

110TH CONGRESS
1ST SESSION

H. R. 3844

To establish the United States Commission to Monitor Slavery and its
Eradication in Sudan.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 16, 2007

Mr. SMITH of New Jersey (for himself, Ms. WATSON, Mr. FORTENBERRY, Mr. WOLF, Mr. TANCREDO, Mr. FRANK of Massachusetts, Mr. FRANKS of Arizona, and Mr. SOUDER) introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To establish the United States Commission to Monitor
Slavery and its Eradication in Sudan.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Eradication of Slavery
5 in Sudan Act of 2007”.

6 **SEC. 2. ESTABLISHMENT AND COMPOSITION.**

7 (a) IN GENERAL.—There is established the United
8 States Commission to Monitor Slavery and its Eradication
9 in Sudan (in this Act referred to as the “Commission”).

1 (b) MEMBERSHIP.—

2 (1) APPOINTMENT.—The Commission shall be
3 composed of five members, who are not employees of
4 the Federal Government and who shall be appointed
5 as follows:

6 (A) One member of the Commission shall
7 be appointed by the President.

8 (B) One member of the Commission shall
9 be appointed by the Speaker of the House of
10 Representatives.

11 (C) One member of the Commission shall
12 be appointed by the majority leader of the Sen-
13 ate.

14 (D) One member shall be appointed by the
15 minority leader of the House of Representa-
16 tives.

17 (E) One member shall be appointed by the
18 minority leader of the Senate.

19 (2) SELECTION.—

20 (A) IN GENERAL.—Members of the Com-
21 mission shall be selected from among distin-
22 guished individuals noted for their knowledge
23 about Sudan and who have experience in fields
24 relevant to the issues of abduction and enslave-

1 ment of persons, human rights, and inter-
2 national law.

3 (B) SECURITY CLEARANCES.—Each mem-
4 ber of the Commission shall be required to ob-
5 tain an appropriate security clearance necessary
6 to carry out the purposes of this Act.

7 (3) TIME OF APPOINTMENT.—The appoint-
8 ments required under paragraph (1) shall be made
9 not later than 90 days after the date of the enact-
10 ment of this Act.

11 (c) TERM OF OFFICE.—The term of office of each
12 member of the Commission shall be three years. Members
13 of the Commission shall be eligible for reappointment to
14 a second term.

15 (d) TIME FOR MEETINGS AND ELECTIONS OF
16 CHAIR.—

17 (1) INITIAL MEETING.—Not later than 60 days
18 after all the appointments have been made under
19 subsection (b), the Commission shall hold its initial
20 meeting.

21 (2) ELECTION OF CHAIR.—A majority of the
22 members of the Commission present and voting at
23 the initial meeting shall elect the Chair of the Com-
24 mission.

1 (3) SUBSEQUENT MEETINGS.—The Commission
2 shall meet at the call of the Chair or, if no Chair
3 has been elected for that calendar year, at the call
4 of three voting members of the Commission.

5 (4) SUBSEQUENT ELECTIONS OF CHAIR.—At
6 the first meeting of the Commission in each calendar
7 year, a majority of the members of the Commission
8 present and voting shall elect the Chair of the Com-
9 mission.

10 (e) EXECUTIVE DIRECTOR.—Not later than 60 days
11 after the initial meeting under subsection (d)(1), the
12 Chair, in consultation with the members of the Commis-
13 sion, shall hire an Executive Director.

14 (f) DUTIES OF EXECUTIVE DIRECTOR.—The Execu-
15 tive Director hired under subsection (e) shall—

16 (1) prepare a workplan for the Commission’s
17 duties under section 3;

18 (2) devise a budget for the annual operations of
19 the Commission;

20 (3) hire staff and consultants for the Commis-
21 sion;

22 (4) develop working relationships with like-
23 minded civil society organizations; and

24 (5) work with the General Services Administra-
25 tion to identify offices for the Commission and take

1 all necessary actions for the Commission to occupy
2 its space, acquire equipment, and secure all nec-
3 essary services.

4 (g) QUORUM.—Three voting members of the Com-
5 mission shall constitute a quorum for purposes of con-
6 ducting the affairs of the Commission.

7 (h) VACANCIES.—Any vacancy of the Commission
8 shall not affect its powers, but shall be filled in the manner
9 in which the original appointment was made.

10 (i) ADMINISTRATIVE SUPPORT.—The President shall
11 provide working space for the Commission at no cost
12 through the General Services Administration.

