WRITTEN JUSTIFICATION.**—Any notification transmitted by the President under subsection (a) shall include a written justification describing in detail the facts and circumstances relating specifically to the foreign person identified in a report transmitted under section 903 that support the President's decision not to exercise the authority of subsection (a) or (b) of section 907 with respect to that person.

(c) **FORM.**—If the President considers it appropriate, the notification of the President under subsection (a), and the written justification under subsection (b), or appropriate parts thereof, may be transmitted in classified form.

SEC. 909. DETERMINATIONS EXEMPTING FOREIGN PERSONS FROM MANDATORY MEASURES.

(a) **WAIVER.**—Any mandatory measure described in section 907 shall not apply with respect to a foreign person if the President transmits to the appropriate congressional committees a report that contains a determination of the President that—

(1) on the basis of information provided by that person or the foreign government having primary jurisdiction over the person, the person did not, on or after January 1, 2005, knowingly export to the People's Republic of China the item the apparent export of which caused the person to be identified in a report transmitted under section 903; or

(2) the foreign government having primary jurisdiction over the person has entered into a written agreement with the United States which—

(A) is binding under international law;

(B) prohibits further exports of any item described in paragraph (1), or subparagraph (A) or (B) of paragraph (2), of section 903(a) by any person subject to its jurisdiction;

(C) is supported by the foreign government's adoption of policies and procedures providing for credible implementation of the requirements in subparagraphs (A) and (B);

(D) does not constrain the President's authority to impose measures under this act in the event of a future export of concern by the same or other persons subject to the jurisdiction of the foreign government party to the agreement; and

(E) is submitted to the appropriate congressional committees 30 days prior to its entry into force.

(b) **ADDITIONAL WAIVER.**—Any mandatory measure described in section 907 shall not apply to a foreign person if the President determines that it is important to the counterterrorism, nonproliferation, or other national security interests of the United States and transmits to the appropriate congressional committees a report in writing that contains such determination.

(c) **SENSE OF CONGRESS.**—It is the sense of Congress that the President should—

(1) strengthen international coordination and execution of arms export policy through the development of bilateral and multilateral agreements under subsection (a)(2), particularly with member states of the North Atlantic Treaty Organization (NATO), Japan, Australia and New Zealand, and exercise the waivers provided under this section in all appropriate instances that further this objective; and

(2) whenever the President determines that the measures described in section 907 should be applied, that the measures be applied comprehensively with respect to the affected foreign person's affiliates and subsidiaries, wherever located, in order to deter to the fullest extent possible a recurrence or continuation of the export giving rise to the President's determination.

(d) **FORM.**—If the President considers it appropriate, the determination and report of the President under subsection (a), or appropriate parts thereof, may be transmitted in classified form.

SEC. 910. DEFINITIONS.

In this title:

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means—

(A) the Committee on International Relations and the Committee on Armed Services of the House of Representatives; and

(B) the Committee on Foreign Relations and the Committee on Armed Services of the Senate.

(2) **DEFENSE ARTICLES AND DEFENSE SERVICES.**—The term “defense articles and defense services” has the meaning given the term in section 47(7) of the Arms Export Control Act (22 U.S.C. 2794 note).

(3) **DUAL USE.**—The term “dual use” means, with respect to goods or technology, those goods or technology that are specifically designed or developed for civil purposes but which also may be used or deployed in a military or proliferation mode. Such term does not include purely commercial items.

(4) **EXPORT.**—The term “export” has the meaning given that term in section 120.17 of the International Traffic in Arms

Regulations, and includes re-exports, transfers, and retransfers by any means.

(5) EXPORT ADMINISTRATION REGULATIONS.—The term “Export Administration Regulations” means those regulations contained in sections 730 through 774 of title 15, Code of Federal Regulations (or successor regulations).

(6) FOREIGN GOVERNMENT.—The term “foreign government” has the meaning given the term in section 38(g)(9)(B) of the Arms Export Control Act (22 U.S.C. 2778(g)(9)(B)).

(7) FOREIGN PERSON.—The term “foreign person” has the meaning given the term in section 38(g)(9)(C) of the Arms Export Control Act (22 U.S.C. 2778(g)(9)(C)).

(8) GOOD.—The term “good” has the meaning given the term in section 16(3) of the Export Administration Act of 1979 (50 U.S.C. App. 2415(3)).

(9) INTERNATIONAL TRAFFIC IN ARMS REGULATIONS.—The term “International Traffic in Arms Regulations” means those regulations contained in sections 120 through 130 of title 22, Code of Federal Regulations (or successor regulations).

(10) ITEM.—The term “item” means any good or technology, defense article or defense service subject to the export jurisdiction of the United States under law or regulation.

(11) LICENSE.—The term “license” means an official written document of the United States Government issued pursuant to the Export Administration Regulations or the International Traffic in Arms Regulations, as the case may be, authorizing a specific export.

(12) OTHER FORMS OF APPROVAL.—The term “other forms of approval” includes any authorization, rule or exemption contained in any statute or regulation that permits an export without a license.

(13) OWNERSHIP OR CONTROL.—The term “ownership or control” has the meaning given the term in section 122.2(c) of the International Traffic in Arms Regulations.

(14) PERSON.—The term “person” has the meaning given the term in section 38(g)(9)(E) of the Arms Export Control Act (22 U.S.C. 2778(g)(9)(E)).

(15) TECHNOLOGY.—The term “technology” has the meaning given the term in section 16(4) of the Export Administration Act of 1979 (50 U.S.C. App. 2415(4)).

(16) UNITED STATES MUNITIONS LIST.—The term “United States Munitions List” means the list referred to in section 38(a)(1) of the Arms Export Control Act (22 U.S.C. 2778(a)(1)).

14. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ACKERMAN OF NEW YORK, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 16, strike lines 1 through 4 and insert the following new paragraph:

- (6) PROTECTION OF FOREIGN MISSIONS AND OFFICIALS.—
 (A) For “Protection of Foreign Missions and Officials”, \$15,000,000 for fiscal year 2006 and \$15,000,000 for fiscal year 2007.

(B) In addition to amounts authorized to be appropriated under subparagraph (A), there are authorized to be appropriated \$19,580,000 for “Protection of Foreign Missions and Officials” only to reimburse the City of New York for necessary expenses incurred since 2002 for the protection of foreign missions and officials.

15. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BLUNT OF MISSOURI, OR HIS DESIGNEE, DEBATABLE FOR 30 MINUTES

In subtitle B of title XI, redesignate sections 1111 through 1126 as sections 1121 through 1136, respectively.

At the end of subtitle A of title XI, add the following new section:

SEC. 1111. STATEMENT OF POLICY RELATING TO INTERNATIONAL TAXATION.

(a) **POLICY.**—It is the policy of the United States to use the voice, vote, and influence of the United States to vigorously oppose any international or global tax that is or may be considered or promoted by the United Nations, its specialized or affiliated agencies, its Member States, or United Nations-recognized nongovernmental organizations.

(b) **EFFORTS.**—United States representatives at the United Nations shall—

(1) use the voice, vote, and influence of the United States to vigorously oppose any effort by the United Nations or any of its specialized or affiliated agencies to fund, approve, advocate, or promote any proposal concerning the imposition of a tax or fee on any United States person in order to raise revenue for the United Nations or any such agency; and

(2) declare that a United States person shall not be subject to any international tax and shall not be required to pay such tax if such tax is levied against such person.

(c) **EXCEPTION.**—The policy described in subsection (a) shall not apply to fees for publications or other kinds of fees that are not tantamount to a tax on a United States person.

(d) **PERSON DEFINED.**—For purposes of this section, the term “person” has the meaning given such term in section 7701(a)(1) of the Internal Revenue Code of 1986 (26 U.S.C. 7701(a)(1)).

16. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BORDALLO OF GUAM, OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 53, after line 20, insert the following new section:

SEC. 319. TREATMENT OF TERRITORIES AND POSSESSIONS AS PART OF THE GEOGRAPHIC UNITED STATES FOR PURPOSES OF TRANSFER ALLOWANCES.

Notwithstanding any other provision of law, for purposes of transfer allowances for employees of the Department of State under section 5924(2)(B) of title 5, United States Code, the territories and possessions of the United States, the Commonwealth of Puerto Rico, and the Commonwealth of the Northern Mariana Islands, shall be considered part of the geographic United States.

17. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BURTON OF INDIANA, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of title X (relating to reporting requirements), add the following new section:

SEC. 1027. ALIEN SMUGGLING AND TRAFFICKING IN PERSONS FROM ECUADOR.

(a) **IN GENERAL.**—Not later than six months after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report, based on a cost-benefit analysis, that examines and describes the most effective use, across all responsible Federal departments and agencies, of United States security assistance (including assistance under chapter 8 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2291 et seq.; relating to international narcotics control)) to Ecuador, including the use of intelligence gathering and surveillance, to establish mechanisms to—

(1) prevent and interdict alien smuggling, including trafficking in persons, from Ecuador, either at land points of assembly, or later at sea;

(2) prevent potential concealment of terrorists attempting to enter the United States within the smuggled group; and

(3) identify and prosecute individuals or organizations that engage in or promote such alien smuggling.

(b) **COOPERATION IN PREPARATION.**—The Secretary shall prepare the report referred to in subsection (a) in cooperation with the Secretary of Homeland Security, who shall specifically address the roles and impacts of alien smuggling from Ecuador on United States air and surface assets assigned to counternarcotics missions in the eastern Pacific Ocean.

18. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CROWLEY OF NEW YORK, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

In subtitle B of title XI, redesignate sections 1111 through 1126 as sections 1121 through 1136, respectively

In subtitle A of title XI, add the following new section:

SEC. 1111. DECLARATION OF HEADS OF STATE OF THE SHANGHAI COOPERATION ORGANIZATION.

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

(1) The Shanghai Cooperation Organization (SCO) is made up of Kazakhstan, Kyrgyzstan, the People’s Republic of China, Russia, Tajikistan, and Uzbekistan.

(2) al Qaeda and Taliban fighters remain active in Afghanistan and antiterrorist operations led by the international coalition are still ongoing.

(3) The Heads of State of the SCO declared that they supported the Global War on Terrorism and would strengthen their efforts to combat and prevent terrorism.

(4) The Heads of State of the SCO called for the relevant State parties of the anti-terrorist coalition to set a deadline for the temporary use of the infrastructure facilities of the SCO Member States and for their military presence in these countries.

(b) **STATEMENT OF CONGRESS.**—Congress—

(1) commends the Heads of State of the SCO for their declaration of support of the Global War on Terrorism and for strengthening their efforts to combat and prevent terrorism;

(2) commends the support of the anti-terrorist efforts of the international coalition in Afghanistan;

(3) expresses its concern about language in the declaration of the Heads of State of the SCO calling for the relevant State parties of the anti-terrorist coalition to set a deadline for the temporary use of the infrastructure facilities of the SCO Member States and for their military presence in these countries; and

(4) calls on the President, the Secretary of State, and the Secretary of Defense to open a dialogue with the SCO concerning the importance of the use of bases in the SCO Member States and report to Congress on the outcome of such dialogue.

19. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE FOSSELLA OF NEW YORK, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 18, after line 3, insert the following new subsection:

(d) WITHHOLDING OF CONTRIBUTIONS FOR CERTAIN UNITED NATIONS COMMISSIONS, ORGANIZATIONS, OR ANY AFFILIATED AGENCIES.—Notwithstanding any other provision of law, funds available to the Department of State or any other Federal department or agency may not be used for United States contributions to any United Nations commission, organization, or affiliated agency that is chaired or presided over by a country, the government of which the Secretary of State has determined, for purposes of section 6(j)(1) of the Export Administration Act of 1979 (50 U.S.C. App. 2405(j)(1)) has repeatedly provided support for acts of international terrorism, until such time as the President determines that such commission, organization, or agency is no longer chaired or presided over by such country and the commission, organization, or agency has established appropriate electoral reforms, including minimum standards for leadership positions and the elimination of automatic rotation of such leadership positions.

20. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ISSA OF CALIFORNIA, OR HIS DESIGNEE, DEBATABLE FOR 30 MINUTES

At the end of title II, add the following new section:

SEC. 217. PASSPORT SECURITY ENHANCEMENT.

(a) REPORT ON DOCUMENTS RELATED TO PASSPORT ISSUANCE.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report that describes existing security weaknesses of identification documents, including birth certificates, required for the issuance of a passport, and that includes, in accordance with paragraph (3), recommended criteria for birth certificates that will be acceptable to establish valid proof of identity and national origin of individuals for the issuance of passports to such individuals.

(2) CONSULTATION.—The Secretary shall consult with appropriate officials of States and cities identified as vital registration jurisdictions in the preparation of such criteria.

(3) ACCEPTANCE CRITERIA.—The criteria referred to in paragraph (1) shall include the establishment of minimum acceptance criteria for identification documents issued by such jurisdictions, including criteria related to—

- (A) vital records security and procedures;
- (B) security paper and printing for birth certificates;
- (C) customer identification requirements;
- (D) issuance of birth certificates, including duplicates;
- (E) controlling access to birth certificate records to prevent identity fraud;
- (F) data element definitions to facilitate electronic exchange of birth and death registration information with the Department of State for purposes of issuing passports; and
- (G) routine matching of all birth and death records.

(b) BACKGROUND INVESTIGATION AND ESTABLISHMENT OF TRAINING PROGRAM FOR PASSPORT ACCEPTANCE AGENTS.—

(1) BACKGROUND INVESTIGATION.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall establish a mandatory requirement for background investigations of passport acceptance agents.

(2) ESTABLISHMENT OF TRAINING PROGRAM.—Not later than one year after the date of the enactment of this Act, the Under Secretary for Management of the Department of State, acting through the Bureau of Consular Affairs of the Department, shall—

- (A) establish a comprehensive training program for passport acceptance agents that includes instruction and training relating to identification document fraud detection, customer identification authentication, and the penalties for passport fraud by employees, agents, and passport applicants;
- (B) establish a database that records when passport acceptance agents complete such training;
- (C) require all newly appointed passport acceptance agents to complete such training before initial processing of passport applications; and
- (D) establish a training schedule so that all existing passport acceptance agents have completed such training no later than three years after the date of the establishment of the training program under this paragraph.

(c) EXPANDED AUTHORITY OF SPECIAL AGENTS.—Section 203 of the Omnibus Diplomatic and Antiterrorism Act of 1986 (Public Law 99–399; 22 U.S.C. 4823) is amended—

(1) in the first sentence, by striking “Special agent positions” and inserting “(a) Special agent positions”; and

(2) by adding at the end the following new subsection:

“(b) In connection with investigations of corruption, waste, fraud, and abuse by officers and employees of the United States Government, including the illegal sale of United States passports and visas and other United States criminal offenses, the Federal District Court for the District of Columbia shall have authority to

issue warrants with respect to properties within the special maritime and territorial jurisdiction of the United States, as defined under section 7(9) of title 18, United States Code. Special agents under the direction of the Director of the Diplomatic Security Service shall have authority to execute such warrants.”

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary, or to reprogram funds otherwise obtained through receipts from the issuance of passports and visas, to carry out this section.

21. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE KING OF IOWA, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 300, after line 20, insert the following new sections:

SEC. 1027. FUNDING FOR NONGOVERNMENTAL ORGANIZATIONS UNDER THE PRESIDENT’S EMERGENCY PLAN FOR AIDS RELIEF.

Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report that—

(1) identifies by name each nongovernmental organization that has received funding under the President’s Emergency Plan for AIDS Relief on or after the date of the enactment of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (Public Law 108–25), the date on which the funding was provided to the organization, and the date on which the organization filed a statement with the Government of the United States certifying that the organization has in effect a policy explicitly opposing prostitution and sex trafficking; and

(2) contains a copy of the policy explicitly opposing prostitution and sex trafficking of each such nongovernmental organization.

22. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE KING OF IOWA, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 312, after line 8, insert the following new section:

SEC. 1110A. STATEMENT OF POLICY REGARDING THE ATTACKS ON UNITED STATES CITIZENS BY PALESTINIAN TERRORISTS.

(a) FINDINGS.—Congress finds the following:

(1) Since the late Yasser Arafat renounced violence in the Oslo Peace Accords on September 13, 1993, at least 53 United States citizens, including one unborn child, have been murdered by Palestinian terrorists.

(2) On December 1, 1993, in a drive-by shooting north of Jerusalem, Hamas killed United States citizen Yitzhak Weinstock, 19, whose family came from Los Angeles.

(3) On October 9, 1994, Hamas kidnapped and murdered United States citizen Nachshon Wachsmann, 19, whose family came from New York City.

(4) On April 9, 1995, an Islamic Jihad bomb attack on a bus near Kfar Darom killed United States citizen Alisa Flatow, 20, from West Orange, New Jersey.

(5) On August 21, 1995, in a Hamas bus bombing in Jerusalem, United States citizen Joan Davenny, from New Haven, Connecticut, was killed.

(6) On September 9, 1995, Mara Frey of Chicago was stabbed in Ma'ale Michmash resulting in her unborn child's death.

(7) On February 25, 1996, three United States citizens, Sara Duker of Teaneck, New Jersey, Matthew Eisenfeld of West Hartford, Connecticut, and Ira Weinstein of New York City, were killed in a Hamas bus bombing in Jerusalem.

