

## FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEARS 2006 AND 2007

The SPEAKER pro tempore. Pursuant to House Resolution 365 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2601.

□ 1325

## IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2601) to authorize appropriations for the Department of State for the fiscal years 2006 and 2007, and for other purposes.

The Chair appoints the gentleman from Texas (Mr. BONILLA) to preside over the Committee of the Whole, and requests the gentleman from Idaho (Mr. SIMPSON) to assume the Chair temporarily.

The Clerk read the title of the bill.

The Acting CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Illinois (Mr. HYDE) and the gentleman from California (Mr. LANTOS) each will control 30 minutes.

The Chair recognizes the gentleman from Illinois (Mr. HYDE).

Mr. HYDE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, today we will be considering H.R. 2601, the Foreign Relations Authorization Act for Fiscal Years 2006 and 2007 or as it is commonly referred to, the State Department Authorization Bill.

The bill includes several requests from the administration which are oriented toward improving the operations of the Department or the quality of life for those serving in our embassies in missions abroad. This bill authorizes funding for the State Department international organizations, international commissions, refugee programs and various related authorizations. This measure also authorizes a variety of foreign assistance programs and speaks to many current international issues to include a review of our strategic export controls.

Given the unparalleled threat to the United States and to the world from the continued proliferation of nuclear weapons, strengthening our nuclear nonproliferation efforts is an important piece of this legislation. The bill states that U.S. national interests would be advanced by a stronger International Atomic Energy Agency including and ensuring that the delay in the U.S. annual payment is corrected, along with various other recommendations.

H.R. 2601 authorizes \$10.8 billion for fiscal year 2006 and is essentially within the President's fiscal year 2006 budget request for State Department and foreign aid accounts.

Public diplomacy activities are fully supported in this bill. While we support

the traditional methods of reaching foreign audiences, we strongly urge State to be creative in finding the most effective program mix for any given country.

In closing, this bill reflects contributions of the administration as well as the Republican and Democratic members of the Committee on International Relations. We bring a solid bill to the House floor. I urge its adoption.

Mr. HYDE. Mr. Chairman, I have enclosed a series of letters concerning committee jurisdiction on the bill, H.R. 2601, "To authorize appropriations for the Department of State for fiscal years 2006 and 2007, and for other purposes."

CENTER ON INTERNATIONAL RELATIONS, HOUSE OF REPRESENTATIVES,

Washington, DC, July 13, 2005.

Hon. PETER HOEKSTRA,  
Chairman, Permanent Select Committee on Intelligence, House of Representatives, The Capitol, Washington, DC.

DEAR MR. CHAIRMAN: I am writing to you concerning H.R. 2601, a bill to authorize appropriations for the Department of State for Fiscal Years 2006 and 2007, and for other purposes. The Committee on International Relations has marked up the bill and ordered it reported by a unanimous vote.

There are certain provisions within the version of the legislation ordered reported by the Committee which fall within the shared Rule X jurisdiction of your Committee. Specifically, I refer to the language concerning the amendments to Section 140 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f), relating to comparability standards for the Annual Patterns of Global Terrorism Report required under Section 22 U.S.C. 2656(a).

In the interest of permitting this Committee to proceed expeditiously to the floor consideration of this bill, I request your Committee waive its right to sequential referral on this matter. I understand that such a waiver only applies to this language in this bill, and not to the underlying subject matter. I will urge the Speaker of the House of Representatives to name Members of your Committee to any conference committee which is named to consider this bill.

I appreciate your willingness to allow us to proceed. I will insert this exchange of letters into the Congressional Record during the debate on this bill.

Sincerely,

HENRY J. HYDE,  
Chairman.

HOUSE OF REPRESENTATIVES, PERMANENT SELECT COMMITTEE ON INTELLIGENCE,

Washington, DC, July 17, 2005.

Hon. HENRY HYDE,  
Chairman, Committee on International Relations, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: In recognition of the importance of expediting the passage of H.R. 2601, authorizing appropriations for the Department of State for Fiscal Year 2006 and 2007, the Permanent Select Committee on Intelligence hereby waives further consideration of the bill. The Committee has jurisdictional interests in H.R. 2601, including intelligence and intelligence-related authorizations and provisions contained in the bill, in particular amendments relating to Section 140 of the Foreign Relations Authorization Act for Fiscal Years 1988 and 1989.

The Committee takes this action only with the understanding that this procedural route

should not be construed to prejudice the House Permanent Select Committee on Intelligence's jurisdictional interest over this bill or any similar bill and will not be considered as precedent for consideration of matters of jurisdictional interest to the Committee in the future. In addition, the Permanent Select Committee on Intelligence will seek conferees on any provisions of the bill that are within its jurisdiction during any House-Senate conference that may be convened on this legislation.

Finally, I would ask that you include a copy of our exchange of letters on this matter in the Congressional Record during the House debate on H.R. 2601. I appreciate the constructive work between our committees on this matter and thank you for your consideration.

Sincerely,

PETER HOEKSTRA,  
Chairman.

COMMITTEE ON INTERNATIONAL RELATIONS, HOUSE OF REPRESENTATIVES,

Washington, DC, July 14, 2005.

Hon. DUNCAN HUNTER,  
Chairman, Committee on Armed Services, House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: I am writing to you concerning H.R. 2601, the "Foreign Relations Authorization Act, Fiscal Years 2006 and 2007." The Committee ordered this bill reported favorably as amended on June 9, 2005. As reported, this measure contains provisions that are within the Rule X jurisdiction of the Committee on Armed Services. These provisions include:

Sections 701-703 of Title VII. Strategic Export Control and Security Assistance Act of 2005;

Section 712. Strategic Export Control Board;

Section 727. Commercial Communications Satellite Technical Data;

Section 734. Control of Items on Missile Technology Control Regime Annex;

Section 906. Report on Foreign Law Enforcement Training and Assistance;

Section 944. Assistance for Demobilization and Disarmament of Former Irregular Combatants in Colombia; and

Section 1125. Stability and Security in Iraq.

In the interest of permitting this Committee to proceed expeditiously to floor consideration of this bill, I request that the Committee on Armed Services waive its right to sequential referral on this matter. I understand that such a waiver only applies to this language in this bill, and not to the underlying subject matter. I will urge the Speaker to name Members of the Committee on Armed Services to any conference committee which is named to consider this bill.

I appreciate your willingness to allow us to proceed. I will insert this exchange of letters into the Congressional Record during the debate on this bill.

Sincerely,

HENRY J. HYDE,  
Chairman.

COMMITTEE ON ARMED SERVICES,  
HOUSE OF REPRESENTATIVES,

Washington, DC, July 13, 2005.

Hon. HENRY J. HYDE,  
Chairman, Committee on International Relations, Washington, DC.

DEAR MR. CHAIRMAN: On June 9, 2005, the Committee on International Relations ordered reported H.R. 2601, the "Foreign Relations Authorization Act, Fiscal Years 2006 and 2007". As you know, this measure contains provisions that are within the jurisdiction of the Committee on Armed Services. These provisions include:

Sections 701–703 of Title VII—Strategic Export Control and Security Assistance Act of 2005;

Section 712. Strategic Export Control Board;

Section 727. Commercial Communications Satellite Technical Data;

Section 734. Control of Items on Missile Technology Control Regime Annex;

Section 906. Report on Foreign Law Enforcement Training and Assistance;

Section 944. Assistance for Demobilization and Disarmament of Former Irregular Combatants in Colombia; and

Section 1125. Stability and Security in Iraq.

Knowing of your interest in expediting this legislation, I will waive consideration of H.R. 2601 by the Committee on Armed Services. I do so with the understanding that by waiving consideration of the bill, the Committee on Armed Services does not waive any future jurisdictional claim over these or similar measures. In addition, in the event of a conference with the Senate on this matter, the Committee on Armed Services reserves the right to seek the appointment of conferees.

Please include this letter in your Committee's report on H.R. 2601 or introduce it into the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

With best wishes,

Sincerely,

DUNCAN HUNTER,  
Chairman.

COMMITTEE ON INTERNATIONAL RELATIONS, HOUSE OF REPRESENTATIVES,

Washington, DC, July 13, 2005.

Hon. CHRISTOPHER COX,  
Chairman, Committee on Homeland Security,

House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your recent letter expressing the jurisdictional interest of the Committee on Homeland Security in sections 712, 732, and 1002 of H.R. 2601, the “Foreign Relations Authorization Act for Fiscal Years 2006 and 2007.” I appreciate your willingness to not seek a sequential referral in order to expedite proceedings on this legislation. I agree that, by not exercising your right to request a referral, the Committee on Homeland Security does not waive any jurisdiction it has over provisions of the bill. In addition, I agree to support your request for conferees during the House-Senate conference to consider provisions within your Committee’s jurisdiction.

As you have requested, I will include a copy of your letter and this response as part of the Congressional Record during consideration of the legislation on the House Floor. Thank you for your cooperation as we work towards the enactment of H.R. 2601.

Sincerely,

HENRY J. HYDE,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON HOMELAND SECURITY,  
Washington, DC, July 5, 2005.

Hon. HENRY J. HYDE,  
Chairman, Committee on International Relations, House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN HYDE: I am writing to you concerning the jurisdictional interest of the Committee on Homeland Security in H.R. 2601, the “Foreign Relations Authorization Act for Fiscal Years 2006 and 2007.” The bill contains provisions that fall within the jurisdiction of the Committee on Homeland

Security, including: section 712, which involves the participation of the Secretary of the Department of Homeland Security on a Strategic Export Control Board; section 732, involving a report certifying exempt weapons imports along the northern border; and section 1002, which provides for an interagency process for compilation of an annual report on patterns of global terrorism.

Recognizing your interest in bringing the legislation before the House without delay, the Committee on Homeland Security agrees not to request a sequential referral of the bill. By agreeing not to seek a sequential referral, the Committee does not waive its jurisdiction over these or any other provisions of the bill that may fall within its jurisdiction. The Committee also reserves its right to seek conferees for any provisions within its jurisdiction considered in the House-Senate conference, and asks for your support in being accorded such conferees. I ask that you please include this letter as part of the Congressional Record during consideration of this bill by the House.

Sincerely,

CHRISTOPHER COX,  
Chairman.

COMMITTEE ON INTERNATIONAL RELATIONS, HOUSE OF REPRESENTATIVES,

Washington, DC, July 14, 2005.

Hon. F. JAMES SENSENBRENNER,  
Chairman, Committee on the Judiciary, House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: I am writing to you concerning the bill H.R. 2601, “To authorize appropriations for the Department of State for Fiscal Years 2006 and 2007, and for other purposes”. The Committee has marked up the bill and ordered it reported by a unanimous vote.

There are certain provisions within the version of the legislation ordered reported by the Committee which fall within the Rule X jurisdiction of the Committee on the Judiciary. Specifically Title II of the bill, section 201 deals with consolidation of law enforcement powers and creates a new title 18 criminal offense.

In the interest of permitting this Committee to proceed expeditiously to the floor consideration of this bill, I request that the Committee on the Judiciary waive its right to sequential referral on this matter. I understand that such a waiver only applies to this language in this bill, and not to the underlying subject matter. I will urge the Speaker to name Members of the Committee on the Judiciary to any conference committee which is named to consider this bill.

I appreciate your willingness to allow us to proceed. I will insert this exchange of letters into the Congressional Record during the debate on this bill.

Sincerely,

HENRY J. HYDE,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON THE JUDICIARY,  
Washington, DC, July 14, 2005.

Hon. HENRY J. HYDE,  
Chairman, House Committee on International Relations, Rayburn House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter concerning H.R. 2601 “To authorize appropriations for the Department of State for fiscal years 2006 and 2007, and for other purposes.” As you state, the language in Title II of the bill, section 201 dealing with consolidation of law enforcement powers and creating a new title 18 criminal offense falls within the sole Rule X jurisdiction of the Committee on the Judiciary.

Since you have consulted with this Committee, and in recognition of desire to proceed expeditiously to the floor, I hereby waive consideration of this legislation by the Committee. The Committee takes this action with the understanding that the Committee’s jurisdiction over these and other provisions of H.R. 2601 is in no way altered or diminished. I also reserve the right to seek appointment to any House-Senate conference on this legislation, and appreciate your willingness to support such a request. I would also appreciate your including this letter in your Committee’s report on this legislation and in the Congressional Record during consideration of the legislation on the House floor.

Sincerely,

F. JAMES SENSENBRENNER, Jr.

Chairman.

Mr. Chairman, I reserve the balance of my time.

Mr. LANTOS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in strong support of H.R. 2601, the Foreign Relations Authorization Bill for Fiscal Years 2006 and 2007 as it was reported out of committee.

At the outset I want to pay tribute to the chairman of the committee, my good friend, the gentleman from Illinois (Mr. HYDE), for conducting the complex discussions and debates leading to this legislation with statesman-like dignity.

□ 1330

Mr. Chairman, today our great Nation continues to face a grave terrorist threat. Despite our many successes at disrupting al Qaeda and other violent and brutal Islamic extremists, our determination to defeat terror remains unshakable, and we know we shall prevail in this struggle.

We saw a tragic demonstration of terror this month in London’s underground and on its famed double-decker buses. While a number of Osama bin Laden’s top lieutenants have been captured and killed, he remains at large, as do other key terrorist figures. In this security environment, Mr. Chairman, legislation on foreign policy should be bipartisan. And our legislation, passed unanimously by the Committee on International Relations by a vote of 44 to 0, is a tribute to my friend, the gentleman from Illinois (Mr. HYDE), and his effort to work in a bipartisan fashion.

Chairman HYDE has outlined many of the features of our legislation, and I will merely add a footnote. To address the dangers of terrorist attacks on our embassies, which are the platform abroad for every agency of the U.S. Government, our bill fully funds the administration’s request for worldwide embassy security.

Mr. Chairman, in 2003, when an extremist involved in attacks against the British consulate in Istanbul and other British facilities was captured, he said that he had explored the U.S. consulate as a possible target but had decided to move elsewhere, and I quote, “Because even a bird cannot fly into the U.S. embassy.” This statement is a dramatic

demonstration that our embassy security program, begun after the East Africa bombings in 1998, is bearing fruit.

I am pleased that our bill fully funds the administration's request for the State Department and contains most of the provisions that Secretary Rice has requested and needs to help her administer the Department more effectively.

Our bill, Mr. Chairman, also launches a critical initiative to address the key issue of disrupting nuclear black markets. The Nuclear Black Market Elimination Act, which is included in our bill, authorizes sanctions against individuals and companies that provide nuclear enrichment technology to countries which do not have it or have not signed the additional IAEA, International Atomic Energy Agency, protocols relating to verification. Our initiative will help prevent nuclear weapons technology from getting into the hands of terrorists and rogue states, and clearly that is our most significant national security concern.

Our bill contains provisions of the Missile Threat Reduction Act, which I introduced in the last Congress with the support of Chairman HYDE. These provisions are designed to confront the alarming spread of offensive ballistic missiles, which can be used for launching nuclear, chemical, and biological warheads. This measure commits the United States to seeking a new international mechanism to restrict the trade in missiles and components. It strengthens U.S. sanctions against those who trade in missiles, and it provides assistance to countries that agree to destroy their missile arsenals.

Let me just say a word, Mr. Chairman, about another important initiative in our bill, the ADVANCE Democracy Act of 2005. I introduced a version of this legislation earlier this year with my good friend, the gentleman from Virginia (Mr. WOLF), my cochairman of the congressional Human Rights Caucus. We consulted extensively with democracy experts, former diplomats, and U.S. Government officials. I am delighted to report that our work stimulated much discussion about how the U.S. Government could organize better to promote democracy around the globe.

With invaluable input from Chairman HYDE, the ADVANCE Democracy Act that is included as part of this legislation will require forward-looking strategies for democracy promotion, enhanced training for our diplomats, and increased resources for those who are responsible for democracy promotion. We trust that our bill will help institutionalize the advancement of democracy throughout the U.S. Government.

Mr. Chairman, our bill also provides support for the next critical phase in Afghanistan's transition from chaos, civil war, and disorder to an increasingly prosperous and democratic state by providing assistance for that country's upcoming parliamentary elections. Continued attention from the international community on this crit-

ical next step is essential if reformers are not to be intimidated by narcotics and warlords.

Given the general bipartisan nature of our legislation, Mr. Chairman, I regret that the majority has decided to offer some ill-advised partisan amendments to our bill. In particular, I am profoundly disappointed that a U.N. reform amendment, virtually identical to the bill considered and barely passed by a sharply divided House last month, is going to be offered. I see no need to debate this controversial and divisive topic yet another time. The House has already spoken.

This amendment requires withholding 50 percent of our contributions to the United Nations if any one of 46 conditions is not fully implemented. During debates earlier, I called this an automatic guillotine, and it certainly has not changed since that debate. Adding this amendment threatens to undermine bipartisan support for our legislation. I will oppose this amendment, and I ask all of my colleagues to join me in voting against it.

Mr. Chairman, we are considering this important legislation at a pivotal moment in our Nation's history. We are engaged in intense diplomacy on every continent. We are working to resolve long-festering disputes and crises in North Korea, in Iran, in Iraq, in Afghanistan, in Congo, in Colombia, and countless other places. And we are doing this in the midst of a critical conflict against the violent forces of nihilism and bloodthirsty Islamic fanaticism.

I believe that enactment of our legislation will provide important tools that can help resolve these international disputes and crises. I continue to hope that at the end of this legislative process we will all be able to support the bill.

Mr. Chairman, I reserve the balance of my time.

Mr. HYDE. Mr. Chairman, I yield 6 minutes to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Chairman, I thank the very distinguished chairman for yielding me this time. I would echo the statements of the gentleman from California (Mr. LANTOS) in applauding Chairman HYDE for his extraordinary leadership on the Committee on International Relations. He is the best and the most effective chairman I have ever seen, and I want to thank him for his leadership.

Mr. Chairman, the Foreign Relations Authorization Act for 2006 and 2007 is a comprehensive 332-page bill. With 11 titles, it authorizes funding for the State Department, international broadcasting, education and exchange programs, peacekeeping, international organizations and much, much more. H.R. 2601 funds the all-important framework by which the United States carries out its foreign aid and foreign policy programs and authorizes U.S. contributions to the United Nations, NATO, the OSCE, and other vital international organizations.

The cost of the bill is \$10.8 billion for fiscal year 2006, \$10 billion for 2007, with some costs in the outyears totaling \$1.9 billion, for a total multiyear price tag of \$22.3 billion, and it is within budget.

As chairman of the Subcommittee on Africa, Global Human Rights and International Relations, I chaired eight hearings on issues related to the bill, and the full committee met twice for consideration of these provisions. There were 10 amendments considered during markup in our subcommittee and another 52 amendments considered during the full committee. This bipartisan bill, as the gentleman from California (Mr. LANTOS) pointed out, passed 42 to 0, and the rule today permits 39 additional amendments for consideration.

The legislation, Mr. Chairman, puts a heavy emphasis on security and authorizes \$1.5 billion for security-related construction at U.S. missions, \$690 million to increase security for diplomatic personnel and \$930 million for border security programs.

This funding continues the work begun after the devastating terrorist bombings in the late 1990s of our two U.S. embassies in Africa. Subsequent to that, Admiral Crowe, who headed up the Accountability Review Board, reported that some 85 percent of our missions at the time were vulnerable. Since then, Congress has stepped up and provided funding to try to close that gap.

This bill continues that work and includes funding for 55 additional diplomatic security personnel positions and 55 new consular positions. Under the capital security construction program, eight new embassy compounds in Eritrea, Zimbabwe, Pakistan, Ukraine, Rwanda, Zambia, Mozambique, Bosnia, and for St. Petersburg in Russia, and four USAID annexes in Nigeria, Ghana, Nicaragua, and Georgia would be funded.

The bill also increases funding for minority recruitment, and continues the annual report on minority recruiting efforts at the Department of State. It increases the ceiling on differential pay for hardship and danger at a time when we are operating new posts in extremely dangerous locations. It supports human rights efforts at the Department through targeted funding for the Office of Democracy, Human Rights and Labor; promotes programs to fight anti-Semitism, protects religious freedom in OSCE countries; provides a permanent authorization for Radio Free Asia; and funds scholarships for outstanding individuals from the Southern Sudan region to study in the United States.

Given the unparalleled threat to the United States and to the world from the continued proliferation of nuclear weapons, strengthening our nuclear nonproliferation effort is an important and vital piece of this legislation. Title VII of the bill revises and strengthens strategic export controls and mandates

a comprehensive review of U.S. strategic exports, including arms and dual-use items. Its aim is to ensure that U.S. military superiority remains, and that terrorist states and organizations are denied the means to advance their nefarious goals.

The bill also states that U.S. national interests would be advanced by a stronger International Atomic Energy Agency, or the IAEA, including ensuring that a recurring delay in the U.S. annual payment is corrected.

Title VIII upgrades policies related to the elimination of the U.N. nuclear black market and establishes that non-proliferation is a condition of U.S. foreign aid. The bill mandates that countries must be fully cooperative with U.S. efforts to eliminate the nuclear black-market network, again as a precondition to receiving U.S. foreign aid.

One title, title VI, the ADVANCE Democracy Act of 2005, authored by the gentleman from Virginia (Mr. WOLF) and the gentleman from California (Mr. LANTOS), creates a new office at State to work with democratic movements, establishes an annual report and a list of countries, countries that are either undemocratic or democratic transition countries, and launches a more robust coordinated effort to systematically promote democracy.

Mr. Chairman, I am grateful the committee has included a number of provisions that I proposed, including services for overseas children suffering from autism; a global prevalence study on autism; steps to promote human rights and democracy in Vietnam, Belarus, and Zimbabwe; support for a strengthened rule of law in Northern Ireland, as well as assistance to maternal and child victims of Chernobyl; and the creation of a program to repair and prevent the tragic condition of obstetric fistula.

Mr. Chairman, I urge strong support for this bill.

□ 1345

Mr. LANTOS. Mr. Chairman, I yield 3 minutes to the gentleman from New Jersey (Mr. MENENDEZ), the chairman of the Democratic Caucus, a serious and hard-working member of the Committee on International Relations.

(Mr. MENENDEZ asked and was given permission to revise and extend his remarks.)

Mr. MENENDEZ. Mr. Chairman, I thank the gentleman from California (Mr. LANTOS) for his gracious comments.

I rise to support H.R. 2601 in its present form and to comment on some of the positive elements of this bill.

Iran's nuclear program continues to threaten the world, the United States, and Israel. For nearly 2 decades, Iran has pursued a clandestine nuclear program while claiming it had to keep this program hidden from the international community because of the sanctions against it.

Let us be clear. Iran is a country with huge oil and natural gas reserves.

They do not need nuclear power for energy consumption. That is why I am glad the bill includes my language that makes it clear that Russia needs to stop helping Iran develop nuclear energy plants.

This bill also includes language I offered on the religious freedom and rights of the Ecumenical Patriarch in Turkey. The Ecumenical Patriarch is the spiritual leader of 300 million Orthodox Christians throughout the world. Yet the Government of Turkey has refused to recognize the Ecumenical Patriarch's international status and its significant status and its significance to Orthodox Christians.

That is why my language states that Turkey must immediately eliminate all forms of discrimination, particularly those based on race or religion.

This bill also provides funds to make sure that the State Department looks like the rest of America. As was mentioned in the report language in the bill, Kean University in New Jersey runs a model program which is specifically designed to increase the number of minorities in the foreign service.

Finally, I believe the Hyde U.N. amendment will not solve the real problems at the United Nations. Instead, this amendment sets the United Nations up to fail by creating a series of requirements that will be almost impossible to meet and then requiring mandatory withholding of 50 percent of the U.S. dues. This bill is medicine that may kill the patient rather than cure a specific disease. I am particularly concerned that the bill keeps the United States from supporting any new peacekeeping mission until far-reaching reforms have been implemented, even in extreme cases.

That amendment could very well condemn us to lose only American lives, shed only American blood, and spend only American capital instead of having the world share this responsibility with us.

As I said in the beginning, this bill has many positive components, but we should not attach the U.N. amendment to this bill that undermines that world body and undermines our ability to participate and have others participate with us in global security and other initiatives. If we reject that, then we can be on our way to a very good State Department authorization.

Mr. HYDE. Mr. Chairman, I yield 3 minutes to the gentleman from Virginia (Mr. WOLF).

(Mr. WOLF asked and was given permission to revise and extend his remarks.)

Mr. WOLF. Mr. Chairman, I rise to commend the gentleman from Illinois (Mr. HYDE) and the gentleman from California (Mr. LANTOS) and the gentleman from New Jersey (Mr. SMITH) and the members of the Committee on International Relations for their work in bringing this legislation to the floor today. I want to express my gratitude to the gentleman from Illinois (Chairman HYDE) and the gentleman from

California (Mr. LANTOS) and the gentleman from New Jersey (Mr. SMITH) for working with us on an important issue included as a new title, "Advanced Democracy," in the bill, and I thank all of them.

I want to also give commendation of thanks to the staff, the majority and minority staff. They have been very good, and I want to personally thank them.

This bipartisan, bicameral legislation reaffirms that the promotion of democracy, freedom, and fundamental rights constitutes an essential element of U.S. foreign policy. It strengthens the ability of the State Department to promote democracy with respect particularly to nondemocratic countries. Through the cooperation and work of the gentleman from Illinois (Mr. HYDE) and the gentleman from California (Mr. LANTOS) and the gentleman from New Jersey (Mr. SMITH), much of that legislation has been included in the State Department authorization bill.

With these provisions, we are ensuring that the democratic principles that are the foundation of America are intentionally and purposely promoted worldwide.

This legislation makes critical structural changes at the State Department that reflect our Nation's commitment to the spread of democracy.

Additionally, it increases the number of Foreign Service officers assigned to the Bureau of Democracy, Human Rights, and Labor and creates two regional democracy hubs.

The Secretary of State is also directed to prepare an annual report on democracy which will designate countries as "nondemocratic" or "democratic transition countries."

There is so much else in this bill, but before I run out of time, I want to thank the gentleman from Illinois (Mr. HYDE) again and the gentleman from California (Mr. LANTOS) and the gentleman from New Jersey (Mr. SMITH), and I want to give my special thanks to the gentleman from Illinois (Mr. HYDE) not just for his work on this legislation and for his support for our Advance Democracy effort, but I want to thank him for his dedication to preserving freedom and protecting the innocent throughout his many years in public service.

Mr. Chairman, I can remember being on the floor late at night during the situation with regard to the Contras down in Nicaragua and following the leadership of the gentleman from Illinois (Mr. HYDE) on all of these issues. He has been the voice and conscience of this House for years and years. I want him to know that I personally have followed him on many of these issues. I have listened and asked, What is HENRY HYDE saying? How is HENRY HYDE voting? It has been an honor and a privilege to serve with you.

Mr. LANTOS. Mr. Chairman, I am delighted to yield 3½ minutes to the gentleman from Oregon (Mr. BLUMENAUER), a distinguished member

of the Committee on International Relations and the conscience on environmental issues of both the committee and the Congress.

Mr. BLUMENAUER. Mr. Chairman, I appreciate the gentleman yielding me this time, his leadership and his partnership with our chairman, the gentleman from Illinois (Mr. HYDE).

There is no more important forum for Members of this Chamber to be focusing on than what is happening in the international arena. I am pleased in these troubled times that our chairman and ranking member have provided a framework for us to deal with things that matter, from human rights to the environment. I join in expressing my appreciation for what you gentlemen have permitted us to move forward.

I like so much of what is in this bill. I like the notion that we are dealing with the welfare of the men and women who serve us in the State Department and the related agencies. Too little attention is given to their welfare, the fact that they are in the line of fire and they are producing activities that are every bit as important as what is happening with the armed services.

The money that is put in here and the attention that is given to their welfare and for a platform for them to operate is vitally important.

I appreciate the ranking member mentioning the consulate in Istanbul, which happened to be designed by people back home in Portland, who have demonstrated that we can deal with the welfare of our employees, their security, give them a good working environment, and actually save money. It is a little detail, but it is, oh, so important. At a time when we have seen international acts of terrorism triple from 2003 to 2004, we know that this is important.

I also appreciate what is in this bill to try and move the great battleship that deals with our relationship with Egypt. For years we have spent billions of dollars for work in the Middle East to try to promote a partnership with Egypt. This bill starts to move us away from the preponderance of military aid and move that same dollar amount, but to humanitarian aid. There is an effort that is going to come forward to try to eliminate that. I strongly urge it be defeated. I think that is an important message that is a part of this bill.

I appreciate things that can be found in the language of the bill that deal with disaster preparedness. Many of us from the committee were in the tsunami area and saw the devastation. If we are able to reposition the billions of dollars of assistance to help move these people out of harm's way, to help them not degrade their environment that actually makes them more vulnerable to more loss, I think this is an important step forward. I appreciate the linkage there. In fact, we are told if we had spent \$40 billion in mitigation, we could have prevented \$280 billion of disaster relief in the last decade, and

countless lives that would have been saved.

I appreciate the notion of what this bill does in the language that talks about dealing with planning our troubled urban areas, and that helps these areas where there is an explosion of population and caldrons of unrest that the United States may be able to do a better job of helping these people as well.

In sum, I think we will have a lively and spirited debate over the course of the next day and a half. I appreciate our committee leadership in bringing us to this point. I hope we on the floor will do our job on all of these issues to make it an even better bill before we are done.

Mr. HYDE. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. GARY G. MILLER).

Mr. GARY G. MILLER of California. Mr. Chairman, I rise in strong support of the provisions in this bill that address the unwillingness of Mexico to extradite violent criminals back to the United States for prosecution.

I want to be sure all of my colleagues are aware that we share our southern border with a country that willingly harbors criminals: rapists, robbers, and murderers.

Since 2001, Mexico has become a fugitive paradise where people accused of heinous crimes in the United States can escape from American justice. I would like to share one of these stories with Members today.

In 2002, Deputy David March, a 7-year veteran of the Los Angeles Sheriff's Department, was brutally shot while performing a routine traffic stop at 10:30 in the morning. The suspect, Armando Garcia, fled to Mexico to avoid prosecution. Garcia was an illegal alien who disregarded our Nation's immigration laws when coming to California from Mexico. Once in the United States, he continued his life as a criminal plaguing our streets with drugs and engaging in other criminal activities, including two attempted murders.

While he had already been deported three times, Garcia again ignored our Nation's laws and illegally entered the United States a fourth time. This time, he brutally murdered a police officer who was merely stopping him for a routine traffic violation. Garcia killed Deputy March by shooting him execution style in the side of his chest where the bulletproof vest did not cover, and in the head.

Now this monster, who has demonstrated a total disregard for the laws of our country over and over again, walks free in Mexico. Even worse, his blatant contempt for our laws is being implicitly sanctioned by the Mexican Government which is protecting him from prosecution for his heinous crimes. Mexican officials have refused to extradite Garcia because he could face the death penalty or life in prison for murdering Deputy David March.

Let us be clear, the Mexican Government is harboring a cop killer. Every

day law enforcement officers nobly protect our friends, neighbors, and families from crime. They work to improve the quality of life for all of us. Sometimes they pay the ultimate sacrifice. For that, they and their families deserve our sincere appreciation and utmost respect.

For 7 years, Deputy March dedicated his life to the pursuit of justice and to the protection of our communities. We must honor the sacrifice that he and his family paid for our safety by pursuing justice for his senseless murder. I have met Deputy March's family. To see the pain and anger in their faces, knowing their son's killer is roaming free across our southern border, is heart-breaking.

We cannot sit silently while Mexico becomes a criminal black hole for murderers seeking to escape from justice. We must learn from Deputy March's murderer. If another country is unwilling to respect America's laws, its citizens will also disregard our rule of law when they cross over our borders. I commend the gentleman from Illinois (Mr. HYDE) for including a provision in this bill to urge the Mexican Government to reconsider its faulty extradition policy, and I hope my colleagues will support this and other legislative efforts to ensure that Mexico respects the laws of the United States.

Mr. LANTOS. Mr. Chairman, I yield 2½ minutes to the gentleman from California (Mr. SCHIFF), a valued member of the Committee on International Relations.

Mr. SCHIFF. Mr. Chairman, at the outset I want to recognize the superb work of the gentleman from Illinois (Chairman HYDE), and say that I think the gentleman is going to have to endure a number of valedictory speeches over the next year and a half. If one Member spoke for each year that the gentleman has served in this House, that would entitle us to 32 accolade speeches during the next year and a half. So be prepared. We are extremely grateful for all of your work. With our ranking member, we could not have two more talented members at the helm of the Committee on International Relations.

I also want to express a personal thanks for the willingness of the chairman and the ranking member to include several of my amendments to this bill in the markup.

Two weeks ago, terrorists struck in the heart of one of the world's great cities, London. The weapons they used, simple knapsacks filled with a few pounds of high explosive, caused a devastating loss of life and again highlighted our vulnerability to terrorism.

But what if terrorists had released a biological agent into London's underground? What if they had used a van with a stolen Russian nuclear weapon or nuclear material to cripple London's central business district?

The amendments I offered in committee addressed three critical areas in the fight to prevent terrorists from acquiring weapons of mass destruction:

security of nuclear weapons and material, expanding the Proliferation Security Initiative, and redirecting the efforts of scientists formerly employed as part of the Soviet Union's biological warfare establishment.

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While the United States has stringent controls on our nuclear weapons and weapons materials, security in other countries is less exacting.

My first amendment calls upon the President to work with the international community to improve the security of weapons and materials and to urge international support for the IAEA's proposals to strengthen the security of nuclear materials.

My second amendment urges the President to strengthen the 2-year-old Proliferation Security Initiative by seeking a treaty, UN Security Council resolution, or other agreement expressly authorizing interdiction of illicit WMD technology and materials. While I believe that existing international law justifies the Proliferation Security Initiative, there are states that are reluctant to participate in the program without the expressed sanction.

The third amendment requests a report by the Secretary of State on the feasibility, potential contributions, and desirability of employing former Soviet biological weapons scientists in developing biomedical countermeasures. Diverting the expertise of weapons scientists in the former Soviet Union is crucial to preventing the proliferation of WMD.

And, again, I am grateful to the chairman and ranking member for the inclusion of these amendments and all their efforts to curb the spread of weapons of mass destruction.

Mr. LANTOS. Madam Chairman, I yield 2½ minutes to the gentlewoman from California (Ms. LEE), a distinguished member of the Committee on International Relations.

Ms. LEE. Madam Chairman, let me first thank our ranking member for yielding me this time, and I also thank him and the gentleman from Illinois (Chairman HYDE) for their continuing bipartisan efforts reflected not only in this bill but in many of the bills which we work on in the Committee on International Relations.

With regard to this bill, together, and I want to thank them for their efforts on this, we were able to incorporate the provisions which I offered on minority recruiting, hiring, and contracting at the State Department and also helping to support the development of predictive models on famine in sub-Saharan Africa into the text of this bill. So I want to thank the gentleman from California (Mr. LANTOS) and the gentleman from Illinois (Mr. HYDE) for that.

While this bill represents a very diligent effort, a bipartisan effort, I am deeply concerned that the Committee on Rules made in order many ideologi-

cally driven amendments. The Republican leadership continues to stifle any debate on the most pressing issues of the day, especially the quagmire in Iraq. Silencing critics of the administration policies in Iraq is really an abuse of power and really is very devoid of the democratic values that many are trying to spread throughout the world.

I offered four critical amendments to this bill, one asking the administration to just present to Congress a plan for withdrawal of troops from Iraq; another one stating that the United States should have a policy stating that we should have no permanent military bases in Iraq. Those amendments, of course, were not ruled in order, again stifling debate. I offered also an amendment that would allow for 40 percent of the funds used for the Colombian Andean Counterdrug Initiative to be used for alternative economic development. Drugs are ravishing communities here in America, and this would provide a way out of that in terms of ensuring that farmers had other types of crops to grow and had this alternative economic development. That amendment was defeated.

I offered an amendment also requiring that only a democratically elected government of Haiti should be eligible for U.S. taxpayer funds. That is not controversial or it should not be controversial. That should be a bipartisan effort. Instead, Madam Chairman, unfortunately, we will consider the dangerous divisive amendments like the ones, with all due respect, offered by the Chair of our committee who wants to withhold funds from the United Nations and also the one by the gentlewoman from Florida (Ms. ROSEHTINEN), which, once again, on Iraq, we have no way to offer an amendment which disagrees with the position of that amendment.

I do not think anyone questions the effort in terms of the chairman with regard to UN reform. We all believe there is need of UN reform. But I think it is very dangerous, as many have said, to withhold dues toward this end in terms of this provision of this bill.

Mr. LANTOS. Madam Chairman, I yield 2 minutes to the distinguished gentleman from Maryland (Mr. CARDIN), who has done extraordinary work on the Helsinki Commission.

Mr. CARDIN. Madam Chairman, I thank the gentleman from California (Mr. LANTOS) for yielding me this time.

I want to congratulate the gentleman from Illinois (Mr. HYDE) for his many years of service to this institution, again bringing forward a well-balanced bill. I want to thank him and the gentleman from California (Mr. LANTOS) for the Foreign Relations Authorization Act for fiscal years 2006 and 2007.

Madam Chairman, I want to bring up two provisions that are in this authorization bill that relate to the work of our Helsinki Commission. I note that the gentleman from New Jersey (Mr. SMITH) is on the floor, our chairman. I

work with him as the ranking Democrat, and over the last several years we have raised priorities for the Organization for Security and Cooperation in Europe through our Helsinki Commission, and I am very pleased that this authorization bill carries out those priorities.

First let me point out that the bill authorizes \$225,000 annually for the Organization for Security and Cooperation in Europe's Office of Democratic Institutions and Human Rights and \$125,000 annually for general religious freedom programs that are administered by the OSCE Office of Democratic Institutions and Human Rights.

This carries out a commitment that our commission brought forward in fighting anti-Semitism and developing international meetings to deal with strategies to combat anti-Semitism. This authorization will help us accomplish those goals. These are important initiatives.

I must point out that, although we have made progress, there is a lot more that needs to be done, and I am confident that by this authorization we will have the tools, at least in our country, to see to the implementation of these commitments. H.R. 2601 regrets the lack of implementation by many of the OSCE participating states and their commitments to track and report on anti-Semitic crimes and hate crimes. In the last Congress I was pleased to join with the gentleman from California (Mr. LANTOS) and the gentleman from New Jersey (Mr. SMITH), Helsinki Commission chairman, in working to enact the Global Anti-Semitism Review Act of 2004. So I want to commend the chairman and the ranking member for authorizing resources in this bill to deal with that.

The second point I would just mention very briefly is the fact of expressing concern about restitution of property taken during the Nazi era in Poland. I appreciate that also being included in this legislation.

Ms. JACKSON-LEE of Texas. Madam Chairman, I rise to address H.R. 2601, the Foreign Relations Authorization Act for Fiscal Years 2006 and 2007. This legislation is far reaching and will have a broad impact on the direction of our foreign policy. I hope that this Authorization Act will serve as an instrument for international cooperation, instead of the Administration's current policy of antagonizing the international community.

This Authorization Act funds the Department of State at virtually the same level as the Administration's request, representing a substantial increase from FY2005. Minor cuts to the request were made to substantially increase funds for refugee protection and to increase funding for the Asia Foundation. This bill funds international broadcasting, international exchanges, U.S. dues for international organizations, U.N. peacekeeping, and the National Endowment for Democracy at the FY2006 request level.

To be specific, this bill authorizes \$10.8 billion in 2006 and \$10 billion in 2007 for the Department of State, international broadcasting activities, international assistance programs,

and related agencies. The bill includes the following authorization levels: \$3.77 billion for FY06 and \$3.89 billion for FY07 for Diplomatic and Consular programs; \$1.52 billion for FY06 and \$1.55 billion for FY07 Embassy Security, Construction and Maintenance, and \$689 million in FY06 and \$710 million in FY07 for worldwide security upgrades; \$1.3 billion in FY06 and FY07 for contributions to international organizations; \$955 million in FY06 and \$985 million in FY07 for migration and refugee assistance; \$661 million in FY06 for international broadcasting activities.

I am heartened that this bill contains a number of Democratic initiatives that were either included by Chairman HYDE or were added by amendment in Committee. This bill funds virtually all of the President's requests for the State Department, including funding for embassy security and expanding the U.S. diplomatic corps. The bill includes provisions to strangle nuclear black markets; to provide an institutional framework for the promotion of democracy; and to provide the State Department with tools to confront the alarming spread of ballistic missiles.

In addition, this legislation includes provisions related to creating a more formal structure for the promotion of democracy at the Department of State. It also requires a report on Administration strategy and efforts to advance democracy around the world, and it increases funding for the State Department's Human Rights and Democracy Fund, which currently faces a 20 percent decrease in the FY2006 budget request. It is my sincere hope that these provisions will actually take our talk of promoting democracy through peaceful means and make it a reality.

I appreciate the fact that this Authorization includes a sense of Congress that the United States should render assistance to the efforts of the International Criminal Court to bring to justice persons accused of genocide, war crimes, or crimes against humanity in Darfur, Sudan. However, this nation must do more to stop the genocide in Darfur. The genocidal regime in Sudan has left 2.5 million people displaced and at least 380,000 people dead in the Darfur. Due to increasing violence, 15,000 innocent civilians continue to die each month. Tragically, many of the women and young girls have been raped. In addition, water and food supplies have been completely destroyed making it impossible for many Sudanese to survive. Furthermore, under the U.S. Refugee Admission Program for FY05, up to 20,000 refugees from parts of Africa may be allowed to enter the U.S. As of May 31, 2005 there have been 10,326 persons allowed in the U.S. from Africa and only 1,190 of them have been Sudanese refugees. Truly, we have not gone as far as we can to aid these suffering people and end the genocide in Darfur. We can not allow the war in Iraq to divert us from this humanitarian crisis. As the world's most powerful nation we have an obligation to ensure that we do not turn a blind eye to those who are truly suffering.

The war in Iraq continues unabated and yet this Administration finds the need to hide the true cost of this war from the American people. I wrote a letter to President Bush on Memorial Day along with my Congressional colleague to ask him to allow the public to once again view the flag draped coffins of our soldiers who have paid the ultimate sacrifice to their nation. I find it sad that this President has

changed a long standing precedent of showing the flag draped coffins when they return to be buried here in the United States. This ceremony is a true sign of honor, which should be shared with the American people, both young and old as a reminder of the bravery of our Armed Forces. I truly hope that President Bush will change his policy and allow Americans to once again pay proper tribute to our fallen soldiers who we hold dear in our hearts.

I am disappointed that this Authorization Act does not address the deteriorating situation in Haiti. I am also extremely disturbed by the role our own Administration has played in suppressing the voice of the people of Haiti. The Bush Administration has given tacit approval to the current Haitian government in their efforts to impose their regime. It is time for our Administration to play an active role in restoring real representative government in Haiti. We can not continue to turn a blind eye to the needs and desires of the Haitian people. The Haitian people were already suffering after the illegal overthrow of President Aristide and the subsequent unrest. Today they are faced with a new challenge of trying to hold their nation together in the face of an illegitimate and collapsing government. The United States must play the lead role in rebuilding the institutions and capabilities of the nation of Haiti.

I am pleased that this Authorization contains support for famine relief in Ethiopia up to \$4,000,000 for fiscal year 2006. Ethiopia is another nation in which we must support democracy and give the people reason to hope. Recently, the first official results from Ethiopia's disputed May elections show the ruling party and the opposition won roughly the same number of seats. The National Election Board said it was investigating allegations of fraud in up to 200 seats. The United States must support free and fair elections regardless of who may eventually win. I hope that all cases of election fraud will be properly investigated and that the final results will reflect the will of the Ethiopian people.

It was an honor today to welcome such a distinguished guest as Prime Minister Singh to the United States Capitol. I am pleased to have signed a letter to Speaker HASTERT requesting that the Prime Minister be able to address a joint session of Congress. I must say that the international development that I feel most positively about is the continued peace talks between Pakistan and India. I was heartened to see the effort made by Prime Minister Singh and President Musharraf in April, when they managed to turn a small visit to India to watch a cricket match into a three-day summit that yielded a series of agreements. Together these two nations agreed to set up a joint business council to improve trade and open more meeting points and travel routes for divided families along the Line of Control, which divides the region of Kashmir between India and Pakistan. Both Prime Minister Singh and President Musharraf declared that the peace process is now "irreversible." In addition, they agreed that they would continue talks on Kashmir in "a sincere and purposeful and forward-looking manner for a final settlement." It's due to this that I introduced H. Res. 272, the India-Pakistan Peace Resolution which recognizes the historic steps India and Pakistan have taken toward achieving bilateral peace. I am proud to say that this resolution passed through the International Relations Committee by unanimous consent. I have long

advocated for the idea that both these great nations have much to offer and the promise of regional stability can only be in the interest of the United States.

I do have concerns about China and especially its bid to purchase Unocal. I am satisfied that the House of Representatives recently voted to not approve any sale of Unocal to China based on national security grounds. In addition, the Chinese yuan continues to be undervalued in relation to the U.S. dollar. The yuan has been pegged to the dollar at an exchange rate of about 8.28 yuan for 14 years, a rate which gives China an unfair edge in the export market. At its current level, China's goods are very inexpensive relative to American products, which ultimately threaten U.S. jobs. I am not asking to close our relationship with China, but only to have some reasonableness in our dealings with them.

This Foreign Relations Authorization Act addresses a number of international issues. However, I feel it does not go far enough on many vital international issues such as the genocide in Darfur and the deteriorating situation in Haiti. I hope that this Congress and this Administration will sincerely work to address these pressing international issues. Truly, those conflicts, which we ignore, will only be to the detriment of our Nation later.

Mr. CROWLEY. Madam Chairman, I rise today in strong support of the Foreign Relations Authorization Act.

Chairman HYDE along with Ranking Member LANTOS crafted a bipartisan bill that was strongly supported by the House International Relations Committee.

I would also like to give my sincerest thanks to all the staff of the committee who have worked so hard to make sure that all the members of this committee had an opportunity to way in on the bill to make improvements that were important to us.

The committee has worked with me and my staff to make sure that language was included, which expresses the Sense of Congress that the President of the United States and the Secretary of State should engage in an open dialogue with the Government of Poland to achieve a final and complete settlement for individuals and groups who had their private property seized by the Nazis during World War II or by the Communist Polish government after the war.

This clause simply calls on the government of Poland to develop a final and complete settlement for private property that was seized or confiscated by the Nazis during WW II or by the Communist government of Poland after the war.

The President of Poland Alexander Kwasniewski met with congressional leaders from the United States Helsinki Commission and said that he intended to draft a new law intended to provide compensation that would not discriminate based on residency or citizenship of an individual and it would be ready to take effect by the beginning of 2003.

This clause calls on the President of the United States and the Secretary of State to engage in an open dialogue with the government of Poland and work with them to ensure that restitution legislation is implemented.

We are now in June of 2005 and limited action has been taken to resolve this situation.

These reparations need to be made immediately if they are to be of any benefit to many of the Holocaust survivors.

Another initiative that was included was regarding language to create a report on what the United States is doing to assist our friend and ally Israel in their efforts to establish diplomatic relations.

As I'm sure many of my colleagues in this committee are aware that a number of nations have not established full diplomatic relations with the State of Israel. Israel currently maintains diplomatic relations with 160 countries. Thirty-three countries do not have any diplomatic relations with Israel at all and one country has only limited relations.

The violence that has consumed Israel, Gaza and the West Bank has only exacerbated this problem.

In order for Israel to be a full member of the world community, it must establish diplomatic relations. The Israeli Embassy tells me that Israel is actively seeking to establish and upgrade their relations with several countries. This has proven difficult with many of the Islamic nations.

I believe the U.S. should be doing everything possible to help Israel establish these relations and that is why I have authored this language.

Another issue I worked on was the inclusion of a sense of Congress on the need for an additional Consular Post in southern India. With Bangalore and Hyderabad becoming booming high technology centers the need for the United States to have a close center to these areas is imperative.

I have also worked to include an authorization of funding to two well deserving groups, Project Children and Cooperation Ireland.

Many of my colleagues will be familiar with this because you have taken summer interns from this program.

These two organizations have a long history of successfully developing people-to-people exchanges that encourage reconciliation and conflict resolution in Northern Ireland.

For over a decade, there has been a sustained bipartisan national policy to support ongoing efforts to end the civil conflict in the north of Ireland. This policy has included the direct involvement of both President Clinton and President Bush.

While the latest efforts to restore power sharing have fallen short and the political process is at a standstill, I believe that the United States must remain engaged in Northern Ireland at all levels to encourage peace and reconciliation.

With the assistance of the committee, I was able to include report language supporting the Asian University for Women.

The goal of this university is to prepare these women for positions of political, financial, cultural and social leadership across the globe.

By convening a new class of 500 women each year in a supportive, non-sectarian, intellectually rich and rigorous academic environment, the University eventually will generate a network of women professionals who will drive the development and enrichment of their countries and the region.

War is not the only way to fight terrorism, the education of women is one way of stopping the breeding of hate in the children around the world.

Finally, on the issue of Iraq, I was able to include by a bipartisan vote language calling on the President to put forth a plan for success in Iraq.

This clause requests a plan from this Administration on how we will be providing for a stable and secure Iraqi government, military and police force that will allow the United States presence to be diminished.

By accomplishing these tasks, the United States would be taking a realistic and viable approach to longer term success in Iraq.

I would like to thank the Chairman and Ranking members as well as their staffs for crafting a bill we should all be proud to support.

Mr. MANZULLO. Madam Chairman, last week, I rose in opposition to bringing up the East Asia Security Act of 2005 (H.R. 3100) on the suspension calendar because it contained some provisions that created unintended consequences for our exports to China as well as some of our largest export markets in Canada and Europe.

I strongly support the efforts to strengthen our arms embargoes and make them more multilateral, particularly against China. Strengthening the weakest link—Europe—in the arms embargo against China will serve the cause of peace and freedom in the Pacific Rim region. At the same time, we must act diligently in pursuing this noble goal so we do not weaken our overall global competitiveness and give more reasons to foreign customers to avoid American-made products.

I am pleased to report that many of my initial concerns have been addressed in a subsequent modification of H.R. 3100 that will now be offered as the Hyde/Lantos/Hunter/Manzullo amendment to the Foreign Relations Reauthorization Act, Fiscal Years 2006 and 2007 (H.R. 2601). In addition, another similar section that was already incorporated into H.R. 2601—dealing with the comprehensive nature of U.S. arms embargoes (Section 733)—will also be amended as part of the manager's amendment to address certain unintended consequences of this section.

Some were concerned H.R. 3100 could have terminated U.S. defense cooperative projects with our allies whose policies permit arms transfers to China, regardless of whether such transfers actually occur. At a minimum, H.R. 3100 would have required an export license for every transaction and a notification to Congress regardless of dollar value, adding a costly new regulatory burden on U.S. companies specializing in the defense trade. It no doubt would have persuaded some of our closest allies to withdraw from cooperating with us. The bill as originally drafted threatened to disrupt numerous ongoing U.S. defense projects in Israel, Canada, Australia, and among member nations of the North Atlantic Treaty Organization, NATO. The compromise contained in this amendment permits the Secretary of State, with the concurrence of the Secretary of Defense, to waive the export license requirement.

H.R. 3100 also would have imposed a new export licensing requirement for "dual use" products (primarily commercial goods that may have a military application that currently do not require an export license) if the item is intended for military end use by the PRC.

Some were concerned that because the language was not specific enough to just target military institutions inside China, such as the People's Liberation Army, PLA, and that there are still many state-owned enterprises in China, including all of their airline companies which can be taken over by their military in

case of national emergency, this could have been an incentive for China to purchase non-U.S. products. The compromise contained in this amendment eliminates this new licensing regime and replaces it with a reporting requirement to the Commerce Department by the U.S. exporter 15 days after an item is exported. Commerce would then provide a report to Congress every quarter on the information provided by affected exporters.

In addition, H.R. 3100 originally contained a list of five possible foreign sanctions the President could apply to any foreign person, including foreign governments, who violated the terms of the bill. Included in this list was a prohibition on the approval of "dual use" export licenses. If imposed, the only way around this sanction was to obtain a written presidential waiver to Congress. In 2004, Commerce approved \$547 million in "dual use" exports to China. The compromise strikes the language that would prohibit Commerce from continuing to approve "dual use" exports licenses.

Finally, I had several concerns about Section 733 of H.R. 2601, which aims to make U.S. arms embargoes more comprehensive. Again, this is a noble goal but must be achieved in a prudent manner. The section as originally written would have required U.S. exporters to obtain a "dual use" export license from the State and Defense Departments to sell to any entity or person even remotely connected with a foreign military that is subject to a U.S. arms embargo. Thus, for the first time, Section 733 would have transferred the licensing of these types of commercial "dual use" products from Commerce to the State and Defense Departments.

Also, Section 733 as originally drafted did not recognize the commercial ties the PLA has in enterprises throughout China. For example, the PLA is technically the prime contractor for the 2008 Olympics in Beijing. Even many U.S. multinational corporations have joint ventures with Chinese partners in which the PLA has some stake. Thus, the provision would have imposed a new huge licensing burden on U.S. exporters selling to China. The Hyde manager's amendment institutes this new licensing procedure only for products that a U.S. exporter knows will be used for military, not commercial, purposes by any entity or person associated with a foreign military subject to a U.S. arms embargo. I trust that as the Executive Branch implements this provision, they will look to Section 1237 of the National Defense Authorization Act of FY 1999 for a clear definition of a Chinese military end user.

The compromise also retains Commerce as the lead agency to decide on commercial "dual use" export licenses. This compromise will allow our federal export control agencies to focus on what is truly important and will also not impose an undue regulatory burden particularly upon our small business exporters.

Madam Chairman, I urge my colleagues to support the Hyde/Hunter/Lantos/Manzullo amendment and also the Hyde manager's bloc amendment to H.R. 2601.

Mr. LANTOS. Madam Chairman, I have no further requests for time, and I yield back the balance of my time.

Mr. HYDE. Madam Chairman, I yield back the balance of my time.

The Acting CHAIRMAN (Mrs. CAPITO). All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute printed in

the bill, modified by the amendment printed in part A of House Report 109-175, shall be considered as an original bill for the purpose of amendment under the 5-minute rule and shall be considered read.

The text of the committee amendment in the nature of a substitute, as modified, is as follows:

H.R. 2601

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “*Foreign Relations Authorization Act, Fiscal Years 2006 and 2007*”.

**SEC. 2. TABLE OF CONTENTS.**

The table of contents for this Act is as follows:

Sec. 1. Short Title.

Sec. 2. Table of contents.

Sec. 3. Definitions.

**TITLE I—AUTHORIZATIONS OF APPROPRIATIONS**

Sec. 101. Administration of foreign affairs.

Sec. 102. Contributions to international organizations.

Sec. 103. International commissions.

Sec. 104. Migration and Refugee Assistance.

Sec. 105. Centers and foundations.

Sec. 106. United States International Broadcasting activities.

**TITLE II—DEPARTMENT OF STATE AUTHORITIES AND ACTIVITIES**

Sec. 201. Consolidation of law enforcement powers; new criminal offense.

