

AFGHANISTAN FREEDOM AND SECURITY SUPPORT
 ACT OF 2007

MAY 30, 2007.—Committed to the Committee of the Whole House on the State of
 the Union and ordered to be printed

Mr. LANTOS, from the Committee on Foreign Affairs,
 submitted the following

R E P O R T

[To accompany H.R. 2446]

[Including cost estimate of the Congressional Budget Office]

The Committee on Foreign Affairs, to whom was referred the bill (H.R. 2446) to reauthorize the Afghanistan Freedom Support Act of 2002, and for other purposes, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

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SUMMARY

H.R. 2446, the Afghanistan Freedom and Security Support Act of 2007, reaffirms the United States' long-term commitment to support Afghanistan in its transition from 30 years of civil war, violence, and occupation to a stable, prosperous democratic state at peace with its neighbors. The bill reauthorizes programs created by the Afghanistan Freedom Support Act of 2002 (AFSA), creates a new focus on counter-narcotics in light of the rampant growth of poppy production and the deteriorating situation in the country, and provides for enhanced oversight of United States strategy and performance. Title I provides for the policy, purposes, authorization, certification, monitoring and evaluation, and coordination of economic and development assistance. Title II offers amendments to AFSA in the areas of authorizations of security assistance, and matters relating to the International Security Assistance Force (ISAF), and counter-drug interdiction operations. Title III contains provisions that are designed to update AFSA, to strengthen and broaden the reporting requirements so that progress can be measured against established goals and objectives, to require an enhanced strategy for Afghanistan, and to declare policies to foster greater regional cooperation.

BACKGROUND AND PURPOSE

Since September 11, 2001, after over a decade of neglect by successive Administrations, the United States was compelled to become engaged in the tragic situation in Afghanistan. After 25 years of civil war, occupation and chaos, Afghanistan, always one of the world's least developed countries, had become a fragmented society that provided a safe haven to Osama bin-Laden and al-Qaeda. The attacks of September 11, 2001 in New York, Washington D.C., and the fields of Pennsylvania galvanized the nation into support for Afghan groups opposed to the cruel Taliban regime, which led to its downfall. Since the Bonn Compact in December 2001, which established a framework for orderly transition from the chaotic interregnum to a stable democratic society, the United States, the United Nations and the rest of the international community embarked on a comprehensive assistance program to help facilitate this transition.

Despite a successful start, including the establishment of a strong UN mission, the appointment of an interim government and the legitimate election of a President and a parliament, and the approval and expansion of the International Security Assistance Force (ISAF) (later taken over by NATO under a UN mandate), progress has declined. The Presidential election proved to be a positive step, but was not, as some believed, a decisive strategic victory over the remnants of the Taliban regime that continued to resist the new international arrangements. Instability has risen, with the Taliban regrouping outside of Afghanistan and using increasingly deadly tactics, including the introduction of suicide bombings, against United States soldiers, NATO troops, Afghan officials and civilians, and international and Afghan assistance workers. International assistance workers and projects have been attacked, undermining the delivery of assistance and increasing the frustration of the Afghan people over the slow pace of development and recon-

struction. The security climate has the potential to further compromise reconstruction and relief efforts by the United States, our allies, and the international community. In particular, the lack of security and reconstruction in the south and east of the country has fueled instability, providing a vacuum for an emboldened Taliban insurgency, supported by al-Qaeda and other groups. Poppy cultivation and opium production, which directly supports local warlords and sustains and finances insurgents, militias, and terrorist organizations, is increasing at a staggering rate.

Indeed, the narcotics problem in Afghanistan threatens to overwhelm the country. The modest decreases in opium poppy cultivation that occurred during the 2004–2005 growing season were reversed during the 2005–2006 growing season. In that season, poppy cultivation grew by an estimated 59%—to 165,000 hectares, which produced 6,100 Metric Tons of illicit opium, a 49% increase from the prior season. Approximately 448,000 Afghan families cultivated opium poppy in 2005–2006, a 45% increase from the previous season, and equal to roughly 2.9 million people, or 12.6% of the Afghan population. Over 500,000 laborers and an unknown number of traffickers, warlords, insurgents and officials also participate in and benefit from the drug trade. The risk for Afghanistan to again devolve into a failed state is increasing.

Congress addressed the issues of concern regarding Afghanistan by passing the Afghanistan Freedom Support Act of 2002, which established a robust reconstruction program, mandated a coordinator, provided support to ISAF and gave new security assistance authorities to the President. In 2004, as a means to refocus and refine United States policy toward Afghanistan, the Congress adopted the Afghanistan Freedom Support Amendments Act as part of legislation implementing the recommendations of the 9–11 Commission (Public Law 108–458). This legislation, which first introduced the idea of developing a long-term strategy and a report on its implementation, was the last comprehensive review that Congress took toward Afghanistan, although Congress appropriated increased funding for reconstruction and the training and equipping of Afghanistan security forces as it recognized and appreciated the numerous threats to Afghanistan’s security.

The purpose of H.R. 2446 is to demonstrate continued United States long-term support to the people of Afghanistan as they struggle to establish a stable and prosperous democratic state. Title I of the bill adjusts the priorities for our reconstruction on such growth bottlenecks as energy, continues United States support for programs to address the terrible plight faced by Afghan women and girls, ensures that assistance is directed to provincial and local governments that are not riddled by corruption, and requires the President to appoint a high-level interagency coordinator of assistance. Title II reauthorizes programs to provide the President with authority to carry out military assistance programs, requires that the President continue to support Afghan and international counter-narcotics operations, and enhance those operations, and provides for additional support to ISAF and for countries that join ISAF. Title III requires an enhanced strategy for success and a progress report that tracks the success of such strategy. It also provides initiatives to improve Pakistan-Afghanistan cooperation and reauthorizes Radio Free Afghanistan.

The Committee continues to aggressively support counter-narcotics efforts in Afghanistan due to the role of narcotics in helping fuel the increasing violence in Afghanistan. There is an emerging consensus that the opium trade is supporting the Taliban insurgents and other terrorist groups and, without a successfully implemented counter-narcotics strategy, our reconstruction programs in Afghanistan will not succeed. While the United States military is understandably and rightly concerned about taking a more active role in counter-narcotics activities, the Committee believes that the scale of the problem in Afghanistan and its direct impact on security requires additional creative thinking. For that reason, the Committee recommends enhanced civilian interdiction teams with Afghan and international support that will receive logistical support, including lift capabilities, from United States and coalition military forces. While eradication of the poppy crop is not a mission that the United States can undertake directly at this time, going after high value targets, destroying drug labs, and allowing civilian law enforcement to participate in the second echelon after a raid on sensitive insurgent sites are missions which the Committee believes need to be undertaken and supported without reluctance.

The Committee also has been frustrated with the performance of our NATO allies in the fight to stabilize Afghanistan. While NATO has agreed to take over ISAF and to commit to an out-of-area operation, the participation of NATO troops has been hampered by limited rules of engagement by national forces that are not required by the NATO decision to embrace ISAF. This has placed a disproportionate burden on the forces provided by the United States, United Kingdom, Canada, Denmark, and the Netherlands, while other countries are deployed in more stable areas because of limits placed on their operations. These restrictions are interfering with the ability of the alliance to take over additional responsibilities, impeding its effectiveness, and placing a greater burden on Coalition troops outside of ISAF that are dedicated to confronting the Taliban and al-Qaeda. H.R. 2446 provides support to increase the participation of other countries in ISAF, places additional monitoring requirements on troop contributing countries to ensure that they are taking a fair share of the burden, and declares that the United Nations should expand its mandate in Afghanistan to authorize additional security measures through and in addition to ISAF.

Finally, H.R. 2446 recognizes that the problems with Afghanistan are carried out in a regional context. The ability of the Taliban and other insurgents to enjoy safe haven in Pakistan-controlled areas destabilizes the region and adds to the political tension between Afghanistan and Pakistan. H.R. 2446 recognizes that security and stability in Afghanistan will only be achieved with the support of Pakistan and therefore authorizes the President to establish a Special Envoy to coordinate United States policy on bilateral relations between Afghanistan and Pakistan. The Envoy will advise the President directly on issues of cross-border activities, refugee issues, economic cooperation, and comprehensive counter-narcotic strategies. In addition, in an effort to bolster regional cooperation through confidence building measures, H.R. 2446 encourages Pakistan to permit shipments of reconstruction and develop-

ment-related material from India to be transported through Pakistan territory.

HEARINGS

The Committee on Foreign Affairs held a Full Committee Hearing on “Afghanistan on the Brink: Where do we go from here?” on February 15, 2007. The Subcommittee on the Middle East and South Asia held a hearing on “A Regional Overview of South Asia” on March 7, 2007.

COMMITTEE CONSIDERATION

The Committee marked up H.R. 2446 on May 23, 2007, and favorably reported the bill to the House, by voice vote, a quorum being present.

VOTES OF THE COMMITTEE

There were no recorded votes held on H.R. 2446.

COMMITTEE OVERSIGHT FINDINGS

In compliance with clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee reports that the findings and recommendations of the Committee, based on oversight activities under clause 2(b)(1) of rule X of the Rules of the House of Representatives, are incorporated in the descriptive portions of this report.

NEW BUDGET AUTHORITY AND TAX EXPENDITURES

Clause 3(c) (2) of House Rule XIII is inapplicable because this legislation does not provide new budgetary authority or increased tax expenditures.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, May 30, 2007.

Hon. TOM LANTOS, *Chairman,*
Committee on Foreign Affairs,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 2446, the Afghanistan Freedom and Security Support Act of 2007.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Sam Papenfuss, who can be reached at 226-2840.

Sincerely,

PETER R. ORSZAG.

Enclosure

cc: Honorable Ileana Ros-Lehtinen
Ranking Member

H.R. 2446—Afghanistan Freedom Security Support Act of 2007

SUMMARY

H.R. 2446, through amendments to the Afghanistan Freedom Support Act of 2002, would authorize the appropriation of about \$2 billion a year for economic and military assistance to the government of Afghanistan for fiscal years 2008 through 2010. By comparison, the recently enacted 2007 emergency supplemental appropriations act, H.R. 2206, provided an estimated \$685 million for economic and military assistance to Afghanistan for 2007.

CBO estimates that implementing H.R. 2446 would cost \$719 million in 2008, and almost \$5.8 billion over the 2008–2012 period, assuming appropriation of the estimated amounts. Enacting the bill would not affect direct spending or receipts.

H.R. 2446 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would not affect the budgets of state, local, or tribal governments.

ESTIMATED COST TO THE FEDERAL GOVERNMENT

The estimated budgetary impact of H.R. 2446 is shown in the following table. The costs of this legislation fall within budget functions 050 (national defense) and 150 (international affairs).

By Fiscal Year, in Millions of Dollars

	2007	2008	2009	2010	2011	2012
CHANGES IN SPENDING SUBJECT TO APPROPRIATION						
Spending Under Current Law						
Budget Authority ¹	685	0	0	0	0	0
Estimated Outlays	581	443	210	125	64	31
Proposed Changes						
Economic and Development Assistance						
Authorization Level	0	1,745	1,745	1,745	0	0
Estimated Outlays	0	614	1,287	1,533	1,039	412
Military and Other Assistance						
Estimated Authorization Level	0	325	325	325	0	0
Estimated Outlays	0	105	225	284	199	89
Total Changes						
Estimated Authorization Level	0	2,070	2,070	2,070	0	0
Estimated Outlays	0	719	1,512	1,817	1,238	501
Spending Under H.R. 2446						
Estimated Authorization Level ¹	685	2,070	2,070	2,070	0	0
Estimated Outlays	581	1,162	1,722	1,942	1,302	532

¹ The 2007 level is the estimated amount appropriated for aid to Afghanistan in that year.

BASIS OF ESTIMATE

H.R. 2446 would authorize the appropriation of more than \$1.7 billion a year for humanitarian and economic assistance and \$320 million a year for military assistance. In addition, the bill would authorize the appropriation of such sums as may be necessary for the operation of Radio Free Afghanistan. For the purposes of this estimate, CBO assumes that the bill will be enacted before the start of fiscal year 2008. Additionally, CBO estimates that spend-

ing for all programs authorized in this bill will follow historical spending patterns for similar programs.

Economic and Development Assistance

Title I would authorize the appropriation of more than \$1.6 billion a year for the 2008–2010 period for economic and development assistance. Those funds could be used for humanitarian assistance, economic development including reconstruction, and programs related to political and social issues, such as anticorruption efforts and assistance for women.