(8) On May 13, 1996, United States citizen David Boim, 17, of New York City, was killed in a drive-by shooting near Beit El, north of Jerusalem.

(9) On June 9, 1996, United States citizen Yaron Ungar was killed in a drive-by shooting near Beit Shemesh.

(10) On July 30, 1997, United States citizen Leah Stern of Passaic, New Jersey, was killed in a Hamas bombing in Jerusalem's Mahane Yehuda market.

(11) On September 4, 1997, a Hamas bombing on Ben-Yehuda Street, Jerusalem, killed Yael Botwin, 14, of Los Angeles.

(12) On April 19, 1998, an attack near the Israeli town of Maon killed United States citizen Dov Dribben, 28.

(13) On October 8, 2000, Rabbi Hillel Lieberman, 36, of New York City, was stabbed and killed near Nablus.

(14) On October 30, 2000, United States citizen Esh-Kodesh Gilmore, 25, was shot in Jerusalem.

(15) On December 31, 2000, Rabbi Binyamin Kahane, 34, and his wife, Talia Hertzlich Kahane, both formerly of New York City, were killed in a drive-by shooting near Ofra.

(16) On May 9, 2001, Jacob "Koby" Mandell, 13, of Silver Spring, Maryland, was killed in an attack near Tekoah.

(17) On May 29, 2001, Sarah Blaustein, 53, of Lawrence, New York, was killed in a drive-by shooting near Efrat.

(18) On August 9, 2001, two United States citizens, Judith L. Greenbaum, 31, and Malka Roth, 15, were killed in the Jerusalem Sbarro pizzeria bombing.

(19) On November 4, 2001, Shoshana Ben-Yishai, 16, of New York City, was shot and killed during an attack on a Jerusalem bus.

(20) On January 15, 2002, Avraham Boaz, 72, of New York City, was killed in a shooting near Bethlehem.

(21) On January 18, 2002, United States citizen Aaron Elis, 32, was killed in a shooting in Hadera.

(22) On February 8, 2002, United States citizen Moranne Amit, 25, was killed in a stabbing in Abu Tor Peace Forest, Jerusalem.

(23) On February 15, 2002, United States citizen Lee Akunis, was shot and killed near Ramallah.

(24) On February 16, 2002, Keren Shatsky, 14, of New York City and Maine, and Rachel Thaler, 16, of Baltimore, Maryland, were killed in a bombing in Karnei Shomron.

(25) On March 24, 2002, Esther Kleinman, 23, formerly of Chicago, was shot and killed near Ofra.

(26) On March 27, 2002, United States citizen Hannah Rogen, 90, was killed in a bombing at a hotel Passover seder in Netanya.

(27) On June 18, 2002, Moshe Gottlieb, 70, of Los Angeles, was killed in a bus bombing in Jerusalem.

(28) On June 19, 2002, United States citizen Gila Sara Kessler, 19, was killed in a bombing at a Jerusalem bus stop.

(29) On July 31, 2002, five United States citizens were killed in a bombing of a Hebrew University cafeteria: Marla Bennett, 24, of San Diego, Benjamin Blutstein, 25, of Susquehanna Township, Pennsylvania, Janis Ruth Coulter, 36, of Massachusetts, David Gritz, 24, of Peru, Massachusetts (and of dual French-United States citizenship), and Dina Carter, 37, of North Carolina.

(30) On March 5, 2003, Abigail Leitel, 14, who was born in Lebanon, New Hampshire, died in a bus bombing in Haifa.

(31) On March 7, 2003, a shooting occurred in the home of United States citizens Rabbi Eli Horowitz, 52, who grew up in Chicago, and Dina Horowitz, 50, who grew up in Florida, and both were killed.

(32) On June 11, 2003, Alan Beer, 47, who grew up in Cleveland, was killed in a bus bombing in Jerusalem.

(33) On June 20, 2003, a shooting attack on a car driving through the West Bank killed United States citizen Tzvi Goldstein, 47, who grew up in the State of New York.

(34) On August 19, 2003, Mordechai Reinitz, 49, Yitzhak Reinitz, 9, Tehilla Nathanson, 3, of Monsey, New York, Goldie Taubenfeld, 43, of New Square, New York, and Shmuel Taubenfeld, 3 months, of New Square, New York, were killed in a homicide bombing on a bus in Jerusalem.

(35) On September 9, 2003, a homicide bomber killed United States citizens David Applebaum, 51, originally of Cleveland, and Nava Applebaum, 20, originally of Cleveland, in a cafe in Jerusalem.

(36) On October 15, 2003, United States citizens John Branchizio, 36, of San Antonio, Texas, John Martin Linde, Jr., 30, of Washington, Missouri, and Mark T. Parson, 31, of the State of New York were killed in a car bombing in Gaza.

(37) On September 24, 2004, a mortar strike on a housing community killed Tiferet Tratner, 24, a dual United States-Israeli citizen.

(38) At least another 83 United States citizens have been injured in Palestinian terrorist attacks.

(39) Palestinian terrorism continues to happen as demonstrated by the bombing in Tel Aviv on February 25, 2005, despite the recent elections and a new sense of optimism in the region.

(40) The United States is willing to continue to work with Palestinian leaders under the condition that the newly elected Palestinian leadership reject and take verifiable steps to prevent terrorism.

(b) STATEMENT OF POLICY.—Congress—

(1) condemns the attacks on United States citizens by Palestinian terrorists and demands that the Palestinian Authority

work with Israel to protect all innocent individuals, regardless of citizenship, from terrorist atrocities; and

(2) offers its condolences to the families and loved ones of United States citizens who were killed by Palestinian terrorist attacks.

23. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE KUCINICH OF OHIO, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 312, after line 8, insert the following new section:

SEC. 1110A. INTERNATIONAL TREATY BANNING SPACE-BASED WEAPONS AND THE USE OF WEAPONS AGAINST OBJECTS IN SPACE IN ORBIT.