Sec. 202. International litigation fund.

Sec. 203. Retention of medical reimbursements.

Sec. 204. Buying power maintenance account.

Sec. 205. Authority to administratively amend surcharges.

Sec. 206. Accountability review boards.

Sec. 207. Designation of Colin L. Powell Residential Plaza.

Sec. 208. Removal of contracting prohibition.

Sec. 209. Translation of reports of the Department of State.

Sec. 210. Entries within passports.

Sec. 211. United States actions with respect to Jerusalem as the capital of Israel.

Sec. 212. Availability of unclassified telecommunications facilities.

Sec. 213. Reporting formats.

Sec. 214. Extension of requirement for scholarships for Tibetans and Burmese.

Sec. 215. American Institute in Taiwan facilities enhancement.

Sec. 216. Activities related to Cuba.

**TITLE III—ORGANIZATION AND PERSONNEL OF THE DEPARTMENT OF STATE**

Sec. 301. Education allowances.

Sec. 302. Official residence expenses.

Sec. 303. Increased limits applicable to post differentials and danger pay allowances.

Sec. 304. Home leave.

Sec. 305. Overseas equalization and comparability pay adjustment.

Sec. 306. Fellowship of Hope Program.

Sec. 307. Regulations regarding retirement credit for government service performed abroad.

Sec. 308. Promoting assignments to international organizations.

Sec. 309. Suspension of Foreign Service members without pay.

Sec. 310. Death gratuity.

Sec. 311. Clarification of Foreign Service Grievance Board procedures.

Sec. 312. Repeal of recertification requirement for members of the Senior Foreign Service.

Sec. 313. Technical amendments to title 5, United States Code, provisions on recruitment, relocation, and retention bonuses.

Sec. 314. Limited appointments in the Foreign Service.

Sec. 315. Statement of Congress regarding career development program for Senior Foreign Service.

Sec. 316. Sense of Congress regarding additional United States consular posts.

Sec. 317. Office of the Culture of Lawfulness.

Sec. 318. Review of human resources policies of the Department of State.

**TITLE IV—INTERNATIONAL ORGANIZATIONS**

Sec. 401. REDI Center.

Sec. 402. Extension of authorization of appropriation for the United States Commission on International Religious Freedom.

Sec. 403. Reform of the International Atomic Energy Agency.

Sec. 404. Property disposition.

**TITLE V—INTERNATIONAL BROADCASTING**

Sec. 501. Short title.

Sec. 502. Middle East Broadcasting Networks.

Sec. 503. Improving signal delivery to Cuba.

Sec. 504. Establishing permanent authority for Radio Free Asia.

Sec. 505. Personal services contracting program.

Sec. 506. Commonwealth of the Northern Mariana Islands education benefits.

**TITLE VI—ADVANCE DEMOCRACY ACT OF 2005**

Sec. 601. Short title.

Sec. 602. Findings.

Sec. 603. Statement of policy.

Sec. 604. Definitions.

**Subtitle A—Department of State Activities**

Sec. 611. Promotion of democracy in foreign countries.

Sec. 612. Reports.

Sec. 613. Strategies to enhance the promotion of democracy in foreign countries.

Sec. 614. Activities by the United States to promote democracy and human rights in foreign countries.

Sec. 615. Democracy Promotion and Human Rights Advisory Board.

Sec. 616. Establishment and maintenance of Internet site for global democracy and human rights.

Sec. 617. Programs by United States missions in foreign countries and activities of chiefs of mission.

Sec. 618. Training for Foreign Service officers.

Sec. 619. Performance pay; promotions; Foreign Service awards.

Sec. 620. Appointments.

**Subtitle B—Alliances With Other Democratic Countries**

Sec. 631. Alliances with other democratic countries.

Sec. 632. Sense of Congress regarding the establishment of a Democracy Caucus.

Sec. 633. Annual diplomatic missions on multilateral issues.

Sec. 634. Strengthening the Community of Democracies.

**Subtitle C—Funding for Promotion of Democracy**

Sec. 641. Policy.

Sec. 642. Human Rights and Democracy Fund.

**Subtitle D—Presidential Actions**

Sec. 651. Investigation of violations of international humanitarian law.

Sec. 652. Presidential communications.

**TITLE VII—STRATEGIC EXPORT CONTROL AND SECURITY ASSISTANCE ACT OF 2005**

**Subtitle A—General Provisions**

Sec. 701. Short title.

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Sec. 713. Authorization for additional license and compliance officers.

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Sec. 721. Transparency of jurisdictional determinations.

Sec. 722. Certifications relating to export of certain defense articles and defense services.

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 Sec. 1016. Murders of United States citizens John Branchizio, Mark Parson, and John Marin Linde.  
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 Sec. 1101. Statement of policy relating to democracy in Iran.  
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 Sec. 1108. Statement of policy urging Turkey to respect the rights and religious freedoms of the Ecumenical Patriarch.  
 Sec. 1109. Statement of policy regarding the murder of United States citizen John M. Alvis.  
 Sec. 1110. Statement of Congress and policy with respect to the disenfranchisement of women.  
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 Sec. 1111. Korean Fulbright programs.  
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 Sec. 1114. Palestinian textbooks.  
 Sec. 1115. International convention affirming the human rights and dignity of persons with disabilities.  
 Sec. 1116. Fulbright Scholarships for East Asia and the Pacific.  
 Sec. 1117. Baku-Tbilisi-Ceyhan energy pipeline.  
 Sec. 1118. Legislation requiring the fair, comprehensive, and nondiscriminatory restitution of private property confiscated in Poland.  
 Sec. 1119. Child labor practices in the cocoa sectors of Cote d'Ivoire and Ghana.  
 Sec. 1120. Contributions of Iraqi Kurds.  
 Sec. 1121. Proliferation Security Initiative.  
 Sec. 1122. Security of nuclear weapons and materials.  
 Sec. 1123. International Criminal Court and genocide in Darfur, Sudan.  
 Sec. 1124. Action against al-Manar television.  
 Sec. 1125. Stability and security in Iraq.  
 Sec. 1126. Property expropriated by the Government of Ethiopia.  
**SEC. 3. DEFINITIONS.**  
 In this Act:  
 (1) APPROPRIATE CONGRESSIONAL COMMITTEES.—Except as otherwise provided, the term “appropriate congressional committees” means the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate.  
 (2) DEPARTMENT.—The term “Department” means the Department of State.  
 (3) SECRETARY.—The term “Secretary” means the Secretary of State.  
**TITLE I—AUTHORIZATIONS OF APPROPRIATIONS**  
**SEC. 101. ADMINISTRATION OF FOREIGN AFFAIRS.**  
 The following amounts are authorized to be appropriated for the Department of State under “Administration of Foreign Affairs” to carry out the authorities, functions, duties, and responsibilities in the conduct of foreign affairs of the United States and for other purposes authorized by law:  
 (1) DIPLOMATIC AND CONSULAR PROGRAMS.—  
 (A) AUTHORIZATION OF APPROPRIATIONS.—For “Diplomatic and Consular Programs”, \$3,769,118,000 for fiscal year 2006 and \$3,896,611,500 for fiscal year 2007.  
 (B) WORLDWIDE SECURITY UPGRADES.—In addition to amounts authorized to be appropriated under subparagraph (A), \$689,523,000 for fiscal year 2006 and \$710,208,690 for fiscal year 2007 are authorized to be appropriated for worldwide security upgrades.  
 (C) PUBLIC DIPLOMACY.—Of the amounts authorized to be appropriated under subparagraph (A), \$333,863,000 for fiscal year 2006 and \$343,699,000 for fiscal year 2007 are authorized to be appropriated for public diplomacy.  
 (D) BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR.—Of the amounts authorized to be appropriated under subparagraph (A), \$20,000,000 for fiscal year 2006 and \$20,000,000 for fiscal year 2007 are authorized to be appropriated for salaries and expenses of the Bureau of Democracy, Human Rights, and Labor.  
 (E) ANTI-SEMITISM.—Of the amounts authorized to be appropriated under subparagraph (A), \$225,000 for fiscal year 2006 and \$225,000 for fiscal year 2007 are authorized to be appropriated for necessary expenses to fund secondments, hiring of staff, and support targeted projects of the Office of Democratic Institutions and Human Rights (ODIHR) of the Organization for Security and Cooperation in Europe (OSCE) regarding anti-Semitism and intolerance and for the OSCE/ODIHR Law Enforcement Officers Hate Crimes Training Program.  
 (F) RELIGIOUS FREEDOM.—  
 (i) IN GENERAL.—Of the amounts authorized to be appropriated under subparagraph (A), \$205,000 for fiscal year 2006 and \$205,000 for fiscal year 2007 are authorized to be appropriated for necessary expenses to fund activities of the Organization for Security and Cooperation in

Europe relating to freedom of religion and belief.

(ii) OSCE PROJECTS, ACTIVITIES, AND MISSIONS.—

(I) PROJECTS AND ACTIVITIES.—Of the amounts authorized to be appropriated under subparagraph (A), \$125,000 for fiscal year 2006 and \$125,000 for fiscal year 2007 are authorized to be appropriated for necessary expenses to fund for secondments, hiring of staff, and support targeted projects of the Office of Democratic Institutions and Human Rights (ODIHR) of the Organization for Security and Cooperation in Europe (OSCE) regarding religious freedom and for the OSCE/ODIHR Panel of Experts on Freedom of Religion or Belief.

(II) MISSIONS.—Of the amounts authorized to be appropriated under subparagraph (A), \$80,000 for fiscal year 2006 and \$80,000 for fiscal year 2007 are authorized to be appropriated for OSCE Missions in Armenia, Azerbaijan, Georgia, Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan for activities to address issues relating to religious freedom and belief and to fund the hiring of new staff who are dedicated to religious freedom and belief.

(G) CHARLES B. RANGEL INTERNATIONAL AFFAIRS PROGRAM.—Of the amounts authorized to be appropriated under subparagraph (A), \$1,500,000 for fiscal year 2006 and \$1,500,000 for fiscal year 2007 are authorized to be appropriated for the Charles B. Rangel International Affairs Program at Howard University.

(H) MINORITY RECRUITMENT.—Of the amounts authorized to be appropriated under subparagraph (A), \$3,000,000 for fiscal year 2006 and \$3,000,000 for fiscal year 2007 are authorized to be appropriated for the recruitment of members of minority groups for careers in the Foreign Service and international affairs.

(2) CAPITAL INVESTMENT FUND.—For “Capital Investment Fund”, \$131,000,000 for fiscal year 2006 and \$131,000,000 for fiscal year 2007.

(3) EMBASSY SECURITY, CONSTRUCTION AND MAINTENANCE.—For “Embassy Security, Construction and Maintenance”, \$1,526,000,000 for fiscal year 2006 and \$1,550,000,000 for fiscal year 2007.

(4) EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS.—

(A) AUTHORIZATION OF APPROPRIATIONS.—For “Educational and Cultural Exchange Programs”, \$428,900,000 for fiscal year 2006 and \$438,500,000 for fiscal year 2007.

(B) SUMMER INSTITUTES FOR KOREAN STUDENT LEADERS.—Of the amounts authorized to be appropriated under subparagraph (A), \$750,000 for fiscal year 2006 and \$750,000 for fiscal year 2007 are authorized to be appropriated for summer academic study programs in the United States (focusing on United States political systems, government institutions, society, and democratic culture) for college and university students from the Republic of Korea, to be known as the “United States Summer Institutes for Korean Student Leaders”.

(C) SUDANESE SCHOLARSHIPS.—Of the amounts authorized to be appropriated under subparagraph (A), \$500,000 for fiscal year 2006 and \$500,000 for fiscal year 2007 are authorized to be appropriated for scholarships for students from southern Sudan for secondary or postsecondary education in the United States, to be known as “Sudanese Scholarships”.

(D) SCHOLARSHIPS FOR INDIGENOUS PEOPLES OF MEXICO AND CENTRAL AND SOUTH AMERICA.—Of the amounts authorized to be appropriated under subparagraph (A), \$250,000 for fiscal year 2006 and \$250,000 for fiscal year 2007 are authorized to be appropriated for scholarships for secondary and postsecondary education in the United States for students from Mexico and the countries of Central and South America who are descended from the indigenous peoples of Mexico or such countries.

(E) SOUTH PACIFIC EXCHANGES.—Of the amounts authorized to be appropriated under subparagraph (A), \$650,000 for fiscal year 2006

and \$650,000 for fiscal year 2007 are authorized to be appropriated for South Pacific Exchanges.

(F) TIBETAN SCHOLARSHIP PROGRAM.—Of the amounts authorized to be appropriated under subparagraph (A), \$750,000 for fiscal year 2006 and \$800,000 for fiscal year 2007 are authorized to be appropriated to carry out the Tibetan scholarship program established under section 103(b)(1) of the Human Rights, Refugee, and Other Foreign Relations Provisions Act of 1996 (Public Law 104-319; 22 U.S.C. 2151 note).

(G) NGAWANG CHOEPAL EXCHANGE PROGRAMS.—Of the amounts authorized to be appropriated under subparagraph (A), \$500,000 for fiscal year 2006 and \$500,000 for fiscal year 2007 are authorized to be appropriated for the “Ngawang Choepal Exchange Programs” (formerly known as “programs of educational and cultural exchange between the United States and the people of Tibet”) under section 103(a) of the Human Rights, Refugee, and Other Foreign Relations Provisions Act of 1996 (Public Law 104-319; 22 U.S.C. 2151 note).

(H) HIV/AIDS INITIATIVE.—Of the amounts authorized to be appropriated under subparagraph (A), \$1,000,000 for fiscal year 2006 and \$1,000,000 for fiscal year 2007 are authorized to be appropriated for HIV/AIDS research and mitigation strategies.

(I) PROJECT CHILDREN AND COOPERATION WITH IRELAND.—Of the amounts authorized to be appropriated under subparagraph (A), \$500,000 for fiscal year 2006 and \$500,000 for fiscal year 2007 are authorized to be appropriated for people-to-people activities (with a focus on young people) to support the Northern Ireland peace process involving Catholic and Protestant participants from the Republic of Ireland, the United Kingdom, and the United States, to be known as “Project Children”.

(5) REPRESENTATION ALLOWANCES.—For “Representation Allowances”, \$8,281,000 for fiscal year 2006 and \$8,281,000 for fiscal year 2007.

(6) PROTECTION OF FOREIGN MISSIONS AND OFFICIALS.—For “Protection of Foreign Missions and Officials”, \$9,390,000 for fiscal year 2006 and \$9,390,000 for fiscal year 2007.

(7) EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE.—For “Emergencies in the Diplomatic and Consular Service”, \$12,143,000 for fiscal year 2006 and \$12,143,000 for fiscal year 2007.

(8) REPATRIATION LOANS.—For “Repatriation Loans”, \$1,319,000 for fiscal year 2006 and \$1,319,000 for fiscal year 2007.

(9) PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN.—For “Payment to the American Institute in Taiwan”, \$19,751,000 for fiscal year 2006 and \$20,146,020 for fiscal year 2007.

(10) OFFICE OF THE INSPECTOR GENERAL.—For “Office of the Inspector General”, \$29,983,000 for fiscal year 2006, and \$29,983,000 for fiscal year 2007.

**SEC. 102. CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS.**

(a) ASSESSED CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS.—There are authorized to be appropriated for “Contributions to International Organizations”, \$1,296,500,000 for fiscal year 2006 and \$1,322,430,000 for fiscal year 2007, for the Department of State to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States with respect to international organizations and to carry out other authorities in law consistent with such purposes.

(b) CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES.—There are authorized to be appropriated for “Contributions for International Peacekeeping Activities”, \$1,035,500,000 for fiscal year 2006 and such sums as may be necessary for fiscal year 2007, for the Department of State to carry out the authorities, functions, duties, and responsibilities of the United States with respect to international peacekeeping activities and to carry out other authorities in law consistent with such purposes. Amounts appropriated pursuant to this subsection are authorized to remain available until expended.

(c) FOREIGN CURRENCY EXCHANGE RATES.—

(1) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts authorized to be appropriated under subsection (a), there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2006 and 2007 to offset adverse fluctuations in foreign currency exchange rates.

(2) AVAILABILITY OF FUNDS.—Amounts appropriated under this subsection shall remain available for obligation and expenditure only to the extent that the Director of the Office of Management and Budget determines and certifies to Congress that such amounts are necessary due to such fluctuations.

**SEC. 103. INTERNATIONAL COMMISSIONS.**

The following amounts are authorized to be appropriated under “International Commissions” for the Department of State to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States and for other purposes authorized by law:

(1) INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO.—For “International Boundary and Water Commission, United States and Mexico”—

(A) for “Salaries and Expenses”, \$28,200,000 for fiscal year 2006 and \$28,200,000 for fiscal year 2007; and

(B) for “Construction”, \$6,100,000 for fiscal year 2006 and \$6,100,000 for fiscal year 2007.

(2) INTERNATIONAL BOUNDARY COMMISSION, UNITED STATES AND CANADA.—For “International Boundary Commission, United States and Canada”, \$1,429,000 for fiscal year 2006 and \$1,429,000 for fiscal year 2007.

(3) INTERNATIONAL JOINT COMMISSION.—For “International Joint Commission”, \$6,320,000 for fiscal year 2006 and \$6,320,000 for fiscal year 2007.

(4) INTERNATIONAL FISHERIES COMMISSIONS.—For “International Fisheries Commissions”, \$25,123,000 for fiscal year 2006 and \$25,123,000 for fiscal year 2007.

**SEC. 104. MIGRATION AND REFUGEE ASSISTANCE.**

(a) IN GENERAL.—There are authorized to be appropriated for the Department of State for “Migration and Refugee Assistance” for authorized activities, \$955,000,000 for fiscal year 2006 and \$983,650,000 for fiscal year 2007.

(b) REFUGEES RESETTLING IN ISRAEL.—Of the amounts authorized to be appropriated under subsection (a), there are authorized to be appropriated \$40,000,000 for fiscal year 2006 and \$40,000,000 for fiscal year 2007 for resettlement of refugees in Israel.

(c) PILOT PROGRAM FOR LONG-TERM REFUGEE POPULATIONS.—

(1) PILOT PROGRAM.—Of the amounts authorized to be appropriated under subsection (a), there are authorized to be appropriated \$2,500,000 for fiscal year 2006 and \$2,500,000 for fiscal year 2007 for the establishment and implementation of a two-year pilot program to improve conditions for long-term refugee populations that are currently assisted in camps or other segregated settlements.

(2) REQUIREMENTS.—In carrying out the pilot program under paragraph (1), the Secretary of State shall—

(A) seek to protect and ensure basic rights granted to refugees under the 1951 Convention Relating to the Status of Refugees and the 1967 Protocol Relating to the Status of Refugees;

(B) seek innovative modules or methods to assist long-term refugee populations both within and outside traditional camp settings, as appropriate, that support refugees living or working in local communities, such as integration of refugees into local schools and services, resource conservation and livelihood projects designed to diminish conflict between refugee hosting communities and refugees, and engagement of civil society components of refugee hosting communities in a policy dialogue with the United Nations High Commissioner for Refugees (UNHCR)

and international and nongovernmental refugee assistance organizations to enhance options to assist refugees and promote the rights to which refugees may be entitled under the 1951 Convention and 1967 Protocol;

(C) provide a United States voluntary contribution to UNHCR to conduct the pilot program in cooperation with nongovernmental organizations with expertise in the protection of refugee rights, one or more major operational humanitarian assistance agencies, and in consultation with host countries, the United States, and other donor countries; and

(D) urge UNHCR to select not less than three host countries in which to conduct the pilot program.

(3) REPORT.—Not later than one year after the date on which the first pilot program is established pursuant to paragraph (2), the Secretary shall submit to the appropriate congressional committees a report on the implementation of this subsection, the development of innovative models to protect and assist refugees, and recommendations for ensuring refugee rights are respected in countries of temporary asylum.

#### SEC. 105. CENTERS AND FOUNDATIONS.

(a) ASIA FOUNDATION.—There are authorized to be appropriated for “The Asia Foundation”, for authorized activities, \$18,000,000 for fiscal year 2006 and \$18,000,000 for fiscal year 2007.

(b) NATIONAL ENDOWMENT FOR DEMOCRACY.—There are authorized to be appropriated for the “National Endowment for Democracy” for authorized activities, \$80,000,000 for fiscal year 2006 and \$80,000,000 for fiscal year 2007.

(c) CENTER FOR CULTURAL AND TECHNICAL INTERCHANGE BETWEEN EAST AND WEST.—There are authorized to be appropriated for the “Center for Cultural and Technical Interchange Between East and West” for authorized activities, \$13,024,000 for fiscal year 2006 and \$13,024,000 for fiscal year 2007.

#### SEC. 106. UNITED STATES INTERNATIONAL BROADCASTING ACTIVITIES.

The following amounts are authorized to be appropriated to carry out United States Government international broadcasting activities under the United States Information and Educational Exchange Act of 1948, the Radio Broadcasting to Cuba Act, the Television Broadcasting to Cuba Act, the United States International Broadcasting Act of 1994, and the Foreign Affairs Reform and Restructuring Act of 1998, and to carry out other authorities in law consistent with such purposes:

(1) INTERNATIONAL BROADCASTING OPERATIONS.—For “International Broadcasting Operations”, \$603,394,000 for fiscal year 2006 and \$621,495,820 for fiscal year 2007. Of the amounts authorized to be appropriated under this paragraph, \$5,000,000 is authorized to be appropriated for fiscal year 2006 and \$5,000,000 is authorized to be appropriated for fiscal year 2007 for increased broadcasting to Belarus.

(2) BROADCASTING CAPITAL IMPROVEMENTS.—For “Broadcasting Capital Improvements”, \$10,893,000 for fiscal year 2006 and \$10,893,000 for fiscal year 2007.

(3) BROADCASTING TO CUBA.—For “Broadcasting to Cuba”, \$37,656,000 for fiscal year 2006 and \$29,931,000 for fiscal year 2007, to remain available until expended, for necessary expenses to enable the Broadcasting Board of Governors to carry out broadcasting to Cuba, including the purchase, rent, construction, and improvement of facilities for radio and television transmission and reception, and the purchase, lease, and installation of necessary equipment, including aircraft, for radio and television transmission and reception.

(4) RADIO FREE ASIA.—In addition to such amounts as are otherwise authorized to be appropriated for the Broadcasting Board of Governors, there are authorized to be appropriated \$9,100,000 for fiscal years 2006 and 2007 to overcome the jamming of Radio Free Asia by Vietnam.

## TITLE II—DEPARTMENT OF STATE AUTHORITIES AND ACTIVITIES

### SEC. 201. CONSOLIDATION OF LAW ENFORCEMENT POWERS; NEW CRIMINAL OFFENSE.

(a) IN GENERAL.—Chapter 203 of title 18, United States Code, is amended by adding at the end the following new section:

#### §3064. Powers of special agents in the Department of State and the Foreign Service

“Whoever knowingly and willfully obstructs, resists, or interferes with a Federal law enforcement agent engaged in the performance of the protective functions authorized by section 37 of the State Department Basic Authorities Act of 1956 or by section 103 of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 shall be fined under this title or imprisoned not more than one year, or both.”.

(b) TABLE OF SECTIONS AMENDMENT.—The table of sections at the beginning of chapter 203 of title 18, United States Code, is amended by adding at the end the following new item:

#### “3064. Powers of special agents in the Department of State and the Foreign Service.”.

### SEC. 202. INTERNATIONAL LITIGATION FUND.

Section 38(d)(3) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2710(d)(3)) is amended—

(1) by inserting “as a result of a decision of an international tribunal,” after “received by the Department of State”; and

(2) by inserting a comma after “United States Government”.

### SEC. 203. RETENTION OF MEDICAL REIMBURSEMENTS.

Section 904 of the Foreign Service Act of 1980 (22 U.S.C. 4084) is amended by adding at the end the following new subsection:

“(g) Reimbursements paid to the Department of State for funding the costs of medical care abroad for employees and eligible family members shall be credited to the currently available applicable appropriation account. Notwithstanding any other provision of law, such reimbursements shall be available for obligation and expenditure during the fiscal year in which they are received or for such longer period of time as may be provided in law.”.

### SEC. 205. AUTHORITY TO ADMINISTRATIVELY AMEND SURCHARGES.

Beginning in fiscal year 2006 and thereafter, the Secretary of State is authorized to amend administratively the amounts of the surcharges related to consular services in support of enhanced border security (provided for in title IV of division B of the Consolidated Appropriations Act, 2005 (Public Law 108-447)) that are in addition to the passport and immigrant visa fees in effect on January 1, 2004.

### SEC. 206. ACCOUNTABILITY REVIEW BOARDS.

Section 301(a) of the Diplomatic Security Act (22 U.S.C. 4831(a)) is amended—

(1) in paragraph (1), by striking “paragraph (2)” and inserting “paragraphs (2) and (3)”; and

(2) by adding at the end the following new paragraph:

#### “(3) FACILITIES IN AFGHANISTAN AND IRAQ.—

“(A) LIMITED EXEMPTIONS FROM REQUIREMENT TO CONVENE BOARD.—The Secretary of State is not required to convene a Board in the case of an incident that—

“(i) involves serious injury, loss of life, or significant destruction of property at, or related to, a United States Government mission in Afghanistan or Iraq; and

“(ii) occurs during the period beginning on July 1, 2004, and ending on September 30, 2009.

“(B) REPORTING REQUIREMENTS.—In the case of an incident described in subparagraph (A), the Secretary shall—

“(i) promptly notify the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate of the incident;

“(ii) conduct an inquiry of the incident; and  
“(iii) upon completion of the inquiry required by clause (ii), submit to each such Committee a report on the findings and recommendations related to such inquiry and the actions taken with respect to such recommendations.”.

### SEC. 207. DESIGNATION OF COLIN L. POWELL RESIDENTIAL PLAZA.

(a) DESIGNATION.—The Federal building in Kingston, Jamaica, formerly known as the Crowne Plaza and currently a staff housing facility for the Embassy of the United States in Jamaica, shall be known and designated as the “Colin L. Powell Residential Plaza”.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building referred to in subsection (a) shall be deemed to be a reference to the “Colin L. Powell Residential Plaza”.

### SEC. 208. REMOVAL OF CONTRACTING PROHIBITION.

Section 406(c) of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (Public Law 99-399) (relating to the ineligibility of persons doing business with Libya to be awarded a contract) is repealed.

### SEC. 209. TRANSLATION OF REPORTS OF THE DEPARTMENT OF STATE.

(a) TRANSLATION.—Not later than 30 days after the date of issuance of each of the reports listed in subsection (c), the appropriate United States mission in a foreign country shall translate into the official languages of such country the respective country report from each of such reports.

(b) POSTING ON WEBSITE.—Not later than five days after each of the translations required under subsection (a) are completed, the appropriate United States mission shall post each of such translations on the website of the United States Embassy (or other appropriate United States mission) for such country.

(c) REPORTS.—The reports referred to in subsection (a) are the following:

(1) The Country Reports on Human Rights Practices, including the Trafficking in Persons Report, required under sections 116 and 502B of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n and 2304).

(2) The Annual Report on International Religious Freedom, required under section 102b of the International Religious Freedom Act of 1998 (22 U.S.C. 6412).

### SEC. 210. ENTRIES WITHIN PASSPORTS.

(a) FINDINGS.—Congress finds the following:

(1) The power of the executive branch to issue passports or other travel documents to United States citizens is derived solely from law.

(2) The Secretary of State has caused entries to be made in passports of United States citizens who were born in Jerusalem, Israel, that are inconsistent with the usual practice of entering the name of a country and not a city as a place of birth.

(b) SENSE OF CONGRESS.—It is the sense of Congress that United States citizens who have passports should not be required to carry passports which inaccurately or inconsistently represent their personal details.

(c) AUTHORITY.—This section is passed in exercise of the power of Congress, pursuant to Article 1, Section 8 of the Constitution of the United States “To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.”.

(d) REQUIREMENT THAT ACCURATE ENTRIES BE MADE ON REQUEST OF CITIZEN.—The first section of “An Act to regulate the issue and validity of passports, and for other purposes”, approved July 3, 1926, (22 U.S.C. 211a; 44 Stat. 887), is amended by inserting after the first sentence the following new sentence: “For purposes of the issuance of a passport to a United States

citizen born in the city of Jerusalem, the Secretary shall, upon the request of the citizen or the citizen's legal guardian, record the place of birth as Israel.”

**SEC. 211. UNITED STATES ACTIONS WITH RESPECT TO JERUSALEM AS THE CAPITAL OF ISRAEL.**

(a) **LIMITATION ON USE OF FUNDS FOR CONSULATE IN JERUSALEM.**—None of the funds authorized to be appropriated by this Act may be expended for the operation of a United States consulate or diplomatic facility in Jerusalem unless such consulate or diplomatic facility is under the supervision of the United States Ambassador to Israel.

(b) **LIMITATION ON USE OF FUNDS FOR PUBLICATIONS.**—None of the funds authorized to be appropriated by this Act may be available for the publication of any official United States Government document that lists countries and their capital cities unless such publication identifies Jerusalem as the capital of the State of Israel.

**SEC. 212. AVAILABILITY OF UNCLASSIFIED TELECOMMUNICATIONS FACILITIES.**

The Secretary of State shall make available to the appropriate congressional committees the use of unclassified telecommunications facilities of the Department of State that are located in an embassy, consulate, or other facility of the United States in a foreign country to allow such committees to receive testimony or other communication from an individual in any such country.

**SEC. 213. REPORTING FORMATS.**

(a) **IN GENERAL.**—The Secretary of State shall, with respect to a report that the Secretary is required to submit to the appropriate congressional committees, submit each such report on suitable media in machine-readable format, including in plain text and in hypertext mark-up language (commonly referred to as “HTML”), in addition to submission in written format.

(b) **EFFECTIVE DATE.**—The requirement specified under subsection (a) shall apply beginning with the first report that the Secretary is required to submit to the appropriate congressional committees after the date of the enactment of this Act.

**SEC. 214. EXTENSION OF REQUIREMENT FOR SCHOLARSHIPS FOR TIBETANS AND BURMESE.**

Section 103(b)(1) of the Human Rights, Refugee, and Other Foreign Relations Provisions Act of 1996 (Public Law 104-319; 22 U.S.C. 2151 note) is amended by striking “for the fiscal year 2003” and inserting “for each of fiscal years 2006 and 2007”.

**SEC. 215. AMERICAN INSTITUTE IN TAIWAN FACILITIES ENHANCEMENT.**

Section 3(a) of the American Institute in Taiwan Facilities Enhancement Act (Public Law 106-212) is amended by striking “the sum of \$75,000,000” and inserting “such sums as may be necessary”.

**SEC. 216. ACTIVITIES RELATED TO CUBA.**

(a) **ACTIVITIES.**—Of the funds made available for fiscal year 2006 for the Bureau of Educational and Cultural Affairs of the Department of State, \$5,000,000 shall be used for activities related to Cuba under—

(1) the J. William Fulbright Educational Exchange Program;

(2) the Hubert Humphrey Fellowship Program;

(3) the International Visitors Program;

(4) the Benjamin A. Gilman International Scholarship Program;

(5) the EducationUSA Program; and

(6) professional, cultural, and youth programs operated by the Office of Citizen Exchanges of the Bureau.

(b) **PRIORITY.**—The Secretary of State shall give priority to human rights dissidents, pro-democracy activists, and independent civil society members for participation in the activities described in subsection (a).

(c) **CONGRESSIONAL NOTIFICATION.**—Not later than 90 days after the date of the enactment of

this Act, the Secretary shall notify the appropriate congressional committees on efforts to identify eligible participants for activities described in subsection (a). Not later than 15 days prior to a final determination of eligible participants for activities described in subsection (a), the Secretary shall notify the appropriate congressional committees of such determination and provide a list that contains the names of such eligible participants.

**TITLE III—ORGANIZATION AND PERSONNEL OF THE DEPARTMENT OF STATE**

**SEC. 301. EDUCATION ALLOWANCES.**

Section 5924(4) of title 5, United States Code, is amended—

(1) in the first sentence of subparagraph (A), by inserting “United States” after “nearest”;

(2) by striking subparagraph (B) and inserting the following new subparagraph:

“(B) The travel expenses of dependents of an employee to and from a secondary or post-secondary educational institution, not to exceed one annual trip each way for each dependent, except that an allowance payment under subparagraph (A) may not be made for a dependent during the 12 months following the arrival of the dependent at the selected educational institution under authority contained in this subparagraph.”; and

(3) by adding at the end the following new subparagraph:

“(D) Allowances provided pursuant to subparagraphs (A) and (B) may include, at the election of the employee, payment or reimbursement of the costs incurred to store baggage for the employee's dependent at or in the vicinity of the dependent's school during the dependent's annual trip between the school and the employee's duty station, except that such payment or reimbursement may not exceed the cost that the Government would incur to transport the baggage with the dependent in connection with the annual trip, and such payment or reimbursement shall be in lieu of transportation of the baggage.”.

**SEC. 302. OFFICIAL RESIDENCE EXPENSES.**

Section 5913 of title 5, United States Code, is amended by adding at the end the following new subsection:

“(c) Funds made available under subsection (b) may be provided in advance to persons eligible to receive reimbursements.”.

**SEC. 303. INCREASED LIMITS APPLICABLE TO POST DIFFERENTIALS AND DANGER PAY ALLOWANCES.**

(a) **REPEAL OF LIMITED-SCOPE EFFECTIVE DATE FOR PREVIOUS INCREASE.**—Subsection (c) of section 591 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2004 (division D of Public Law 108-199) is repealed.

(b) **POST DIFFERENTIALS.**—Section 5925(a) of title 5, United States Code, is amended in the third sentence by striking “25 percent of the rate of basic pay or, in the case of an employee of the United States Agency for International Development,”.

(c) **DANGER PAY ALLOWANCES.**—Section 5928 of title 5, United States Code, is amended by striking “25 percent of the basic pay of the employee or 35 percent of the basic pay of the employee in the case of an employee of the United States Agency for International Development” both places that it appears and inserting “35 percent of the basic pay of the employee”.

(d) **CRITERIA.**—The Secretary of State shall inform the appropriate congressional committees of the criteria to be used in determinations of appropriate adjustments in post differentials under section 5925(a) of title 5, United States Code, as amended by subsection (b), and danger pay allowances under section 5928 of title 5, United States Code, as amended by subsection (c).

(e) **STUDY AND REPORT.**—Not later than two years after the date of the enactment of this

Act, the Secretary of State shall conduct a study assessing the effect of the increases in post differentials and danger pay allowances made by the amendments in subsections (b) and (c), respectively, in filling “hard-to-fill” positions and shall submit a report of such study to the appropriate congressional committees.

**SEC. 304. HOME LEAVE.**

Chapter 9 of title I of the Foreign Service Act of 1980 (relating to travel, leave, and other benefits) is amended—

(1) in section 901(6) (22 U.S.C. 4081(6)), by striking “unbroken by home leave” both places that it appears; and

(2) in section 903(a) (22 U.S.C. 4083), by striking “18 months” and inserting “12 months”.

**SEC. 305. OVERSEAS EQUALIZATION AND COMPARABILITY PAY ADJUSTMENT.**

(a) **OVERSEAS COMPARABILITY PAY ADJUSTMENT.**—

(1) **IN GENERAL.**—Chapter 4 of the Foreign Service Act of 1980 (22 U.S.C. 3961 et seq.) (relating to compensation) is amended by adding at the end the following new section:

**“SEC. 415. OVERSEAS COMPARABILITY PAY ADJUSTMENT.**

“(a) **IN GENERAL.**—In accordance with subsection (c), a member of the Service who is designated class 1 or below and who does not have as an official duty station a location in the continental United States or in a non-foreign area shall receive locality-based comparability payments under section 5304 of title 5, United States Code, that would be paid to such member if such member's official duty station would have been Washington, D.C.

“(b) **TREATMENT AS BASIC PAY.**—The locality-based comparability payment described in subsection (a) shall—

“(1) be considered to be part of the basic pay of a member in accordance with section 5304 of title 5, United States Code, for the same purposes for which comparability payments are considered to be part of basic pay under such section; and

“(2) be subject to any applicable pay limitations.

“(c) **PHASE-IN.**—The comparability pay adjustment described under this section shall be paid to a member described in subsection (a) in three phases, as follows:

“(1) In fiscal year 2006, 33.33 percent of the amount of such adjustment to which such member is entitled.

“(2) In fiscal year 2007, 66.66 percent of the amount of such adjustment to which such member is entitled.

“(3) In fiscal year 2008 and subsequent fiscal years, 100.00 percent of the amount of such adjustment to which such member is entitled.”.

(2) **CONFORMING AMENDMENT.**—The table of sections in section 2 of such Act is amended by inserting after the item relating to section 414 the following new item:

“Sec. 415. Overseas comparability pay adjustment.”.

(b) **CONFORMING AMENDMENTS RELATING TO THE RETIREMENT AND DISABILITY SYSTEM OF THE FOREIGN SERVICE.**—

(1) **CONTRIBUTIONS TO THE FUND.**—Section 805(a) of the Foreign Service Act of 1980 (22 U.S.C. 4045(a)) is amended—

(A) in paragraph (1)—

(i) in the first sentence, by striking “7.25 percent” and inserting “7.00 percent”; and

(ii) in the second sentence, by striking “The contribution by the employing agency” through “and shall be made” and inserting “An equal amount shall be contributed by the employing agency”;

(B) in paragraph (2)—

(i) in subparagraph (A), by striking “, plus an amount equal to .25 percent of basic pay”; and

(ii) in subparagraph (B), in the first sentence, by striking “, plus an amount equal to .25 percent of basic pay”; and

(C) in paragraph (3), by striking “, plus .25 percent”.

(2) COMPUTATION OF ANNUITIES.—Section 806(a)(9) of such Act (22 U.S.C. 4046(a)(9)) is amended—

(A) by striking “is outside” and inserting “was outside”; and

(B) by inserting after “continental United States” the following: “for any period of time from December 29, 2002, to the first day of the first full pay period beginning after the date of applicability of the overseas comparability pay adjustment under section 415”;

(3) ENTITLEMENT TO ANNUITY.—Section 855(a)(3) of such Act (22 U.S.C. 4071d(a)(3)) is amended—

(A) by striking “is outside” and inserting “was outside”; and

(B) by inserting after “continental United States” the following: “for any period of time from December 29, 2002, to the first day of the first full pay period beginning after the date of applicability of the overseas comparability pay adjustment under section 415”.

(4) DEDUCTIONS AND WITHHOLDINGS FROM PAY.—Section 856(a)(2) of such Act (22 U.S.C. 4071e(a)(2)) is amended to read as follows:

“(2) The applicable percentage under this subsection shall be as follows:

Percentage	Time Period
7.5	Before January 1, 1999.
7.75	January 1, 1999, to December 31, 1999.
7.9	January 1, 2000, to December 31, 2000.
7.55	January 11, 2003, to September 30, 2004.
7.5	After September 30, 2004.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act and apply beginning on the first day of the first full pay period beginning after such date.

#### SEC. 306. FELLOWSHIP OF HOPE PROGRAM.

(a) FELLOWSHIP AUTHORIZED.—Chapter 5 of title I of the Foreign Service Act of 1980 (22 U.S.C. 3981 et seq.) is amended by adding at the end the following new section:

#### “SEC. 506. FELLOWSHIP OF HOPE PROGRAM.

“(a) ESTABLISHMENT.—The Secretary is authorized to establish a program to be known as the ‘Fellowship of Hope Program’. Under the Program, the Secretary may assign a member of the Service, for not more than one year, to a position with any designated country or designated entity that permits an employee of such country or entity to be assigned to a position with the Department.

“(b) SALARY AND BENEFITS.—The salary and benefits of a member of the Service shall be paid as described in subsection (b) of section 503 during a period in which such member is participating in the Fellowship of Hope Program. The salary and benefits of an employee of a designated country or designated entity participating in the Program shall be paid by such country or entity during the period in which such employee is participating in the Program.

“(c) DEFINITIONS.—In this section:

“(1) The term ‘designated country’ means a member country of—

“(A) the North Atlantic Treaty Organization; or

“(B) the European Union.

“(2) The term ‘designated entity’ means—

“(A) the North Atlantic Treaty Organization; or

“(B) the European Union.

“(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to—

“(1) authorize the appointment as an officer or employee of the United States of—

“(A) an individual whose allegiance is to any country, government, or foreign or international entity other than to the United States; or

“(B) an individual who has not met the requirements of sections 3331, 3332, 3333, and 7311 of title 5, United States Code, and any other provision of law concerning eligibility for appointment as, and continuation of employment

as, an officer or employee of the United States; or

“(2) authorize the Secretary to assign a member of the Service to a position with any foreign country whose law, or to any foreign or international entity whose rules, require such member to give allegiance or loyalty to such country or entity while assigned to such position.”.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Such Act is amended—

(1) in section 503 (22 U.S.C. 3983)—

(A) in the section heading, by striking “AND” and inserting “FOREIGN GOVERNMENTS, OR”; and

(B) in subsection (a)—

(i) in the matter preceding paragraph (1), by inserting “foreign government,” after “organization,”; and

(ii) in paragraph (1), by inserting “, or with a foreign government under section 506” before the semicolon; and

(2) in section 2, in the table of contents—

(A) by striking the item relating to section 503 and inserting the following new item:

“Sec. 503. Assignments to agencies, international organizations, foreign governments, or other bodies.”;

and

(B) by inserting after the item relating to section 505 the following new item:

“Sec. 506. Fellowship of Hope Program.”.

#### SEC. 307. REGULATIONS REGARDING RETIREMENT CREDIT FOR GOVERNMENT SERVICE PERFORMED ABROAD.

Section 321(f) of the Foreign Relations Authorization Act, Fiscal Year 2003 (5 U.S.C. 8411 note; Public Law 107-228) is amended by inserting “, not later than 60 days after the date of the enactment of the Foreign Relations Authorization Act, Fiscal Years 2006 and 2007,” after “regulations”.

#### SEC. 308. PROMOTING ASSIGNMENTS TO INTERNATIONAL ORGANIZATIONS.

(a) PROMOTIONS.—Section 603(b) of the Foreign Service Act of 1980 (22 U.S.C. 4003) is amended by striking the period at the end and inserting the following: “, and shall consider whether the member of the Service has served in a position whose primary responsibility is to formulate policy toward or represent the United States at an international organization, a multilateral institution, or a broad-based multilateral negotiation of an international instrument.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect and apply beginning on January 1, 2010.

#### SEC. 309. SUSPENSION OF FOREIGN SERVICE MEMBERS WITHOUT PAY.

(a) SUSPENSION.—Section 610 of the Foreign Service Act of 1980 (22 U.S.C. 4010) is amended by adding at the end the following new subsection:

“(c)(1) The Secretary may suspend a member of the Service without pay when there is reasonable cause to believe that the member has committed a crime for which a sentence of imprisonment may be imposed and there is a connection between the conduct and the efficiency of the Foreign Service.

“(2) Any member of the Service for whom a suspension is proposed shall be entitled to—

“(A) written notice stating the specific reasons for the proposed suspension;

“(B) a reasonable time to respond orally and in writing to the proposed suspension;

“(C) representation by an attorney or other representative; and

“(D) a final written decision, including the specific reasons for such decision, as soon as practicable.

“(3) Any member suspended under this section may file a grievance in accordance with the procedures applicable to grievances under chapter 11 of this title.

“(4) In this subsection:

“(A) The term ‘reasonable time’ means—

“(i) with respect to a member of the Service assigned to duty in the United States, 15 days

after receiving notice of the proposed suspension; and

“(ii) with respect to a member of the Service assigned to duty outside the United States, 30 days after receiving notice of the proposed suspension.

“(B) The terms ‘suspend’ and ‘suspension’ mean the placing of a member of the Service in a temporary status without duties and pay.”.

(b) CONFORMING AND CLERICAL AMENDMENTS.—

(1) AMENDMENT OF SECTION HEADING.—Such section, as amended by subsection (a), is further amended in the section heading by inserting “; SUSPENSION” before the period at the end.

(2) CLERICAL AMENDMENT.—Section 2 of such Act is amended, in the table of contents, by striking the item relating to section 610 and inserting the following new item:

“Sec. 610. Separation for cause; suspension.”.

#### SEC. 310. DEATH GRATUITY.

Section 413(a) of the Foreign Service Act of 1980 (22 U.S.C. 3973(a)) is amended in the first sentence by inserting before the period at the end the following: “or \$100,000, whichever is greater”.

#### SEC. 311. CLARIFICATION OF FOREIGN SERVICE GRIEVANCE BOARD PROCEDURES.

Section 1106(b) of the Foreign Service Act of 1980 (22 U.S.C. 4136(b)) is amended in the first sentence—

(1) by inserting “the involuntary separation of the grievant (other than an involuntary separation for cause under section 610(a)),” after “considering”; and

(2) by striking “the grievant or” and inserting “the grievant, or”.

#### SEC. 312. REPEAL OF RECERTIFICATION REQUIREMENT FOR MEMBERS OF THE SENIOR FOREIGN SERVICE.

Section 305(d) of the Foreign Service Act of 1980 (22 U.S.C. 3945(d)) is hereby repealed.

#### SEC. 313. TECHNICAL AMENDMENTS TO TITLE 5, UNITED STATES CODE, PROVISIONS ON RECRUITMENT, RELOCATION, AND RETENTION BONUSES.

Title 5, United States Code, is amended—

(1) in section 5753(a)(2)(A), by inserting before the semicolon at the end the following: “, but does not include members of the Foreign Service other than chiefs of mission and ambassadors-at-large”; and

(2) in section 5754(a)(2)(A), by inserting before the semicolon at the end the following: “, but does not include members of the Foreign Service other than chiefs of mission and ambassadors-at-large”.

#### SEC. 314. LIMITED APPOINTMENTS IN THE FOREIGN SERVICE.

Section 309 of the Foreign Service Act of 1980 (22 U.S.C. 3949) is amended—

(1) in subsection (a), by striking “subsection (b)” and inserting “subsections (b) or (c)”;

(2) in subsection (b)—

(A) by amending paragraph (3) to read as follows:

“(3) as a career candidate, if—

“(A) continued service is determined appropriate to remedy a matter that would be cognizable as a grievance under chapter 11; or

“(B) the career candidate is called to military active duty pursuant to the Uniformed Services Employment and Reemployment Rights Act of 1994 (Public Law 103-353; codified in chapter 43 of title 38, United States Code) and the limited appointment expires in the course of such military active duty;”;

(B) in paragraph (4), by striking “and” at the end;

(C) in paragraph (5), by striking the period at the end and inserting “; and”;

(D) by adding at the end the following new paragraph:

“(6) in exceptional circumstances where the Secretary determines the needs of the Service require the extension of a limited appointment—

“(A) for a period of time not to exceed 12 months, provided such period of time does not

permit additional review by the boards under section 306; or

“(B) for the minimum time needed to settle a grievance, claim, or complaint not otherwise provided for in this section.”; and

(3) by adding at the end the following new subsection:

“(c) Noncareer specialist employees who have served five consecutive years under a limited appointment may be reappointed to a subsequent limited appointment provided there is at least a one year break in service before such new appointment. This requirement may be waived by the Director General in cases of special need.”.

**SEC. 315. STATEMENT OF CONGRESS REGARDING CAREER DEVELOPMENT PROGRAM FOR SENIOR FOREIGN SERVICE.**

Congress declares that the recent changes proposed by the Department of State to the career development program for members of the Senior Foreign Service will help promote well-rounded and effective members of the Senior Foreign Service, and should be implemented as planned in the coming years. Congress fully supports the proposed changes that require that in order to be eligible for promotion into the Senior Foreign Service, a member of the Foreign Service must demonstrate over the course of the career of such member the following:

(1) Operational effectiveness, including a breadth of experience in several regions and over several functions.

(2) Leadership and management effectiveness.

(3) Sustained professional language proficiency.

(4) Responsiveness to Service needs.

**SEC. 316. SENSE OF CONGRESS REGARDING ADDITIONAL UNITED STATES CONSULAR POSTS.**

It is the sense of Congress that to help advance United States economic, political, and public diplomacy interests, the Secretary of State should make best efforts to establish United States consulates or other appropriate United States diplomatic presence in Pusan, South Korea, Hat Yai, Thailand, and an additional location in India in an under-served region.

**SEC. 317. OFFICE OF THE CULTURE OF LAWFULNESS.**

(a) ESTABLISHMENT.—There is established in the Bureau for International Law Enforcement and Narcotics of the Department of State an Office of the Culture of Lawfulness.

(b) DIRECTOR AND STAFF.—The Office shall be headed by a Director and staffed by not less than two professional staff.

(c) DUTIES.—The Director of the Office shall coordinate and increase the effectiveness of existing culture of lawfulness programs in the Department that can directly support foreign efforts to develop a culture of lawfulness, including—

(1) seeking coordination between various programs and activities to support international narcotics and other law enforcement, public diplomacy, foreign assistance, and democracy efforts by the personnel of the Department in Washington, D.C., and in United States embassies in foreign countries;

(2) developing new initiatives to foster a culture of lawfulness through international organizations;

(3) ensuring that culture of lawfulness education is included in the curricula of all law enforcement and public security academies and training programs that receive assistance from the United States, and in democracy, civic education, and rule of law assistance programs conducted with foreign governments and non-governmental organizations.

(d) REPORT.—Section 489(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291h(a)) is amended by inserting after paragraph (7) the following new paragraph:

“(8) In addition, the efforts of the United States to foster the culture of lawfulness in countries around the world.”.

**SEC. 318. REVIEW OF HUMAN RESOURCES POLICIES OF THE DEPARTMENT OF STATE.**

(a) BOTTOM-UP REVIEW OF ELEMENTS OF THE DEPARTMENT OF STATE.—The Secretary of State shall conduct ongoing, thorough reviews of the organizational structure and human resource policies of all elements of the Department of State to determine those organizational structures that are most effectively organized and whether personnel with the appropriate skill sets are being hired, trained, and utilized to meet national security challenges, including those posed by international terrorist threats.

(b) EMPHASIS ON DIVERSITY.—The review conducted under subsection (a) shall include an emphasis on improving the ethnic, racial, cultural, and gender diversity of personnel of the Department of State.

(c) BIENNIAL REPORT.—The Secretary shall submit to the appropriate congressional committees a biennial report on the reviews conducted under this section and efforts to improve diversity of the personnel of the Department of State.

**TITLE IV—INTERNATIONAL ORGANIZATIONS**

**SEC. 401. REDI CENTER.**

The Secretary of State is authorized to provide for the participation by the United States in the Regional Emerging Disease Intervention (“REDI”) Center in Singapore.

**SEC. 402. EXTENSION OF AUTHORIZATION OF APPROPRIATION FOR THE UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM.**

(a) IN GENERAL.—Subsection (a) of section 207 of the International Religious Freedom Act of 1998 (22 U.S.C. 6435) is amended by striking “\$3,000,000 for the fiscal year 2003” and inserting “\$3,300,000 for each of fiscal years 2006 through 2011”.

(b) TECHNICAL AMENDMENT.—Subsection (b) of such section is amended by striking “subparagraph” and inserting “subsection”.

**SEC. 403. REFORM OF THE INTERNATIONAL ATOMIC ENERGY AGENCY.**

(a) FINDINGS WITH RESPECT TO THE INTERNATIONAL ATOMIC ENERGY AGENCY.—Congress finds the following:

(1) Efforts to prevent the further spread of nuclear weapons capabilities would be enhanced by universal membership in the International Atomic Energy Agency (IAEA).

(2) The enhanced authorities provided by the Additional Protocol to the Safeguards Agreements between the IAEA and Member States of the IAEA are indispensable to the ability of the IAEA to conduct inspections of nuclear facilities to a high degree of confidence.

(3) The national security interests of the United States would be enhanced by the universal ratification and implementation of the Additional Protocol.

(4) The national security interests of the United States would be enhanced by the rapid implementation by all Member States of the United Nations of United Nations Security Council Resolution 1540, which prohibits all Member States from providing any form of support to non-state actors that attempt to manufacture, acquire, possess, develop, transport, transfer, or use nuclear, chemical, or biological weapons and their means of delivery, and requiring all Member States to adopt and enforce appropriate and effective domestic laws criminalizing such acts.

(5) The national security interests of the United States require that the IAEA possess sufficient authorities and resources to comprehensively and efficiently carry out its responsibilities for inspections and safeguards of nuclear facilities.

(6) Regularly assessed contributions of Member States to the regular budget of the IAEA are due in the first quarter of each calendar year.

(7) Currently, the United States does not pay its regularly assessed contribution to the regular

budget of the IAEA until the last quarter of each calendar year.

(8) This delayed payment results in recurring shortages of funds for the IAEA, thus compromising its ability to conduct safeguards inspections and nuclear security activities.

(b) FINDINGS WITH RESPECT TO THE NUCLEAR NONPROLIFERATION TREATY.—Congress finds the following:

(1) The Treaty on the Non-Proliferation of Nuclear Weapons (21 UST 483) (commonly referred to as the “Nuclear Nonproliferation Treaty” or the “NPT”) is the foundation for international cooperation to prevent the further spread of nuclear weapons capabilities.

(2) The NPT was conceived, written, and ratified by State Parties as a treaty for the specific purpose of preventing the proliferation of nuclear weapons and nuclear explosive devices, as stated in the Preamble and first three Articles of the NPT.

(3) The overriding priority of the NPT is preventing the proliferation of nuclear weapons and nuclear explosive devices.

(4) Article IV of the NPT conditions the “inalienable right to develop research, production and use of nuclear energy for peaceful purposes without discrimination” on conformity with Articles I and II, which obligate signatories “not to manufacture of otherwise acquire nuclear weapons or other nuclear explosive devices; and not to seek or receive any assistance in the manufacture of nuclear weapons or other nuclear explosive devices”;

(5) Because the processes used for the enrichment of uranium and the reprocessing of plutonium for peaceful purposes are virtually identical to those needed for military purposes and thereby inherently pose an enhanced risk of proliferation, even under strict international inspections, Article IV of the NPT cannot be interpreted to recognize the inalienable right by every country to enrich uranium or reprocess plutonium.

(6) Because the factors needed for the development of nuclear energy for peaceful purposes are virtually identical to those required for the development of nuclear weapons and devices, Article X cannot be interpreted to allow a signatory country to develop a nuclear weapons program based on materials, facilities, and equipment it has acquired through its Article IV cooperation.

(c) STATEMENT OF CONGRESS.—Congress declares that—

(1) all provisions of the NPT must be interpreted within the context of preventing the proliferation of nuclear weapons and nuclear explosive devices;

(2) Article IV of the NPT, interpreted in conformity with the NPT’s purpose, spirit, and freely undertaken obligations by State Parties, does not guarantee every country that is a State Party an inalienable right to enrich uranium or reprocess plutonium; and

(3) if a State Party chooses to exercise its Article X right of withdrawal from the NPT, such State Party must surrender all of the materials, facilities, and equipment it has acquired through its Article IV cooperation, and no State Party will be recognized as having legally exercised its Article X right of withdrawal from the NPT until it has surrendered all such materials, facilities, and equipment.

