

SA 2752. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2753. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2754. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2755. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2756. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2757. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2758. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2759. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2760. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2761. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2762. Mr. LEAHY (for himself and Mrs. BOXER) submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2763. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra; which was ordered to lie on the table.

SA 2764. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

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SA 2767. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2768. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra; which was ordered to lie on the table.

SA 2769. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2770. Mrs. CLINTON (for herself and Mr. BINGAMAN) submitted an amendment intended to be proposed by her to the bill H.R. 2764, supra; which was ordered to lie on the table.

SA 2771. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2772. Mrs. DOLE submitted an amendment intended to be proposed by her to the bill H.R. 2764, supra.

SA 2773. Mr. COBURN proposed an amendment to the bill H.R. 2764, supra.

SA 2774. Mr. VITTER submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2775. Mr. LUGAR (for himself and Mr. BIDEN) submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra; which was ordered to lie on the table.

SA 2776. Mr. LUGAR submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra; which was ordered to lie on the table.

SA 2777. Mr. LUGAR submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra; which was ordered to lie on the table.

SA 2778. Mr. LEAHY (for Mr. BIDEN (for himself and Mr. LUGAR)) submitted an amendment intended to be proposed by Mr.

LEAHY to the bill H.R. 2764, supra; which was ordered to lie on the table.

SA 2779. Mr. LUGAR submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2780. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra; which was ordered to lie on the table.

SA 2781. Mr. LEVIN (for himself, Mr. BROWNBAC, and Mr. KENNEDY) submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2782. Mr. BAYH submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra.

SA 2783. Mr. WYDEN (for himself, Mr. ALEXANDER, Mr. KERRY, and Mr. FEINGOLD) submitted an amendment intended to be proposed by him to the bill H.R. 2764, supra; which was ordered to lie on the table.

SA 2784. Mr. LEAHY (for Mr. KYL (for himself and Mr. COLEMAN)) proposed an amendment to the bill H.R. 2764, supra.

SA 2785. Mr. LEAHY proposed an amendment to the bill H.R. 2764, supra.

SA 2786. Mr. LEAHY (for Mr. KYL (for himself, Mr. LIEBERMAN, Ms. COLLINS, and Mr. ENSIGN)) proposed an amendment to the bill H.R. 2764, supra.

SA 2787. Mr. LEAHY proposed an amendment to the bill H.R. 2764, supra.

SA 2788. Mr. LEAHY proposed an amendment to the bill H.R. 2764, supra.

SA 2789. Mr. LEAHY (for Mr. BIDEN (for himself and Mr. LUGAR)) proposed an amendment to the bill H.R. 2764, supra.

#### TEXT OF AMENDMENTS

**SA 2689.** Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 232, between lines 16 and 17, insert the following:

##### COMMISSION ON SECURITY AND COOPERATION IN EUROPE

SEC. 117. (a) The amount appropriated or otherwise made available by this title under the heading "COMMISSION ON SECURITY AND COOPERATION IN EUROPE" is hereby increased by \$333,000.

(b) The amount appropriated or otherwise made available by this title for the Department of State under the heading "DIPLOMATIC AND CONSULAR PROGRAMS" is hereby reduced by \$333,000.

**SA 2690.** Mr. REID (for Mr. OBAMA) submitted an amendment intended to be proposed by Mr. REID to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 410, between lines 15 and 16, insert the following:

##### RESTRICTIONS RELATED TO FEDERAL TAX LIABILITY

SEC. 699B. None of the funds appropriated or otherwise made available by this Act may be used to enter into a contract in an amount greater than \$5,000,000 or to award a grant in excess of such amount unless the prospective contractor or grantee certifies in writing to the agency awarding the contract or grant that the contractor or grantee has

filed all Federal tax returns required during the three years preceding the certification, has not been convicted of a criminal offense under the Internal Revenue Code of 1986, and has not been notified of any unpaid Federal tax assessment for which the liability remains unsatisfied unless the assessment is the subject of an installment agreement or offer in compromise that has been approved by the Internal Revenue Service and is not in default or the assessment is the subject of a non-frivolous administrative or judicial appeal.

**SA 2691.** Mr. LIEBERMAN (for himself, Mr. BROWNBAC, Mr. KYL, Mr. COLEMAN, Mr. GRAHAM, and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 410, between lines 15 and 16, insert the following:

##### SUPPORT FOR DEMOCRACY, THE RULE OF LAW, AND GOVERNANCE IN IRAN

SEC. 699B. Of the amount appropriated or otherwise made available by title III for other bilateral economic assistance under the heading "ECONOMIC SUPPORT FUND", \$75,000,000 shall be made available for programs of the Bureau of Near Eastern Affairs of the Department of State to support democracy, the rule of law, and governance in Iran.

**SA 2692.** Mr. REID (for himself, Mr. HAGEL, and Mr. DOMENICI) submitted an amendment intended to be proposed by Mr. REID to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 410, between lines 15 and 16, insert the following:

##### COMPREHENSIVE NUCLEAR THREAT REDUCTION AND SECURITY PLAN

SEC. 699B. (a) Not later than 180 days after the date of the enactment of this Act, the President shall submit to Congress a comprehensive nuclear threat reduction and security plan, in classified and unclassified forms—

(1) for ensuring that all nuclear weapons and weapons-usable material at vulnerable sites are secure by 2012 against the threats that terrorists have shown they can pose; and

(2) for working with other countries to ensure adequate accounting and security for such materials on an ongoing basis thereafter.

(b) For each element of the accounting and security effort described under subsection (a)(2), the plan shall—

(1) clearly designate agency and departmental responsibility and accountability;

(2) specify program goals, with metrics for measuring progress, estimated schedules, and specified milestones to be achieved;

(3) provide estimates of the program budget requirements and resources to meet the goals for each year;

(4) provide the strategy for diplomacy and related tools and authority to accomplish the program element;

(5) provide a strategy for expanding the financial support and other assistance provided by other countries, particularly Russia, the European Union and its member

states, China, and Japan, for the purposes of securing nuclear weapons and weapons-usable material worldwide;

(6) outline the progress in and impediments to securing agreement from all countries that possess nuclear weapons or weapons-usable material on a set of global nuclear security standards, consistent with their obligation to comply with United Nations Security Council Resolution 1540;

(7) describe the steps required to overcome impediments that have been identified; and

(8) describe global efforts to promulgate best practices for securing nuclear materials.

**SA 2693.** Mr. DOMENICI submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . COOPERATION WITH THE GOVERNMENT OF MEXICO.**

(a) **COOPERATION REGARDING BORDER SECURITY.**—The Secretary of State, in cooperation with the Secretary of Homeland Security and representatives of Federal, State, and local law enforcement agencies that are involved in border security and immigration enforcement efforts, shall work with the appropriate officials from the Government of Mexico to improve coordination between the United States and Mexico regarding—

(1) improved border security along the international border between the United States and Mexico;

(2) the reduction of human trafficking and smuggling between the United States and Mexico;

(3) the reduction of drug trafficking and smuggling between the United States and Mexico;

(4) the reduction of gang membership in the United States and Mexico;

(5) the reduction of violence against women in the United States and Mexico; and

(6) the reduction of other violence and criminal activity.

(b) **COOPERATION REGARDING EDUCATION ON IMMIGRATION LAWS.**—The Secretary of State, in cooperation with other appropriate Federal officials, shall work with the appropriate officials from the Government of Mexico to carry out activities to educate citizens and nationals of Mexico regarding eligibility for status as a nonimmigrant under Federal law to ensure that the citizens and nationals are not exploited while working in the United States.

(c) **COOPERATION REGARDING CIRCULAR MIGRATION.**—The Secretary of State, in cooperation with the Secretary of Labor and other appropriate Federal officials, shall work with the appropriate officials from the Government of Mexico to improve coordination between the United States and Mexico to encourage circular migration, including assisting in the development of economic opportunities and providing job training for citizens and nationals in Mexico.

(d) **ANNUAL REPORT.**—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary of State shall submit a report to Congress describing the actions taken by the United States and Mexico pursuant to this section.

**SA 2694.** Mr. MARTINEZ (for himself, Mr. MENENDEZ, Mr. ENSIGN, Mr. NELSON of Florida, and Mr. LAUTENBERG) proposed an amendment to the bill H.R.

2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 410, between lines 15 and 16, insert the following:

**CUBA DEMOCRACY ASSISTANCE PROGRAM**

**SEC. 699B.** (a) The amount appropriated or otherwise made available by title III under the subheading “ECONOMIC SUPPORT FUND” under the heading “OTHER BILATERAL ECONOMIC ASSISTANCE” is hereby increased by \$30,700,000 and such amount shall be available for the Cuba democracy assistance program to assist the pro-democracy movement in Cuba and shall be in addition to any other amounts appropriated or made available for such purposes.

(b) The amount appropriated or otherwise made available by title I for the Department of State and Related Agency under the subheading “DIPLOMATIC AND CONSULAR PROGRAMS” under the heading “ADMINISTRATION OF FOREIGN AFFAIRS” for expenses of general administration is hereby decreased by \$30,700,000.

**SA 2695.** Mr. MARTINEZ (for himself, Mr. NELSON of Florida, and Mr. MENENDEZ) proposed an amendment to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 410, between lines 15 and 16, insert the following:

**INTERNATIONAL BROADCASTING OPERATIONS TO CUBA**

**SEC. 699B.** (a) The amount appropriated or otherwise made available by title I under the subheading “INTERNATIONAL BROADCASTING OPERATIONS” under the heading “BROADCASTING BOARD OF GOVERNORS” is hereby increased by \$5,019,000 and such amount shall be available for the international broadcasting operations to Cuba and is in addition to any other amounts available for broadcasting operations to Cuba under title I.

(b) The amount appropriated or otherwise made available by title I for the Department of State and Related Agency under the subheading “DIPLOMATIC AND CONSULAR PROGRAMS” under the heading “ADMINISTRATION OF FOREIGN AFFAIRS” for expenses of general administration is hereby decreased by \$5,019,000.

**SA 2696.** Mr. MARTINEZ proposed an amendment to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

Beginning on page 266, line 13, strike “manual eradication” and all that follows through “municipalities where security permits” on page 267, line 12, and insert the following: “manual eradication in such areas is not practical or poses an unacceptable risk to government security forces, as determined based on consultations with appropriate authorities of the Government of Colombia: *Provided*, That not more than 20 percent of such funds may be made available unless the Secretary of State certifies to the Committees on Appropriations that: (1) the herbicide is being used in accordance with EPA label requirements for comparable use in the United States and with Colombian laws; and (2) the herbicide, in the manner it is being used, does not pose unreasonable risks or ad-

verse effects to humans or the environment including endemic species: *Provided further*, That such funds may not be made available unless the Secretary of State certifies to the Committees on Appropriations that complaints of harm to health or licit crops caused by such aerial eradication are thoroughly evaluated and fair compensation is being paid in a timely manner for meritorious claims, and the Secretary submits a report to the Committees on Appropriations detailing all claims, evaluations, and compensation paid during the twelve month period prior to the date of enactment of this Act: *Provided further*, That such funds may not be made available for such purposes unless programs are being implemented by the United States Agency for International Development, the Government of Colombia, or other organizations, in consultation and coordination with local communities, to provide alternative sources of income in areas where conditions exist for successful alternative development and security permits”.

**SA 2697.** Mr. MARTINEZ proposed an amendment to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 410, between lines 15 and 16, insert the following:

**AERIAL ERADICATION OF COCA IN COLOMBIA**

**SEC. 699B.** (a) The amount appropriated or otherwise made available by title III under the heading “ANDEAN PROGRAMS” for the Department of State and available for aerial eradication of coca in Colombia is hereby increased by \$30,000,000.

(b) The amount appropriated or otherwise made available by title I for the Department of State under the heading “DIPLOMATIC AND CONSULAR PROGRAMS” and available for expenses of general administration is hereby reduced by \$30,000,000.

**SA 2698.** Mr. DORGAN submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ .** None of the funds made available in this Act may be used to provide reimbursement to employees for amounts paid as taxes on income (including self-employment income) to the United States.

**SA 2699.** Mr. LUGAR submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 410, between lines 15 and 16, insert the following:

**SEC. 699B. ADVANCE MARKET COMMITMENTS.**

(a) **PURPOSE.**—The purpose of this section is to improve global health by creating a competitive market for future vaccines through advance market commitments.

(b) **AUTHORITY TO NEGOTIATE.**—

(1) **IN GENERAL.**—The Secretary of the Treasury should enter into negotiations with

the appropriate officials of the International Bank for Reconstruction and Development, the International Development Association, and the Global Alliance for Vaccines and Immunization, the member nations of such entities, and other interested parties for the purpose of establishing advance market commitments to purchase vaccines and microbicides to combat neglected diseases.

(2) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a report on the status of the negotiations to create advance market commitments under this section to—

(A) the Committee on Appropriations of the Senate;

(B) the Committee on Foreign Relations of the Senate;

(C) the Committee on Appropriations of the House of Representatives;

(D) the Committee on Foreign Affairs of the House of Representatives; and

(E) the Committee on Financial Services of the House of Representatives.

(c) REQUIREMENTS.—The Secretary of the Treasury should work with the entities referred to in subsection (b) to ensure that—

(1) there is an international framework for the establishment and implementation of advance market commitments; and

(2) such commitments include—

(A) legally binding contracts for product purchase that include a fair market price for a guaranteed number of treatments to ensure that the market incentive is sufficient;

(B) clearly defined and transparent rules of competition for qualified developers and suppliers of the product;

(C) clearly defined requirements for eligible vaccines to ensure that they are safe and effective;

(D) dispute settlement mechanisms; and

(E) sufficient flexibility to enable the contracts to be adjusted in accord with new information related to projected market size and other factors while still maintaining the purchase commitment at a fair price.