The President shall direct the United States representatives to the United Nations and other international organizations to immediately work toward negotiating, adopting, and implementing an international treaty banning space-based weapons and the use of weapons to destroy or damage objects in space that are in orbit.

24. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LANTOS OF CALIFORNIA, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Redesignate title XI as title XII and redesignate sections 1101 through 1126 as sections 1201 through 1226, respectively.

Insert after title X the following new title:

TITLE XI—OPENING DOORS FOR FOREIGN STUDENTS

SEC. 1101. SHORT TITLE.

This title may be cited as the “Opening Doors for Foreign Students Act of 2005”.

SEC. 1102. FINDINGS.

Congress finds the following:

(1) Opening doors to well-intentioned foreign students and exchange visitors has wide-ranging benefits to the United States.

(2) Upon their return to their countries of origin, foreign students and exchange visitors disseminate the core values of the United States as they relate their positive experiences with the democratic form of governance, the dynamic multicultural society, and the entrepreneurial spirit of the United States.

(3) The United States earns approximately \$13,000,000,000 a year in tuition and living expenses paid by foreign students, making higher education the United States’ fifth largest service export.

(4) Since the terrorist attacks on America on September 11, 2001, the United States institutions of higher education and nongovernmental exchange sponsors have faced great challenges in retaining their competitive position in the market for foreign students.

(A) During the 2002–2003 academic year, the first year after the 9/11 attacks, the growth of overall international student enrollment in the United States slowed to 0.6 percent after having increased by 6.4 percent in the two previous academic years. During the 2003–2004 academic

year, according to the Institute of International Education, the number of international students studying in the United States declined 2.4 percent to 572,509. This was the first overall decline in international students studying in the United States since the 1971–72 school year.

(B) Community Colleges have been particularly hard-hit by overall declines in enrollments of foreign students. During the 2003–2004 academic year, the number of foreign students enrolled at public two-year schools fell by 10 percent, according to the Institute of International Education.

(5) Some foreign students have expressed anxiety and alarm about the new visa processes. A survey conducted in 2004 at the University of California of 1,700 foreign students found that 60 percent reported that they had to endure “unreasonable delays” to obtain student visas.

(6) Competitors in the marketplace for higher education, including Canada, Australia, New Zealand, Germany and the United Kingdom, are aggressively recruiting students to take advantage of changed perceptions of the United States.

(7) If the United States is to regain its competitive advantage in attracting foreign students and exchange visitors, it will be essential for the Department of State to work to ensure that new visa procedures are administered in the most efficient and user-friendly possible manner. Furthermore the Department must continue to engage in public outreach designed to dispel negative perceptions about study in the United States.

SEC. 1103. DEVELOPMENT OF A COMPREHENSIVE STRATEGY TO ATTRACT FOREIGN STUDENTS TO STUDY IN THE UNITED STATES.

(a) **DEVELOPMENT OF STRATEGY.**—Not later than one year after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of Homeland Security, the Secretary of Education, and the Secretary of Commerce, shall develop a comprehensive strategy to counter widespread perceptions among foreign students that the United States no longer welcomes them to study in the United States or to participate in exchange programs, and to increase applications by foreign students to come to the United States for study and exchange. Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees a written account of this strategy.

(b) **CONSULTATIONS WITH STAKEHOLDERS.**—Beginning not later than 180 days after date of the enactment of this Act, the Secretary of State shall undertake annual consultations with individuals and organizations involved in international education, including consultations with nongovernmental institutions concerned with the recruitment of foreign students to the United States; officials from United States educational institutions concerned with the recruitment of foreign students, foreign student representatives, nongovernmental organizations designated by the Department of State as sponsors in the Exchange Visitor Program, and other concerned parties for the purpose of discussing and seeking input on the development of the comprehensive strategy described in subsection (a).

SEC. 1104. IDENTIFICATION OF PRIORITY MISSIONS AND MISSIONS EMPLOYING BEST PRACTICES FOR ATTRACTING STUDENT VISA APPLICANTS.

(a) **REVIEW OF STUDENT VISA APPLICATIONS.**—The Secretary of State shall review the application and issuance rates for F–1 and J–1 nonimmigrant visas (issued under subparagraphs (F) and (J) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)) at every diplomatic or consular mission of the United States providing consular services. Such review shall encompass the five-year period immediately preceding the date of the enactment of this Act and shall be used to identify missions that have experienced significant declines in such visa applications, the issuance of such visas, or both, and shall also identify diplomatic or consular missions that have experienced recovery in the rate of such applications or such issuances after experiencing significant declines in such applications, such issuances, or both.

(b) **OBTAINING INFORMATION ON BEST PRACTICES FOR GAINING INCREASES.**—Upon identifying diplomatic or consular missions that have experienced recoveries in the rates of such visa applications, issuances, or both, the Secretary shall direct the chiefs of mission of such missions to submit to the Secretary a report concerning consular, public diplomacy, public outreach, or other practices that may have contributed to such recoveries.

(c) **CORRECTIVE MEASURES.**—Upon identifying diplomatic or consular missions in key foreign policy countries that have suffered significant declines in the rates of such applications, issuances, or both without experiencing recovery in either or both of such rates in accordance with the review required under subsection (a), the Secretary shall direct the chiefs of mission of such missions to develop a plan appropriate to each such mission to attract additional F–1 and J–1 visa applicants and to address any inefficiencies in processing visa applications specific to each such mission.

(d) **REPORT.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, and one year thereafter, the Secretary shall submit to the appropriate congressional committees a report concerning trends in the application and issuance rates for F–1 and J–1 visas at all diplomatic and consular missions of the United States providing consular services.

(2) **REPORT ELEMENTS.**—

(A) **STATISTICAL INFORMATION.**—The first report submitted pursuant to this section shall contain data from the five-year period immediately preceding the date of the enactment of this Act. The second report shall contain updated data covering the calendar year preceding the issuance of the report and comparisons with previous data.