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

(1) the Director General of the IAEA should strengthen efforts to secure universal ratification and implementation of the Additional Protocol; and

(2) the IAEA possesses statutory authority, including under Articles II, III, VIII, IX, XI, and XII of the IAEA Statute, to undertake nuclear security activities.

(e) PROMOTION OF ADDITIONAL PROTOCOL AND UNITED NATIONS SECURITY COUNCIL RESOLUTION 1540.—

(1) UNIVERSAL RATIFICATION AND IMPLEMENTATION; FULL COMPLIANCE.—The President shall

take such steps as the President determines necessary to encourage—

(A) rapid universal ratification and implementation by Member States of the IAEA of the Additional Protocol to the Safeguards Agreements between the IAEA and Member States; and

(B) full compliance by all foreign countries with United Nations Security Council Resolution 1540, which calls for the adoption and enforcement by all foreign countries of “appropriate effective laws which prohibit any non-State actor to manufacture, acquire, possess, develop, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery, in particular for terrorist purposes, as well as attempts to engage in any of the foregoing activities, participate in them as an accomplice, assist or finance them”.

(2) SUSPENSION OF UNITED STATES NON-HUMANITARIAN FOREIGN ASSISTANCE.—The President is authorized to suspend United States non-humanitarian foreign assistance to any country that—

(A) has not signed and ratified the Additional Protocol; and

(B) has not fully complied with United Nations Security Council Resolution 1540.

(3) REPORT.—

(A) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act and annually thereafter until September 31, 2010, the Secretary of State shall submit to the appropriate congressional committees a report on United States efforts to promote full compliance by all countries with United Nations Security Council Resolution 1540, with particular attention to the following:

(i) United States efforts in appropriate international organizations or fora to elaborate and implement international standards for such full compliance.

(ii) Steps taken by the United States to assist other countries to meet their obligations under United Nations Security Council Resolution 1540.

(B) SUBMISSION.—The report required under this paragraph may be submitted together with the report on “Patterns of Global of Terrorism”.

(f) PAYMENT AT BEGINNING OF CALENDAR YEAR.—The Secretary of State shall take expeditious action to ensure that the United States regularly assessed contribution to the IAEA is made at the beginning of each calendar year.

(g) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts otherwise authorized to be appropriated to the Secretary of State under this Act, there are authorized to be appropriated to the Secretary such sums as may be necessary to permit the Secretary to ensure that the United States regularly assessed contribution of its annual dues to the IAEA is provided to the IAEA at the beginning of each calendar year to compensate for the current delayed payment described under subsection (b).

**SEC. 404. PROPERTY DISPOSITION.**

Section 633(e) of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2004 (division B of Public Law 108-199; 22 U.S.C. 2078(e)) is amended—

(1) by striking “The United States, through the Department of State, shall retain ownership of the Palazzo Corpi building in Istanbul, Turkey, and the” and inserting “The”; and

(2) by striking “at such location” and inserting “at an appropriate location”.

**TITLE V—INTERNATIONAL BROADCASTING**

**SEC. 501. SHORT TITLE.**

This title may be cited as the “International Broadcasting Authorization Act, Fiscal Years 2006 and 2007”.

**SEC. 502. MIDDLE EAST BROADCASTING NETWORKS.**

(a) MIDDLE EAST BROADCASTING NETWORKS.—The United States International Broadcasting Act of 1994 (22 U.S.C. 6201 et seq.) is amended by

inserting after section 309 (22 U.S.C. 6208) the following new section:

**“SEC. 309A. MIDDLE EAST BROADCASTING NETWORKS.**

“(a) AUTHORITY.—Grants authorized under section 305 shall be available to make annual grants to the Middle East Broadcasting Networks for the purpose of carrying out radio and television broadcasting to the Middle East region.

“(b) FUNCTION.—Middle East Broadcasting Networks shall provide radio and television programming consistent with the broadcasting standards and broadcasting principles set forth in section 303.

“(c) GRANT AGREEMENT.—Any grant agreement or grants under this section shall be subject to the following limitations and restrictions:

“(1) The Board may not make any grant to the non-profit corporation, Middle East Broadcasting Networks, unless its certificate of incorporation provides that—

“(A) The Board of Directors of Middle East Broadcasting Networks shall consist of the members of the Broadcasting Board of Governors established under section 304 and of no other members.

“(B) Such Board of Directors shall make all major policy determinations governing the operation of Middle East Broadcasting Networks, and shall appoint and fix the compensation of such managerial officers and employees of Middle East Broadcasting Networks as it considers necessary to carry out the purposes of the grant provided under this title, except that no officer or employee may be paid basic compensation at a rate in excess of the rate for level II of the Executive Schedule as provided under section 5313 of title 5, United States Code.

“(2) Any grant agreement under this section shall require that any contract entered into by Middle East Broadcasting Networks shall specify that all obligations are assumed by Middle East Broadcasting Networks and not by the United States Government.

“(3) Any grant agreement shall require that any lease agreement entered into by Middle East Broadcasting Networks shall be, to the maximum extent possible, assignable to the United States Government.

“(4) Grants awarded under this section shall be made pursuant to a grant agreement which requires that grant funds be used only for activities consistent with this section, and that failure to comply with such requirements shall permit the grant to be terminated without fiscal obligation to the United States.

“(5) Duplication of language services and technical operations between the Middle East Broadcasting Networks (including Radio Sawa), RFE/RL, and the International Broadcasting Bureau will be reduced to the extent appropriate, as determined by the Board.

“(d) NOT A FEDERAL AGENCY OR INSTRUMENTALITY.—Nothing in this title may be construed to make—

“(1) The Middle East Broadcasting Networks a Federal agency or instrumentality; or

“(2) the officers or employees of the Middle East Broadcasting Networks officers or employees of the United States Government.”.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Such Act is further amended—

(1) in section 304(g) (22 U.S.C. 6203(g)), by inserting “, the Middle East Broadcasting Networks,” after “Incorporated”;

(2) in section 305 (22 U.S.C. 6204)—

(A) in subsection (a)—

(i) in paragraph (5), by striking “308 and 309” and inserting “308, 309, and 309A”; and

(ii) in paragraph (6), by striking “308 and 309” and inserting “308, 309, and 309A”; and

(B) in subsection (c), by striking “308 and 309” and inserting “308, 309, and 309A”; and

(3) in section 307 (22 U.S.C. 6206)—

(A) in subsection (a), by striking “308 and 309” and inserting “308, 309, and 309A”; and

(B) in subsection (c), in the second sentence, by inserting “the Middle East Broadcasting Networks,” after “Asia.”.

(c) TECHNICAL AND CONFORMING AMENDMENT TO TITLE 5.—Section 8332(b)(II) of title 5, United States Code, is amended by inserting “the Middle East Broadcasting Networks;” after “Radio Free Asia;”.

**SEC. 503. IMPROVING SIGNAL DELIVERY TO CUBA.**

Section 3 of the Radio Broadcasting to Cuba Act (22 U.S.C. 1465a; Public Law 98-111) is amended—

(1) by striking subsection (b);

(2) by striking subsection (c) and inserting the following new subsection:

“(c) To effect radio broadcasting to Cuba, the Board is authorized to utilize the United States International Broadcasting facilities located in Marathon, Florida, and the 1180 AM frequency used at those facilities. In addition to the above facilities, the Board may simultaneously utilize other governmental and nongovernmental broadcasting transmission facilities and other frequencies, including the Amplitude Modulation (AM) band, the Frequency Modulation (FM) band, and the Shortwave (SW) band. The Board may lease time on commercial or non-commercial educational AM band, FM band, and SW band radio broadcasting stations to carry a portion of the service programs or to re-broadcast service programs.”;

(3) by striking subsection (d);

(4) by striking subsection (e) and inserting the following new subsection:

“(e) Any service program of United States Government radio broadcasts to Cuba authorized by this section shall be designated ‘Radio Marti program.’.”;

(5) by striking subsection (f); and

(6) by redesignating subsections (c) and (e) (as amended by this section) as subsections (b) and (c), respectively.

**SEC. 504. ESTABLISHING PERMANENT AUTHORITY FOR RADIO FREE ASIA.**

Section 309 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6208) is amended—

(1) in subsection (c)(2), by striking “, and shall further specify that funds to carry out the activities of Radio Free Asia may not be available after September 30, 2009”; and

(2) by striking subsection (f).

**SEC. 505. PERSONAL SERVICES CONTRACTING PROGRAM.**

Section 504 of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107-228) is amended—

(1) in the section heading, by striking “PILOT”;

(2) in subsection (a)—

(A) by striking “pilot”;

(B) by striking “(in this section referred to as the ‘program’)”; and

(C) by striking “producers, and writers” and inserting “and other broadcasting specialists”;

(3) in subsection (b)(4), by striking “60” and inserting “100”; and

(4) by striking subsection (c).

**SEC. 506. COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS EDUCATION BENEFITS.**

Section 305(a) of the United States International Broadcasting Act of 1994 (22 U.S.C. 6204(a)) is amended by inserting after paragraph (18) the following new paragraph:

“(19)(A) To provide for the payment of primary and secondary school expenses for dependents of personnel stationed in the Commonwealth of the Northern Mariana Islands (CNMI) at a cost not to exceed expenses authorized by the Department of Defense for such schooling for dependents of members of the Armed Forces stationed in the Commonwealth, if the Board determines that schools available in the Commonwealth are unable to provide adequately for the education of the dependents of such personnel.

“(B) To provide transportation for dependents of such personnel between their places of residence and those schools for which expenses are

provided under subparagraph (A), if the Board determines that such schools are not accessible by public means of transportation.”.

**TITLE VI—ADVANCE DEMOCRACY ACT OF 2005**

**SEC. 601. SHORT TITLE.**

This title may be cited as the “Advance Democratic Values, Address Nondemocratic Countries, and Enhance Democracy Act of 2005” or the “ADVANCE Democracy Act of 2005”.

**SEC. 602. FINDINGS.**

Congress finds the following:

(1) All human beings are created equal and possess certain rights and freedoms, including the fundamental right to participate in the political life and government of their respective countries. These inalienable rights are recognized in the Declaration of Independence of the United States and in the Universal Declaration of Human Rights of the United Nations.

(2) The continued lack of democracy, freedom, and fundamental human rights in some countries is inconsistent with the universal values on which the United States is based and such continued lack of democracy, freedom, and fundamental human rights also poses a national security threat to the United States, its interests, and its friends, as it is in such countries that radicalism, extremism, and terrorism can flourish.

(3) There is also a correlation between non-democratic rule and other threats to international peace and security, including threats from war, genocide, famine, poverty, drug trafficking, corruption, refugee flows, human trafficking, religious persecution, environmental degradation, and discrimination against women.

(4) The transition to democracy must be led from within nondemocratic countries, including by nongovernmental organizations, movements, and individuals, and by nationals of such countries who live abroad. Nevertheless, democratic countries have a number of instruments available for supporting democratic reformers who are committed to promoting effective, nonviolent change in nondemocratic countries.

(5) United States efforts to promote democracy and protect human rights in countries where they are lacking can be strengthened to improve assistance for such reformers. United States ambassadors and diplomats can play a critical role in such efforts to promote democracy by publicly demonstrating support for democratic principles and supporting democratic reformers. Training and incentives are needed to assist United States officials in strengthening the techniques and skills required to promote democracy.

(6) A full evaluation of United States funds expended for the support of democracy is also necessary to ensure an efficient and effective use of the resources that are dedicated to these efforts.

(7) The promotion of democracy requires a broad-based effort with collaboration between all democratic countries, including through the Community of Democracies.

(8) The promotion of such universal democracy constitutes a long-term challenge that does not always lead to an immediate transition to full democracy, but through a dedicated and integrated approach can achieve universal democracy.

**SEC. 603. STATEMENT OF POLICY.**

It shall be the policy of the United States—

(1) to promote freedom and democracy in foreign countries as a fundamental component of United States foreign policy;

(2) to affirm fundamental freedoms and human rights in foreign countries and to condemn offenses against those freedoms and rights as a fundamental component of United States foreign policy;

(3) to use all instruments of United States influence to support, promote, and strengthen democratic principles, practices, and values in foreign countries, including the right to free, fair, and open elections, secret balloting, and universal suffrage;

(4) to protect and promote fundamental freedoms and rights, including the freedoms of association, of expression, of the press, and of religion, and the right to own private property;

(5) to protect and promote respect for and adherence to the rule of law in foreign countries;

(6) to provide appropriate support to organizations, individuals, and movements located in nondemocratic countries that aspire to live in freedom and establish full democracy in such countries;

(7) to provide, political, economic, and other support to foreign countries that are willingly undertaking a transition to democracy;

(8) to commit United States foreign policy to the challenge of achieving universal democracy; and

(9) to strengthen alliances and relationships with other democratic countries in order to better promote and defend shared values and ideals.

**SEC. 604. DEFINITIONS.**

In this title:

(1) **ANNUAL REPORT ON DEMOCRACY.**—The term “Annual Report on Democracy” means the Annual Report on Democracy required under section 612(a).

(2) **COMMUNITY OF DEMOCRACIES AND COMMUNITY.**—The terms “Community of Democracies” and “Community” mean the association of democratic countries committed to the global promotion of democratic principles, practices, and values, which held its First Ministerial Conference in Warsaw, Poland, in June 2000.

(3) **ELIGIBLE ENTITY.**—The term “eligible entity” means any nongovernmental organization, international organization, multilateral institution, private foundation, corporation, partnership, association, or other entity, organization, or group engaged in (or with plans to engage in) the promotion of democracy and fundamental rights and freedoms in foreign countries categorized as “democratic transition countries” or as “nondemocratic” in the most recent Annual Report on Democracy.

(4) **ELIGIBLE INDIVIDUAL.**—The term “eligible individual” means any individual engaged in, or who intends to engage in, the promotion of democracy and fundamental rights and freedoms in foreign countries categorized as “democratic transition countries” or as “nondemocratic” in the most recent Annual Report on Democracy.

(5) **REGIONAL DEMOCRACY HUB AND HUB.**—The terms “Regional Democracy Hub” and “Hub” mean the Regional Democracy Hubs established under section 611(c)(2).

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

(7) **UNDER SECRETARY.**—The term “Under Secretary” means the Under Secretary of State for Democracy and Global Affairs established under section 1(b) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(b)), as amended by section 611(a)(2) of this Act.

**Subtitle A—Department of State Activities**

**SEC. 611. PROMOTION OF DEMOCRACY IN FOREIGN COUNTRIES.**

(a) **CODIFICATION OF UNDER SECRETARY OF STATE FOR DEMOCRACY AND GLOBAL AFFAIRS.**—Section 1(b) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(b)) is amended—

(1) by redesignating paragraph (4) as paragraph (5); and

(2) by inserting after paragraph (3) the following new paragraph:

“(4) **UNDER SECRETARY OF STATE FOR DEMOCRACY AND GLOBAL AFFAIRS.**—There shall be in the Department of State, among the Under Secretaries authorized by paragraph (1), an Under Secretary of State for Democracy and Global Affairs, who shall have primary responsibility to assist the Secretary and the Deputy Secretary in the formulation and implementation of United States policies and activities relating to the transition to and development of democracy in

nondemocratic countries and to coordinate United States policy on global issues, including issues related to human rights, women’s rights, freedom of religion, labor standards and relations, the preservation of the global environment, the status and protection of the oceans, scientific cooperation, narcotics control, law enforcement, population issues, refugees, migration, war crimes, and trafficking in persons. The Secretary may assign such other responsibilities to the Under Secretary for Democracy and Global Affairs as the Secretary determines appropriate or necessary. In particular, the Under Secretary shall have the following responsibilities:

“(A) Coordinating with the Under Secretary for Public Diplomacy and Public Affairs and officers and employees from the regional bureaus of the Department of State to promote the transition to democracy in nondemocratic countries and strengthen development of democracy in countries that are in transition to democracy.

“(B) Advising the Secretary regarding any recommendation requested by any official of any other agency that relates to the human rights situation in a foreign country or the effects on human rights or democracy in a foreign country of an agency program of such official.”.

(b) **ADDITIONAL DUTIES FOR ASSISTANT SECRETARY OF STATE FOR DEMOCRACY, HUMAN RIGHTS, AND LABOR.**—Section 1(c)(2)(A) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(c)(2)) is amended by inserting after the first sentence the following new sentence: “The Assistant Secretary of State for Democracy, Human Rights, and Labor shall also be responsible for matters relating to the transition to and development of democracy in nondemocratic countries, including promoting and strengthening the development of democracy in foreign countries that are in the early stages of a transition to democracy and evaluating the effectiveness of United States programs that promote democracy.”.

**(c) DEPARTMENT OF STATE AND UNITED STATES MISSIONS ABROAD.**—

(1) **OFFICE RELATED TO DEMOCRATIC MOVEMENTS AND TRANSITIONS.**—

(A) **ESTABLISHMENT.**—There shall be within the Bureau of Democracy, Human Rights, and Labor of the Department of State an office that shall be responsible for working with democratic movements and facilitating the transition of nondemocratic countries and democratic transition countries to full democracy.

(B) **PURPOSE.**—In addition to any other responsibilities conferred on the office, the office shall promote transitions to full democracy in countries that have been categorized as non-democratic or as democratic transition countries in the most recent Annual Report on Democracy required under section 612(a).

(C) **RESPONSIBILITIES.**—The Deputy Assistant Secretary of State for Democracy, Human Rights, and Labor described in paragraph (4) and employees of the office shall—

(i) develop relations with, consult with, and provide assistance to nongovernmental organizations, individuals, and movements that are committed to the peaceful promotion of democracy, democratic principles, practices, and values, and fundamental rights and freedoms in countries described in subparagraph (B), including fostering relationships with the United States Government and the governments of other democratic countries;

(ii) assist officers and employees of regional bureaus to develop strategies and programs to promote peaceful change in such countries;

(iii) foster dialogue, to the extent practicable, between the leaders of such nongovernmental organizations, individuals, and movements and the officials of such countries;

(iv) create narratives and histories required under section 616 for the Internet site for global democracy and human rights and assist in the preparation of the report required under section 612; and

(v) facilitate, in coordination with public affairs officers and offices of the Department of State responsible for public diplomacy programs in such countries, debates and discussions, including among young people in other countries, regarding the values and benefits of democracy and human rights at academic institutions in such countries.

(2) REGIONAL DEMOCRACY HUBS AT UNITED STATES MISSIONS ABROAD.—

(A) PILOT PROGRAM.—

(i) IN GENERAL.—The Secretary shall establish at least one Regional Democracy Hub at one United States mission in two of the following geographic regions:

(I) The Western Hemisphere.

(II) Europe.

(III) South Asia.

(IV) The Near East.

(V) East Asia and the Pacific.

(VI) Africa.

(ii) DIRECTOR.—Each Regional Democracy Hub shall be headed by a Director. The Director and the associated staff shall be selected by the Secretary of State in consultation with the Assistant Secretary of State for Democracy, Human Rights, and Labor.

(B) RESPONSIBILITIES.—Each Regional Democracy Hub shall support the appropriate United States ambassador and United States employees assigned to United States missions in each such geographic region to carry out the responsibilities described in this Act, including assisting Ambassadors and other United States officials in each nondemocratic country or democratic transition country in the geographic region to design and implement strategies for a transition to democracy in such country, including regional strategies as appropriate.

(C) ACCREDITATION.—As appropriate, the Department should seek accreditation for the Director to all nondemocratic countries in each geographic region for which each Hub is responsible.

(D) TERMINATION.—The Secretary may terminate each Hub established under this paragraph five years after each is established.

(E) CONTINUING RESPONSIBILITIES.—Nothing in this paragraph shall be construed as removing any responsibility under this or any other Act of any chief of mission or other employees of United States diplomatic missions, including the development and implementation of strategies to promote democracy.

(F) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary such sums as may be necessary to carry out the responsibilities described in subparagraph (B), including hiring additional staff to carry out such responsibilities.

(3) RESPONSIBILITIES OF THE BUREAU OF INTELLIGENCE AND RESEARCH.—The Assistant Secretary of State for Intelligence and Research should coordinate with the Department of the Treasury, the Department of Justice, the Central Intelligence Agency, other appropriate intelligence agencies, and, as appropriate, with foreign governments to—

(A) monitor and document financial assets inside and outside the United States held by leaders of countries determined to be nondemocratic countries or democratic transition countries in the Annual Report on Democracy under section 612(a);

(B) identify close associates of such leaders; and

(C) monitor and document financial assets inside and outside the United States held by such close associates.

(4) COORDINATION.—

(A) DEPUTY ASSISTANT SECRETARY OF STATE FOR DEMOCRACY, HUMAN RIGHTS, AND LABOR.—There should be in the Department of State a Deputy Assistant Secretary of State for Democracy, Human Rights, and Labor. Any such Deputy Assistant Secretary shall be in addition to the current number of Deputy Assistant Secretaries. In addition to considering qualified non-

career candidates, the Secretary of State should seek to recruit senior members of the Senior Foreign Service to serve in such position.

(B) RESPONSIBILITIES.—In addition to the responsibilities described in paragraph (1)(C) and such other responsibilities as the Secretary or Assistant Secretary of State for Democracy, Human Rights, and Labor may from time to time designate, the Deputy Assistant Secretary of State for Democracy, Human Rights, and Labor should—

(i) coordinate the work of the office described in paragraph (1) with the work of other offices and bureaus at the Department of State and other United States Government agencies that provide grants and other assistance to nongovernmental organizations, individuals, and movements; and

(ii) forge connections between the United States and nongovernmental organizations, individuals, and movements committed to the promotion of democracy and democratic principles, practices, and values and seek to embrace the work of such organizations, individuals, and movements.

(5) RECRUITMENT.—The Secretary shall seek to ensure that, not later than December 31, 2012, not less than 50 percent of the nonadministrative employees serving in the Bureau of Democracy, Human Rights, and Labor are members of the Foreign Service.

**SEC. 612. REPORTS.**

(a) ANNUAL REPORT ON DEMOCRACY.—

(1) PREPARATION AND DEADLINE FOR SUBMISSION.—The Secretary of State shall prepare an Annual Report on Democracy. The Under Secretary of State for Democracy and Global Affairs, with the assistance of the Assistant Secretary of State for Democracy, Human Rights, and Labor, shall have the principal responsibility of assisting the Secretary in the preparation of the Annual Report. The Under Secretary and Assistant Secretary shall consult with the regional bureaus of the Department of State in the preparation of the Annual Report. Not later than July 1 of each year, the Secretary shall submit to the appropriate congressional committees the Annual Report on Democracy.

(2) CONTENTS.—The Annual Report on Democracy shall contain the following:

(A) EXECUTIVE SUMMARY.—An Executive Summary with a table listing every foreign country that the Secretary determines to be “nondemocratic”, and a list of countries the Secretary determines to be “democratic transition countries” because they are at the early stages of their transition to democracy. The Executive Summary shall contain a short narrative highlighting the status of democracy in each such country.

(i) DETERMINATION OF CATEGORIZATION.—With respect to a country listed in the Executive Summary, the Secretary shall determine which of the categorizations specified under subparagraph (A) is appropriate by reference to the principles enshrined in the United Nations Charter, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the United Nations Commission on Human Rights Resolution 1499/57 (entitled “Promotion of the Right to Democracy”), the assessments used to determine eligibility for financial assistance disbursed from the Millennium Challenge Account, the assessments of nongovernmental organizations of eligibility to participate in the meetings of the Community of Democracies, and the standards established and adopted by the Community of Democracies. In addition, the categorization of a country should be informed by the general consensus regarding the status of civil and political rights in such country by major nongovernmental organizations that conduct assessments of such conditions in such countries.

(ii) DETERMINATION OF NONDEMOCRATIC CATEGORIZATION.—

(I) IN GENERAL.—The Secretary shall categorize a country as nondemocratic if such

country fails to satisfy any of the following requirements:

(aa) All citizens of such country have the right to, and are not restricted in practice from, fully and freely participating in the political life of such country regardless of gender, race, language, religion, or beliefs.

(bb) The national legislative body of such country and, if directly elected, the head of government of such country, are chosen by free, fair, open, and periodic elections, by universal and equal suffrage, and by secret ballot.

(cc) More than one political party in such country has candidates who seek elected office at the national level and such parties are not restricted in their political activities or their process for selecting such candidates, except for reasonable administrative requirements commonly applied in countries categorized as fully democratic.

(dd) All citizens in such country have a right to, and are not restricted in practice from, fully exercising the freedoms of thought, conscience, belief, peaceful assembly and association, speech, opinion, and expression, and such country has a free, independent, and pluralistic media.

(ee) The current government of such country did not come to power in a manner contrary to the rule of law.

(ff) Such country possesses an independent judiciary and the government of such country generally respects the rule of law.

(II) ADDITIONAL CONSIDERATIONS.—Notwithstanding the satisfaction by a country of the requirements specified under subclause (I), the Secretary may categorize a country as nondemocratic if the Secretary determines that such is appropriate after consideration of the principles specified under clause (i) with respect to such country.

(B) STATUS OF DEMOCRACY.—A description of each country on the list described in subparagraph (A), including—

(i) an evaluation of trends over the preceding 12 months towards improvement or deterioration in the commitment to and protection of democratic principles, practices, values, institutions, and processes in each such country;

(ii) an evaluation of the political rights and freedoms enjoyed by individuals in each such country and an evaluation of the factors that prevent each such country from being categorized as fully democratic; and

(iii) for each country previously categorized as nondemocratic in the Executive Summary from the preceding 12 months, an evaluation of any progress made over the previous calendar year towards achieving a categorization of democratic transition country.

(C) STRATEGY FOR NONDEMOCRATIC COUNTRIES.—An in-depth examination of each country categorized as nondemocratic in the Executive Summary, including—

(i) a strategy developed following consultations with nongovernmental organizations, individuals, and movements that promote democratic principles, practices, and values in each such country to promote and achieve transition to full democracy in each such country;

(ii) a summary of any actions taken by the President with respect to any such country, the effects of any such actions, and if no such actions have been taken, a statement explaining why not;

(iii) a summary of any actions taken by the chief of mission and officials of the United States in each such country with which the United States maintains diplomatic and consular posts with respect to promoting such a transition within such country and any activities of the embassy or consulate in such country to support individuals and organizations in such country that actively advocate for such a transition;

(iv) a summary of efforts taken by officials of the United States to speak directly to the people

in each such country, and in particular, a description of any visits taken by the chief of mission and other officials of the United States in each such country to the colleges and universities and other institutions in each such country where young people congregate and learn;

(v) a summary of any communications between United States Government officials, including the chief of mission in each such country, and the leader and other high government officials of each such country concerning respect for liberty, democracy, and political, social, and economic freedoms; and

(vi) a description and evaluation of the efforts undertaken by other democratic countries belonging to the Community of Democracies to advance democracy in each such country, including through relevant bodies of the United Nations, regional organizations and bilateral policies and foreign assistance and the extent to which the United States coordinated United States actions and policies with such efforts.

(3) **CLASSIFIED ADDENDUM.**—If the Secretary determines that it is in the national security interests of the United States, is necessary for the safety of individuals identified in the Annual Report on Democracy, or is necessary to further the purposes of this Act, any information required by paragraph (2), including policies adopted or actions taken by the United States, may be summarized in the Annual Report on Democracy or in the Executive Summary and submitted to the appropriate congressional committees in more detail in a classified addendum.

(b) **ONE-TIME REPORT ON TRAINING AND GUIDELINES FOR FOREIGN SERVICE OFFICERS AND CHIEFS OF MISSION.**—The Secretary of State, in consultation with the Under Secretary of State for Democracy and Global Affairs, shall submit to the appropriate congressional committees a one-time report containing a description of the training provided under section 619 for Foreign Service officers, including chiefs of mission serving or preparing to serve in countries categorized as democratic transition countries or nondemocratic in the Annual Report on Democracy required under subsection (a), or chiefs of mission in fully democratic countries whose job performance could benefit from such training, with respect to methods to promote and achieve transition to full democracy in each such country, including nonviolent action. The Secretary shall submit the report together with the first Annual Report on Democracy required under such subsection.

**SEC. 613. STRATEGIES TO ENHANCE THE PROMOTION OF DEMOCRACY IN FOREIGN COUNTRIES.**

(a) **WORKING GROUP ON NONDEMOCRATIC COUNTRIES.**—Beginning in the year after the second Annual Report on Democracy required under section 612(a) is submitted and not less than once each year thereafter, the Under Secretary of State for Democracy and Global Affairs should convene a working group under subsection (c) focused on each country categorized as nondemocratic in the most recent such report in order to—

(1) review progress on the action plan with respect to each such country to promote and achieve the transition to full democracy in such country; and

(2) receive recommendations regarding further action that should be taken with respect to such plan.

(b) **WORKING GROUP ON DEMOCRATIC TRANSITION COUNTRIES.**—Beginning in the year after the second Annual Report on Democracy required under section 612(a) is submitted and not less than once each year thereafter, the Under Secretary of State for Democracy and Global Affairs should also convene a working group under subsection (c) focused on the progress towards a fully democratic form of governance in each country categorized as a democratic transition country in the most recent Annual Report that was categorized as nondemocratic in any previous Annual Report.

(c) **MEMBERS OF WORKING GROUPS.**—The working groups referred to in subsections (a) and (b) should include officers and employees of the Department of State and appropriate representatives from other relevant government agencies, including the United States Agency for International Development, the Department of the Treasury, and the Department of Defense.

(d) **CONSULTATIONS WITH CHIEFS OF MISSIONS.**—The chief of mission for each country categorized as nondemocratic or a democratic transition country in the most recent Annual Report on Democracy shall meet with the Under Secretary of State for Democracy and Global Affairs at least once each year to discuss the transition to full democracy in such country, including any actions the chief of mission has taken to implement the action plan for such country included in such report.

**SEC. 614. ACTIVITIES BY THE UNITED STATES TO PROMOTE DEMOCRACY AND HUMAN RIGHTS IN FOREIGN COUNTRIES.**

(a) **FREEDOM INVESTMENT ACT OF 2002.**—The Freedom Investment Act of 2002 (subtitle E of title VI of Public Law 107-228) is amended—

(1) in section 663(a), (relating to human rights activities at the Department of State)—

(A) in paragraph (1), by striking “and” at the end;

(B) by redesignating paragraph (2) as paragraph (4);

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

“(2) a United States mission abroad in a country that has been categorized as nondemocratic in the most recent Annual Report on Democracy (as required under section 612(a) of the Advance Democratic Values, Address Nondemocratic Countries, and Enhance Democracy Act of 2005) should have at least one political officer who shall have primary responsibility for monitoring and promoting democracy and human rights in such country;

“(3) the level of seniority of any such political officer should be in direct relationship to the severity of the problems associated with the establishment of full democracy and respect for human rights in such country; and”; and

(D) in paragraph (4), as so redesignated, by striking “monitoring human rights developments” and all that follows through “recommendation” and inserting the following: “monitoring and promoting democracy and human rights, including a political officer described in paragraphs (2) and (3), in a foreign country should be made after consultation with and upon the recommendation”; and

(2) in section 665(c) (relating to reports on actions taken by the United States to encourage respect for human rights), by striking the second sentence and adding at the end the following new sentences: “If the Secretary elects to submit such information as a separate report, such report may be submitted as part of the Annual Report on Democracy required under section 612(a) of the Advance Democratic Values, Address Nondemocratic Countries, and Enhance Democracy Act of 2005. If the Secretary makes such an election, such report shall be organized so as to contain a separate section for each country to which such information applies, together with a short narrative describing the extrajudicial killing, torture, or other serious violations of human rights that are indicated to have occurred in each such country.”.

(b) **FOREIGN ASSISTANCE ACT OF 1961.**—The Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) is amended—

(1) in section 116(d) (22 U.S.C. 2151n(d)), by striking paragraph (10) and inserting the following new paragraph:

“(10) for each country with respect to which the report indicates that extrajudicial killings, torture, or other serious violations of human rights have occurred in the country, a strategy, including a specific list of priorities and an action plan, to end such practices in the country,

and any actions taken in the previous year to end such practices in the country; and”;

(2) in section 502B(b) (22 U.S.C. 2304(b)), by striking the sixth sentence and inserting the following new sentence: “Such report shall also include, for each country with respect to which the report indicates that extrajudicial killings, torture, or other serious violations of human rights have occurred in the country, a strategy, including a specific list of priorities and an action plan, to end such practices in the country, and any actions taken in the previous year to end such practices in the country.”.

**SEC. 615. DEMOCRACY PROMOTION AND HUMAN RIGHTS ADVISORY BOARD.**

(a) **ESTABLISHMENT.**—There is established a Democracy Promotion and Human Rights Advisory Board.

(b) **PURPOSE AND DUTIES.**—The Board shall advise and provide recommendations to the Secretary of State, the Under Secretary of State for Democracy and Global Affairs, the Assistant Secretary of State for Democracy, Human Rights, and Labor, and the Assistant Administrator for the Bureau of Democracy, Conflict and Humanitarian Assistance of the United States Agency for International Development concerning United States policies regarding the promotion of democracy and the establishment of universal democracy, including the following:

(1) Reviewing and making recommendations regarding the overall United States strategy for promoting democracy and human rights in partly democratic and nondemocratic countries, including methods for incorporating the promotion of democracy and human rights into United States diplomacy, the use of international organizations to further United States democracy promotion goals, and ways in which the United States can work with other countries and the Community of Democracies to further such purposes.

(2) Recommendations regarding specific strategies to promote democracy in countries categorized as nondemocratic or as democratic transition countries in the most recent Annual Report on Democracy under section 612(a) and methods for consulting and coordinating with individuals (including expatriates) and nongovernmental organizations that promote democratic principles, practices, and values.

(3) Recommendations regarding the use of—

(A) programs related to the promotion of democracy and human rights administered by the United States Agency for International Development; and

(B) the Human Rights and Democracy Fund, established under section 664 of the Freedom Investment Act of 2002 (subtitle E of title VI of Public Law 107-228).

(4) Recommendations regarding regulations to be promulgated concerning—

(A) the standards of performance to be met by members of the Foreign Service, including chiefs of mission, under section 405(d) of the Foreign Service Act of 1980 (22 U.S.C. 3965(d)); and

(B) the development of programs to promote democracy in foreign countries under section 614, relating to programs undertaken by United States missions in foreign countries and the activities of chiefs of mission.

(c) **STUDY ON DEMOCRACY ASSISTANCE.**—

(1) **IN GENERAL.**—Not later than 18 months after the appointment of five members of the Board, the Board shall submit to the President, appropriate congressional committees, and the Secretary a study on United States democracy assistance.

(2) **CONTENTS.**—The study shall include—

(A) a comprehensive review and an overall evaluation of the efficiency and effectiveness of United States appropriations for the promotion of democracy, including—

(i) information regarding the amount of money dedicated to such purpose each fiscal year;

(ii) an identification of the international organizations, nongovernmental organizations, multilateral institutions, individuals, private groups

(including corporations and other businesses), and government agencies and departments receiving such funds for such purpose;

(iii) information regarding the efficiency and effectiveness of the use of such funds to promote a transition to democracy in nondemocratic countries with a special emphasis on activities related to the promotion of democracy under subsection (b)(3)(B), relating to the Human Rights and Democracy Fund; and

(iv) information regarding the efficiency and effectiveness of the use of such funds to promote and sustain democracy in countries that are already fully democratic or democratic transition countries;

(B) a review of—

(i) whether United States international broadcasts influence citizens of countries categorized as nondemocratic in the most recent Annual Report on Democracy and the impact of increasing such broadcasts to such countries relative to the cost of such increases, including information relating to an assessment of programming on the means of nonviolent protest and democratic change; and

(ii) the potential contribution that supporting private media sources that are not controlled or owned by the United States to reaching citizens of such countries, the situations where such support may be appropriate, and the mechanisms that should be used to provide such support;

(C) policy recommendations to the President and appropriate congressional committees regarding ways to improve United States programs for the promotion of democracy, including coordination of such programs; and

(D) recommendations for reform of United States Government agencies involved in the promotion of democracy.

(d) **MEMBERSHIP.**—

(1) **APPOINTMENT.**—The Board shall be composed of nine members, who shall be citizens of the United States and who shall not be officers or employees of the United States. The Secretary shall appoint all such members. Not more than five members may be affiliated with the same political party.

(2) **SELECTION.**—Members of the Board shall be selected from among distinguished individuals noted for their knowledge and experience in fields relevant to the issues to be considered by the Board, including issues related to the promotion of democracy, international relations, management and organization of foreign assistance or comparable programs, methods and means of nonviolent protest, academic study and debate of democracy, human rights, and international law.

(3) **TIME FOR APPOINTMENT.**—The appointment of members to the Board under paragraph (1) shall be made not later than 120 days after the date of the enactment of this Act.

(4) **TERM OF SERVICE AND SUNSET.**—Each member shall be appointed to the Board for a term that shall expire on the date that is one year after the date of the submission of the study under subsection (c).

(5) **SUNSET.**—The Board shall terminate on the date that is one year after the date of the submission of the study under such subsection unless the Secretary determines that it is in the interest of the Department to extend the Board for a period of an additional five years.

(6) **SECURITY CLEARANCES.**—The Secretary shall ensure that all members of the Board, and appropriate experts and consultants under paragraph (7)(E), obtain relevant security clearances in an expeditious manner.

(7) **OPERATION.**—

(A) **CHAIR.**—The Secretary shall appoint one member of the Board to chair the Board. The Board shall meet at the call of the Chair.

(B) **TRAVEL EXPENSES.**—Members of the Board shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while

away from their homes or regular places of business in the performance of service for the Board.

(C) **OFFICE SPACE AND ADMINISTRATIVE ASSISTANCE.**—Upon the request of the chairperson of the Board, the Secretary shall provide reasonable and appropriate office space, supplies, and administrative assistance.

(D) **APPLICABILITY OF CERTAIN OTHER LAWS.**—Nothing in this section shall be construed to cause the Board to be considered an agency or establishment of the United States, or to cause members of the Board to be considered officers or employees of the United States. Executive branch agencies may conduct programs and activities and provide services in support of the activities duties of the Board, notwithstanding any other provision of law. The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Board.

(E) **EXPERTS AND CONSULTANTS.**—The Board may procure temporary and intermittent services under section 3109(b) of title 5, United States Code.

(F) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the Board such sums as may be necessary for each of fiscal years 2006, 2007, and 2008.

**SEC. 616. ESTABLISHMENT AND MAINTENANCE OF INTERNET SITE FOR GLOBAL DEMOCRACY AND HUMAN RIGHTS.**

(a) **ESTABLISHMENT.**—In order to facilitate access by individuals and nongovernmental organizations in foreign countries to documents, streaming video and audio, and other media regarding democratic principles, practices, and values, and the promotion and strengthening of democracy, the Secretary of State, in cooperation with the Under Secretary of State for Democracy and Global Affairs, the Under Secretary for Public Diplomacy and Public Affairs, and the Assistant Secretary of State for Democracy, Human Rights, and Labor, shall establish and maintain an Internet site for global democracy and human rights.

(b) **CONTENTS.**—The Internet site for global democracy established under subsection (a) shall include the following information:

(1) The Executive Summary prepared under section 612(a)(2)(A), but only to the extent that information contained therein is not classified.

(2) Narratives and histories of significant democratic movements in foreign countries, particularly regarding successful nonviolent campaigns to oust dictatorships.

(3) Narratives relating to the importance of the establishment of and respect for fundamental freedoms.

(4) Major human rights reports by the United States Government or any other documents, references, or links to external Internet sites the Secretary or Under Secretary determines appropriate, including reference to or links to training materials regarding successful movements in the past, including translations of such materials, as appropriate.

**SEC. 617. PROGRAMS BY UNITED STATES MISSIONS IN FOREIGN COUNTRIES AND ACTIVITIES OF CHIEFS OF MISSION.**

(a) **DEVELOPMENT OF PROGRAMS TO PROMOTE DEMOCRACY IN FOREIGN COUNTRIES.**—Each chief of mission in each foreign country categorized as nondemocratic in the most recent Annual Report on Democracy, with the assistance of the director of the relevant Regional Hub, shall—

(1) develop, as part of annual program planning, a strategy to promote democracy in each such foreign country and to provide visible and material support to individuals and nongovernmental organizations in each such country that are committed to democratic principles, practices, and values, such as—

(A) consulting and coordinating with such individuals and organizations regarding the promotion of democracy;

(B) visiting local landmarks and other local sites associated with nonviolent protest in support of democracy and freedom from oppression;

(C) holding periodic public meetings with such individuals and organizations to discuss democ-

racy and political, social, and economic freedoms;

(D) issuing public condemnation of severe violations of internationally recognized human rights (as such term is described in section 116(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(a)), violations of religious freedom, including particularly severe violations of religious freedom (as such terms are defined in paragraphs (11) and (13) of section 3 of the International Religious Freedom Act of 1998 (22 U.S.C. 6402)), political repression, and government-tolerated or -condoned trafficking in persons; and

(E) providing technical, financial, and such other support to such individuals and organizations;

(2) hold ongoing discussions with the leaders of each such nondemocratic country regarding a transition to full democracy and the development of political, social, and economic freedoms and respect for human rights, including freedom of religion or belief, in such country; and

(3) conduct meetings with civil society, interviews with media that can directly reach citizens of each such country, and discussions with students and young people of each such country regarding a transition to democracy and the development of political, social, and economic freedoms in each such country.

(b) **PUBLIC OUTREACH IN FOREIGN COUNTRIES.**—Each chief of mission or principal officer should spend time at universities and other institutions of higher learning to—

(1) debate and discuss values and policies that promote democracy; and

(2) communicate, promote, and defend such United States values and policies.

(c) **ACCESS TO UNITED STATES MISSIONS.**—The Secretary is encouraged to allow access to a United States diplomatic or consular mission in each foreign country categorized as a democratic transition country or as nondemocratic in the most recent Annual Report on Democracy by individuals and representatives of nongovernmental organizations in each such country who are committed to democratic principles, practices, and values in each such country.

**SEC. 618. TRAINING FOR FOREIGN SERVICE OFFICERS.**

(a) **TRAINING IN DEMOCRACY AND THE PROMOTION OF DEMOCRACY AND HUMAN RIGHTS.**—Section 708 of the Foreign Service Act of 1980 (22 U.S.C. 4028) is amended by adding at the end the following new subsection:

“(c) **TRAINING ON GLOBAL DEMOCRACY PROMOTION.**—

“(1) **IN GENERAL.**—In addition to the training required under subsections (a) and (b), the Secretary of State, in cooperation with other relevant officials, including the Under Secretary of State for Democracy and Global Affairs, and the Director of the National Foreign Affairs Training Center of the Foreign Service Institute of the Department of State, shall establish as part of the training provided after December 31, 2006, for members of the Service, including all chiefs of mission and deputy chiefs of mission, instruction in how to strengthen and promote democracy through peaceful means in consultation with individuals and nongovernmental organizations that support democratic principles, practices, and values. In particular, such instruction shall be mandatory for members of the Service having reporting or other responsibilities relating to internal political developments and human rights, including religious freedom, in nondemocratic countries or democratic transition countries as categorized in the most recent Annual Report on Democracy as required under section 612(a) of the Advance Democratic Values, Address Nondemocratic Countries, and Enhance Democracy Act of 2005, including for chiefs of mission and deputy chiefs of mission, and shall be completed before the time that such member or chief of mission assumes a post (or, if such is not practical, within the first year of assuming such post).

**“(2) CONTENTS OF TRAINING.**—The training required under paragraph (1) shall include instruction, a training manual, and other materials regarding the following:

“(A) International documents and United States policy regarding electoral democracy and respect for human rights.

“(B) United States policy regarding the promotion and strengthening of democracy around the world, with particular emphasis on the transition to democracy in nondemocratic countries.

“(C) For any member, chief of mission, or deputy chief of mission who is to be assigned to a foreign country that is categorized as nondemocratic in the Annual Report on Democracy, instruction regarding ways to promote democracy in such country and providing technical, financial, and other support to individuals (including expatriated citizens) and nongovernmental organizations in such country that support democratic principles, practices, and values.

“(D) The protection of internationally recognized human rights (including the protection of religious freedom) and standards related to such rights, provisions of United States law related to such rights, diplomatic tools to promote respect for such rights, the protection of individuals who have fled their countries due to violations of such rights (including the role of United States embassies in providing access to the United States Refugee Admissions Program) and the relationship between respect for such rights and democratic development and national security. The Director of the National Foreign Affairs Training Center of the Foreign Service Institute of the Department of State shall consult with nongovernmental organizations involved in the protection and promotion of such rights and the United States Commission on International Religious Freedom (established under section 201(a) of the International Religious Freedom Act of 1998 (22 U.S.C. 6431(a)) in developing the training required by this subparagraph.”.

(b) **OTHER TRAINING.**—The Secretary of State shall ensure that the training described in subsection (a) is provided to members of the civil service who are assigned in the United States or abroad who have reporting or other responsibilities relating to internal political developments and human rights in countries that are categorized as democratic transition countries or nondemocratic in the Annual Report on Democracy required under section 612(a).

(c) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated such sums as may be necessary to develop appropriate programs and materials to accomplish the training required under subsection (c) of section 708 of the Foreign Service Act of 1980 (22 U.S.C. 4028), as added by subsection (a).

(d) **CLERICAL AMENDMENTS.**—Section 708 of the Foreign Service Act of 1980, as amended by subsection (a), is further amended—

(1) in subsection (a) by striking “(a) *The*” and inserting “(a) TRAINING ON HUMAN RIGHTS.—*The*;” and

(2) in subsection (b) by striking “(b) *The*” and inserting “(b) TRAINING ON REFUGEE LAW AND RELIGIOUS PERSECUTION.—*The*”.

**SEC. 619. PERFORMANCE PAY; PROMOTIONS; FOREIGN SERVICE AWARDS.**

(a) **PERFORMANCE PAY.**—Section 405(d) of the Foreign Service Act of 1980 (22 U.S.C. 3965(d)) is amended by inserting after the second sentence the following new sentence: “Meritorious or distinguished service in the promotion of democracy in foreign countries, including contact with and support of individuals and nongovernmental organizations that promote democracy in a foreign country categorized as nondemocratic in the most recent Annual Report on Democracy (as required under section 612(a) of the Advance Democratic Values, Address Nondemocratic Countries, and Enhance Democracy Act of 2005), shall also serve as a basis for granting awards under this section.”.

(b) **PROMOTIONS.**—Section 603(b) of the Foreign Service Act of 1980 (22 U.S.C. 4003(b)) is

amended by adding at the end the following new sentence: “Precepts for selection boards shall also, where applicable, include an evaluation of whether members of the Service and members of the Senior Foreign Service have met the standards of performance established by the Secretary pursuant to section 619(c) of the Advance Democratic Values, Address Nondemocratic Countries, and Enhance Democracy Act of 2005, or have served in a position in which the primary responsibility is to monitor or promote democracy or human rights.”.

(c) **REGULATIONS AND EVALUATIONS CONCERNING STANDARDS OF PERFORMANCE AND PROGRAMS TO PROMOTE DEMOCRACY.**—With respect to members of the Foreign Service, including all chiefs of mission, who are assigned to foreign countries categorized as nondemocratic in the most recent Annual Report on Democracy, the Secretary shall prescribe regulations concerning the standards of performance to be met under sections 405(d) and 603(b) of the Foreign Service Act of 1980 (22 U.S.C. 3965(d) and 4003(b)), as amended by subsections (a) and (b), respectively, and the development of programs to promote democracy in foreign countries under section 617. The requirements of sections 617 and 618(a) shall serve as one of the bases for performance criteria in evaluating chiefs of mission and those officers at posts so designated by the chief of mission.

(d) **FOREIGN SERVICE AWARDS.**—Section 614 of the Foreign Service Act of 1980 (22 U.S.C. 4013) is amended by adding at the end the following new sentence: “Distinguished or meritorious service in the promotion of democracy in foreign countries, including contact with and support of individuals and nongovernmental organizations that promote democracy in a foreign country categorized as nondemocratic in the most recent Annual Report on Democracy (as required under section 612(a) of the Advance Democratic Values, Address Nondemocratic Countries, and Enhance Democracy Act of 2005), shall also serve as a basis for granting awards under this section.”.

**SEC. 620. APPOINTMENTS.**

(a) **APPOINTMENTS BY THE PRESIDENT.**—Section 302 of the Foreign Service Act of 1980 (22 U.S.C. 3942) is amended by adding at the end the following new subsection:

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

(b) **CHIEFS OF MISSION.**—Section 304(a)(1) of such Act (22 U.S.C. 3944(a)(1)) is amended by adding at the end the following new sentence: “If the country in which the individual is to serve is categorized as nondemocratic in the most recent Annual Report on Democracy (as required under section 612(a) of the Advance Democratic Values, Address Nondemocratic Countries, and Enhance Democracy Act of 2005), the individual should possess clearly demonstrated competence in and commitment to the promotion of democracy in such country, including competence in promoting democratic principles, practices, and values through regular interaction with individuals, including students and young people within such country, who support and advocate such principles, practices, and values.”.

**Subtitle B—Alliances With Other Democratic Countries**

**SEC. 631. ALLIANCES WITH OTHER DEMOCRATIC COUNTRIES.**

(a) **FINDING.**—Congress finds that it is in the national interest of the United States, including for humanitarian, economic, social, political, and security reasons, to forge alliances with democratic countries to work together to promote and protect—

(1) shared democratic principles, practices, and values; and

(2) political, social, and economic freedoms around the world.

(b) **PURPOSES.**—The purposes of this subtitle are to encourage new ways of forging alliances with democratic countries in order to—

(1) promote and protect democratic principles, practices, and values, including the right to free, fair, and open elections, secret balloting, and universal suffrage;

(2) promote and protect fundamental shared political, social, and economic freedoms, including the freedoms of association, of expression, of the press, of religion, and to own private property;

(3) promote and protect respect for the rule of law;

(4) develop, adopt, and pursue strategies to advance common interests in international organizations and multilateral institutions to which members of the alliance of democratic countries belong; and

(5) provide political, economic, and other necessary support to countries that are undergoing a transition to democracy.

(c) **SENSE OF CONGRESS REGARDING PARTICIPATION.**—It is the sense of Congress that any foreign country that is categorized as nondemocratic in the most recent Annual Report on Democracy under section 612(a) of the Advance Democratic Values, Address Nondemocratic Countries, and Enhance Democracy Act of 2005, should not participate in any alliance of democratic countries aimed at working together to promote democracy.

**SEC. 632. SENSE OF CONGRESS REGARDING THE ESTABLISHMENT OF A DEMOCRACY CAUCUS.**

(a) **FINDINGS.**—Congress finds that with the passage of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108-458), Congress—

(1) encouraged the establishment of a Democracy Caucus within the United Nations, the United Nations Human Rights Commission, the United Nations Conference on Disarmament, and at other broad-based international organizations; and

(2) required increased training in multilateral diplomacy for members of the Foreign Service and appropriate members of the Civil Service to support such an establishment.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that the creation of a Democracy Caucus in each international organization and multilateral institution of which the United States is a member will not only improve the internal governance of such organizations but will also strengthen the implementation of commitments by such organizations and institutions regarding democracy and human rights.

**SEC. 633. ANNUAL DIPLOMATIC MISSIONS ON MULTILATERAL ISSUES.**

The Secretary of State, acting through the principal officers responsible for advising the Secretary on international organizations, should ensure that a high level delegation from the United States is sent on an annual basis to consult with key foreign governments in every region to promote United States policies, including issues related to democracy and human rights, at key international fora, including the United Nations General Assembly, the United Nations Human Rights Commission or other multilateral human rights body, the Organization for Security and Cooperation in Europe, and the United Nations Education, Science, and Cultural Organization.

**SEC. 634. STRENGTHENING THE COMMUNITY OF DEMOCRACIES.**

(a) **FORMAL MECHANISMS FOR THE COMMUNITY OF DEMOCRACIES.**—It is the sense of Congress that the Community of Democracies should develop a more formal mechanism for carrying out work between ministerial meetings, including hiring appropriate staff to carry out such work, and should, as appropriate, establish a headquarters.

(b) **DETAIL OF PERSONNEL.**—The Secretary is authorized to detail on a nonreimbursable basis any employee of the Department of State to any country that is a member of the Convening Group of the Community of Democracies.

(c) **REGIONAL GROUP IN THE COMMUNITY OF DEMOCRACIES.**—It is the sense of Congress that regional groups within the Community of Democracies should be established and strengthened in order to facilitate coordination of common positions and action on multilateral strategies to promote and consolidate democracy.

(d) **INTERNATIONAL CENTER FOR DEMOCRATIC TRANSITION.**—

(1) **SENSE OF CONGRESS.**—It is the sense of Congress that the United States should, along with contributions from private individuals, support the initiative of the Government of Hungary and the governments of other European countries to establish a International Center for Democratic Transition to support transitions to full democracy.

(2) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated for a grant to the International Center for Democratic Transition \$1,000,000 for each of fiscal years 2006, 2007, and 2008. Amounts appropriated under this paragraph shall remain available until expended.

(3) **USE OF FUNDS.**—Any grant made in fiscal year 2006 by the Secretary to the International Center for Democratic Transition under paragraph (2) may be used for the establishment and operation of the Center and for programs and activities of the Center. Any grant or voluntary contribution made in any subsequent fiscal year by the Secretary to the Center under such paragraph may be used for programs and activities of the Center.

**Subtitle C—Funding for Promotion of Democracy****SEC. 641. POLICY.**

It shall be the policy of the United States to provide financial assistance to eligible entities and eligible individuals in order to assist such entities and individuals in the promotion of democracy in countries categorized as nondemocratic in the most recent Annual Report on Democracy under section 612(a).

**SEC. 642. HUMAN RIGHTS AND DEMOCRACY FUND.**

(a) **PURPOSES OF THE HUMAN RIGHTS AND DEMOCRACY FUND.**—In addition to uses currently approved for the Human Rights and Democracy Fund, the Secretary of State, acting through the Assistant Secretary of State for Democracy, Human Rights, and Labor shall use amounts appropriated to the Human Rights and Democracy Fund under subsection (e) to provide assistance to eligible entities and eligible individuals to promote democracy in foreign countries categorized as nondemocratic in the most recent Annual Report on Democracy under section 612(a). The promotion of democracy in such countries for which such assistance may be provided may include the following activities:

(1) The publication and distribution of books and the creation and distribution of other media relating to information about current events in such country and educational programming designed to provide information regarding democracy, the rule of law, free, fair and open elections, free market economics, fundamental human rights (including the rights of freedom of speech and of religion and the rights to be free from slavery and bondage), and successful democratic movements in history, including edu-

cational programs for leaders and members of democratic movements to convey information to such individuals regarding the means of nonviolent force and the methods of nonviolent action.

(2) The translation into languages spoken in such countries of relevant programming and existing books, videos, and other publications relating to the subjects specified in paragraph (1).

(3) The promotion of political pluralism and the rule of law within such countries, including the promotion of nongovernmental organizations and movements that promote democratic principles, practices, and values.