(d) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated such sums as may be necessary for each of fiscal years 2009 through 2014 to fund an advance market commitment pilot program for pneumococcal vaccines.

(2) AVAILABILITY.—Amounts appropriated pursuant to this subsection shall remain available until expended without fiscal year limitation.

**SA 2700.** Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 231, strike lines 1 through 7.

**SA 2701.** Mr. BROWN (for himself, Mr. BROWNBAC, Mr. DURBIN, and Mrs. BOXER) submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 210, line 24, strike “\$3,885,375,000” and insert “\$3,820,375,000”.

On page 211, line 10, strike “\$364,905,000” and insert “\$299,905,000”.

On page 238, line 18, strike “\$6,531,425,000” and insert “\$6,621,425,000”.

On page 239, line 17, strike “\$634,675,000 for other infectious diseases;” and insert

“\$724,675,000 for other infectious diseases, including \$200,000,000 for tuberculosis control, of which \$15,000,000 shall be used for the Global TB Drug Facility;”.

On page 282, line 13, strike “\$90,000,000” and insert “\$65,000,000”.

**SA 2702.** Mr. KYL (for himself, Mr. LIEBERMAN, Ms. COLLINS, and Mr. ENSIGN) submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 410, between lines 15 and 16, insert the following:

RULE OF LAW AND BORDER SECURITY IN EGYPT

SEC. 699B. (a) The Senate makes the following findings:

(1) Fighting in Gaza during the summer of 2007 demonstrated that the terrorist organization Hamas, which unlawfully seized control over Gaza in June 2007, has been able to achieve a dramatic increase in the quantity and sophistication of arms at its disposal.

(2) Without these arms, the terrorist organization would not have been able to seize control over the Gaza territory.

(3) There is substantial evidence that a significant proportion of these arms were smuggled across the border between Gaza and Egypt.

(4) The Egyptian military is a highly capable, well-trained force, made possible in substantial part by a close relationship with the United States.

(5) Concurrent with the escalation of dangerous arms smuggling across the border between Egypt and Gaza has been a retrogression in the rule of law in Egypt.

(6) This loss of hard-earned ground has been characterized by reports of harsh reaction by the Government of Egypt to dissent, including the jailing of political opponents.

(7) The United States has provided aid to Egypt in excess of \$28,000,000,000 over the past three decades.

(b) The Senate—

(1) reaffirms its long-standing friendship with the people of Egypt;

(2) believes that our friendship with Egypt requires the Senate to address such vital policy concerns;

(3) urges the Government of Egypt to make concrete and measurable progress on restoring the rule of law, including improving the independence of the judiciary and improving criminal procedures and due process rights and halting the cross-border flow of arms to Gaza;

(4) believes it is the best interest of Egypt, the region, and the United States that Egypt takes prompt action to demonstrate progress on these matters; and

(5) urges the Department of State to work vigorously and expeditiously with the Government of Egypt and the Government of Israel to bring the border between Egypt and Gaza border under effective control.

**SA 2703.** Mr. ALEXANDER (for himself and Mrs. HUTCHISON) submitted an amendment intended to be proposed by him to the bill 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 410, between lines 15 and 16, insert the following:

OVERSEAS PRIVATE INVESTMENT CORPORATION

SEC. 699B. (a) The amount appropriated or otherwise made available by title II for the

Overseas Private Investment Corporation under the heading “PROGRAM ACCOUNT” is hereby increased by \$8,000,000.

(b) The amount appropriated or otherwise made available by title V for “CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT ASSOCIATION” is hereby reduced by \$8,000,000.

**SA 2704.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_\_. None of the funds appropriated or otherwise made available by this Act for multilateral economic assistance under the heading “CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT ASSOCIATION” may be made available for the World Bank for malaria control or prevention programs.

**SA 2705.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 410, between lines 15 and 16, insert the following:

SAVING CHILDREN’S LIVES

SEC. 699B. (a) The amount appropriated or otherwise made available by title III for bilateral economic assistance under the heading “GLOBAL HEALTH PROGRAMS” and available for child survival and maternal health is hereby increased by \$76,763,000.

(b) The amount appropriated or otherwise made available by title III for bilateral economic assistance under the heading “GLOBAL HEALTH PROGRAMS” for other infectious diseases and available for the President’s Malaria Initiative is hereby increased by \$30,000,000.

(c) The amount appropriated or otherwise made available by title V under the heading “GLOBAL ENVIRONMENT FACILITY” is hereby reduced by \$106,763,000.

**SA 2706.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 311, strike lines 20 through 22 and insert the following:

(6) has adopted and is implementing a policy to publish on a publicly available web site all program reviews, program evaluations, internally and externally commissioned audits, and inspector general reports and findings, not later than 7 days after they are received by the Global Fund Secretariat, except that such information as determined necessary by the Inspector General to protect the identity of whistleblowers or other informants to investigations and reports of the Inspector General, or proprietary information, may be redacted from such documents; and

**SA 2707.** Mr. BROWNBAC (for himself, Mr. MARTINEZ, Mr. VITTER, and Mr. COLEMAN) proposed an amendment

to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 240, beginning on line 4, strike “Provided” and all that follows through “sterilization:” on line 9 and insert “Provided further, That none of the funds made available in this Act nor any unobligated balances from prior appropriations may be made available to any organization or program which, as determined by the President, supports, or participates in the management of, a program of coercive abortion or involuntary sterilization:”.

**SA 2708.** Mr. BROWNBACK (for himself, Mr. CORKER, Mr. MARTINEZ, Mr. VITTER, and Mr. COLEMAN) proposed an amendment to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 308, beginning on line 18, strike “health:” and all that follows through page 309, line 4, and insert “health.”.

**SA 2709.** Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

At the appropriate place in title I, insert the following:

SEC. \_\_\_\_ (a) LINK TO OFFICE OF INSPECTOR GENERAL FROM HOMEPAGE OF DEPARTMENT OF STATE.—Not later than 30 days after the date of the enactment of this Act, the Secretary of State shall establish and maintain on the homepage of the Internet website of the Department of State a direct link to the Internet website of the Office of Inspector General of the Department of State.

(b) ANONYMOUS REPORTING OF WASTE, FRAUD, OR ABUSE.—Not later than 30 days after the date of the enactment of this Act, the Inspector General of the Department of State shall establish and maintain on the homepage of the Internet website of the Office of Inspector General a mechanism by which individuals can anonymously report cases of waste, fraud, or abuse with respect to the Department of State.

**SA 2710.** Mr. COLEMAN submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 367, beginning on line 15, strike “UNDP is—” and all that follows through line 22 and insert the following: “UNDP—

(1) is giving adequate and appropriate access to information to the United States Mission to the United Nations regarding UNDP’s programs and activities, as requested, including in North Korea and Burma;

(2) is conducting appropriate oversight of UNDP programs and activities globally;

(3) has increased transparency by making UNDP financial documents available to United Nations member states;

(4) has implemented the whistleblower protection policy established by the United Nations Secretariat in December 2005; and

(5) has undertaken an investigation of all UNDP programs globally by an external independent investigator.

**SA 2711.** Mr. COLEMAN submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 410, between line 15 and 16, insert the following:

WITHHOLDING OF UNITED STATES CONTRIBUTIONS TO THE UNITED NATIONS DEVELOPMENT PROGRAM

SEC. 699B. For each fiscal year, the Secretary of State shall withhold from the United States contribution to the United Nations Development Program (UNDP) an amount equal to the sum of all amounts authorized for such fiscal year by the leadership of the United Nations for “national execution” by any country, or transference of cash or in-kind contributions to a government of any country, that—

(1) is subject to sanctions imposed by the United Nations Security Council;

(2) is not in compliance with its non-proliferation obligations or has illicit procurement networks pertaining to nuclear, chemical, or biological weapons programs and technologies;

(3) is subject to sanctions imposed by the United States Government;

(4) is designated by the Secretary of State as a state sponsor of terrorism;

(5) is known by the Department of the Treasury to support or engage in the counterfeiting of United States currency; or

(6) is barred by United States law, including any executive order, from receiving United States foreign assistance.

**SA 2712.** Mr. COLEMAN submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 410, between line 15 and 16, insert the following:

WITHHOLDING OF UNITED STATES CONTRIBUTIONS TO THE UNITED NATIONS HUMAN RIGHTS COUNCIL

SEC. 699B. (a) The Senate makes the following findings:

(1) The severe loss of credibility of the United Nations Human Rights Commission, whose members have included Libya, Sudan, and Cuba, led United Nations Secretary-General Kofi Annan to remark in 2005 that the Human Rights Commission was “casting a shadow on the reputation of the United Nations system as a whole” and to call for the creation of a new United Nations human rights institution.

(2) Calls for the reform of United Nations human rights institutions led to a proposal for a new Human Rights Council to replace the Human Rights Commission, which was adopted by the United Nations General Assembly on March 15, 2006, in General Assembly Resolution 60/251 (2006).

(3) The United States voted against General Assembly Resolution 60/251 (2006) because the proposed structure of the Human Rights Council did not contain provisions designed to address the fundamental flaws of its predecessor body, such as a requirement

that members of the Council be democracies that respect human rights.

(4) The United States chose not to run in the elections for membership in the Human Rights Council in 2006 and 2007 for fear that the Council would reflect the same patterns as the Human Rights Commission.

(5) The stated purpose of the Human Rights Council is to objectively and non-selectively promote and protect human rights in the entire world, and therefore in all 192 Member States of the United Nations.

(6) The Human Rights Council is composed of 47 members, 24 of which are considered “free democracies” by Freedom House in its 2007 “Freedom in the World” report.

(7) The current members of the Human Rights Council include countries such as Cuba, Angola, Azerbaijan, and Saudi Arabia.

(8) During the first year of operation of the Human Rights Council, which included 5 regular sessions and 4 special sessions, the only country in the world that was directly condemned as a violator of human rights was Israel.

(9) In its first year of operation, the Human Rights Council passed only 12 state-specific resolutions: 9 resolutions that condemned the Government of Israel, and 3 resolutions on Sudan that did not condemn the Government of Sudan.

(10) Freedom House lists 19 countries in its 2007 “Freedom in the World” report as the “Worst of the Worst” regimes that violate human rights, yet none of these countries has been the subject of a resolution by the Human Rights Council except for Sudan.

(11) During its first year, the Human Rights Council held 4 special sessions to address the most egregious and urgent human rights issues, with 3 sessions dedicated to Israel and 1 session dedicated to Sudan.

(12) The Human Rights Council special session on Sudan held in December 2006 resulted in the appointment of an assessment mission to Darfur led by Nobel Peace Prize Laureate Jody Williams, and this assessment mission submitted a report (referred to in this section as the “Williams Report”) to the Human Rights Council in March 2007 that concluded that the Government of Sudan was responsible for “large-scale international crimes in Darfur”.

(13) The Human Rights Council has not condemned the Government of Sudan in spite of the Williams Report and the numerous reports documenting the human rights violations of the Government of Sudan compiled by the United Nations High Commissioner for Human Rights.

(14) On June 19, 2007, the Human Rights Council adopted governing rules that further discredit the Council’s operations, including—

(A) the establishment of only 1 country-specific permanent agenda item for the “Program of Work” on “human rights violations and implications of the Israeli occupation of Palestine and other occupied Arab territories”;

(B) the elimination of the mandates of the special investigators for human rights for Cuba and Belarus, despite extensive reporting by these investigators indicating that there are widespread, systematic violations of human rights taking place in both countries; and

(C) the adoption of measures that limit the independence of operations of the Office of the United Nations High Commissioner for Human Rights and hinder the ability of independent human rights investigators to report findings on human rights abuses.

(b)(1) No funds appropriated or otherwise made available by any Act for fiscal years

2008 or 2009 for contributions to international organizations may be made available to support the United Nations Human Rights Council.

(2) The prohibition under paragraph (1) shall not apply for a fiscal year if, during that fiscal year—

(A) the President determines and certifies to the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives that the provision of funds to support the United Nations Human Rights Council is in the national interest of the United States; or

(B) the United States is a member of the Human Rights Council.

**SA 2713.** Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

At the appropriate place in title III, insert the following:

SUPPORT OF FOREIGN LAW ENFORCEMENT EFFORTS TO LOCATE UNITED STATES CITIZENS KIDNAPPED IN AREAS AFFECTED BY VIOLENT DRUG TRAFFICKING

SEC. \_\_\_\_ . Funds appropriated or otherwise made available by this title under the heading "INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT" shall be available for the support of efforts of foreign law enforcement authorities to locate United States citizens who have been kidnapped in, or are otherwise missing from, areas affected by violent drug trafficking.