(B) **BEST PRACTICES.**—Each report shall contain a “Best Practices” section identifying diplomatic or consular missions that have experienced a recovery in the rates of such applications, such issuances, or both after experiencing declines in the rates for such applications, such issuances, or both. For each diplomatic or consular mission so identified, the report shall include post activities that may have contributed to such recovery.

(C) **PRIORITY POSTS.**—Each report shall also contain a section entitled “Priority Posts” that identifies critical dip-

lomatic and consular missions from key foreign policy countries that have experienced declines in the rates of such applications, such issuances, or both without experiencing a significant recovery in any of such rates. For each diplomatic or consular mission so identified, the report shall contain an action plan that describes new initiatives, such as consular services, public diplomacy, and public outreach, that are designed to improve the rates of such applications and such issuances.

SEC. 1105. ENHANCED TRAINING IN PROCESSING AND FACILITATING STUDENT VISAS.

(a) TRAINING PROGRAMS.—Chapter 7 of the Foreign Service Act of 1980 (22 U.S.C. 3901 et seq.) (relating to career development, training, and orientation) is amended by adding at the end the following new section:

“SEC. 708. TRAINING IN PROCESSING AND FACILITATING VISA APPLICATIONS FOR STUDENTS AND EXCHANGE VISITORS FOR STUDY IN THE UNITED STATES.

“The Secretary shall establish a training program for members of the Service who have responsibilities related to the issuance of visas to prepare such members for the unique challenges that visa applicants face in completing the F–1 and J–1 nonimmigrant visa application process and to provide such members with proven tools, including in the area of consular services, public diplomacy, outreach to non-governmental institutions and educational institutions, and public outreach to combat perceptions that the United States is no longer a welcoming place for foreign citizens to study or to participate in exchange programs.”

SEC. 1106. ENHANCED DIPLOMATIC EFFORTS TO NEGOTIATE FAVORABLE RECIPROCAL AGREEMENTS WITH FOREIGN GOVERNMENTS CONCERNING STUDENT VISA TERM LIMITS.

The Secretary of State should undertake a sustained diplomatic dialogue with key foreign governments, including the Government of the People’s Republic of China and the Government of the Russian Federation, aimed at renegotiating the terms of existing reciprocal agreements to provide for extended validity of student and exchange visas in order to reduce the need for frequent renewals of F–1 and J–1 nonimmigrant visas by foreign students.

25. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MACK OF FLORIDA, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 24, beginning line 4, add the following new paragraph:

(5) BROADCASTING TO VENEZUELA.—For broadcasting to Venezuela, such sums as may be necessary for fiscal year 2006 and such sums as may be necessary for fiscal year 2007, to remain available until expended, to allow the Broadcasting Board of Governors to carry out broadcasting to Venezuela for at least 30 minutes per day of balanced, objective, and comprehensive television news programming, radio news programming, or both.

26. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ROGERS
OF MICHIGAN, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 312, after line 8, insert the following new section:

SEC. 1110A. STATEMENT OF POLICY REGARDING MANAGEMENT AUTHORITY OVER THE GREAT LAKES.

(a) FINDINGS.—Congress finds the following:

(1) The water resources of the Great Lakes Basin are precious public natural resources, shared and held in trust by the Great Lakes States of Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania, and Wisconsin, and by the Canadian Provinces of Ontario and Quebec.

(2) Authority over the Great Lakes is vested in the Governors of the Great Lakes States by the Water Resources Development Act of 1986 (Public Law 99-662).

(3) Section 1109(b)(2) of the Water Resources Development Act of 1986 (42 U.S.C. 1962d-20(b)(2)) encourages the Great Lakes States, in consultation with the Canadian Provinces of Ontario and Quebec, to develop and implement a mechanism that provides a common conservation standard embodying the principles of water conservation and resource improvement for making decisions concerning the withdrawal and use of water from the Great Lakes Basin.

(4) Section 1109(d) of such Act (42 U.S.C. 1962d-20(d)) requires the approval of the Governor of each of the Great Lakes States prior to the diversion or export of Great Lakes water.

(5) The Great Lakes Charter of 1985 is a voluntary international agreement that provides the procedural framework for prior notice and consultation by the Great Lakes States and the Canadian Provinces of Ontario and Quebec concerning the withdrawal of water from the Great Lakes Basin.

(6) Whereas the Council of Great Lakes Governors and Premiers has drafted amendments to the Great Lakes Charter of 1985, known as “Annex 2001”.

(7) One of the primary purposes of Annex 2001 is to strengthen the authority of Great Lakes Governors and Premiers to make decisions concerning proposals to divert or export Great Lakes water by establishing a common conservation standard by which such decisions will be made.

(8) The final commitments proposed in Annex 2001 to affirm in-basin authority by way of enacting a basin-States compact and a cross-border accord with the Provinces of Ontario and Quebec will be presented to Congress for final approval.

(b) STATEMENT OF POLICY.—Congress—

(1) recognizes and affirms the efforts of the Great Lakes Governors and Premiers in developing a common standard for decisions relating to the withdrawal of water from the Great Lakes that lead to improvement of this binational resource; and

(2) urges that the management authority over the waters of the Great Lakes should remain vested with the Governors and Premiers of the eight Great Lakes States and two Great Lakes Provinces that share stewardship over this vast and valuable natural resource.

27. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE TANCREDO OF COLORADO, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

In subtitle B of title XI, add at the end the following new section:

SEC. 1127. UNITED STATES-CHINA RELATIONS.

It is the sense of Congress that—

(1) the comments by Chinese General Zhu Chenghu advocating the use of nuclear weapons against the United States are both damaging to United States-China relations and a violation of China's commitment to resolve its differences with Taiwan peacefully; and

(2) the Government of China should renounce the use of force against Taiwan, disavow General Zhu's statements, and relieve General Zhu from his command.

28. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE WATSON OF CALIFORNIA, OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 312, after line 8, insert the following:

SEC. 1110A. STATEMENT OF POLICY REGARDING TRANSFER OF CHARLES TAYLOR FOR TRIAL FOR WAR CRIMES.

It shall be the policy of the United States Government to seek the expeditious transfer of Charles Ghankay Taylor, former President of the Republic of Liberia, to the jurisdiction of the Special Court for Sierra Leone to undergo a fair and open trial for war crimes, crimes against humanity, and other serious violations of international humanitarian law.

29. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE WATSON OF CALIFORNIA, OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 24, after line 3, insert the following:

SEC. 107. ENHANCING PROTECTION OF INTELLECTUAL PROPERTY RIGHTS.

In addition to such amounts as may otherwise be authorized to be appropriated for such purpose, there are authorized to be appropriated for the Department of State, \$5,000,000 to carry out the following activities to enhance intellectual property laws and enforcement in countries that are not members of the Organization for Economic Cooperation and Development (OECD):

(1) Provision of equipment and training for foreign law enforcement, including in the interpretation of intellectual property laws.

(2) Training for judges and prosecutors, including in the interpretation of intellectual property laws.

(3) Assistance in complying with obligations under appropriate international copyright and intellectual property treaties and agreements.

30. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BERKLEY OF NEVADA, OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 220, after line 15, insert the following:

(a) DECLARATION OF POLICY.—It shall be the policy of the United States to promote the emergence of a democratic Palestinian government that—

- (1) denounces and combats terrorism;
- (2) has agreed to disarm and dismantle any terrorist agency, network, or facility;
- (3) has agreed to work to eliminate incitement and the commemoration of terrorists in Palestinian society;
- (4) has agreed to respect the boundaries and sovereignty of its neighbors; and
- (5) acknowledges, respects, and upholds the human rights of all people.

Page 220, line 16, strike “(a)” and insert “(b)”.

Page 221, line 3, strike “LIMITATION” and insert “LIMITATIONS”.

Page 221, line 3, strike “Assistance” and insert the following:

“(1) CERTIFICATION REQUIREMENT.—Assistance”.

Page 221, after line 6, insert the following new paragraph:

“(2) AMOUNT OF ASSISTANCE REQUIREMENT.—Of the total amount of funds that are available for assistance under this Act or any other provision of law to the Palestinian Authority during a period for which a certification described in subsection (b) is in effect, not more than 25 percent of such amount may be obligated and expended during any calendar quarter.”.

Page 223, line 13, strike the closing quotation marks and the second period.

Page 223, after line 13, insert the following new subsection:

“(e) DEFINITION OF CALENDAR QUARTER.—In this section, the term ‘calendar quarter’ means any three-month period beginning on January 1, April 1, July 1, or October 1 of a calendar year.”.

Page 223, line 14, strike “(b)” and insert “(c)”.

31. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BIGGERT OF ILLINOIS, OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 306, beginning on line 20, strike “Secretary of State, in consultation with the Secretary of the Treasury” and insert “Secretary of the Treasury, in consultation with the Secretary of State”.

Page 306, line 24, strike “the international financial institutions of”.

Page 306, beginning on line 25, strike “the international financial institutions of”.

Page 307, line 4, insert “of the Treasury” after “Secretary”.

Page 307, line 5, insert “of the Treasury” after “Secretary”.

Page 307, line 6, insert “, including the Committee on Financial Services of the House of Representatives,” before “of”.

32. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ESHOO OF CALIFORNIA, OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 246, after line 7, insert the following new section:

SEC. 956. SENSE OF CONGRESS REGARDING ASSISTANCE FOR CHALDOASSYRIANS AND OTHER INDIGENOUS CHRISTIANS IN IRAQ.

(a) FINDINGS.—Congress finds the following:

(1) ChaldoAssyrians and other indigenous Christians in Iraq welcome the opportunity following Iraq's liberation to move beyond the days of repression and persecution and toward greater prosperity by cooperating in the development of a democratic, pluralistic state.

(2) Religious and ethnic discrimination has driven half of Iraq's indigenous Christians into diaspora since the 1960s and now threatens to create a mass exodus, thereby depriving Iraq of one of its oldest and most distinctive ethnic communities.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) all relevant departments and agencies of the Government of the United States should pay special attention to the welfare of ChaldoAssyrians and other indigenous Christians in Iraq in order to prevent a mass exodus that would detrimentally affect the preservation of diversity in the Middle East and the promotion of general tolerance for others; and

(2) the President, acting through the Administrator of the United States Agency for International Development, should allocate funds specifically for the promotion of the welfare, education, and resettlement of ChaldoAssyrians and other indigenous Christians in Iraq where they may be currently prevented from returning to their homes.

33. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE FOSSELLA OF NEW YORK, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 12, after line 9, insert the following new subparagraph:

(I) DISSEMINATION OF NAMES OF FUGITIVES RESIDING IN CUBA.—Of the amounts authorized to be appropriated under subparagraph (A), an appropriate amount of such funds for each of the fiscal years 2006 and 2007 are authorized to be appropriated for the U.S. Interests Section, Havana, to disseminate the names of fugitives, such as Joanne Chesimard and William Morales, who are residing in Cuba, and any rewards for their capture.

34. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE FRANKS OF ARIZONA, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 286, strike line 20 and all that follows through line 19 on page 287 (section 1019; relating to provision of consular and visa services in Pristina, Kosova).

35. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MCCOTTER OF MICHIGAN, OR HIS DESIGNEE, DEBATABLE FOR 10, MINUTES

At the end of title I, add the following new section (and conform the table of contents accordingly):

SEC. 107. PROTECTION OF FREEDOM OF THE PRESS IN THE FORMER YUGOSLAVIA.