(4) The creation of programs for student groups to work with citizens of such countries who are committed to democratic reforms and to the promotion of a transition to democracy.

(5) The creation of training programs for citizens of such countries concerning international legal obligations to support democracy and human rights, including religious freedom.

(6) Support for nongovernmental organizations which have experience with the Community of Democracies to assist the Community of Democracies and its Convening Group.

(b) **FREEDOM INVESTMENT ACT OF 2002.**—Section 664(b) of the Freedom Investment Act of 2002 (subtitle E of title VI of Public Law 107-228; relating to the purposes of the Human Rights and Democracy Fund) is amended—

(1) in paragraph (4), by striking “and” at the end;

(2) by redesignating paragraph (5) as paragraph (6);

(3) by inserting after paragraph (4) the following new paragraph:

“(5) to support the study of democracy abroad, including support for debates and discussions at academic institutions, regarding the values and benefits of democracy; and”; and

(4) in paragraph (6), as redesignated by paragraph (2) of this subsection, by striking “(4)” and inserting “(5)”.

(c) **ADMINISTRATIVE AUTHORITIES.**—Assistance provided through the Human Rights and Democracy Fund may be provided to eligible entities and eligible individuals in foreign countries notwithstanding any provision of law that prohibits assistance to a foreign country or to a government of a foreign country.

(d) **ANNUAL REPORT ON THE STATUS OF THE HUMAN RIGHTS AND DEMOCRACY FUND.**—Not later than 60 days after the conclusion of each fiscal year, the Assistant Secretary of State for Democracy, Human Rights, and Labor shall submit to the appropriate congressional committees an annual report on the status of the Human Rights and Democracy Fund. Each such annual report shall contain the following information:

(1) An identification of each eligible entity and eligible individual who received assistance during the previous fiscal year under subsection (b) and a summary of the activities of each such recipient.

(2) An account of projects funded and outside contributions received during the previous fiscal year.

(3) A balance sheet of income and outlays current as of the conclusion of the fiscal year to which such report is relevant.

(e) **AUTHORIZATION OF APPROPRIATIONS.**—

(1) **IN GENERAL.**—Of the funds available for each of fiscal years 2006 and 2007, there are authorized to be appropriated to the Human Rights and Democracy Fund to carry out the purposes of this section \$50,000,000 for fiscal year 2006 and \$60,000,000 for fiscal year 2007. Amounts appropriated under this section shall remain available until expended.

(2) **ADMINISTRATIVE EXPENSES.**—Not more than five percent of amounts appropriated to the Human Rights and Democracy Fund for each fiscal year may be applied toward administrative expenses associated with carrying out this section.

(3) **CONTRIBUTIONS.**—The Secretary may accept contributions to the Human Rights and De-

mocracy Fund from the governments of other democratic countries, private foundations, private citizens, and other nongovernmental sources.

**Subtitle D—Presidential Actions****SEC. 651. INVESTIGATION OF VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW.**

(a) **IN GENERAL.**—The President, with the assistance of the Secretary of State, the Under Secretary of State for Democracy and Global Affairs, and the Ambassador-at-Large for War Crimes Issues, shall collect information regarding incidents that may constitute crimes against humanity, genocide, slavery, or other violations of international humanitarian law by leaders or other government officials of foreign countries categorized as nondemocratic or as democratic transition countries in the most recent Annual Report on Democracy under section 612(a).

(b) **ACCOUNTABILITY.**—The President shall consider what actions can be taken to ensure that such leaders or other government officials of foreign countries who are identified in accordance with subsection (a) as responsible for crimes against humanity, genocide, slavery, or other violations of international humanitarian law are brought to account for such crimes in an appropriately constituted tribunal.

**SEC. 652. PRESIDENTIAL COMMUNICATIONS.**

(a) **FINDING.**—Congress finds that direct communications from the President to citizens of countries that are categorized as nondemocratic in the most recent Annual Report on Democracy would be extremely beneficial to demonstrate that the United States supports such citizens and the efforts and actions of such citizens to promote and achieve transition to democracy in such countries.

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

(1) from time to time as the President shall determine appropriate, the President should broadcast a message to the citizens of countries categorized as nondemocratic in the most recent Annual Report on Democracy under section 612(a) expressing the support of the United States for such citizens, discussing democratic principles, practices, and values, and political, social, and economic freedoms, and condemning violations of internationally recognized human rights (as such term is described in section 116(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(a))), violations of religious freedom, including particularly severe violations of religious freedom (as such terms are defined in paragraphs (11) and (13) of section 3 of the International Religious Freedom Act of 1998 (22 U.S.C. 6402)), political repression, and government-tolerated or condoned trafficking in persons that occur in such country; and

(2) the President should encourage leaders of other democratic countries to make similar broadcasts.

**TITLE VII—STRATEGIC EXPORT CONTROL AND SECURITY ASSISTANCE ACT OF 2005****Subtitle A—General Provisions****SEC. 701. SHORT TITLE.**

This title may be cited as the “Strategic Export Control and Security Assistance Act of 2005”.

**SEC. 702. DEFINITIONS.**

In this title:

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

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

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

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

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

(4) EXPORT.—The term “export” has the meaning given that term in section 120.17 of the International Traffic in Arms Regulations, and includes re-exports, transfers, and re-transfers by any means.

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

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

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

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

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

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

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

(12) MISSILE TECHNOLOGY CONTROL REGIME; MTCR.—The term “Missile Technology Control Regime” or “MTCR” has the meaning given the term in section 11B(c)(2) of the Export Administration Act of 1979 (50 U.S.C. App. 2401b(c)(2)).

(13) MISSILE TECHNOLOGY CONTROL REGIME ANNEX; MTCR ANNEX.—The term “Missile Technology Control Regime Annex” or “MTCR Annex” has the meaning given the term in section 11B(c)(4) of the Export Administration Act of 1979 (50 U.S.C. App. 2401b(c)(4)).

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

(15) STRATEGIC EXPORT CONTROL.—The term “strategic export control” means the control of items subject to the export jurisdiction of the United States pursuant to the International Traffic in Arms Regulations or the Export Administration Regulations.

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

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

#### SEC. 703. DECLARATION OF POLICY.

Congress declares that, at a time of evolving threats and changing relationships with other countries, United States strategic export controls are in urgent need of a comprehensive review in order to assure such controls are achieving their intended purposes of protecting the national security interests of the United States in the Global War on Terrorism and of promoting the foreign policy purposes of the United States, in particular by assuring that—

(1) export license procedures are properly designed to prioritize readily which exports may be approved quickly for United States friends and allies and which require greater scrutiny in order to safeguard national interests;

(2) technology related to the military superiority of the United States Armed Forces is safeguarded during and after export to a high level of confidence; and

(3) overlapping and duplicative functions among the responsible departments and agencies of the Government of the United States are consolidated and integrated wherever appropriate in order to enhance efficiency, information sharing, and the consistent execution of United States policy.

#### Subtitle B—Revising and Strengthening Strategic Export Control Policies

##### SEC. 711. AMENDMENTS TO THE STATE DEPARTMENT BASIC AUTHORITIES ACT OF 1956.

(a) UNDER SECRETARY FOR ARMS CONTROL AND INTERNATIONAL SECURITY.—Section 1(b)(2) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(b)(2)) is amended—

(1) in the first sentence, by striking “There” and inserting the following:

“(A) IN GENERAL.—There”; and

(2) by adding at the end the following new subparagraph:

“(B) DUTIES.—The Under Secretary for Arms Control and International Security shall be responsible for—

(i) coordinating and executing a United States strategy for strengthening multilateral export controls;

(ii) coordinating the activities of all bureaus and offices of the Department of State that have responsibility for export control policy, licensing, or assistance; and

(iii) serving as the chairperson of the Strategic Export Control Board established under section 712 of the Strategic Export Control and Security Assistance Act of 2005.”.

(b) DEPUTY UNDER SECRETARY FOR STRATEGIC EXPORT CONTROL.—Section 1(b)(2) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(b)(2)), as amended by subsection (a), is further amended by adding at the end the following new subparagraph:

“(C) DEPUTY UNDER SECRETARY FOR STRATEGIC EXPORT CONTROL.—There shall be in the Department of State a Deputy Under Secretary for Strategic Export Control who shall have primary responsibility to assist the Under Secretary for Arms Control and International Security in carrying out the responsibility of the Under Secretary described in subparagraph (B)(iii).”.

(c) DEFENSE TRADE CONTROLS REGISTRATION FEES.—Section 45 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2717) is amended—

(1) in paragraph (2), by striking “and” at the end;

(2) in paragraph (3), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following new paragraph:

“(4) functions of the Strategic Export Control Board established under section 712 of the Strategic Export Control and Security Assistance Act of 2005.”.

##### SEC. 712. STRATEGIC EXPORT CONTROL BOARD.

(a) ESTABLISHMENT.—There is established a Strategic Export Control Board (in this section referred to as the “Board”). The Board shall consist of representatives from the Department of Commerce, the Department of Defense, the Department of Homeland Security, the Department of Justice, the National Security Council, the intelligence community (as defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4))), and other appropriate departments and agencies of the Government of the United States, and the Under Secretary for Arms Control and International Security of the Department of State. The Under Secretary for Arms Control and International Security shall serve as the chairperson of the Board.

(b) FUNCTIONS.—The Board shall—

(1) conduct a comprehensive review of United States strategic export controls in the context of

the Global War on Terrorism in order to strengthen controls by regulation, where appropriate, and to formulate legislative proposals for any new authorities that are needed for counter-terrorism purposes;

(2) develop a strategy for ensuring a high level of confidence in the export control of any items important to the current and future military superiority of the United States Armed Forces, including in particular the security of sensitive software through the use of tamper-resistant security software and other emerging technologies;

(3) design standards and best practices for information assurance and protection for the robust information technology systems, such as virtual private networks, already utilized by United States defense firms in the conduct of their export control regulated activities with foreign partners, which can also gain the support of United States friends and allies;

(4) formulate, with the assistance of the United States defense industry and the support of United States friends and allies, an automated international delivery confirmation system for commercial shipments of lethal and other high risk items in order to afford improved protection against attempts to disrupt international supply chains or to divert sensitive items to gray arms markets;

(5) prepare recommendations for the President and Congress, as appropriate, with respect to—

(A) the consolidation of overlapping or duplicative functions among the responsible departments and agencies of the Government of the United States in such areas as enforcement, end use monitoring, export licensing, watch lists, and related areas;

(B) the cost-savings associated with integration of export licensing staffs and the promulgation of integrated export control regulations; and

(C) the resultant rationalization of budgetary resources to be authorized among the responsible departments and agencies of the United States Government;

(6) establish the necessary departmental and inter-agency controls that will ensure legitimate exports by United States business organizations can be readily identified and generally approved within 10 days, but no later than 30 days in more complex cases, except in unusual circumstances, such as those requiring congressional notification or foreign government assurances;

(7) review and revise, where appropriate, plans for modernizing information technology systems of the relevant departments and agencies of the Government of the United States involved in export licensing, export enforcement, and screening of involved private parties to ensure efficient, reliable, and secure intra-governmental networks, at the earliest practicable date among the relevant departments and agencies and United States exporters; and

(8) develop a strategy for strengthening the multilateral control regimes or developing new regimes, as appropriate, to augment or supplement existing international arrangements.

(c) REPORT BY COMPTROLLER GENERAL.—Not later than one year, two years, and three years after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate congressional committees a report that contains—

(1) an independent assessment of progress made by the Board in carrying out its functions under paragraphs (1) through (8) of subsection (b);

(2) the budgetary impact of each of the recommendations prepared under subsection (b)(5) and any additional recommendations prepared by the Comptroller General and the budgetary impact of such recommendations; and

(3) a certification as to whether the Comptroller General had access to sufficient information to enable the Comptroller General to make informed judgments on the matters covered by the report.

**SEC. 713. AUTHORIZATION FOR ADDITIONAL LICENSE AND COMPLIANCE OFFICERS.**

(a) **FUNDING.**—Of the amounts authorized to be appropriated under section 101 of this Act, up to \$13,000,000 shall be available for each of the fiscal years 2006 and 2007 for salaries and expenses related to the assignment of additional full time license and compliance officers in the Directorate of Defense Trade Controls of the Department of State.

(b) **NOTIFICATION.**—None of the funds authorized under subsection (a) may be made available until 15 days after the date on which the Secretary of State submits a written report to the congressional committees specified in section 634A(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2394-1(a)) in accordance with the procedures applicable to reprogramming notifications under such section, which sets forth the plans and timetable of the Department of State for measurable improvements in the quality and timeliness of the service it provides in support of United States Armed Forces abroad and routine exports by United States business organizations, as well as for the elaboration of enhanced compliance measures appropriate to the heightened security environment for arms exports during the Global War on Terrorism.

**Subtitle C—Procedures Relating to Export Licenses****SEC. 721. TRANSPARENCY OF JURISDICTIONAL DETERMINATIONS.**

(a) **DECLARATION OF POLICY.**—Congress declares that the complete confidentiality surrounding several thousand commodity classification determinations made each year by the Department of Commerce pursuant to the Export Administration Regulations and several hundred commodity jurisdiction determinations made each year by the Department of State pursuant to the International Traffic in Arms Regulations is not necessary to protect legitimate proprietary interests of persons or their prices and customers, is not in the best interests of the security and foreign policy interests of the United States, is inconsistent with the need to ensure a level playing field for United States exporters, and detracts from United States efforts to promote greater transparency and responsibility by other countries in their export control systems.

(b) **PUBLICATION REQUIREMENT.**—The Secretary of Commerce and the Secretary of State shall—

(1) upon making a commodity classification determination or a commodity jurisdiction classification, as the case may be, referred to in subsection (a) in response to a request by a private person, publish in the Federal Register, not later than 30 days after the date of the determination—

(A) a description of the item, including performance levels or other technical characteristics where appropriate;

(B) an explanation of whether the item is controlled under the International Traffic in Arms Regulations or the Export Administration Regulations, and

(C) the United States Munitions List designation or export control classification number under which the item has been designated or classified, as the case may be,

except that the name of the name of the person, the person's business organization, customers, or prices are not required to be published; and

(2) maintain on their respective Internet websites an archive, that is accessible to the general public and other departments and agencies of the United States, of the determinations published in the Federal Register under paragraph (1).

(c) **REPORT.**—Not later than 120 days after the date of the enactment of this Act, the Secretary of State and the Secretary of Commerce shall submit to the appropriate congressional committees a joint report that contains a description of the plans to implement the requirements of this section.

(d) **REQUIREMENT.**—Notwithstanding any other provision of law, beginning 180 days after the date of the enactment of this Act, the Secretary of Commerce may make a commodity classification determination referred to in subsection (a), and the Secretary of State may make a commodity jurisdiction determination referred to in subsection (a), in response to a request by a private person only in accordance with the requirements of subsection (b).

**SEC. 722. CERTIFICATIONS RELATING TO EXPORT OF CERTAIN DEFENSE ARTICLES AND DEFENSE SERVICES.**

(a) **REPORTS ON COMMERCIAL AND GOVERNMENTAL MILITARY EXPORTS; CONGRESSIONAL ACTION.**—Section 36(c) of the Arms Export Control Act (22 U.S.C. 2776(c)) is amended—

(1) in the first sentence of paragraph (1), by inserting after “\$1,000,000 or more” the following: “; or, notwithstanding section 27(g) of this Act, for any special comprehensive authorization under sections 120-130 of title 22, Code of Federal Regulations (commonly known as the ‘International Traffic in Arms Regulations’) for the export of defense articles or defense services in an aggregate amount of \$100,000,000 or more”;

(2) in paragraph (2)—

(A) in subparagraph (A), by adding “and” at the end;

(B) by striking subparagraph (B); and

(C) by redesignating subparagraph (C) as subparagraph (B); and

(3) in the matter preceding subparagraph (A) of paragraph (5), by inserting “or paragraph (2)” after “paragraph (1)”.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that the Department of State should revise its procedures in order to improve the timeliness and quality of service it is providing to United States exporters concerning matters requiring notification to Congress under sections 3 and 36 of the Arms Export Control Act (22 U.S.C. 2753 and 2776) by—

(1) expediting its internal and interagency processes such that consultations with the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate commence not later than 30 days following receipt of a proposal requiring notification;

(2) providing informal notice to such Committees within 10 days of receipt of such a proposal, such that questions by the Committees may be addressed wherever feasible in conjunction with the Department's processing; and

(3) making each interval in the processing of the proposal transparent to United States exporters through the Internet website of the Department.

**SEC. 723. PRIORITY FOR UNITED STATES MILITARY OPERATIONS.**

The Secretary of State may not accord higher priority in the adjudication of munitions export licenses to any measure included within the “Defense Trade Security Initiative” announced by the Department of State in May 2000 over the processing of licenses in support of Operation Enduring Freedom, Operation Iraqi Freedom, or any other military operation involving the United States Armed Forces.

**SEC. 724. LICENSE OFFICER STAFFING AND WORKLOAD.**

Section 36(a) Arms Export Control Act (22 U.S.C. 2776(a)) is amended—

(1) in paragraph (11), by striking “and” at the end;

(2) in paragraph (12), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following new paragraph:

“(13) a report on the number of civilian and military officers assigned to munitions export licensing at the Department of State and their average weekly workload for both open and closed cases.”.

**SEC. 725. DATABASE OF UNITED STATES MILITARY ASSISTANCE.**

Section 655 of the Foreign Assistance Act of 1961 (22 U.S.C. 2415) is amended by striking subsection (c) and inserting the following new subsection:

“(c) **AVAILABILITY OF REPORT INFORMATION ON THE INTERNET.**—

“(1) **REQUIREMENT FOR DATABASE.**—The Secretary of State, in consultation with the Secretary of Defense, shall make available to the public the unclassified portion of each such report in the form of a database that is available via the Internet and that may be searched by various criteria.

“(2) **SCHEDULE FOR UPDATING.**—Not later than April 1 of each year, the Secretary of State shall make available in the database the information contained in the annual report for the fiscal year ending the previous September 30.”.

**SEC. 726. TRAINING AND LIAISON FOR SMALL BUSINESSES.**

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that it is increasingly important that the Secretary of State, in administering the licensing, registration, compliance, and other authorities contained in section 38 of the Arms Export Control Act (22 U.S.C. 2778), should provide up-to-date training and other educational assistance to small businesses in the United States aerospace and defense industrial sector.

(b) **SMALL BUSINESS LIAISON.**—Not later than 180 days after the date of the enactment of this Act, the Secretary shall designate, within the Office of Defense Trade Controls of the Department of State, a coordinator for small business affairs. The coordinator shall serve as a liaison for small businesses in the United States aerospace and defense industrial sector with respect to licensing and registration requirements in order to facilitate the compliance and other forms of participation by such small businesses in the United States munitions control system, including by providing training, technical assistance, and through other efforts as may be appropriate.

**SEC. 727. COMMERCIAL COMMUNICATIONS SATELLITE TECHNICAL DATA.**

Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of Defense, shall amend the International Traffic in Arms Regulations to provide for the export without a license of communications satellite technical data, at a level established by the Secretary of Defense, in instances in which—

(1) the exporter is a person registered under section 38(b) of the Arms Export Control Act (22 U.S.C. 2778(b));

(2) the purpose of the export is to market a sale of a United States manufactured communications satellite solely for commercial or civil end use;

(3) no party to the transaction is proscribed under section 126.1 of the Regulations or otherwise restricted from receiving United States defense articles; and

(4) each end user or recipient has agreed in writing not to reexport or retransfer the United States furnished technical data to any other person without the prior written consent of the United States Government.

**SEC. 728. REPORTING REQUIREMENT FOR UNLICENSED EXPORTS.**

Section 655(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2415(b)) is amended—

(1) in paragraph (2), by striking “or” at the end;

(2) in paragraph (3), by striking the period at the end and inserting “; or”; and

(3) by adding at the end the following: “(4) were exported without a license under section 38 of the Arms Export Control Act (22 U.S.C. 2778) pursuant to an exemption established under the International Traffic in Arms Regulations, other than defense articles exported in furtherance of a letter of offer and acceptance under the Foreign Military Sales program or a technical assistance or manufacturing

license agreement, including the specific exemption provision in the regulation under which the export was made.”.

**Subtitle D—Terrorist-Related Provisions and Enforcement Matters**

**SEC. 731. SENSITIVE TECHNOLOGY TRANSFERS TO FOREIGN PERSONS LOCATED WITHIN THE UNITED STATES.**

(a) WEAPONS TRANSFERS.—Pursuant to regulations issued under section 38(g)(6) of the Arms Export Control (22 U.S.C. 2778(g)(6)), the President shall require a license for the transfer of any defense articles and defense services, other than a firearm for personal use, specified in a report required under subsection (c) to a foreign person located within the United States (other than to a foreign government, unless such government is proscribed under section 126.1 of the International Traffic in Arms Regulations or otherwise restricted from receiving defense articles and defense services).

(b) DUAL USE TRANSFERS.—Notwithstanding any other provision of law, the President may require a license under the Export Administration Regulations for the transfer of any dual use goods and technology, other than a firearm for personal use, specified in a report required under subsection (c) to a foreign person located within the United States.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary of State, in consultation with the Attorney General and the Secretary of Homeland Security, shall submit to the appropriate congressional committees a report that specifies those items which warrant scrutiny and enforcement by the Government of the United States through license procedures prior to a transfer to a foreign person located within the United States in order to deter efforts on the part of such person to acquire such items for terrorist or other unlawful purposes.

**SEC. 732. CERTIFICATION CONCERNING EXEMPT WEAPONS TRANSFERS ALONG THE NORTHERN BORDER OF THE UNITED STATES.**

Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary of State, in consultation with the Secretary of Homeland Security, shall submit to the appropriate congressional committees a written report certifying that—

(1) provisions of the International Traffic in Arms Regulations permitting unlicensed temporary imports into the United States from Canada by any person of any unclassified defense article on the United States Munitions List do not present a risk to the national security of the United States; and

(2) personnel of the Bureau of Customs and Border Protection of the Department of Homeland Security located along the northern border of the United States have adequate written guidance from the Department of State which permits them to effectively enforce provisions of the International Traffic in Arms Regulations permitting unlicensed exports to Canada of certain items on the United States Munitions List.

**SEC. 733. COMPREHENSIVE NATURE OF UNITED STATES ARMS EMBARGOES.**

(a) FINDINGS; SENSE OF CONGRESS.—

(1) FINDINGS.—Congress finds that—

(A) governments to which the Government of the United States prohibits by law or policy the transfer of implements of war, including material, components, parts, and other defense articles and defense services (as defined in paragraphs (3) and (4) of section 47 of the Arms Export Control Act (22 U.S.C. 2794(3) and (4)), respectively) continue to seek to evade these embargoes through increasingly sophisticated illegal acquisitions via the “international gray arms market” and by seeking to exploit weaknesses in the export control system of the United States and its friends and allies; and

(B) the strict and comprehensive application of arms embargoes referred to in subparagraph

(A), including those embargoes established by the United Nations Security Council, is of fundamental importance to the security and foreign policy interests of the United States.

(2) SENSE OF CONGRESS.—It is the sense of Congress that the United States Government should continue to provide a leadership role internationally in ensuring the effectiveness of arms embargoes referred to in paragraph (1).

(b) SCOPE OF EMBARGOES.—Section 38 of the Arms Export Control Act (22 U.S.C. 2778) is amended by adding at the end the following:

“(k) Whenever the United States maintains an arms embargo pursuant to United States law, or through public notice by the President or Secretary of State pursuant to the authorities of this Act, no defense article or defense service subject to sections 120–130 of title 22, Code of Federal Regulations (commonly known as the ‘International Traffic in Arms Regulations’) and no dual use good or technology subject to sections 730–774 of title 15, Code of Federal Regulations (commonly known as the ‘Export Administration Regulations’) shall be sold or transferred to the military, intelligence or other security forces of the embargoed government, including any associated governmental agency, subdivision, entity, or other person acting on their behalf, unless, at a minimum and without prejudice to any additional requirements established in United States law or regulation, the Secretary of State and the Secretary of Defense have concurred in the sale or transfer through issuance of a license.”.

(c) ESTABLISHMENT OF CONTROLS.—The Secretary of State shall consult with the Secretary of Commerce to ensure the establishment of appropriate foreign policy and national security controls and license requirements under the Export Administration Regulations in order to ensure the effective implementation of section 38(k) of the Arms Export Control Act, as added by subsection (b).

(d) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report that describes the actions taken to implement the requirements of subsection (c).

**SEC. 734. CONTROL OF ITEMS ON MISSILE TECHNOLOGY CONTROL REGIME ANNEX.**

(a) SENSE OF CONGRESS.—It is the sense of Congress that all proposals to export or transfer to foreign persons by other means, whether in the United States or abroad, and any other activities subject to regulation under section 38, 39, or 40 of the Arms Export Control Act (22 U.S.C. 2778, 2779, or 2780), relating to items on the Missile Technology Control Regime Annex, should be accorded stringent control and scrutiny consistent with the purposes of section 71 of the Arms Export Control Act (22 U.S.C. 2797).

(b) CONTROL OF ITEMS ON MTCR ANNEX.—The Secretary of State, in coordination with the Secretary of Commerce, the Attorney General, and the Secretary of Defense, shall ensure that all items on the MTCR Annex are subject to stringent control by the Government of the United States pursuant to the International Traffic in Arms Regulations and the Export Administration Regulations.

(c) CERTIFICATION.—Not later than March 1 of each year, the Secretary of State, in coordination with the Secretary of Commerce, the Attorney General and the Secretary of Defense, shall submit to the appropriate congressional committees a report that contains—

(1) a certification that the requirement of subsection (b) has been met for the prior year, or if the requirement has not been met, the reasons therefor; and

(2) a description of the updated coverage, if any, of the regulations referred to in subsection (b) with respect to all items on the MTCR Annex and an explanation of any areas of overlap or omissions, if any, among the regulations.

**SEC. 735. UNLAWFUL USE OF UNITED STATES DEFENSE ARTICLES.**

(a) INELIGIBILITY FOR TERRORIST RELATED TRANSACTIONS.—Section 3(c)(1) of the Arms Export Control Act (22 U.S.C. 2753(c)(1)) is amended—

(1) in each of subparagraphs (A) and (B), by striking “or any predecessor Act,” and inserting “any predecessor Act, or licensed or approved under section 38 of this Act, to carry out a transaction with a country, the government of which the Secretary of State has determined is a state sponsor of international terrorism for purposes of section 6(j)(1) of the Export Administration Act of 1979 (50 U.S.C. App. 2405(j)(1)), or otherwise uses such defense articles or defense services”; and

(2) by adding at the end the following:

“(C) In this section, the term ‘transaction’ means the taking of any action, directly or indirectly, by a foreign country that would be a transaction prohibited by section 40 of this Act with respect to the United States Government and United States persons.”.

(b) REPORTING REQUIREMENT.—Section 3(e) of the Arms Export Control Act (22 U.S.C. 2753(e)) is amended by inserting after “the Foreign Assistance Act of 1961,” the following: “regardless of whether the article or service has been sold or otherwise furnished by the United States Government or licensed under section 38 of this Act.”.

**Subtitle E—Strengthening United States Missile Nonproliferation Law**

**SEC. 741. PROBATIONARY PERIOD FOR FOREIGN PERSONS.**

(a) IN GENERAL.—Notwithstanding any other provision of law, upon the expiration, or the granting of a waiver, on or after January 1, 2003, of sanctions against a foreign person imposed under section 73(a) of the Arms Export Control Act (22 U.S.C. 2797b(a)) or under section 11B(b)(1) of the Export Administration Act of 1979 (50 U.S.C. App. 2410b(b)(1)), as continued in effect under the International Emergency Economic Powers Act, a license shall be required, for a period of not less than three years, for the export to that foreign person of all items controlled for export under section 5 or 6 of the Export Administration Act of 1979 (50 U.S.C. App. 2404, 2405), as continued in effect under the International Emergency Economic Powers Act, in accordance with the Export Administration Regulations.

(b) TERMINATION.—Subsection (a) shall not apply to a foreign person 30 days after the President notifies the Committee on International Relations of the House of Representatives and the Committee on Banking, Housing and Urban Affairs and the Committee on Foreign Relations of the Senate that the President has determined that—

(1) the foreign person has—

(A) ceased all activity related to the original imposition of sanctions under section 73(a) of the Arms Export Control Act or section 11B(b)(1) of the Export Administration Act of 1979, as the case may be; and

(B) has instituted a program of transparency measures under which the United States will be able to verify, for a period of at least 3 years, that the foreign person is not engaging in prohibited activities under those provisions of law referred to in paragraph (1); and

(2) there has been an appropriate resolution of the original violation or violations, such as financial penalties, incarceration, destruction of prohibited items, or other appropriate measures taken to prevent a recurrence of the violation or violations.

(c) WAIVER.—Subsection (a) shall not apply to a foreign person if—

(1) the President issues a waiver of sanctions imposed upon that person under section 73(a) of the Arms Export Control Act or under section 11B(b)(1) of the Export Administration Act of 1979, on the basis that the waiver is essential to the national security of the United States;

(2) the President designates the waiver as classified information (as defined in section 606 of the National Security Act of 1947 (50 U.S.C. 426); and

(3) the President transmits to the committees referred to in subsection (b)—

(A) a justification for designating the waiver as classified information; and

(B) a description of—

(i) any discussions with the foreign person, concerning the activities that were the subject of the sanctions, that have been conducted by United States Government officials, or by officials of the government of the country that has jurisdiction over the foreign person or in which the foreign person conducted such activities; and

(ii) any actions that the foreign person, or the government of the country that has jurisdiction over the foreign person or in which the foreign person conducted the activities that were the subject of the sanctions, has taken to prevent a recurrence of the same or similar activities.

**SEC. 742. STRENGTHENING UNITED STATES MISSILE PROLIFERATION SANCTIONS ON FOREIGN PERSONS.**

(a) **ARMS EXPORT CONTROL ACT.**—Section 73(a)(2) of the Arms Export Control Act (22 U.S.C. 2797b(a)(2)) is amended by striking “2 years” each place it appears and inserting “4 years”.

(b) **PUBLIC INFORMATION.**—Section 73(e)(2) of the Arms Export Control Act (22 U.S.C. 2797b(e)(2)) is amended by adding at the end the following new sentences: “Such report may be classified only to the extent necessary to protect intelligence sources and methods. If the report is so classified, the President shall make every effort to acquire sufficient alternative information that would allow a subsequent unclassified version of the report to be issued.”.

(c) **EXPORT ADMINISTRATION ACT OF 1979.**—Any sanction imposed on a foreign person under section 11B(b)(1) of the Export Administration Act of 1979 (50 U.S.C. App. 2410b(b)(1)), as continued in effect under the International Emergency Economic Powers Act, shall be in effect for a period of four years beginning on the date on which the sanction was imposed.

(d) **APPLICABILITY.**—The amendments made by subsections (a) and (b) and the provisions of subsection (c) shall apply to all sanctions imposed under section 73(a) of the Arms Export Control Act or section 11B(b)(1) of the Export Administration Act of 1979, as continued in effect under the International Emergency Economic Powers Act, by reason of acts giving rise to such sanctions that were committed by foreign persons on or after January 1, 2004.

**SEC. 743. COMPREHENSIVE UNITED STATES MISSILE PROLIFERATION SANCTIONS ON ALL RESPONSIBLE FOREIGN PERSONS.**

(a) **ARMS EXPORT CONTROL ACT.**—Section 73(a) of the Arms Export Control Act (22 U.S.C. 2797b(a)) is amended by adding at the end the following new paragraph:

“(3)(A) Sanctions imposed upon a foreign person under paragraph (2) shall also be imposed on any governmental entity that the President determines exercises effective control over, benefits from, or directly or indirectly facilitates the activities of that foreign person.

“(B) When a sanction is imposed on a foreign person under paragraph (2), the President may also impose that sanction on any other person or entity that the President has reason to believe has or may acquire prohibited items with the intent to transfer to that foreign person, or provide to that foreign person access to, such items. In this subparagraph, ‘prohibited items’ are items that may not be exported to that foreign person on account of the sanction imposed on that foreign person.

“(C) The President may also prohibit, for such period of time as the President may determine, any transaction or dealing, by a United States person or within the United States, with any foreign person, with any

foreign person on whom sanctions have been imposed under this subsection.

“(D) The President shall report on an annual basis to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate the identity of any foreign person that engages in any transaction or activity with a foreign person on whom sanctions have been imposed under this subsection that either—

“(i) would be the basis for imposing sanctions under subparagraph (B) but for which sanctions have not been imposed; or

“(ii) would be the basis for imposing sanctions under subparagraph (C) if the transaction or activity had been carried out by a United States person or by a person in the United States.

Such report shall be unclassified to the maximum extent feasible, but may include a classified annex.”.

(b) **DEFINITION OF PERSON.**—Section 74(a)(8)(B) of the Arms Export Control Act (22 U.S.C. 2797c(a)(8)(A)) is amended to read as follows:

“(8)(A) The term ‘person’ means—

“(i) a natural person;

“(ii) a corporation, business association, partnership, society, trust, transnational corporation, or transnational joint venture, any other nongovernmental entity, organization, or group, and any governmental entity;

“(iii) any subsidiary, subunit, or parent entity of any business enterprise or other organization or entity listed in clause (ii); and

“(iv) any successor of any business enterprise or other organization or entity listed in clause (ii) or (iii); and”.

(c) **EXPORT ADMINISTRATION ACT OF 1979.**—

(1) **SANCTIONS IMPOSED ON GOVERNMENTAL ENTITIES.**—Any sanction imposed on a foreign person under section 11B(b)(1)(B) of the Export Administration Act of 1979 (50 U.S.C. App. 2410b(b)(1)(B)), as continued in effect under the International Emergency Economic Powers Act (in this subsection referred to as a “dual use sanction”), shall also be imposed on any governmental entity that the President determines exercises effective control over, benefits from, or directly or indirectly facilitates the activities of that foreign person.

(2) **OTHER ENTITIES.**—When a dual use sanction is imposed on a foreign person, the President may also impose that sanction on any other person or entity that the President has reason to believe has or may acquire prohibited items with the intent to transfer to that foreign person, or provide to that foreign person access to, such items. In this paragraph, “prohibited items” are items that may not be exported to that foreign person on account of the dual use sanction imposed on that foreign person.

(3) **TRANSACTIONS BY THIRD PARTIES.**—The President may also prohibit, for such period of time as he may determine, any transaction or dealing, by a United States person or within the United States, with any foreign person on whom dual use sanctions have been imposed.

(4) **REPORT.**—The President shall submit on an annual basis to the Committee on International Relations of the House of Representatives and the Committee on Banking, Housing and Urban Affairs and the Committee on Foreign Relations of the Senate a report that contains the identity of any foreign person that engages in any transaction or activity with a foreign person on whom dual use sanctions have been imposed that either—

(A) would be the basis for imposing dual use sanctions under paragraph (2) but for which such sanctions have not been imposed; or

(B) would be the basis for imposing dual use sanctions under paragraph (3) if the transaction or activity had been carried out by a United States person or by a person in the United States.

Such report shall be unclassified to the maximum extent feasible, but may include a classified annex.

(5) **DEFINITIONS.**—In this subsection:

(A) **MISSILE EQUIPMENT OR TECHNOLOGY.**—The term “missile equipment or technology” has the meaning given that term in section 11B(c) of the Export Administration Act of 1979 (50 U.S.C. App. 2410b(c)).

(B) **PERSON.**—

(i) The term “person” means—

(I) a natural person;

(II) a corporation, business association, partnership, society, trust, transnational corporation, or transnational joint venture, any other nongovernmental entity, organization, or group, and any governmental entity;

(III) any subsidiary, subunit, or parent entity of any business enterprise or other organization or entity listed in subclause (II); and

(IV) any successor of any business enterprise or other organization or entity listed in subclause (II) or (III).

(ii) In the case of countries where it may be impossible to identify a specific governmental entity referred to in clause (i), the term “person” means—

(I) all activities of that government relating to the development or production of any missile equipment or technology; and

(II) all activities of that government affecting the development or production of aircraft, electronics, and space systems or equipment.

(C) **UNITED STATES PERSON.**—The term “United States person” has the meaning given that term in section 16(2) of the Export Administration Act of 1979 (50 U.S.C. App. 2415(2)).

(d) **EFFECTIVE DATE.**—The amendments made by subsections (a) and (b) shall apply with respect to sanctions imposed on or after January 1, 2004, on foreign persons under section 73(a)(2) of the Arms Export Control Act, and the provisions of subsection (c) shall apply with respect to sanctions imposed on or after January 1, 2004, on foreign persons under section 11B(b)(1) of the Export Administration Act of 1979 (50 U.S.C. App. 2410b(b)(1)), as continued in effect under the International Emergency Economic Powers Act.

**Subtitle F—Security Assistance and Related Provisions**

**SEC. 751. AUTHORITY TO TRANSFER NAVAL VESSELS TO CERTAIN FOREIGN COUNTRIES.**

(a) **AUTHORITY TO TRANSFER BY GRANT.**—The President is authorized to transfer vessels to foreign countries on a grant basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j), as follows:

(1) **GREECE.**—To the Government of Greece, the OSPREY class minehunter coastal ship PELICAN (MHC-53).

(2) **EGYPT.**—To the Government of Egypt, the OSPREY class minehunter coastal ships CARDINAL (MHC-60) and RAVEN (MHC-61).

(3) **PAKISTAN.**—To the Government of Pakistan, the SPRUANCE class destroyer ship FLETCHER (DD-992).

(4) **TURKEY.**—To the Government of Turkey, the SPRUANCE class destroyer ship CUSHING (DD-985).

(b) **AUTHORITY TO TRANSFER BY SALE.**—The President is authorized to transfer vessels to foreign countries on a sale basis under section 21 of the Arms Export Control Act (22 U.S.C. 2761), as follows:

(1) **INDIA.**—To the Government of India, the AUSTIN class amphibious transport dock ship TRENTON (LPD-14).

(2) **GREECE.**—To the Government of Greece, the OSPREY class minehunter coastal ship HERON (MHC-52).

(3) **TURKEY.**—To the Government of Turkey, the SPRUANCE class destroyer ship O'BANNON (DD-987).

(c) **GRANTS NOT COUNTED IN ANNUAL TOTAL OF TRANSFERRED EXCESS DEFENSE ARTICLES.**—The value of a vessel transferred to another country on a grant basis pursuant to authority provided by subsection (a) shall not be counted

against the aggregate value of excess defense articles transferred to countries in any fiscal year under section 516(g) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(g)).

(d) COSTS OF TRANSFERS.—Any expense incurred by the United States in connection with a transfer authorized under subsection (a) or (b) shall be charged to the recipient.

(e) REPAIR AND REFURBISHMENT IN UNITED STATES SHIPYARDS.—To the maximum extent practicable, the President shall require, as a condition of the transfer of a vessel under this section, that the country to which the vessel is transferred have such repair or refurbishment of the vessel as is needed, before the vessel joins the naval forces of that country, performed at a shipyard located in the United States, including a United States Navy shipyard.

(f) EXPIRATION OF AUTHORITY.—The authority to transfer a vessel under this section shall expire at the end of the two-year period beginning on the date of the enactment of this Act.

**SEC. 752. TRANSFER OF OBSOLETE AND SURPLUS ITEMS FROM KOREAN WAR RESERVES STOCKPILE AND REMOVAL OR DISPOSAL OF REMAINING ITEMS.**

(a) TRANSFER OF ITEMS IN KOREAN STOCKPILE.—

(1) AUTHORITY.—Notwithstanding section 514 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h), the President is authorized to transfer to the Republic of Korea, in return for concessions to be negotiated by the Secretary of Defense, any or all of the items described in paragraph (2).

(2) COVERED ITEMS.—The items referred to in paragraph (1) are munitions, equipment, and materiel such as tanks, trucks, artillery, mortars, general purpose bombs, repair parts, barrier material, and ancillary equipment, if such items are—

(A) obsolete or surplus items;

(B) in the inventory of the Department of Defense;

(C) intended for use as reserve stocks for the Republic of Korea; and

(D) as of the date of the enactment of this Act, located in a stockpile in the Republic of Korea.

(3) VALUATION OF CONCESSIONS.—(A) The value of concessions negotiated pursuant to paragraph (1) shall be at least equal to—

(i) the fair market value of the items transferred; minus

(ii) the savings to the Department of Defense of the cost of removal of the items from the Republic of Korea and disposal of the items that would have been incurred by the Department but for the transfer of the items pursuant to paragraph (1), not to exceed the fair market value of the items transferred.

(B) The concessions may include cash compensation, service, waiver of charges otherwise payable by the United States, such as charges for demolition of United States-owned or United States-intended munitions, and other items of value.

(4) PRIOR NOTIFICATIONS OF PROPOSED TRANSFERS.—Not less than 30 days before making a transfer under the authority of this subsection, the President shall transmit to the Committees on Armed Services and International Relations of the House of Representatives and the Committees on Armed Services and Foreign Relations of the Senate a detailed notification of the proposed transfer, which shall include an identification of the items to be transferred and the concessions to be received.

(5) TERMINATION OF AUTHORITY.—No transfer may be made under the authority of this subsection more than three years after the date of the enactment of this Act.

(b) REMOVAL OR DISPOSAL OF REMAINING ITEMS IN KOREAN STOCKPILE.—The President shall provide for the removal or disposal of all items described in subsection (a)(2) that are not transferred pursuant to the authority of subsection (a) by not later than four years after the date of the enactment of this Act.

**SEC. 753. EXTENSION OF PAKISTAN WAIVERS.**

The Act entitled “An Act to authorize the President to exercise waivers of foreign assistance restrictions with respect to Pakistan through September 30, 2003, and for other purposes”, approved October 27, 2001 (Public Law 107-57; 115 Stat. 403), is amended—

(1) in section 1(b)—

(A) in the heading, by striking “FISCAL YEARS 2005 AND 2006” and inserting “FISCAL YEARS 2006 AND 2007”; and

(B) in paragraph (1), by striking “2005 or 2006” and inserting “2006 or 2007”;

(2) in section 3(2), by striking “and 2006” and inserting “2006, and 2007”; and

(3) in section 6, by striking “2006” and inserting “2007”.

**SEC. 754. REPORTING REQUIREMENT FOR FOREIGN MILITARY TRAINING.**

Subsection (a)(1) of section 656 of the Foreign Assistance Act of 1961 (22 U.S.C. 2416) is amended—

(1) by striking “January 31” and inserting “March 1”; and

(2) by striking “and all such training proposed for the current fiscal year”.

**SEC. 755. CERTAIN SERVICES PROVIDED BY THE UNITED STATES IN CONNECTION WITH FOREIGN MILITARY SALES.**

(a) QUALITY ASSURANCE, INSPECTION, CONTRACT ADMINISTRATION, AND CONTRACT AUDIT DEFENSE SERVICES.—Section 21(h)(1)(A) of the Arms Export Control Act (22 U.S.C. 2761(h)(1)(A)) is amended by inserting after “North Atlantic Treaty Organization” the following: “or the Governments of Australia, New Zealand, Japan, or Israel”.

(b) CATALOGING DATA AND SERVICES.—Section 21(h)(2) of the Arms Export Control Act (22 U.S.C. 2761(h)(2)) is amended by striking “or to any member government of that Organization if that Organization or member government” and inserting “, to any member of that Organization, or to the Governments of Australia, New Zealand, Japan, or Israel if that Organization, member government, or the Governments of Australia, New Zealand, Japan, or Israel”.

**SEC. 756. MARITIME INTERDICTION PATROL BOATS FOR MOZAMBIQUE.**

(a) IN GENERAL.—Of the amounts made available to carry out section 23 of the Arms Export Control Act for fiscal year 2006, there is authorized to be appropriated \$1,000,000 for refurbishment, delivery, operational training, and related costs associated with the provision of not more than four excess coastal patrol boats to the Government of Mozambique for maritime patrol and interdiction activities.

(b) AVAILABILITY.—Amounts appropriated pursuant to the authorization of appropriations under subsection (a) are authorized to remain available until September 30, 2007.

**SEC. 757. REIMBURSEMENT FOR INTERNATIONAL MILITARY EDUCATION AND TRAINING.**

Section 541 of the Foreign Assistance Act of 1961 (22 U.S.C. 2347) is amended—

(1) in the first sentence, by striking “The President” and inserting “(a) The President”; and

(2) by adding at the end the following new subsection:

“(b) The President shall seek reimbursement for military education and training furnished under this chapter from countries using assistance under section 23 of the Arms Export Control Act (22 U.S.C. 2763; relating to the the Foreign Military Financing Program) to purchase such military education and training at a rate comparable to the rate charged to countries receiving grant assistance for military education and training under this chapter.”.

**TITLE VIII—NUCLEAR BLACK MARKET ELIMINATION ACT**

**SEC. 801. SHORT TITLE.**

This title may be cited as the “Nuclear Black Market Elimination Act of 2005”.

**Subtitle A—Sanctions for Transfers of Nuclear Enrichment, Reprocessing, and Weapons Technology, Equipment and Materials Involving Foreign Persons and Terrorists**

**SEC. 811. AUTHORITY TO IMPOSE SANCTIONS ON FOREIGN PERSONS.**

(a) DETERMINATION OF NUCLEAR ACTIVITIES BY FOREIGN PERSONS.—Notwithstanding any other provision of law, the President is authorized to impose any or all of the sanctions described in subsection (b) whenever the President determines that a foreign person participated, on or after the date of the enactment of this Act, in the export, transfer or trade of—

(1) nuclear enrichment or reprocessing equipment, materials, or technology to any non-nuclear-weapon state (as defined in section 102(c) of the Arms Export Control Act) that—

(A) does not possess functioning nuclear enrichment or reprocessing plants as of January 1, 2004; and

(B)(i) does not have in force an additional protocol with the International Atomic Energy Agency for the application of safeguards (as derived from IAEA document INFCIRC/540 and related corrections and additions); or

(ii) is developing, manufacturing, or acquiring a nuclear explosive device; or

(2) any nuclear explosive device, or design information or component, equipment, materials, or other items or technology that—

(A) is designated for national export controls under the Nuclear Supplier Group Guidelines for the Export of Nuclear Material, Equipment and Technology (published by the International Atomic Energy Agency as IAEA document INFCIRC/254/Rev. 6/Part 1 and subsequent revisions) and the Guidelines for Transfers of Nuclear-Related Dual-Use Equipment, Material, and Related Technology (published as IAEA document INFCIRC/254/Rev. 5/ Part 2 and subsequent revisions); and

(B) contributes to the development, manufacture, or acquisition of a nuclear explosive device by—

(i) a nonnuclear weapon state; or

(ii) a foreign person.

(b) SANCTIONS.—The sanctions referred to in subsection (a) that are to be imposed on a foreign person are the following:

(1) No assistance may be provided to the foreign person under the Foreign Assistance Act of 1961, and the foreign person may not participate in any assistance program of the United States Government. Any such assistance being provided to the foreign person, and any participation in such assistance program by the foreign person, on the date on which the sanction under this paragraph is imposed, shall be terminated as of such date.

(2) The United States Government may not sell any defense articles, defense services, or design or construction services to the foreign person under the Foreign Assistance Act of 1961 or the Arms Export Control Act, and any contract to sell such articles or services, under either such Act, that is in effect on the date on which the sanction under this paragraph is imposed, shall be terminated as of such date.

(3) Licenses or any other approval may not be issued to the foreign person for the export or import of any defense articles or defense services under the Arms Export Control Act or its implementing regulations. Any such license or approval that is in effect on the date on which the sanction under this paragraph is imposed, shall be terminated as of such date.

(4) Licenses or any other approval may not be issued to the foreign person for the export of any goods or technology subject to the jurisdiction of the Export Administration Regulations under chapter VII of title 15, Code of Federal Regulations (or successor regulations), other than food and other agricultural commodities, medicines and medical equipment. Any such license or approval that is in effect on the date on which the sanction under this paragraph is imposed, shall be terminated as of such date.

(c) PERIOD SANCTIONS IN EFFECT.—The sanctions referred to in subsection (b) should be imposed for not less than two years, but may be imposed for longer periods. The President may suspend after one year any sanction imposed pursuant to this section 15 days after submitting to the appropriate congressional committees a report explaining—

(1) the reasons for modifying or terminating the sanction;

(2) how the purposes of this Act and United States national security are furthered by such modification or termination; and

(3) what measures the United States will take or is taking to ensure that the foreign person will not engage in similar activities in the future.

#### SEC. 812. PRESIDENTIAL NOTIFICATION ON ACTIVITIES OF FOREIGN PERSONS.

(a) REPORTS TO CONGRESS.—Not later than 180 days after enactment of this Act and no later than January 31 of each year thereafter, the President shall submit to the appropriate congressional committees a report detailing any activity by any foreign person described in section 811. This report shall also include a description of any sanctions that have been imposed and their duration.

(b) PUBLICATION.—When the President imposes sanctions under section 811, the President shall, to the maximum extent unclassified, publish in the Federal Register, not later than 15 days after reporting such sanctions to the appropriate congressional committees under subsection (a), the identity of each sanctioned foreign person, the period for which sanctions will be in effect, and the reasons for the sanctions.

#### Subtitle B—Further Actions Against Corporations Associated With Sanctioned Foreign Persons

##### SEC. 821. FINDINGS.

The Congress finds the following:

(1) Foreign persons and corporations engaging in nuclear black-market activities are motivated by reasons of commercial gain and profit.

(2) Sanctions targeted solely against the business interests of the sanctioned person or business concern may be unsuccessful in halting these proliferation activities, as the sanctions may be seen merely as the cost of doing business, especially if the business interests of the parent or subsidiary corporate entities are unaffected by the sanctions.

(3) Such narrow targeting of sanctions creates the incentive to create shell and “carve-out” corporate entities to perform the proliferation activities and attract sanctions, leaving all other aspects of the larger corporation unaffected.

(4) To dissuade corporations from allowing their associated commercial entities or persons from engaging in proliferation black-market activities, they must also be made to suffer financial loss and commercial disadvantage, and parent and subsidiary commercial enterprises must be held responsible for the proliferation activities of their associated entities.

(5) If a corporation perceives that the United States Government will do everything possible to make its commercial activity difficult around the world, then that corporation has a powerful commercial incentive to prevent any further proliferation activity by its associated entities.

(6) Therefore, the United States Government should seek to increase the risk of commercial loss for associated corporate entities for the proliferation actions of their subsidiaries.

#### SEC. 822. CAMPAIGN BY UNITED STATES GOVERNMENT OFFICIALS.

The President shall instruct all agencies of the United States Government to make every effort in their interactions with foreign government and business officials to persuade foreign governments and relevant corporations not to engage in any business transaction with a foreign person sanctioned under section 811, including any parent or subsidiary of the sanc-

tioned foreign person, for the duration of the sanctions.

#### SEC. 823. COORDINATION.

The Secretary of State shall coordinate the actions of the United States Government under section 822.

#### SEC. 824. REPORT.

Not later than one year after the date of the enactment of this Act and annually thereafter, the Secretary of State shall report to the appropriate congressional committees on the actions taken by the United States to carry out section 822.

#### Subtitle C—Incentives for Proliferation Interdiction Cooperation

#### SEC. 831. AUTHORITY TO PROVIDE ASSISTANCE TO COOPERATIVE COUNTRIES.

The President is authorized to provide, on such terms as the President considers appropriate, assistance under section 832 to any country that cooperates with the United States and with other countries allied with the United States to prevent the transport and transshipment of items of proliferation concern in its national territory or airspace or in vessels under its control or registry.

#### SEC. 832. TYPES OF ASSISTANCE.

The assistance authorized under section 831 is the following:

(1) Assistance under section 23 of the Arms Export Control Act.

(2) Assistance under chapters 4 and 5 of part II of the Foreign Assistance Act of 1961.

(3) Drawdown of defense equipment and services under section 516 of the Foreign Assistance Act of 1961.

#### SEC. 833. CONGRESSIONAL NOTIFICATION.

Assistance authorized under this subtitle may not be provided until at least 30 days after the date on which the President has provided notice thereof to the appropriate congressional committees, in accordance with the procedures applicable to reprogramming notifications under section 634A(a) of the Foreign Assistance Act of 1961.

#### SEC. 834. LIMITATION.

Assistance may be provided to a country under section 831 in no more than three fiscal years.

#### SEC. 835. USE OF ASSISTANCE.

To the extent practicable, assistance provided under this subtitle shall be used to enhance the capability of the recipient country to prevent the transport and transshipment of items of proliferation concern in its national territory or airspace, or in vessels under its control or registry, including through the development of a legal framework in that country to enhance such capability by criminalizing proliferation, enacting strict export controls, and securing sensitive materials within its borders.

#### SEC. 836. LIMITATION ON SHIP OR AIRCRAFT TRANSFERS TO UNCOOPERATIVE COUNTRIES.

Notwithstanding any other provision of law, the United States may not transfer any excess defense article that is a vessel or an aircraft to a country that has not agreed that it will support and assist efforts by the United States to interdict items of proliferation concern until thirty days after the date on which the President has provided notice of the proposed transfer to the appropriate congressional committees in accordance with the procedures applicable to reprogramming notifications under section 634A(a) of the Foreign Assistance Act of 1961, in addition to any other requirement of law.

#### Subtitle D—Rollback of Nuclear Proliferation Networks

#### SEC. 841. NONPROLIFERATION AS A CONDITION OF UNITED STATES ASSISTANCE.

United States foreign assistance should only be provided to countries that—

(1) are not cooperating with any non-nuclear weapon state or any foreign group or individual who may be engaged in, planning, or assisting

international terrorism in the development of a nuclear explosive device or its means of delivery and are taking all necessary measures to prevent their nationals and other persons and entities subject to their jurisdiction from participating in such cooperation; and

(2) are fully and completely cooperating with the United States in its efforts to eliminate nuclear black-market networks or activities.

#### SEC. 842. REPORT ON IDENTIFICATION OF NUCLEAR PROLIFERATION NETWORK HOST COUNTRIES.

##### (a) REPORT.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act and annually thereafter, the President shall submit a report to the appropriate congressional committees that—

(A) identifies any country in which manufacturing, brokering, shipment, transshipment, or other activity occurred in connection with the transactions of the nuclear proliferation network that supplied Libya, Iran, North Korea, and possibly other countries or entities, and

(B) includes any additional information with respect to any country and any other nuclear proliferation networks or activities and the foreign persons believed to be participating therein, including any information relating to the participation of any foreign person in the export, transfer, or trade described in section 811.

(2) ADDITIONAL INFORMATION.—The report under paragraph (1) shall also include a description of the extent to which each country described in the report is, in the opinion of the President, fully cooperating with the United States in its efforts to eliminate the nuclear proliferation network described in paragraph (1)(A) and any other nuclear proliferation networks or activities. The President shall base the determination regarding a country's cooperation with the United States in part on the degree to which the country has satisfied United States requests for assistance and information, including whether the United States has asked and been granted direct investigatory access to key persons involved in a nuclear proliferation network.