**SA 2714.** Mr. KYL submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

Section 694 of the bill is amended to read as follows:

SEC. 694. (a) AMENDMENT TO AUTHORITY TO DETERMINE THE BAR TO ADMISSION INAPPLICABLE.—Section 212(d)(3)(B)(i) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(3)(B)(i)) is amended to read as follows:

"The Secretary of State, after consultation with the Attorney General and the Secretary of Homeland Security, or the Secretary of Homeland Security, after consultation with the Secretary of State and the Attorney General, may determine in such Secretary's sole unreviewable discretion that subsection (a)(3)(B) shall not apply with respect to an alien within the scope of that subsection or that subsection (a)(3)(B)(vi)(III) shall not apply to a group within the scope of that subsection, except that no such waiver may be extended to an alien who is within the scope of subsection (a)(3)(B)(i)(II), no such waiver may be extended to an alien who is a member or representative of, has engaged in or endorsed or espoused or persuaded others to endorse or espouse or support terrorist activity on behalf of, or has received military-type training from a terrorist organization that is described in subclause (I) or (II) of subsection (a)(3)(B)(vi), and no such waiver may be extended to a group that has engaged terrorist activity against the United States or another democratic country or that has purposefully engaged in a pattern or practice

of terrorist activity that is directed at civilians. Such a determination shall neither prejudice the ability of the United States Government to commence criminal or civil proceedings involving a beneficiary of such a determination or any other person, nor create any substantive or procedural right or benefit for a beneficiary of such a determination or any other person. Notwithstanding any other provision of law (statutory or non-statutory), including section 2241 of Title 28, or any other habeas corpus provision, and sections 1361 and 1651 of such title, no court shall have jurisdiction to review such a determination or revocation except in a proceeding for review of a final order of removal pursuant to section 1252 of this title, and review shall be limited to the extent provided in section 1252(a)(2)(D). The Secretary of State may not exercise the discretion provided in this clause with respect to an alien at any time during which the alien is the subject of pending removal proceedings under section 1229a of this title."

(b) AUTOMATIC RELIEF FOR THE HMONG AND OTHER GROUPS THAT DO NOT POSE A THREAT TO THE UNITED STATES.—For purposes of section 212(a)(3)(B) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)), the Karen National Union/Karen Liberation Army (KNU/KNLA), the Chin National Front/Chin National Army (CNF/CNA), the Chin National League for Democracy (CNLD), the Kayan New Land Party (KNLP), the Arakan Liberation Party (ALP), the Mustangs, the Alzados, the Karenni National Progressive Party, and appropriate groups affiliated with the Hmong and the Montagnards shall not be considered to be a terrorist organization on the basis of any act or event occurring before the date of enactment of this section. Nothing in this subsection may be construed to alter or limit the authority of the Secretary of State or the Secretary of Homeland Security to exercise his discretionary authority pursuant to 212(d)(3)(B)(i) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(3)(B)(i))."

(c) TECHNICAL CORRECTION.—(1) IN GENERAL.—Section 212(a)(3)(B)(ii) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)(ii)) is amended by striking "Subclause (VII)" and replacing it with "Subclause (IX)".

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of enactment of this section, and these amendments and sections 212(a)(3)(B) and 212(d)(3)(B) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B) and 1182(d)(3)(B)), as amended by these sections, shall apply to—

(A) removal proceedings instituted before, on, or after the date of enactment of this section; and

(B) acts and conditions constituting a ground for inadmissibility, excludability, deportation, or removal occurring or existing before, on, or after such date.

**SA 2715.** Mr. KYL submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

Section 694 of the bill is amended to read as follows:

SEC. 694. (a) AMENDMENT TO AUTHORITY TO DETERMINE THE BAR TO ADMISSION INAPPLICABLE.—Section 212(d)(3)(B)(i) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(3)(B)(i)) is amended to read as follows:

"The Secretary of State, after consultation with the Attorney General and the Secretary of Homeland Security, or the Secretary of Homeland Security, after consultation with the Secretary of State and the Attorney General, may determine in such Secretary's sole unreviewable discretion that subsection (a)(3)(B) shall not apply with respect to an alien within the scope of that subsection or that subsection (a)(3)(B)(vi)(III) shall not apply to a group within the scope of that subsection, [except that no such waiver may be extended to an alien who is within the scope of subsection (a)(3)(B)(i)(II), no such waiver may be extended to an alien who is a member or representative of, has engaged in or endorsed or espoused or persuaded others to endorse or espouse or support terrorist activity on behalf of, or has received military-type training from a terrorist organization that is described in subclause (I) or (II) of subsection (a)(3)(B)(vi), and no such waiver may be extended to a group that has engaged terrorist activity against the United States or another democratic country or that has purposefully engaged in a pattern or practice of terrorist activity that is directed at civilians.] Such a determination shall neither prejudice the ability of the United States Government to commence criminal or civil proceedings involving a beneficiary of such a determination or any other person, nor create any substantive or procedural right or benefit for a beneficiary of such a determination or any other person. Notwithstanding any other provision of law (statutory or non-statutory), including section 2241 of Title 28, or any other habeas corpus provision, and sections 1361 and 1651 of such title, no court shall have jurisdiction to review such a determination or revocation except in a proceeding for review of a final order of removal pursuant to section 1252 of this title, and review shall be limited to the extent provided in section 1252(a)(2)(D). The Secretary of State may not exercise the discretion provided in this clause with respect to an alien at any time during which the alien is the subject of pending removal proceedings under section 1229a of this title."

(b) AUTOMATIC RELIEF FOR THE HMONG AND OTHER GROUPS THAT DO NOT POSE A THREAT TO THE UNITED STATES.—For purposes of section 212(a)(3)(B) of the Immigration and Nationality Act (8 USC 1182(a)(3)(B)), the Karen National Union/Karen Liberation Army (KNU/KNLA), the Chin National Front/Chin National Army (CNF/CNA), the Chin National League for Democracy (CNLD), the Kayan New Land Party (KNLP), the Arakan Liberation Party (ALP), the Mustangs, the Alzados, the Karenni National Progressive Party, and appropriate groups affiliated with the Hmong and the Montagnards shall not be considered to be a terrorist organization on the basis of any act or event occurring before the date of enactment of this section. Nothing in this subsection may be construed to alter or limit the authority of the Secretary of State or the Secretary of Homeland Security to exercise his discretionary authority pursuant to 212(d)(3)(B)(i) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(3)(B)(i))."

(c) TECHNICAL CORRECTION.—(1) IN GENERAL.—Section 212(a)(3)(B)(ii) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)(ii)), is amended by striking "Subclause (VII)" and replacing it with "Subclause (IX)".

(d) DESIGNATION OF THE TALIBAN AS A TERRORIST ORGANIZATION.—For purposes of section 212(a)(3)(B) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)), the Taliban shall be considered to be a terrorist organization described in subclause (I) of clause (vi) of that section.

(e) REPORT ON DURESS WAIVERS. The Secretary of Homeland Security shall provide to

the Committees on the Judiciary of the United States Senate and House of Representatives a report, not less than 180 days after the enactment of this Act and every year thereafter, which may include a classified annex if appropriate, describing—

(1) the number of individuals subject to removal from the United States for having provided material support to a terrorist group who allege that such support was provided under duress;

(2) a breakdown of the types of terrorist organizations to which the individuals described in paragraph (1) have provided material support;

(3) a description of the factors that the Department of Homeland Security considers when evaluating duress waivers; and

(4) any other information that the Secretary believes that the Congress should consider while overseeing the Department's application of duress waivers.

(f) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on the date of enactment of this section, and these amendments and sections 212(a)(3)(B) and 212(d)(3)(B) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B) and 1182(d)(3)(B)), as amended by these sections, shall apply to—

(A) removal proceedings instituted before, on, or after the date of enactment of this section; and—

(B) acts and conditions constituting a ground for inadmissibility, excludability, deportation, or removal occurring or existing before, on, or after such date.

**SA 2716.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 410, between lines 15 and 16, insert the following:

**SAVING CHILDREN'S LIVES**

SEC. 699B. (a) The amount appropriated or otherwise made available by title III for bilateral economic assistance under the heading "GLOBAL HEALTH PROGRAMS" and available for child survival and maternal health is hereby increased by \$48,763,000.

(b) The amount appropriated or otherwise made available by title III for bilateral economic assistance under the heading "GLOBAL HEALTH PROGRAMS" for other infectious diseases and available for the President's Malaria Initiative is hereby increased by \$30,000,000.

(c) The amount appropriated or otherwise made available by title V under the heading "GLOBAL ENVIRONMENT FACILITY" is hereby reduced by \$106,763,000.

**SA 2717.** Mr. LEVIN submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . TREATMENT OF CERTAIN NATIONALS OF IRAQ.**

(a) **RELIGIOUS MINORITY GROUP IN IRAQ DEFINED.**—In this section, the term "religious minority group in Iraq" means a religious denomination or sect which, according to the International Religious Freedom Report 2006

(released by the Bureau of Democracy, Human Rights, and Labor of the Department of State on September 15, 2006)—

(1) is present in Iraq; and

(2) is comprised of members who constitute not more than 5 percent of the population of Iraq.

(b) **CONSIDERATION OF CERTAIN NATIONALS FROM IRAQ AS PRIORITY 2 REFUGEES.**—Subject to the numerical limitations established pursuant to section 207 of the Immigration and Nationality Act (8 U.S.C. 1157), the Secretary of State, or a designee of the Secretary, shall present to the Secretary of Homeland Security, and the Secretary of Homeland Security, or a designee of the Secretary, shall adjudicate, any application for refugee status under such section 207 submitted by an applicant who—

(1)(A) is a national of Iraq; or

(B) if the applicant is not a national of any foreign state, last maintained a residence in Iraq;

(2) demonstrates that he or she—

(A) departed from Iraq before January 1, 2007; and

(B) has resided outside Iraq since that date; and

(3) demonstrates that he or she—

(A) provided services for the United States Government within Iraq for at least 12 months after March 1, 2003, as an employee, volunteer, contractor, or employee of a contractor of the United States; or

(B)(i) is a member of a religious minority group in Iraq; and

(ii) has a sibling, son, daughter, parent, grandparent, grandchild, or spouse who is a lawful permanent resident, asylee, refugee, or citizen under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

**SA 2718.** Mr. BINGAMAN (for himself and Mr. DOMENICI) submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 219, line 26, insert after "authorized" the following: " , of which, \$100,000 may be made available to repair, relocate, or replace fencing along the international border between the United States and Mexico".

**SA 2719.** Mrs. BOXER (for herself, Ms. SNOWE, Ms. COLLINS, Mrs. CLINTON, Ms. CANTWELL, Mr. MENENDEZ, Mr. DODD, Mr. LAUTENBERG, Mrs. FEINSTEIN, Mr. FEINGOLD, Mrs. MURRAY, Ms. MIKULSKI, and Mr. OBAMA) proposed an amendment to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 410, between lines 15 and 16, insert the following:

**REMOVAL OF CERTAIN RESTRICTIVE ELIGIBILITY REQUIREMENTS APPLICABLE TO FOREIGN NON-GOVERNMENTAL ORGANIZATIONS**

SEC. 699B. Notwithstanding any other provision of law, regulation, or policy, in determining eligibility for assistance authorized under part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.), foreign non-governmental organizations shall not be ineligible for such assistance solely on the basis of health or medical services, including counseling and referral services, provided by such organizations with non-United States

Government funds if such services do not violate the laws of the country in which they are being provided and would not violate United States Federal law if provided in the United States, and shall not be subject to requirements relating to the use of non-United States Government funds for advocacy and lobbying activities other than those that apply to United States nongovernmental organizations receiving assistance under part I of such Act.

**SA 2720.** Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place under Title III, Bilateral Economic Assistance, Global Health Programs, insert the following:

"Provided further, That none of the funds appropriated under this heading shall be used by the Global AIDS Coordinator to exclude from competition for funding any organization or institution headquartered in the United States that has significant experience in AIDS patient care and treatment."

**SA 2721.** Mr. DODD (for himself, Mrs. FEINSTEIN, Mr. CORKER, Mr. COLEMAN, Mr. LAUTENBERG, and Mr. FEINGOLD) submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 410, between lines 15 and 16, insert the following:

**ADDITIONAL PEACE CORPS FUNDING**

SEC. 699B. (a) The amount appropriated or otherwise made available by title III under the heading "PEACE CORPS" is hereby increased by \$10,000,000.

(b) The amount appropriated or otherwise made available by title IV under the heading "FOREIGN MILITARY FINANCING PROGRAM" is hereby reduced by \$10,000,000.

**SA 2722.** Mr. DODD submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**PROHIBITION ON USE OF FUNDS FOR CRUEL, INHUMAN, AND DEGRADING TREATMENT AND PUNISHMENT AND FOR EXTRAORDINARY Renditions**

SEC. \_\_\_\_ . (a) **PROHIBITION ON USE OF FUNDS FOR CRUEL, INHUMAN, AND DEGRADING TREATMENT AND PUNISHMENT.**—No funds appropriated or otherwise made available by this Act may be used in contravention of the following laws enacted or regulations prescribed to implement the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (done at New York on December 10, 1984):

(1) Section 2340A of title 18, United States Code.

(2) Section 2242 of the Foreign Affairs Reform and Restructuring Act of 1998 (division G of Public Law 105-277; 112 Stat. 2681-822; 8 U.S.C. 1231 note) and regulations prescribed thereto, including regulations under part 208 of title 8, Code of Federal Regulations, and part 95 of title 22, Code of Federal Regulations;

(3) Sections 1002 and 1003 of the Detainee Treatment Act of 2005 (10 U.S.C. 801 note; 42 U.S.C. 2000dd).

(b) PROHIBITION ON USE OF FUNDS FOR EXTRAORDINARY RENDITIONS.—No funds appropriated or otherwise made available by this Act may be used for any transfer (commonly referred to as an “extraordinary rendition”) of any person who is imprisoned, detained, or held, or otherwise in the custody or control of a department, agency, or official of the United States Government, or any contractor of a department or agency of the United States Government, to a country where there are substantial grounds for believing that such person would be subjected to torture.

**SA 2723.** Mr. KYL submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 219, line 26, before the period insert the following: *Provided further*, That of the funds appropriated under this heading, up to \$400,000 should be made available for the repair or replacement of the Nogales Wash Flood Control Project and international outfall interceptor.

**SA 2724.** Mr. GREGG submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

Insert where appropriate:

IRAQ

SEC. \_\_\_\_\_. (a) None of the funds appropriated or otherwise made available by this Act may be made available for assistance for Iraq.

