

the service of our Nation in Iraq and in Afghanistan and their families, and all who serve in our Armed Forces and their families.

**ANNOUNCEMENT BY THE SPEAKER**

The SPEAKER. Without objection, 5-minute voting will continue.  
There was no objection.

**RALPH REGULA FEDERAL BUILDING AND UNITED STATES COURTHOUSE**

The SPEAKER. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 1687, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER. The question is on the motion offered by the gentleman from Ohio (Mr. BOCCIERI) that the House suspend the rules and pass the bill, H.R. 1687, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 416, nays 0, not voting 18, as follows:

[Roll No. 330]  
YEAS—416

Abercrombie	Cantor	Edwards (MD)
Ackerman	Cao	Edwards (TX)
Aderholt	Capito	Ehlers
Adler (NJ)	Capps	Ellison
Akin	Capuano	Ellsworth
Alexander	Cardoza	Emerson
Altmire	Carmahan	Engel
Andrews	Carney	Eshoo
Arcuri	Carson (IN)	Etheridge
Austria	Carter	Fallin
Bachmann	Cassidy	Farr
Bachus	Castle	Fattah
Baird	Castor (FL)	Finer
Baldwin	Chaffetz	Flake
Barrett (SC)	Chandler	Fleming
Barrow	Childers	Forbes
Bartlett	Clarke	Fortenberry
Barton (TX)	Clay	Foster
Bean	Cleaver	Fox
Becerra	Clyburn	Frank (MA)
Berkley	Coble	Franks (AZ)
Berman	Coffman (CO)	Frelinghuysen
Berry	Cohen	Fudge
Biggart	Cole	Galleghy
Bilbray	Conaway	Gerlach
Bilirakis	Connolly (VA)	Giffords
Bishop (GA)	Conyers	Gingrey (GA)
Bishop (NY)	Cooper	Gohmert
Bishop (UT)	Costa	Gonzalez
Blackburn	Costello	Goodlatte
Blumenauer	Courtney	Gordon (TN)
Blunt	Crenshaw	Granger
Bocchieri	Crowley	Graves
Boehner	Cuellar	Grayson
Bonner	Culberson	Green, Al
Bono Mack	Cummings	Green, Gene
Boozman	Dahlkemper	Griffith
Boren	Davis (AL)	Grijalva
Boucher	Davis (CA)	Guthrie
Boustany	Davis (IL)	Gutierrez
Boyd	Davis (KY)	Hall (NY)
Brady (PA)	Davis (TN)	Hall (TX)
Brady (TX)	Deal (GA)	Halvorson
Bright	DeFazio	Hare
Broun (GA)	DeGette	Harman
Brown (SC)	DeLauro	Harper
Brown, Corrine	Dent	Hastings (FL)
Brown-Waite,	Diaz-Balart, L.	Hastings (WA)
Ginny	Diaz-Balart, M.	Heinrich
Buchanan	Dicks	Heller
Burgess	Dingell	Herger
Burton (IN)	Doggett	Herseth Sandlin
Butterfield	Donnelly (IN)	Higgins
Buyer	Doyle	Hinchey
Calvert	Dreier	Hinojosa
Camp	Driehaus	Hirono
Campbell	Duncan	Hodes