(b) CLASSIFICATION.—Reports under this section shall be unclassified to the maximum extent possible.

#### SEC. 843. SUSPENSION OF ARMS SALES LICENSES AND DELIVERIES TO NUCLEAR PROLIFERATION NETWORK HOST COUNTRIES.

(a) SUSPENSION.—Upon submission of the report and any additional information under section 842 to the appropriate congressional committees, the President shall suspend all licenses issued under the Arms Export Control Act, and shall prohibit any licenses to be issued under that Act, to any country described in the report or additional information, until such time as the President certifies to the appropriate congressional committees that such country—

(1)(A) has fully investigated or is fully investigating the activities of any person or entity within its territory that has participated in the nuclear proliferation network or activities; and

(B) has taken or is taking effective steps to permanently halt similar illicit nuclear proliferation or acquisition activities;

(2) has been or is fully cooperating with the United States and other appropriate international organizations in investigating and eliminating the nuclear proliferation network, any successor networks operating within its territory, or other illicit proliferation and acquisition activities; and

(3) has enacted or is enacting new laws, promulgated decrees or regulations, or established practices designed to prevent future such activities from occurring within its territory.

(b) WAIVER.—The President may waive the requirements of subsection (a) in a fiscal year if—

(1) the President has certified to the appropriate congressional committees that the waiver is important to the national security of the United States; and

(2) five days have elapsed since making the certification under paragraph (1).

#### Subtitle E—General Provisions

##### SEC. 851. DEFINITIONS.

In this title:

(1) **PARTICIPATED.**—The term “participated” means to have sold, transferred, brokered, financed, assisted, delivered or otherwise provided or received, and includes any conspiracy or attempt to participate in any of the preceding activities, as well as facilitating such activities by any other person.

(2) **FOREIGN PERSON.**—The term “foreign person” has the meaning provided in section 38(g)(9)(C) of the Arms Export Control Act (22 U.S.C. 2778(g)(9)(C)) and includes, for purposes of subsections (a) and (b) of section 811, successors, assigns, subsidiaries, and subunits and other business organizations or associations in which that person may be deemed to have a controlling interest.

(3) **EXCESS DEFENSE ARTICLE.**—The term “excess defense article” has the meaning given that term in section 644(g) of the Foreign Assistance Act of 1961 (22 U.S.C. 2403(g)).

(4) **ITEMS OF PROLIFERATION CONCERN.**—The term “items of proliferation concern” means any equipment, materials, or technology that could materially support the research, development, manufacturing, or acquisition by any means of a nuclear explosive device, a chemical or biological weapon, or missile with a payload of 500 kilograms or greater and with a range of 300 kilometers or greater.

(5) **PERSON.**—The term “person”—

(A) means a natural person as well as a corporation, business association, partnership, society, trust, any other nongovernmental entity, organization, or group, and any governmental entity, or subsidiary, subunit, or parent entity thereof, and any successor of any such entity; and

(B) in the case of a country where it may be impossible to identify a specific governmental entity referred to in subparagraph (A), means all activities of that government relating to the development or production of any nuclear equipment or technology.

(6) **UNITED STATES FOREIGN ASSISTANCE.**—The term “United States foreign assistance” means assistance under the foreign operations, export financing, and related programs appropriations Act for a fiscal year, and assistance under the Foreign Assistance Act of 1961.

#### TITLE IX—FOREIGN ASSISTANCE PROVISIONS

##### Subtitle A—Foreign Assistance Act of 1961 and Related Provisions

##### CHAPTER 1—PART I OF THE FOREIGN ASSISTANCE ACT OF 1961

##### SEC. 901. ASSISTANCE TO ESTABLISH CENTERS FOR THE TREATMENT OF OBSTETRIC FISTULA IN DEVELOPING COUNTRIES.

(a) **AMENDMENT.**—Section 104(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b(c)) is amended—

(1) by redesignating paragraph (4) as paragraph (5); and

(2) by inserting after paragraph (3) the following new paragraph:

“(4)(A) In carrying out the purposes of this subsection, the President is authorized to furnish assistance, on such terms and conditions as the President may determine, for the establishment and operation of not less than twelve centers for the treatment and prevention of obstetric fistula at appropriate sites in developing countries.

“(B) In selecting sites for the establishment of centers pursuant to subparagraph (A), the President should seek the consultation and advice of United States embassy officials, appropriate nongovernmental organizations, and local government officials in developing countries with high rates of obstetric fistula, with particular emphasis on countries in Africa.

“(C) Each center established pursuant to subparagraph (A) shall, to the maximum extent practicable, carry out the following activities:

“(i) The provision of surgery to repair obstetric fistula in women who do not otherwise have the resources to pay for such surgery and the provision of necessary post-surgery care and support for such women.

“(ii) Assistance related to surgery and post-surgery care and support described in clause (i), including the provision of transportation to and from the center for women in need of such transportation and the provision of necessary temporary shelter and food assistance to women in need of such shelter and food assistance.

“(iii) Activities to reduce the incidence of obstetric fistula, including the conduct of appropriate seminars and the dissemination of appropriate educational materials, such as brochures, pamphlets, and posters.

“(iv) Activities to expand access to contraception services for the prevention of pregnancies among women whose age or health status place them at high risk of prolonged or obstructed childbirth.

“(D) Each center established pursuant to subparagraph (A) shall, to the maximum extent practicable, ensure that women who suffer from obstetric fistula as a result of sexual abuse during conflicts or as a result of official abuse receive preference in receiving services described in clauses (i) and (ii) of subparagraph (C).

“(E) Not later than January 31, 2008, the President shall prepare and transmit to Congress a report on the implementation of this paragraph for fiscal years 2006 and 2007.

“(F) In this paragraph, the term ‘obstetric fistula’ means a rupture or hole in tissues surrounding a woman’s vagina, bladder, or rectum that occurs when the woman is in obstructed childbirth for a prolonged period of time without adequate medical attention.”.

(b) **FUNDING.**—Of the amounts made available for each of the fiscal years 2006 and 2007 to carry out sections 104 and 496 of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b and 2293), \$5,000,000 for each such fiscal year is authorized to be available to carry out section 104(c)(4) of such Act (as added by subsection (a)).

##### SEC. 902. SUPPORT FOR SMALL AND MEDIUM ENTERPRISES IN SUB-SAHARAN AFRICA.

Section 240 of the Foreign Assistance Act of 1961 (22 U.S.C. 2200) is amended by adding at the end the following:

##### “(C) SUPPORT FOR SMALL AND MEDIUM ENTERPRISES IN SUB-SAHARAN AFRICA.—

“(1) **SUPPORT.**—The Corporation is commended for its activities in support of the development of small and medium enterprises, and is encouraged to exercise its authorities to promote investments in financial institutions that are duly incorporated in sub-Saharan African countries, to the extent that the purpose of such investments is to expand investment and lending opportunities to small and medium enterprises that—

“(A) are substantially owned by nationals of sub-Saharan African countries; and

“(B) are engaged in domestic commerce or international trade in sectors such as housing, agriculture, fishing, textiles and apparel, tourism, electronics, technology, manufacturing, and services.

“(2) **CONSIDERATION.**—In making a determination to provide insurance and financing to financial institutions referred to in paragraph (1), the Corporation should take into consideration the extent to which a project establishes and implements a nondiscrimination in lending policy to prohibit discrimination based on ethnicity, sex, color, race, religion, physical disability, marital status, or age.

“(3) **TECHNICAL ASSISTANCE.**—In supporting a project referred to in paragraph (1), the Corporation may provide technical assistance to—

“(A) improve the quality of management of financial institutions referred to in paragraph (1)

to ensure the safety and stability of such institutions;

“(B) create in such financial institutions effective credit risk management systems to improve the quality of the assets of such institutions and the ability of such institutions to research and assess the overall credit risk of critical industries in the domestic economy; and

“(C) support effective credit risk management by developing internal credit rating systems and credit assessment tools that improve the ability of such financial institutions to evaluate individual credit worthiness and measure the overall amount of risk posed by the total number of borrowers.”.

##### SEC. 903. ASSISTANCE TO SUPPORT DEMOCRACY IN ZIMBABWE.

Of the amounts made available for each of the fiscal years 2006 and 2007 to carry out chapters 1 and 10 of part I of the Foreign Assistance Act of 1961 and chapter 4 of part II of such Act, \$12,000,000 for each such fiscal year is authorized to be available, consistent with the provisions of the Zimbabwe Democracy and Economic Recovery Act of 2001 (Public Law 107-99; 22 U.S.C. 2151 note), to support—

(1) the restoration of democratic legitimacy and foster a free and fair electoral process in Zimbabwe, particularly through legislative process training for members of Parliament;

(2) capacity building for civil society organizations to effectively provide information on the political process to citizens, defend the legal rights of minorities, women and youth, document the level of adherence by the Government of Zimbabwe to national and international civil and human rights standards, and monitor and report on the entire electoral process in Zimbabwe;

(3) organizational capacity-building training for political parties in Zimbabwe;

(4) poll watcher training for party and civil society election observers in Zimbabwe; and

(5) the reestablishment of independent media through overseas broadcasts and Internet sites.

##### SEC. 904. RESTRICTIONS ON UNITED STATES VOLUNTARY CONTRIBUTIONS TO THE UNITED NATIONS DEVELOPMENT PROGRAM.

(a) **LIMITATION.**—Of the amounts made available for each of fiscal years 2006 and 2007 for United States voluntary contributions to the United Nations Development Program, an amount equal to the amount the United Nations Development Program will spend in Burma during each fiscal year (including all funds administered by the United Nations Development Program in Burma) shall be withheld unless during such fiscal year the Secretary of State submits to the appropriate congressional committees the certification described in subsection (b).

(b) **CERTIFICATION.**—The certification referred to in subsection (a) is a certification by the Secretary that all programs and activities of the United Nations Development Program (including all programs and activities administered by the United Nations Development Program) in Burma—

(1) are focused on eliminating human suffering and addressing the needs of the poor;

(2) are undertaken only through international or private voluntary organizations that are independent of the State Peace and Development Council (SPDC) (formerly the State Law and Order Restoration Council or SLORC);

(3) provide no financial, political, or military benefit, including the provision of goods, services, or per diems, to the SPDC or any agency or entity of, or affiliated with, the SPDC, including any entity whose members are ineligible for admission to the United States by reason of such membership under any provision of section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a)) (including the Myanmar Maternal and Child Welfare Association (MMCWA), the Myanmar Council of Churches (MCC), the Myanmar Medical Association (MMA), the Myanmar Women Affairs Federation (MWAF),

and the Union of Solidarity Development Association (USDA); and

(4) are carried out only after consultation with the leadership of the National League for Democracy and the leadership of the National Coalition Government of the Union of Burma.

(5) REPORT.—Not later than 180 days after the date of the enactment of this Act and every 180 days thereafter during fiscal years 2006 and 2007, the Secretary shall submit to the appropriate congressional committees a report on—

(A) all programs and activities of the United Nations Development Program (including all programs and activities administered by the United Nations Development Program) in Burma; and

(B) all recipients and subrecipients of funds provided under such programs and activities.

**SEC. 905. ASSISTANCE FOR THE OFFICE OF THE POLICE OMBUDSMAN FOR NORTHERN IRELAND.**

Of the amounts made available for each of the fiscal years 2006 and 2007 to carry out section 481 of the Foreign Assistance Act of 1961 (22 U.S.C. 2291), \$100,000 for each such fiscal year is authorized to be available for—

(1) specialized investigative training, including training in the United States, of personnel of the Office of the Police Ombudsman for Northern Ireland; and

(2) advisory support to the Office of the Police Ombudsman for Northern Ireland for the development and strengthening of its investigative capacity in order to ensure that policing in Northern Ireland is carried out in compliance with internationally recognized human rights standards.

**SEC. 906. REPORT ON FOREIGN LAW ENFORCEMENT TRAINING AND ASSISTANCE.**

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

“(9)(A) A separate section on all foreign law enforcement training and assistance that is provided to foreign law enforcement personnel and other related governmental authorities by the Department of State, the Department of Defense, the Department of Justice, and the United States Agency for International Development during the previous fiscal year and all such training proposed for the current fiscal year.

“(B) The section on foreign law enforcement training and assistance shall include the following:

“(i) For each law enforcement training activity—

“(I) the purpose of the activity and the foreign policy justification for the activity;

“(II) the number of foreign law enforcement personnel who are provided training, their units of operation, and countries of origin;

“(III) the type of training activity;

“(IV) the location of the training activity;

“(V) the department or agency of the United States Government which is conducting the training, by unit or office; and

“(VI) the cost of the training activity and the specific budgetary account from which the cost is paid.

“(ii) For other law enforcement assistance—

“(I) the purpose of the assistance and the foreign policy justification for the assistance;

“(II) the type of assistance;

“(III) the department or agency of the United States Government which is providing the assistance, by unit or office, where applicable; and

“(IV) the cost of the assistance and the specific budgetary account from which the cost is paid.

“(iii) For each country—

“(I) the aggregate number of students trained;

“(II) the aggregate cost of the law enforcement training and other law enforcement assistance; and

“(III) a plan describing the law enforcement assistance and rule of law programs of the relevant departments and agencies of the United States Government.

“(C) FORM.—The report required by this paragraph shall be in unclassified form but may include a classified annex.”.

**SEC. 907. ASSISTANCE FOR DISASTER MITIGATION EFFORTS.**

(a) FINDINGS.—Congress finds the following:

(1) The devastating impacts of natural disasters can be mitigated by assisting communities to build in safer locations, construct sturdier dwellings, enforce sound building codes and practices, and protect natural ecosystems.

(2) By 2050, two billion people are expected to be especially vulnerable to floods due to growing populations, indiscriminate logging, rapid urbanization, and increasing development along coasts and in other hazardous regions.

(3) According to a study by the World Bank and the United States Geological Survey during the 1990s, \$40 billion invested in preventive measures could have saved \$280 billion in disaster relief funds and saved countless lives.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of State, in consultation with the heads of other appropriate departments and agencies of the Government of the United States, should develop an initiative to encourage the use of disaster mitigation techniques, including techniques described in subsection (a)(1), by foreign governments in regions considered especially vulnerable to natural disasters.

(c) AMENDMENT TO THE FOREIGN ASSISTANCE ACT OF 1961.—Section 491(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2292(b)) is amended by adding at the end the following new sentence: “Assistance relating to disaster preparedness under the preceding sentence shall include assistance to encourage the use of disaster mitigation techniques, including to assist communities to build in safer locations, construct sturdier dwellings, enforce sound building codes and practices, and protect natural ecosystems.”.

**SEC. 908. ASSISTANCE TO PROMOTE DEMOCRACY IN BELARUS.**

Of the amounts made available for each of the fiscal years 2006 and 2007 to carry out chapters 11 and 12 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2295 et seq. and 2296 et seq.) and the FREEDOM Support Act (22 U.S.C. 5801 et seq.), \$12,000,000 for each such fiscal year is authorized to be available for assistance for the promotion of democracy in the Republic of Belarus, including free and fair electoral processes, the development of political parties and nongovernmental organizations, promoting democracy and respect for human rights and the rule of law, independent media, and international exchanges and training programs for leaders and members of the democratic forces that foster civil society.

**SEC. 909. ASSISTANCE FOR MATERNAL AND PRENATAL CARE FOR CERTAIN INDIVIDUALS OF BELARUS AND UKRAINE INVOLVED IN THE CLEANUP OF THE CHORNOBYL DISASTER.**

Of the amounts made available for each of the fiscal years 2006 and 2007 to carry out chapters 11 and 12 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2295 et seq. and 2296 et seq.) and the FREEDOM Support Act (22 U.S.C. 5801 et seq.), such sums as may be necessary for each such fiscal year are authorized to be available for assistance to improve maternal and prenatal care, especially for the purpose of helping prevent birth defects and pregnancy complications, for individuals in the Republic of Belarus and Ukraine involved in the cleanup of the region affected by the Chornobyl disaster.

**SEC. 910. ASSISTANCE TO ADDRESS NON-INFECTIOUS DISEASES IN FOREIGN COUNTRIES.**

(a) STATEMENT OF POLICY.—Congress declares the following:

(1) Medical evidence indicates that non-infectious diseases, like heart disease and obesity, are on the rise worldwide.

(2) In response to these statistics, the current allocation of funds appropriated to the United

States Agency for International Development for Child Survival and Maternal Health, Vulnerable Children, HIV/AIDS, Infectious Diseases, Reproductive Health and Family Planning, and the Global Fund to Fight AIDS, Tuberculosis and Malaria does not address noninfectious diseases.

(b) AUTHORIZATION OF ASSISTANCE.—The President, acting through the Administrator of the United States Agency for International Development, is authorized to provide assistance, on such terms and conditions as the President may determine, to address non-infectious diseases in foreign countries.

**CHAPTER 2—PART II OF THE FOREIGN ASSISTANCE ACT OF 1961**

**SEC. 921. ECONOMIC SUPPORT FUND ASSISTANCE FOR EGYPT.**

(a) FINDINGS.—Congress finds the following:

(1) Despite more than \$28 billion in economic assistance provided by the United States to Egypt since 1975, Egypt's economy and educational systems are underdeveloped and democratic development remains extremely limited. Egypt remains near the bottom of many indices of growth and human development.

(2) Egypt's economic troubles, if not addressed through programs to develop Egypt's private sector, could destabilize the country.

(3) United States programs to promote growth in Egypt, including traditional development assistance as well as programs that attempt to link disbursement of cash assistance to the adoption of economic reforms by the Government of Egypt, have had, at best, mixed success.

(4) The United States has provided more than \$32 billion in military assistance to Egypt since 1979.

(5) Egypt is currently at peace with all its neighbors.

(6) Egypt and the United States entered into an agreement in March 2005, whereby Egypt undertook to accomplish certain reform-oriented policies primarily related to its financial sector, and the United States undertook, subject to its constitutional processes, to provide Egypt with cash assistance. This program of financial reform is important and should continue, supported by assistance in the form of cash transferred from the United States, but not in amounts in excess of amounts already agreed to and not for lesser policy reforms than have already been agreed to.

(7) The model of an agreement for policy change between the United States and Egypt, similar but not identical to, the concept of a “Millennium Challenge” compact that emphasizes performance and outcomes, would be a way to reinvigorate a program for the development of the Egyptian economy that has languished for years, and would give more Egyptians a stake in the proper planning and execution of programs to assist in their country's development.

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

(1) to acknowledge that—

(A) threats to Egypt's stability derive far more from domestic problems, such as inadequate economic growth, deficient educational and health-care systems, and lack of political freedom, than from external dangers; and

(B) external threats to Egyptian stability are, in fact, minimal;

(2) to provide non-military assistance to Egypt which results in actual, sustainable, and, to the extent possible, measurable outcomes in terms of economic growth, poverty reduction, humanitarian conditions, health, education, and political reform;

(3) to restructure Egypt's assistance package over time so as to diminish military assistance and end the reduction of economic assistance and to begin the process of this restructuring without delay; and

(4) to ensure that this restructuring is done in such a manner that ensures that maintenance

and spare parts for existing Egyptian military equipment is not jeopardized and that Egyptian military purchases and projects to which the United States has already committed itself be funded fully in accordance with previous understandings.

**(c) AMENDMENT TO THE FOREIGN ASSISTANCE ACT OF 1961.—**

**(1) IN GENERAL.**—Chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.; relating to the “Economic Support Fund”) is amended by inserting after section 534 the following new section:

**“SEC. 535. REQUIREMENTS RELATING TO ASSISTANCE FOR EGYPT.**

“(a) REQUIREMENT FOR ASSISTANCE.—Assistance may be provided for Egypt under this chapter for a fiscal year only if Egypt provides to the United States for the fiscal year a proposal described in subsection (b) that is evaluated and approved in accordance with subsection (c).

**“(b) PROPOSAL.—**

“(1) IN GENERAL.—A proposal described in this subsection is a proposal that reflects Egyptian priorities to use assistance provided under this chapter to meet the requirements of paragraph (2).

“(2) REQUIREMENTS.—The requirements described in this paragraph are—

“(A) promoting economic growth (including economic freedom);

“(B) reducing poverty;

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

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

“(E) reducing corruption in the public and private sectors; and

“(F) strengthening democratic institutions and individual freedoms.

**“(c) EVALUATION AND APPROVAL OF PROPOSAL.—**

“(1) EVALUATION.—The President, acting through the Secretary of State, and in consultation with the Secretary of the Treasury, the United States Trade Representative, and the Administrator of the United States Agency for International Development, shall evaluate the proposal provided to the United States pursuant to subsection (a) to determine the extent to which the proposal meets the requirements of subparagraphs (A) through (F) of subsection (b)(2).

“(2) APPROVAL.—The President shall approve the proposal only if the President determines that—

“(A) the proposal sufficiently meets the requirements of subparagraphs (A) through (F) of subsection (b)(2) in a manner that achieves, in particular, lasting economic growth and poverty reduction and substantially strengthened democratic institutions and individual freedoms; and

“(B) the Government of Egypt—

“(i) has adopted and implemented reforms necessary to implement the proposal;

“(ii) has implemented the proposal provided to the United States and approved for the prior fiscal year in accordance with the requirements of subparagraphs (A) through (F) of subsection (b)(2); and

“(iii) has demonstrated high standards of fiduciary controls and accountability with respect to assistance provided for Egypt under this chapter.

“(d) SUSPENSION AND TERMINATION OF ASSISTANCE.—The President, acting through the Secretary of State, may suspend or terminate assistance in whole or in part for Egypt under this chapter if the President determines that the Government of Egypt is not implementing the proposal in accordance with the requirements of subparagraphs (A) through (F) of subsection (b)(2).

**“(e) CASH ASSISTANCE.—**

“(1) REQUIREMENT.—Notwithstanding any other provision of this section, cash assistance may be provided to Egypt under this chapter for

a fiscal year pursuant to the memorandum of understanding specified in paragraph (2) only if a proposal provided to the United States pursuant to subsection (a) for the fiscal year has been evaluated and approved in accordance with subsection (c).

“(2) MEMORANDUM OF UNDERSTANDING.—The memorandum of understanding specified in this paragraph is the memorandum of understanding agreed to by the Government of the United States and the Government of Egypt in March 2005, including any modification to the memorandum of understanding, except—

“(A) a modification to increase the amounts of assistance agreed to be provided under the memorandum of understanding; or

“(B) a modification to reduce significantly the scope of, or to extend significantly the time for, the performance by Egypt of obligations that it has undertaken under the memorandum of understanding.

“(f) CONGRESSIONAL NOTIFICATION.—Assistance may not be obligated for Egypt under this chapter until 30 days after the date on which the President has provided notice thereof to the Committee on International Relations and the Committee on Appropriations of the House of Representatives and to the Committee on Foreign Relations and the Committee on Appropriations of the Senate in accordance with the procedures applicable to reprogramming notifications under section 634A(a) of this Act.

“(g) REPORT.—The President, acting through the Secretary of State, shall prepare and transmit to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate a report for each fiscal year that contains—

“(1) the proposal provided to the United States pursuant to subsection (a) for the fiscal year; and

“(2) the evaluation of the proposal carried out pursuant to subsection (c)(1).

“(h) RULE OF CONSTRUCTION.—The provisions of this section shall not be superseded except by a provision of law enacted after the date of the enactment of the Foreign Relations Authorization Act, Fiscal Years 2006 and 2007, which specifically repeals, modifies, or supersedes the provisions of this section.”

“(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply with respect to assistance for Egypt under chapter 4 of part II of the Foreign Assistance Act of 1961 for fiscal year 2007 and each subsequent fiscal year.

“(d) MILITARY ASSISTANCE LEVELS FOR EGYPT; TRANSFER REQUIREMENT.—The following amounts available for assistance for Egypt under section 23 of Arms Export Control Act (22 U.S.C. 2763; relating to the “Foreign Military Financing” program) shall be transferred to and consolidated with amounts available for assistance for Egypt under chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.; relating to the “Economic Support Fund”):

“(1) For fiscal year 2006, the amount that exceeds \$1,260,000,000.

“(2) For fiscal year 2007, the amount that exceeds \$1,220,000,000.

“(3) For fiscal year 2008, the amount that exceeds \$1,180,000,000.

“(e) CASH-FLOW FINANCING FOR EGYPT.—As soon as practicable after the date of the enactment of this Act, the President shall modify the program of cash-flow financing for Egypt under section 23 of the Arms Export Control Act (22 U.S.C. 2763; relating to the “Foreign Military Financing” program) so as to accomplish the purposes of the policy set forth in paragraphs (3) and (4) of subsection (b) of this section.

“(f) TRANSFER OF CERTAIN INTEREST FOR EGYPT.—For fiscal year 2006 and subsequent fiscal years, any interest earned from amounts in an interest bearing account for Egypt to which funds made available under section 23 of the Arms Export Control Act (22 U.S.C. 2763; relating to the “Foreign Military Financing” program) are disbursed—

(1) shall be transferred to and consolidated with amounts available for assistance for the Middle East Partnership Initiative under chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.; relating to the “Economic Support Fund”); and

(2) shall be allocated for democracy and governance programs for Egypt, including direct support for nongovernmental organizations.

**SEC. 922. INTER-ARAB DEMOCRATIC CHARTER.**

**(a) STRATEGY.**—The Secretary of State, acting through the Assistant Secretary for Democracy, Human Rights, and Labor, and in consultation with the Assistant Secretary for Near East Affairs and the Assistant Secretary for Western Hemisphere Affairs, shall develop and implement a strategy to—

(1) support, including through the provision of technical assistance, efforts to establish an Inter-Arab Democratic Charter to promote human rights and democracy in the Near East region; and

(2) support and promote coordination among human rights organizations, pro-democracy advocates, and civil society members from both the Near East region and the Western Hemisphere to assist in efforts to establish the Inter-Arab Democratic Charter referred to in paragraph (1).

**(b) REPORT.**—Section 665(c) of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107-228; 22 U.S.C. 2151n note) as amended by section 614(a)(2) of this Act, is further amended by inserting after the first sentence the following new sentence: “As part of such separate report, the Secretary shall include information on efforts by the Department of State to develop and implement the strategy to support efforts to establish an Inter-Arab Democratic Charter pursuant to section 708(a) of the Foreign Relations Authorization Act, Fiscal Years 2006 and 2007.”.

**(c) FUNDING.**—Of the amounts made available for each of the fiscal years 2006 and 2007 to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.; relating to the “Economic Support Fund”), including amounts made available to carry out the Human Rights and Democracy Fund and the Middle East Partnership Initiative, such sums as may be necessary for each such fiscal year is authorized to be available to the Secretary to carry out this section and the amendments made by this section.

**SEC. 923. MIDDLE EAST PARTNERSHIP INITIATIVE.**

**(a) FUNDING.**—Of the amounts made available for each of the fiscal years 2006 and 2007 to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.; relating to the “Economic Support Fund”), such sums as may be necessary for each such fiscal year is authorized to be available to the Secretary of State to carry out programs and activities of the Middle East Partnership Initiative.

**(b) REQUIREMENT.**—Not less than 50 percent of amounts made available for each of the fiscal years 2006 and 2007 to carry out the Middle East Partnership Initiative shall be used to—

(1) strengthen civil society, particularly nongovernmental organizations, and expand female and minority participation in the political, economic, and educational sectors of countries participating in the Initiative; and

(2) strengthen the rule of law and promote democratic values and institutions, particularly through—

(A) developing and implementing standards for free and fair election in countries participating in the Initiative; and

(B) supporting inter-regional efforts to promote democracy in countries under authoritarian rule, including through the Community of Democracies and Forum for the Future.

**SEC. 924. WEST BANK AND GAZA PROGRAM.**

**(a) OVERSIGHT.**—For each of the fiscal years 2006 and 2007, the Secretary of State shall certify to the appropriate congressional committees

not later than 30 days prior to the initial obligation of funds for the West Bank and Gaza that procedures have been established to ensure that the Comptroller General of the United States will have access to appropriate United States financial information in order to review the use of United States assistance for the West Bank and Gaza funded under chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.; relating to the "Economic Support Fund").

(b) **VETTING.**—Prior to any obligation of funds for each of the fiscal years 2006 and 2007 to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 for assistance for the West Bank and Gaza, the Secretary of State shall take all appropriate steps to ensure that such assistance is not provided to or through any individual or entity that the Secretary knows, or has reason to believe, advocates, plans, sponsors, engages in, or has engaged in, terrorist activity. The Secretary of State shall, as appropriate, establish procedures specifying the steps to be taken in carrying out this subsection and shall terminate assistance to any individual or entity which the Secretary has determined advocates, plans, sponsors, or engages in terrorist activity.

(c) **PROHIBITION.**—None of the funds made available for each of the fiscal years 2006 and 2007 to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 for the West Bank and Gaza program may be made available for the purpose of recognizing or otherwise honoring individuals who commit, or have committed, acts of terrorism.

(d) **AUDITS.**—

(1) **IN GENERAL.**—The Administrator of the United States Agency for International Development shall ensure that independent audits of all contractors and grantees, and significant subcontractors and subgrantees, under the West Bank and Gaza Program, are conducted for each of the fiscal years 2006 and 2007 to ensure, among other things, compliance with this section.

(2) **AUDITS BY INSPECTOR GENERAL OF USAID.**—Of the funds available for each of the fiscal years 2006 and 2007 to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 that are made available for assistance for the West Bank and Gaza, up to \$1,000,000 for each such fiscal year may be used by the Office of the Inspector General of the United States Agency for International Development for audits, inspections, and other activities in furtherance of the requirements of paragraph (1). Such funds are in addition to funds otherwise available for such purposes.

(e) **DEFINITION.**—In this subsection, the term "appropriate congressional committees" means—

(1) the Committee on Appropriations and the Committee on International Relations of the House of Representatives; and

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

**SEC. 925. ECONOMIC SUPPORT FUND ASSISTANCE FOR VENEZUELA.**

There are authorized to be appropriated to the President \$9,000,000 for each of the fiscal years 2006 and 2007 for assistance under chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.; relating to the "Economic Support Fund") to fund activities which support political parties, the rule of law, civil society, an independent media, and otherwise promote democratic, accountable governance in Venezuela.

**CHAPTER 3—PART III OF THE FOREIGN ASSISTANCE ACT OF 1961**

**SEC. 931. SUPPORT FOR PRO-DEMOCRACY AND HUMAN RIGHTS ORGANIZATIONS IN CERTAIN COUNTRIES.**

Section 620A(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2371(a)) is amended by adding at the end the following new sentence: "The

prohibition contained in the preceding sentence shall not apply with respect to assistance under part I (including chapter 4 of part II) of this Act provided in support of programs of a pro-democracy or human rights organization located or operating in a country described in such sentence, if, at least 30 days before obligating funds for such assistance, the Secretary of State notifies (in classified or unclassified form) the congressional committees specified in section 634A(a) of this Act in accordance with the procedures applicable to reprogramming notifications under section 634A(a) of this Act.".

**SEC. 932. LIMITATION ON ASSISTANCE TO THE PALESTINIAN AUTHORITY.**

(a) **AMENDMENT.**—Chapter 1 of part III of the Foreign Assistance Act of 1961 (22 U.S.C. 2351 et seq.) is amended—

(1) by redesignating the second section 620G (as added by section 149 of Public Law 104-164 (110 Stat. 1436)) as section 620J; and

(2) by adding at the end the following new section:

**“SEC. 620K. LIMITATION ON ASSISTANCE TO THE PALESTINIAN AUTHORITY.**

“(a) **LIMITATION.**—Assistance may be provided under this Act or any other provision of law to the Palestinian Authority only during a period for which a certification described in subsection (b) is in effect.

“(b) **CERTIFICATION.**—A certification described in this subsection is a certification transmitted by the President to Congress that contains a determination of the President that—

“(1) providing direct assistance to the Palestinian Authority is important to the national security interests of the United States; and

“(2) the Palestinian Authority—

“(A) is committed to and has initiated the process of purging from its security services individuals with ties to terrorism;

“(B) has made demonstrable progress toward dismantling the terrorist infrastructure, confiscating unauthorized weapons, arresting and bringing terrorists to justice, destroying unauthorized arms factories, thwarting and preempting terrorist attacks, and is fully cooperating with Israel's security services;

“(C) has made demonstrable progress toward halting all anti-Israel incitement in Palestinian Authority-controlled electronic and print media and in schools, mosques, and other institutions it controls, and is replacing these materials, including textbooks, with materials that promote tolerance, peace, and coexistence with Israel;

“(D) has taken effective steps to ensure democracy, the rule of law, and an independent judiciary, and has adopted other reforms such as ensuring transparent and accountable governance;

“(E) is committed to ensuring that all elections within areas it administers to be free, fair, and transparent; and

“(F) is undertaking verifiable efforts to ensure the financial transparency and accountability of all government ministries and operations.

“(c) **RECERTIFICATIONS.**—Not later than 90 days after the date on which the President transmits to Congress an initial certification under subsection (b), and every 6 months thereafter—

“(1) the President shall transmit to Congress a recertification that the requirements contained in subsection (b) are continuing to be met; or

“(2) if the President is unable to make such a recertification, the President shall transmit to Congress a report that contains the reasons therefor.

“(d) **CONGRESSIONAL NOTIFICATION.**—Assistance made available under this Act or any other provision of law to the Palestinian Authority

may not be provided until 15 days after the date on which the President has provided notice thereof to the Committee on International Relations and the Committee on Appropriations of the House of Representatives and to the Committee on Foreign Relations and the Committee on Appropriations of the Senate in accordance with the procedures applicable to reprogramming notifications under section 634A(a) of this Act.”.

(b) **REPORT BY COMPTROLLER GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate congressional committees a report that contains a review of the extent to which United States assistance to the Palestinian Authority under the Foreign Assistance Act of 1961 or any other provision of law is properly audited by the Department of State, the United States Agency for International Development, and all other relevant departments and agencies of the Government of the United States.

**SEC. 933. ASSISTANCE FOR LAW ENFORCEMENT FORCES.**

(a) **IN GENERAL.**—Section 660(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2420(b)) is amended—

(1) in paragraph (6)—

(A) by inserting “to any national, regional, district, municipal, or other sub-national governmental entity of a foreign country” after “with respect to assistance”; and

(B) by striking “, and the provision of professional” and all that follows through “democracy”;

(2) in paragraph (7), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following new paragraphs:

“(8) with respect to assistance to combat corruption in furtherance of the objectives for which programs are authorized to be established under section 133 of this Act;

“(9) with respect to the provision of professional public safety training to any national, regional, district, municipal, or other sub-national governmental entity of a foreign country, particularly training in international recognized standards of human rights, the rule of law, conflict prevention, and the promotion of civilian police roles that support democratic governance and foster improved police relations between law enforcement forces and the communities in which they serve;

“(10) with respect to assistance to combat trafficking in persons, particularly trafficking in persons by organized crime; or

“(11) with respect to assistance in direct support of developing capabilities for and deployment to impending or ongoing peace operations of the United Nations or comparable regional organizations.”.

(b) **TECHNICAL AMENDMENTS.**—Section 660 of the Foreign Assistance Act of 1961 (22 U.S.C. 2420) is amended—

(1) in subsection (b) (as amended by subsection (a) of this section)—

(A) by striking paragraph (2);

(B) in paragraph (4), by striking “or” at the end;

(C) in paragraph (7), by moving the margin 2 ems to the left; and

(D) by redesignating paragraphs (3) through (11) as paragraphs (2) through (10), respectively; and

(2) by striking subsection (d).

**Subtitle B—Other Provisions of Law**

**SEC. 941. AMENDMENTS TO THE AFGHANISTAN FREEDOM SUPPORT ACT OF 2002.**

(a) **DECLARATION OF POLICY.**—It shall be the policy of the United States to—

(1) assist Afghanistan in the preparation of parliamentary elections which are currently scheduled to take place on September 18, 2005;

(2) urge donor governments and institutions to provide significant financial support to support

the United Nations Assistance Mission in Afghanistan (UNAMA) in carrying out such parliamentary elections;

(3) assist legitimate and recognized parliamentary candidates and future elected parliamentary officials in carrying out the responsibilities and duties of their elected offices; and

(4) assist Afghanistan in the preparation for future presidential and parliamentary elections.

(b) PURPOSES OF ASSISTANCE.—Section 102 of the Afghanistan Freedom Support Act of 2002 (22 U.S.C. 7512) is amended—

(1) by redesignating paragraphs (5) through (9) as paragraphs (7) through (11), respectively; and

(2) by inserting after paragraph (4) the following new paragraphs:

“(5) to ensure that parliamentary and presidential elections in Afghanistan are carried out in a free, fair, and transparent manner;

“(6) to provide assistance to legitimate and recognized parliamentary candidates and future elected parliamentary officials in Afghanistan to better educate such candidates and officials on parliamentary procedures, anticorruption, transparency, and good governance.”.

(c) ACTIVITIES SUPPORTED.—Section 103(a)(5)(C) of the Afghanistan Freedom Support Act of 2002 (22 U.S.C. 7513(a)(5)(C)) is amended—

(1) by striking clauses (iii) and (iv);

(2) by redesignating clauses (v) through (vii) as clauses (xi) through (xiii), respectively;

(3) by inserting after clause (ii) the following new clauses:

“(iii) programs to promote comprehensive public information campaigns, including nationwide voter and civic education, for the public candidates, and political parties, and special efforts with respect to provinces in which small percentages of women voted in the October 2004 presidential elections;

“(iv) programs to accelerate disarmament, demobilization, and reintegration processes to ensure that candidates and political groups are not influenced or supported by armed militias;

“(v) programs to support the registration of new voters and the preparation of voter rolls;

“(vi) programs to support the vetting process of candidates for the parliamentary elections to ensure that such candidates are eligible under the relevant Afghan election requirements;

“(vii) programs to educate legitimate and recognized parliamentary candidates on campaign procedures and processes;

“(viii) capacity-building programs and advanced professional training programs for senior Afghan Government officials and future elected parliamentary officials in matters related to parliamentary procedures, anti-corruption, accountability to constituencies, transparency, good governance, and other matters related to democratic development;

“(ix) exchange programs to bring to the United States future elected parliamentary officials and senior officials of legitimate and recognized political parties for educational activities regarding legislative procedures, debate, and general campaign and legislative instruction;

“(x) programs to support nongovernmental organizations and other civil society organizations that will assist in civil and voter education programs and overall democracy development programs;”;

(4) in clause (xii) (as redesignated), by striking “and” at the end;

(5) in clause (xiii) (as redesignated), by striking the period at the end and inserting “; and”;

(6) by adding at the end the following new clause:

“(xiv) other similar activities consistent with the purposes set forth in subsection (a).”.

(d) AUTHORIZATION OF APPROPRIATIONS.—Section 103(a)(5)(C) of the Afghanistan Freedom Support Act of 2002 (22 U.S.C. 7513(a)(5)(C)), as amended by subsection (c), is further amended—

(1) in the matter preceding clause (i), by striking “To support” and inserting “(i) To support”;

(2) by redesignating clauses (i) through (xiv) as subclauses (I) through (XIV), respectively; and

(3) by adding at the end the following new clause:

“(ii) Of the amounts made available for each of the fiscal years 2006 and 2007 to carry out chapter 1 of part I of the Foreign Assistance Act of 1961 and chapter 4 of part II of such Act, \$50,000,000 for each such fiscal year is authorized to be available to the President to carry out subclauses (III) through (X) of clause (i).”.

(e) SENSE OF CONGRESS.—It is the sense of Congress that the President should take all necessary and appropriate steps to encourage all donor governments and institutions to provide full financial and logistical support to the United Nations Assistance Mission in Afghanistan (UNAMA) to carry out the parliamentary elections in Afghanistan, which are currently scheduled to take place on September 18, 2005, so as to—

(1) ensure the parliamentary elections are legitimate and free from influence, intimidation, and violence by local militia leaders and illicit narcotics terrorist organizations;

(2) make certain that all Afghans who want to vote may do so and may be educated about their choice in parliamentary candidates;

(3) provide that all legitimate and recognized parliamentary candidates and officials of legitimate and recognized political parties are informed and educated on campaign procedures and processes;

(4) provide that future parliamentary officials and senior officials of legitimate and recognized political parties are informed and educated on the legislative procedures and process through exchange programs; and

(5) assure sufficient funds for deployment of international observers for the upcoming parliamentary elections and future presidential and parliamentary elections.

#### SEC. 942. AMENDMENTS TO THE TIBETAN POLICY ACT OF 2002.

(a) BILATERAL ASSISTANCE.—Section 616 of the Tibetan Policy Act of 2002 (Public Law 107-228; 22 U.S.C. 6901 note) is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following new subsection:

##### “(d) UNITED STATES ASSISTANCE.—

“(1) ASSISTANCE.—The President shall provide grants to nongovernmental organizations to support sustainable economic development, cultural and historical preservation, health care, education, and environmental sustainability projects for Tibetans inside Tibet that are designed in accordance with the principles contained in subsection (e).

“(2) ROLE OF SPECIAL COORDINATOR.—The United States Special Coordinator for Tibetan Issues (established under section 621(a)) shall review and approve all projects carried out pursuant to paragraph (1).

“(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the President to carry out this subsection \$6,000,000 for fiscal year 2006 and \$8,000,000 for fiscal year 2007.”.

(b) LANGUAGE TRAINING.—Section 619 of the Tibetan Policy Act of 2002 (Public Law 107-228; 22 U.S.C. 6901 note) is amended to read as follows:

#### SEC. 619. REQUIREMENT FOR TIBETAN LANGUAGE TRAINING.

“The Secretary shall ensure at least one Foreign Service officer assigned to a United States post in the People’s Republic of China responsible for monitoring developments in Tibet has at least six months of Tibetan language training prior to taking up such assignment at such post, unless such officer possesses equivalent fluency. If the Secretary determines that training resources and timing permit, such officer shall receive one year of such training.”.

(c) SPECIAL COORDINATOR FOR TIBETAN ISSUES.—Section 621 of the Tibetan Policy Act of 2002 (Public Law 107-228; 22 U.S.C. 6901 note) is amended by adding at the end the following new subsection:

“(e) PERSONNEL.—The Secretary shall assign dedicated personnel to the Office of the Special Coordinator for Tibetan Issues sufficient to assist in the management of the responsibilities of this section and section 616(d)(2).”.

#### SEC. 943. AMENDMENTS TO THE ANGLO-IRISH AGREEMENT SUPPORT ACT OF 1986.

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

(1) United States assistance for the International Fund for Ireland (“International Fund”) has contributed greatly to the economic development of Northern Ireland and that both objectives of the Anglo-Irish Agreement Support Act of 1986 (Public Law 99-415), economic development and reconciliation, remain critical to achieving a just and lasting peace in the region, especially in the economically-depressed areas; and

(2) since policing reform is a significant part of winning public confidence and acceptance in the new form of government in Northern Ireland, the International Fund is encouraged to support programs that enhance relations between communities, and between the police and the communities they serve, promote human rights training for police, and enhance peaceful mediation in neighborhoods of continued conflict.

##### (b) AMENDMENTS.—

(1) FINDINGS AND PURPOSES.—Section 2(b) of the Anglo-Irish Agreement Support Act of 1986 (Public Law 99-415) is amended by adding at the end the following new sentence: “Furthermore, the International Fund is encouraged to support programs that enhance relations between communities, and between the police and the communities they serve, promote human rights training for police, enhance peaceful mediation in neighborhoods of continued conflict, promote training programs to enhance the new district partnership police boards recommended by the Patten Commission, and assist in the transition of former British military installations and prisons into sites for peaceful, community-supported activities, such as housing, retail, and commercial development.”.

(2) UNITED STATES CONTRIBUTIONS TO THE INTERNATIONAL FUNDS.—Section 3 of the Anglo-Irish Agreement Support Act of 1986 is amended by adding at the end the following new subsection:

“(c) FISCAL YEARS 2006 AND 2007.—Of the amounts made available for fiscal years 2006 and 2007 to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.; relating to the economic support fund), there are authorized to be appropriated \$20,000,000 for each such fiscal year for United States contributions to the International Fund. Amounts appropriated pursuant to the authorization of appropriations under the preceding sentence are authorized to remain available until expended. Of the amount authorized to be appropriated for fiscal years 2006 and 2007 under this subsection, it is the sense of Congress that not less than 35 percent of such amount for each such fiscal year should be used to carry out the last sentence of section 2(b).”.

(3) ANNUAL REPORTS.—Section 6(1) of the Anglo-Irish Agreement Support Act of 1986 is amended by adding at the end before the semicolon the following: “, specifically through improving local community relations and relations between the police and the people they serve”.

#### SEC. 944. ASSISTANCE FOR DEMOBILIZATION AND DISARMAMENT OF FORMER IRREGULAR COMBATANTS IN COLOMBIA.

(a) AUTHORIZATION.—Amounts made available for fiscal year 2006 and each subsequent fiscal year for assistance for the Republic of Colombia under this Act or any other provision of law

may be made available for assistance for the demobilization and disarmament of former members of foreign terrorist organizations in Colombia, specifically the United Self-Defense Forces of Colombia (AUC), the Revolutionary Armed Forces of Colombia (FARC) and the National Liberation Army (ELN), if the Secretary of State makes a certification described in subsection (b) to the appropriate congressional committees prior to the initial obligation of amounts for such assistance for the fiscal year involved.

(b) CERTIFICATION.—A certification described in this subsection is a certification that—

(1) assistance for the fiscal year will be provided only for individuals who have verifiably renounced and terminated any affiliation or involvement with foreign terrorist organizations;

(2) the Government of Colombia is continuing to provide full cooperation with the Government of the United States relating to extradition requests involving leaders and members of the foreign terrorist organizations involved in murder, kidnapping, narcotics trafficking, and other violations of United States law; and

(3) the Government of Colombia has established a concrete and workable framework for dismantling the organizational structures of foreign terrorist organizations that adequately balances the need for both reconciliation and justice with concerns for fundamental human rights.

(c) DEFINITIONS.—In this section:

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

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

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

(2) FOREIGN TERRORIST ORGANIZATION.—The term “foreign terrorist organization” means an organization designated as a terrorist organization under section 219 of the Immigration and Nationality Act.

#### SEC. 945. SUPPORT FOR FAMINE RELIEF IN ETHIOPIA.

(a) DEMONSTRATION INSURANCE PROJECT.—The Secretary of State is authorized to make a United States voluntary contribution to the United Nations World Food Program to establish and carry out a demonstration insurance project in the Federal Democratic Republic of Ethiopia using weather derivatives to transfer the risk of catastrophic drought resulting in famine from vulnerable subsistence farmers to international capital markets for the purpose of protecting vulnerable subsistence farmers against income and asset losses during natural disasters.

(b) REPORT.—Not later than one year and two years after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report on the implementation of the project referred to in subsection (a).

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section up to \$4,000,000 for fiscal year 2006.

#### SEC. 946. ASSISTANCE TO PROMOTE DEMOCRACY AND HUMAN RIGHTS IN VIETNAM.

(a) FINDING.—Congress finds that the Socialist Republic of Vietnam is a one-party state, ruled and controlled by the Communist Party of Vietnam, which continues to deny the right of citizens to change their government, prohibits independent political, labor, and social organizations, and continues to commit serious human rights violations, including the detention and imprisonment of persons for the peaceful expression of dissenting religious and political views.

(b) POLICY.—It is the policy of the United States—

(1) to limit United States nonhumanitarian assistance provided to the Government of Vietnam, not to exceed the amount so provided for fiscal

year 2005, unless the President certifies to Congress not later than 30 days after the date of the enactment of this Act that, during the 12-month period preceding such certification, Vietnam has made substantial progress toward—

(A) releasing political and religious prisoners;

(B) respecting religious freedom and other universally recognized human rights;

(C) allowing open access to the United States for its refugee program;

(D) cooperating fully toward providing information concerning the locations of members of the United States Armed Forces who continue to be officially listed as missing in action as a result of the Vietnam conflict;

(E) respecting the rights of ethnic minorities in the Central Highlands; and

(F) ensuring that it is not acting in complicity with organizations engaged in the trafficking of human persons; and

(2) to ensure that programs of educational and cultural exchange with Vietnam actively promote progress towards freedom and democracy in Vietnam by ensuring that Vietnamese nationals who have already demonstrated a commitment to these values are included in such programs.

(c) DEFINITION.—In this section, the term “United States nonhumanitarian assistance” means—

(1) any assistance under the Foreign Assistance Act of 1961 (including programs under title IV of chapter 2 of part I of such Act, relating to the Overseas Private Investment Corporation), other than—

(A) disaster relief assistance, including any assistance under chapter 9 of part I of such Act;

(B) assistance which involves the provision of food (including monetization of food) or medicine;

(C) assistance for refugees; and

(D) assistance to combat HIV/AIDS, including any assistance under section 104A of such Act; and

(2) sales, or financing on any terms, under the Arms Export Control Act.

(d) AUTHORIZATION.—

(1) IN GENERAL.—The President is authorized to provide assistance to nongovernmental organizations and organizations to promote democracy and internationally recognized human rights in Vietnam.

(2) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the President \$2,000,000 to carry out paragraph (1).

#### Subtitle C—Miscellaneous Provisions

#### SEC. 951. REPORT ON UNITED STATES WEAPONS TRANSFERS, SALES, AND LICENSING TO HAITI.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report on all United States weapons transfers, sales, and licensing to the Government of the Republic of Haiti for the period beginning on October 4, 1991, and ending on the date of the enactment of this Act.

(b) CONTENTS.—The report required by subsection (a) shall include a detailed description of each of the following:

(1) The names of the individuals or governmental entities to which weapons were transferred, sold, or licensed.

(2) The number and types of weapons transferred, sold, or licensed.

(3) The safeguards, if any, that were required prior to the transfer, sale, or license of the weapons.

(c) DEFINITION.—In this section, the term “United States weapons transfers, sales, and licensing” means transfers, sales, and licensing of weapons under—

(1) section 38 of the Arms Export Control Act (22 U.S.C. 2778); or

(2) chapter 8 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2291 et seq.).

#### SEC. 952. SENSE OF CONGRESS REGARDING ASSISTANCE FOR REGIONAL HEALTH EDUCATION AND TRAINING PROGRAMS.

(a) STATEMENT OF POLICY.—Congress recognizes that many health problems are not country specific. Instead many health issues can be categorized and treated more effectively on a regional basis.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the United States Agency for International Development should use up to five percent of country-specific health program funds, as needed, to address regional health education and training needs in instances in which it would be more cost effective to implement health education and training programs on a regional basis.

#### SEC. 953. SENSE OF CONGRESS REGARDING ASSISTANCE FOR REGIONAL HEALTH CARE DELIVERY.

(a) STATEMENT OF POLICY.—Congress declares the following:

(1) Health systems in developing countries for allocating and managing health resources are dysfunctional and incapable of addressing evolving epidemiological and demographical changes.

(2) Neither regional nor countrywide health problems can be adequately addressed without the infrastructure for health systems in place.

(3) The areas in Africa, Europe, Eurasia, the Middle East, and Asia with the greatest health problems all lack the infrastructure for health systems that can support providers and contain the cost of treatment.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the United States Agency for International Development should use up to five percent of country-specific health program funds, as needed, to support projects to create and improve indigenous capacity for health care delivery in regions in which such projects are most needed.

#### SEC. 954. SENSE OF CONGRESS REGARDING ELIMINATION OF EXTREME POVERTY IN DEVELOPING COUNTRIES.

It is the sense of Congress that—

(1) the elimination of extreme poverty in developing countries should be a major priority of United States foreign policy;

(2) the United States should further demonstrate its leadership and commitment to eliminating extreme poverty by working with developing countries, donor countries, and multilateral institutions committed to the necessary reforms, policies, and practices that reduce extreme poverty in developing countries and by pursuing greater coordination with key allies and international partners; and

(3) the President, acting through the Administrator of the United States Agency for International Development, and in consultation with the heads of other appropriate departments and agencies of the Government of the United States, international organizations, international financial institutions, recipient governments, civil society organizations, and other appropriate entities, should develop a comprehensive strategy to eliminate extreme poverty in developing countries that involves foreign assistance, foreign and local private investment, technical assistance, private-public partnerships, and debt relief.

#### SEC. 955. SENSE OF CONGRESS REGARDING UNITED STATES FOREIGN ASSISTANCE.

It is the sense of Congress that—

(1) United States foreign assistance should be used to support local capacity-building in developing countries and should focus on improving the institutional capacities of developing countries in order to promote long-term development; and

(2) the Department of State, the United States Agency for International Development, and the Millennium Challenge Corporation should increase their efforts to enhance recipient country

participation in the planning of development programs, promote recipient country ownership of the programs, and build local capacity within the recipient country.

**TITLE X—REPORTING REQUIREMENTS**  
**SEC. 1001. TRANS-SAHARA COUNTER-TERRORISM INITIATIVE.**

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that efforts by the Government of the United States to expand the Pan Sahel Initiative into a robust counter-terrorism program in the Saharan region of Africa, to be known as the “Trans-Sahara Counter Terrorism Initiative”, should be strongly supported.

(b) **REPORT.**—

(1) **IN GENERAL.**—Not later than 120 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a detailed strategy, in classified form, regarding the plan of the Government of the United States to expand the Pan Sahel Initiative into a robust counter-terrorism program in the Saharan region of Africa, to be known as the “Trans-Sahara Counter Terrorism Initiative”.

(2) **CONTENTS.**—The report shall include the following:

(A) The names of the countries that will participate in the Initiative.

(B) A description of the types of security assistance necessary to create rapid reaction security forces in order to bolster the capacity of the countries referred to in subparagraph (A) to govern their borders.

(C) A description of training to ensure respect for human rights and civilian authority by rapid reaction security forces referred to in subparagraph (B) and other appropriate individuals and entities of the countries referred to in subparagraph (A).

(D) A description of the types of public diplomacy and related assistance that will be provided to promote development and counter radical Islamist elements that may be gaining a foothold in the region.

(3) **UPDATE.**—The Secretary shall submit to the appropriate congressional committees an update of the report required by this subsection not later than one year after the date of the initial submission of the report under this subsection.

(c) **COOPERATION OF OTHER DEPARTMENTS AND AGENCIES.**—The head of each appropriate department and agency of the Government of the United States shall cooperate fully with, and assist in the implementation of, the strategy described in subsection (b)(1) and shall make such resources and information available as is necessary to ensure the success of the Initiative described in such subsection.

**SEC. 1002. ANNUAL PATTERNS OF GLOBAL TERRORISM REPORT.**

(a) **REQUIREMENT OF REPORT.**—Section 140(a) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f(a)) is amended—

(1) in the heading, by striking “COUNTRY REPORTS ON TERRORISM” and inserting “PATTERNS OF GLOBAL TERRORISM REPORT”; and

(2) in the matter preceding paragraph (1), by inserting “, the Committee on International Relations of the House of Representatives,” after “Speaker of the House of Representatives”.