(b) Not later than 30 days after enactment of this Act the Secretary of State shall submit a report to the Committees on Appropriations detailing the extent to which the Government of Iraq is committed to combating corruption in Iraq and the specific actions and achievements of the Government of Iraq in combating corruption, to include a list of those senior Iraqi leaders who have been credibly alleged to be engaged in corrupt practices and activities.

(c) Notwithstanding any other provision of law, policy, or regulation, none of the funds made available in this Act or any other Act may be made available for assistance for Iraq unless the Secretary of State, in consultation with the Secretary of Defense, certifies to the Committees on Appropriations that the Departments of State and Defense are providing the Committees on Appropriations, including relevant staff, regular, full and unfettered access to programs in Iraq for the purposes of conducting oversight.

(d) Subsections (a) and (b) shall not apply to the ninth and thirteenth provisos under the heading “Economic Support Fund” in this Act.

**SA 2725.** Mr. GREGG submitted an amendment intended to be proposed by

him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 369, line 8 after the period, insert the following:

(d) NATIONAL BUDGET TRANSPARENCY.—(1) None of the funds appropriated by this Act may be made available for assistance for the central government of any country that fails to make publicly available on an annual basis its national budget, to include income and expenditures.

(2) The Secretary of State may waive subsection (d) (1) on a country-by-country basis if the Secretary reports to the Committees on Appropriations that to do so is important to the national interests of the United States.

(3) The reporting requirement pursuant to section 585(b) of Public Law 108-7 regarding fiscal transparency and accountability in countries whose central governments receive United States foreign assistance shall apply to this Act.

**SA 2726.** Mr. GREGG submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

Insert where appropriate:

UNITED STATES-EGYPT FRIENDSHIP ENDOWMENT

SEC. \_\_\_\_\_. Of the funds appropriated by this Act and prior Acts making appropriations for foreign operations, export financing, and related programs under the heading “Economic Support Fund” that are available for assistance for Egypt, up to \$500,000,000 may be made available for an endowment to further social, economic and political reforms in Egypt: *Provided*, That the Secretary of State shall consult with the Committees on Appropriations on the establishment of such an endowment and appropriate benchmarks for the uses of these funds.

**SA 2727.** Mr. GREGG submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 368, beginning on line 16 strike “and (4)” and insert in lieu thereof:

“(4) the World Bank has made publicly available the Department of Institutional Integrity’s November 23, 2005 ‘Report of Investigation into Reproductive and Child Health I Project Credit N0180 India’ and any subsequent detailed implementation review, and is implementing the recommendations of the Department of Institutional Integrity regarding this project, including recommendations concerning the prosecution of individuals engaged in corrupt practices; and”.

**SA 2728.** Mr. GREGG submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

Insert where appropriate:

IRAQ

SEC. \_\_\_\_\_. (a) None of the funds appropriated or otherwise made available by this Act may be made available for assistance for Iraq.

(b) Not later than 30 days after enactment of this Act the Secretary of State shall submit a report to the Committees on Appropriations detailing the extent to which the Government of Iraq is committed to combating corruption in Iraq and the specific actions and achievements of the Government of Iraq in combating corruption, to include a list of those senior Iraqi leaders who have been credibly alleged to be engaged in corrupt practices and activities.

(c) Notwithstanding any other provision of law, policy, or regulation, none of the funds made available in this Act or any other Act making appropriations for foreign operations, export financing and related programs may be made available for assistance for Iraq unless the Secretary of State, in consultation with the Secretary of Defense, certifies to the Committees on Appropriations that the Departments of State and Defense are providing the Committees on Appropriations, including relevant staff, regular, full and unfettered access to programs in Iraq for the purposes of conducting oversight.

(d) Subsections (a) and (c) shall not apply to the ninth and thirteenth provisos under the heading “Economic Support Fund” in this Act.

**SA 2729.** Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 213, line 16, strike the period and insert “: *Provided*, That not less than \$250,000 shall be made available for the Bureau of Diplomatic Security to develop a comprehensive facility plan to consolidate and expand hard and soft skills training within 400 miles of the District of Columbia.”.

**SA 2730.** Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 232, line 16 insert the following new provision:

“CONSULAR OPERATIONS

SEC. \_\_\_\_\_. (a) The Secretary of State shall establish visa processing facilities in Iraq within 180 days of enactment of this Act in which aliens may apply and interview for admission to the United States.

(b) The Secretary of State shall report to the Congress no later than 30 days after enactment of this Act on funding and security requirements for consular operations in Iraq in fiscal year 2008.”.

**SA 2731.** Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 244, line 9, before the colon insert “, particularly child survival and maternal health”.

**SA 2732.** Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 244, line 22, strike “\$1,455,000,000” and insert in lieu thereof “\$1,555,000,000”.

On page 251, line 10, strike “\$3,015,000,000” and insert in lieu thereof “\$2,915,000,000”.

**SA 2733.** Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 253, line 11, after the colon insert the following:

*Provided further*, That of the funds appropriated under this heading, not less than \$10,000,000 should be made available for (1) programs to locate and identify persons missing as a result of armed conflict, violations of human rights, or natural disasters; (2) to assist governments in meeting their obligations regarding missing persons; and (3) to support investigations and prosecutions related to war crimes, crimes against humanity, genocide and other crimes under international law:

**SA 2734.** Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 254, line 16, after the comma insert the following: “not less than \$4,000,000 should be made available for a United States contribution to the International Commission Against Impunity in Guatemala.”.

**SA 2735.** Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 266, line 14, strike “feasible” and insert in lieu thereof “practicable and that aerial eradication will not contribute to a significant loss of biodiversity”.

On page 267, line 17 delete “determines” and insert in lieu thereof “certifies to the Committees on Appropriations”.

On page 267, line 18, strike “feasible” and insert in lieu thereof “practicable”.

On page 268, line 10, after the period insert the following:

(f) Rotary and fixed wing aircraft supported with funds appropriated under this heading for assistance for Colombia should be used for drug eradication and interdiction including to transport personnel in connection with manual eradication programs, and to provide transport in support of alternative development programs and investigations of cases under the jurisdiction of the Attorney General, the Procuraduria General de la Nacion, and the Defensoria del Pueblo.

On page 268, line 11, strike “(f)” and insert in lieu thereof “(g)”, and on page 268, line 19, strike “(g)” and insert in lieu thereof “(h)”.

On page 268, line 14, after “certifies” insert “to the Committees on Appropriations”.

**SA 2736.** Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 268, line 4, strike “or” and insert in lieu thereof the following: “, disrupt or contaminate natural water sources, reduce local food security, or cause”.

**SA 2737.** Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 268, line 12, after “military” insert “and police”.

On page 268, line 14, strike “military is” and insert in lieu thereof “military and police are”.

On page 268, line 16, strike “military’s”.

On page 268, line 17, after “in” insert “of the military and police”.

On page 268, line 17, after “military” and before “personnel” insert “and police”.

**SA 2738.** Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 277, line 17, after the colon, insert the following:

*Provided further*, That of the funds appropriated under this heading that are available for assistance for Morocco, not more than \$2,000,000 may be obligated until the Secretary of State certifies and reports to the Committees on Appropriations that Moroccan Government authorities in the territory of the Western Sahara have (1) ceased to persecute, detain, and prosecute individuals for peacefully expressing their opinions regarding the status and future of the Western Sahara and for documenting violations of human rights; and (2) provided unimpeded access to internationally recognized human rights organizations, journalists, and representatives of foreign governments to the Western Sahara:

**SA 2739.** Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 281, line 26, strike “infrastructure”.

At the appropriate place in the bill, insert the following:

MULTILATERAL DEVELOPMENT BANKS  
ACCOUNTABILITY

SEC. . (a) Notwithstanding any other provision of law (including any treaty or other international agreement), no court in the United States shall decline on the ground of

an immunity accorded under treaty or other international agreement to hear any prosecution or civil action brought against any officer or employee of any multilateral development bank (“MDB”) of which the United States is a member, or any civil action brought against such MDB, in any case involving a claim of sexual abuse or harassment, retaliation for filing a grievance concerning a management practice of such MDB, or retaliation against any person for acting as a whistleblower regarding any activity of such MDB.

(b) In this section, the term “multilateral development bank” has the meaning given that term in section 1307 of the International Financial Institutions Act (22 U.S.C. 262m-7) and also includes the European Bank for Reconstruction and Development and the Global Environment Facility.

**SA 2740.** Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 286, line 14, strike “REPORT”.

**SA 2741.** Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 287, line 19, strike “\$2,000” and insert in lieu thereof “\$4,000”.

**SA 2742.** Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 306, line 20, after “Mexico” insert “, Nepal”.

**SA 2743.** Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 309, line 23, after the comma insert the following:

“\$2,000,000 should be made available for a United States contribution to the North Atlantic Treaty Organization/International Security Assistance Force Post-Operations Humanitarian Relief Fund.”.

**SA 2744.** Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 312, line 11, after “terrorism” insert “or other gross violation of human rights”.

**SA 2745.** Mr. LEAHY submitted an amendment intended to be proposed by

him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 323, line 4, strike "\$10,000,000" and insert in lieu thereof "\$15,000,000".

On page 323, line 7, after "environment" insert ", energy".

**SA 2746.** Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 326, line 18, after the period insert the following:

(O) DEMOBILIZATION, DISARMAMENT, AND RE-INTEGRATION ASSISTANCE.—Notwithstanding any other provision of law, policy or regulation, funds appropriated by this Act and prior acts making appropriations for foreign operations, export financing, and related programs may be made available to support programs to demobilize, disarm, and reintegrate into civilian society former combatants of foreign governments or organizations who have renounced involvement or participation in such organizations.

**SA 2747.** Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 326, line 18, insert the following:

(O) NONGOVERNMENTAL ORGANIZATIONS.—With respect to the provision of assistance for democracy, human rights and governance activities, the organizations implementing such assistance and the specific nature of that assistance shall not be subject to the prior approval by the government of any foreign country.

**SA 2748.** Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 335, line 7, strike "the waiver authority of subsection (b) is exercised" and insert in lieu thereof "the President makes a determination pursuant to subsection (b)".

**SA 2749.** Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 341, line 9, strike "and Brazil" and insert in lieu thereof the following:

"Brazil, Latin America and Caribbean Regional, Central America Regional, and South America Regional".

**SA 2750.** Mr. LEAHY submitted an amendment intended to be proposed by

him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 348, line 3, after "and" insert "subsequently certifies and".

On page 348, line 3, strike "certification and".

On page 348, line 8, after "Defense" insert ", the Attorney General".

On page 350, line 12, strike "Colombian Government is ensuring that the".

On page 350, line 16, strike "the Colombian Armed Forces".

On page 350, line 21, after "and" insert "subsequently certifies and".

On page 350, line 21, strike "certification and".

**SA 2751.** Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 353, line 2, strike "determines and".

On page 353, line 2, after "certifies" insert "and reports".

**SA 2752.** Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 366, line 4, after "certifies" insert "and reports".

**SA 2753.** Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 371, line 26, strike "describing" and insert in lieu thereof "detailing".

**SA 2754.** Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 377, line 6, after the comma insert "not less than \$3,000,000 shall be made available for wildlife conservation and protected area management in the Boma-Jonglei landscape of Southern Sudan, and".

**SA 2755.** Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 380, line 26, strike "have been credibly alleged to" and insert in lieu thereof "the Secretary has credible evidence to believe".

**SA 2756.** Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 383, line 4, strike "he" and insert in lieu thereof "the Secretary".

On page 383, line 14, strike "6" and insert in lieu thereof "12".

**SA 2757.** Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 388, line 11, strike ", guidelines".

On page 388, line 11, after "goals," insert "guidelines,".

On page 388, line 16, strike "executing" and insert in lieu thereof "implementing".

**SA 2758.** Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 390, line 20, strike "against human rights defenders".

**SA 2759.** Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 393, line 1, strike "provided a copy of its written plans to effectively address the following, and a copy of each plan has been provided with the report", and insert in lieu thereof "written plans to effectively".

On page 393, line 4, before "accountability" insert "provide".

On page 393, line 6, "to allow public access to Papua and West Irian Jaya" and insert in lieu thereof "allow public access to West Papua".

On page 393, line 8, strike "to".

**SA 2760.** Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 393, line 12, strike everything after "(a)" through the period on page 394, line 15, and insert in lieu thereof the following:

"Funds appropriated by this Act under the heading "International Military Education and Training" that are available for assistance for Guatemala, other than for expanded international military education and training, may be made available only for the Guatemalan Air Force and Navy: Provided, That such funds may be made available only if the Secretary of State certifies that the Guatemalan Air Force and Navy are respecting human rights and are cooperating with civilian judicial investigations and prosecutions

of military personnel who have been credibly alleged to have committed violations of human rights.

(b) Of the funds appropriated by this Act under the heading "Foreign Military Financing Program", not more than \$500,000 may be made available for the Guatemalan Air Force and Navy: Provided, That such funds may be made available only if the Secretary of State certifies that the Guatemalan Air Force and Navy are respecting human rights and are cooperating with civilian judicial investigations and prosecutions of military personnel who have been credibly alleged to have committed violations of human rights, and the Guatemalan Armed Forces are fully cooperating with the International Commission Against Impunity in Guatemala."

**SA 2761.** Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 395, line 1, strike "security" and insert in lieu thereof the following: "governmental armed forces or government-supported armed groups, including paramilitaries, militias, or civil defense forces."

On page 395, line 7, after "to" insert the following: "demobilize children from its forces or from government-supported armed groups and".