In addition to the general authorization above, Title I also would authorize the appropriation of specific amounts over the 2008–2010 period for the following programs:

- \$15 million a year for a contribution to the United Nations Drug Control Program,
- \$10 million a year for a pilot program to promote crop substitution and develop alternatives to poppy production,
- \$5 million a year for the Afghan Ministry of Women’s Affairs,
- \$10 million a year for the Afghan Independent Human Rights Commission,
- \$30 million a year for grants to nongovernmental organizations led by Afghans that would conduct activities to support women and girls, including constructing and operating schools, orphanages, and health care clinics, and
- \$75 million a year for the purchase of diesel and other resources to provide electricity to major Afghan cities over the short term.

Accordingly, CBO estimates that implementing Title 1 would cost about \$600 million in 2008 and almost \$4.9 billion over the 2008–2012 period, assuming appropriation of the authorized amounts.

Military and Other Assistance

Title II would authorize the President to provide defense articles, defense services, and military education and training services to Afghanistan and other countries which participate in military, peacekeeping, or policing operations in Afghanistan. Section 201 would authorize the President to use up to \$300 million a year over the 2008–2010 period in funding for the Department of Defense to provide such goods and services to those qualified countries assisting in Afghanistan. Section 203 would authorize the appropriation of \$10 million a year for the President to provide a subsidy of up to five percent for countries that buy military equipment that would be used in Afghanistan. Finally, section 213 would authorize the appropriation of \$10 million a year to provide training for military personnel from other countries that would be deployed to Afghanistan. CBO estimates that implementing Title II would cost about \$100 million in 2008 and almost \$900 million over the 2008–2012 period, assuming appropriation of the authorized amounts.

Section 306 would authorize the appropriation of such sums as may be necessary over the 2008–2010 period for radio broadcasts to Afghanistan. Under current law, Radio Free Afghanistan spends \$5 million a year to broadcast 12 hours a day in local languages. Based on information from the Broadcasting Board of Governors (BBG), CBO estimates BBG would maintain that level of broad-

casting at a cost of \$4 million in 2008 and \$15 million over the 2008–2012 period, assuming appropriation of the necessary amounts.

INTERGOVERNMENTAL AND PRIVATE-SECTOR IMPACT

H.R. 2446 contains no intergovernmental or private-sector mandate as defined in UMRA and would not affect the budgets of state, local or tribal governments.

PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause (3)(c) of House rule XIII, upon enactment of this legislation, assistance programs should be adjusted to ensure greater focus on the energy sector, programs that affect women and girls, and counter-narcotics.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 3(d) (1) of rule XIII of the Rules of the House of Representatives, the Committee finds the authority for this legislation in article I, section 8 of the Constitution.

NEW ADVISORY COMMITTEES

H.R. 2446 does not establish or authorize any new advisory committees.

CONGRESSIONAL ACCOUNTABILITY ACT

H.R. 2446 does not apply to the Legislative Branch.

EARMARK IDENTIFICATION

H.R. 2446 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of rule XXI.

SECTION-BY-SECTION ANALYSIS AND DISCUSSION

Section 1. Short Title; Table of Contents.

This section states that the act may be referred to as the “Afghanistan Freedom and Security Support Act of 2007.” This section also provides a table of contents.

Section 2. Findings.

This section contains congressional findings describing the security, political and development challenges facing Afghanistan. The findings note that since the liberation of Afghanistan from the Taliban and al-Qaeda, the country remains highly unstable and is subject to attacks from remnants of the Taliban and other insurgent and terrorist groups. It also details the Government of Afghanistan’s support for continued deployment of international forces and discusses the need for NATO, which took over international stability operations for the entire country in October 2006, to show continued commitment to these operations to defeat the growing insurgency in Afghanistan.

The findings also highlight the increasing threat to Afghanistan’s stability and security posed by the flourishing trade of opium,

which has fueled funding for insurgent and terrorist groups, supported illegal activities by the local militias, and corrupted elements of the national and local governments in Afghanistan. The findings note that the current United States counter-narcotics strategy for Afghanistan has not produced significant results. The findings describe that the misaligned eradication policy endorsed by the United States Government has led some adversely-affected Afghan farmers and villagers to support insurgent groups, including the Taliban.

The findings describe the need for continued commitment from the United States and the international community to support the growth of the Afghan economy, the security of the country through increased assistance to the Afghan army, police and counter-narcotics forces, and to show a long-term commitment to support the promotion of democracy and the protection of human rights in Afghanistan. The findings discuss the Afghanistan Compact, which supports the Afghan National Development Strategy, and provides for the international community's commitment to Afghanistan and the Government of Afghanistan's commitment to state-building and reform over the next five years.

The findings also note that the security of Afghanistan is closely intertwined with those of its regional neighbors and that success in Afghanistan is dependent on security and stability in the region. Finally, this section highlights the recent closure of four Afghan refugee camps in Pakistan and the deportation of Afghans from Iran that resulted in over 200,000 Afghan refugees returning to Afghanistan in urgent need of humanitarian services.

Section 3. Definition.

This section provides definitions for use in the act.

TITLE I—ECONOMIC AND DEMOCRATIC DEVELOPMENT ASSISTANCE FOR AFGHANISTAN

Title I authorizes assistance to Afghanistan to support its economic and democratic development; provides for a certification and limitation on such assistance in certain cases; provides for increased monitoring, evaluation, and coordination of such assistance; and authorizes appropriations to carry out such assistance.

Section 101. Declaration of Policy

This section amends section 101 of the Afghanistan Freedom Support Act of 2002 (22 U.S.C. 7511), hereafter referred to as "AFSA," by providing for additional declarations of policy. This section declares that it is the United States policy: to continue to work with the Government of Afghanistan and other friendly countries to ensure that Afghanistan's neighboring countries and other countries in the region do not threaten or interfere in one another's sovereignty, territorial integrity, or political independence, including supporting diplomatic initiatives to support this goal for the establishment of an independent and neutral Afghanistan; to continue to demonstrate a long-term commitment to the people of Afghanistan by sustained assistance and the continued deployment of United States troops in Afghanistan with the support of the Government of Afghanistan; to support efforts that advance the development of democratic civil authorities and institutions in Afghani-

stan's neighboring countries and throughout the Central Asia and South Asia regions; to support all efforts to fight corruption in all levels of government in Afghanistan and assist in promoting an efficient and effective Government of Afghanistan.

Section 102. Purposes of Assistance.

This section amends section 102 of the AFSA by providing for additional purposes of assistance: to establish a pilot program to test the effectiveness of a crop substitution policy combined with an appropriate offset to encourage legitimate alternatives to poppy production and to provide practical information on the measures needed to implement such a policy; and to provide assistance to the energy sector.

Section 103. Authorization of Assistance.

Subsection (a) amends subsection (a)(1) of section 103 of the AFSA by providing for continuing humanitarian needs.

Subsection (b) amends subsection (a)(3) of section 103 of the AFSA by providing for an authorization to assist in the apprehension of individuals who organize, facilitate, and profit from the drug trade, and the destruction of drug laboratories.

Subsection (b) further amends subsection (a)(3) of section 103 of the AFSA by authorizing assistance to establish a pilot program to test the effectiveness of a crop substitution combined with an appropriate offset to encourage legitimate alternatives to poppy production for Afghan poppy farmers within an area in which poppy production is prevalent. The Committee intends to better learn and understand the measures needed to create a successful alternative livelihood program to transition farmers who currently grow illicit poppy to grow licit crops. By providing seeds and technical assistance for alternative crops that have market demand and coupling that assistance with a offset that would address significantly the difference in income that farmers would otherwise receive by selling poppy, the Committee's intent is to test the effectiveness, utility, and challenges associated with transitioning Afghan farmers to grow licit crops. Future alternative livelihood programs in this area could benefit from the lessons learned from such a pilot program, regardless of the level of success of this program. Finally, the offset authorized by this section is not intended to be paid to farmers who grow both poppy and legitimate crops. It should be paid to farmers who are growing licit crops only. The Committee expects that funds for this program will come from funds appropriated pursuant to the Foreign Assistance Act of 1961.

Subsection (b) also amends subsection (a)(3) of section 103 of the AFSA by authorizing to be appropriated \$15,000,000 for each of the fiscal years 2008 through 2010 to the President for a contribution to the United Nations Drug Control Program.

Subsection (b) authorizes \$10,000,000 for each of the fiscal years 2008 through 2010 to carry out the crop substitution pilot program and calls on the President to transmit a report to the appropriate congressional committees on the status of the implementation of the pilot program.

Subsection (c) amends subsection (a)(4) of section 103 of the AFSA by authorizing: increased assistance for credit, savings, and other financial services, and for farm management and business

advisory services; assistance for programs to train medical personnel, including doctors, nurses, physicians' assistants, and midwives; assistance for programs to provide equipment to primary and secondary clinics and hospitals; and assistance to rebuild and construct rural and urban roads and highways.

Subsection (d) amends subsection (a)(5) of section 103 of the AFSA by adding "anti-corruption" in the title of such subsection. Subsection (d) further amends such subsection by authorizing assistance to support the implementation of the Afghan Action Plan on Transitional Justice; and to support land titling programs and reconciliation of land rights. This subsection also amends subsection (a)(5) of section 103 of the AFSA by authorizing anticorruption assistance, including assistance to improve transparency and accountability, to increase the participatory nature of governmental institutions, and to promote other forms of good government and management in all levels of government in Afghanistan.

Subsection (e) amends subsection (a)(7) of section 103 of the AFSA by authorizing health, education, human rights, democratic and other forms of assistance to Afghan women and girls; and by authorizing assistance to the Afghan Ministry of Women's Affairs and the Afghan Independent Human Rights Commission. This subsection authorizes for each of the fiscal years 2008 through 2010: \$5,000,000 to the Afghan Ministry of Women's Affairs; \$10,000,000 to the Afghan Independent Human Rights Commission; and \$30,000,000 for grants to Afghan-led nongovernmental organizations, including Afghan women-led nongovernmental organizations.

Subsection (f) amends subsection (a) of section 103 of the AFSA by adding a new paragraph that authorizes assistance for energy development and short-term energy supply. This subsection authorizes assistance to support the development of local energy sources, new power generation, and energy transportation; and authorizes assistance to supply short-term energy resources, such as diesel to secure the delivery of electricity to major Afghan cities where there is a critical and immediate need for power. This subsection authorizes, for each of the fiscal years 2008 through 2010, \$75 million to provide short-term energy assistance. The subsection also includes a sense of Congress that the Overseas Private Investment Corporation should increase efforts to promote and support United States-sponsored private investment in the energy sector in Afghanistan.

Subsection (g) further amends subsection (a) of section 103 of the AFSA by adding a new paragraph that authorizes assistance for programs to increase the capacity and improve the sustainability of Afghan national, provincial, and local governmental institutions.

Subsections (h) and (i) make other conforming amendments to section 103 of the AFSA.

Section 104. Certification and Phased-in Limitation on Economic and Democratic Development Assistance.

This section amends Title I of the AFSA by adding a new section 104 providing for a certification and phased-in limitation on economic and democratic development assistance for Afghanistan.

Subsection (a) requires the President to submit to Congress not later than October 1, 2008 and each October 1 thereafter a certification that contains a determination of whether any senior official

of the Government of Afghanistan, at the provincial or local levels, is engaged in or benefits from the illicit narcotics trade or is engaged in terrorist or criminal activities. Such certification must be transmitted in unclassified form, but may contain a classified annex.

Subsection (b) provides that for fiscal year 2009 and each subsequent fiscal year, assistance authorized under Title I of this Act, as amended, or under the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.), may not be provided to any provincial or local government of Afghanistan if the President determines and certifies that for such fiscal year that, based upon substantiated and credible evidence, one or more senior officials of the Government of Afghanistan from such provincial or local government, is engaged in or benefits from the narcotics trade or is engaged in terrorist or criminal activities.

The intent of the Committee in section 104(b) is to limit assistance to Afghan provincial or local governments, much of which is provided through Provincial Reconstruction Teams, if the provincial governor, deputy governor, or other official of similar rank is found to be engaged in or benefiting from narcotics, terrorist, or criminal activities. It is also the intent of this Committee that the determination and the certification referenced in subsection (b) be made in a timely manner and be based on substantiated and credible evidence. However, the prohibition does not require that assistance through non-governmental organizations or other mechanisms be terminated.

Section 105. Monitoring and Evaluation of Assistance.

This section amends Title I of the AFSA, as amended by section 104, by adding a new section 105 Subsection (a) authorizes the President to establish and implement a system to monitor and evaluate the effectiveness and efficiency of assistance provided under Title I as amended on a program-by-program basis to maximize the long-term sustainable development impact of such assistance.

Subsection (b) requires the President to establish performance goals for assistance and express such goals in an objective and quantifiable form; to establish performance indicators to be used in measuring or assessing the achievement of such performance goals; and to provide a basis for recommendations for adjustments to assistance authorized under Title I as amended by this Act to enhance the impact of such assistance.