(b) **ASSESSMENTS WITH RESPECT TO FOREIGN COUNTRIES IN WHICH ACTS OF TERRORISM OCCURRED.**—Section 140(a)(1)(A)(i) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f(a)(1)(A)(i)) is amended—

(1) by striking “which were, in the opinion of the Secretary, of major significance;” and inserting “, including”; and

(2) by adding at the end the following new subclauses:

“(I) the number of such acts of terrorism or attempted acts of terrorism;

“(II) the number of individuals, including United States citizens, who were killed or injured in such acts of terrorism;

“(III) the methods, and relative frequency of methods, utilized in such acts of terrorism; and  
“(IV) assessments of individuals who were responsible for such acts of terrorism and the relationships of such individuals to terrorist groups;”.

(c) **INFORMATION WITH RESPECT TO TERRORIST GROUPS.**—Section 140(a)(2) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f(a)(2)) is amended by inserting after “and any other known international terrorist group” the following “or emerging terrorist group”.

(d) **INFORMATION WITH RESPECT TO ALL FOREIGN COUNTRIES.**—Section 140(a) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f(a)) is amended—

(1) in paragraph (2), by adding “and” at the end after the semicolon;

(2) in paragraph (3)—

(A) in the matter preceding subparagraph (A), by striking “from which the United States Government” and all that follows through “United States citizens or interests” and inserting “worldwide”;

(B) in subparagraph (A)—

(i) by striking “the individual or”;

(ii) by striking “the act” and inserting “acts of terrorism”; and

(iii) by striking “and” at the end;

(C) in subparagraph (B) by striking “against United States citizens in the foreign country”; and

(D) by adding at the end the following new subparagraph:

“(C) the extent to which the government of the foreign country is not cooperating with respect to the matters described in subparagraphs (A) and (B) and other matters relating to counterterrorism efforts.”; and

(3) by striking paragraph (4).

(e) **EXISTING PROVISIONS TO BE INCLUDED IN REPORT.**—Section 140(b) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f(b)) is amended—

(1) in the matter preceding paragraph (1), by striking “should to the extent feasible” and inserting “shall”;

(2) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by inserting “and (a)(3)” after “subsection (a)(1)(A)”; and

(B) by redesignating subparagraphs (A), (B), and (C) as subparagraphs (B), (C), and (D), respectively;

(C) by inserting before subparagraph (B) (as redesignated) the following new subparagraph:

“(A) a separate list, in chronological order, of all acts of international terrorism described in subsection (a)(1)(A);”;

(D) in subparagraph (C) (as redesignated), by striking “affecting American citizens or facilities”; and

(E) in subparagraph (D) (as redesignated)—

(i) in clause (i), by adding at the end before the semicolon the following: “by the government of the country, government officials, nongovernmental organizations, quasi-governmental organizations, or nationals of the country”;

(ii) in clause (v), by adding “and” at the end after the semicolon; and

(iii) by adding at the end the following new clause:

“(vi) other types of indirect support for international terrorism, such as inciting acts of terrorism or countenance of acts of terrorism by the government of the country, government officials, nongovernmental organizations, quasi-governmental organizations, or nationals of the country;”;

(3) in paragraph (3)—

(A) in subparagraph (E), by striking “and” at the end;

(B) in subparagraph (F), by adding “and” at the end; and

(C) by adding at the end the following new subparagraph:

“(G) information on the stated intentions and patterns of activities of terrorist groups de-

scribed in subsection (a)(2), capabilities and membership of such groups, recruitment and fundraising activities of such groups, and the relationships of such groups to criminal organizations, including organizations involved in illicit narcotics trafficking.”; and

(4) by redesignating paragraphs (3) and (4) (as added by section 701(a)(2)(C) of the Intelligence Authorization Act for Fiscal Year 2005 (Public Law 108-487; 118 Stat. 3961)) as paragraphs (6) and (7), respectively.

(f) **NEW PROVISIONS TO BE INCLUDED IN REPORT.**—Section 140(b) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f(b)), as amended by subsection (e), is further amended—

(1) in paragraph (6) (as redesignated), by striking “and” at the end;

(2) in paragraph (7) (as redesignated), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following new paragraphs:

“(8) an analysis of the efforts of multilateral organizations (excluding international financial institutions) to combat international terrorism, including efforts of the United Nations and its affiliated organizations, regional multilateral organizations, and nongovernmental organizations;

“(9) a list of countries of concern with respect to the financing of terrorism; and

“(10) an analysis of policy goals of the United States for counterterrorism efforts in the subsequent calendar year.”.

(g) **CLASSIFICATION OF REPORT.**—Section 140(c) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f(c)) is amended to read as follows:

(c) **CLASSIFICATION OF REPORT.**—The report required by subsection (a) shall be submitted in unclassified form and shall contain a classified annex as necessary.”.

(h) **INTER-AGENCY PROCESS FOR COMPILATION OF REPORT.**—Section 140 of Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f) is amended—

(1) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively; and

(2) by inserting after subsection (c) the following new subsection:

“(d) **INTER-AGENCY PROCESS FOR COMPILATION OF REPORT.**—The Secretary of State shall, in preparing the report required by subsection (a), establish an inter-agency process to—

“(1) consult and coordinate with other appropriate officials of the Government of the United States who are responsible for collecting and analyzing counterterrorism intelligence; and

“(2) utilize, to the maximum extent practicable, such counterterrorism intelligence and analyses.”.

(i) **COMPARABILITY STANDARD WITH PRIOR REPORT.**—Section 140 of Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f), as amended by subsection (h), is further amended—

(1) by redesignating subsections (e) and (f) (as redesignated) as subsections (f) and (g), respectively; and

(2) by inserting after subsection (d) (as added by subsection (h)) the following new subsection:

“(e) **COMPARABILITY STANDARD WITH PRIOR REPORT.**—The Secretary of State shall, in preparing the report required by subsection (a), use standards, criteria, and methodologies in a consistent manner so that statistical comparisons may be made among different reports. If significant changes are made to any such standards, criteria, or methodology, the Secretary shall, in consultation with other appropriate officials of the Government of the United States, make appropriate adjustments, using the best available methods, so that the data provided in each report is comparable to the data provided in prior reports.”.

(j) **DEFINITIONS.**—Section 140(f)(1) of Foreign Relations Authorization Act, Fiscal Years 1988

and 1989 (as redesignated) is amended to read as follows:

“(1) the term ‘international terrorism’ means—

“(A) terrorism involving citizens or the territory of more than one country; or

“(B) terrorism involving citizens and the territory of one country which is intended to intimidate or coerce not only the civilian population or government of such country but also other civilian populations or governments.”.

(k) REPORTING PERIOD.—Section 140(g) Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (as redesignated) is amended to read as follows:

“(g) REPORTING PERIOD.—The report required under subsection (a) shall cover the events of the calendar year preceding the calendar year in which the report is transmitted.”.

(l) APPEARANCE OF SECRETARY OF STATE BEFORE CONGRESS.—Section 140 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f) is amended by adding at the end the following new subsection:

“(h) APPEARANCE OF SECRETARY OF STATE BEFORE CONGRESS.—

“(1) IN GENERAL.—The Secretary of State shall appear before Congress at annual hearings, as specified in paragraph (2), regarding the provisions included in the report required under subsection (a).

“(2) SCHEDULE.—The Secretary of State shall appear before—

“(A) the Committee on International Relations of the House of Representatives on or about May 20 of even numbered calendar years;

“(B) the Committee on Foreign Relations of the Senate on or about May 20 of odd numbered calendar years; and

“(C) either Committee referred to in subparagraph (A) or (B), upon request, following the scheduled appearance of the Secretary before the other Committee under subparagraph (A) or (B).”.

(m) CONFORMING AMENDMENTS.—

(1) SECTION HEADING.—The heading of section 140 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f) is amended to read as follows:

“SEC. 140. ANNUAL PATTERNS OF GLOBAL TERRORISM REPORT.”.

(2) TABLE OF CONTENTS.—The table of contents of such Act (as contained in section 1(b) of such Act) is amended in the item relating to section 140 to read as follows:

“Sec. 140. Annual patterns of global terrorism report.”.

(n) EFFECTIVE DATE.—The amendments made by this section apply with respect to the report required to be transmitted under section 140 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f), by April 30, 2007, and by April 30 of each subsequent year.

SEC. 1003. DUAL GATEWAY POLICY OF THE GOVERNMENT OF IRELAND.

(a) IN GENERAL.—The Secretary of State shall review the dual gateway policy and determine the effects the discontinuation of such policy might have on the economy of the United States and the economy of western Ireland before the United States takes any action that could lead to the discontinuation of such policy.

(b) ECONOMIC IMPACT STUDY.—In determining the effects that the discontinuation of such policy might have on the economy of the United States, the Secretary, in consultation with the heads of other appropriate departments and agencies, shall consider the effects the discontinuation of such policy might have on United States businesses operating in western Ireland, Irish businesses operating in and around Shannon Airport, and United States air carriers serving Ireland.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional

committees a report describing the determinations made under subsection (a), together with any recommendations for United States action.

(d) DEFINITION.—In this section, the term “dual gateway policy” means the policy of the Government of Ireland requiring certain air carriers serving Dublin Airport to undertake an equal numbers of flights to Shannon Airport and Dublin Airport during each calendar year.

SEC. 1004. STABILIZATION IN HAITI.

Not later than one year after the date of the enactment of this Act and one year thereafter, the Secretary of State shall submit to the appropriate congressional committees a report on United States efforts to—

(1) assist in the disarmament of illegally armed forces in Haiti, including through a program of gun exchanges;

(2) assist in the reform of the Haitian National Police; and

(3) support stabilization in Haiti.

SEC. 1005. VERIFICATION REPORTS TO CONGRESS.

Section 403(a) of the Arms Control and Disarmament Act (22 U.S.C. 2593a(a)) is amended in the matter preceding paragraph (1)—

(1) by striking “prepared by the Secretary of State with the concurrence of the Director of Central Intelligence and in consultation with the Secretary of Defense, the Secretary of Energy, and the Chairman of the Joint Chiefs of Staff.”; and

(2) by inserting “, as the President considers appropriate” after “include”.

SEC. 1006. PROTECTION OF REFUGEES FROM NORTH KOREA.

Section 305(a) of the North Korean Human Rights Act of 2004 (Public Law 108-333; 22 U.S.C. 7845) is amended—

(1) in paragraph (1), by striking “and” at the end;

(2) in paragraph (2), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following new paragraph:

“(3) a detailed description of the measures undertaken by the Secretary of State to carry out section 303, including country-specific information with respect to United States efforts to secure the cooperation and permission of the governments of countries in East and Southeast Asia to facilitate United States processing of North Koreans seeking protection as refugees. The information required by this paragraph may be provided in a classified format, if necessary.”.

SEC. 1007. ACQUISITION AND MAJOR SECURITY UPGRADES.

Section 605(c) of the Secure Embassy Construction and Counterterrorism Act of 1999 (title VI of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001; Public Law 106-113—Appendix G) is amended—

(1) in the heading, by striking “SEMIANNUAL”;

(2) in the matter preceding paragraph (1), by striking “June 1 and”; and

(3) in paragraph (1)(A), by striking “two fiscal quarters” and inserting “year”.

SEC. 1008. SERVICES FOR CHILDREN WITH AUTISM AT OVERSEAS MISSIONS.

(a) STUDY.—With respect to countries in which there is at least one mission of the United States, the Secretary of State shall conduct a study of the availability of programs that address the special needs of children with autism, including the availability of speech therapists and pediatric occupational therapists at Department of Defense sponsored schools. Such study shall include the estimated incidence of autism among dependents of members of the Foreign Service and dependents of specialist Foreign Service personnel. Such study shall also include an analysis of the possibility of establishing “Educational Centers of Excellence” for such children.

(b) REPORT.—Not later than 30 days after the completion of the study required under sub-

section (a), the Secretary shall submit to the appropriate congressional committees a report containing the findings of the study together with any recommendations for related action.

SEC. 1009. INCIDENCE AND PREVALENCE OF AUTISM WORLDWIDE.

(a) STUDY.—

(1) IN GENERAL.—The Secretary of State shall direct the United States representative to the Executive Board of the United Nations Children’s Fund (UNICEF) to use the voice and vote of the United States to urge UNICEF to provide for the conduct of a study of the incidence and prevalence of autism spectrum disorders (in this section referred to as “autism”) worldwide.

(2) CONDUCT OF STUDY.—The study should—

(A) evaluate the incidence and prevalence of autism in all countries worldwide and compare such incidence and prevalence to the incidence and prevalence of autism in the United States and evaluate the reliability of the information obtained from each country in carrying out this subparagraph; and

(B) evaluate the feasibility of establishing a method for the collection of information relating to the incidence and prevalence of autism in all countries worldwide.

(b) REPORT.—The Secretary of State shall direct the United States representative to the Executive Board of UNICEF to use the voice and vote of the United States to urge UNICEF to—

(1) provide for the preparation of a report that contains the results of the study described in subsection (a); and

(2) provide for the availability of the report on the Internet website of UNICEF.

(c) FUNDING.—Of the amounts made available for fiscal year 2006 to carry out section 301 of the Foreign Assistance Act of 1961 (22 U.S.C. 2221), \$1,500,000 is authorized to be available for a voluntary contribution to UNICEF to conduct the study described in subsection (a) and prepare the report described in subsection (b).

SEC. 1010. INTERNET JAMMING.

(a) REPORT.—Not later than March 1 of the year following the date of the enactment of this Act, the Chairman of the Broadcasting Board of Governors shall submit to the appropriate congressional committees a report on the status of state-sponsored and state-directed Internet jamming by repressive foreign governments and a description of efforts by the United States to counter such jamming. Each report shall list the countries the governments of which pursue Internet censorship or jamming and provide information concerning the government agencies or quasi-governmental organizations of such governments that engage in Internet jamming.

(b) FORM.—If the Chairman determines that such is appropriate, the Chairman may submit such report together with a classified annex.

SEC. 1011. DEPARTMENT OF STATE EMPLOYMENT COMPOSITION.

(a) STATEMENT OF POLICY.—In order for the Department of State to accurately represent all people in the United States, the Department must accurately reflect the diversity of the United States.

(b) REPORT ON MINORITY RECRUITMENT.—Section 324 of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107-228) is amended—

(1) in the matter preceding paragraph (1), by striking “April 1, 2003, and April 1, 2004,” and inserting “April 1, 2006, and April 1, 2007,”; and

(2) in paragraphs (1) and (2), by striking “minority groups” each place it appears and inserting “minority groups and women”.

(c) ACQUISITION.—Section 324 of such Act is further amended by adding at the end the following new paragraph:

“(3) For the immediately preceding 12-month period for which such information is available—

(A) the numbers and percentages of small, minority-owned businesses that provide goods and services to the Department as a result of contracts with the Department during such period;

“(B) the total number of such contracts;

“(C) the total dollar value of such contracts; and

“(D) and the percentage value represented by such contract proportionate to the total value of all contracts held by the Department.”.

(d) USE OF FUNDS.—The provisions of section 325 of such Act shall apply to funds authorized to be appropriated under section 101(G) of this Act.

**SEC. 1012. INCITEMENT TO ACTS OF DISCRIMINATION.**

(a) **INCLUSION OF INFORMATION RELATING TO INCITEMENT TO ACTS OF DISCRIMINATION IN ANNUAL COUNTRY REPORTS ON HUMAN RIGHT PRACTICES.**—

(1) **COUNTRIES RECEIVING ECONOMIC ASSISTANCE.**—Section 116(d) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(d)), as amended by section 614(b)(1) of this Act, is further amended—

(A) in paragraph (10), by striking “and” at the end;

(B) in paragraph (11)(C), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following new paragraph:

“(12) wherever applicable, a description of the nature and extent of—

“(A) propaganda in foreign government and foreign government-controlled media and other sources, including foreign government-produced educational materials and textbooks, that attempt to justify or promote racial hatred or incite acts of violence against any race or people; and

“(B) complicity or involvement by the foreign government in the creation of such propaganda or incitement of acts of violence against any race or people; and

“(C) a description of the actions, if any, taken by the foreign government to eliminate such propaganda or incitement.”.

(2) **COUNTRIES RECEIVING SECURITY ASSISTANCE.**—Section 502B(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2304(b)), as amended by section 614(b)(2) of this Act, is further amended by inserting after the ninth sentence the following new sentence: “Each report under this section shall also include, wherever applicable, a description of the nature and extent of propaganda in foreign government and foreign government-controlled media and other sources, including foreign government-produced educational materials and textbooks, that attempt to justify or promote racial hatred or incite acts of violence against any race or people, complicity or involvement by the foreign government in the creation of such propaganda or incitement of acts of violence against any race or people, and a description of the actions, if any, taken by the foreign government to eliminate such propaganda or incitement.”.

(b) **EFFECTIVE DATE OF AMENDMENT.**—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act and apply beginning with the first report submitted by the Secretary of State under sections 116(d) and 502B(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(d) and 2304(b)) after such date.

**SEC. 1013. CHILD MARRIAGE.**

(a) **ONE TIME REPORT.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a one time report on the practice of the custom of child marriage in countries around the world. The report shall include the following information:

(1) A separate section for each country, as applicable, describing the nature and extent of child marriage in such country.

(2) A description of the actions, if any, taken by the government of each such country, where applicable, to revise the laws of such country and institutionalize comprehensive procedures and practices to eliminate child marriage.

(3) A description of the actions taken by the Department of State and other Federal depart-

ments and agencies to encourage foreign governments to eliminate child marriage and to support the activities of non-governmental organizations dedicated to eliminating child marriage and supporting its victims.

(b) **INCLUSION OF INFORMATION RELATING TO CHILD MARRIAGE IN ANNUAL COUNTRY REPORTS ON HUMAN RIGHTS PRACTICES.**—

(1) **COUNTRIES RECEIVING ECONOMIC ASSISTANCE.**—Section 116(d) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(d)), as amended by sections 614(b)(1) and 1013(a)(1) of this Act, is further amended—

(A) in paragraph (11)(C), by striking “and” at the end;

(B) in paragraph (12)(C), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following new paragraph:

“(13)(A) wherever applicable, a description of the nature and extent of laws and traditions in each country that enable or encourage the practice of child marriage; and

“(B) a description of the actions, if any, taken by the government of each such country to revise the laws of such country and institutionalize comprehensive procedures and practices to eliminate child marriage.”.

(2) **COUNTRIES RECEIVING SECURITY ASSISTANCE.**—Section 502B(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2304(b)), as amended by sections 614(b)(2) and 1013(a)(2) of this Act, is further amended by inserting after the tenth sentence the following new sentence: “Each report under this section shall also include, whenever applicable, a description of the nature and extent of laws and traditions in each country that enable or encourage the practice of child marriage and a description of the actions, if any, taken by the government of each such country to revise the laws of such country and institutionalize comprehensive procedures and practices to eliminate child marriage.”.

(c) **EFFECTIVE DATE OF AMENDMENT.**—The amendment made by subsection (b) shall take effect on the date of the enactment of this Act and apply beginning with the first report submitted by the Secretary of State under sections 116(d) and 502B(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(d) and 2304(b)) after the report required under subsection (a).

**SEC. 1014. MAGEN DAVID ADOM SOCIETY.**

(a) **FINDINGS.**—Section 690(a) of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107-228), is amended by adding at the end the following:

“(5) Since the founding of the Magen David Adom Society in 1930, the American Red Cross has regarded it as a sister national society forging close working ties between the two societies and has consistently advocated recognition and membership of the Magen David Adom Society in the International Red Cross and Red Crescent Movement.

“(6) The American Red Cross and the Magen David Adom Society signed an important memorandum of understanding in November 2002, outlining areas for strategic collaboration, and the American Red Cross will encourage other societies to establish similar agreements with the Magen David Adom Society.”.

(b) **SENSE OF CONGRESS.**—Section 690(b) of such Act is amended—

(1) in paragraph (3), by striking “and” at the end;

(2) by redesignating paragraph (4) as paragraph (5); and

(3) by inserting after paragraph (3) the following new paragraph:

“(4) the High Contracting Parties to the Geneva Conventions of August 12, 1949, should adopt the October 12, 2000, draft additional protocol which would accord international recognition to an additional distinctive emblem; and”.

(c) **REPORT.**—Section 690 of such Act is further amended by adding at the end the following new subsection:

“(c) **REPORT.**—Not later than 60 days after the date of the enactment of the Foreign Relations Authorization Act, Fiscal Years 2006 and 2007, and one year thereafter, the Secretary of State shall submit a report, on a classified basis if necessary, to the appropriate congressional committees describing—

“(1) efforts by the United States to obtain full membership for the Magen David Adom Society in the International Red Cross and Red Crescent Movement;

“(2) efforts by the International Committee of the Red Cross to obtain full membership for the Magen David Adom Society in the International Red Cross and Red Crescent Movement;

“(3) efforts of the High Contracting Parties to the Geneva Conventions of August 12, 1949, to adopt the October 12, 2000, draft additional protocol to the Geneva Conventions;

“(4) the extent to which the Magen David Adom Society is participating in the activities of the International Red Cross and Red Crescent Movement; and

“(5) efforts by any state, member, or official of the International Red Cross and Red Crescent Movement to prevent, obstruct, or place conditions upon—

“(A) adoption by the High Contracting Parties to the Geneva Conventions of August 12, 1949, of the October 12, 2000, draft additional protocol to the Geneva Conventions; and

“(B) full participation of the Magen David Adom Society in the activities of the International Red Cross and Red Crescent Movement.”.

**SEC. 1015. DEVELOPMENTS IN AND POLICY TOWARD INDONESIA.**

(a) **STATEMENT OF CONGRESS RELATING TO RECENT DEVELOPMENTS, HUMAN RIGHTS, AND REFORM.**—Congress—

(1) recognizes the remarkable progress in democratization and decentralization made by Indonesia in recent years and commends the people of Indonesia on the pace and scale of those continuing reforms;

(2) reaffirms—

(A) its deep condolences to the people of Indonesia for the profound losses inflicted by the December 26, 2004, earthquake and tsunami; and

(B) its commitment to generous United States support for relief and long term reconstruction efforts in affected areas;

(3) expresses its hope that in the aftermath of the tsunami tragedy the Government of Indonesia and other parties will succeed in reaching and implementing a peaceful, negotiated settlement of the long-standing conflict in Aceh;

(4) commends the Government of Indonesia for allowing broad international access to Aceh after the December 2004 tsunami, and urges that international nongovernmental organizations and media be allowed unfettered access throughout Indonesia, including in Papua and Aceh;

(5) notes with grave concern that—

(A) reform of the Indonesian security forces has not kept pace with democratic political reform, and that the Indonesian military is subject to inadequate civilian control and oversight, lacks budgetary transparency, and continues to emphasize an internal security role within Indonesia;

(B) members of the Indonesian security forces continue to commit many serious human rights violations, including killings, torture, rape, and arbitrary detention, particularly in areas of communal and separatist conflict; and

(C) the Government of Indonesia largely fails to hold soldiers and police accountable for extrajudicial killings and other serious human rights abuses, both past and present, including atrocities committed in East Timor prior to its independence from Indonesia;

(6) condemns the intimidation and harassment of human rights and civil society organizations by members of the Indonesian security forces and military-backed militia groups, and urges a complete investigation of the fatal poisoning of

prominent human rights activist Munir in September 2004; and

(7) urges the Government of Indonesia and the Indonesian military to continue to provide full, active, and unfettered cooperation to the Federal Bureau of Investigation of the Department of Justice in its investigation of the August 31, 2002, attack near Timika, Papua, which killed three people (including two Americans, Rick Spier and Ted Burgon) and injured 12 others, and to pursue the indictment, apprehension, and prosecution of all parties responsible for that attack.

(b) **FINDINGS RELATING TO PAPUA.**—Congress finds the following:

(1) Papua, a resource-rich province whose indigenous inhabitants are predominantly Melanesian, was formerly a colony of the Netherlands.

(2) While Indonesia has claimed Papua as part of its territory since its independence in the late 1940s, Papua remained under Dutch administrative control until 1962.

(3) On August 15, 1962, Indonesia and the Netherlands signed an agreement at the United Nations in New York (commonly referred to as the “New York Agreement”) which transferred administration of Papua first to a United Nations Temporary Executive Authority (UNTEA), and then to Indonesia in 1963, pending an “act of free choice . . . to permit the inhabitants to decide whether they wish to remain with Indonesia”.

(4) In the New York Agreement, Indonesia formally recognized “the eligibility of all adults [in Papua] . . . to participate in [an] act of self-determination to be carried out in accordance with international practice”, and pledged “to give the people of the territory the opportunity to exercise freedom of choice . . . before the end of 1969”.

(5) In July and August 1969, Indonesia conducted an “Act of Free Choice”, in which 1,025 selected Papuan elders voted unanimously to join Indonesia, in circumstances that were subject to both overt and covert forms of manipulation.

(6) In the intervening years, indigenous Papuans have suffered extensive human rights abuses, natural resource exploitation, environmental degradation, and commercial dominance by immigrant communities, and some individuals and groups estimate that more than 100,000 Papuans have been killed during Indonesian rule, primarily during the Sukarno and Suharto administrations.

(7) While the United States supports the territorial integrity of Indonesia, Indonesia’s historical reliance on force for the maintenance of control has been counterproductive, and long-standing abuses by security forces have galvanized independence sentiments among many Papuans.

(8) While the Indonesian parliament passed a Special Autonomy Law for Papua in October 2001 that was intended to allocate greater revenue and decision making authority to the Papuan provincial government, the promise of special autonomy has not been effectively realized and has been undermined in its implementation, such as by conflicting legal directives further subdividing the province in apparent contravention of the law and without the consent of appropriate provincial authorities.

(9) Rather than demilitarizing its approach, Indonesia has reportedly sent thousands of additional troops to Papua, and military operations in the central highlands since the fall of 2004 have displaced thousands of civilians into very vulnerable circumstances, contributing further to mistrust of the central government by many indigenous Papuans.

(10) According to the 2004 Annual Country Report on Human Rights Practices of the Department of State, in Indonesia “security force members murdered, tortured, raped, beat, and arbitrarily detained civilians and members of separatist movements” and “police frequently

and arbitrarily detained persons without warrants, charges, or court proceedings” in Papua.

(c) **REPORTING REQUIREMENTS.**—

(1) **REPORT ON SPECIAL AUTONOMY.**—Not later than 180 days after the date of the enactment of this Act and one year thereafter, the Secretary of State shall submit to the appropriate congressional committees a report detailing implementation of special autonomy for Papua and Aceh. Such reports shall include—

(A) an assessment of the extent to which each province has enjoyed an increase in revenue allocations and decision making authority;

(B) a description of access by international press and non-governmental organizations to each province;

(C) an assessment of the role played by local civil society in governance and decision making;

(D) a description of force levels and conduct of Indonesian security forces in each province; and

(E) a description of United States efforts to promote respect for human rights in each province.

(2) **REPORT ON THE 1969 ACT OF FREE CHOICE.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report analyzing the 1969 Act of Free Choice.

**SEC. 1016. MURDERS OF UNITED STATES CITIZENS JOHN BRANCHIZIO, MARK PARSON, AND JOHN MARIN LINDE.**

(a) **FINDINGS.**—Congress makes the following findings:

(1) On October 15, 2003, a convoy of clearly identified United States diplomatic vehicles was attacked by Palestinian terrorists in Gaza resulting in the death of United States citizens John Branchizio, Mark Parson, and John Marin Linde, and the injury of a fourth United States citizen.

(2) John Branchizio, Mark Parson, and John Marin Linde were contract employees providing security to United States diplomatic personnel who were visiting Gaza in order to identify potential Palestinian candidates for Fulbright Scholarships.

(3) A senior official of the Palestinian Authority was reported to have stated on September 22, 2004, that “Palestinian security forces know who was behind the killing” of John Branchizio, Mark Parson, and John Marin Linde.

(4) Following her visit to Israel and the West Bank on February 7, 2005, Secretary of State Condoleezza Rice announced that she had been “assured by President Abbas of the Palestinian Authority’s intention to bring justice to those who murdered three American personnel in the Gaza in 2003”.

(5) Since the attack on October 15, 2003, United States Government personnel have been prohibited from all travel in Gaza.

(6) The United States Rewards for Justice program is offering a reward of up to \$5,000,000 for information leading to the arrest or conviction of any persons involved in the murder of John Branchizio, Mark Parson, and John Marin Linde.

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

(1) the continued inability or unwillingness of the Palestinian Authority to actively and aggressively pursue the murderers of United States citizens John Branchizio, Mark Parson, and John Marin Linde and bring them to justice calls into question the Palestinian Authority’s viability as a partner for the United States in resolving the Palestinian-Israeli conflict;

(2) future United States assistance to the Palestinian Authority may be affected, and the continued operation of the PLO Representative Office in Washington may be jeopardized, if the Palestinian Authority does not fully and effectively cooperate in bringing to justice the murderers of John Branchizio, Mark Parson, and John Marin Linde; and

(3) it is in the vital national security interest of the United States to safeguard, to the greatest extent possible consistent with their mission, United States diplomats and all embassy and consulate personnel, and to use the full power of the United States to bring to justice any individual or entity that threatens, jeopardizes, or harms them.

(c) **REPORT.**—Not later than 30 days after the date of the enactment of this Act, and every 120 days thereafter, the Secretary of State shall submit a report, on a classified basis if necessary, to the appropriate congressional committees describing—

(1) efforts by the United States to bring to justice the murderers of United States citizens John Branchizio, Mark Parson, and John Marin Linde;

(2) a detailed assessment of efforts by the Palestinian Authority to bring to justice the murderers of John Branchizio, Mark Parson, and John Marin Linde, including—

(A) the number of arrests, interrogations, and interviews by Palestinian Authority officials related to the case;

(B) the number of Palestinian security personnel and man-hours assigned to the case;

(C) the extent of personal supervision or involvement by the President and Ministers of the Palestinian Authority; and

(D) the degree of cooperation between the United States and the Palestinian Authority in regards to this case;

(3) a specific assessment by the Secretary of whether the Palestinian efforts described in paragraph (2) constitute the best possible effort by the Palestinian Authority; and

(4) any additional steps or initiatives requested or recommended by the United States that were not pursued by the Palestinian Authority.

(d) **CERTIFICATION.**—The requirement to submit a report under subsection (c) shall no longer apply if the Secretary of State certifies to the appropriate congressional committees that the murderers of United States citizens John Branchizio, Mark Parson, and John Marin Linde have been identified, arrested, and brought to justice.

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

(1) the Committee on International Relations and the Committee on Appropriations of the House of Representatives; and

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

**SEC. 1017. DIPLOMATIC RELATIONS WITH ISRAEL.**

(a) **FINDINGS.**—Congress makes the following findings:

(1) Israel is a friend and ally of the United States whose security is vital to regional stability and United States interests.

(2) Israel currently maintains diplomatic relations with 160 countries, 33 countries do not have any diplomatic relations with Israel, and one country has partial relations with Israel.

(3) The Government of Israel has been actively seeking to establish formal relations with a number of countries.

(4) After 57 years of existence, Israel deserves to be treated as an equal country by its neighbors and the world community.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that the United States should assist Israel in its efforts to establish diplomatic relations.

(c) **REPORT.**—Not later than 90 days after the date of the enactment of this Act and annually thereafter, the Secretary of State shall submit to the appropriate congressional committees a report that includes the following information (in classified or unclassified form, as appropriate):

(1) Actions taken by representatives of the United States to encourage other countries to establish full diplomatic relations with Israel.

(2) Specific responses solicited and received by the Secretary from countries that do not maintain full diplomatic relations with Israel with

respect to their attitudes toward and plans for entering into diplomatic relations with Israel.

(3) Other measures being undertaken, and measures that will be undertaken, by the United States to ensure and promote Israel's full participation in the world diplomatic community.

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

(1) the Committee on International Relations and the Committee on Appropriations of the House of Representatives; and

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

**SEC. 1018. TAX ENFORCEMENT IN COLOMBIA.**

Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit to the Committee on International Relations of the House of Representatives, the Committee on Foreign Relations of the Senate, the Committee on Appropriations of the House of Representatives, and the Committee on Appropriations of the Senate a report detailing challenges to tax code enforcement in Colombia. This report shall include, as a percentage of Colombia's gross domestic product, an estimate of current tax revenue, an estimate of potential additional tax revenue if Colombia's existing tax laws were fully enforced, and a discussion of how such additional revenue could be used to achieve the objectives of Plan Colombia, including supporting and expanding Colombia's security forces and increasing the availability of alternative livelihoods for illicit crop growers and former combatants.

**SEC. 1019. PROVISION OF CONSULAR AND VISA SERVICES IN PRISTINA, KOSOVA.**

(a) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report describing the possibility of providing consular and visa services at the United States Office Pristina, Kosovo (USOP) to residents of Kosova.

(b) CONTENTS.—The report required under subsection (a) shall contain the following information:

(1) The reasons why consular and visa services are not currently offered at the USOP, even though the Office has been in operation for more than five years.

(2) Plans for providing consular and visa services at the USOP, including conditions required before such services would be provided and the planned timing for providing such services.

(3) An explanation of why consular and visa services will not be offered at the USOP by January 1, 2007, if such services are not planned to be offered by such date.

(4) The number of residents of Kosova who apply for their visas outside of Kosova for each calendar year from 2000–2005.

**SEC. 1020. DEMOCRACY IN PAKISTAN.**

Not later than December 31 in each of fiscal years 2006 and 2007, the President shall submit to the appropriate congressional committees a report that contains a description of the extent to which, over the preceding 12-month period, the Government of Pakistan has restored a fully functional democracy in Pakistan in which free, fair, and transparent elections are held.

**SEC. 1021. STATUS OF THE SOVEREIGNTY OF LEBANON.**

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

(1) all parties in the Middle East and internationally should exert every effort to implement in its entirety the provisions of United Nations Security Council Resolution 1559 (2004), which, among other things—

(A) calls for “strict respect” for Lebanon's sovereignty, territorial integrity, unity, and political independence “under the sole and exclusive authority of the Government of Lebanon throughout Lebanon”;

(B) calls upon all remaining foreign forces to withdraw from Lebanon;

(C) calls for the “disbanding and disarmament of all Lebanese and non-Lebanese militias”; and

(D) supports the extension of the control of the Government of Lebanon over all Lebanese territory;

(2) in accordance with United Nations Security Council Resolution 1559, all militias in Lebanon, including Hezbollah, should be disbanded and disarmed at the earliest possible opportunity, and the armed forces of Lebanon should take full control of all of Lebanon's territory and borders;

(3) the Government of Lebanon is responsible for the disbanding and disarming of the militias, including Hezbollah, and preventing the flow of armaments and other military equipment to the militias, including Hezbollah, from Syria, Iran, and other external sources;

(4) the Government of the United States should closely monitor progress toward full implementation of all aspects of United Nations Security Council Resolution 1559, particularly the matters described in subparagraphs (A) through (D) of paragraph (1);

(5) the Government of the United States should closely monitor the Government of Lebanon's efforts to stanch the flow of armaments and other military equipment to Hezbollah and other militias from external sources, such as Syria and Iran;

(6) the United States and its allies should consider providing training and other assistance to the armed forces of Lebanon to enhance their ability to disarm Hezbollah and other militias and stanch the flow of arms to Hezbollah and other militias; and

(7) United States assistance provided to Lebanon after the date of the enactment of this Act may be affected if Lebanon does not make every effort to disarm militias, including Hezbollah, and to deny them re-armament.

(b) REPORT.—Not later than 120 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary of State shall submit to the appropriate congressional committees a report that describes and evaluates—

(1) the extent to which armed militias continue to operate in Lebanon and the progress of the Government of Lebanon to disband and disarm such militias;

(2) the extent to which the Government of Lebanon is committed to disbanding and disarming Hezbollah and other militias and stanching the flow of arms to Hezbollah and other militias;

(3) the progress of the armed forces of Lebanon to deploy to and take full control of all of Lebanon's borders;

(4) the extent to which countries in the region attempt to direct arms to Lebanon-based militias or allow their territory to be traversed for this purpose and the extent to which these arming efforts succeed;

(5) the routes and means used by external sources attempting to supply arms to the Lebanon-based militias the countries that are involved in these efforts;

(6) the efforts of the United States and its allies to facilitate the process of disbanding and disarming Lebanon-based militias and stanching the flow of weapons to such militias; and

(7) any recommendations for legislation to support the disbanding and disarming of Lebanon-based militias.

(c) FORM.—The report required by subsection (b) shall be submitted in unclassified form and may contain a classified annex if necessary.

(d) CERTIFICATION.—The requirement to submit a report under subsection (b) shall no longer apply if the Secretary certifies to the appropriate congressional committees that all Lebanon-based militias have been disbanded and disarmed and the armed forces of Lebanon are deployed to and in full control of Lebanon's borders.

**SEC. 1022. ACTIVITIES OF INTERNATIONAL TERRORIST ORGANIZATIONS IN LATIN AMERICA AND THE CARIBBEAN.**

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

(1) activities in Latin America and the Caribbean by international terrorist organizations and their affiliates and supporters represent a direct threat to the national security of the United States and hemispheric stability;

(2) international terrorist organizations, such as Hezbollah and Hamas, have profited and taken advantage of the dearth or weakened state of the rule of law in many Latin American and Caribbean countries to further their own aims; and

(3) the United States should work cooperatively with countries of Latin America and the Caribbean to expose and prevent such activities.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, and not later than June 30 of the year thereafter, the Secretary of State shall submit to the appropriate congressional committees a report on the activities of international terrorist organizations in Latin America and the Caribbean. The report shall include the following:

(1) An assessment of the membership, stated intentions, recruitment, and terrorist fundraising capabilities of each international terrorist organization operating in Latin America and the Caribbean.

(2) An assessment of the relationship of each such international terrorist organization with other criminal enterprises or terrorist organizations for fundraising and other criminal purposes.

(3) An assessment of the activities of each such international terrorist organization.

(c) FORM.—The report required by subsection (b) shall be submitted in unclassified form but may contain a classified annex.

**SEC. 1023. ANALYSIS OF EMPLOYING WEAPONS SCIENTISTS FROM THE FORMER SOVIET UNION IN PROJECT BIOSHIELD.**

(a) REPORT.—Not later than November 1, 2006, the Secretary of State, after consultation with the Secretary of Health and Human Services, shall submit to the appropriate congressional committees a report containing an analysis of—

(1) the scientific and technological contributions that scientists formerly employed in the former Soviet Union in the field of biological warfare could make to the research and development of biomedical countermeasures;

(2) the practical alternative methods through which the services of such scientists could be employed so as to facilitate the application of the knowledge and experience of such scientists to such research and development;

(3) the cost-effectiveness of those methods of employing the services of such scientists; and

(4) the desirability and national security implications of providing employment opportunities for such scientists in the field of research and development of biomedical countermeasures for purposes of biological weapons nonproliferation.

(b) RECOMMENDATIONS.—Each Secretary shall also include in the report required under subsection (a) any recommendations of each for appropriate legislation to address the issues analyzed in the report.

(c) DEFINITION.—In this section, the term “biomedical countermeasures” means a drug (as such term is defined in section 201(g)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(g)(1))), biological product (as such term is defined in section 351(i) of the Public Health Service Act (42 U.S.C. 262(i))), or device (as such term is defined in section 201(h) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(h))) that is used—

(1) in the diagnosis, cure, mitigation, treatment, or prevention of harm from any biological, chemical, radiological, or nuclear agent that may cause a public health emergency affecting national security; or

(2) in diagnosis, cure, mitigation, treatment, or prevention of harm from a condition that may result in adverse health consequences or death.

**SEC. 1024. EXTRADITION OF VIOLENT CRIMINALS FROM MEXICO TO THE UNITED STATES.**

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

(1) Mexico is unable to extradite criminals who face life sentences without the possibility of parole because of a 2001 decision of the Mexican Supreme Court.

(2) As a result of this ruling, Mexico is unable to extradite to the United States numerous suspects wanted for violent crimes committed in the United States unless the United States assures Mexico that these criminals will not face life imprisonment without the possibility of parole.

(3) The attorneys general from all 50 States have asked the Government of the United States to continue to address this extradition issue with the Government of Mexico.

(4) The Government of the United States and the Government of Mexico have experienced positive cooperation on numerous matters relevant to their bilateral relationship, including increased cooperation on extraditions.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that the Government of the United States should encourage the Government of Mexico to continue to work closely with the Mexican Supreme Court to urge the Court to revisit its October 2001 ruling so that the possibility of life imprisonment without parole will not have an effect on the timely extradition of criminal suspects from Mexico to the United States.

(c) **REPORTS.**—

(1) **ANNUAL NUMBER AND STATUS OF FORMAL EXTRADITION REQUESTS MADE TO MEXICO BY THE UNITED STATES.**—Not later than six months after the date of the enactment of this Act and annually thereafter, the Secretary of State shall submit to the appropriate congressional committees a report that includes—

(A) the number of formal requests made to the Government of Mexico by the Government of the United States for the extradition of Mexican nationals suspected of or convicted in abstentia for crimes committed in the United States in the preceding fiscal year, the names of such nationals, the crimes of which each such national is suspected or has been convicted in abstentia, a detailed disposition of the status of each such extradition request, and the progress that has been made with respect to each such extradition request in the preceding fiscal year; and

(B) the number of such nationals who Mexico has extradited to the United States in response to formal extradition requests for such nationals in the preceding fiscal year.

(2) **AGGREGATE NUMBER AND STATUS OF FORMAL EXTRADITION REQUESTS MADE TO MEXICO BY THE UNITED STATES.**—Not later than six months after the date of the enactment of this Act and annually thereafter, the Secretary of State shall submit to the appropriate congressional committees a report that includes—

(A) the number of formal requests made to the Government of Mexico by the Government of the United States for the extradition of Mexican nationals suspected of or convicted in abstentia for crimes committed in the United States since the signing of the Extradition treaty, with appendix, between the United States and Mexico, signed at Mexico City on May 4, 1978 (31 UST 5059), including the names of such nationals, the crimes of which each such national is suspected or has been convicted in abstentia, a detailed disposition of the status of each such extradition request, and the progress that has been made with respect to each such extradition request since such signing; and

(B) the number of such nationals who Mexico has extradited to the United States in response to formal extradition requests for such nationals since the signing of the Extradition treaty, with appendix between the United States and Mexico.

(3) **COOPERATION BY THE UNITED STATES WITH EXTRADITION REQUESTS FROM MEXICO.**—Not later than six months after the date of the en-

actment of this Act and annually thereafter, the Secretary of State shall submit to the appropriate congressional committees a report that includes—

(A) the number of United States nationals who the United States has extradited to Mexico in response to formal extradition requests for such nationals by Mexico in the preceding fiscal year; and

(B) the number of United States nationals who the United States has extradited to Mexico in response to formal extradition requests for such nationals by Mexico since the signing of the Extradition treaty, with appendix between the United States and Mexico.

(d) **FORMAT.**—If the Secretary of State determines that such is appropriate, the Secretary may submit a report required under subsection (c) with a classified annex.

**SEC. 1025. ACTIONS OF THE 661 COMMITTEE.**

(a) **REPORT.**—Not later than 120 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report on United States decisions, actions, communications, and deliberations in the 661 Committee of the United Nations regarding the issues of overpricing of contracts, kickbacks from sales of humanitarian goods, efforts to correct and revalue the remaining contracts in the post-Saddam Hussein regime era, oil smuggling, and trade protocols. The report shall examine the process by which the United States made its decisions in the 661 Committee, the officials in the United States Government involved in these decisions, and the names of the officials who made the final decisions. The report shall also include information detailing the positions of the other members states of the 661 Committee with respect to the issues described in this subsection.

(b) **INCLUSION OF SUPPORTING DOCUMENTS.**—The report required under subsection (a) shall contain all supporting documents with respect to the decisions, actions, communications, and deliberations referred in such subsection.

(c) **FORMAT.**—If the Secretary determines that such is appropriate, the Secretary may submit the report required under subsection (a) with a classified annex.

(d) **DEFINITION.**—In this section, the term “661 Committee” means the committee within the United Nations that was tasked with administering the United Nations oil for food program.

**SEC. 1026. ELIMINATION OF REPORT ON REAL ESTATE TRANSACTIONS.**

Section 12 of the Foreign Service Buildings Act, 1926 (22 U.S.C. 303) is hereby repealed.

**TITLE XI—MISCELLANEOUS PROVISIONS****Subtitle A—General Provisions****SEC. 1101. STATEMENT OF POLICY RELATING TO DEMOCRACY IN IRAN.**

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

(1) Iran is neither free nor democratic. Men and women are not treated equally in Iran, women are legally deprived of internationally recognized human rights, and religious freedom is not respected under the laws of Iran. Undemocratic institutions, such as the Guardians Council, thwart the decisions of elected leaders.

(2) The April 2005 report of the Department of State states that Iran remained the most active state sponsor of terrorism in 2004.

(3) That report also states that Iran continues to provide funding, safe-haven, training, and weapons to known terrorist groups, including Hizballah, Hamas, the Palestine Islamic Jihad, al-Aqsa Martyrs Brigade, and the Popular Front for the Liberation of Palestine, and has harbored senior members of al-Qaeda.

(b) **POLICY.**—It is the policy of the United States that—

(1) currently, there is not a free and fully democratic government in Iran;

(2) the United States supports transparent, full democracy in Iran;

(3) the United States supports the rights of the Iranian people to choose their system of government; and

(4) the United States condemns the brutal treatment, imprisonment, and torture of Iranian civilians who express political dissent.

**SEC. 1102. IRANIAN NUCLEAR ACTIVITIES.**

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

(1) Iran remains the world’s leading sponsors of international terrorism and is on the Department of State’s list of countries that provide support for acts of international terrorism.

(2) Iran has repeatedly called for the destruction of Israel, and Iran supports organizations, such as Hizballah, Hamas, and the Palestine Islamic Jihad, that deny Israel’s right to exist and are responsible for terrorist attacks against Israel.

(3) The Ministry of Defense of the Government of Iran confirmed in July 2003 that it had successfully conducted the final test of the Shahab-3 missile, giving Iran an operational intermediate-range ballistic missile capable of striking both Israel and United States troops throughout the Middle East and Afghanistan.

(4) Inspections by the International Atomic Energy Agency (IAEA) in Iran have revealed significant undeclared activities, including plutonium reprocessing efforts.

(5) Plutonium reprocessing is a necessary step in a nuclear weapons program that uses plutonium created in a reactor.

(6) Iran continues to assert its right to pursue nuclear power and related technology, continues constructing a heavy water reactor that is ideal for making plutonium for weapons, and has not fully cooperated with the ongoing investigation by the IAEA of its nuclear activities.

(7) The United States has publicly opposed the completion of reactors at the Bushehr nuclear power plant because the transfer of civilian nuclear technology and training could help to advance Iran’s nuclear weapons program.

(8) Russia, in spite of strong international concern that Iran intended to use civilian nuclear energy plants to develop nuclear weapons, provided Iran with support to complete the Bushehr nuclear facility.

(9) Russia intends to begin supplying the Bushehr nuclear facility with fuel in June 2005, and the Bushehr nuclear plant is expected to begin operation at the beginning of 2006.

(10) The Iranian parliament has ratified a bill supporting the construction of 20 new nuclear power plants.

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

(1) Russia’s provision of assistance to Iran on the Bushehr nuclear reactor is inconsistent with the nonproliferation goals of the United States;

(2) Iran’s stated plans to construct 20 new nuclear facilities and its development of nuclear technologies, coupled with acknowledged and unacknowledged ties to terrorist groups, constitute a threat to global peace and security; and

(3) the national security interests of the United States will best be served if the United States develops and implements a long-term strategy to halt all foreign nuclear cooperation with Iran.

(c) **STATEMENT OF CONGRESS.**—Congress calls upon the leaders of the governments of the G-8 to—

(1) insist that the Government of Russia terminate all assistance, including fuel shipments, to the Bushehr nuclear facility in Iran; and

(2) condition Russia’s continued membership in the G-8 on Russia’s termination of all assistance, including fuel shipments, to the Bushehr facility and to any other nuclear plants in Iran.

**SEC. 1103. LOCATION OF INTERNATIONAL INSTITUTIONS IN AFRICA.**

(a) **STATEMENT OF CONGRESS.**—Congress declares that, for the purpose of maintaining regional balances with respect to the location of international organizations and institutions in Africa, such organizations or institutions, such as the African Development Bank, that move their headquarters offices from their original locations for reasons of security should return

once those security issues have been resolved or should relocate to another country in the region in which the organization or institution was originally headquartered.

(b) CONSULTATIONS REGARDING RETURN.—The Secretary of State is authorized to begin consultations with appropriate parties to determine the feasibility of returning such organizations and institutions to the regions in which they were originally headquartered.

**SEC. 1104. BENJAMIN GILMAN INTERNATIONAL SCHOLARSHIP PROGRAM.**

Section 305 of the International Academic Opportunity Act of 2000, (title III of the Micro-enterprise for Self-Reliance and International Anti-Corruption Act of 2000) (Public Law 106-309; 22 U.S.C. 2462 note) is amended by striking “\$1,500,000” and inserting “\$4,000,000”.

**SEC. 1105. PROHIBITION ON COMMEMORATIONS RELATING TO LEADERS OF IMPERIAL JAPAN.**

The Department of State, both in Washington and at United States diplomatic missions and facilities in foreign countries, shall not engage in any activity, including the celebration of the recently enacted Showa holiday, which may, in any manner, serve to commemorate or be construed as serving to commemorate leaders of Imperial Japan who were connected to the attack on the United States Fleet at Pearl Harbor, Oahu, Hawaii, on December 7, 1941.

**SEC. 1106. UNITED STATES POLICY REGARDING WORLD BANK GROUP LOANS TO IRAN.**

(a) UNITED STATES POLICY.—The Secretary of State, in consultation with the Secretary of the Treasury, shall work to secure the support of the governments of countries represented on the decisionmaking boards and councils of the international financial institutions of the World Bank Group to oppose any further activity in Iran by the international financial institutions of the World Bank Group until Iran abandons its program to develop nuclear weapons.

(b) NOTIFICATION.—Not later than 30 days after the Secretary initiates efforts to carry out subsection (a), the Secretary shall notify the appropriate congressional committees of such efforts.

(c) WORLD BANK GROUP DEFINED.—As used in this section, the term “World Bank Group” means the International Bank for Reconstruction and Development, the International Development Association, the International Financial Corporation, and the Multilateral Investment Guaranty Agency.

**SEC. 1107. STATEMENT OF POLICY REGARDING SUPPORT FOR SECI REGIONAL CENTER FOR COMBATING TRANS-BORDER CRIME.**

(a) FINDINGS.—Congress finds the following:

(1) The Southeast European Cooperative Initiative (SECI) Regional Center for Combating Trans-Border Crime, located in Bucharest, Romania, is composed of police and customs officers from each of the 12 member states of SECI: Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Greece, Hungary, Macedonia, Moldova, Romania, Slovenia, Serbia and Montenegro and Turkey.

(2) The SECI Regional Center supports joint trans-border crime fighting efforts through the establishment of task forces, including task forces relating to trafficking in human beings, anti-drugs, financial and computer crimes, stolen vehicles, anti-smuggling and anti-fraud, and terrorism.

(b) STATEMENT OF POLICY.—It is the policy of the United States to continue to support the activities of the SECI Regional Center for Combating Trans-border Crime.

**SEC. 1108. STATEMENT OF POLICY URGING TURKEY TO RESPECT THE RIGHTS AND RELIGIOUS FREEDOMS OF THE ECUMENICAL PатRIARCH.**

(a) FINDINGS.—Congress finds the following:

(1) Turkey is scheduled to begin accession negotiations with the European Union on October 3, 2005.

(2) In 1993 the European Union defined the membership criteria for accession to the European Union at the Copenhagen European Council, obligating candidate countries to have achieved certain levels of reform, including stability of institutions guaranteeing democracy, the rule of law, and human rights, and respect for and protection of minorities.

(3) The Government of Turkey refuses to recognize the Ecumenical Patriarch's international status.

(4) The Government of Turkey has limited to Turkish nationals the candidates available to the Holy Synod for selection as the Ecumenical Patriarch and has refused to reopen the Theological School at Halki, thus impeding training for the clergy.

(b) STATEMENT OF POLICY.—Congress—

(1) calls on Turkey to continue to demonstrate its willingness to adopt and uphold European standards for the protection of human rights;

(2) based on the ideals associated with the European Union and its member states, calls on Turkey to eliminate all forms of discrimination, particularly those based on race or religion, and immediately—

(A) grant the Ecumenical Patriarch appropriate international recognition and ecclesiastic succession;

(B) grant the Ecumenical Patriarchate the right to train clergy of all nationalities, not just Turkish nationals; and

(C) respect property rights and human rights of the Ecumenical Patriarchate; and

(3) calls on Turkey to pledge to uphold and safeguard religious and human rights without compromise.

**SEC. 1109. STATEMENT OF POLICY REGARDING THE MURDER OF UNITED STATES CITIZEN JOHN M. ALVIS.**

(a) FINDINGS.—Congress finds the following:

(1) On November 30, 2000, United States citizen John M. Alvis was brutally murdered in Baku, Azerbaijan.

(2) John M. Alvis was serving his final two weeks of a two year full-time commitment to the International Republican Institute, a United States nongovernmental organization carrying out assistance projects for the Government of the United States to help promote democracy and strengthen the rule of law in Azerbaijan.

(3) The United States is committed to ensuring that the truth of the murder of John M. Alvis is determined and the individual or individuals who are responsible for this heinous act are brought to justice.

(b) STATEMENT OF POLICY.—Congress—

(1) appreciates the efforts of the Government of Azerbaijan to find the individual or individuals who are responsible for the murder of United States citizen John M. Alvis and urges the Government of Azerbaijan to continue to make these efforts a high priority; and

(2) urges the Secretary of State to continue to raise the issue of the murder of United States citizen John M. Alvis with the Government of Azerbaijan and to make this issue a priority in relations between the Government of the United States and the Government of Azerbaijan.

**SEC. 1110. STATEMENT OF CONGRESS AND POLICY WITH RESPECT TO THE DISENFRANCHISEMENT OF WOMEN.**

(a) FINDINGS.—Congress finds the following:

(1) Following the May 16, 2005, decision of the Kuwaiti parliament to enfranchise its female citizens, Saudi Arabia is now the only country in world that restricts the franchise and the right to hold elected office to men only.

(2) Only men were allowed to vote and run for office in Saudi Arabia's municipal elections held earlier this year, the first elections of any kind that Saudi Arabia has held since 1963.

(b) STATEMENTS OF CONGRESS.—Congress—

(1) strongly condemns the disenfranchisement of women, including restrictions that prevent women from holding office; and

(2) calls on the Government of Saudi Arabia to, at the earliest possible time, promulgate a

law that grants women the right to vote and to run for office in all future Saudi elections, whether local, provincial, or national.

(c) POLICY.—The President is encouraged to take such action as the President considers appropriate, including a downgrading of diplomatic relations, to encourage countries that disenfranchise only women to grant women the rights to vote and hold office.