**SA 2762.** Mr. LEAHY (for himself and Mrs. BOXER) submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 395, line 24, after the semi-colon insert "(2) the Philippine Government is implementing a policy of promoting military personnel who demonstrate professionalism and respect for human rights, and is investigating and prosecuting military personnel and others who have been credibly alleged to have committed extrajudicial executions or other violations of human rights."

On page 396, strike "(2)" and insert in lieu thereof "(3)".

**SA 2763.** Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 396, line 5, strike "Of" and everything that follows through "not" on page 396 line 10, and insert in lieu thereof the following:

"Funds appropriated by this Act under the heading "Foreign Military Financing Program" may be made available for assistance for Pakistan if the Secretary of State certifies and reports to the Committees on Appropriations that the Government of Pakistan is"

On page 397, line 9, strike "reports" and insert in lieu thereof "does not make the certification".

On page 397, line 15, after the period insert the following:

"(c) The Secretary may waive the requirements of subsection (a) if she determines

that it is important to the national security of the United States, and she submits a report accompanying the waiver to the Committees on Appropriations detailing the reasons why the certification was not made."

**SA 2764.** Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 397, line 24, after "that" insert "(1)".

On page 398, line 3, after "soldiers" insert "; (2) the Sri Lankan Government has provided unimpeded access to humanitarian organizations and journalists to Tamil areas of the country; and (3) the Sri Lankan Government has agreed to the establishment of a field presence of the Office of the United Nations High Commissioner for Human Rights in Sri Lanka."

**SA 2765.** Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 402, line 22, after "the" insert "transparent and".

**SA 2766.** Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

At the appropriate place in the bill insert the following:

#### ANTI-KLEPTOCRACY

SEC. . (a) In furtherance of the National Strategy to Internationalize Efforts Against Kleptocracy and Presidential Proclamation 7750, not later than 90 days after the date of enactment of this Act the Secretary of State shall send to the appropriate congressional committees a list of officials of the governments of Angola, Burma, Cambodia, Equatorial Guinea, Democratic Republic of the Congo, and the Republic of the Congo, and their immediate family members, who the Secretary has credible evidence to believe have been involved in corruption relating to the extraction of natural resources in their countries.

(b) Not later than 10 days after the list described in subsection (a) is submitted to the appropriate congressional committees, the following sanctions shall apply:

(1) Any individual on the list submitted under subsection (a) shall be ineligible for a visa to enter the United States.

(2) No property or interest in property belonging to an individual on the list submitted under subsection (a), or to a member of the immediate family of such individual if the property is effectively under the control of such individual, may be transferred, paid, exported, withdrawn, or otherwise dealt with, if the property is within the United States or within the possession or control of a United States person, including the overseas branch of such person, or after the date of the enactment of this Act comes within the control of such person.

(3) No United States person may engage in financial transactions with an individual on

the list submitted under subsection (a), or with a member of the immediate family of such individual if the transaction will benefit an individual on the list submitted under subsection (a).

**SA 2767.** Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page , line , after the colon insert the following:

"Provided, That of the funds appropriated under this heading, not more than \$500,000 should be made available for the Department of Energy's National Nuclear Security Administration to support initiatives which bring together public officials and private individuals from nations involved in the Six-Party Talks for informal discussions on resolving the North Korea nuclear issue:"

**SA 2768.** Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

#### SUPERVISION AND ADMINISTRATIVE COSTS

SEC. . To the extent not otherwise authorized, supervision and administrative costs associated with a construction project funded with the Iraq Relief and Reconstruction Fund may be obligated at the time a construction contract is awarded or other obligation is made, or, for obligations made during Fiscal Year 2007, by September 30, 2008: Provided, That for purposes of this section, supervision and administrative costs include all in-house Government costs.

**SA 2769.** Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

At the appropriate place in the bill, add the following new section:

#### UGANDA

SEC. . (a) Not later than 90 days after enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations detailing a strategy for substantially enhancing United States efforts to resolve the conflict between the Lord's Resistance Army (LRA) and the Government of Uganda (GOU), including—

(1) direct and sustained participation by the United States in confidence-building measures in furtherance of the peace process;

(2) increased diplomatic pressure on the Democratic Republic of the Congo (to eliminate the LRA's current safe haven) and on Sudan;

(3) brokering direct negotiations between the GOU and the leaders of the LRA on personal security arrangements; and

(4) financial support for disarmament, demobilization, and reintegration to provide mid-level LRA commanders incentives to return to civilian life.

(b) Of the funds appropriated by this Act under the heading "Economic Support

Fund", not less than \$5,000,000 shall be made available to implement the strategy described in subsection (a).

**SA 2770.** Mrs. CLINTON (for herself and Mr. BINGAMAN) submitted an amendment intended to be proposed by her to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 318, between lines 9 and 10, insert the following:

(d) Notwithstanding the sixth proviso under the heading "GLOBAL HEALTH PROGRAMS" in title III, funds appropriated or otherwise made available by this Act for a United States contribution to the United Nations Population Fund shall be used for the following purposes:

(1) To provide and distribute equipment, medicine and supplies, including safe delivery kits and hygiene kits, to ensure safe childbirth and emergency obstetric care.

(2) To make available supplies of contraceptives for the prevention of unintended pregnancies and the spread of sexually transmitted infections, including HIV/AIDS.

(3) To prevent and treat cases of obstetric fistula.

(4) To reestablish maternal health services in areas where medical infrastructure and such services have been destroyed or limited by natural disasters, armed conflict, or other factors.

(5) To promote abandonment of harmful traditional practices, including female genital mutilation and cutting and child marriage.

(6) To promote the access of unaccompanied women and other vulnerable people to vital services, including access to water, sanitation facilities, food, and health care.

(7) To prevent mother-to-child transmission of HIV.

**SA 2771.** Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 232, between lines 16 and 17, insert the following:

#### REPORT REGARDING USE OF LEVEES

SEC. 117. Not later than 90 days after the date of enactment of this Act, the United States Commissioner of the International Boundary and Water Commission, in cooperation and coordination with the Secretary of Homeland Security and the Chief of Engineers of the United States Army Corps of Engineers, shall submit to Congress a report regarding the use by U.S. Customs and Border Protection of flood control levees under the control of the International Boundary and Water Commission, which shall—

(1) discuss the purpose and importance of—  
(A) any such use of such levees ongoing on the date of enactment of this Act; and

(B) any anticipated such use of such levees after the date of enactment of this Act;

(2) describe the frequency and means of, and approximate number of officers and employees of the U.S. Customs and Border Protection who, access such levees;

(3) describe the level of degradation of such levees as a result of such use; and

(4) identify any formal agreements that may be needed between the Department of

Homeland Security and the International Boundary and Water Commission or the Department of State to ensure needed access to such levees.

**SA 2772.** Mrs. DOLE submitted an amendment intended to be proposed by her to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 410, between lines 15 and 16, insert the following:

SEC. 699B. None of the funds made available in this Act may be expended in violation of section 243(d) of the Immigration and Nationality Act (8 U.S.C. 1253(d)) (relating to discontinuing granting visas to nationals of countries that are denying or delaying accepting aliens removed from the United States).

**SA 2773.** Mr. COBURN proposed an amendment to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 410, between lines 15 and 16, insert the following:

#### TRANSPARENCY AND ACCOUNTABILITY OF THE UNITED NATIONS

SEC. 699B. (a) Notwithstanding any other provision of this Act, none of the funds appropriated or otherwise made available by this Act may be used by the Department of State as a contribution to the United Nations or any subsidiary body of the United Nations, including any organization that is authorized to use the United Nations logo, until the Secretary of State certifies that the United Nations, such subsidiary body of the United Nations, or such organization, as the case may be, is fully and publicly transparent about all of its spending, including for procurement purposes, that occurred during fiscal year 2007, including the posting on a publicly available web site of—

(1) copies of all contracts, grants, subcontracts, and subgrants awarded or utilized during fiscal year 2007;

(2) copies of all program reviews, audits, budgets, and project progress reports relating to fiscal year 2007; and

(3) any other financial information deemed necessary by the Secretary.

(b) The documents required to be made available under subsection (a) shall be in unredacted form, except that such information as determined necessary by the Secretary to protect the identity of whistleblowers or other informants to investigations and reports and proprietary information may be redacted.

**SA 2774.** Mr. VITTER submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 410, between lines 15 and 16, insert the following:

#### RIGHT TO BEAR ARMS

SEC. 699B. None of the funds made available under this Act may be made available to any international organization, agency, or entity (including the United Nations) that

requires the registration of, or taxes a gun owned by a citizen of the United States.

**SA 2775.** Mr. LUGAR (for himself and Mr. BIDEN) submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 410, between lines 15 and 16, insert the following:

#### TITLE VII—RECONSTRUCTION AND STABILIZATION CIVILIAN MANAGEMENT

##### SEC. 701. SHORT TITLE.

This title may be cited as the "Reconstruction and Stabilization Civilian Management Act of 2007".

##### SEC. 702. FINDING; PURPOSE.

(a) FINDING.—Congress finds that the resources of the United States Armed Forces have been burdened by having to undertake stabilization and reconstruction tasks in the Balkans, Afghanistan, Iraq, and other countries of the world that could have been performed by civilians, which has resulted in lengthy deployments for Armed Forces personnel.

(b) PURPOSE.—The purpose of this title is to provide for the continued development, as a core mission of the Department of State and the United States Agency for International Development, of an effective expert civilian response capability to carry out reconstruction and stabilization activities in a country or region that is at risk of, in, or is in transition from, conflict or civil strife.

##### SEC. 703. DEFINITIONS.

In this title:

(1) ADMINISTRATOR.—The term "Administrator" means the Administrator of the United States Agency for International Development.

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

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

(B) the Committee on Foreign Affairs of the House of Representatives.

(3) DEPARTMENT.—Except as otherwise provided in this title, the term "Department" means the Department of State.

(4) EXECUTIVE AGENCY.—The term "executive agency" has the meaning given that term in section 105 of title 5, United States Code.

(5) SECRETARY.—The term "Secretary" means the Secretary of State.

##### SEC. 704. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the civilian element of United States joint civilian-military operations should be strengthened in order to enhance the execution of current and future reconstruction and stabilization activities in foreign countries or regions that are at risk of, in, or are in transition from, conflict or civil strife;

(2) the capability of civilian agencies of the United States Government to carry out reconstruction and stabilization activities in such countries or regions should also be enhanced through a new rapid response corps of civilian experts supported by the establishment of a new system of planning, organization, personnel policies, and education and training, and the provision of adequate resources;

(3) the international community, including nongovernmental organizations, and the United Nations and its specialized agencies, should be further encouraged to participate in planning and organizing reconstruction

and stabilization activities in such countries or regions;

(4) the executive branch has taken a number of steps to strengthen civilian capability, including the establishment of an office headed by a Coordinator for Reconstruction and Stabilization in the Department, the Presidential designation of the Secretary as the interagency coordinator and leader of reconstruction and stabilization efforts, and Department of Defense directives to the military to support the Office of Reconstruction and Stabilization and to work closely with counterparts in the Department of State and other civilian agencies to develop and enhance personnel, training, planning, and analysis;

(5) the Secretary and the Administrator should work with the Secretary of Defense to augment existing personnel exchange programs among the Department, the United States Agency for International Development, and the Department of Defense, including the regional commands and the Joint Staff, to enhance the stabilization and reconstruction skills of military and civilian personnel and their ability to undertake joint operations; and

(6) the heads of other executive agencies should establish personnel exchange programs that are designed to enhance the stabilization and reconstruction skills of military and civilian personnel.

**SEC. 705. AUTHORITY TO PROVIDE ASSISTANCE FOR RECONSTRUCTION AND STABILIZATION CRISES.**

Chapter 1 of part III of the Foreign Assistance Act of 1961 (22 U.S.C. 2351 et seq.) is amended by inserting after section 617 the following new section:

**“SEC. 618. ASSISTANCE FOR A RECONSTRUCTION AND STABILIZATION CRISIS.**

“(a) ASSISTANCE.—

“(1) IN GENERAL.—If the President determines that it is important to the national interests of the United States for United States civilian agencies or non-Federal employees to assist in stabilizing and reconstructing a country or region that is at risk of, in, or is in transition from, conflict or civil strife, the President may, in accordance with the provisions set forth in section 614(a)(3), notwithstanding any other provision of law, and on such terms and conditions as the President may determine, furnish assistance to respond to the crisis using funds referred to in paragraph (2).

“(2) FUNDS.—The funds referred to in this paragraph are funds as follows:

“(A) Funds made available under this section, including funds authorized to be appropriated by subsection (d).

“(B) Funds made available under other provisions of this Act and transferred or reprogrammed for purposes of this section.

“(b) SPECIAL AUTHORITIES.—In furtherance of a determination made under subsection (a), the President may exercise the authorities contained in sections 552(c)(2) and 610 without regard to the percentage and aggregate dollar limitations contained in such sections.

“(c) AVAILABILITY OF FUNDS FOR RESPONSE READINESS CORPS.—Of the funds made available for this section in any fiscal year, including funds authorized to be appropriated by subsection (d) and funds made available under other provisions of this Act and transferred or reprogrammed for purposes of this section, \$25,000,000 may be made available for expenses related to the development, training, and operations of the Response Readiness Corps established under section 62(c) of the State Department Basic Authorities Act of 1956.

“(d) AUTHORIZATION OF APPROPRIATIONS.—

“(1) AUTHORIZATION.—There is authorized to be appropriated \$75,000,000 to provide as-

sistance authorized in subsection (a) and, to the extent authorized in subsection (c), for the purpose described in subsection (c). Such amount is in addition to amounts otherwise made available for purposes of this section, including funds made available under other provisions of this Act and transferred or reprogrammed for purposes of this section.

“(2) REPLENISHMENT.—There is authorized to be appropriated each fiscal year such sums as may be necessary to replenish funds expended under this section.