Subsection (c) requires the President to provide assistance to enhance the capacity of the Government of Afghanistan to monitor and evaluate programs carried out by Afghan national, provincial, and local governments.

Subsection (d) authorizes for a fiscal year, not less than 5 percent of such amounts are authorized to be appropriated under Title I of this Act as amended.

Section 106. Coordination of Assistance.

Subsection (a) contains a congressional finding that the Coordinator of Assistance position provided for in section 106 of the Afghanistan Freedom Support Act of 2002 (as re-designated) has not

achieved the objectives of an integrated approach to United States assistance programs for Afghanistan.

Subsection (b) requires the President to appoint, not later than 90 days after the date of the enactment of this Act, with the advice and consent of the Senate, a Coordinator who shall report directly to the President, have the rank of Ambassador, and not hold any other position in the United States Government.

Subsection (c) establishes the duties of the Coordinator. These duties include designing a non-military assistance strategy in coordination with the heads of relevant United States departments and agencies; ensuring interagency policy coordination on assistance and counter-narcotics activities; pursuing coordination with other countries and international organizations; coordinating interagency implementation and oversight for assistance; resolving interagency policy disputes; and ensuring international coordination on counter-narcotics and other assistance programs. The Committee believes that the Coordinator should have the authority to work across all United States government departments and agencies to implement a counter-narcotics strategy.

Subsection (d) allows the Coordinator to appoint up to two deputy coordinators to assist with the duties of the Coordinator. The Committee expects that any Deputy Coordinators appointed be assigned with duties in one of the three broad areas of (1) counter-narcotics, (2) reconstruction and development, or (3) equipping and training Afghan National Security Forces.

Subsection (e) repeals Section 106 of the Afghanistan Freedom Support Act of 2002.

Section 107. Pilot Program for Scholarships to Provide Scholarships to Afghan Students for Public Policy Internships in the United States.

Section 107 adds a new Sec. 106 to the AFSA:

Subsection (a) requires the Secretary of State to establish a pilot program to provide scholarships to undergraduate and graduate Afghan students for public policy scholarships in the United States. The Committee expects that the participants of this program may also include Afghan expatriates residing outside of Afghanistan.

Subsection (b) declares a sense of Congress that the program should include 20 participating students for each fiscal year.

Subsection (c) authorizes the pilot program for fiscal years 2008, 2009, and 2010.

Section 108. Authorization of Appropriations.

Subsection (a) amends subsection (a) of section 110 of the Afghanistan Freedom Support Act of 2002 (as re-designated) by authorizing \$1,600,000,000 for each of the fiscal years 2008 through 2010.

Subsection (b) provides for a rule of construction.

Section 109. Clerical Amendment.

This section makes clerical changes to the table of contents in section 1(b) of the Afghanistan Freedom Support Act of 2002 (22 U.S.C. 7501 note).

TITLE II—ASSISTANCE FOR A NEW SECURITY FRAMEWORK FOR
AFGHANISTAN

SUBTITLE A—AMENDMENTS TO THE AFGHANISTAN FREEDOM SUPPORT
ACT OF 2002

Section 201. Authorization of Assistance.

Subsection (a) extends the drawdown authority of the Department of Defense in section 202 of the AFSA and allows a maximum of \$300,000,000 worth of such equipment and services to be granted in each fiscal year.

Subsection (b) further declares it to be the sense of Congress that such assistance should promote greater interoperability between the military forces of the United States, ISAF and Afghanistan.

Section 202. Congressional Notification Requirements.

Section 202 amends section 206 of the AFSA to make conforming changes to reflect the Committee on Foreign Affairs' new name.

Section 203. Matters Relating to the International Security Assistance Force.

Subsection (a) amends Section 206 of the AFSA by striking subsection (c) and re-designating subsections (d) and (e) as (c) and (d), respectively.

Subsection (b) makes technical changes to subsection (c) of Section 206 of the AFSA.

Subsection (c) amends Section 206 by adding a new arms sales incentive for countries participating in military operations in Afghanistan by authorizing the President to provide a subsidy of up to five percent of the acquisition cost of United States defense items, if the purchasing nation will use such items or defense items it already possesses of comparable quality and quantity, in military operations in Afghanistan for an extended period of time. This subsection authorizes \$10 million for fiscal years 2008 through 2010 for such purposes.

Section 204. Sunset.

This section extends the Afghanistan Freedom Support Act of 2002 until 2010.

SUBTITLE B—OTHER MATTERS

Section 211. Counter-narcotics Activities in Afghanistan.

Subsection (a) requires the President, through the Secretary of Defense, to direct the Armed Forces to support counter-narcotics interdiction operations in Afghanistan, consistent with ongoing operational activities. This subsection also states that such operations will be conducted in coordination with the Government of Afghanistan and with support from the United Kingdom and other appropriate countries. The types of operations shall include intelligence, surveillance, information sharing, logistical support to the extent practicable, and training and equipping the Afghan National Police. It is the intent of the Committee that this provision requires the President, through the Secretary of Defense, to authorize the Armed Forces to assist in counter-narcotics operations, such as those operated by the Drug Enforcement Administration (DEA) in

Afghanistan. The Committee believes that we need the DEA working with the Department of Defense (DOD) to establish means for the DEA to participate in DOD sensitive site exploitation operations where there are overlapping DOD and DEA targets, or on direct action missions in where there is a strong likelihood that a targeted anti-Coalition militant is in direct possession of substantial amounts of illicit narcotics based on DOD or DEA information.

Subsection (b) requires the President to enhance civilian counter-narcotics teams, including the existing Afghan National Interdiction Unit, and that for those teams, support as described in subsection (a) will be provided.

Subsection (c) allows for counter-narcotics law enforcement personnel of NATO and other friendly countries to participate in the teams described in subsection (b) or other counter-narcotic operations supported by the United States. The Committee is aware of some concerns about foreign counter-narcotic police units participating in operations in Afghanistan and this provision mitigates such concerns.

Subsection (d) requires the President to ensure that assistance to the Afghan National Police includes vetting procedures that assess police candidates' aptitudes, skills, and integrity.

Section 212. Expansion of International Contributions to the Security of Afghanistan.

Subsection (a) states that it is the policy of the United States to encourage the Governments of Pakistan and other friendly Arab countries to increase reconstruction assistance and diplomatic support for Afghanistan.

Subsection (b) directs the President to encourage the Governments of Pakistan and Afghanistan to engage in greater military cooperation to promote greater trust and transparency between them, including greater communication and coordination between their respective military, border security, and counter-narcotic units operating on both sides of the border between Pakistan and Afghanistan.

Subsection (c) requires a biannual report on the implementation of subsection (b) until September 30, 2008.

Subsection (d) defines "appropriate congressional committees" for this section to be the Committee on Foreign Affairs and the Committee on Armed Services in the House and their corresponding committees in the Senate.

Section 213. Training for Military Personnel of Foreign Countries that are to be Deployed for Security Operations in Afghanistan.

Section 213 amends Chapter 5 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2347 et seq.) adding a new "Sec. 550" to furnish International Military Education and Training (IMET).

Subsection (a) of the new section 550 authorizes the President to furnish training for military personnel of foreign countries that are to be deployed for security operations in Afghanistan, particularly in the areas of special operations, counter-insurgency, border security, counter-terrorism, and counter-narcotics.

Subsection (b) of the new section 550 authorizes \$10,000,000 for each of the fiscal years 2008 through 2010 for this purpose.

Section 214. Humanitarian Assistance for War Victims.

Subsection (a) provides a Sense of Congress that supports ongoing programs to provide assistance to families of Afghan civilians or innocent Afghans who have suffered a serious loss during military operations carried out by the United States in Afghanistan.

Subsection (b) requires the President to submit a report on the feasibility of expanding the program described in subsection: 1) to assess the provision of assistance to families who have lost a family member who was their primary source of income; 2) to examine the potential of providing assistance in excess of \$2,500 to families of Afghan civilians; and 3) to explore the provision of other payments that may be required.

Section 215. Sense of Congress Concerning United Nations Mandate in Afghanistan.

Section 215 declares the sense of Congress that the United Nations Security Council should expand the United Nations mandate in Afghanistan to: (1) authorize international civilian law enforcement missions in Afghanistan as a part of peace operations of the United Nations in Afghanistan; (2) authorize the International Security Assistance Force to participate in counter-drug interdiction operations, consistent with ongoing operational activities and as opportunities arise, against the top narcotic traffickers, their operations, and their infrastructure in Afghanistan, with the concurrence of the Government of Afghanistan; (3) install effective centralized authority within the United Nations Special Representative for Afghanistan such that the international community's political objectives can be prioritized and communicated directly with the Government of Afghanistan; and (4) extend the authorization of the International Security Assistance Force beyond October 13, 2007. Section 215 does not in any way intend nor empower the United Nations to assume any responsibility for or control over United States' military, economic, political, counter-terrorism, counter-narcotics, or humanitarian operations in Afghanistan.

TITLE III—MISCELLANEOUS PROVISIONS

Section 301. Donor Contributions to Afghanistan and Reports.

This section amends subsection (c)(1) of section 303 of the AFSA by changing the references from individual committees and to the appropriate congressional committees, and changing the date referenced from December 31, 2004 to December 31, 2010.

Section 302. Report on Progress Toward Security and Stability in Afghanistan.

Subsection (a) amends Title III of the AFSA by amending section 304 of the Act to provide for a comprehensive review of the progress being made in Afghanistan. Too often the U.S. Government is faced with subjective judgments about progress in Afghanistan or is at the whim of news reports that cannot present a comprehensive picture. In order to increase oversight and obtain a more accurate view of the situation in Afghanistan, H.R. 2446 requires a detailed security report.

Subsection (a) of the new section 304 requires the President to submit a report no more than 90 days after the passage of this Act

and every 6 months thereafter until September 30, 2010, on a set of performance indicators and measures towards political, economic, and military stability.

Subsection (b) of the new section 304 describes the elements to be included in the report including four main areas: stability and security; training and performance of security forces; economic and political stability; and opium production and counter-narcotics efforts. Listed below are the key topics to be covered in each of the above areas.

Paragraph (1) includes such key areas as assessment of the strength of the insurgency, a description of the level of warlords' and drug kingpins' control in the countryside, a description of all militias, tribal forces and terrorist and insurgent groups, and the rules of engagement for ISAF. It is the Committee's expectation that the key measures of political stability include objectives at the national, provincial, and local government levels that must be achieved over the next year to ensure that all elements of Afghan society support the elected government in Kabul and to reduce or eliminate support for insurgent and other hostile groups. For the indicators of a stable security environment, the Committee expects the number of engagements to be reported by province. In addition, subtotals for Afghan forces by the Afghanistan National Army (ANA), the Afghanistan National Police (ANP), and the Afghan National Auxiliary Police should be reported, and subtotals for ISAF by national element should be reported.

Paragraph (2), relating to training and performance of security forces, requires information on key criteria for assessing the capability and readiness of the ANA and ANP, the rates of recruitment, retention and absenteeism of the ANA and ANP, the number of international advisors needed to support the security forces, and the requirements for U.S. troop rotation through fiscal year 2008. The Committee intends that the report includes the operational readiness status and combat history of the ANP, Afghan National Auxiliary Police, and any other security forces supported by ISAF or the Government of Afghanistan, including the type, number, size, and organizational structure of each such Afghan security force and its effectiveness in providing security and police services by province.

Paragraph (3) relates to the economic and political stability in Afghanistan including: an estimate of annual budget and revenue of Government of Afghanistan (GOA); an estimate of funds pledged by major donors; an assessment of United States reconstruction assistance programs including description of efforts to improve monitoring and evaluation, of completed, ongoing, and future reconstruction programs, of efforts to improve employment, and of progress in implementing the Afghanistan National Development Strategy; and key economic and political indicators, including unemployment levels, agriculture production, infrastructure construction, education levels, electricity rates, hunger and poverty levels, illiteracy rates, medical services and maternal and infant mortality rates, human rights indicators, measures for political and religious freedom, women's participation indicators, and measures of freedom of the press. The Committee intends that the measures of political freedom include indicators for anti-corruption programs that

meet national priorities and indicators for effective provincial and local governance.