Hoekstra	McMahon	Salazar
Holden	McMorris	Sanchez, Loretta
Holt	Rodgers	Sarbanes
Honda	McNerney	Scalise
Hoyer	Meek (FL)	Schakowsky
Hunter	Meeke (NY)	Schauer
Inglis	Melancon	Schiff
Inslee	Mica	Schmidt
Israel	Michaud	Schock
Issa	Miller (FL)	Schrader
Jackson (IL)	Miller (MI)	Schwartz
Jackson-Lee	Miller (NC)	Scott (GA)
(TX)	Miller, Gary	Scott (VA)
Jenkins	Miller, George	Sensenbrenner
Johnson (GA)	Minnick	Serrano
Johnson (IL)	Mitchell	Sessions
Johnson, E. B.	Mollohan	Sestak
Johnson, Sam	Moore (KS)	Shadegg
Jones	Moore (WI)	Shea-Porter
Jordan (OH)	Moran (KS)	Shimkus
Kanjorski	Moran (VA)	Shuler
Kaptur	Murphy (CT)	Shuster
Kildee	Murphy (NY)	Simpson
Kilpatrick (MI)	Murphy, Patrick	Sires
Kilroy	Murphy, Tim	Skelton
Kind	Murtha	Smith (NE)
King (IA)	Myrick	Smith (NJ)
King (NY)	Nadler (NY)	Smith (TX)
Kingston	Napolitano	Smith (WA)
Kirk	Neal (MA)	Snyder
Kirkpatrick (AZ)	Neugebauer	Souder
Kissell	Nunes	Space
Klein (FL)	Nye	Speier
Kline (MN)	Oberstar	Spratt
Kosmas	Obey	Stark
Kratovil	Olson	Stearns
Kucinich	Olver	Stupak
Lamborn	Ortiz	Sutton
Lance	Pallone	Tanner
Langevin	Pascrell	Pastor (AZ)
Larsen (WA)	Pastor (AZ)	Tauscher
Larson (CT)	Paul	Taylor
Latham	Paulsen	Teague
LaTourette	Payne	Terry
Latta	Pelosi	Thompson (CA)
Lee (CA)	Pence	Thompson (MS)
Lee (NY)	Perlmutter	Thompson (PA)
Levin	Perriello	Thornberry
Lewis (CA)	Peters	Tiaht
Linder	Peterson	Tiberi
Lipinski	Petri	Tierney
LoBiondo	Pingree (ME)	Titus
Loeb sack	Pitts	Tonko
Lofgren, Zoe	Platts	Towns
Lowe y	Poe (TX)	Tsongas
Lucas	Polis (CO)	Turner
Luetkemeyer	Pomeroy	Upton
Lujan	Posey	Van Hollen
Lummis	Price (CA)	Velázquez
Lungren, Daniel	Price (NC)	Visclosky
E.	Putnam	Walden
Lynch	Quigley	Walz
Mack	Rahall	Wamp
Maffei	Rangel	Wasserman
Maloney	Rehberg	Schultz
Manzullo	Reichert	Waters
Marchant	Reyes	Watson
Markey (CO)	Rodriguez	Watt
Markey (MA)	Roe (TN)	Waxman
Marshall	Rogers (AL)	Weiner
Massa	Rogers (KY)	Welch
Matheson	Rogers (MI)	Westmoreland
Matsui	Rohrabacher	Wexler
McCarthy (CA)	Rooney	Whitfield
McCarthy (NY)	Ros-Lehtinen	Wilson (OH)
McCaul	Roskam	Wilson (SC)
McClintock	Ross	Wittman
McCollum	Rothman (NJ)	Wolf
McCotter	Roybal-Allard	Woolsey
McDermott	Royce	Wu
McGovern	Ruppersberger	Yarmuth
McHugh	Rush	Young (AK)
McIntyre	Ryan (OH)	Young (FL)
McKeon	Ryan (WI)	

**NOT VOTING—18**

Baca	Himes	Sánchez, Linda
Boswell	Kagen	T.
Braley (IA)	Kennedy	Sherman
Delahunt	Lewis (GA)	Slaughter
Garrett (NJ)	McHenry	Sullivan
Hensarling	Radanovich	
Hill	Richardson	

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So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

The title was amended so as to read: "A bill to designate the federally occupied building located at McKinley Avenue and Third Street, SW., Canton, Ohio, as the 'Ralph Regula Federal Building and United States Court-house'."

A motion to reconsider was laid on the table.

**APPOINTMENT OF CONFEREES ON H.R. 2346, SUPPLEMENTAL APPROPRIATIONS ACT, 2009**

The SPEAKER pro tempore (Mr. JACKSON of Illinois). Without objection, the Chair appoints the following conferees on H.R. 2346:

Messrs. OBEY, MURTHA, Ms. DELAURO, Mrs. LOWEY, Messrs. EDWARDS of Texas, LEWIS of California, YOUNG of Florida, and Ms. GRANGER.

**PAKISTAN ENDURING ASSISTANCE AND COOPERATION ENHANCEMENT ACT OF 2009**

Mr. BERMAN. Mr. Speaker, pursuant to House Resolution 522, I call up the bill (H.R. 1886) to authorize democratic, economic, and social development assistance for Pakistan, to authorize security assistance for Pakistan, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 522, the amendment in the nature of a substitute printed in the bill, modified by the amendment printed in part A of House report 111-143, is adopted and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 1886

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

**SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.**

(a) *SHORT TITLE.*—This Act may be cited as the "Pakistan Enduring Assistance and Cooperation Enhancement Act of 2009" or the "PEACE Act of 2009".

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

- Sec. 1. Short title and table of contents.
- Sec. 2. Definitions.
- Sec. 3. Findings.
- Sec. 4. Declaration of principles.
- TITLE I—DEMOCRATIC, ECONOMIC, AND SOCIAL DEVELOPMENT ASSISTANCE FOR PAKISTAN**
- Sec. 101. Purposes of assistance.
- Sec. 102. Authorization of assistance.
- Sec. 103. Multilateral support for Pakistan.
- Sec. 104. Pakistan Democracy and Prosperity Fund.
- Sec. 105. Authorization of appropriations.