**Subtitle B—Sense of Congress Provisions**

**SEC. 1111. KOREAN FULBRIGHT PROGRAMS.**

It is the sense of Congress that Fulbright program activities for the Republic of Korea (commonly referred to as “South Korea”) should—

(1) include participation by students from throughout South Korea, including proportional representation from areas outside of Seoul;

(2) attempt to include Korean students from a broad range of educational institutions, including schools other than elite universities;

(3) broaden the Korean student emphasis beyond degree-seeking graduate students to include opportunities for one-year nondegree study at United States colleges and universities by pre-doctoral Korean students; and

(4) include a significant number of Korean students planning to work or practice in areas other than advanced research and university teaching, such as in government service, media, law, and business.

**SEC. 1112. UNITED STATES RELATIONS WITH TAIWAN.**

It is the sense of Congress that—

(1) it is in the national interests of the United States to communicate directly with democratically elected and appointed officials of Taiwan, including the President of Taiwan, the Vice-President of Taiwan, the Foreign Minister of Taiwan, and the Defense Minister of Taiwan;

(2) the Department of State should, in accordance with Public Law 103-416, admit such high level officials of Taiwan to the United States to discuss issues of mutual concern with United States officials; and

(3) the Department of State should, in cooperation with the Ministry of Foreign Affairs of Taiwan, facilitate high level meetings between such high level officials of Taiwan and their counterparts in the United States.

**SEC. 1113. NUCLEAR PROLIFERATION AND A. Q. KHAN.**

(a) FINDINGS.—Congress finds the following:

(1) Dr. Abdul Qadeer Khan, former director of the A.Q. Khan Research Laboratory in Pakistan and Special Adviser to the Prime Minister on the Strategic Programme, had the status of a federal minister and established and operated an illegal international network which sold nuclear weapons and related technologies to a variety of countries.

(2) China provided Dr. Khan with nuclear weapons designs, and the illegal international nuclear proliferation network established by Dr. Khan may have provided other countries with these designs.

(3) The illegal international nuclear proliferation network established by Dr. Khan assisted Iran with its nuclear program by supplying Iran with uranium-enrichment technology, including centrifuge equipment and designs.

(4) The illegal international nuclear proliferation network established by Dr. Khan assisted North Korea with its nuclear weapons program by providing centrifuge technology, including designs and complete centrifuges.

(5) The illegal international nuclear proliferation network established by Dr. Khan assisted Libya with its nuclear program by providing blueprints of centrifuge parts and thousands of assembled centrifuge parts.

(6) There is concern that the illegal international nuclear proliferation network created by Dr. Khan may be still in existence and its work still on-going.

(7) Defense cooperation and technology transfer between China and Pakistan have been recently strengthened, including the codevelopment and manufacturing of a minimum of 400 J-

17 "Thunder" fighter aircraft, with a minimum of 250 going to China. This and other Chinese-Pakistani technology sharing provides an expanded basis for further Pakistani proliferation of advanced military technology.

(8) The illegal international nuclear proliferation network established by Dr. Khan is a threat to United States national security.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that the United States—

(1) should continue efforts to—

(A) dismantle the illegal international nuclear proliferation network created by Dr. Abdul Qadeer Khan; and

(B) counter, through diplomacy and negotiation, the proliferation of weapons of mass destruction from Pakistan to other countries;

(2) should request and Pakistan should grant access to interview Dr. Khan and his top associates to determine in greater detail what technology his network provided or received from Iran, North Korea, Libya, and China; and

(3) should take the steps necessary to ensure that Pakistan has verifiably halted any cooperation with any country in the development of nuclear or missile technology, material, or equipment, or any other technology, material, or equipment that is useful for the development of weapons of mass destruction, including exports of such technology, material, or equipment.

#### SEC. 1114. PALESTINIAN TEXTBOOKS.

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

(1) Since 1993, the United States has provided more than \$1,400,000,000 to assist the Palestinian people, including to assist with the process of strengthening the Palestinian education system.

(2) Since 1950, the United States has provided more than \$3,200,000,000 in assistance to United Nations Relief and Works Agency (UNRWA), which operates schools in camps housing Palestinians.

(3) The Palestinian Authority has undertaken a reform of its textbooks, a process which will be completed in 2006.

(4) These new textbooks, while an improvement over past texts, fail in many respects to foster attitudes amongst the Palestinian people conducive to peace with Israel, including references to the infamous Protocols of the Elders of Zion, failure to acknowledge the State of Israel, and failure to discuss Jews in sections dealing with religious tolerance.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that the Secretary of State should express in the strongest possible terms United States opposition to the inclusion in Palestinian textbooks of materials which foster anti-Semitism and rejection of peace with Israel, and to express the unwillingness of the United States to continue to support educational programs of the Palestinian Authority, whether directly or indirectly, should the Palestinian Authority continue to include material which does not foster tolerance and peace.

#### SEC. 1115. INTERNATIONAL CONVENTION AFFIRMING THE HUMAN RIGHTS AND DIGNITY OF PERSONS WITH DISABILITIES.

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

(1) There are more than 600,000,000 people who have a disability and more than two-thirds of all persons with disabilities live in developing countries.

(2) Only two percent of children with disabilities in developing countries receive any education or rehabilitation.

(3) A substantial shift has occurred globally from an approach of charity toward persons with disabilities to the recognition of the inherent universal human rights of persons with disabilities.

(4) A clearly defined international standard addressing the rights of persons with disabilities would assist developing countries in the creation and implementation of national laws protecting those rights.

(5) To better protect and promote the rights of persons with disabilities and to establish inter-

national norms, the United Nations General Assembly adopted Resolution 56/168 (December 19, 2001) which established an ad hoc committee to consider proposals for a comprehensive and integral international convention that affirms the human rights and dignity of persons with disabilities.

(6) With the strong commitment and leadership of the United States and the vast domestic experience of the United States in the advancement of disability rights, the world community can benefit from United States participation in the drafting of an international convention that affirms the human rights and dignity of persons with disabilities.

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

(1) the United States should play a leading role in the drafting of an international convention that affirms the human rights and dignity of persons with disabilities and which is consistent with the Constitution of the United States, the Americans with Disabilities Act of 1990, and other rights enjoyed by United States citizens with disabilities;

(2) for this purpose, the President should authorize the Secretary of State to send to the Sixth Session of the United Nations Ad Hoc Committee on a Comprehensive and Integral International Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities to be held in August 2005 and to subsequent sessions of the Ad Hoc Committee a United States delegation which includes individuals with disabilities who are recognized leaders in the United States disability rights movement; and

(3) the United States delegation referred to in paragraph (2) should seek the input and advice of the Department of State's Advisory Committee on Persons with Disabilities with respect to matters considered at the Sixth Session of the United Nations Ad Hoc Committee and subsequent sessions.

#### SEC. 1116. FULBRIGHT SCHOLARSHIPS FOR EAST ASIA AND THE PACIFIC.

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

(1) From 1949-2003, the Department of State awarded 13,176 Fulbright Scholarships to students from East Asia and the Pacific, but only 31 went to Pacific Island students.

(2) In 2003-2004, the Department of State awarded 315 scholarships to students from East Asia and the Pacific, but none were awarded to Pacific Island students.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that the Department of State should conduct a review and submit to the appropriate congressional committees a report regarding the marginalization of Pacific Islands students in the awarding of Fulbright Scholarships.

#### SEC. 1117. BAKU-TBILISI-CEYHAN ENERGY PIPELINE.

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

(1) It has been the long-standing policy of the United States to support the independence, security, and economic development of the newly independent states of the Caspian Sea region.

(2) The growth and stability of the newly independent states of the Caspian Sea region will be greatly enhanced by the development of their extensive oil and natural gas resources and the export of these resources unhindered along an east-west energy transportation corridor.

(3) The establishment of an east-west energy transportation corridor would enhance the energy security of the United States, Turkey, and other United States allies by ensuring an unhindered flow of energy from the Caspian Sea region to world markets.

(4) The centerpiece of the proposed east-west energy transportation corridor is the Baku-Tbilisi-Ceyhan (BTC) pipeline, which was first endorsed by the relevant regional governments in 1998 and which will carry one million barrels of Caspian Sea oil per day from Baku, Azer-

baijan, to Ceyhan, Turkey, via a route that passes through Tbilisi, Georgia.

(5) The BTC pipeline was inaugurated on May 25, 2005, and Caspian Sea oil exports from the port of Ceyhan, Turkey, will begin later this year.

(6) The BTC pipeline project has received strong bipartisan support during the administrations of both Presidents Bill Clinton and George W. Bush.

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

(1) the governments and peoples of Turkey and the newly independent states of the Caspian Sea region should be congratulated for the successful completion of the Baku-Tbilisi-Ceyhan pipeline;

(2) the policy of the United States to support the independence, security, and economic development of the newly independent states of the Caspian Sea region should be reaffirmed; and

(3) projects should be encouraged that would further develop the east-west energy transportation corridor between the newly independent states of the Caspian Sea region and Europe and that advance the strategic goals of the United States, especially the promotion of appropriate multiple routes for the transportation to world markets of oil and gas from the Caspian Sea region.

#### SEC. 1118. LEGISLATION REQUIRING THE FAIR, COMPREHENSIVE, AND NON-DISCRIMINATORY RESTITUTION OF PRIVATE PROPERTY CONFISCATED IN POLAND.

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

(1) The protection of and respect for property rights is a basic tenet for all democratic governments that operate according to the rule of law.

(2) Private properties were seized and confiscated by the Nazis in occupied Poland or by the Communist Polish government after World War II.

(3) Some post-Communist countries in Europe have taken steps toward compensating individuals whose property was seized and confiscated by the Nazis during World War II and by Communist governments after World War II.

(4) Poland has continuously failed to enact legislation that requires realistically achievable restitution or compensation for those individuals who had their private property seized and confiscated.

(5) Although President Aleksander Kwasniewski of Poland later exercised his veto power, in March 2001 the Polish Parliament passed a bill that would have provided compensation for seized and confiscated property, but only to individuals who were registered as Polish citizens as of December 31, 1999, thereby excluding all those individuals who emigrated from Poland during and after World War II.

(6) President Kwasniewski met in 2002 with congressional leaders of the United States Helsinki Commission and stated that he intended to draft a new law requiring the restitution of previously seized and confiscated private property that would not discriminate based on the residency or citizenship of an individual, and which would be ready to take effect by the beginning of 2003.

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

(1) Poland should develop a final and complete settlement for those individuals who had their private property seized and confiscated by the Nazis during World War II or by the Communist Polish government after the war;

(2) restitution should be made in a timely manner if they are to be of any benefit to the many Holocaust survivors who are in their eighties or older; and

(3) the President and the Secretary of State should engage, as appropriate—

(A) in an open dialogue with the Government of Poland supporting the adoption of legislation requiring the fair, comprehensive, and non-discriminatory restitution of or compensation

for private property that was seized and confiscated; and

(B) in follow-up discussions with the Government of Poland regarding the status and implementation of such legislation.

**SEC. 1119. CHILD LABOR PRACTICES IN THE COCOA SECTORS OF COTE D'IVOIRE AND GHANA.**

*It is the sense of Congress that—*

(1) the Government of the Republic of Cote d'Ivoire and the Government of the Republic of Ghana should be commended for the tangible steps they have taken to address the situation of child labor in the cocoa sector;

(2) the Government of Cote d'Ivoire and the Government of Ghana should consider child labor and forced labor issues top priorities;

(3) the chocolate industry signatories to the September 19, 2001, voluntary Protocol for the Growing and Processing of Cocoa Beans and their Derivative Products in a Manner that Complies with ILO Convention 182 Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor should meet the sixth and final pillar of the Protocol, to "develop and implement credible, mutually-acceptable, voluntary, industry-wide standards of public certification, consistent with applicable federal law, that cocoa beans and their derivative products have been grown and/or processed without any of the worst forms of child labor" by July 1, 2005;

(4) the chocolate industry, nongovernmental organizations, and the Government of Cote d'Ivoire and the Government of Ghana should continue their efforts in full force beyond July 1, 2005, to develop and implement a system to monitor child labor in the cocoa industry of Cote d'Ivoire and Ghana;

(5) the Office to Monitor and Combat Trafficking in Persons of the Department of State should include information on the association between trafficking in persons and the cocoa industries of Cote d'Ivoire, Ghana, and other cocoa producing regions in the annual trafficking in persons report to Congress; and

(6) the Department of State should assist the Government of Cote d'Ivoire and the Government of Ghana in preventing the trafficking of persons into the cocoa fields and other industries in West Africa.

**SEC. 1120. CONTRIBUTIONS OF IRAQI KURDS.**

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

(1) Iraqi Kurdish forces played a unique and significant role in the fight to liberate Iraq for all Iraqis in 2003.

(2) Since Iraq's liberation, Iraqi Kurdish leaders have played prominent and constructive roles in the drafting and passage of the Transitional Administrative Law and, more generally, in seeking to achieve a free, stable, and democratic Iraq.

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

(1) Iraqi Kurds should be commended for their many contributions and sacrifices made in the cause of creating a free, stable, and democratic Iraq; and

(2) the Iraqi Transitional Government and the Kurdistan Regional Government are expected to adhere to the highest standards of democratic governance, including through enforcement of full equality and rights for all religious and ethnic minorities, such as Assyrians and Turcomans.

**SEC. 1121. PROLIFERATION SECURITY INITIATIVE.**

*It is the sense of Congress that—*

(1) the Secretary of State should strive to expand and strengthen the Proliferation Security Initiative announced on May 31, 2003, by President George W. Bush, placing particular emphasis on including countries outside of the North Atlantic Treaty Organization (NATO); and

(2) the United States should seek an international instrument, in the form of a United Nations Security Council resolution, multilateral treaty, or other agreement, to enhance

international cooperation with the Proliferation Security Initiative regarding the interdiction, seizure, and impoundment in international waters and airspace of illicit shipments of weapons of mass destruction and their delivery systems and of related materials, equipment, and technology.

**SEC. 1122. SECURITY OF NUCLEAR WEAPONS AND MATERIALS.**

*It is the sense of Congress that the President should seek to devise and implement standards to improve the security of nuclear weapons and materials by—*

(1) establishing with other willing nations a set of guidelines containing performance-based standards for the security of nuclear weapons and materials;

(2) negotiating with those nations agreements to adopt guidelines containing performance-based standards and implement appropriate verification measures to assure ongoing compliance;

(3) coordinating with those nations and the International Atomic Energy Agency to strongly encourage other nations to adopt and verifiably implement the standards; and

(4) encouraging all nations to work with the International Atomic Energy Agency to complete the negotiation, adoption, and implementation of its proposed series of documents related to the security of nuclear materials.

**SEC. 1123. INTERNATIONAL CRIMINAL COURT AND GENOCIDE IN DARFUR, SUDAN.**

Based upon the adoption of resolutions on July 22, 2004, by both the House of Representatives and the Senate and the declaration on September 9, 2004, by former Secretary of State Colin Powell that the atrocities unfolding in Darfur, Sudan, are genocide, it is the sense of Congress that, notwithstanding the American Servicemembers' Protection Act of 2002 (title II of the 2002 Supplemental Appropriations Act for Further Recovery From and Response To Terrorist Attacks on the United States; Public Law 107-206), the United States should render assistance to the efforts of the International Criminal Court to bring to justice persons accused of genocide, war crimes, or crimes against humanity in Darfur, Sudan, provided that legally binding assurances have been received from the United Nations Security Council or the International Criminal Court that no current or former United States Government official, employee (including any contractor), member of the United States Armed Forces, or United States national will be subject to prosecution by the International Criminal Court in connection with those efforts.

**SEC. 1124. ACTION AGAINST AL-MANAR TELEVISION.**

(a) **FINDINGS.**—Congress finds that—

(1) in 1996, the Secretary of State designated Hizballah as a foreign terrorist organization (FTO) under section 219 of the Immigration and Nationality Act;

(2) al-Manar television is owned and controlled by Hizballah and acts on behalf of Hizballah, as openly acknowledged by Hizballah leader Hasan Nasrallah;

(3) al-Manar's programming, in accordance with Hizballah's policy, openly promotes hatred of and graphically glorifies and incites violence, including suicide bombings, against Americans, Israelis, and Jews;

(4) in December 2004, the Secretary of State placed al-Manar on its Terrorist Exclusion List, immediately after which the sole satellite company that broadcast al-Manar in North America pulled al-Manar off the air;

(5) in recent months, several European Union (EU) countries and EU-based satellite companies have taken actions that severely limit al-Manar's broadcasting reach in Europe; and

(6) al-Manar continues to broadcast to all of the Arab world, much of non-Arab Asia, most of Central and South America, and parts of Europe, with the cooperation of companies headquartered in Europe and the Arab world.

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

(1) all countries that host satellite companies that broadcast al-Manar, on whose territory al-Manar may be viewed over media subject to government regulation, or where advertising or other financial support for al-Manar originates, should take action, by the strongest and most comprehensive appropriate means available, to suppress al-Manar's terroristic programming;

(2) the Arab States Broadcasting Union, which is part of the Arab League, should revoke al-Manar's membership status because of al-Manar's promotion of hatred and incitement to violence, including suicide bombings, directed toward Americans, Israelis, and Jews.

**SEC. 1125. STABILITY AND SECURITY IN IRAQ.**

It is the sense of Congress that the President should transmit to the appropriate congressional committees as soon as possible after the date of the enactment of this Act the plan to provide for a stable and secure government of Iraq and an Iraqi military and police force that will allow the United States military presence in Iraq to be diminished.

**SEC. 1126. PROPERTY EXPROPRIATED BY THE GOVERNMENT OF ETHIOPIA.**

It is the sense of the Congress that the Government of Ethiopia should account for, compensate for, or return to United States citizens, and entities not less than 50 percent beneficially owned by United States citizens, property of such citizens and entities that has been nationalized, expropriated, or otherwise seized by the Government of Ethiopia before the date of the enactment of this Act in contravention of international law.

The Acting CHAIRMAN. No amendment to that amendment is in order except the amendments made in order under the rule. Each amendment may be offered only in the order specified, by a Member designated, shall be considered read, shall be debatable for the time specified, equally divided and controlled by the proponent and an opponent of the amendment, shall not be subject to amendment and shall not be subject to a demand for division of the question.

It is now in order to consider amendment No. 1 printed in part B of House Report 109-175.

**AMENDMENT NO. 1 OFFERED BY MR. HYDE**

Mr. HYDE. Madam Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. HYDE:

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

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

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

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

(ii) **OSCE PROJECTS AND ACTIVITIES REGARDING RELIGIOUS FREEDOM.**—For necessary expenses to fund secondments, hiring of staff,

and support targeted projects of ODIHR regarding religious freedom and for the OSCE/ODIHR Panel of Experts on Freedom of Religion or Belief, \$125,000 for fiscal year 2006 and \$125,000 for fiscal year 2007.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Page 83, line 15, strike “and”.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Page 153, beginning on line 21, strike “to implement the requirements of subsection (c)” and insert “to ensure the effective implementation of section 38(k) of the Arms

Export Control Act, as added by subsection (b).”.

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

#### SEC. 736. PURPOSES OF ARMS SALES.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The Acting CHAIRMAN. Pursuant to House Resolution 365, the gentleman from Illinois (Mr. HYDE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois (Mr. HYDE).

Mr. HYDE. Madam Chairman, I yield myself such time as I may consume.

This en bloc amendment has been prepared in coordination with the gentleman from California (Mr. LANTOS), ranking member, and all the changes it contains are noncontroversial and make either technical, clarifying, or minor changes. The en bloc contains adjustments to section 205 regarding surcharges on the U.S. passport based on the sound recommendation of the Committee on Ways and Means. We appreciate the contributions the Committee on Ways and Means made to further refine the purpose of section 205. As a matter of budget policy, it is important that fees that are collected and retained by the State Department are collected and used for a specific purpose.

This amendment also makes some useful additions to section 1021 by adding to the sense of Congress that the al-Manar TV station in Lebanon poses a threat because Hezbollah uses the station to recruit terrorists and adds

to the report section efforts taken to end broadcasts by al-Manar.

The en bloc also includes a clarification that licenses shall be required under an arms embargo when dual-use goods or technology are knowingly sold or transferred for military end use to the military intelligence or other security forces of the embargoed government.

Mr. LANTOS. Madam Chairman, will the gentleman yield?

Mr. HYDE. I yield to the gentleman from California.

Mr. LANTOS. Madam Chairman, I thank the gentleman for yielding to me.

The changes entailed in this amendment are technical, noncontroversial, and fully acceptable to our side.

Mr. HYDE. Madam Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. HYDE).

The amendment was agreed to.

The Acting CHAIRMAN. It is now in order to consider amendment No. 2 printed in part B of House Report 109-175.

AMENDMENT NO. 2 OFFERED BY MR. HYDE

Mr. HYDE. Madam Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. HYDE: Redesignate title XI as title XII and redesignate sections 1101 through 1126 as sections 1201 through 1226, respectively (and conform the table of contents accordingly).

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

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

**SECTION 1101. SHORT TITLE.**

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

**SEC. 1102. DEFINITIONS.**

In this title:

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

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

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

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

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

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

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

(A) the Food and Agriculture Organization (FAO);

(B) the International Atomic Energy Agency (IAEA);

(C) the International Civil Aviation Organization (ICAO);

(D) the International Fund for Agricultural Development (IFAD);

- (E) the International Labor Organization (ILO);
- (F) the International Maritime Organization (IMO);
- (G) the International Telecommunication Union (ITU);
- (H) the United Nations Educational, Scientific, and Cultural Organization (UNESCO);
- (I) the United Nations Industrial Development Organization (UNIDO);
- (J) the Universal Postal Union (UPU);
- (K) the World Health Organization (WHO) and its regional agencies;
- (L) the World Meteorological Organization (WMO); and
- (M) the World Intellectual Property Organization (WIPO).

**SEC. 1103. STATEMENT OF CONGRESS.**

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

**Subtitle A—Mission and Budget of the United Nations**

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

**(a) STATEMENTS OF POLICY.—**

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

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

(B) shift funding mechanisms of certain organizational programs of the United Nations specified under paragraph (4) from the regular assessed budget to voluntarily funded programs.

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

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

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

(i) Public Information.

(ii) General Assembly affairs and conference services.

(3) **FUTURE BIENNIAL BUDGETS.**—It shall be the policy of the United States to use its voice, vote, and influence at the United Nations to ensure that future biennial budgets of the United Nations, as agreed to by the General Assembly, reflect the shift in funding mechanisms described in paragraph (1)(B) and the redirection of funds described in paragraph (2).

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

(A) Economic and social affairs.

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

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

(D) Trade and development.

(E) International Trade Center UNCTAD/WTO.

(F) Environment.

(G) Human settlements.

(H) Crime prevention and criminal justice.

(I) International drug control.

(J) Economic and social development in Africa.

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

(L) Economic development in Europe.

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

(N) Economic and social development in Western Asia.

(O) Regular program of technical cooperation.

(P) Development account.

(Q) Protection of and assistance to refugees.

(R) Palestine refugees.

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

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

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

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

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

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

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

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

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

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

“(i) Public Information.

“(ii) General Assembly affairs and conference services.

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

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

**“(c) ANNUAL DUES.—**

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

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

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

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

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

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

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

- “(A) Internal oversight.
- “(B) Human rights.
- “(C) Humanitarian assistance.
- “(D) An organizational program specified in subparagraphs (A) through (P) of paragraph (2), subject to paragraph (5).

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

“(A) VOLUNTARY CONTRIBUTION.—Subject to not less than 30 days prior notification to Congress and the limitation specified under

subparagraph (B), the Secretary is authorized to make a voluntary contribution to an organizational program of the United Nations specified in subparagraphs (A) through (P) of paragraph (2) of any amounts not contributed in a fiscal year to an eligible organizational program specified in subparagraphs (A) through (C) of paragraph (4).

“(B) 10 PERCENT LIMITATION.—A voluntary contribution under subparagraph (A) to an organizational program of the United Nations specified in subparagraphs (A) through (P) of paragraph (2) may not exceed 10 percent of the total contribution made under paragraph (3)(A).

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

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

“(2) ANNUAL DUES EACH FISCAL YEAR.—

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

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

“(i) Public Information.

“(ii) General Assembly affairs and conferences services.

“(C) REDIRECTION OF FUNDS.—

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

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

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

“(A) IN GENERAL.—The President shall direct the United States Permanent Representative to the United Nations to make every effort, including the withholding of United States support for a consensus budget of the United Nations, to reduce the budgets of the organizational programs specified in subparagraph (B) of paragraph (2) for the 2008–2009 biennial period and each subsequent biennial period by 20 percent against the budgets of such organizational programs for the 2004–2005 biennial period.

“(B) CERTIFICATION.—In accordance with section 1171 of the Henry J. Hyde United Nations Reform Act of 2005, a certification shall

be required that certifies that the reduction in budgets described in subparagraph (A) has been implemented.”

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

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

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

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

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

“(i) SCALE OF ASSESSMENTS.—

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

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

#### SEC. 1112. WEIGHTED VOTING.

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

#### SEC. 1113. BUDGET CERTIFICATION REQUIREMENTS.

(a) CERTIFICATION.—In accordance with section 1171, a certification shall be required

that certifies that the conditions described in subsection (b) have been satisfied.

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

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

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

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

(2) PROGRAM EVALUATION.—

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

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

(ii) programs of the specialized agencies.

(B) DEVELOPMENT OF EVALUATION CRITERIA.—

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

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

(C) REPORT.—The Secretary General is assessing budget requests and, on the basis of evaluations conducted under subparagraph (B) for the relevant preceding year, submits to the General Assembly a report containing the results of such evaluations, identifying programs that have satisfied the criteria for continuing relevance and effectiveness, and an identification of programs that have not satisfied such criteria and should be terminated.

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

**SEC. 1114. ACCOUNTABILITY.**

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

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

(2) The head of the IOB shall be a Director, who shall be nominated by the Secretary General and who shall be subject to Security Council approval by a majority vote. The

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

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

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

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

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

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

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

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

(iii) the involvement, directly or indirectly, of any entity, bureau, division, de-

partment, specialized agency, or employee (including the Secretary General) of the United Nations, including any employee of the specialized agencies of the United Nations or any employee or officer of the Secretariat;

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

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

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

(b) CERTIFICATION OF UNITED NATIONS REFORMS OF THE OFFICE OF INTERNAL OVERSIGHT SERVICES.—In accordance with section 1171, a certification shall be required that certifies that the following reforms related to the Office of Internal Oversight Services (OIOS) have been adopted by the United Nations:

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

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

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

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

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

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

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

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

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

throughout the contract cycle from the bid process to contract performance.

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

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

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

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

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

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

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

(1) A United Nations Office of Ethics (UNOE) is established. The UNOE shall be an independent entity within the United Nations and shall not be subject to budget authority or organizational authority of any entity within the United Nations. The UNOE shall be responsible for establishing, managing, and enforcing a code of ethics for all employees of United Nations and its specialized agencies. The UNOE shall also be responsible for providing such employees with annual training related to such code. The head of the UNOE shall be a Director who shall be nominated by the Secretary General and who shall be subject to Security Council approval by majority vote. The UNOE shall promulgate ethics rules, including the following:

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

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

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

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

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

(3) The Director of the UNOE shall, not later than six months after the date of its establishment, publish a report containing proposals for implementing a system for the filing and review of individual Annual Financial Disclosure Forms by each employee of the United Nations, including by each employee of its specialized agencies, at the P-5 level and above and by all contractors and consultants compensated at any salary level. Such system shall be in place and operational not later than six months after the date of the publication of the report. Such completed forms shall be made available to the Office of Internal Oversight Services at the request of the Director of the Office of Internal Oversight Services. Such system shall seek to identify and prevent conflicts of interest by United Nations employees and

shall be comparable to the system used for such purposes by the United States Government. Such report shall also address broader reforms of the ethics program for the United Nations, including—

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

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

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

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

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

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

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

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

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

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

(e) CERTIFICATION OF ACCESS BY MEMBER STATES TO REPORTS AND AUDITS BY BOARD OF EXTERNAL AUDITORS.—In accordance with section 1171, a certification shall be required that certifies that Member States may, upon request, have access to all reports and audits completed by the Board of External Auditors.

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

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

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

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

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

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

#### SEC. 1115. TERRORISM AND THE UNITED NATIONS.

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

(1) a definition of terrorism that builds upon the recommendations of the Secretary General’s High-Level Panel on Threats, Challenges, and Change, and includes as an essential component of such definition any action that is intended to cause death or serious bodily harm to civilians with the purpose of intimidating a population or compelling a government or an international organization to do, or abstain from doing, any act; and

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

#### SEC. 1116. UNITED NATIONS TREATY BODIES.

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

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

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

#### SEC. 1117. EQUALITY AT THE UNITED NATIONS.

##### (a) INCLUSION OF ISRAEL IN WEOG.—

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

(2) NOTIFICATION TO CONGRESS.—Not later than six months after the date of the enact-

ment of this Act and every six months thereafter for the next six years, the Secretary of State shall notify the appropriate congressional committees concerning the treatment of Israel in the United Nations and the expansion of WEOG to include Israel as a permanent member.

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

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

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

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

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

(A) The United Nations Division for Palestinian Rights.

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

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

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

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

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

##### (c) IMPLEMENTATION BY PERMANENT REPRESENTATIVE.—

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

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

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

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

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

#### SEC. 1118. REPORT ON UNITED NATIONS REFORM.

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

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

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

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

(3) the progress of the General Assembly to modernize and streamline the committee structure and its specific recommendations on oversight and committee outputs, con-

sistent with the March 2005 report of the Secretary General entitled “In larger freedom: towards development, security and human rights for all”;

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

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

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

#### SEC. 1119. REPORT ON UNITED NATIONS PERSONNEL.

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

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

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

##### (b) CONTENTS.—The report shall include—

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

(A) tenure;

(B) performance reviews;

(C) the promotion system;

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

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

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

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

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

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

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

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

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

**SEC. 1121. UNITED NATIONS SECURITY COUNCIL AND LEBANON.**

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

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

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

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

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

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

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

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

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

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

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

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

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

(3) undermine the effectiveness of the Security Council.

**SEC. 1123. GENOCIDE AND THE UNITED NATIONS.**

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

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

(2) impose an arms and trade embargo and travel restrictions on, and freeze the assets of, all groups and individuals responsible for committing or allowing such acts of geno-

cide, ethnic cleansing, or crimes against humanity to occur;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**Subtitle B—Human Rights and the Economic and Social Council (ECOSOC)****SEC. 1131. HUMAN RIGHTS.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(2) ensure that, until such time as the Commission on Human Rights of the United Nations is abolished, only countries that are not ineligible for membership on a human

rights body in accordance with paragraphs (1) through (4) of section 1131(b) shall be considered for membership on the Commission on Human Rights; and

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

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

**SEC. 1133. UNITED NATIONS DEMOCRACY FUND.**

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

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

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

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

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

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

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

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

**Subtitle C—International Atomic Energy Agency**

**SEC. 1141. INTERNATIONAL ATOMIC ENERGY AGENCY.**

(a) ENFORCEMENT AND COMPLIANCE.—

(1) OFFICE OF COMPLIANCE.—

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

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

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

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

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

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

(2) SPECIAL COMMITTEE ON SAFEGUARDS AND VERIFICATION.—

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

(B) RESPONSIBILITIES.—The Special Committee shall—

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

(ii) consider which additional measures are necessary to enhance the ability of the IAEA, beyond the verification mechanisms and authorities contained in the Additional Protocol to the Safeguards Agreements between the IAEA and Member States of the IAEA, to detect with a high degree of confidence undeclared nuclear activities by a Member State.

(3) PENALTIES WITH RESPECT TO THE IAEA.—

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

(i) limiting its ability to vote on its case;

(ii) being prevented from receiving any technical assistance; and

(iii) being prevented from hosting meetings.

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

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

(b) UNITED STATES CONTRIBUTIONS.—

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

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

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

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

(i) the government of which the Secretary of State has determined, for purposes of section 6(j) of the Export Administration Act of 1979, section 620A of the Foreign Assistance Act of 1961, section 40 of the Arms Export Control Act, or other provision of law, is a government that has repeatedly provided support for acts of international terrorism and the government of which the Secretary

has determined has not dismantled and surrendered its weapons of mass destruction programs under international verification;

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

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

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

(c) MEMBERSHIP.—

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

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

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

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

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

(1) rescind and eliminate the Small Quantities Protocol;

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

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

(e) NUCLEAR PROGRAM OF IRAN.—

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

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

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

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

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

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

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

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

**Subtitle D—Peacekeeping**

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

It is the sense of Congress that—

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

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

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

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

(1) PLANNING AND MANAGEMENT.

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

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

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

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

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

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

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

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

(2) CONDUCT AND DISCIPLINE.

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

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

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

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

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

(C) MONITORING MECHANISMS.—Dedicated monitoring mechanisms, such as the Personnel Conduct Units already deployed to

support United Nations peacekeeping operations in Haiti, Liberia, Burundi, and the Democratic Republic of Congo, should be present in each operation to monitor compliance with the Code of Conduct, and—

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

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

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

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

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

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

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

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

(i) promulgating measures to prevent misconduct;

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

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

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

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

personal liability and reinforcing an atmosphere of impunity.

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

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

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

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

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

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

(3) PEACEBUILDING COMMISSION.—

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

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

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

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

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

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

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

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

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

**SEC. 1153. CERTIFICATION.**

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

**(1) NO NEW OR EXPANDED PEACEKEEPING OPERATIONS.—**

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

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

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

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

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

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

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

(E) A centralized data base has been created and is being maintained in the United Nations Department of Peacekeeping Operations that tracks cases of misconduct, in-

cluding the outcomes of investigations and subsequent prosecutions, to ensure that personnel, regardless of category or rank, who have engaged in misconduct or other criminal activities are permanently barred from participation in future peacekeeping operations.

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

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

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

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

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

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

(G) A professional and independent investigative and audit function has been established within the United Nations Department of Peacekeeping Operations and the OIOS to monitor United Nations peacekeeping operations.

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

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

**TITLE V—DEPARTMENT OF STATE AND GOVERNMENT ACCOUNTABILITY OFFICE**

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

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

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

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

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

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

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

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

#### SEC. 1163. REVIEW AND REPORT.

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

- (1) the findings of such review; and
- (2) recommendations relating to—

(A) the continuation of such programs; and  
(B) which of such programs should be voluntarily funded, other than those specified in subparagraphs (A) through (R) of subsection (c)(2) of section 11 of the United Nations Participation Act of 1945, as amended by section 1111(c) of this title.

#### SEC. 1164. GOVERNMENT ACCOUNTABILITY OFFICE.

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

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

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

#### Subtitle F—Certifications and Withholding of Contributions

##### SEC. 1171. CERTIFICATIONS AND WITHHOLDING OF CONTRIBUTIONS.

###### (a) CERTIFICATIONS.—

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

###### (2) ALTERNATE CERTIFICATION MECHANISM.—

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

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

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

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

###### (C) WRITTEN JUSTIFICATION AND CONSULTATION.—

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

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

###### (3) LIMITED EXCEPTION FOR SUBSTANTIAL COMPLIANCE.—

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

###### (B) MANDATORY IMPLEMENTATION OF CERTAIN REFORMS.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

###### (ii) FULL COMPLIANCE IN SUCCEEDING YEAR.—

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

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

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

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

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

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

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

(B) APPLICATION.—If the Secretary does not submit a certification under such section, the 50 percent withholding described under paragraph (1) shall apply.

(C) RELEASE OF FUNDS.—At such time as all certifications (or alternate certifications) are submitted in accordance with subsection (a), the United States shall transfer to the United Nations amounts appropriated but withheld from expenditure under subsection (b).

###### (d) ANNUAL REVIEWS.—

(1) IN GENERAL.—The Secretary shall conduct annual reviews, beginning one year after the date on which the Secretary submits the final certification (or alternate certification) in accordance with subsection (a), to determine if the United Nations continues to remain in compliance with all such certifications (or alternate certifications). Not later than 30 days after the completion of each such review, the Secretary shall submit to the appropriate congressional committees a report containing the findings of each such review.

(2) ACTION.—If during the course of any such review the Secretary determines that the United Nations has failed to remain in compliance with a certification (or an alternate certification) that was submitted in accordance with subsection (a), the 50 percent withholding described under subsection (b) shall re-apply with respect to United States contributions each fiscal year to the regular assessed budget of the United Nations beginning with the fiscal year immediately following such review and subsequent fiscal years until such time as all certifications (or alternate certifications) under subsection (a) have been submitted.

(e) EFFECTIVE DATE.—The certifications (or alternate certifications) specified under subsection (a) shall be required with respect to United States contributions towards payment of regular assessed dues of the United Nations for 2007 and subsequent years.

The Acting CHAIRMAN. Pursuant to House Resolution 365, the gentleman from Illinois (Mr. HYDE) and the gentleman from California (Mr. LANTOS) each will control 10 minutes.

The Chair recognizes the gentleman from Illinois (Mr. HYDE).

Mr. HYDE. Madam Chairman, I yield myself such time as I may consume.

The amendment attaches the Hyde United Nations Reform Act of 2005, passed by this Chamber on June 17 to H.R. 2601. The Hyde United Nations Reform Act addresses key areas such as streamlining the budget, strengthening accountability and oversight, restoring credibility and integrity to the United Nations human rights bodies, strengthening IAEA monitoring and compliance apparatus, addressing sexual abuse and exploitation scandals with U.N. peacekeepers and injustices toward Israel, areas that no one denies must be reformed.

From the debate that took place 4 weeks ago, there is no question that Members of this body agree the U.N. is in desperate need of reform. As discussed, corruption is rampant. Look no further than the ever-expanding Oil-for-Food scandal. U.N. peacekeepers have sexually abused children in Bosnia, Congo, Haiti, and Sierra Leone.

□ 1415

A culture of concealment makes rudimentary oversight virtually impossible. A casual attitude toward conflict of interest rules undermines trust in the U.N.'s basic governance. If you recall, the debate focused very little on what the U.N. needs to do to reform itself and instead very much on how. We should ensure these reforms are actually implemented.

There was a lengthy exchange on the issue of withholding of dues, and I want to make it clear that Congress must take action to withhold dues if we truly want to see the U.N. reformed. To do less, to set forth aspirational suggestions or to cede total congressional authority of the power of the purse to the executive branch would send a clear message that Congress does not think the U.N. is doing too bad a job, that Congress does not really care how the U.N. spends taxpayer money, and the U.N. can continue operating under the status quo.

Let me also be clear: the withholdings called for are not immediate. The United Nations has 2 years to get its act together before certification kicks in; and then, if the U.N. implements 32 of the reforms, no funds are withheld. The U.N. has another year to accomplish the remaining 14 reforms before any withholdings would occur. That is a total of 3 years. A reasonable person would have to ask, is this not enough time? When is enough enough? Are we serious about U.N. reform, or not?

History shows that when Congress stands tough, when it says if you do not reform, we are not going to pay, then change occurs. Look at the Kassebaum-Solomon amendment in the mid-80s. That amendment eventually led to the implementation of consensus-based budgeting, a reform that no one said could be achieved.

What about UNESCO? We withdrew in protest. We stopped paying our assessed dues. Let me repeat, we stopped paying our assessed dues. Reforms of that agency were made, and we rejoined.

Does anyone remember the genesis of the Office of Internal Oversight Services in the middle 1990s? The U.S. threatened to withhold funding. Lo and behold, the U.N. created an oversight function.

Even with Helms-Biden, Congress leveraged the fact that in order for us to pay arrears the U.N. had to undertake certain reforms.

All of these requirements were legislated and directed actions which resulted in reforms that were actually implemented. Let the lesson be lost on no one: Congress taking action to withhold dues equals reform of the U.N.

Madam Chairman, I reserve the balance of my time.

Mr. LANTOS. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, I rise in strong opposition to this amendment. I deeply regret that the majority has chosen to offer this amendment. If adopted, this amendment, which barely passed along partisan lines last month, will blight a very serious and bipartisan effort by the Committee on International Relations to create the authorization bill before us.

Let me state at the outset, Madam Chairman, that I share the passionate commitment of the gentleman from Illinois (Chairman HYDE) to meaningful and thorough reforms at the United Nations. This global institution must become more transparent and more accountable. Its employees must be held to the highest ethical and moral standards, and the abuses of the Oil-for-Food Program must never be repeated.

But, Madam Chairman, the deluge of stories of scandal at the United Nations has forced a long overdue recognition of a fundamental fact: the United Nations is a derivative reality, reflecting its less-than-perfect member states in a deeply flawed world.

I would like to remind all of my colleagues that there will be no quick fix for an organization composed of 191 member states that in varying degrees have their own shortcomings, injustices, flaws, and hypocrisies of all types. Because a quick fix is not to be expected, nor will a rigid and unbending punitive measure bring about long-term solution, I must oppose this amendment.

I want to tell my Republican colleagues that this Republican administration also opposes the Hyde amendment. It has stated unambiguously its strong opposition to the automatic withholding provisions of this measure.

Madam Chairman, the Lord gave us ten commandments, but the amendment before us gives us 46. What is worse, if the United Nations achieves 45 of those goals and only achieves half of the 46th requirement, this amendment will automatically cut off 50 percent of U.S. contribution to the United Nations. With such a mindlessly inflexible mechanism, this amendment is a guillotine on autopilot. It will force us to cut 50 percent of our dues to the U.N. even if that institution is moving quickly and effectively to implement meaningful reform.

The amendment would also be a death blow to peacekeeping. Immediately upon enactment, the United States would be forced to oppose any new or expanded mission until every single reform is implemented, many of which will take years to implement. Rwanda-style genocides could unfold before our eyes, and the United States would be paralyzed and would be incapable of acting.

Madam Chairman, this amendment will cause our Nation to go back into arrears at the United Nations without achieving its desired outcome. Given the important role the United Nations is currently playing in Afghanistan, in Darfur and elsewhere, I fail to see how our going into arrears will promote American national security interests. It will only force the United States to take on global responsibilities on a unilateral basis at a moment when our troops and our diplomats are already spread thin.

For these reasons, and because it would significantly undermine the underlying authorization act, which does reflect a unique bipartisan consensus about our Nation's foreign policy priorities, I strongly urge all of my colleagues to reject this amendment.

I particularly appeal to my Republican colleagues. During an earlier debate on this very issue, practically every single Democrat voted to approve a more flexible measure that would put the punitive power into the hands of our distinguished Secretary of State, not leave it on automatic pilot. I hope we will find a dozen Republicans who will put the national interests ahead of a partisan consideration. Certainly the administration has done so. The administration is on record opposing this amendment. Practically the

entire Democratic side of this body is opposed to this amendment. We trust that there will be a dozen Republicans who will listen to reason and will see the virtue of providing our distinguished Secretary of State with the discretion that she needs and will be fully prepared to use.

Madam Chairman, I reserve the balance of my time.

Mr. HYDE. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, I just want to briefly respond to the comments of my dear friend, the gentleman from California (Mr. LANTOS), on the U.N. amendment. If you are serious about reforming the U.N., and we all say that we are, then you have to have some leverage over them.

More resolutions, we have endured a blizzard of resolutions and rhetoric about reform, but nothing ever happens. It just gets worse and worse. Look at Oil-For-Food. But the way to get reform is to threaten them with cutting off the money pipeline. It has worked in the past; it will work again.

Now, this does not mean that it is going to happen. This bill, if it goes anywhere, has to go through the other body, then through a conference. You go into those things with as much strength as you can, and it seems to me that we ought to do that with U.N. reform.

But if we do not cut off the money if they fail to get certifications on 46 points that we all agree are essentially reform, we do not dispute, the Democrats and Republicans, the need for reform nor the items of reform. The dispute is how to implement.

The gentleman from California (Mr. LANTOS) suggests to leave it up to the Secretary of State to have a waiver or not. My suggestion is, legislate the withholding if they do not live up to reform. What is more likely to get reform?

In any event, I hope that we will support the U.N. reform bill that puts some teeth into the implementation.

Madam Chairman, I yield 4 minutes to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Madam Chairman, I thank my friend for yielding me time.

Madam Chairman, despite almost universal acknowledgment of the problems that exist within the U.N. human rights system and in its peacekeeping operations, there has been little reform, a lot of talk, but very little actual reform. This amendment is needed to help end this deplorable state of affairs.

Even U.N. officials like Kofi Annan have said, "Unless we remake our human rights machinery, we may be unable to renew public confidence in the U.N. itself." No truer words have ever been spoken. It is a mess and it must be rectified.

But it is not just the Commission on Human Rights that is broken. Other U.N. bodies, especially the treaty bod-

ies, have strayed from core mandates and failed to act against severe violations of human rights. Groups like CEDAW and others, without absolutely any mandate, promote a right to abortion, nothing mentioned about the unborn child. They promote violence against children and they call it a human right. Nowhere in their documents, including the CEDAW Convention, can that be found.

Let me also point out that the Hyde amendment mandates that countries that fail to uphold the Human Declaration of Human Rights should be ineligible for membership on the Human Rights Commission or any followup, like the Human Rights Council that is being proposed.

We will get rid of those items where Israel is singled out by itself at these Human Rights Commission meetings for all kinds of false charges and slander, and other countries like Sudan or the People's Republic of China get away unscathed.

The Hyde amendment also mandates that the Economic and Social Council, or ECOSOC, abolish secret voting, which has led to all kinds of abuse. Like I said, we would no longer allow members, rogue nations with despicable human rights records, to be a part of it.

The Hyde U.N. Reform Act also focuses on the area of peacekeeping. I would ask Members, look at this legislation that is pending before you, H.R. 2601. It doubles the amount of money available for U.N. peacekeeping, doubles it. I will give you the numbers if you would like to hear them. We go from \$483 million to \$1,035 billion. We are for peacekeeping. We want to assure that the kind of abuses that we have seen in Congo, in other countries are stopped, and hopefully this legislation will help to do that.

Every single reform that has been proposed is eminently doable, if and only if the political will is there to effectuate it.

We need to ensure accountability and transparency in the \$1.2 billion in taxpayer money we spend on peacekeeping every year.

□ 1430

The Hyde amendment does it. We need a U.N. that speaks strongly and clearly for the universal respect and observance of fundamental human rights and the dignity and the worth of every human person, the equal rights of men and women, as the foundation for freedom, justice, and peace. The Hyde amendment promotes that.

More high-sounding words will not help the U.N. reform itself. As the chairman said a moment ago, we have seen resolution upon resolution here, as well as in New York at the U.N., and what happens? It dies a slow and ceremonial death because it never gets acted upon. We are giving it a push, a real prod. This will not end peacekeeping as we know it. I think it will make it transparent and, hopefully,

make it much more effective and stop the horrific abuses that have been committed by U.N. peacekeepers in places like Congo.

Mr. LANTOS. Madam Chairman, I yield myself such time as I may consume. I briefly would like to respond to both of my good friends.

We are not offering a resolution. Our legislation is identical to the Republican legislation. The only difference is that your punitive provision is automatic; our punitive provision provides discretion to the Secretary of State to implement it or not. So please do not talk about resolutions. We are not talking about toothless resolutions. Our legislation is as binding as the Republican legislation is. We just do not put it on autopilot. The guillotine does not fall automatically; it is put in the hands of a singularly intelligent Secretary of State.

With respect to the long list of items that my good friend, the gentleman from New Jersey, outlined, every single one of them is part of our legislation. Every single one of them is part of our legislation. The only difference is that the Republican proposal, looking years ahead into the future, automatically mandates a 50 percent cut in funding if only one of 46 goals is not achieved. Our legislation allows the Secretary of State to implement that provision as she sees fit.

Madam Chairman, I reserve the balance of my time.

Mr. HYDE. Madam Chairman, I just want to say to my good friend that it is not on automatic pilot. There are 3 years over which there is time to comply, the U.N. can comply. So that is a pretty slow automatic.

Madam Chairman, I yield back the balance of my time.

Mr. LANTOS. Madam Chairman, I yield myself such time as I may consume.

I strongly urge all of my colleagues on both sides of the aisle to reject this amendment. This amendment serves only to divide this House, which is ready to pass an important State Department authorization bill practically on a unanimous basis. There is no earthly reason to have a divisive provision which we have debated and on which we have voted.

I urge all of my colleagues on both sides to reject this amendment and move on with the bipartisan authorization measure.

Ms. JACKSON-LEE of Texas. Madam Chairman, I rise to oppose the Hyde Amendment to add the text of H.R. 2745, the U.N. Reform Act of 2005 to the underlying bill. This legislation sends the signal to the world that our Nation has a disdain for the United Nations and I for one can not support that idea. There are many instances in which the U.N. has been instrumental in furthering U.S. foreign policy objectives. In the past year alone, the U.N. helped organize parliamentary elections in Iraq, reconstruction efforts following the Indian Ocean tsunami, and helped mediate the withdrawal of Syrian armed forces from Lebanon. A reformed U.N. could be even

more complementary to U.S. interests abroad, but only if the U.S. does not alienate other Member States and create animosity in the process. The inflexibility of the Hyde legislation would create resentment among Member States, and the automatic withholding of dues would cripple the institution.

Chairman HYDE's unilateral approach to U.N. reform promises to thwart the growing international consensus for reform, which will be addressed by at least 174 nations at the September Summit in New York. We need a more flexible approach which does not dictate unrealistic deadlines for changes or threaten automatic withholding of dues, will achieve U.S. goals without causing widespread resentment among Member States whose support we depend on.

The Hyde bill on U.N. reform contains many serious flaws which if implemented would not be welcome by the international community. Peacekeeping is one such area where this bill contains deeply flawed logic. The Hyde bill points to peacekeeping reforms that everyone agrees are needed. These reforms are in fact endorsed by the U.N. Department of Peacekeeping Operations and in most cases, these reforms are already underway to address recent concerns raised about sexual exploitation and abuse in peacekeeping missions. However, the Hyde bill says that starting this fall, the U.S. must prevent the expansion of existing missions or the creation of any new U.N. peacekeeping missions until all specified reforms are completed and certified by the Secretary of State. The truth is that some of these requirements simply cannot be met by the fall, true reform takes time. Reforms will require careful implementation at the U.N. as well as by the 100-plus troop contributing countries, and in some cases will require additional U.N. staff and funding which of course is not provided by this legislation. And yet, the Hyde bill will likely prevent Security Council resolutions to enable the creation or expansion of important U.N. missions in places like Darfur in Sudan, Haiti, Congo, and Afghanistan. We as the United States of America have always prided ourselves on helping those who can not help themselves, on aiding those who are being massacred simply because of who they are, but now this bill seeks for our nation to turn a blind eye to these people. We, as the 109th Congress can not allow ourselves to be the ones who cut off assistance to these desperate people.

Not only does the Hyde bill take a wrong approach to peacekeeping, but it will also create great problems with the budget at the United Nations. The Hyde bill claims to "pursue a streamline, efficient, and accountable regular assessed budget of the United Nations," yet in reality the approach taken by the bill will wreak havoc on the U.N. budget process and will result in the automatic withholding of U.S. financial obligations to the U.N. regular budget. This flawed bill attempts to shift funding for 18 specific programs from assessed contributions to voluntary contributions. To achieve these goals, the bill mandates the withholding of up to \$100 million in U.S. dues to the U.N. regular budget. While this idea may have merit, the U.S. should work with its allies to advance it through the Budget Committee at the U.N. instead of starting from the point of withholding dues, which should be our nation's last resort. Furthermore, the Hyde proposal links 50 percent of U.N. dues to a list

of 39 conditions, not only at the U.N. Secretariat, but also at various U.N. specialized agencies over which the U.N. has no direct control. All of this will create a new U.S. debt at the U.N., since many of the conditions are so rigid and specific that they are not achievable. In the end, all that any of this will do is create resentment towards the United States in the international community. As the Washington Post editorialized, "This is like using a sledgehammer to drive a nail into an antique table: Even if you're aiming at the right nail, you're going to cause damage."

The Hyde bill also calls for certain steps supported by the U.N. and the U.S., such as the strengthening of the U.N.'s oversight functions, the creation of a Peacebuilding Commission, and reforms in U.N. peacekeeping. However, it calls for these reforms to be funded solely within existing resources. If the U.S. withholds dues as this bill calls for, even less funding will be available to support these reforms. This bill also calls for the creation of new positions in several departments, including the Office of Internal Oversight Services and the Department of Peacekeeping Operations, without allowing resources to fund these positions.

Clearly, too many of the provisions of the Hyde U.N. reform bill will only cause resentment against the United States in the international community. Achieving reform by consensus in a body with 191 members is difficult, but this is not in itself a reason to bypass the consensus building process. The more Member States that are engaged in achieving reform, the more legitimate and effective the changes will be. The U.S. should lead the way by actively promoting a tough reform agenda and retaining the threat of withholding dues as a last resort. Reform should not, however, be a crusade led by the U.S. against the institution and its Member States. Unfortunately, this bill on U.N. reform will not lead to reform, but only to the weakening of the United Nations. I urge support against the Hyde amendment.

Madam Chairman, I yield back the balance of my time.

The Acting CHAIRMAN (Mrs. CAPITO). The question is on the amendment offered by the gentleman from Illinois (Mr. HYDE).

The question was taken; and the Acting Chairman announced that the ayes appeared to have it.

Mr. LANTOS. Madam Chairman, I demand a recorded vote.

A recorded vote was ordered.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Illinois (Mr. HYDE) will be postponed.

It is now in order to consider amendment No. 3A made in order under the rule.

AMENDMENT NO. 3A OFFERED BY MR. DREIER

Mr. DREIER. Madam Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3A offered by Mr. DREIER:

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

SEC. 217. ESTABLISHMENT OF THE ACTIVE RESPONSE CORPS.

(a) ESTABLISHMENT.—The Secretary of State, in consultation with the Administrator of the United States Agency for International Development, is authorized to establish an Active Response Corps (referred to in this section as the "Corps") to provide assistance in support of stabilization and reconstruction activities in foreign countries or regions that are in, are in transition from, or are likely to enter into, conflict or civil strife.

(b) COMPOSITION.—If the Corps is established in accordance with subsection (a), the Secretary and Administrator shall coordinate in the identification and training, and if necessary, in the recruitment and hiring, of necessary personnel. Such personnel shall be composed of employees of United States civilian agencies or non-Federal employees.

(c) USE OF ACTIVE RESPONSE CORPS.—The members of the Active Response Corps shall be available—

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

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

(d) TRAINING AND EDUCATION PROGRAMS.—

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

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

(3) CONTENTS.—Training and education may consist of—

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

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

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

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

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

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

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

(f) ADDITIONAL AUTHORITIES.—

(1) ESTABLISHMENT AND PURPOSE OF RESERVE COMPONENT OF ACTIVE RESPONSE CORPS.—The Secretary, in consultation with

the heads of other relevant Executive agencies, is authorized to establish and maintain a roster of personnel who are trained and available as needed to perform services necessary to carry out the purpose of the Corps under subsection (c). The personnel listed on the roster shall constitute a reserve component of the Active Response Corps.

(2) FEDERAL EMPLOYEES.—The reserve component may include employees of the Department of State, including Foreign Service Nationals, employees of the United States Agency for International Development, employees of any other Executive agency (as such term is defined in section 105 of title 5, United States Code), and employees from the legislative and judicial branches who—

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

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

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

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

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

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

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

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

The Acting CHAIRMAN. Pursuant to House Resolution 365, the gentleman from California (Mr. DREIER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California (Mr. DREIER).