Paragraph (4) relates to the key issues of opium production and counter-narcotics efforts, and includes requirements for an estimate of the number of hectares of poppy and the amount of poppy production, giving totals for each province and country-wide; the number of hectares of poppy eradicated, including totals by province; the number of counter-narcotics raids on labs and other facilities; the number of counter-narcotics raids and other actions on traffickers; the number and description of Afghan counter-narcotics forces; the number and description of alternative livelihood programs; the number and type of NATO and United States assistance provided to Afghan counter-narcotic teams and the number and type of requests for assistance by United States and Afghan counter-narcotics teams, including the Drug Enforcement Administration; and the assessment of Afghan efforts to extradite suspects including a list of persons whose extradition has been requested of the Government of Afghanistan, a determination if the Government of Afghanistan is making good faith efforts in extradition processes, and an analysis of any legal obstacles. The Committee intends that the description of alternative livelihood programs include a description of where the programs have been conducted, an assessment of the number of hectares planted with poppy in the year following such programs, and their effectiveness in winning popular support and avoiding efforts that create support for enemies of the Government of Afghanistan.

Subsection (c) of the new section 304 requires that, to the extent necessary, the President shall submit an update to the report described in subsection (a) no later than 90 days after the previous date of submission.

Subsection (d) of the new section 304 requires the report in subsection (a) to be submitted in unclassified form but may include a classified annex.

Subsection (e) of the new section 304 defines appropriate congressional committees to include the Committees on Armed Services, Appropriations, and Foreign Affairs of the House of Representatives; and the Committees on Armed Services, Appropriations, and Foreign Relations of the Senate.

Section 303. Comprehensive Interagency Strategy for Long-Term Security and Stability in Afghanistan.

Subsection (a) amends Section 305 of the AFSA by redesignating section (b) as (c) and inserting subsection (b) that is described below after subsection (a) in Section 305.

Subsection (b) is titled “Comprehensive Interagency Strategy,” and paragraph (1) requires the President to formulate a clear, comprehensive, and effective interagency strategy for long term security and stability in Afghanistan.

Paragraph (2) of the new subsection (b) requires that the strategy include three main elements, including: Reinvigorated Reconstruction Activities and Provincial Reconstruction Teams, Counter-narcotics Strategy, and Sustainability of the Afghanistan National Security Forces. The Committee expects the following information from each of the elements:

Subparagraph (a) requires a strategy to reinvigorate reconstruction activities and Provincial Reconstruction Teams (PRTs), including a plan to:

- (i) implement the Interim Afghanistan National Development Strategy;
- (ii) provide a mechanism for tracking reconstruction funding;
- (iii) provide a mechanism for tracking programs implemented by PRTs;
- (iv) provide a mechanism to enhance interagency coordination;
- (v) enhance monitoring and evaluation of reconstruction programs;
- (vi) identify and implement critical reconstruction programs;
- (vii) increase contributions from ISAF and other countries;
- (viii) improve employment;
- (ix) provide a description of efforts to enhance the capacity of the GOA;
- (x) explain the efforts of the GOA to implement programs;
- (xi) increase the number of PRTs;
- (xii) clarify a single chain of command of PRTs;
- (xiii) increase staffing;
- (xiv) incorporate measures to improve effectiveness of PRTs including an assessment of the adequacy of PRTs in meeting the overall aid needs of each province and major area of operations; and
- (xv) ensure that a significant amount of material, financial, and personnel support comes from foreign sources.

The strategy must also include an element relating to the U.S. Counter-narcotics Strategy, including a plan to address the current U.S. five pillar strategy, identify roles and responsibilities of key U.S. agencies, describe the strategic direction of U.S. counter-narcotics efforts and describe the involvement of and coordination with the United Kingdom and other partners. The Committee also expects that the plan will include measures to mitigate any programs that result in popular hostility and support for extremist groups, warlords, and other elements hostile to the Government of Afghanistan and ISAF. The Committee believes that any plans to target narcotics producers and traffickers should have an emphasis on the leaders of key narcotics organizations and senior Afghan officials and officers who are involved in such organizations.

A third element of the strategy is to provide a strategy for the sustainability of the Afghanistan National Security Forces (ANSF), including a mechanism to track funding for the ANSF, to provide a description of actions to build effective Afghan security institutions, and to provide for interagency and international coordination. The Committee believes that any mechanism to track funding for the ANSF include the provision of pay and other benefits to ANSF personnel.

Paragraph (3) of new subsection (b) to section 305 requires the President to submit an update of the report required in subsection (c) of the underlying law that contains the strategy described in paragraph (1) by no later than December 1, 2007. The Committee intends that the President provide the new strategy and the report required by the amended section 304 simultaneously so that Congress has the new strategy and a baseline to measure the new strategy against as it moves forward. This paragraph also requires

the report to be submitted in unclassified form that may include a classified annex.

Subsection (b) amends subsection (c) of the AFSA (as redesignated) by requiring the President to submit an update to the strategy every 90 days until the end of fiscal year 2010, as necessary. If no revisions are made during the 90 day period, a simple one sentence report is all that is required by this subsection. The amendment also includes adding the Committees on Armed Services in the House and Senate to the definition of ‘appropriate congressional committees.’

Section 304. Special Envoy for Afghanistan-Pakistan Cooperation.

Subsection (a) provides a Statement of Policy that declares that it is in the national interest of the United States that Afghanistan and Pakistan work together to address common challenges.

Subsection (b) establishes that the President is authorized to appoint a special envoy to promote closer cooperation between Afghanistan and Pakistan.

Subsection (c) says that the special envoy shall be appointed with the advice and consent of the Senate, shall have the rank of Ambassador-at-Large, and may be appointed from individuals who are officials from the Department of State.

Subsection (d) lays out the duties of the special envoy. In general, the primary responsibility shall be to coordinate U.S. policy on bilateral relations between Afghanistan and Pakistan. The special envoy shall also advise the President and Secretary of State and shall make recommendations to: (A) stem cross-border activities; (B) provide assistance to Afghan refugees; (C) bolster economic cooperation and people-to-people ties; and (D) offer comprehensive efforts for counter-narcotics strategies.

Section. 305. Transit Through Pakistan of Shipments by India in Support of Reconstruction Efforts in Afghanistan.

Subsection (a) is a Statement of Policy to encourage Pakistan to permit shipments by India of equipment and material across the territory of Pakistan to Afghanistan in support of reconstruction and development projects in Afghanistan. This policy reflects the Committee’s desire to bolster regional cooperation through confidence building measures.

Subsection (b) requires the President to submit a report, no later than 90 days after the passage of the Act and annually thereafter, on actions by Pakistan to permit or impede such shipments. The report would no longer be required if the President makes the determination that India no longer needs to make such shipments to Afghanistan.

Section. 306. Reauthorization of Radio Free Afghanistan.

Subsection (a) states that Congress finds that since 2002, Radio Free Europe/Radio Liberty (RFE/RL) has provided daily broadcasting services to the people of Afghanistan in Dari and Pashto; that Radio Free Afghanistan is the leading broadcaster in Afghanistan; and that it is in the national interest to continue these broadcasts.

Subsection (b) authorizes such sums as may be necessary for fiscal years 2008 through 2010 to the Broadcasting Board of Gov-

ernors for grants to support 12 hours of daily surrogate broadcasting services through Radio Free Afghanistan.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

AFGHANISTAN FREEDOM SUPPORT ACT OF 2002

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

(a) **SHORT TITLE.**—This Act may be cited as the “Afghanistan Freedom Support Act of 2002”.

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

Sec. 1. Short title; table of contents; definition.

TITLE I—ECONOMIC AND DEMOCRATIC DEVELOPMENT ASSISTANCE FOR AFGHANISTAN

Sec. 101. Declaration of policy.

* * * * *

[Sec. 104. Coordination of assistance.

[Sec. 105. Sense of Congress regarding promoting cooperation in opium producing areas.

[Sec. 106. Administrative provisions.

[Sec. 107. Relationship to other authority.

[Sec. 108. Authorization of appropriations.**]**

Sec. 104. *Certification and phased-in limitation on United States economic and democratic development assistance for Afghanistan.*

Sec. 105. *Monitoring and evaluation of assistance.*

Sec. 106. *Pilot program to provide scholarships to Afghan students for public policy internships in the United States.*

Sec. 107. *Sense of Congress regarding promoting cooperation in opium producing areas.*

Sec. 108. *Administrative provisions.*

Sec. 109. *Relationship to other authority.*

Sec. 110. *Authorization of appropriations.*

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TITLE III—MISCELLANEOUS PROVISIONS

* * * * *

[Sec. 304. Reports.**]**

Sec. 304. *Report on progress toward security and stability in Afghanistan.*

* * * * *

[(c) **DEFINITION.**—In this Act, the term “Government of Afghanistan” includes—

[(1) the government of any political subdivision of Afghanistan; and

[(2) any agency or instrumentality of the Government of Afghanistan.**]**

(c) **DEFINITIONS.**—*In this Act:*

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—*Except as otherwise provided, the term “appropriate congressional committees” means—*

(A) *the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives; and*

(B) *the Committee on Foreign Relations and the Committee on Appropriations of the Senate.*

(2) *GOVERNMENT OF AFGHANISTAN.—The term “Government of Afghanistan” includes—*

(A) *the government of any political subdivision of Afghanistan; and*

(B) *any agency or instrumentality of the Government of Afghanistan.*

(3) *INTERNATIONAL SECURITY ASSISTANCE FORCE OR ISAF.—The term “International Security Assistance Force” or “ISAF” means the international security assistance force established to assist in the maintenance of security in Afghanistan pursuant to United Nations Security Council Resolution 1386 (2001), as amended by United Nations Security Council Resolutions 1413 (2002), 1444 (2002), 1510 (2003), 1563 (2004), 1623 (2005), and 1707 (2006).*

TITLE I—ECONOMIC AND DEMOCRATIC DEVELOPMENT ASSISTANCE FOR AFGHANISTAN

SEC. 101. DECLARATION OF POLICY.

Congress makes the following declarations:

(1) * * *

* * * * *

[(4) The United States should support the objectives agreed to on December 5, 2001, in Bonn, Germany, regarding the provisional arrangement for Afghanistan as it moves toward the establishment of permanent institutions and, in particular, should work intensively toward ensuring the future neutrality of Afghanistan, establishing the principle that neighboring countries and other countries in the region do not threaten or interfere in one another’s sovereignty, territorial integrity, or political independence, including supporting diplomatic initiatives to support this goal.

[(5) The special emergency situation in Afghanistan, which from the perspective of the American people combines security, humanitarian, political, law enforcement, and development imperatives, requires that the President should receive maximum flexibility in designing, coordinating, and administering efforts with respect to assistance for Afghanistan and that a temporary special program of such assistance should be established for this purpose.

[(6) To foster stability and democratization and to effectively eliminate the causes of terrorism, the United States and the international community should also support efforts that advance the development of democratic civil authorities and institutions in the broader Central Asia region.]

(4) *While the election of a President and the establishment of a National Parliament for Afghanistan concluded the process begun in December 5, 2001, in Bonn, Germany, the United States needs to continue to work with the Government of Afghanistan and other friendly countries to ensure that Afghani-*

stan's neighboring countries and other countries in the region do not threaten or interfere in one another's sovereignty, territorial integrity, or political independence, including supporting diplomatic initiatives to support this goal for the establishment of an independent and neutral Afghanistan.

(5) The United States must continue to demonstrate a long-term commitment to the people of Afghanistan by sustained assistance and the continued deployment of United States troops in Afghanistan with the support of the Government of Afghanistan as Afghanistan continues on its path toward a broad-based, multi-ethnic, gender-sensitive, and fully representative government in Afghanistan.

(6) To foster stability and democratization and to effectively eliminate the causes of terrorism, the United States and the international community should also support efforts that advance the development of democratic civil authorities and institutions in Afghanistan's neighboring countries and throughout the Central Asia and South Asia regions.

(7) While rampant corruption has impeded development and economic growth in Afghanistan and contributed to insecurity in the country, the United States should support all efforts to fight corruption in all levels of government in Afghanistan and assist in promoting an efficient and effective Government of Afghanistan.

SEC. 102. PURPOSES OF ASSISTANCE.

The purposes of assistance authorized by this title are—

(1) * * *

(2) to support the continued efforts of the United States and the international community to address **【the humanitarian crisis】** *the continuing humanitarian needs* in Afghanistan and among Afghan refugees in neighboring countries;

(3) to fight the production and flow of illicit narcotics, to control the flow of precursor chemicals used in the production of **【heroin, and to】** *heroin*, to enhance and bolster the capacities of Afghan governmental authorities to control poppy cultivation and related activities, *and to establish a pilot program to test the effectiveness of a crop substitution combined with an appropriate offset policy and to provide practical information on the measures needed to implement such a policy with the potential of scaling up the pilot program for large-scale deployment;*

* * * * *

(7) to support the reconstruction of Afghanistan through, among other things, programs that create jobs, facilitate clearance of landmines, and rebuild the agriculture sector, *the energy sector*, the health care system, and the educational system of Afghanistan;

* * * * *

SEC. 103. AUTHORIZATION OF ASSISTANCE.