“(3) AVAILABILITY.—Funds authorized to be appropriated under this subsection shall be available without fiscal year limitation.”

**SEC. 706. OFFICE OF THE COORDINATOR FOR RECONSTRUCTION AND STABILIZATION.**

Title I of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651 et seq.) is amended by adding at the end the following new section:

**“SEC. 62. RECONSTRUCTION AND STABILIZATION.**

“(a) OFFICE OF THE COORDINATOR FOR RECONSTRUCTION AND STABILIZATION.—

“(1) ESTABLISHMENT.—There is established within the Department of State the Office of the Coordinator for Reconstruction and Stabilization.

“(2) COORDINATOR FOR RECONSTRUCTION AND STABILIZATION.—The head of the Office shall be the Coordinator for Reconstruction and Stabilization, who shall be appointed by the President, by and with the advice and consent of the Senate. The Coordinator shall serve at the sole direction of, and report solely to, the Secretary of State or the Deputy Secretary of State and shall have the rank and status of Ambassador at Large.

“(3) FUNCTIONS.—The functions of the Office of the Coordinator for Reconstruction and Stabilization include the following:

“(A) Monitoring, in coordination with relevant bureaus within the Department of State, political and economic instability worldwide to anticipate the need for mobilizing United States and international assistance for the stabilization and reconstruction of countries or regions that are at risk of, in, or are in transition from, conflict or civil strife.

“(B) Assessing the various types of stabilization and reconstruction crises that could occur and cataloging and monitoring the non-military resources and capabilities of Executive agencies that are available to address such crises.

“(C) Planning to address appropriate non-military requirements, such as demobilization, policing, human rights monitoring, and public information, that commonly arise in stabilization and reconstruction crises.

“(D) Coordinating with relevant Executive agencies (as that term is defined in section 105 of title 5, United States Code) to develop interagency contingency plans to mobilize and deploy civilian personnel to address the various types of such crises.

“(E) Entering into appropriate arrangements with other Executive agencies to carry out activities under this section and the Reconstruction and Stabilization Civilian Management Act of 2007.

“(F) Identifying personnel in State and local governments and in the private sector who are available to participate in the Response Readiness Corps established under subsection (c) or to otherwise participate in or contribute to stabilization and reconstruction activities.

“(G) Taking steps to ensure that training of civilian personnel to perform such stabilization and reconstruction activities is adequate and, as appropriate, includes security training that involves exercises and simulations with the Armed Forces, including the regional commands.

“(H) Sharing information and coordinating plans for stabilization and reconstruction activities, as appropriate, with the United Nations and its specialized agencies, the North Atlantic Treaty Organization, nongovernmental organizations, and other foreign national and international organizations.

“(I) Coordinating plans and procedures for joint civilian-military operations with respect to stabilization and reconstruction activities.

“(J) Maintaining the capacity to field on short notice an evaluation team to undertake on-site needs assessment.

“(b) RESPONSE TO STABILIZATION AND RECONSTRUCTION CRISIS.—If the President makes a determination regarding a stabilization and reconstruction crisis under section 618 of the Foreign Assistance Act of 1961, the President may designate the Coordinator, or such other individual as the President may determine appropriate, as the Coordinator of the United States response. The individual so designated, or, in the event the President does not make such a designation, the Coordinator for Reconstruction and Stabilization, shall—

“(1) assess the immediate and long-term need for resources and civilian personnel;

“(2) identify and mobilize non-military resources to respond to the crisis; and

“(3) coordinate the activities of the other individuals or management team, if any, designated by the President to manage the United States response.”

**SEC. 707. RESPONSE READINESS CORPS.**

(a) IN GENERAL.—Section 62 of the State Department Basic Authorities Act of 1956 (as added by section 706) is amended by adding at the end the following new subsection:

“(c) RESPONSE READINESS CORPS.—

“(1) IN GENERAL.—The Secretary, in consultation with the Administrator of the United States Agency for International Development and the heads of other appropriate departments and agencies of the United States Government, is authorized to establish and maintain a Response Readiness Corps (hereafter referred to in this subsection as the ‘Corps’) to provide assistance in support of stabilization and reconstruction activities in foreign countries or regions that are at risk of, in, or are in transition from, conflict or civil strife.

“(2) FEDERAL COMPONENTS.—

“(A) ACTIVE AND STANDBY COMPONENTS.—The Corps shall have active and standby components consisting of United States Government personnel as follows:

“(i) An active component, which should consist of 250 personnel who are recruited, employed, and trained in accordance with this paragraph.

“(ii) A standby component, which should consist of 2000 personnel who are recruited and trained in accordance with this paragraph.

“(B) AUTHORIZED MEMBERS OF STANDBY COMPONENT.—Personnel in the standby component of the Corps 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 that term is defined in section 105 of title 5, United States Code), and employees of the legislative branch and judicial branch of Government—

“(i) who are assigned to the standby component by the Secretary following nomination for such assignment by the head of the department or agency of the United States Government concerned or by an appropriate official of the legislative or judicial branch of Government, as applicable; and

“(ii) who—

“(I) have the training and skills necessary to contribute to stabilization and reconstruction activities; and

“(II) have volunteered for deployment to carry out stabilization and reconstruction activities.

“(C) RECRUITMENT AND EMPLOYMENT.—The recruitment and employment of personnel to the Corps shall be carried out by the Secretary, the Administrator of the United States Agency for International Development, and the heads of the other departments and agencies of the United States Government participating in the establishment and maintenance of the Corps.

“(D) TRAINING.—The Secretary is authorized to train the members of the Corps under this paragraph to perform services necessary to carry out the purpose of the Corps under paragraph (1).

“(E) COMPENSATION.—Members of the active component of the Corps under subparagraph (A)(i) shall be compensated in accordance with the appropriate salary class for the Foreign Service, as set forth in sections 402 and 403 of the Foreign Service Act of 1980 (22 U.S.C. 3962, 3963), or in accordance with the appropriate compensation provisions of title 5, United States Code.

“(3) CIVILIAN RESERVE.—

“(A) CIVILIAN RESERVE.—The Corps shall have a reserve (hereafter referred to in this subsection as the ‘Civilian Reserve’) consisting of non-United States Government personnel who are trained and available as needed to perform services necessary to carry out the purpose of the Corps under paragraph (1). The Civilian Reserve shall be established by the Secretary, in consultation with the Administrator of the United States Agency for International Development and the heads of other appropriate departments and agencies of the United States Government.

“(B) COMPOSITION.—Beginning not later than two years after the date of the enactment of the Reconstruction and Stabilization Civilian Management Act of 2007, the Civilian Reserve shall include at least 500 personnel, who may include retired employees of the United States Government, contractor personnel, nongovernmental organization personnel, State and local government employees, and individuals from the private sector, who—

“(i) have the training and skills necessary to enable them to contribute to stabilization and reconstruction activities;

“(ii) have volunteered to carry out stabilization and reconstruction activities; and

“(iii) are available for training and deployment to carry out the purpose of the Corps under paragraph (1).

“(4) USE OF RESPONSE READINESS CORPS.—

“(A) FEDERAL ACTIVE COMPONENT.—Members of the active component of the Corps under paragraph (2)(A)(i) are authorized to be available—

“(i) for activities in direct support of stabilization and reconstruction activities; and

“(ii) if not engaged in activities described in clause (i), for assignment in the United States, United States diplomatic missions, and United States Agency for International Development missions.

“(B) FEDERAL STANDBY COMPONENT AND CIVILIAN RESERVE.—The Secretary may deploy members of the Federal standby component of the Corps under paragraph (2)(A)(ii), and members of the Civilian Reserve under paragraph (3), 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 under section 618 of the Foreign Assistance Act of 1961.”

(b) EMPLOYMENT AUTHORITY.—The full-time personnel in the active component of

the Response Readiness Corps under section 62(c)(2)(A)(i) of the State Department Basic Authorities Act of 1956 (as added by subsection (a)) are in addition to any other full-time personnel authorized to be employed under any other provision of law.

(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 on the status of efforts to establish the Response Readiness Corps under this section. The report should include recommendations for any legislation necessary to implement section 62(c) of the State Department Basic Authorities Act of 1956 (as so added).

#### SEC. 708. STABILIZATION AND RECONSTRUCTION TRAINING AND EDUCATION.

Section 701 of the Foreign Service Act of 1980 (22 U.S.C. 4021) is amended—

(1) by redesignating subsection (g) as subsection (h); and

(2) by inserting after subsection (f) the following new subsection:

“(g) STABILIZATION AND RECONSTRUCTION CURRICULUM.—

“(1) ESTABLISHMENT AND MISSION.—The Secretary, in cooperation with the Secretary of Defense and the Secretary of the Army, is authorized to establish a stabilization and reconstruction curriculum for use in programs of the Foreign Service Institute, the National Defense University, and the United States Army War College.

“(2) CURRICULUM CONTENT.—The curriculum should include the following:

“(A) An overview of the global security environment, including an assessment of transnational threats and an analysis of United States policy options to address such threats.

“(B) A review of lessons learned from previous United States and international experiences in stabilization and reconstruction activities.

“(C) An overview of the relevant responsibilities, capabilities, and limitations of various Executive agencies (as that term is defined in section 105 of title 5, United States Code) and the interactions among them.

“(D) A discussion of the international resources available to address stabilization and reconstruction requirements, including resources of the United Nations and its specialized agencies, nongovernmental organizations, private and voluntary organizations, and foreign governments, together with an examination of the successes and failures experienced by the United States in working with such entities.

“(E) A study of the United States inter-agency system.

“(F) Foreign language training.

“(G) Training and simulation exercises for joint civilian-military emergency response operations.”

#### SEC. 709. SERVICE RELATED TO STABILIZATION AND RECONSTRUCTION.

(a) PROMOTION PURPOSES.—Service in stabilization and reconstruction operations overseas, membership in the Response Readiness Corps under section 62(c) of the State Department Basic Authorities Act of 1956 (as added by section 707), and education and training in the stabilization and reconstruction curriculum established under section 701(g) of the Foreign Service Act of 1980 (as added by section 708) should be considered among the favorable factors for the promotion of employees of Executive agencies.

(b) PERSONNEL TRAINING AND PROMOTION.—The Secretary and the Administrator should take steps to ensure that, not later than 3 years after the date of the enactment of this Act, at least 10 percent of the employees of the Department and the United States Agency for International Development in the

United States are members of the Response Readiness Corps or are trained in the activities of, or identified for potential deployment in support of, the Response Readiness Corps. The Secretary should provide such training as needed to Ambassadors and Deputy Chiefs of Mission.

(c) OTHER INCENTIVES AND BENEFITS.—The Secretary and the Administrator may establish and administer a system of awards and other incentives and benefits to confer appropriate recognition on and reward any individual who is assigned, detailed, or deployed to carry out stabilization or reconstruction activities in accordance with this subtitle.

#### SEC. 710. AUTHORITIES RELATED TO PERSONNEL.

(a) CONTRACTING AUTHORITY.—

(1) IN GENERAL.—The Secretary, or the Administrator with the concurrence of the Secretary, may enter into contracts to procure the services of nationals of the United States (as defined in section 101(a)(22) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(22))) or aliens authorized to be employed in the United States as personal services contractors for the purpose of carrying out this title, without regard to Civil Service or classification laws, for service in the Office of the Coordinator for Reconstruction and Stabilization or for service in foreign countries to assist in stabilizing and reconstructing a country or region that is at risk of, in, or is in transition from, conflict or civil strife. Such contracts are authorized to be negotiated, the terms of the contracts to be prescribed, and the work to be performed, where necessary, without regard to such statutory provisions as relate to the negotiation, making, and performance of contracts and performance of work in the United States.

(2) STATUS OF CONTRACTORS.—Individuals performing services under contracts described in paragraph (1) shall not by virtue of performing such services be considered to be employees of the United States Government for purposes of any law administered by the Office of Personnel Management. The Secretary or Administrator may determine the applicability to such individuals of any law administered by the Secretary or Administrator concerning the performance of such services by such individuals. Individuals employed by contract under the authority provided in paragraph (1) shall be considered employees for the purposes of parts 2600 through 2641 of title 5, Code of Federal Regulations, and sections 201, 203, 205, 207, 208, and 209 of title 18, United States Code.

(b) EXPERTS AND CONSULTANTS.—The Secretary and the Administrator may, to the extent necessary to obtain services without delay, employ experts and consultants under section 3109 of title 5, United States Code, for the purpose of carrying out this title.

(c) AUTHORITY TO ACCEPT AND ASSIGN DETAILS.—The Secretary is authorized to accept details or assignments of employees of Executive agencies, members of the uniformed services, and employees of State or local governments on a reimbursable or non-reimbursable basis for the purpose of carrying out this title. The assignment of an employee of a State or local government under this subsection shall be consistent with subchapter VI of chapter 33 of title 5, United States Code.

(d) DUAL COMPENSATION WAIVER.—

(1) ANNUITANTS UNDER CIVIL SERVICE RETIREMENT SYSTEM OR FEDERAL EMPLOYEES RETIREMENT SYSTEM.—Notwithstanding sections 8344(i) and 8468(f) of title 5, United States Code, the Secretary or the head of another executive agency, as authorized by the Secretary, may waive the application of subsections (a) through (h) of such section 8344

and subsections (a) through (e) of such section 8468 with respect to annuitants under the Civil Service Retirement System or the Federal Employees Retirement System who are assigned, detailed, or deployed to assist in stabilizing and reconstructing a country or region that is at risk of, in, or is in transition from, conflict or civil strife during the period of their reemployment.