Mr. DREIER. Madam Chairman, I yield myself such time as I may consume.

Let me begin by extending my hearty congratulations to the distinguished chairman of the committee, the gentleman from Illinois (Mr. HYDE), and my very dear friend and neighbor, the gentleman from California (Mr. LANTOS), not only for their fine work on this legislation, but for their support of the amendment that I am offering here.

I rise, Madam Chairman, to ask for my colleagues' support for this amendment which I have authored to improve our government's response to complex international conflict, and this amendment I hope will ultimately improve our ability to prevent the conflicts before they erupt.

The events of September 11 of 2001 have obviously taught all of us that we no longer have the luxury of ignoring state failure. At the turn of the millennium, the government of Afghanistan all too quickly collapsed, was replaced by the ruthless Taliban, and became a safe haven for al Qaeda. The attacks that our country suffered were a tragic wake-up call to the dangers that failed states pose to our national security.

Nearly 4 years later, too many countries remain beset by corruption, violence, resource scarcity, and literally no leadership. Scores of these governments could collapse at a moment's notice and be replaced by anarchy. These failing states represent a grave danger to the United States. Our government must be prepared to stabilize where we can and reconstruct what we must in order to prevent a devastating vacuum of lawlessness from developing, which allows terrorists and rogue leaders to flourish.

The President and Congress have already taken a strong first step in addressing this challenge. The establishment of the Office for the Coordinator for Reconstruction and Stabilization created a central interagency coordination point for international stabilization and reconstruction operations. The office, headed by Ambassador Carlos Pascual, will monitor political and economic stability worldwide and prepare plans for stabilization missions for the most dire of cases.

But more must be done. Madam Chairman, one of the President's top priorities for this new office is to create a civilian "rapid response" unit to deploy on short notice to sites of international instability. The goal is to mitigate any potential conflict and, if possible, prevent it.

The amendment that I am offering would today authorize the creation of an Active Response Corps comprised of U.S. Government personnel who have the skills necessary for such missions.

The amendment also will expand the use of civilian volunteers from outside the government who have the right talents and are willing to serve in stabilization reconstruction missions overseas. There are many Americans who have the skills and desire to serve the country by preventing conflict and expanding democracy, as we heard today from Prime Minister Singh. Judges, law enforcement officers, civil administrators, constitutional experts, engineers, linguists, and many other individuals are needed to address the challenges posed by failing states. This amendment gives the State Department the mechanism it needs to identify and rapidly deploy these volunteers who come from all walks of life.

Madam Chairman, it is the top priority of every Member of this body to protect the national security of the United States of America. Fortress America is a thing of the past, and we can no longer comfortably ignore weak and failing states just because they sit halfway across the globe. When our

government deems it necessary to initiate a stabilization or reconstruction operation, it must have the tools to do the job.

This amendment provides the President with those tools. By deploying early with the most appropriate personnel, the Active Response Corps will save lives by stabilizing countries and preventing the spread of conflict and civil strife, thereby reducing the need for later military intervention.

For too many years, the United States has lacked the institutional civilian capacity to rapidly respond to failing states. We ignore the dangers of such states at our own peril. I am gratified to have the support, as I said, of the chairman and ranking minority member of the committee, and I ask my colleagues to join with us in support of this effort.

Madam Chairman, I reserve the balance of my time.

Mr. LANTOS. Madam Chairman, I am not opposed to the amendment, but I ask unanimous consent to claim the time in opposition.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LANTOS. Madam Chairman, I yield myself such time as I may consume. I want to commend my good friend, the gentleman from California (Mr. DREIER), for offering this very valuable and important amendment.

Since the end of the Cold War, the United States has undertaken numerous post-conflict reconstruction and stabilization operations in Bosnia, Kosovo, East Timor, Haiti, Somalia, and now in Afghanistan and Iraq. Given the dangerous and ever-changing world we live in, we will most surely have to undertake many more similar operations. Today, we witness numerous international crises that, if left ignored, will most certainly threaten not only the security of the United States, but the entire world.

We need to look no further than September 11, 2001, to understand why the failure to respond adequately to weak and failed states can have catastrophic consequences for our country.

In 2004, in response to the threat of failing and post-conflict states and our national and international security interests, the administration established the Office for the Coordinator for Reconstruction and Stabilization to enhance our Nation's institutional capability to respond to crises involving failing, failed, post-conflict countries, and complex emergencies.

The Dreier amendment will enhance our capacity to support reconstruction and stabilization activities in conflict and post-conflict countries by establishing an Active Response Corps. This will consist of United States Government personnel with the training and expertise to participate in stabilization and reconstruction activities, thereby improving our capacity to assist countries in recovering from conflict. It

will be a critically important weapon in our arsenal in supporting post-conflict countries. I urge all of my colleagues to support this amendment.

Madam Chairman, I yield the balance of my time to the gentleman from California (Mr. FARR).

Mr. FARR. Madam Chairman, I thank the gentleman for yielding me this time. I too rise, Madam Chairman, in strong support of the Dreier amendment.

I, as many of my colleagues know, was a Peace Corps volunteer in South America; and as a returned Peace Corps volunteer elected to Congress, I realized that what we needed was some activity in this country that would start educating people somewhere between the Peace Corps and the Work Corps. As the ranking member just mentioned, we have countries where we have been in with the military, but it is the ability to respond to the post-conflict issues that we need, a FEMA-type, a response-type corps of people who are linguistically capable of speaking that language, that know the country culture, can work with the nongovernmental organizations that are abroad, with military personnel that are still in the country, with the host country governments, with our United States USAID, with our United States Department of State. And where do you bring all of those people together to train them and educate them? That is what the Active Response Corps is: taking people with those skills and putting them together so that they can be rapidly deployable, U.S. citizens who are civilians, who are educated and trained in fostering the stability in a post-conflict situation.

I am very pleased that the first one of these activities is going to take place at the Naval Postgraduate School on August 1 with Ambassador Pascual coming out to California where, for the first time, the military, the civilians, the State Department and so on will all be together in developing this.

I look forward to this as one of the great new initiatives of this Congress and of this country to really give us the ability to respond to stabilization and respond to conflict reconstruction.

Mr. DREIER. Madam Chairman, will the gentleman yield?

Mr. FARR. I yield to the gentleman from California.

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Mr. DREIER. I thank the gentleman for yielding. And I would just like to congratulate him for the emphasis that he has had on the education aspect of this, along with training, as a very important part of our effort here. He has helped us modify the language in the measure and he represents the Navy Postgraduate School very, very well. And we look forward to seeing the success of this program due in large part to his efforts.

Mr. FARR. Madam Chairman, I thank the gentleman for his amendment and thank him for his active re-

sponse corps. And I would just like to close by saying that Douglas Feith, who is the Under Secretary for Defense and Policy, recently stated that there is a strong argument that the United States should be intensifying its efforts to build partnership capacity with other countries to give them the capability to fight terrorism at home, not just law enforcement, not just military but also civilian administration and education.

Mr. DREIER. Madam Chairman, may I inquire how much time is remaining?

The Acting CHAIRMAN (Mrs. CAPITO). The gentleman has 1 minute remaining.

Mr. DREIER. Madam Chairman, I am very happy to yield the balance of my time to the gentleman from Illinois (Mr. HYDE), the very distinguished chairman of the Committee on International Relations.

Mr. HYDE. Madam Chairman, someone once said brevity is the soul of eloquence. I shall attempt to emulate that by saying we are happy to accept this excellent amendment.

Mr. DREIER. Madam Chairman, following the example of brevity, I urge my colleagues to support the amendment.

Madam Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. DREIER).

The amendment was agreed to.

The Acting CHAIRMAN. It is now in order to consider amendment No. 4 printed in part B of House Report 109-175.

AMENDMENT NO. 4 OFFERED BY MR. POE

Mr. POE. Madam Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. POE:

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

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

The Acting CHAIRMAN. Pursuant to House Resolution 365, the gentleman from Texas (Mr. POE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas (Mr. POE).

Mr. POE. Madam Chairman, I yield myself such time as I may consume.

First of all, I want to say as one of the new Members of Congress and serving on the International Relations Committee, I appreciate the example that the chairman of the committee and ranking member set for all members of the International Relations

Committee on how both sides of the committee can work together to achieve goals that are best for the United States. It would be my hope that other committees would work so well in getting the job done.

A brutal campaign of village burnings, destruction of rice supplies and killings by Burma's military regime has resulted in the forcible displacement of between 500,000 and 1 million innocent civilians in Eastern Burma.

Hundreds of thousands of these internal refugees that are called internally displaced peoples, or IDPs, they are persecuted for their strong commitment to democracy and their fervent belief in human rights. Regardless of what their religion may be, all of the IDP victims are being systematically hunted down by the evil military regime.

The Burmese Freedom and Democracy Act of 2003, which passed the United States Congress overwhelmingly, found that these acts add up to ethnic cleansing. Secretary of State Rice has rightfully called Burma one of the six outposts of tyranny in the world.

My fellow colleagues on both sides of the aisle have echoed this sentiment.

With all this said, virtually no humanitarian aid reaches those who have been driven from their homes in Eastern Burma. The Burmese military regime blocks all assistance. Shockingly, as a result of attacks and blocking this aid, child mortality and malnutrition rates are comparable to those recorded among the internally displaced population in the Horn of Africa.

Even worse, maternal mortality rates are well above emergency levels. Acute respiratory infections, diarrhea, malaria, anemia are serious problems in this region. This is a bona fide humanitarian crisis which we in the United States need to address.

I would like to thank the chairman and the ranking member of the International Relations Committee for their strong and bipartisan support of this amendment.

Madam Chairman, I reserve the balance of my time.

Mr. LANTOS. Madam Chairman, I am not opposed to the amendment, but I ask unanimous consent to claim the time in opposition.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LANTOS. Madam Chairman, I yield myself such time as I may consume. I strongly support the amendment of the gentleman from Texas (Mr. POE). I urge all of my colleagues to do so as well.

Over half a million ethnic minorities have been forced from their homes in Eastern Burma. These minorities have left their homes because they have no other option. Burmese military forces are committing horrendous human rights abuses which give families living in Eastern Burma no option.

Ethnic minorities which remain in their homes in Eastern Burma face forced relocation, rape, village destruction and forced labor.

The half a million ethnic minorities who live life on the run in the jungles of Eastern Burma face horrendous conditions. They have no homes, no ability to grow their own food, no access to medical facilities or education for their children.

Exposed to ongoing state-sponsored violence and systematic human rights abuses, they lack protection from both the government and the international humanitarian community.

The Poe amendment would provide \$3 million per year to established reputable NGOs working on the Thai-Burma border to provide direct humanitarian assistance to internally displaced persons inside Burma. It will be extremely difficult work, but it is imperative that the international community get aid to these ethnic minorities in Burma as soon as possible.

Again, Madam Chairman, I want to commend my friend from Texas, and I strongly urge all of my colleagues to vote for this amendment.

Madam Chairman, I yield back the balance of my time.

Mr. POE. Madam Chairman, I yield myself such time as I may consume.

Mr. SMITH of New Jersey. Madam Chairman, will the gentleman yield?

Mr. POE. I yield to the gentleman from New Jersey.

Mr. SMITH of New Jersey. I thank the gentleman for yielding. I want to commend my friend from Texas for a very constructive amendment which the committee supports. This provision seeks to alleviate the plight of hundreds of thousands of Burmese who have been forced to flee from their native villages by the repressive policies of the military dictatorship in Rangoon, the same dictatorship that represses Nobel Peace Prize winner Aung San Suu Kyi. This amendment would facilitate the provision of much needed food, medical and other humanitarian relief, and I thank the gentleman for offering it on the floor today.

Mr. POE. Madam Chairman, following the encouragement and example of the chairman of the committee to be brief, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. POE).

The amendment was agreed to.

It is now in order to consider amendment No. 5 printed in part B of House Report 109-175.

AMENDMENT NO. 5 OFFERED BY MR. POE

Mr. POE. Madam Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. POE:

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

SEC. 319. WORLDWIDE AVAILABILITY.

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

The Acting CHAIRMAN. Pursuant to House Resolution 365, the gentleman from Texas (Mr. POE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas (Mr. POE).

Mr. POE. Madam Chairman, I yield myself such time as I may consume.

I rise today to offer an amendment which would clarify congressional intent regarding the medical clearance process for people wishing to work in the Foreign Service as a Foreign Service officer at one of our 263 embassy posts throughout the world.

If someone wants to work in one of our embassies, they must have worldwide availability. This means that someone must be able to work in any region of the world without having medical conditions that would put them at risk.

Many of the areas where these Foreign Service officers are placed do not have hospitals or medical facilities to treat many types of conditions that are treated here in the United States, including Type I diabetes, severe hypertension, cancer and various psychiatric disorders. These people would have to have several emergency medical evacuations per year from the region in which they are located back to the States. Each evacuation would cost an average of about \$6,000.

Hiring people that do not meet this worldwide availability requirement is irresponsible. It puts that person's life at risk and it costs several tens of thousands of dollars extra to facilitate emergency treatments.

This amendment then would clarify the conditions for worldwide availability, create a new appeals process to ensure that every applicant is given fair consideration.

Madam Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. POE).

The amendment was agreed to.

The Acting CHAIRMAN. It is now in order to consider amendment No. 7 printed in part B of House Report 109-175.

AMENDMENT NO. 7 OFFERED BY MR. BURTON OF INDIANA

Mr. BURTON of Indiana. Madam Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 7 offered by Mr. BURTON of Indiana:

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

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

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

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

The Acting CHAIRMAN. Pursuant to House Resolution 365, the gentleman from Indiana (Mr. BURTON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Indiana (Mr. BURTON).

Mr. BURTON of Indiana. Madam Chairman, I yield myself such time as I may consume.

I want to thank Chairman HYDE and Ranking Member LANTOS for their exceptional work on this bill. I think they have done a great job and I think it is something that every Member of the House should support. This amendment is the first of two that I am going to offer today and we brought this up because it was a recommendation made by the House International Relations Committee itself. It would authorize the State Department's Bureau of International Narcotics and Law Enforcement to acquire and transfer to the Colombian Navy two tactical unpressurized DC-3 maritime patrol aircraft to carry out drug interdiction operations in or near the coastal waters of Colombia.

We were down in Colombia not too long ago and when we were done there our ambassador and the people who were working for the Colombian military and the Colombian national police indicated to us that they needed additional aircraft to be able to interdict drug trafficking that is starting in Colombia and ending in the United States of America. These two aircraft I think will help in the fight against drug interdiction. We have been successful the last couple of years doing a pretty good job of interdicting drugs. We picked up a couple of hundred tons more of cocaine last year and the year before that than we did before that. And with these two additional aircraft I think we will be able to do an even better job.

So this is something I think that is not that controversial. It is an authorization. The cost would be between 10 and \$20 million. It is something that is needed if we are going to continue the war against drugs. I urge my colleagues to support this amendment.

Madam Chairman, I reserve the balance of my time.

Mr. LANTOS. Madam Chairman, I am not opposed to the amendment, but

I ask unanimous consent to claim the time in opposition.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LANTOS. Madam Chairman, I yield myself such time as I may consume.

Plan Colombia and its successive program, the Andean Counterdrug Initiative, are essential for strengthening the most viable democracy and the most loyal U.S. ally in the Andean region. The amendment offered by the two distinguished gentlemen from Indiana (Mr. BURTON) and (Mr. SOUDER) will aid the Colombian security forces in their effort to track the movement of narcotics traffickers in the air, and for that reason I will support the amendment.

I have one concern which I do want to register for the record. Colombia faces many challenges in addition to fighting narcotrafficking. Poverty is endemic in much of the countryside. The police, judges, prosecutors, doctors and teachers are often not present in many small towns because of the security situation and the lack of resources by the Colombian government.

□ 1500

We should seek to ensure that as we support the efforts of the Uribe administration to beat back the terrorists and their drug-dealing accomplices, we also provide resources to him so that he can extend basic government services to those most in need.

I was very disappointed that a provision seeking to ensure the maintenance of just such a balance in our approach to Colombia was rejected along party lines in our committee and in the Committee on Rules.

If the Souder amendment were to be adopted, the purchase of the two aircraft it mandates would represent approximately 20 percent of the amount budgeted this year for the development of all of Colombia under the Andean Counterdrug Initiative. This illustrates the point that a significant rebalancing of our assistance package to Colombia is in order.

Mr. Chairman, I yield the balance of my time to the gentleman from Massachusetts (Mr. McGOVERN).

Mr. McGOVERN. Mr. Chairman, how much time is remaining?

The Acting CHAIRMAN (Mr. PUTNAM). The gentleman has 3 minutes.

Mr. McGOVERN. Mr. Chairman, I rise in opposition to the Burton amendment because I simply do not believe we have enough accountability for current U.S. funding, training and equipment provided to Colombia, let alone for providing additional military aircraft.

Mr. Chairman, the Colombian Government has received over \$4 billion in U.S. aid since 2000; \$3.2 billion of that aid has been provided to Colombia's military and police. A significant amount of funding and equipment has

been provided to Colombia's Navy in the Pentagon's budget and paid for by defense appropriations.

This includes counterdrug funding, equipment, training, aircraft and patrol boats under sections 1004 and 1033 through the transfer of excess defense equipment, and through the DOD Anti-Terrorism Assistance account. But \$169 million in these defense accounts alone is going to be appropriate for Colombia in the FY 2006 defense appropriations bill.

For funds provided through the State Department, the House just approved \$332 million in military aid for Colombia as part of the Andean Counterdrug Initiative and an additional \$90 million in military aid under the Foreign Military Financing accounts. These funds provide military equipment, training and services for Colombia's antidrug programs, including interdiction, in the FY 2006 foreign operations bill which the House passed on June 28.

In addition, the foreign operations bill included another \$21 million for the aircraft and technical assistance for the Air Bridge Denial Program, which the State Department describes as the cornerstone of our deterrence in narcotrafficking efforts in Colombia.

I find it hard to believe that these two marine patrol aircraft for the Colombian Navy cannot already be provided for under some of the existing Pentagon and State Department programs.

Mr. Chairman, there is precious little accountability for the U.S. tax dollars, equipment, and training that we already have provided to Colombia. I do not see why we should add to this lack of accountability additional aircraft, no matter what its purpose may be.

Before we send good money down after bad, let us demand a little accountability for the equipment, the training, the aircraft, the boats, the funding that we have already provided. Colombia is awash with U.S. military assistance, and there is no accountability.

There are some bad things happening in Colombia, not the least of which is the flawed demobilization process for right-wing paramilitaries that may very well let killers and narcotraffickers go unpunished. There is a new law in Colombia that may make null and void extradition warrants that the United States has out against narcotraffickers and killers and people who have done great harm to our people.

Today we should be having a comprehensive debate on U.S. policy in Colombia. Sadly, the Republican leadership denied us that opportunity. In light of the fact that there is no accountability, that we are having no real debate on Colombia, that the situation down there continues to be of great concern, I have no choice but to reluctantly vote "no" on the Burton amendment.

Mr. BURTON of Indiana. Mr. Chairman, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the distinguished gentleman for yielding me time. I think he realizes that some of us who have met with leadership from Colombia recognize that there are multiple problems, and certainly the resources needed to interdict drug traffickers responds to a series of those problems. So I rise in support of the gentleman's amendment. But I hope as well in listening to my colleague and friend, the gentleman from Massachusetts (Mr. McGOVERN), that we also emphasize the impoverishment of that area.

This week I met with the governor of the region that governs Afro-Colombians. It is a region very small, but well populated. In addition to these resources, they are, if you will, isolated by law enforcement to protect them against the drug cartels and violence. They are lacking in educational resources and health resources.

I hope that we will have the opportunity to acknowledge the needs of Afro-Colombians, those who are descendants of the continent of Africa and former slaves. They want to work with the Colombian Government, but they need more resources. We in the United States can give them the strength and also the backbone and pressure to ask Colombia to provide them with more resources.

Drug interdiction is needed and necessary, but we must stop the poverty for those who cannot survive.

Mr. Chairman, I rise in support of this amendment though not without reservation. Fighting the war on drugs is an important part of creating a safe and stable hemisphere and Mr. BURTON must be thanked for his efforts to assist the Colombian government in fighting drug trafficking.

Drug trafficking is the cause of many evils that befall upon our society. It creates violence and feeds off of the weakest members of society. We must take every effort to root out this heinous activity in all corners of the world.

The Burton amendment will help to wage the war on drugs and will make it more difficult for Colombian drug traffickers to export their products. I support this amendment for those reasons, yet acknowledge that there is an entire other part of the war on drugs that we must face.

Our anti-drug activities in the region must also take the shape of social development programs. We must insist that our actions in the war on drugs are not simply military programs, but social and economic as well. To truly win the war on drugs we must take action to help sectors of Colombian society most adversely affected. These communities; the poor, indigenous, and Afro-Colombians, are most often the worst affected from the violence associated with the drug trade. The social marginalization that these groups already face is exacerbated intensely by the conflict. In our course of action in the war on drugs we must be vigilant in maintaining support for the socially marginalized. We cannot accept the undue burden placed on these groups as an acceptable side effect of the Andean Counterdrug initiative.

The current situation in regions where these groups reside is unacceptable. Chocó, a province consisting of approximately 75 percent

Afro-Colombian inhabitants, is perhaps the most adversely affected region of Colombia as a result of the armed conflict. In 2003 the region had the highest number of internally displaced persons in the country. As the only province with access to both the Atlantic and the Pacific oceans it has been a highly desirable location for drug traffickers. With little or no government presence in the region, its inhabitants have had virtually no means to halt this invasion of drug traffickers.

I recently met with Mr. Julio Ibarguen, Governor of Chocó, and he could not emphasize enough the necessity of more assistance to the Afro-Colombian population. The Afro-Colombian population was already impoverished, marginalized, and discriminated against. Governor Ibarguen illustrated how the conflict worsened this already horrible situation. The Afro-Colombian community has literally been decimated by the armed conflict and has been forcibly dispersed through Colombia. Those who have remained in Chocó are faced with little or no access to healthcare, education, or law enforcement. Approximately 80 percent of Afro-Colombians live in extreme poverty.

In the war on drugs, Afro-Colombians have become the forgotten victims of the conflict. We must strive to ensure that their plight is not overshadowed by our efforts to eradicate drug trafficking. We must insist that the U.S. government provide more aid to Afro-Colombian regions. American resources must be used to help alleviate the pain and suffering on the part of Afro-Colombians and provide them access to a better, more stable, livelihood. Members of Congress should take an active role in working with their Colombian counterparts and must convince the Colombian government that the United States is interested in the well-being of Colombia's minority populations. During this time of conflict and distress for Afro-Colombians, the United States must be vigilant in providing support and assistance.

I support the Burton amendment because it assists the Colombian government in fighting the war on drugs. We must take our commitment to fight this war, and match it with a commitment to support the victims of the Colombian Conflict. Attention must be paid to Afro-Colombian populations so that they receive the aid they deserve. We must use our resources to fight drugs and poverty, corruption and racism, and insurgency and bigotry.

Mr. BURTON of Indiana. Mr. Chairman, how much time remains?

The Acting CHAIRMAN. The gentleman from Indiana (Mr. BURTON) has 2½ minutes remaining.

Mr. BURTON of Indiana. Mr. Chairman, I yield myself the balance of my time.

First of all, let me say there are a multitude of problems in Colombia. We have had the drug cartels. We have had the terrorist organizations down there, the FARC guerillas, the ELN. These are all problems that must be addressed. My colleagues on both sides of the aisle are well aware of that. And the poverty issue that was just raised by the gentlewoman from Texas (Ms. JACKSON-LEE) is also a very real issue. But the issue at hand right now is whether or not we are going to put these two additional aircraft down there to be able to track drug cartels

in the distribution of cocaine and other narcotics that reach the shores of the United States that kill and maim young Americans.

It is extremely important that we do whatever is necessary right now. These two planes are a modest step in that direction. This additional equipment is asked for by our ambassador down there, by the Colombian National Police, by the Colombian military, our drug interdiction agencies, and everybody else who realizes how important this is.

I would urge my colleagues to take all of that into consideration and vote for this amendment. It is a modest step, but it is something that is very necessary in the war against drugs.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana (Mr. BURTON).

The amendment was agreed to.

The Acting CHAIRMAN. It is now in order to consider amendment No. 8 printed in House Report 109-175.

AMENDMENT NO. 8 OFFERED BY MR. KENNEDY OF MINNESOTA

Mr. KENNEDY of Minnesota. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 8 offered by Mr. KENNEDY of Minnesota:

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

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

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

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

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

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

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

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

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

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

version of such precursor chemicals for use in the production of methamphetamine.”

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

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

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

The Acting CHAIRMAN. Pursuant to House Resolution 365, the gentleman from Minnesota (Mr. KENNEDY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota (Mr. KENNEDY).

Mr. KENNEDY of Minnesota. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, if we understand the meth problem, we understand that it has brought a trail of destruction and misery across the country, from San Diego to the Shenandoah Valley.

My colleagues have heard me talk on this floor before about the tragic story of a young girl named Megan from a beautiful town in Minnesota. She was 13 in the seventh grade when she got started in meth. One of her friends offered her the drug and in her words she said she liked it so much she knew she would do it over and over again. But when she could not afford her addiction, she, like too many others, turned to prostitution to pay for the meth she craved so much.

After hitting rock bottom at age 18, she is now managing to pull her life back together after the 5 years that meth stole from her.

Mr. Chairman, I rise today because we want to make sure there are no more Megans in our communities that have gone through this by cutting off the international flow of meth precursors like pseudoephedrine.

In Minnesota and so many other States dealing with the meth problems, law enforcement spends roughly 80 percent of their time with small meth labs that produce 20 percent or so of meth on our streets. However, they lack the tools and resources to go after the source of the other 80 percent of meth, international superlabs.

Today we can give law enforcement a big helping hand by adopting this amendment to fully engage the State Department and our diplomats in this fight. Under our amendment, the State Department will have to report and certify that the five largest exporters and the five largest importers of pseudoephedrine are fully cooperating with U.S. law enforcement to prevent its misuse and diversion. If the State Department cannot certify their fully cooperation with U.S. law enforcement, then these countries would face consequences for their eligibility for U.S. bilateral and multilateral assistance under this act.

This amendment would put meth on the same footing as heroin and cocaine, which are regulated in a similar way. Such treatment is precisely what the State Department and the United Nations Drug and Crime Control Bureau agreed in Vienna.

Mr. Chairman, this amendment is trying for a true multinational approach towards fighting the spread of harmful drugs like methamphetamine. Our amendment will demonstrate to our friends and allies that we are serious about cutting off the flow of internationally produced meth. It will also show law enforcement officers that we stand with them in the fight against drugs and will work to give them every tool they need to be successful.

I urge my colleagues support the Kennedy-Hooley-Osborne-Souder amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. LANTOS. Mr. Chairman, I am not opposed to the amendment, and I ask unanimous consent to claim the time in opposition.

The Acting CHAIRMAN. Without objection, the gentleman from California is recognized for 5 minutes.

There was no objection.

Mr. LANTOS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in strong support of the amendment offered by the gentleman from Minnesota (Mr. KENNEDY) and my good friend, the gentlewoman from Oregon (Ms. HOOLEY).

The scourge of methamphetamine addiction is overtaking our streets and ruining the lives of thousands of Americans. This amendment will identify the top five countries which export the precursor chemicals for methamphetamine as well as the top five importers. The amendment also threatens to withhold 50 percent of U.S. assistance from the top five exporters and importers of methamphetamines if they fail to cooperate with the United States in the war on illegal drugs. Hopefully, this threat will persuade them to cooperate fully with us to end this abhorrent trade.

I urge all of my colleagues to support this amendment.

Mr. Chairman, I yield the balance of my time to the gentlewoman from Oregon (Ms. HOOLEY) for purposes of control.

The Acting CHAIRMAN. The gentlewoman from Oregon (Ms. HOOLEY) has 4 minutes remaining.

Ms. HOOLEY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I thank the gentleman from California (Mr. LANTOS) and my friend, the gentleman from Minnesota (Mr. KENNEDY), for putting this piece of legislation together.

In my 3 decades of public service, I do not think I have ever seen a problem as pervasive or damaging as the methamphetamine epidemic that is sweeping our country. While a number of States have enacted tough rules to control the availability of pseudoephed-

rine, this is not enough to solve the problem when the vast majority of meth consumed in this country is made in Mexico and smuggled into the U.S. by Mexican drug cartels.

If we are going to stop the flow of meth into this country, we must have better information about where the meth precursor chemicals are going, but we cannot do it alone. Foreign governments who import large quantities of meth precursors must take steps within their own countries to ensure these chemicals do not fall into the hands of meth producers and drug traffickers.

The spread of methamphetamine is a multifaceted problem ranging from the homemade mom and pop labs to the sophisticated illegal drug factories in foreign countries. This amendment represents an important step in dealing with the international meth production by preventing diversion of precursor chemicals into the hands of meth producers.

I urge Members to support this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. KENNEDY of Minnesota. Mr. Chairman, how much time do I have remaining?

The Acting CHAIRMAN. The gentleman from Minnesota (Mr. KENNEDY) has 2½ minutes remaining.

Mr. KENNEDY of Minnesota. Mr. Chairman, I yield 1 minute to the gentleman from Indiana (Mr. SOUDER).

(Mr. SOUDER asked and was given permission to revise and extend his remarks.)

Mr. SOUDER. Mr. Chairman, I want to thank the gentleman from Minnesota (Mr. KENNEDY), the gentlewoman from Oregon (Ms. HOOLEY), the gentleman from Nebraska (Mr. OSBORNE), and the others who have been working on this amendment and many others over the last few weeks on methamphetamines, a scourge that is sweeping our country, starting to hammer some of our major cities, and is going to be something that we have not seen for a long time in America unless we can get control of this.

Starting in Oklahoma, many States, including my home State of Indiana, have tried to regulate pseudoephedrine through drug stores and grocery stores by putting it behind the counter. But unless we control it internationally, it is irrelevant because what they will do is they will go to the Internet. These large trafficking organizations will bring it in. We have to get at it at the manufacturing level and the wholesale level.

□ 1515

Laws like these at the State level may work for a year, but they are not a long-term solution. We have to address it from an international perspective.

In Mexico alone, the Mexican imports of pseudoephedrine, and these are coming from just a few countries in the

world, with India having most of the plants, China, and one in Europe, they are estimating imports have risen from 100 tons to 224 tons and their demand is 70 tons. That means we have 150 new tons of pseudoephedrine pouring across the border from Mexico. We must get control of this from a national and international perspective.

Ms. HOOLEY. Mr. Chairman, I yield such time as he may consume to the gentleman from Nebraska (Mr. OSBORNE).

Mr. OSBORNE. Mr. Chairman, methamphetamine abuse has become the Nation's leading drug problem, according to a survey of 500 sheriff's departments in 45 States. Meth is cheap to buy, it is easy to make, it is available everywhere, it is highly addictive, and often causes addiction after just one use. It is sweeping across the Nation replacing cocaine and heroin as the drug of choice for so many people.

This is where we were in 1990 in terms of drug labs, and this is where we are currently in this country in 2004, where at least 20 or more clandestine drug labs have been shown in those counties. But, of course, those small drug labs are not the main problem, it is mostly drugs coming out of Mexico through the superlabs, which have been replacing cocaine and heroin.

This drug has led to an increase in crime, child abuse, and prison and jail populations are soaring. Sixty to 85 percent of the meth used in this country comes from the superlabs in Mexico. Pseudoephedrine or ephedrine is the one ingredient necessary for the manufacture of meth. It is manufactured, as said earlier, in six or seven locations around the world.

The Kennedy-Hooley-Osborne-Souder amendment attempts to keep pseudoephedrine from meth manufacturers. It identifies and publicizes the five export countries and the five import countries which have the highest rate of diversion of pseudoephedrine to manufacturers of methamphetamine. The Department of State could then use its existing authority to reduce or eliminate U.S. foreign aid to those countries which are most contributing to the meth problem.

It is a good amendment. It gets to the source of the problem, and I urge support of the amendment because this is something that is critical to the welfare of our Nation.

Ms. HOOLEY. Mr. Chairman, how much time is remaining?

The Acting CHAIRMAN (Mr. PUTNAM). The gentlewoman from Oregon has 30 seconds remaining and the gentleman from Minnesota (Mr. KENNEDY) has 1½ minutes remaining.

Ms. HOOLEY. Mr. Chairman, I reserve the balance of my time.

Mr. KENNEDY of Minnesota. Mr. Chairman, I yield myself the balance of my time by thanking the gentlewoman from Oregon (Ms. HOOLEY), the gentleman from Nebraska (Mr. OSBORNE), and the gentleman from Indiana (Mr. SOUDER) for helping to advance this

very important cause. I thank also the chairman and the ranking member for their support, and I encourage my colleagues to support this amendment to end the scourge that is providing a poison across our communities and drawing in our children and putting them towards a life that will lead them down a road they should not go. Let us get them back on the path towards prosperity and hope for the future.

Mr. Chairman, I yield back the balance of my time.

Ms. HOOLEY. Mr. Chairman, I yield myself the balance of my time and urge people to support this amendment. It is an important piece of legislation. It is time that we start dealing with this on an international level.

Again, I thank my cosponsor and all of the other people that have worked so hard on this legislation.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota (Mr. KENNEDY).

The question was taken; and the Acting Chairman announced that the ayes appeared to have it.

Mr. KENNEDY of Minnesota. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Minnesota (Mr. KENNEDY) will be postponed.

The Acting CHAIRMAN. It is now in order to consider amendment No. 9 printed in part B of House Report 109-175.

**AMENDMENT NO. 9 OFFERED BY MS. HOOLEY**

Ms. HOOLEY. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 9 offered by Ms. HOOLEY: Page 312, after line 8, insert the following new section:

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

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

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

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

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

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

(c) REPORT.—Not later than one year after the date of the enactment of this Act, and

annually thereafter, the Secretary shall submit to the appropriate congressional committees a report on the implementation of this section for the prior year.

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

The Acting CHAIRMAN. Pursuant to House Resolution 365, the gentlewoman from Oregon (Ms. HOOLEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Oregon (Ms. HOOLEY).

Ms. HOOLEY. Mr. Chairman, I yield myself 1½ minutes.

(Ms. HOOLEY asked and was given permission to revise and extend her remarks.)

Ms. HOOLEY. Mr. Chairman, my amendment represents a crucial step in the ongoing effort to stop the flow of methamphetamines into the United States. A cheap, easily manufactured drug that gives addicts an intense long-lasting high, meth has emerged as the drug of choice for users across this country. This amendment offers a solution to stopping this scourge by directing the State Department, through its Bureau of International Narcotics and Law Enforcement Affairs, to engage in bilateral efforts with our friend and ally, Mexico, to cut down on the importation of methamphetamine precursor chemicals into Mexico and cut down on the smuggling of methamphetamines into the United States.

This amendment directs the Bureau of International Narcotics and Law Enforcement Affairs to work with the Mexican government to take immediate action to reduce the amount of pseudoephedrine in the hands of drug cartels, to work with Mexican law enforcement to improve their abilities to fight the production and trafficking of meth, and to improve efforts at the U.S.-Mexican border to prevent the smuggling of methamphetamines into the United States.

I believe that this amendment will in fact help prevent the export of meth into the United States. By engaging our allies to stop the mass production of meth rather than solely focusing on its limited domestic manufacturing, we can create a broad-based strategy that will not only keep meth away from our communities and families, but limit production and use of this deadly drug worldwide.

I call on my colleagues to support the Hooley-Souder-Kennedy-Baird amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. SOUDER. Mr. Chairman, I ask unanimous consent to claim the time in opposition, though I am not opposed to the amendment.

The Acting CHAIRMAN. Is there objection to the gentleman's claiming the time in opposition?

There was no objection.

Mr. SOUDER. Mr. Chairman, I yield myself such time as I may consume,

and I also rise in support of the amendment offered by the gentlewoman from Oregon (Ms. HOOLEY), together with the gentleman from Washington (Mr. BAIRD), myself, the gentleman from Minnesota (Mr. KENNEDY), and many others, to H.R. 2601.

This amendment addresses the growing problem of meth production as we have talked about, in particular in Mexico. Like the amendment just offered by the gentleman from Minnesota (Mr. KENNEDY), this amendment is targeted at the superlabs in Mexico that produce most of the meth. Cooperative efforts with Mexico can work if they are vigorously pursued by the State Department and other Federal agencies.

For example, until only recently, Canada was the primary conduit for illegal pseudoephedrine trafficking, largely because Canada has no internal regulation for the chemical, which obviously presents a problem as you go to the Internet and start to move this. But under pressure from the U.S., Canada adopted controls on the chemical. And that, combined with better joint law enforcement, helped dry up the U.S.-Canadian smuggling.

The gentlewoman from Oregon recently introduced, and the House adopted, an amendment to the fiscal year 2006 foreign operations appropriation bill that added \$5 million to the State Department's Bureau for International Narcotics Control and Law Enforcement Affairs. This amendment was intended to help INL work much more closely with Mexican law enforcement officials to stem the tide of illegal diversion and superlab meth production.

This amendment would build on that approach by requiring INL to provide assistance to Mexico to prevent the production of methamphetamine in that country and to encourage Mexico to stop the illegal diversion of meth precursor chemicals. The amendment would authorize the use of \$4 million of the \$5 million for these purposes. The remaining funds would be available to help the State Department implement the amendment of the gentleman from Minnesota (Mr. KENNEDY).

Mr. Chairman, I want to again thank the gentlewoman from Oregon (Ms. HOOLEY) for her leadership, the gentleman from Minnesota (Mr. KENNEDY) for his leadership, and continuing to work with those of us who are committed to trying to tackle the scourge of methamphetamines before it overwhelms the United States.

Mr. Chairman, I reserve the balance of my time.

Ms. HOOLEY. Mr. Chairman, I yield 1 minute to the gentleman from Minnesota (Mr. KENNEDY).

Mr. KENNEDY of Minnesota. Mr. Chairman, I thank the gentlewoman from Oregon for yielding me this time, and for her leadership on this very important issue. This is a very important step to deal with what is said to be up to 80 percent of the source of methamphetamines in our country.

If you look at law enforcement, they are doing a wonderful job fighting the crime in their local communities. But this is something where they cannot reach beyond the borders. It is only us in the Federal Government that can do that. We need to have the State Department fully supportive, having the resources they need to go after the methamphetamines coming in from other countries.

This amendment will do that. It is an important step forward. I urge my colleagues to support this amendment. I thank again the gentlewoman for her leadership on this.

Mr. SOUDER. Mr. Chairman, I yield back the balance of my time.

Ms. HOOLEY. Mr. Chairman, how much time remains on this side?

The Acting CHAIRMAN. The gentlewoman from Oregon has 3 minutes remaining.

Ms. HOOLEY. Mr. Chairman, I yield 1 minute to the gentleman from Washington (Mr. BAIRD).

Mr. BAIRD. Mr. Chairman, I thank my dear friend from Oregon for yielding me this time, and commend her for her leadership on this, along with the gentleman from Indiana (Mr. SOUDER) and the gentleman from Minnesota (Mr. KENNEDY).

My colleagues have defined for us what this amendment is about. Essentially, we are desperately trying to stem the tide of precursors from Mexico that are leading to the increase in methamphetamine on the streets. But let me put a human face on this, if I might, in the brief time I have.

Mr. Chairman, I try to visit every high school in my district every 2 years. Last fall, I spoke to a small rural high school about the dangers of meth. Having treated meth addicts as a psychologist before, I know a little about what I am speaking about. After talking to them for about 15 minutes, a young girl said to her classmates, you really need to listen to what he is saying. And I turned to her and kind of gently said, you must have some experience with this. And she said, I do. My mother died of methamphetamine 3 months ago.

A 16-year-old had lost her mother to this terrible drug. We must do everything in our power to stop this. The Hooley amendment we have all joined together with will help do that, and the other amendments offered earlier by the gentleman from Minnesota (Mr. KENNEDY) and others. I applaud their leadership on this and join wholeheartedly and urge passage of this important amendment.

Ms. HOOLEY. Mr. Chairman, I yield 1 minute to the gentlewoman from Minnesota (Ms. MCCOLLUM).

Ms. MCCOLLUM of Minnesota. Mr. Chairman, I stand to offer my strong support for the Hooley-Souder-Baird amendment. The meth crisis is taken very seriously in Minnesota, and I am proud of the work our local law enforcement officials are doing. They know very well how difficult this prob-

lem is, both the local production of methamphetamine and the explosion in trafficking.

While I support efforts to attack local labs and local meth production, we all know it is not enough. The meth epidemic, as I said, is poisoning and polluting Minnesota, where as much as 80 percent of the methamphetamine is produced in superlabs trafficked by Mexican narcoterrorist gangs.

The Bush administration and Congress must work with Mexico and apply real pressure to the Mexican government to attack meth production and the trafficking on their side of the border. This amendment is a good start. While States like Minnesota continue to limit and ban pseudoephedrine, these superlabs operating outside of our borders are continuing to put the chemicals that are destroying families on our streets.

Banning pseudoephedrine will not stop the problem, but banning meth in Mexico could.

Ms. HOOLEY. Mr. Chairman, I yield myself the balance of my time, and urge passage of this Hooley-Souder amendment, and I would like to thank my friends, the gentleman from Minnesota (Mr. KENNEDY) and the gentleman from Washington (Mr. BAIRD), for all their hard work. They have been tremendous working on this methamphetamine legislation.

This is like a great big huge pipeline with meth coming into the United States, and we are committed to making sure that every single valve is turned off.

Mr. TERRY. Mr. Chairman, I rise in support of the Kennedy-Hooley Amendment to H.R. 2601.

The U.S. Department of Justice estimates that 90 percent of the meth available in Nebraska is trafficked from superlabs operated by drug cartels in Mexico, California, and the southwestern states. Local law enforcement officers face that challenge of dismantling home-based meth labs while combating the flow of meth from international drug trafficking.

The Kennedy-Hooley amendment will help give local law enforcement officers the tools they need to combat meth. It requires the U.S. State Department to report and certify that countries heavily involved in the import or export of pseudoephedrine—a key meth ingredient—are cooperating with local law enforcement agencies to prevent its misuse and diversion. Countries that do not comply would be subject to consequences under the Foreign Assistance Act.

In Omaha, Nebraska, seven of nine law enforcement jurisdictions identify meth as the drug that most contributes to violent crime. Omaha policemen tell me that meth is now the drug of choice for gangs in North Omaha, replacing crack cocaine and heroin. Sixty percent of inmates in Nebraska jails have problems with meth, and the toll on families in Nebraska is incalculable.

I urge my colleagues to join me in voting for the Kennedy-Hooley amendment to help stop meth smuggling for Mexican drug cartels, and support our law enforcement officers.

Ms. HOOLEY. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from Oregon (Ms. HOOLEY).

The question was taken; and the Acting Chairman announced that the ayes appeared to have it.

Ms. HOOLEY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Oregon (Ms. HOOLEY) will be postponed.

It is now in order to consider amendment No. 10 printed in part B of House Report 109-175.

AMENDMENT NO. 10 OFFERED BY MR. SOUDER

Mr. SOUDER. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 10 offered by Mr. SOUDER:

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

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

Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report describing all pending United States requests for extradition from Afghanistan of illicit drug traffickers and drug kingpins who are under indictment in the United States. Such report shall also include a description of the status and response to such requests from the Government of Afghanistan.

The Acting CHAIRMAN. Pursuant to House Resolution 365, the gentleman from Indiana (Mr. SOUDER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Indiana (Mr. SOUDER) for 5 minutes.

Mr. SOUDER. Mr. Chairman, I yield myself such time as I may consume.

(Mr. SOUDER asked and was given permission to revise and extend his remarks.)

Mr. SOUDER. Mr. Chairman, I rise to ask my colleagues' support for this amendment which seeks to obtain vital information necessary for congressional oversight of our policies in Afghanistan.

I first want to commend the gentleman from Illinois (Mr. HYDE) for his leadership in bringing this legislation before the House. Chairman HYDE has been a consistent champion in the fight against international drug trafficking, and I thank him for his tireless efforts in that regard.

This amendment is quite simple. It would require a report from the State Department identifying all requests made by the U.S. Government for extradition of drug traffickers from Afghanistan, the status of those requests, and the response of the Afghan government. This report will enable Congress to evaluate the level of cooperation from the Afghan government on this vital aspect of counterdrug activity.

The U.S. will not be able to take effective action against the heroin trade if the Afghan government refuses to apprehend and extradite major opium traffickers.

□ 1530

Mr. Chairman, extradition is one of the most important tools in the struggle against international narcoterrorism. We need to be very sure that tool is functioning properly in Afghanistan, the epicenter of the world's heroin trade. As we vote to keep our troops still in Afghanistan, they are not being shot at by missiles and bullets and guns bought by making microcomputers or by sales from their local Wal-Mart. It is coming from the heroin trade.

The men and women dying in Afghanistan are dying because of illegal narcotics and the heroin trade, which funded al Qaeda and the Taliban when they were in charge of Afghanistan and continues to fund those who are shooting at us. We have to understand, and the Afghan Government has to understand, the necessity of going after these traffickers aggressively. To do that, we need information here in Congress. Because of that, although I know that the committee supports this, I am going to ask for a rollcall vote because I believe it is important that we in a bipartisan way go on record and say we must pursue in Afghanistan, for the protection of our soldiers and families and workers all over the world, as heroin pours out of Afghanistan at three times the level of anything that ever happened under the Taliban. The greatest flow of heroin in world history is occurring now, and we have to get to the traffickers behind this.

Mr. Chairman, I reserve the balance of my time.

Mr. LANTOS. Mr. Chairman, I ask unanimous consent to claim the time in opposition, although I do not oppose the amendment.

The Acting CHAIRMAN (Mr. PUTNAM). Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. LANTOS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of this amendment. It is important the drug kingpins of Afghanistan who are the source of so much misery, corruption, and continued instability in that long-suffering nation come to fear that they will be brought to justice.

Unfortunately, there is as yet no functioning legal or penal system in Afghanistan, and there may not be one for some time to come. In many cases, extradition of these drug kingpins to the United States to face trial may be the only justice they will face.

This amendment requires our Secretary of State to submit a report describing all pending United States requests for extradition from Afghanistan of illicit drug traffickers and kingpins who are under indictment in the United States as well as the re-

sponse from the government of Afghanistan.

This will be the first necessary step in determining how best we in Congress may address this issue with the government in Afghanistan, and I urge all of my colleagues to support this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. SOUDER. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Chairman, on behalf of the majority, we welcome and support the amendment by the gentleman from Indiana (Mr. SOUDER). The links between drugs and terrorism and the overall future of a democratic Afghanistan are self-evident and important. It is critical that we take down and extradite to the United States those kingpins and warlords in the drug trade who are affecting our Nation here at home and poisoning the new democracy in Afghanistan and fueling terrorism at the same time.

The Souder amendment will let us know whether we are getting cooperation and support from the government of Afghanistan on this critical part in the fight against illicit drugs: extraditions.

According to DEA, there are four pending U.S. requests for extradition from the government of Afghanistan, including one major kingpin. We need to know if we are getting cooperation on these requests, and if not, why not. I support and strongly urge adoption of the Souder amendment.

Mr. LANTOS. Mr. Chairman, I yield back the balance of my time.

Mr. SOUDER. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I want to again thank the gentleman from Illinois (Mr. HYDE) for his steadfast leadership against drug traffickers around the world, as well as the gentleman from New Jersey (Mr. SMITH). They have been yeomen in the fight against narcotics, human trafficking, terrorism, and in defense of international human rights.

I urge unanimous consent, if not an overwhelming majority, asking that these drug traffickers be extradited and we get adequate information from the State Department so we know what we are requesting because we have not been able to get that data.

Mr. TERRY. Mr. Chairman, I rise in support of the Hooley-Souder amendment to H.R. 2601. I ask unanimous consent to revise and extend my remarks.

This amendment will authorize \$4 million in 2006 and 2007 to help prevent the smuggling of methamphetamine from Mexico to the United States. It authorizes the Secretary of State to work with Mexican government and law enforcement officials to improve their abilities to fight the production and trafficking of meth.

The U.S. Department of Justice estimates that 90 percent of the meth available in my home state of Nebraska is trafficked from Mexico, California and the southwestern

states. Nationwide, 65 percent of available meth was smuggled into the U.S. by Mexican drug cartels and gangs.

During a routine traffic stop last January, the Douglas County Sheriff's Office in Nebraska seized five pounds of meth from two Mexican nationals who had concealed the drug inside a spare tire in the trunk. In March, an 8-month investigation culminated in the arrest of five Mexican and Hispanic drug cartel members. Law enforcement officials seized 12.5 pounds of meth being transported to Omaha from California.

Although 90 percent of the meth problem in Nebraska stems from international and intra-state drug trafficking, local law enforcement officers must spend the majority of their resources fighting home-based meth labs. Dismantling hundreds of "Mom and Pop" labs operated out of kitchen sinks and car trunks, and disposing of the highly toxic chemicals used to manufacture meth, is a timely and expensive process.

The Hooley-Souder amendment is critical to support our police officers on the front lines in the battle against meth. Reducing the amount of meth smuggled into the U.S. from Mexican super-labs will help our law enforcement officers protect families and children from this insidious drug that destroys lives and ruins communities. I urge my colleagues to join me in voting for the Hooley-Souder amendment today.

Mr. SOUDER. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana (Mr. SOUDER).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. SOUDER. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Indiana (Mr. SOUDER) will be postponed.

It is now in order to consider amendment No. 11 printed in part B of House Report 109-175.

AMENDMENT NO. 11 OFFERED BY MR. SOUDER

Mr. SOUDER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 11 offered by Mr. SOUDER:

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

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

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

(a) FINDINGS.—Congress finds the following:

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

(2) Drug trafficking organizations have already adapted to these long transit routes by

employing logistical support vessels (LSVs) to refuel drug laden boats on the high seas.

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

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

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

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

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

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

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated \$25,000,000 for fiscal year 2006 and \$25,000,000 for fiscal year 2007 for the Bureau for International Narcotics and Law Enforcement Affairs (INL) of the Department of State to purchase or lease a maritime refueling support vessel that is capable of refueling United States and allied warships and vessels employed in support of United States drug interdiction duties in the Eastern Pacific maritime transit zone.

The CHAIRMAN. Pursuant to House Resolution 365, the gentleman from Indiana (Mr. SOUDER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Indiana (Mr. SOUDER).

Mr. SOUDER. Mr. Chairman, I yield myself such time as I may consume.

I ask my colleagues for their support on this amendment which would authorize new resources for our drug interdiction efforts. I again want to commend the gentleman from Illinois (Mr. HYDE) for his assistance in getting this much-needed help for drug interdiction throughout the world.

The amendment I propose seeks to build on the efforts of the gentleman from Illinois (Chairman HYDE) by authorizing the State Department's Bureau for International Narcotics and Law Enforcement Affairs, INL, to acquire a refueling vessel for the benefit of the U.S. and allied drug interdiction activities, such as the U.S. Coast Guard and Navy, operating in the eastern Pacific region. That would be the area on the west side of Mexico and as you come down through Central America.

According to testimony provided by the Coast Guard, Department of De-

fense, Office of National Drug Control Policy, and other agencies to the Government Reform Subcommittee on Criminal Justice, Drug Policy and Human Resources, which I chair, drug traffickers have increasingly pushed their routes into that area further and further west from landfall. U.S. vessels have no refueling capability in that area, often coming from San Diego, and thus cannot operate for any significant length of time.

The traffickers, by contrast, have developed their own sophisticated refueling system and can now simply bypass our interdiction forces. Today we face an almost unique situation in drug interdiction history. We now have more intelligence about drug trafficking than assets to act on it, meaning that we have to watch helplessly while some shipments of poisonous narcotics are brought to the U.S.

The testimony provided to the subcommittee by Federal agencies has indicated that the acquisition of a refueling vessel would be of significant benefit in stopping this gaping hole. By allowing Coast Guard and other ships to carry out longer patrols in the eastern Pacific region, we will no longer be at such major logistical disadvantage vis-a-vis the drug kingpins.

Moreover, although the amendment authorizes up to \$25 million for the refueler, it also authorizes INL to purchase or lease the vessel, thus allowing INL to obtain this vital asset at the lowest cost.

Again, I thank the gentleman from Illinois (Mr. HYDE) for his leadership and support in the fight against drug trafficking, and I urge my colleagues to support this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. LANTOS. Mr. Chairman, I ask unanimous consent to claim the time in opposition, although I do not oppose the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LANTOS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of the amendment. It is of critical importance that the United States not be outgunned or outmaneuvered by narcotics traffickers either in the streets of our towns or on the high seas.

It is very disturbing to learn that drug traffickers are in fact developing their own navies with at-sea refueling capabilities for their drug cargo vessels, yet our own Coast Guard is not similarly equipped when it hunts and pursues these deep water vessels in the eastern Pacific.

This amendment will authorize \$50 million for the next two fiscal years to the Department of State International Narcotics and Law Enforcement Bureau to purchase or lease a maritime refueling support vessel to refuel U.S. Coast Guard and other drug interdiction vessels in the eastern Pacific. In

the drug war, unilateral disarmament is the worst position to be in. I urge all of my colleagues to support this amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. SOUDER. Mr. Chairman, I yield myself such time as I may consume to engage in a colloquy with the gentleman from New Jersey (Mr. SMITH).

Mr. CHAIRMAN, I would like to seek the support of the chairman in acquiring three cables from the State Department: one cable from the U.S. Embassy in Kabul describing the lack of assistance from the Afghan government on heroin trade, and two cables from the U.S. Embassy in Bogota regarding lack of U.S. support thus far for the demobilization program.

Mr. SMITH of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. SOUDER. I yield to the gentleman from New Jersey.

Mr. SMITH of New Jersey. Mr. Chairman, I want to assure the gentleman that the committee stands ready to work with the gentleman from Indiana (Mr. SOUDER) to ensure that he gets the cables he has requested. It is an important part of the gentleman's work and our Congressional oversight function. We will work very closely with the gentleman on this.

Mr. SOUDER. Mr. Chairman, I thank the gentleman from New Jersey.

Mr. Chairman, I thank the gentleman from Illinois (Mr. HYDE) again, the gentleman from New Jersey (Mr. SMITH), and the gentleman from California (Mr. LANTOS) for their support on these amendments. It is important that we have a bipartisan effort to send a message, whether it is to methamphetamine traffickers, pseudoephedrine, cocaine traffickers around the world, or heroin traffickers in Afghan. The fact is we lose 20,000 to 30,000 Americans every year to drug deaths. Because they do not happen on the same day at the same place, it is not as dramatic as what happened on 9/11, but they are still dead.

I thank the leadership of the committee for their support on these important amendments so we can, in a bipartisan way, make a dent in this terrible scourge, drug use.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana (Mr. SOUDER).

The amendment was agreed to.

The CHAIRMAN. The Committee will rise informally to receive a message.

The SPEAKER pro tempore (Mr. MANZULLO) assumed the Chair.

#### MESSAGES FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.