(a) **IN GENERAL.**—Notwithstanding any other provision of law, the President is authorized to provide assistance for Afghanistan for the following activities:

(1) **【URGENT】 CONTINUING HUMANITARIAN NEEDS.**—To assist in meeting the **【urgent】 continuing** humanitarian needs of the people of Afghanistan, including assistance such as—

(A) * * *

* * * * *

(3) **COUNTERNARCOTICS EFFORTS.**—(A) **【To assist in】** *To assist in the apprehension of individuals who organize, facilitate, and profit from the drug trade, the eradication of poppy cultivation, the disruption of heroin production, including the destruction of drug laboratories, and the reduction of the overall supply and demand for illicit narcotics in Afghanistan and the region, with particular emphasis on assistance to—*

(i) * * *

* * * * *

(B) To establish a pilot program to test the effectiveness of a crop substitution combined with an appropriate offset to encourage legitimate alternatives to poppy production for Afghan poppy farmers within an area in which poppy production is prevalent, such as in the Helmand or Nangarhar provinces, by providing—

(i) seeds for alternative crops for which there is internal market demand and in an areas in which there is adequate infrastructure for access to market;

(ii) technical assistance to such Afghan poppy farmers on how to best plant, grow, and harvest the alternative crops utilized; and

(iii) an appropriate offset that would significantly address the difference in income that such Afghan poppy farmers would otherwise earn had they continued to grow and sell poppy.

【(B)】 (C) For each of the fiscal years **【2003 through 2006】 2008 through 2010**, \$15,000,000 is authorized to be appropriated to the President to be made available for a contribution to the United Nations Drug Control Program for the purpose of carrying out activities described in clauses (i) through (v) of subparagraph (A). **【Amounts made available under the preceding sentence are in addition to amounts otherwise available for such purposes.】**

(ii) For each of the fiscal years 2008 through 2010, \$10,000,000 is authorized to be appropriated to the President to carry out activities described in subparagraph (B).

(iii) Amounts made available under clauses (i) and (ii) are in addition to amounts otherwise available for such purposes.

(D) Not later than 180 days after the date of the enactment of the Afghanistan Freedom and Security Support Act of 2007, and every 180 days thereafter through the end of fiscal year 2010, the President shall transmit to the appropriate congressional committees a report on the status of the implementation of the activities described in subparagraph (B). The report required by this subparagraph may be included in the report required by section 304 of this Act.

(4) **REESTABLISHMENT OF FOOD SECURITY, REHABILITATION OF THE AGRICULTURE SECTOR, IMPROVEMENT IN HEALTH CONDI-**

TIONS, AND THE RECONSTRUCTION OF BASIC INFRASTRUCTURE.—
 To assist in expanding access to markets in Afghanistan, to increase the availability of food in markets in Afghanistan, to rehabilitate the agriculture sector in Afghanistan by creating jobs for former combatants, returning refugees, and internally displaced persons, to improve health conditions, and assist in the rebuilding of basic infrastructure in Afghanistan, including assistance such as—

(A) * * *

[(B) extension of credit;]

(B) increased access to credit, savings, and other financial services and to farm management and business advisory services;

* * * * *

(K) programs to train medical personnel, including doctors, nurses, physicians' assistants, and midwives;

(L) programs to provide equipment to primary and secondary clinics and hospitals;

[(K)] *(M) programs for housing (including repairing homes damaged during military operations), rebuilding urban infrastructure, and supporting basic urban services;*

[(L)] *(N) disarmament, demobilization, and reintegration of armed combatants into society, particularly child soldiers; [and]*

[(M)] *(O) assistance in identifying and surveying key road and rail routes that are essential for economic renewal in Afghanistan and the region and support for the establishment of a customs service and training for customs officers[.]; and*

(P) rebuilding and constructing rural and urban roads and highways, including secondary and tertiary road systems.

* * * * *

(5) EDUCATION, THE RULE OF LAW, ANTI-CORRUPTION, AND RELATED ISSUES.—

(A) * * *

(B) RULE OF LAW.—To assist in the development of the rule of law and good governance and reduced corruption in Afghanistan, including assistance such as—

(i) * * *

* * * * *

[(v) support to increase the transparency, accountability, and participatory nature of governmental institutions, including programs designed to combat corruption and other programs for the promotion of good governance, such as the development of regulations relating to financial disclosure for public officials, political parties, and candidates for public office, and transparent budgeting processes and financial management systems;]

[(vi)] *(v) support for establishment of a central bank and central budgeting authority;*

[(vii)] *(vi)* support for international organizations that provide civil advisers to the Government of Afghanistan; [and]

[(viii)] *(vii)* support for Afghan and international efforts to investigate human rights atrocities committed in Afghanistan by the Taliban regime, opponents of such regime, and terrorist groups operating in Afghanistan, including the collection of forensic evidence relating to such atrocities[.];

(viii) support for the implementation of the Afghan Action Plan on Transitional Justice, including examination of abuses by all parties as specified by the document with a view to establishing truth, reconciliation, and justice; and

(ix) support for land titling programs and reconciliation of land rights.

(C) ANTI-CORRUPTION ASSISTANCE.—*To combat corruption, improve transparency and accountability, increase the participatory nature of governmental institutions, and promote other forms of good governance and management in all levels of government in Afghanistan, including assistance such as—*

(i) providing technical assistance to the Government of Afghanistan to assist in the efforts to ratify the United Nations Convention against Corruption and assistance in creating implementation legislation and a monitoring mechanism to oversee implementation of the United Nations Convention against Corruption;

(ii) supporting the establishment of audit offices, inspectors general offices, third party monitoring of government procurement processes, and anti-corruption agencies;

(iii) promoting legal and judicial reforms that criminalize corruption and law enforcement reforms and development that encourage prosecutions of corruption;

(iv) providing technical assistance to develop a legal framework for commercial transactions that fosters business practices that promote transparent, ethical, and competitive behavior in the economic sector, such as commercial codes that incorporate international standards and protection of core labor standards;

(v) providing training and technical assistance relating to drafting of anti-corruption, privatization, and competitive statutory and administrative codes, and providing technical assistance to Afghan governmental ministries implementing anti-corruption laws and regulations;

(vi) promoting the development of regulations relating to financial disclosure for public officials, political parties, and candidates for public offices;

(vii) supporting transparent budgeting processes and financial management systems; and

(viii) *promoting civil society's role in combating corruption.*

[(C)] (D) CIVIL SOCIETY AND DEMOCRACY.—To support the development of democratic institutions in Afghanistan, including assistance for—

(i) * * *

* * * * *

[(D)] (E) PROTECTION OF SITES.—To provide for the protection of Afghanistan's culture, history, and national identity, including the rehabilitation of Afghanistan's museums and sites of cultural significance.

* * * * *

(7) ASSISTANCE TO WOMEN AND GIRLS.—

(A) ASSISTANCE OBJECTIVES.—To assist women and girls in Afghanistan in the areas of political and human rights, health care, education, training, security, and shelter, with particular emphasis on assistance—

[(i)] to support construction of, provide equipment and medical supplies to, and otherwise facilitate the establishment and rehabilitation of, health care facilities in order to improve the health care of women, children, and infants;

[(ii)] to expand immunization programs for women and children;

[(iii)] to establish, maintain, and expand primary and secondary schools for girls that include mathematics, science, and languages in their primary curriculum;

[(iv)] to develop and expand technical and vocational training programs and income-generation projects for women;

[(v)] to provide special educational opportunities for girls whose schooling was ended by the Taliban, and to support the ability of women to have access to higher education;

[(vi)] to develop and implement programs to protect women and girls against sexual and physical abuse, abduction, trafficking, exploitation, and sex discrimination in the delivery of humanitarian supplies and services;

[(vii)] to provide emergency shelters for women and girls who face danger from violence;

[(viii)] to direct humanitarian assistance to widows, who make up a very large and needy population in war-torn Afghanistan;

[(ix)] to support the work of women-led and local nongovernmental organizations with demonstrated experience in delivering services to Afghan women and children;

[(x)] to disseminate information throughout Afghanistan on the rights of women and on international standards of human rights, including the rights of religious freedom, freedom of expression, and freedom of association;

【(xi) to provide women’s rights and human rights training for military, police, and legal personnel; and

【(xii) to support the Afghan Independent Human Rights Commission in programs to promote women’s rights and human rights, including the rights of religious freedom, freedom of expression, and freedom of association, and in the investigation and monitoring of women’s rights and human rights abuses.

【(B) AVAILABILITY OF FUNDS.—For each of the fiscal years 2003 through 2006—

【(i) \$15,000,000 is authorized to be appropriated to the President to be made available to the Afghan Ministry of Women’s Affairs; and

【(ii) \$5,000,000 is authorized to be appropriated to the President to be made available to the National Human Rights Commission of Afghanistan.】

(i) to provide equipment, medical supplies, and other assistance to health care facilities for the purpose of reducing maternal and infant mortality and morbidity;

(ii) to expand immunization programs for women and children;

(iii) to establish and expand programs to provide services to women and girls suffering from mental illness problems, such as depression, anxiety, and posttraumatic stress disorder;

(iv) to protect and provide services to vulnerable populations, including widows, orphans, and women head of households;

(v) to develop and implement programs to protect women and girls against sexual and physical abuse, abduction, trafficking, exploitation, and sex discrimination, including emergency shelters for women and girls who face danger from violence;

(vi) to establish primary and secondary schools for girls that include mathematics, science, and languages in their primary curriculum;

(vii) to expand technical and vocational training programs to enable women to support themselves and their families;

(viii) to maintain and expand adult literacy programs, including economic literacy programs that promote the well-being of women and their families;

(ix) to provide special educational opportunities for girls whose schooling was ended by the Taliban and who now face obstacles to participating in the normal education system, such as girls who are now married and girls who are older than the normal age for their classes;

(x) to disseminate information throughout Afghanistan on international standards for human rights, particularly as pertaining to women;

(xi) to provide information and assistance to enable women to exercise property, inheritance, and vot-

ing rights, and to ensure equal access to the judicial system;

(xii) to support the work of women-led and local nongovernmental organizations with demonstrated experience in delivering services to women and children in Afghanistan;

(xiii) to monitor and investigate violations against women and to provide legal assistance to women who have suffered violations of their rights;

(xiv) to increase political and civic participation of women in all levels of society, including the criminal justice system;

(xv) to provide information and training related to human rights, particularly as pertaining to women, to military, police, and legal personnel; and

(xvi) to provide assistance to the Ministry of Women's Affairs and the Afghan Independent Human Rights Commission for programs to advance the status of women.

(B) AVAILABILITY OF FUNDS.—For each of the fiscal years 2008 through 2010—

(i) \$5,000,000 is authorized to be appropriated to the President to be made available to the Afghan Ministry of Women's Affairs for the administration and conduct of its programs;

(ii) \$10,000,000 is authorized to be appropriated to the President to be made available to the Afghan Independent Human Rights Commission for the administration and conduct of its programs; and

(iii) \$30,000,000 is authorized to be appropriated to the President for grants to Afghan-led nongovernmental organizations, including Afghan women-led nongovernmental organizations, to support activities including the construction, establishment, and operation of schools for married girls and girls' orphanages, vocational training for women and girls, primary health care clinics for women and children, programs to strengthen Afghan women-led organizations and women's leadership, and to provide monthly financial assistance to widows, orphans, and women head of households.

* * * * *

(8) ASSISTANCE FOR ENERGY DEVELOPMENT.—To support the development of local energy sources, new power generation, and energy transportation, including further development of existing hydrological power sources, studies of the utility of geothermal energy, expansion of local natural gas fields for internal consumption and export, and transport of natural gas or other appropriate energy sources to Afghanistan's neighboring countries.

(9) ASSISTANCE FOR SHORT-TERM ENERGY SUPPLY.—

(A) ASSISTANCE OBJECTIVES.—To provide assistance for the supply of short-term energy resources such as diesel to secure the delivery of electricity to major Afghan cities.

(B) *AVAILABILITY OF FUNDS.*—For each of the fiscal years 2008 through 2010, \$75,000,000 is authorized to be appropriated to the President to carry out this paragraph.

(C) *RELATION TO OTHER AVAILABLE FUNDS.*—Amounts made available under subparagraph (B) are in addition to amounts otherwise available for such purposes.