**TITLE II—SECURITY ASSISTANCE FOR PAKISTAN**

- Sec. 201. Sense of Congress.
- Sec. 202. Purposes of assistance.
- Sec. 203. Authorization of assistance.
- Sec. 204. Pakistan Counterinsurgency Capabilities Fund.

- Sec. 205. Exchange program between military and civilian personnel of Pakistan and certain other countries.
- Sec. 206. Limitation on United States military assistance to Pakistan.
- Sec. 207. Authorization of appropriations.
- TITLE III—MISCELLANEOUS PROVISIONS**
- Sec. 301. Comprehensive regional security strategy.
- Sec. 302. Monitoring and evaluation of assistance.
- Sec. 303. Auditing.
- Sec. 304. Requirements for civilian control of United States assistance for Pakistan.
- Sec. 305. Sense of Congress.
- Sec. 306. Reports.
- Sec. 307. Sunset.

**SEC. 2. DEFINITIONS.**

In this Act:

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—Except as otherwise provided in this Act, the term “appropriate congressional committees” means the Committees on Appropriations and Foreign Affairs of the House of Representatives and the Committees on Appropriations and Foreign Relations of the Senate.

(2) **COUNTERINSURGENCY.**—The term “counterinsurgency” means efforts to defeat organized movements that seek to overthrow the duly constituted Governments of Pakistan and Afghanistan through the use of subversion and armed conflict.

(3) **COUNTERTERRORISM.**—The term “counterterrorism” means efforts to combat—

(A) al Qaeda; and

(B) other terrorist organizations, as such term is defined in section 212(a)(3)(B)(vi) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)(vi)).

(4) **FATA.**—The term “FATA” means the Federally Administered Tribal Areas of Pakistan.

(5) **FCR.**—The term “FCR” means the Frontier Crimes Regulation, codified under British law in 1901, and applicable to the FATA.

(6) **NWFP.**—The term “NWFP” means the North West Frontier Province of Pakistan, which has Peshawar as its provincial capital.

**SEC. 3. FINDINGS.**

Congress finds the following:

(1) The Islamic Republic of Pakistan has been a critical ally of the United States for more than 4 decades.

(2) With the free and fair election of February 18, 2008, Pakistan returned to civilian rule after almost 9 years under a military dictatorship.

(3) After the September 11, 2001, terrorist attacks against the United States, Pakistan chose to partner with the United States in the fight against al Qaeda, the Taliban, and other extremist and terrorist groups.

(4) Since 2001, the United States has contributed more than \$12,000,000,000 to Pakistan to strengthen Pakistan’s governance, economy, education system, healthcare services, and military, so as to bring freedom and opportunities to the people of Pakistan while helping to combat terrorism and to counter a domestic insurgency.

(5) The United States requires a balanced, integrated, countrywide strategy that provides assistance throughout Pakistan and does not disproportionately focus on military assistance or one particular area or province.

(6) Despite killing or capturing hundreds of al Qaeda operatives and other terrorists—including major al Qaeda leaders, such as Khalid Sheikh Muhammad, Ramzi bin al-Shibh, and Abu Faraj al-Libi—Pakistan’s FATA, parts of the NWFP, Quetta in Balochistan, and Muridke in Punjab remain a sanctuary for al Qaeda, the Afghan Taliban, and affiliated groups from which these groups organize terrorist actions against Pakistan and other countries.

(7) Pakistan’s security forces have recently begun taking concerted action against those who threaten Pakistan’s security and stability, with military operations in the Bajour agency

in the FATA and in the Swat, Buner, and Dir districts in the NWFP.

(8) The displacement of over 1,000,000 Pakistanis poses a grave humanitarian crisis and requires the immediate attention of the United Nations, and the strong support of donor nations, to provide food, water, shelter, medicine, sanitation and other emergency services and supplies to the displaced, along with longer-term development assistance. The humanitarian crisis highlights the need for Pakistan to develop an effective national counterinsurgency strategy, in order to mitigate such displacement.

**SEC. 4. DECLARATION OF PRINCIPLES.**

Congress declares that the relationship between the United States and Pakistan should be based on the following principles:

(1) Pakistan is a critical friend and ally to the United States, both in times of strife and in times of peace, and the two countries share many common goals, including combating terrorism and violent radicalism, solidifying democracy and rule of law in Pakistan, and promoting the social and material well-being of the people of Pakistan.