(2) ANNUITANTS UNDER FOREIGN SERVICE RETIREMENT AND DISABILITY SYSTEM OR FOREIGN SERVICE PENSION SYSTEM.—The Secretary may waive the application of subsections (a) through (d) of section 824 of the Foreign Service Act (22 U.S.C. 4064) for annuitants under the Foreign Service Retirement and Disability System or the Foreign Service Pension System who are reemployed on a temporary basis in order to be assigned, detailed, or deployed to assist in stabilization and reconstruction activities under this title.

(e) INCREASE IN PREMIUM PAY CAP.—The Secretary, or the head of another executive agency as authorized by the Secretary, may compensate an employee detailed, assigned, or deployed to assist in stabilizing and reconstructing a country or region that is at risk of, in, or is in transition from, conflict or civil strife, without regard to the limitations on premium pay set forth in section 5547 of title 5, United States Code, to the extent that the aggregate of the basic pay and premium pay of such employee for a year does not exceed the annual rate payable for level II of the Executive Schedule.

(f) EXTENSION OF CERTAIN FOREIGN SERVICE BENEFITS.—The Secretary, or the head of another executive agency as authorized by the Secretary, may extend to any individuals assigned, detailed, or deployed to carry out stabilization and reconstruction activities in accordance with this title, the benefits or privileges set forth in sections 412, 413, 704, and 901 of the Foreign Service Act of 1980 (22 U.S.C. 3972, 22 U.S.C. 3973, 22 U.S.C. 4024, and 22 U.S.C. 4081) to the same extent and manner that such benefits and privileges are extended to members of the Foreign Service.

(g) COMPENSATORY TIME.—Notwithstanding any other provision of law, the Secretary, or the head of another executive agency as authorized by the Secretary, may, subject to the consent of an individual who is assigned, detailed, or deployed to carry out stabilization and reconstruction activities in accordance with this title, grant such individual compensatory time off for an equal amount of time spent in regularly or irregularly scheduled overtime work. Credit for compensatory time off earned shall not form the basis for any additional compensation. Any such compensatory time not used within 26 pay periods shall be forfeited.

(h) ACCEPTANCE OF VOLUNTEER SERVICES.—

(1) IN GENERAL.—The Secretary may accept volunteer services for the purpose of carrying out this title without regard to section 1342 of title 31, United States Code.

(2) TYPES OF VOLUNTEERS.—Donors of voluntary services accepted for purposes of this section may include—

- (A) advisors;
- (B) experts;
- (C) consultants; and
- (D) persons performing services in any other capacity determined appropriate by the Secretary.

(3) SUPERVISION.—The Secretary shall—

(A) ensure that each person performing voluntary services accepted under this section is notified of the scope of the voluntary services accepted;

(B) supervise the volunteer to the same extent as employees receiving compensation for similar services; and

(C) ensure that the volunteer has appropriate credentials or is otherwise qualified to

perform in each capacity for which the volunteer's services are accepted.

(4) APPLICABILITY OF LAW RELATING TO FEDERAL GOVERNMENT EMPLOYEES.—A person providing volunteer services accepted under this section shall not be considered an employee of the Federal Government in the performance of those services, except for the purposes of the following provisions of law:

(A) Chapter 81 of title 5, United States Code, relating to compensation for work-related injuries.

(B) Chapter 11 of title 18, United States Code, relating to conflicts of interest.

(5) APPLICABILITY OF LAW RELATING TO VOLUNTEER LIABILITY PROTECTION.—

(A) IN GENERAL.—A person providing volunteer services accepted under this section shall be deemed to be a volunteer of a non-profit organization or governmental entity, with respect to the accepted services, for purposes of the Volunteer Protection Act of 1997 (42 U.S.C. 14501 et seq.).

(B) INAPPLICABILITY OF EXCEPTIONS TO VOLUNTEER LIABILITY PROTECTION.—Section 4(d) of such Act (42 U.S.C. 14503(d)) does not apply with respect to the liability of a person with respect to services of such person that are accepted under this section.

(i) AUTHORITY FOR OUTSIDE ADVISORS.—

(1) IN GENERAL.—The Secretary may establish temporary advisory commissions composed of individuals with appropriate expertise to facilitate the carrying out of this Act.

(2) INAPPLICABILITY OF FACA.—The requirements of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the activities of a commission established under this subsection.

#### SEC. 711. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated for fiscal year 2007, \$80,000,000, and such sums as may be necessary for each fiscal year thereafter for personnel, education and training, equipment, and travel costs for purposes of carrying out this title and the amendments made by this title (other than the amendment made by section 705).

**SA 2776.** Mr. LUGAR submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 255, line 5, insert after "Dominican Republic" the following: "Provided further, That of the funds appropriated under this heading, \$1,500,000 should be made available for the Center for International Media Assistance at the National Endowment for Democracy, as authorized by section 7108 of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108-458; 22 U.S.C. 1431 note)".

**SA 2777.** Mr. LUGAR submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 410, between lines 15 and 16, insert the following:

#### SEC. 699B. ADVANCE MARKET COMMITMENTS.

(a) PURPOSE.—The purpose of this section is to improve global health by creating a competitive market for future vaccines through advance market commitments.

(b) AUTHORITY TO NEGOTIATE.—

(1) IN GENERAL.—The Secretary of the Treasury should enter into negotiations with the appropriate officials of the International Bank for Reconstruction and Development, the International Development Association, and the Global Alliance for Vaccines and Immunization, the member nations of such entities, and other interested parties for the purpose of establishing advance market commitments to purchase vaccines and microbicides to combat neglected diseases.

(2) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a report on the status of the negotiations to create advance market commitments under this section to—

(A) the Committee on Appropriations of the Senate;

(B) the Committee on Foreign Relations of the Senate;

(C) the Committee on Appropriations of the House of Representatives;

(D) the Committee on Foreign Affairs of the House of Representatives; and

(E) the Committee on Financial Services of the House of Representatives.

(c) REQUIREMENTS.—The Secretary of the Treasury should work with the entities referred to in subsection (b) to ensure that—

(1) there is an international framework for the establishment and implementation of advance market commitments; and

(2) such commitments include—

(A) legally binding contracts for product purchase that include a fair market price for a guaranteed number of treatments to ensure that the market incentive is sufficient;

(B) clearly defined and transparent rules of competition for qualified developers and suppliers of the product;

(C) clearly defined requirements for eligible vaccines to ensure that they are safe and effective;

(D) dispute settlement mechanisms; and

(E) sufficient flexibility to enable the contracts to be adjusted in accord with new information related to projected market size and other factors while still maintaining the purchase commitment at a fair price.

(d) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated such sums as may be necessary for each of fiscal years 2009 through 2014 to fund an advance market commitment pilot program for pneumococcal vaccines.

(2) AVAILABILITY.—Amounts appropriated pursuant to this subsection shall remain available until expended without fiscal year limitation.

**SA 2778.** Mr. LEAHY (for Mr. BIDEN (for himself and Mr. LUGAR)) submitted an amendment intended to be proposed by Mr. LEAHY to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 211, line 20, insert after "purposes:" the following: "Provided further, That during fiscal year 2008, foreign service annuitants may be employed, notwithstanding section 316.401 of title 5, Code of Federal Regulations, pursuant to waivers under section 824(g)(1)(C)(ii) of the Foreign Service Act of 1980 (22 U.S.C. 4064(g)(1)(C)(ii))".

**SA 2779.** Mr. LUGAR submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending

September 30, 2008, and for other purposes; as follows:

On page 260, line 1, insert after “obligates” the following: “not more than 50 percent of the entire amount of the United States Government funding anticipated for the duration of the Compact”.

On page 260, line 4, delete the comma after “proceed”.

**SA 2780.** Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 341, line 14, strike “\$106,200,000” and insert “\$116,200,000”.

**SA 2781.** Mr. LEVIN (for himself, Mr. BROWNBACK, and Mr. KENNEDY) submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . SENSE OF THE SENATE REGARDING IRAQ REFUGEE CRISIS.**

(a) FINDINGS.—Congress makes the following findings:

(1) The annual United States worldwide ceiling for refugees has been 70,000 since 2002.

(2) The Department of State has yet to use all of the available allocation that could be used for Iraqi refugees.

(3) Since 2003, more than 2,000,000 Iraqis have fled their country and over 2,000,000 Iraqis are also displaced within Iraq.

(4) It has become increasingly clear that people who have assisted the United States; Iraqi Christians and other religious minorities cannot safely return to Iraq.

(5) The United States Government has an obligation to help these refugees and should act swiftly to do so.

(6) The United States Government should increase the allocation of refugee slots for Iraqi refugees for resettlement in the United States.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the President should act swiftly to respond to the deepening humanitarian and refugee crisis in Iraq by using the entire United States refugee allocation for the Near East/South Asia region and any unused portion of the worldwide allocation for Iraqi refugees, particularly people who have assisted the United States and religious minorities.

**SA 2782.** Mr. BAYH submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . STUDY OF WORLD BANK'S EFFORTS TO MEASURE THE SUCCESS OF THE PROJECTS IT FINANCES.**

(a) FINDINGS.—Congress finds the following:

(1) It is often difficult to determine how financial assistance from the World Bank ben-

efits the recipient countries because the World Bank has vague objectives and places too much emphasis on the amount of financial assistance it gives, rather than on the results of such assistance.

(2) In fiscal year 2006, 20 percent of the funds appropriated under the heading “International Development Association” could not be disbursed until the Secretary of the Treasury certified to the appropriate congressional committees that World Bank procurement guidelines would be applied to all procurement financed in whole or in part by a loan from the International Bank for Reconstruction and Development (IBRD) or a credit agreement or grant from the International Development Association (IDA).

(3) While it is important to develop domestic procurement procedures, the potential for graft and corruption in many other countries is too great to allow the World Bank to deviate from its own process for managing the procurement of goods and services.

(4) A high percentage of senior level World Bank employees enjoy excessive compensation and other benefits, including home leave that reimburses such employees, their families, and their nannies for the expenses associated with travel to their countries of nationality.

(5) Congress is also concerned about the thousands of World Bank consultants whose annual incomes are similar to or even greater than the incomes of senior level World Bank employees.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the World Bank should increase its focus on performance requirements and measurable results.

(c) STUDY.—The Comptroller General of the United States shall conduct a study on the actions taken by the World Bank to—

(1) measure the success of the projects financed by IDA;

(2) employ accurate means to measure the effectiveness of projects financed by IDA

(3) combat corruption in governments that receive IDA funding;

(4) establish clear objectives for IDA projects and tangible means of assessing the success of such projects; and

(5) use World Bank processes and procedures for procurement of goods and services on projects receiving financial assistance from the World Bank.

(d) REPORT.—The Comptroller General shall submit a report to Congress that includes—

(1) the results of the study conducted under subsection (c);

(2) the number of World Bank employees and consultants; and

(3) the monetary compensation and other benefits that the World Bank provides to the individuals identified under paragraph (2).

**SA 2783.** Mr. WYDEN (for himself, Mr. ALEXANDER, Mr. KERRY, and Mr. FEINGOLD) submitted an amendment intended to be proposed by him to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 410, between lines 15 and 16, insert the following:

**PREVENTION OF ILLEGAL LOGGING PRACTICES**

SEC. 699B. The Lacey Act Amendments of 1981 are amended—

(1) in section 2 (16 U.S.C. 3371)—

(A) by striking subsection (f) and inserting the following:

“(f) PLANT.—

“(1) IN GENERAL.—The term ‘plant’ means any wild member of the plant kingdom, in-

cluding roots, seeds, parts, and products thereof.

“(2) EXCLUSIONS.—The term ‘plant’ excludes any common food crop or cultivar that is a species not listed—

“(A) in the Convention on International Trade in Endangered Species of Wild Fauna and Flora, done at Washington on March 3, 1973 (27 U.S.T. 1087; TIAS 8249); or

“(B) as an endangered or threatened species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);”;

(B) in subsection (h), by inserting “also” after “plants the term”; and

(C) by striking subsection (j) and inserting the following:

“(j) TAKE.—The term ‘take’ means—

“(1) to capture, kill, or collect; and

“(2) with respect to a plant, also to harvest, cut, log, or remove.”;

(2) in section 3 (16 U.S.C. 3372)—

(A) in subsection (a)—

(i) in paragraph (2), by striking subparagraph (B) and inserting the following:

“(B) any plant—

“(i) taken, transported, possessed, or sold in violation of any foreign law or any law or regulation of any State that protects plants or that regulates—

“(I) the theft of plants;

“(II) the taking of plants from a park, forest reserve, or other officially protected area;

“(III) the taking of plants from an officially designated area; or

“(IV) the taking of plants without, or contrary to, required authorization;

“(ii) taken, transported, or exported without the payment of appropriate royalties, taxes, or stumpage fees required by any foreign law or by any law or regulation of any State; or

“(iii) exported or transshipped in violation of any limitation under any foreign law or by any law or regulation of any State; or”;

and

(ii) in paragraph (3), by striking subparagraph (B) and inserting the following:

“(B) to possess any plant—

“(i) taken, transported, possessed, or sold in violation of any foreign law or any law or regulation of any State that protects plants or that regulates—

“(I) the theft of plants;

“(II) the taking of plants from a park, forest reserve, or other officially protected area;

“(III) the taking of plants from an officially designated area; or

“(IV) the taking of plants without, or contrary to, required authorization;

“(ii) taken, transported, or exported without the payment of appropriate royalties, taxes, or stumpage fees required by any foreign law or by any law or regulation of any State; or

“(iii) exported or transshipped in violation of any limitation under any foreign law or by any law or regulation of any State; or”;

and

(B) by adding at the end the following:

“(f) PLANT DECLARATIONS.—

“(1) IN GENERAL.—Effective 180 days from the date of enactment of this subsection, it shall be unlawful for any person to import any plant unless the person files upon importation where clearance is requested a declaration that contains—

“(A) the scientific name of any plant (including the genus and species of the plant) contained in the importation;

“(B) a description of—

“(i) the value of the importation; and

“(ii) the quantity, including the unit of measure, of the plant; and

“(C) the name of the country from which the plant was taken.