(10) *ASSISTANCE FOR CAPACITY-BUILDING.*—To increase the capacity and improve the sustainability of national, provincial, and local governmental institutions, including assistance such as—

(A) *providing technical assistance to all ministries through funding to the Afghanistan Reconstruction Trust Fund to improve transparency and ability to respond to the needs of the Afghan people;*

(B) *promoting the implementation of fiscal and personnel management, including revenue tracking and expenditure systems;*

(C) *assisting in developing ministry-wide recruitment systems;*

(D) *creating or improving databases and other human resource information systems;*

(E) *supporting the expansion of the Afghan National Solidarity Project and other provincial and local-led development projects;*

(F) *providing training and technical assistance to the Ministry of Finance to better account for funding to the Afghanistan Reconstruction Trust Fund and other funds implemented by the Government of Afghanistan;*

(G) *supporting the Afghanistan Independent Administrative Reform and Civil Service Commission; and*

(H) *providing financial and technical assistance to support the Transition Support Strategy for Afghanistan, including the Public Administration Reform project.*

(b) *LIMITATION.*—

(1) *IN GENERAL.*—Amounts made available to carry out this title (except amounts made available for assistance under paragraphs (1) through (3) and subparagraphs (F) through (I) of paragraph (4) of subsection (a)) may be provided only if the President first determines and certifies to Congress with respect to the fiscal year involved that progress is being made toward [adopting a constitution and] establishing a democratically elected government for Afghanistan that respects human rights.

* * * * *

(d) *MONITORING OF ASSISTANCE FOR AFGHANISTAN.*—

(1) *REPORT.*—

(A) *IN GENERAL.*—The Secretary of State, in consultation with the Administrator for the United States Agency for International Development, shall submit to the Committee on Foreign Relations of the Senate and the Committee on [International Relations] *Foreign Affairs* of the House of Representatives a report on the obligations of United States assistance for Afghanistan from all United States Government departments and agencies. *The report*

required by this paragraph may be included in the report required by section 304 of this Act.

* * * * *

[SEC. 104. COORDINATION OF ASSISTANCE.

[(a) IN GENERAL.—The President shall designate, within the Department of State, a coordinator who shall be responsible for—

[(1) designing an overall strategy to advance United States interests in Afghanistan;

[(2) ensuring program and policy coordination among agencies of the United States Government in carrying out the policies set forth in this title;

[(3) pursuing coordination with other countries and international organizations with respect to assistance to Afghanistan;

[(4) ensuring that United States assistance programs for Afghanistan are consistent with this title;

[(5) ensuring proper management, implementation, and oversight by agencies responsible for assistance programs for Afghanistan; and

[(6) resolving policy and program disputes among United States Government agencies with respect to United States assistance for Afghanistan.

[(b) RANK AND STATUS OF THE COORDINATOR.—The coordinator designated under subsection (a) shall have the rank and status of ambassador.

[(c) ASSISTANCE PLAN.—

[(1) SUBMISSION TO CONGRESS.—The coordinator designated under subsection (a) shall annually submit the Afghanistan assistance plan of the Administration to—

[(A) the Committee on Foreign Relations of the Senate;

[(B) the Committee on International Relations of the House of Representatives;

[(C) the Committee on Appropriations of the Senate; and

[(D) the Committee on Appropriations of the House of Representatives.

[(2) CONTENTS.—The assistance plan submitted under paragraph (1) shall describe—

[(A) how the plan relates to the strategy provided pursuant to section 304; and

[(B) how the plan builds upon United States assistance provided to Afghanistan since 2001.

[(d) COORDINATION WITH INTERNATIONAL COMMUNITY.—

[(1) IN GENERAL.—The coordinator designated under subsection (a) shall work with the international community and the Government of Afghanistan to ensure that assistance to Afghanistan is implemented in a coherent, consistent, and efficient manner to prevent duplication and waste.

[(2) INTERNATIONAL FINANCIAL INSTITUTIONS.—The coordinator designated under subsection (a), under the direction of the Secretary of State, shall work through the Secretary of the Treasury and the United States Executive Directors at the international financial institutions (as defined in section

1701(c)(2) of the International Financial Institutions Act (22 U.S.C. 262r(c)(2))) to coordinate United States assistance for Afghanistan with international financial institutions.】

SEC. 104. CERTIFICATION AND PHASED-IN LIMITATION ON UNITED STATES ECONOMIC AND DEMOCRATIC DEVELOPMENT ASSISTANCE FOR AFGHANISTAN.

(a) **CERTIFICATION.**—

(1) **IN GENERAL.**—Not later than October 1, 2008 and each October 1 thereafter, the President shall transmit to the appropriate congressional committees a certification that contains a determination of whether or not, based upon substantiated and credible evidence, any senior official of the Government of Afghanistan, at the provincial or local levels, is engaged in or benefits from the illicit narcotics trade or is engaged in terrorist or criminal activities, including the names of any such senior officials and the provincial or local governments over which such senior officials exercise authority.

(2) **FORM.**—The certification required by paragraph (1) shall be transmitted in unclassified form, but may contain a classified annex.

(b) **LIMITATION ON ASSISTANCE.**—For fiscal year 2009 and each subsequent fiscal year, assistance authorized under this title or under the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) may not be provided to a provincial or local government of Afghanistan if the President determines and certifies to the appropriate congressional committees pursuant to subsection (a) for such fiscal year that, based upon substantiated and credible evidence, one or more senior officials from such provincial or local government is engaged in or benefits from the narcotics trade or is engaged in terrorist or criminal activities.

SEC. 105. MONITORING AND EVALUATION OF ASSISTANCE.

(a) **IN GENERAL.**—The President shall establish and implement a system to monitor and evaluate the effectiveness and efficiency of assistance provided under this title on a program-by-program basis in order to maximize the long-term sustainable development impact of such assistance.

(b) **REQUIREMENTS.**—In carrying out subsection (a), the President shall—

(1) establish performance goals for assistance authorized under this title and expresses such goals in an objective and quantifiable form, to the extent practicable;

(2) establish performance indicators to be used in measuring or assessing the achievement of the performance goals described in paragraph (1); and

(3) provide a basis for recommendations for adjustments to assistance authorized under this title to enhance the impact of such assistance.

(c) **ASSISTANCE TO ENHANCE THE CAPACITY OF AFGHANISTAN.**—In carrying out subsection (a), the President shall provide assistance to enhance the capacity of the Government of Afghanistan to monitor and evaluate programs carried out by the national, provincial, and local governments in Afghanistan in order to maximize the long-term sustainable development impact of such programs.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—Of the amounts authorized to be appropriated under section 110 for a fiscal year, not

less than 5 percent of such amounts are authorized to be made available to carry out this section for such fiscal year.

SEC. 106. PILOT PROGRAM TO PROVIDE SCHOLARSHIPS TO AFGHAN STUDENTS FOR PUBLIC POLICY INTERNSHIPS IN THE UNITED STATES.

(a) *PILOT PROGRAM REQUIRED.*—The Secretary of State shall establish a pilot program to provide scholarships to undergraduate and graduate students in Afghanistan for public policy internships in the United States to improve the ability of such students to increase the capacity of the Government of Afghanistan. The pilot program required by this subsection shall be carried out as part of the educational and cultural exchange programs of the Department of State under the authorities of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2451 et seq.).

(b) *SCOPE OF PILOT PROGRAM.*—It is the sense of Congress that 20 students should participate in the pilot program required by subsection (a) for each fiscal year during which the pilot program is in effect.

(c) *PERIOD OF PILOT PROGRAM.*—The pilot program required by subsection (a) shall be in effect during each of the fiscal years 2008, 2009, and 2010.

SEC. [105] 107. SENSE OF CONGRESS REGARDING PROMOTING COOPERATION IN OPIUM PRODUCING AREAS.

It is the sense of Congress that the President should—

(1) * * *

* * * * *

SEC. [106] 108. ADMINISTRATIVE PROVISIONS.

(a) * * *

* * * * *

SEC. [107] 109. RELATIONSHIP TO OTHER AUTHORITY.

The authority to provide assistance under this title is in addition to any other authority to provide assistance to the Government of Afghanistan.

SEC. [108] 110. AUTHORIZATION OF APPROPRIATIONS.

(a) *IN GENERAL.*—There is authorized to be appropriated to the President to carry out this title (other than section 103(c)) [such sums as may be necessary] \$1,600,000,000 for each of the fiscal years [2005 and 2006] 2008 through 2010.

* * * * *

TITLE II—MILITARY ASSISTANCE FOR AFGHANISTAN AND CERTAIN OTHER FOREIGN COUNTRIES AND INTERNATIONAL ORGANIZATIONS

* * * * *

SEC. 202. AUTHORIZATION OF ASSISTANCE.

(a) * * *

(b) *AMOUNT OF ASSISTANCE.*—The aggregate value (as defined in section 644(m) of the Foreign Assistance Act of 1961) of assistance provided under subsection (a) may not exceed [\$550,000,000] 300,000,000 in any fiscal year, except that such limitation shall be increased by any amounts appropriated pursuant to the authoriza-

tion of appropriations in section 204(b)(1) and shall not count toward any limitation contained in section 506 of the Foreign Assistance Act of 1961 (22 U.S.C. 2318).

(c) *SENSE OF CONGRESS.—It is the sense of Congress that assistance provided to eligible foreign countries and international organizations under subsection (a) should promote greater interoperability with and among the military forces of the International Security Assistance Force, the United States, and the Government of Afghanistan.*

* * * * *

SEC. 205. CONGRESSIONAL NOTIFICATION REQUIREMENTS.

(a) **AUTHORITY.**—The President may provide assistance under this title to any eligible foreign country or eligible international organization if the President determines that such assistance is important to the national security interest of the United States and notifies **the Committee on International Relations and the Committee on Appropriations of the House of Representatives and the Committee on Foreign Relations and the Committee on Appropriations of the Senate** *the appropriate congressional committees* of such determination at least 15 days in advance of providing such assistance.

* * * * *

SEC. 206. PROMOTING SECURE DELIVERY OF HUMANITARIAN AND OTHER ASSISTANCE IN AFGHANISTAN AND EXPANSION OF THE INTERNATIONAL SECURITY ASSISTANCE FORCE.

(a) * * *

* * * * *

[(c) IMPLEMENTATION OF STRATEGY.—

[(1) INITIAL REPORT.—Not later than 60 days after the date of the enactment of this Act, the President shall provide the Committee on International Relations and the Committee on Appropriations of the House of Representatives and the Committee on Foreign Relations and the Committee on Appropriations of the Senate with—

[(A) a strategy for meeting the immediate and long-term security needs of Afghanistan in order to promote safe and effective delivery of humanitarian and other assistance throughout Afghanistan, further the rule of law and civil order, and support the formation of a functioning, representative Afghan national government, including an update to the strategies submitted pursuant to Public Law 107–206; and

[(B) a description of the progress of the Government of Afghanistan toward the eradication of poppy cultivation, the disruption of heroin production, and the reduction of the overall supply and demand for illicit narcotics in Afghanistan in accordance with the provisions of this Act.

[(2) IMPLEMENTATION OF STRATEGY.—Every 6 months after the enactment of this Act through January 1, 2010, the President shall submit to the congressional committees specified in paragraph (1) a report on the implementation of the strategies for meeting the immediate and long-term security needs of Afghanistan, which shall include the following elements—

[(A) since the previous report, the progress in recruiting, training, and deploying an Afghan National Army and police force, including the numbers and ethnic composition of recruits; the number of graduates from military and police training; the numbers of graduates retained by the Afghan National Army and police forces since the previous report; the numbers of graduates operationally deployed and to which areas of the country; the degree to which these graduates are assuming security responsibilities; whether Afghan army and police units are establishing effective central governmental authority over areas of the country, and which areas; and the numbers of instances of armed attacks against Afghan central governmental officials, United States or international officials, troops or aid workers, or between the armed forces of regional leaders;

[(B) the degree to which armed regional leaders are cooperating and integrating with the central government, providing security and order within their regions of influence, engaging in armed conflict or other forms of competition that are deleterious to peace, security, and the integration of a unified Afghanistan under the central government;

[(C) the amount of humanitarian relief provided since the previous report to returnees, isolated populations and other vulnerable groups, as well as demining assistance and landmine survivors rehabilitation; and the numbers of such persons not assisted since the previous report;

[(D) the steps taken since the previous report toward national reconstruction, including establishment of the ministries and other institutions of the Government of Afghanistan;

[(E) the numbers of Civil Affairs Teams working with regional leaders, as well as the quick impact infrastructure projects undertaken by such teams since the previous report;

[(F) efforts undertaken since the previous report to rebuild the justice sector, including the establishment of a functioning judiciary, a competent bar, reintegration of women legal professionals and a reliable penal system, and the respect for human rights; and

[(G) a description of the progress of the Government of Afghanistan with respect to the matters described in paragraph (1)(B).]