None of the funds authorized to be appropriated by this Act are authorized to be made available directly or indirectly to support the operations of the International Criminal Tribunal for the Former

Yugoslavia (ICTY) until the President determines and submits to the appropriate congressional committees a report that states that the ICTY has dismissed all criminal charges against journalists relating to reporting by such journalists concerning the work of the ICTY and the ICTY is committed to taking no further action that would curtail freedom of the press within the former Yugoslavia.

36. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE REYES OF TEXAS, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 241, after line 21, add the following new section:

SEC. 947. TRAINING AND ASSISTANCE TO IDENTIFY UNKNOWN VICTIMS WHO WERE ABDUCTED AND MURDERED IN CIUDAD JUAREZ, MEXICO.

(a) STATEMENT OF CONGRESS.—Congress urges the President and Secretary of State to incorporate the investigative and preventative efforts of the Government of Mexico in the bilateral agenda between the Government of Mexico and the Government of the United States and to continue to express concern to the Government of Mexico over the abductions and murders of young women since 1993 in the Mexican city of Ciudad Juarez.

(b) TRAINING AND ASSISTANCE.—The Secretary of State is authorized to provide training and assistance to identify unknown victims who were murdered in the Mexican city of Ciudad Juarez through forensic analysis, including DNA testing, conducted by independent, impartial experts who are sensitive to the special needs and concerns of the victims' families, as well as efforts to make these services available to any families who have doubts about the results of prior forensic testing.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of State \$500,000 for fiscal year 2006 to carry out subsection (b).

37. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ROHRBACHER OF CALIFORNIA, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of subtitle B of title XI, add the following new section:

SEC. 1127. CAPTURE, DETENTION, AND INTERROGATION OF TERRORISTS AT GUANTANAMO BAY, CUBA.

(a) FINDINGS.—Congress finds the following:

(1) Usama bin Laden declared war on the United States in 1996.

(2) International terrorists, including al Qaida and its affiliated terrorists, have repeatedly attacked the United States and its coalition partners throughout the world and have killed and wounded thousands of innocent United States citizens and citizens from these coalition partners.

(3) The United States is exercising its rights to self-defense and to protect United States citizens both at home and abroad by waging war alongside its coalition partners against al Qaida and affiliated terrorists.

(4) International terrorists continue to pose an extraordinary threat to the national security and foreign policy of the United States and its coalition partners.

(5) International terrorists continue to commit and plan terrorist attacks around the world against the United States and its coalition partners;

(6) In order to protect the United States and its citizens, the United States must identify terrorists and those individuals who support them, disrupt their activities, and eliminate their ability to conduct or support attacks against the United States, its citizens, and its coalition partners.

(7) Identifying, disrupting, and eliminating terrorist threats against the United States requires effective gathering, dissemination, and analysis of timely intelligence.

(8) The collection of information from detainees at Guantanamo Bay, Cuba, by the United States has improved the security of the United States and its coalition partners and is essential in fighting the Global War on Terrorism.

(9) The loss of interrogation-derived information would have a disastrous effect on the United States' intelligence collection and counterterrorism efforts and would constitute a damaging reversal in the Global War on Terrorism.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the capture, detention, and interrogation of international terrorists are essential to the successful prosecution of the Global War on Terrorism and to the defense of the United States, its citizens, and its coalition partners from future terrorist attacks;

(2) the detention and lawful, humane interrogation by the United States of detainees at Guantanamo Bay, Cuba, is essential to the defense of the United States and its coalition partners and to the successful prosecution of the Global War on Terrorism;

(3) the detention facilities and interrogations at Guantanamo Bay, Cuba, plays an essential role in the security of the United States and should not be closed or ended while the United States is waging the Global War of Terrorism.

38. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ROSELEHTINEN OF FLORIDA, OR HER DESIGNEE, DEBATABLE FOR 60 MINUTES

In subtitle B of title XI, redesignate sections 1111 through 1126 as sections 1121 through 1136, respectively.

In subtitle A of title XI, add at the end the following new section:

SEC. 1111. UNITED STATES COMMITMENT TO IRAQ.

(a) FINDINGS.—Congress finds the following:

(1) The men and women of the United States Armed Forces fighting in Iraq are serving with bravery, distinction, and high morale.

(2) The men and women of the United States Armed Forces fighting in Iraq need and deserve the full support of the American people.

(3) The men and women of the United States Armed Forces fighting in Iraq are part of a large, multinational coalition, and are serving side-by-side with Iraqi national forces who have been trained by that coalition.

(4) Coalition and Iraqi forces, Iraqi civilians, foreign diplomats, and individuals from around the world who have come to the aid of the Iraqi people are under attack from terrorists who deliberately attack children, worshippers, and law enforcement figures, attack civilians at random, sabotage essential services, and otherwise attempt to terrorize the Iraqi people, the American people, and the citizens of other coalition countries.

(5) The terrorists will be emboldened to “wait out” the United States if a target date for withdrawal is established and announced, especially if the terrorists perceive such withdrawal date has been established and announced as a result of their terrorist campaign against the coalition and the Iraqi people.

(b) SENSE OF CONGRESS.— It is the sense of Congress that—

(1) given the nature of the adversary the United States and its coalition partners face in Iraq and the difficult conditions under which the United States Armed Forces, coalition forces, and Iraqi forces find themselves, calls for an early withdrawal of United States and coalition forces are counterproductive to security aims of the United States and the hopes of the Iraqi people; and

(2) such calls for an early withdrawal embolden the terrorists and undermine the morale of the United States Armed Forces, coalition forces, and Iraqi forces, and put their security at risk.

(c) POLICY.—It shall be the policy of the United States—

(1) to pursue a transfer of responsibility for Iraqi security to Iraqi forces; and

(2) not to withdraw prematurely the United States Armed Forces from Iraq, but to do so only when it is clear that United States national security and foreign policy goals relating to a free and stable Iraq have been or are about to be achieved.