“(2) DECLARATION RELATING TO PLANT PRODUCTS.—Until the date on which the Secretary promulgates a regulation under paragraph (5), a declaration relating to a plant product shall—

“(A) in the case in which the species of plant used to produce the plant product that is the subject of the importation varies, and the species used to produce the plant product is unknown, contain the name of each species of plant that may have been used to produce the plant product; and

“(B) in the case in which the species of plant used to produce the plant product that is the subject of the importation is commonly taken from more than 1 country, and the country from which the plant was taken and used to produce the plant product is unknown, contain the name of each country from which the plant may have been taken.

“(3) REVIEW.—Not later than 2 years after the date of enactment of this subsection, the Secretary shall review the implementation of each requirement described in paragraphs (1) and (2).

“(4) REPORT.—

“(A) IN GENERAL.—Not later than 180 days after the date on which the Secretary completes the review under paragraph (3), the Secretary shall submit to the appropriate committees of Congress a report containing—

“(i) an evaluation of—

“(I) the effectiveness of each type of information required under paragraphs (1) and (2) in assisting enforcement of section 3; and

“(II) the potential to harmonize each requirement described in paragraphs (1) and (2) with other applicable import regulations in existence as of the date of the report;

“(ii) recommendations for such legislation as the Secretary determines to be appropriate to assist in the identification of plants that are imported into the United States in violation of section 3; and

“(iii) an analysis of the effect of the provisions of subsection (a) and (f) on—

“(I) the cost of legal plant imports; and

“(II) the extent and methodology of illegal logging practices and trafficking.

“(B) PUBLIC PARTICIPATION.—In conducting the review under paragraph (3), the Secretary shall provide public notice and an opportunity for comment.

“(5) PROMULGATION OF REGULATIONS.—Not later than 180 days after the date on which the Secretary completes the review under paragraph (3), the Secretary may promulgate regulations—

“(A) to limit the applicability of any requirement described in paragraph (2) to specific plant products; and

“(B) to make any other necessary modification to any requirement described in paragraph (2), as determined by the Secretary based on the review under paragraph (3).”; and

(3) in section 7(a)(1) (16 U.S.C. 3376(a)(1)), by striking “section 4” and inserting “section 3(f), section 4.”.

**SA 2784.** Mr. LEAHY (for Mr. KYL (for himself and Mr. COLEMAN) proposed an amendment to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

Section 694 of the bill is amended to read as follows:

SEC. 694. (a) AMENDMENT TO AUTHORITY TO DETERMINE THE BAR TO ADMISSION INAPPLICABLE.—Section 212(d)(3)(B)(i) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(3)(B)(i)) is amended to read as follows:

“The Secretary of State, after consultation with the Attorney General and the Secretary of Homeland Security, or the Secretary of Homeland Security, after consultation with the Secretary of State and the Attorney General, may determine in such Secretary’s sole unreviewable discretion that subsection (a)(3)(B) shall not apply with respect to an alien within the scope of that subsection or that subsection (a)(3)(B)(vi)(III) shall not apply to a group within the scope of that subsection, except that no such waiver may be extended to an alien who is within the scope of subsection (a)(3)(B)(i)(II), no such waiver may be extended to an alien who is a member or representative of, has voluntarily and knowingly engaged in or endorsed or espoused or persuaded others to endorse or espouse or support terrorist activity on behalf of, or has voluntarily and knowingly received military-type training from a terrorist organization that is described in subclause (I) or (II) of subsection (a)(3)(B)(vi), and no such waiver may be extended to a group that has engaged in terrorist activity against the United States or another democratic country or that has purposefully engaged in a pattern or practice of terrorist activity that is directed at civilians. Such a determination shall neither prejudice the ability of the United States Government to commence criminal or civil proceedings involving a beneficiary of such a determination or any other person, nor create any substantive or procedural right or benefit for a beneficiary of such a determination or any other person. Notwithstanding any other provision of law (statutory or nonstatutory), including section 2241 of Title 28, or any other habeas corpus provision, and sections 1361 and 1651 of such title, no court shall have jurisdiction to review such a determination or revocation except in a proceeding for review of a final order of removal pursuant to section 1252 of this title, and review shall be limited to the extent provided in section 1252(a)(2)(D). The Secretary of State may not exercise the discretion provided in this clause with respect to an alien at any time during which the alien is the subject of pending removal proceedings under section 1229a or this title.”.

(b) AUTOMATIC RELIEF FOR THE HMONG AND OTHER GROUPS THAT DO NOT POSE A THREAT TO THE UNITED STATES.—For purposes of section 212(a)(3)(B) of the Immigration and Nationality Act (8 USC 1182(a)(3)(B)), the Karen National Union/Karen Liberation Army (KNU/KNLA), the Chin National Front/Chin National Army (CNF/CNA), the Chin National League for Democracy (CNLD), the Kayan New Land Party (KNLP), the Arakan Liberation Party (ALP), the Mustangs, the Alzados, the Karenni National Progressive Party, and appropriate groups affiliated with the Hmong and the Montagnards shall not be considered to be a terrorist organization on the basis of any act or event occurring before the date of enactment of this section. Nothing in this subsection may be construed to alter or limit the authority of the Secretary of State or the Secretary of Homeland Security to exercise his discretionary authority pursuant to 212(d)(3)(B)(i) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(3)(B)(i)).”.

(c) TECHNICAL CORRECTION.—(1) In General.—Section 212(a)(3)(B)(ii) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)(ii)) is amended by striking “Subclause (VII)” and replacing it with “Subclause (IX)”.

(d) DESIGNATION OF THE TALIBAN AS A TERRORIST ORGANIZATION.—FOR PURPOSES OF SECTION 212(A)(3)(B) OF THE IMMIGRATION AND NATIONALITY ACT (8 U.S.C. 1182(A)(3)(B)), the Taliban shall be considered to be a terrorist organization described in subclause (I) of clause (vi) of that section.

(e) REPORT ON DURESS WAIVERS. The Secretary of Homeland Security shall provide to the Committees on the Judiciary of the United States Senate and House of Representatives a report, not less than 180 days after the enactment of this Act and every year thereafter, which may include a classified annex if appropriate, describing—

(1) the number of individuals subject to removal from the United States for having provided material support to a terrorist group who allege that such support was provided under duress;

(2) a breakdown of the types of terrorist organizations to which the individuals described in paragraph (1) have provided material support;

(3) a description of the factors that the Department of Homeland Security considers when evaluating duress waivers; and

(4) any other information that the Secretary believes that the Congress should consider while overseeing the Department’s application of duress waivers.

(f) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of enactment of this section, and these amendments and sections 212(a)(3)(B) and 212(d)(3)(B) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B) and 1182(d)(3)(B)), as amended by these sections, shall apply to—

(A) removal proceedings instituted before, on, or after the date of enactment of this section; and

(B) acts and conditions constituting a ground for inadmissibility, excludability, deportation, or removal occurring or existing before, on, or after such date.

**SA 2785.** Mr. LEAHY proposed an amendment to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 219, line 26, before the period insert: “, of which up to \$66,000,000 shall be made available only for construction in the United States of secondary wastewater treatment capability”.

**SA 2786.** Mr. LEAHY (for Mr. KYL (for himself, Mr. LIEBERMAN, Ms. COLLINS, and Mr. ENSIGN)) proposed an amendment to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 410, between lines 15 and 16, insert the following:

RULE OF LAW AND BORDER SECURITY IN EGYPT

SEC. 699B. (a) The Senate makes the following findings:

(1) Fighting in Gaza during the summer of 2007 demonstrated that the terrorist organization Hamas, which unlawfully seized control over Gaza in June 2007, has been able to achieve a dramatic increase in the quantity and sophistication of arms at its disposal.

(2) Without these arms, the terrorist organization would not have been able to seize control over the Gaza territory.

(3) There is substantial evidence that a significant proportion of these arms were smuggled across the border between Gaza and Egypt.

(4) The Egyptian military is a capable force, made possible in substantial part by a close relationship with the United States.

(5) Concurrent with the escalation of dangerous arms smuggling across the border between Egypt and Gaza has been a retrogression in the rule of law in Egypt.

(6) This loss of hard-earned ground has been characterized by reports of harsh reaction by the Government of Egypt to dissent, including the jailing of political opponents.

(7) The United States has provided aid to Egypt in excess of \$28,000,000,000 over the past three decades.

(b) The Senate—

(1) reaffirms its long-standing friendship with the people of Egypt;

(2) believes that our friendship with Egypt requires the Senate to address such vital policy concerns;

(3) urges the Government of Egypt to make concrete and measurable progress on restoring the rule of law, including improving the independence of the judiciary and improving criminal procedures and due process rights and halting the cross-border flow of arms to Gaza;

(4) believes it is the best interest of Egypt, the region, and the United States that Egypt takes prompt action to demonstrate progress on these matters; and

(5) urges the Department of State to work vigorously and expeditiously with the Government of Egypt and the Government of Israel to bring the border between Egypt and Gaza border under effective control.

**SA 2787.** Mr. LEAHY proposed an amendment to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 245, line 17, strike “may” and insert in lieu thereof “should”.

**SA 2788.** Mr. LEAHY proposed an amendment to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 262, line 16, before “institutions” insert “organizations and”.

**SA 2789.** Mr. LEAHY (for Mr. BIDEN (for himself and Mr. LUGAR)) proposed an amendment to the bill H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 211, line 20, insert after “purposes:” the following: “*Provided further*, That during fiscal year 2008, foreign service annuitants may be employed, notwithstanding section 316.401 of title 5, Code of Federal Regulations, pursuant to waivers under section 824(g)(1)(C)(ii) of the Foreign Service Act of 1980 (22 U.S.C. 4064(g)(1)(C)(ii)).”

#### NOTICE OF HEARING

##### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a legislative hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will be held on Tuesday, September 25, 2007, at 2:30 p.m. in room SD-366 of the Dirksen Senate Office Building.

The purposes of this hearing are to receive testimony on S. 1756, a bill to

provide supplemental ex gratia compensation to the Republic of the Marshall Islands for impacts of the nuclear testing program of the United States, and for other purposes; and to receive testimony on the implementation of the Compact of Free Association between the United States and the Marshall Islands.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150, or by email to Britni Rillera@energy.senate.gov.

For further information, please contact Allen Stayman at (202) 224-7865 or Britni Rillera at (202) 224-1219.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON ARMED SERVICES

Mr. REED. Mr. President, I ask unanimous consent that the committee on Armed Services be authorized to meet during the session of the Senate on Thursday, September 6, at 10 a.m., in open session to receive a report on the findings of the Iraqi Security Forces Independent Assessment Commission.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON ARMED SERVICES

Mr. REED. Mr. President, I ask unanimous consent that the committee on Armed Services be authorized to meet during the session of the Senate on Thursday, September 6, 2007 at 5 p.m. in Executive Session to continue to receive information relating to the treatment of detainees.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. REED. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on Thursday, September 6, 2007, at 10 a.m., in room 406 of the Dirksen Senate Office Building in order to conduct a hearing entitled “An Examination of the Potential Human Health, Water Quality, and Other Impacts of the Confined Animal Feeding Operation Industry.”

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON FINANCE

Mr. REED. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Thursday, September 6, 2007, at 10 a.m., in 215 Dirksen Senate Office Building, to hear testimony on “Carried Interest Part III: Pension Issues.”

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. REED. Mr. President, I ask unanimous consent that the Committee on

Health, Education, Labor, and Pensions be authorized to hold a hearing on the Nomination of Charles E.F. Millard, of New York, to be Director of the Pension Benefit Guaranty Corporation during the session of the Senate on Thursday, September 5, 2007, at 10 a.m. in room 628 of the Dirksen Senate office building.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. REED. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet on Thursday, September 6, 2007, at 1:30 p.m. in order to conduct a hearing entitled “A DHS Status Report: Assessing Challenges and Measuring Progress.”

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON JUDICIARY

Mr. REED. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the Senate in order to conduct a markup on Thursday, September 6, 2007, at 10 a.m. in SD-266.

#### Agenda

##### I. Bills

S. 453, Deceptive Practices and Voter Intimidation Prevention Act of 2007 (Obama, Schumer, Leahy, Cardin, Feingold, Feinstein, Kennedy, Whitehouse); S. 1692, A bill to grant a Federal Charter to Korean War Veterans Association (Cardin, Isakson, Kennedy); S. 1845, A bill to provide for limitations in certain communications between the Department of Justice and the White House (Whitehouse, Leahy) and S.772, Railroad Antitrust Enforcement Act of 2007 (Kohl, Coleman).

##### II. Resolutions

S. Res. 282, National Polycystic Kidney Disease Awareness Week (Kohl, Hatch) and S. Res. 134, Adopt a School Library Month (Durbin).

##### III. Nominations

Richard A. Jones to be United States District Judge for the Western District of Washington; Sharion Aycock to be United States District Judge for the Northern District of Mississippi; Jennifer Walker Elrod to be United States Circuit Judge for the Fifth Circuit.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### SELECT COMMITTEE ON INTELLIGENCE

Mr. REED. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on September 6, 2007, at 2:30 p.m. to hold a closed hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COLLEGE COST REDUCTION AND ACCESS ACT—CONFERENCE REPORT—Continued

The ACTING PRESIDENT pro tempore. The Senator from Wyoming.