[(d)] (c) EXPANSION OF THE INTERNATIONAL SECURITY ASSISTANCE FORCE.—

(1) EFFORTS TO EXPAND INTERNATIONAL PEACEKEEPING AND SECURITY OPERATIONS IN AFGHANISTAN.—

(A) * * *

(B) REPORTS.—The President shall prepare and transmit a report on the efforts carried out pursuant to subparagraph (A) to the Committee on Foreign Relations of the Senate and the Committee on [International Relations] *Foreign Affairs* of the House of Representatives. The first report under this subparagraph shall be transmitted not later than 60 days after the date of the enactment of

the Afghanistan Freedom Support Act Amendments of 2004 and subsequent reports shall be transmitted every 6 months thereafter and may be included in the report required by subsection (c)(2).

* * * * *

[(e)] (d) UNITED STATES POLICY RELATING TO INTERNATIONAL PEACEKEEPING AND SECURITY OPERATIONS.—It shall be the policy of the United States to make every effort to support the expansion of international peacekeeping and security operations in Afghanistan in order to—

(1) * * *

* * * * *

(e) ARMS SALES INCENTIVE FOR COOPERATING NATIONS IN AFGHANISTAN.—

(1) IN GENERAL.—*The President is authorized to provide a subsidy of up to five percent of the total acquisition cost of defense articles and defense services sold pursuant to the Arms Export Control Act (22 U.S.C. 2751 et seq.) to a country if—*

(A) *the country will use such defense articles and defense services in Afghanistan, or*

(B) *the country will use defense articles and defense services of comparable quality and quantity in Afghanistan,*

in support of operations in Afghanistan for an extended period of time.

(2) DEFINITIONS.—*In this subsection—*

(A) *the term “defense article” has the meaning given the term in paragraph (3) of section 47 of the Arms Export Control Act (22 U.S.C. 2794 note); and*

(B) *the term “defense service” has the meaning given the term in paragraph (4) of such section.*

(3) AUTHORIZATION OF APPROPRIATIONS.—*To carry out this subsection, there are authorized to be appropriated to the President \$10,000,000 for each of the fiscal years 2008 through 2010.*

* * * * *

SEC. 209. SUNSET.

The authority of this title shall expire after September 30, **[2006]** 2010.

TITLE III—MISCELLANEOUS PROVISIONS

* * * * *

SEC. 303. DONOR CONTRIBUTIONS TO AFGHANISTAN AND REPORTS.

(a) * * *

* * * * *

(c) REPORTS.—

(1) IN GENERAL.—The Secretary of State shall submit reports to **[the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Committee on International Relations and the Committee on Appropriations of the House of Representatives]** *the appropriate congressional committees*, in accordance with this paragraph, on the status of contributions of assistance from donor states to Afghanistan.

The first report shall be submitted not later than 60 days after the date of enactment of this Act, the second report shall be submitted 90 days thereafter, and subsequent reports shall be submitted every 180 days thereafter through December 31, [2004] 2010.

* * * * *

[SEC. 304. REPORTS.

[(a) IN GENERAL.—The Secretary of State shall submit reports to the Committees on Foreign Relations and Appropriations of the Senate, and the Committees on International Relations and Appropriations of the House of Representatives on progress made in accomplishing the “Purposes of Assistance” set forth in section 102 of this Act utilizing assistance provided by the United States for Afghanistan.

[(b) DEADLINE FOR SUBMISSION.—The first report shall be submitted in conjunction with reports required under section 303 of this title and thereafter through December 31, 2004.

[(c) FORM OF REPORTS.—Any report or other matter that is required to be submitted to Congress (including a committee of Congress) by this Act may contain a classified annex.]

SEC. 304. REPORT ON PROGRESS TOWARD SECURITY AND STABILITY IN AFGHANISTAN.

(a) REPORT REQUIRED.—Not later than December 1, 2007, and every six months thereafter until September 30, 2010, the President shall transmit to the appropriate congressional committees a report on a comprehensive set of performance indicators and measures for progress toward security and stability in Afghanistan.

(b) MATTERS TO BE INCLUDED.—The report required by subsection (a) shall include the following:

(1) With respect to stability and security in Afghanistan, the following:

(A) Key measures of political stability, including the important political objectives that must be achieved over the next year to ensure that all segments of Afghan society become committed to the elected government in Kabul.

(B) The primary indicators of a stable security environment in Afghanistan, such as the following:

(i) The number of engagements per day by each of the following:

(I) The Afghan forces, United States forces, and other Coalition forces.

(II) ISAF.

(ii) The numbers of trained Afghan security forces, including the Afghan National Army and the Afghan National Police.

(iii) The trends relating to numbers and types of ethnic and religious-based hostile encounters.

(C) An assessment of the estimated strength of the insurgency in Afghanistan and the extent to which it is composed of non-Afghan fighters, including whether insurgents are obtaining weapons and other military material from outside of Afghanistan and whether the insurgents are based in or use the territory of countries other than Afghanistan.

(D) A description of the extent to which warlords in Afghanistan exercise effective control over personnel, natural resources, infrastructure, villages and towns, and material that should be under the direct sovereign control of the Government of Afghanistan, including—

(i) an identification of each warlord and the extent and means of control that the warlord exercises over personnel, natural resources, infrastructure, villages and towns, and material that should be under the direct sovereign control of the Government of Afghanistan; and

(ii) a description of actions undertaken by the Governments of the United States, Afghanistan, and countries participating in ISAF, individually or collectively, in the previous year to diminish and ultimately eliminate control by each warlord identified under clause (i) over the Afghan resources described in clause (i), and a description of actions that will be undertaken in the coming year.

(E) A description of all militias, tribal forces, and terrorist and insurgent groups operating in Afghanistan, including the number, size, equipment strength, military effectiveness, sources of support, legal status, and efforts to disarm or reintegrate such militias, tribal forces, and terrorist and insurgent groups.

(F) Efforts by ISAF to establish a unified command, unified rules of engagement, information detailing the specific restrictions placed by each country participating in ISAF, or any successor coalition force, on the military activities of its national military personnel within Afghanistan, an assessment of the impact of such restrictions on ISAF's effectiveness, and an assessment of the capabilities of ISAF forces, including any equipment and logistics shortages.

(2) With respect to the training and performance of security forces in Afghanistan, the following:

(A) The training provided to Afghan military and other Ministry of Defense forces and the equipment used by such forces.

(B) Key criteria for assessing the capabilities and readiness of the Afghan National Army and other Ministry of Defense forces, including capability and readiness levels, including recruiting, training, and equipping such forces.

(C) The operational readiness status of the Afghan National Army, including the type, number, size, and organizational structure of Afghan battalions that are—

- (i) capable of conducting operations independently;
- (ii) capable of conducting operations with the support of United States or Coalition forces or ISAF; or
- (iii) not ready to conduct operations.

(D) The rates of recruitment, retention, and absenteeism in the Afghan National Army and the extent to which insurgents have infiltrated such forces.

(E) *The training provided to Afghan National Police and other Ministry of Interior forces and the equipment used by such forces.*

(F) *Key criteria for assessing the capabilities and readiness of the Afghan National Police and other Ministry of Interior forces, including capability and readiness levels, including recruiting, training, and equipping such forces, including—*

(i) *the number of police recruits that have received classroom or field instruction and the duration of such instruction;*

(ii) *the number of experienced veteran police officers who have received classroom and field instruction and the duration of such instruction;*

(iii) *a description of any vetting that police candidates receive, the number of candidates vetted, the number of candidates derived from other entry procedures, and the success rates of those groups of candidates;*

(iv) *the number of Afghan National Police forces that have received field training by international police trainers and the duration of such training; and*

(v) *attrition rates and measures of absenteeism and infiltration by insurgents.*

(G) *The estimated total number of Afghan National Army battalions needed for the Army to perform duties now being undertaken by United States, NATO, or Coalition forces, including securing the borders of Afghanistan and providing adequate levels of law and order throughout Afghanistan.*

(H) *The effectiveness of the Afghan military and police officer cadres and the chain of command.*

(I) *The number of United States and Coalition trainers, advisors, and mentors needed to support the Afghan security and associated ministries.*

(J) *An assessment, in a classified annex if necessary, of United States military requirements, including planned force rotations, through the end of calendar year 2008.*

(3) *With respect to the economic and political stability of Afghanistan, the following:*

(A) *An estimate of the annual budget for the Government of Afghanistan for the Afghan fiscal year, including the costs of operating and maintaining the Afghan security forces.*

(B) *An estimate of the amount of Afghan Government revenue and the amount of international assistance for budget support for the Afghan Government.*

(C) *An estimate of the amount of funds pledged by all major donors for the calendar year and the amounts committed, obligated, and expended during the reporting period.*

(D) *An assessment of United States reconstruction assistance programs in Afghanistan, including—*

(i) *a description of existing efforts to improve the monitoring and evaluation of the reconstruction assist-*

ance programs, including from the design of such programs through implementation and eventual transfer to the Government of Afghanistan;

(ii) a description, by project, of ongoing and future reconstruction assistance programs and the amount of funding obligated and expended to carry out such programs, including programs in the security, rule of law, counter-narcotics, power, rural development, education, health, and governance and anti-corruption sectors;

(iii) an analysis of completed reconstruction assistance programs, on a project basis, and a determination of the impact of and the benefits yielded from such programs on Afghanistan and its people;

(iv) a description of ongoing efforts that have improved the employment situation in Afghanistan, including efforts that have created job opportunities and increased private sector development; and

(v) a description of the progress made in implementing all of the elements of the Interim Afghanistan National Development Strategy, including—

(I) the Afghanistan National Solidarity Program; and

(II) the Afghanistan Compact, including a description of the goals and objectives in the Afghanistan Compact that have been achieved.

(E) Key indicators of economic and political development activity that should be considered the most important for determining the prospects of stability in Afghanistan, including—

(i) unemployment levels;

(ii) agricultural production;

(iii) construction of roads, irrigation, and other basic infrastructure;

(iv) education rates, particularly of girls;

(v) electricity rates;

(vi) hunger and poverty levels;

(vii) illiteracy rates;

(viii) maternal and infant mortality rates;

(ix) appropriate measures for the protection of human rights;

(x) appropriate measures for the protection of political and religious freedom and freedom of association;

(xi) access of women to political and civil society participation; and

(xii) appropriate measure for the protection of freedom of the press.

(4) With respect to opium production and counter-narcotics activities in Afghanistan, the following:

(A) An estimate of the number of hectares and amount of poppy production for the current year, including by province.

(B) The number of hectares and the amount of poppy destroyed by eradication.

(C) *The number of counter-narcotics raids against drug labs, storage facilities, and caches, including the number of narcotics confiscated.*

(D) *The number of raids against narcotics traffickers and the number of traffickers arrested, prosecuted, convicted, sentenced, and extradited, including high-value targets.*

(E) *The number of Afghan counter-narcotics forces, including the Afghan National Counter-Narcotics Police, trained and equipped, the attrition rate of such forces, and the number of such forces available for counter-narcotics operations, including an assessment of the number of operations such forces conducted, the outcomes of such operations, and any additional resource needs of such forces.*

(F) *The number and type of alternative livelihood programs, a description of where such programs have been conducted, and an assessment of the number of hectares planted with poppy in the year following such programs.*

(G) *The amount and type of NATO and United States assistance provided to Afghan counter-narcotic teams in conducting raids and investigations, including close-air support and helicopter lift, and the number and type of requests for assistance by United States or Afghan counter-narcotics teams.*

(H) *An assessment of Afghan efforts to extradite suspects to the United States and other countries, including—*

(i) a list of the persons whose extradition has been requested from Afghanistan, indicating—

(I) those individuals who have been surrendered to the custody of United States authorities;

(II) those individuals who have been detained by the authorities and who are being processed for extradition;

(III) those individuals who have been detained by the authorities and who are not yet being processed for extradition; and

(IV) those individuals who are at large;

(ii) a determination of whether Afghan Government officials and entities receiving assistance from the United States are making good-faith efforts to ensure the prompt extradition of each of the persons sought by United States authorities; and

(iii) an analysis of any legal obstacles in the laws of Afghanistan regarding prompt extradition of persons sought by United States authorities and the steps taken by authorities of the United States and the authorities of Afghanistan to overcome such obstacles.

(c) *UPDATE OF REPORT.—Not later than 90 days after the date of the transmission of each report required by subsection (a), the President shall transmit to the appropriate congressional committees an update of the report, to the extent necessary.*

(d) *FORM.—The report required by subsection (a) shall be transmitted in unclassified form, but may include a classified annex, if necessary.*

(e) *DEFINITION.*—*In this section, the term “appropriate congressional committees” means—*

(1) *the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Affairs of the House of Representatives; and*

(2) *the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Affairs of the Senate.*

SEC. 305. FORMULATION OF LONG-TERM STRATEGY FOR AFGHANISTAN.