13 (j) FUNDING.—Members of the Commission shall be
14 allowed travel expenses, including per diem in lieu of sub-
15 sistence, at rates authorized for employees of agencies
16 under subchapter I of chapter 57 of title 5, United States
17 Code, while away from their homes or regular places of
18 business in the performance of services for the Commis-
19 sion.

20 **SEC. 3. RESPONSIBILITIES OF THE COMMISSION.**

21 (a) IN GENERAL.—The Commission shall have as its
22 primary responsibilities—

23 (1) reporting on progress made by the Govern-
24 ment of Sudan and nongovernmental organizations

1 in identifying the location of slaves in Sudan and en-
2 suring their freedom;

3 (2) working with the Government of Sudan to
4 ensure safe passage of freed slaves and family reuni-
5 fication;

6 (3) documenting existing cases of slavery and
7 working to prevent new cases from occurring;

8 (4) assessing and reporting on the needs of
9 former slaves for access to basic education and skills
10 training, as well as medical, social, and psychological
11 support for their effective rehabilitation and re-
12 integration into society;

13 (5) identifying those individuals and groups re-
14 sponsible for slavery and reporting on whether such
15 individuals and groups are brought to justice;

16 (6) reviewing programs of relevant United
17 States Government agencies with respect to slavery
18 in Sudan, including the United States Agency for
19 International Development, the Department of
20 State, the President's Interagency Task Force to
21 Monitor and Combat Trafficking in Persons, and the
22 Human Smuggling and Trafficking Center; and

23 (7) recommending actions to be taken by the
24 United States Government with respect to the Gov-
25 ernment of Sudan in response to the Sudanese Gov-

1 ernment's inaction to eradicate slavery, in accord-
2 ance with subsection (c).

3 (b) HEARINGS AND SESSIONS.—The Commission
4 may, for the purpose of carrying out its duties under this
5 Act, hold such hearings, sit and act at such times and
6 places, take such testimony, and receive such evidence as
7 the Commission determines necessary.

8 (c) POLICY REVIEW AND RECOMMENDATIONS.—

9 (1) IN GENERAL.—The Commission, in evalu-
10 ating United States Government policies, shall con-
11 sider policy options and recommend actions to be
12 taken by the United States Government in accord-
13 ance with paragraph (2) with respect to the Govern-
14 ment of Sudan.

15 (2) FAILURE TO ACT TO ERADICATE SLAV-
16 ERY.—To the extent that the Government of Sudan
17 fails to act to eradicate slavery, such options and ac-
18 tions referred to in paragraph (1) may include diplo-
19 matic inquiries, diplomatic protests, official public
20 protest, demarche of protest, condemnation within
21 multilateral fora, delay or cancellation of cultural or
22 scientific exchanges, delay or cancellation of work-
23 ing, official, or state visits, reduction or termination
24 of certain assistance funds, imposition of targeted or

1 broad trade sanctions, and withdrawal of the chief of
2 mission.

3 **SEC. 4. REPORT OF THE COMMISSION.**

4 (a) IN GENERAL.—Not later than October 1st of
5 each year, the Commission shall submit to the Secretary
6 of State a report on the efforts of the Commission with
7 respect to its responsibilities under subsection (a) of sec-
8 tion 3.

9 (b) CLASSIFIED FORM OF REPORT.—The report may
10 be submitted in classified form, together with a public
11 summary of policy recommendations made pursuant to
12 section 3(e), if the classification of information would fur-
13 ther the purposes of this Act.

14 (c) INDIVIDUAL OR DISSENTING VIEWS.—Each
15 member of the Commission may include the individual or
16 dissenting views of the member.

17 **SEC. 5. APPLICABILITY OF OTHER LAWS.**

18 The Federal Advisory Committee Act (5 U.S.C. App.)
19 shall not apply to the Commission.

20 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

21 (a) IN GENERAL.—There are authorized to be appro-
22 priated to the Commission \$1,500,000 for fiscal year 2008
23 and \$2,000,000 for fiscal year 2009 to carry out the pur-
24 poses of this Act.

1 (b) AVAILABILITY OF FUNDS.—Amounts authorized
2 to be appropriated under subparagraph (a) are authorized
3 to remain available until expended, but not later than the
4 date of the termination of the Commission.

5 **SEC. 7. TERMINATION.**

6 The Commission shall terminate six years after the
7 initial appointment of all of the members of the Commis-
8 sion.

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