(a) *STRATEGY.*—

(1) *IN GENERAL.*—*Not later than 180 days after the date of enactment of this section, the President shall formulate a 5-year strategy for Afghanistan and* **submit such strategy to—**

[(A) the Committee on Foreign Relations of the Senate;

[(B) the Committee on International Relations of the House of Representatives;

[(C) the Committee on Appropriations of the Senate;

and
[(D) the Committee on Appropriations of the House of Representatives.] *submit such strategy to the appropriate congressional committees.*

(b) *COMPREHENSIVE INTERAGENCY STRATEGY.*—

(1) *IN GENERAL.*—*The President shall formulate a comprehensive interagency strategy for long-term security and stability in Afghanistan which, in addition to the specific and measurable goals specified in subsection (a)(2), shall be composed of the elements specified in paragraph (2).*

(2) *ELEMENTS.*—*The comprehensive interagency strategy required by paragraph (1) shall contain the following elements:*

(A) REINVIGORATED RECONSTRUCTION ACTIVITIES AND PROVINCIAL RECONSTRUCTION TEAMS.—*A comprehensive interagency reconstruction strategy for Afghanistan, including objectives for the strategy, a plan to implement the objectives of the strategy, and a long-term budget to carry out the strategy. The strategy shall—*

(i) include a plan to implement all of the elements of the Interim Afghanistan National Development Strategy, including the Afghanistan National Solidarity Program, and the Afghanistan Compact, including a description of the goals and objectives that have yet to be achieved, and the impediments in achieving such goals and objectives;

(ii) include a mechanism for tracking and oversight of the reconstruction funding provided by countries participating in ISAF and other donor countries, international organizations, and international financial entities, including a description of the progress by such parties in fulfilling their pledges of financial, technical, and other assistance;

(iii) include a mechanism for tracking and increasing oversight of the reconstruction programs implemented by the provincial reconstruction teams, including the amount of reconstruction funding spent by such

teams, the purpose of such funding, and the evaluation of the success of such programs;

(iv) provide for a mechanism to enhance coordination between the Department of State and the United States Agency for International Development and other relevant departments and agencies of the United States Government in carrying out reconstruction programs, by—

(I) coordinating existing and future efforts in the reconstruction programs carried out by the Department of State and the United States Agency for International Development with the reconstruction programs carried out by other relevant departments and agencies of the United States Government; and

(II) coordinating existing and future efforts needed to achieve enhanced coordination between the Department of State and the United States Agency for International Development and other relevant departments and agencies of the United States Government in the design and implementation of reconstruction programs;

(v) include a plan to enhance monitoring, evaluation, and oversight of reconstruction programs to ensure the effective impact of such programs on Afghanistan and its people;

(vi) provide a plan to identify and implement critical reconstruction programs, by project, including in the areas of security, rule of law, counter-narcotics, power, rural development, education, health, and governance and anti-corruption, that will improve the security and economic stability of Afghanistan, and the amount of funding needed to implement such programs;

(vii) include actions to significantly increase contributions from countries participating in ISAF and from other international partners for reconstruction programs, including in the areas of security, rule of law, counternarcotics, power, rural development, education, health, and governance and anti-corruption sectors;

(viii) provide a plan to improve the employment situation in Afghanistan, including a plan to increase job creation opportunities and enhance private sector development in Afghanistan;

(ix) include actions to ensure enhancement of the capacity of the Government of Afghanistan, on all levels, to respond to the needs of its people;

(x) include actions to enhance the design and implementation of programs carried out by the Government of Afghanistan, on all levels, including efforts to increase funding and implementation of reconstruction programs carried out by the National Solidarity Program;

(xi) include a plan to increase significantly the number of Provincial Reconstruction Teams (PRTs), particularly in the southern and eastern regions of Afghanistan by December 31, 2009, including a review of the operation of and lessons learned from existing PRTs prior to the preparation of the strategy;

(xii) clarify a single chain of command and operations plans for PRTs, including their relationship with ISAF;

(xiii) increase staffing, particularly staffing of civilian specialists, and increase staff training for PRTs;

(xiv) incorporate measures to improve the effectiveness of PRTs in providing reconstruction and development assistance and in promoting security and stability in their areas of operations, including coordination between PRT civilian elements and ISAF reconstruction goals; and

(xv) include efforts to ensure that a significant amount of the material, financial, and personnel support for the increase in the number of PRTs is provided by foreign sources.

(B) COUNTER-NARCOTICS STRATEGY.—A comprehensive interagency counter-narcotics strategy for Afghanistan, including objectives for the strategy, a plan to implement the objectives of the strategy, and a long-term budget to carry out the strategy. The strategy shall—

(i) address the five pillars that comprise Afghanistan's counter-narcotics strategy and implementation plan: public information, rural development (alternative livelihoods), elimination and eradication activities, interdiction, and law enforcement and justice reform;

(ii) identify the roles and responsibilities of relevant departments and agencies of the United States Government with respect to the activities described in clause (i);

(iii) include the strategic direction of current and planned activities of the United States relating to counter-narcotics efforts in Afghanistan, and shall specifically include a description of steps that have been conducted and planned to—

(I) improve coordination with all relevant departments and agencies of the United States Government;

(II) strengthen significantly the Afghanistan National Counter-Narcotics Police;

(III) build the capacity of the Afghan Government to assume greater responsibility for counter-narcotics related-activities;

(IV) strengthen anti-corruption measures that target narcotics producers and traffickers and the individuals influenced by them;

(V) improve counter-narcotics intelligence capabilities;

(VI) strengthen narcotics-related interdiction activities;

(VII) strengthen the capacity of the judicial sector to investigate, prosecute, and penalize narcotics producers and traffickers and government officials benefitting from narcotics-related activities;

(VIII) effectively address any problems with eradication strategies; and

(IX) significantly increase the focus on creating alternative livelihoods for the Afghan people;

(iv) include current and planned actions to involve and coordinate with the United Kingdom and other appropriate international partners in supporting counter-narcotics efforts in Afghanistan.

(C) SUSTAINABILITY OF THE AFGHANISTAN NATIONAL SECURITY FORCES.—A comprehensive interagency strategy for building and sustaining the Afghanistan National Security Forces (ANSF), including objectives for the strategy, a plan to implement the objectives of the strategy, and a long-term budget to carry out the strategy. The strategy shall—

(i) include a mechanism for tracking funding, including obligations and expenditures, as well as equipment, training, and services provided for the ANSF by the United States, countries participating in the International Security Assistance Force, and other international partners;

(ii) include actions to build and sustain effective Afghan security institutions with fully-capable leadership and staff, including—

(I) a reformed Ministry of Interior, a fully-established Ministry of Defense, and logistics, intelligence, medical, and recruiting units (ANSF-sustaining institutions);

(II) fully-trained, equipped, and capable ANSF in sufficient numbers;

(III) strong ANSF-readiness assessment tools and metrics;

(IV) a strong core of senior-level ANSF officers;

(V) strong ANSF command, control, and communication between central ANSF headquarters and regions, provinces, and districts;

(VI) a robust mentoring and advising program for the ANSF;

(VII) a strong professional military training and education program for all junior, mid-level, and senior ANSF personnel;

(VIII) effective merit-based salary, rank, promotion, and incentive structures for the ANSF;

(IX) an established code of professional standards for the ANSF;

(X) a mechanism for incorporating lessons learned and best practices into ANSF operations;

(XI) An ANSF personnel accountability system with effective internal discipline procedures and mechanisms;

(XII) a system for addressing ANSF personnel complaints; and

(XIII) a strong record-keeping and accountability system to track ANSF equipment and personnel issues, and other ANSF oversight mechanisms; and

(iii) provide for coordination between all relevant departments and agencies of the United States Government, as well as ISAF countries and other international partners, including on—

(I) funding;

(II) reform and establishment of ANSF-sustaining institutions; and

(III) efforts to ensure that progress on sustaining the ANSF is reinforced with progress in other pillars of the Afghan security sector, particularly progress on building an effective judiciary, curbing production and trafficking of illicit narcotics, and demobilizing, disarming, and reintegrating militia fighters.

(3) REPORT.—

(A) IN GENERAL.—Not later than December 1, 2007, the President shall transmit to the appropriate congressional committees an update of the report required by subsection (c) for 2007 that contains the comprehensive interagency strategy required by paragraph (1).

(B) FORM.—The report required by subparagraph (A) shall be transmitted in unclassified form, but may include a classified annex, if necessary.

[(b) MONITORING.—

[(1) ANNUAL REPORT.—The President shall transmit on an annual basis through 2010 a report describing the progress made toward the implementation of the strategy required by subsection (a) and any changes to the strategy since the date of the submission of the last report to—

[(A) the Committee on Foreign Relations of the Senate;

[(B) the Committee on International Relations of the House of Representatives;

[(C) the Committee on Appropriations of the Senate; and

[(D) the Committee on Appropriations of the House of Representatives.]

(c) UPDATES OF STRATEGY.—

(1) IN GENERAL.—Not later than 90 days after the submission of the strategy required by subsection (b)(3), and every 90 days thereafter through September 30, 2010, the President shall submit to the appropriate congressional committees an update of the strategy required by subsection (a) and the strategy required by subsection (b), as necessary.

(2) DEFINITION.—In this subsection, the term “appropriate congressional committees” includes the Committee on Armed

*Services of the House of Representatives and the Committee on
Armed Services of the Senate.*

FOREIGN ASSISTANCE ACT OF 1961

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PART II

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CHAPTER 5—INTERNATIONAL MILITARY EDUCATION AND TRAINING

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SEC. 550. TRAINING FOR MILITARY PERSONNEL OF FOREIGN COUNTRIES THAT ARE TO BE DEPLOYED FOR SECURITY OPERATIONS IN AFGHANISTAN.

(a) TRAINING AUTHORIZED.—The President is authorized to furnish training under this chapter for military personnel of foreign countries that are to be deployed for security operations in Afghanistan, particularly in the areas of special operations, counter-insurgency, border security, counter-terrorism, and counter-narcotics.

(b) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there are authorized to be appropriated to the President \$10,000,000 for each of the fiscal years 2008 through 2010. Amounts authorized to be appropriated under this subsection are in addition to amounts otherwise available for such purposes.

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EXCHANGE OF LETTERS—ARMED SERVICES COMMITTEE AND
FOREIGN AFFAIRS COMMITTEE

COMMITTEE ON ARMED SERVICES,
U.S. HOUSE OF REPRESENTATIVES,
Washington DC, May 30, 2007.

Hon. TOM LANTOS, *Chairman,*
Committee on Foreign Affairs,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: On May 23, 2007, the Committee on Foreign Affairs ordered reported favorably H.R. 2446, "Afghanistan Freedom and Security Support Act of 2007." This legislation contains subject matter within the jurisdiction of the House Committee on Armed Services. For example, the bill contains provisions pertaining to counter-narcotics, the involvement of the United States Armed Forces, the coordination of U.S. Assistance, and the Arms Export Control Act.

Our Committee recognizes the importance of H.R. 2446 and the need for the legislation to move expeditiously. Therefore, while we have a valid claim to jurisdiction over this legislation, the Committee on Armed Services will waive further consideration of H.R. 2446. I do so with the understanding that by waiving further consideration of the bill, the Committee does not waive any future jurisdictional claims over similar measures. In the event of a conference with the Senate on this bill or similar legislation, the Committee on Armed Services reserves the right to seek the appointment of conferees and requests your support in our petition.

I would appreciate the inclusion of this letter and a copy of the response in your Committee's report on H.R. 2446 and in the Congressional Record during consideration of the measure on the House floor.

Very truly yours,

IKE SKELTON, *Chairman.*

cc: Honorable Nancy Pelosi
Honorable Duncan Hunter
Honorable Ileana Ros-Lehtinen
Honorable John V. Sullivan

COMMITTEE ON FOREIGN AFFAIRS,
HOUSE OF REPRESENTATIVES,
Washington DC, May 30, 2007.

Hon. IKE SKELTON, *Chairman,*
Committee on Armed Services,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 2446, the Afghanistan Freedom and Security Support Act of 2007.

I appreciate your willingness to work cooperatively on this legislation. I recognize that the bill contains provisions that fall within the jurisdiction of the Committee on Armed Services. I acknowledge that the Committee will not seek a sequential referral of the bill and agree that the inaction of your Committee with respect to the bill does not in any way serve as a jurisdictional precedent as to our two committees.

Further, as to any House-Senate conference on the bill, I understand that your Committee reserves the right to seek the appointment of conferees for consideration of portions of the bill that are within the Committee's jurisdiction, and I agree to support a request by the Committee with respect to serving as conferees on the bill, consistent with the Speaker's practice in this regard.

I will ensure that our exchange of letters are included in our Committee's report on the bill and I look forward to working with you on this important legislation. If you wish to discuss this matter further, please contact me or have your staff contact my staff.

Cordially,

TOM LANTOS, *Chairman.*

TL:da