(2) United States assistance to Pakistan is intended to supplement, not supplant, Pakistan’s own efforts in building a stable, secure, and prosperous Pakistan, and United States assistance will be wholly ineffective without Pakistan’s own serious efforts to improve the health, education, and living standards of its population, including maintaining or increasing the financial resources devoted to such efforts.

(3) The United States supports Pakistan’s struggle against extremist elements and recognizes the profound sacrifice made by Pakistan in the fight against terrorism, including the loss of more than 1,600 soldiers since 2001 in combat with al Qaeda, the Taliban, and other extremist and terrorist groups.

(4) The United States intends to work with the Government of Pakistan—

(A) to build mutual trust and confidence by actively and consistently pursuing a sustained, long-term, multifaceted relationship between the two countries, devoted to strengthening the mutual security, stability, and prosperity of both countries;

(B) to support the people of Pakistan and their democratic government in their efforts to consolidate democracy, through strengthening Pakistan’s parliament, helping Pakistan reestablish an independent and transparent judicial system, and working to extend the rule of law in all areas in Pakistan;

(C) to promote long-term development and infrastructure projects, including in healthcare, water management, and energy programs, in all areas of Pakistan, that are sustained and supported by each successive democratic government in Pakistan;

(D) to encourage sustainable economic development in Pakistan and the integration of Pakistan into the global economy in order to improve the living conditions of the people of Pakistan;

(E) to ensure that the people of Pakistan, including those living in areas governed by the FCR, have access to public, modernized education and vocational training to enable them to provide for themselves, for their families, and for a more prosperous future for their children;

(F) to expand people-to-people engagement between the two countries, through increased educational, technical, and cultural exchanges and other methods;

(G) to ensure transparency of and provide effective accountability for all United States assistance and reimbursements provided to Pakistan;

(H) to take steps to improve Pakistan’s counterterrorism financing and anti-money laundering laws to comply with international standards, to include applying for “Financial Action Task Force” observer status and adhering to the United Nations International Convention for the Suppression of the Financing of Terrorism;

(I) to establish a counterinsurgency and counterterrorism strategy to prevent any territory of Pakistan from being used as a base or conduit for terrorist attacks in Pakistan, or elsewhere, and ensure that madrassas in Pakistan are not used to incite terrorism;

(J) to ensure that Pakistan has strong and effective law enforcement and national defense forces, under civilian leadership, with sufficient and appropriate security equipment and training to effectively defend Pakistan against internal and external threats;

(K) to ensure access of United States investigators to individuals suspected of engaging in worldwide proliferation of nuclear materials, as necessary, and restrict such individuals from travel or any other activity that could result in further proliferation;

(L) to help Pakistan meet its commitment to not support any person or group that conducts violence, sabotage, or other activities meant to instill fear or terror in Pakistan’s neighboring countries; and

(M) to help Pakistan gain control of its undergoverned areas and stop any support, direction, guidance to, or acquiescence in the activities of, any person or group that engages in acts of violence or intimidation against civilians, civilian groups, or governmental entities.

**TITLE I—DEMOCRATIC, ECONOMIC, AND SOCIAL DEVELOPMENT ASSISTANCE FOR PAKISTAN**

**SEC. 101. PURPOSES OF ASSISTANCE.**

The purposes of assistance under this title are—

(1) to demonstrate unequivocally the long-term commitment of the United States to the people of Pakistan and Pakistan’s democratic institutions;

(2) to support the consolidation of democracy, good governance, and the rule of law in Pakistan;

(3) to help build the capacity of law enforcement forces in Pakistan to combat terrorism and violent militancy and expeditiously investigate, arrest, and prosecute alleged criminals, consistent with the rule of law and due process;

(4) to further the sustainable and effective economic and social development of Pakistan and the improvement of the living conditions of the people of Pakistan, especially in areas of direct interest and importance to their daily lives;

(5) to strengthen regional ties between Pakistan and its neighbors by offering concrete non-military assistance for issues of mutual economic and social concern;

(6) to strengthen Pakistan’s public education system, increase literacy, expand opportunities for vocational training, and help create an appropriate national curriculum for all schools in Pakistan;

(7) to expand people-to-people engagement between the United States and Pakistan, through increased educational, technical, and cultural exchanges and other methods;

(8) to strengthen respect for internationally recognized human rights in efforts to stabilize the security environment in Pakistan; and

(9) to promote the rights and empowerment of women and girls in Pakistan, including efforts to increase access to basic healthcare services to address Pakistan’s high maternal mortality rate and to increase girls’ and women’s access to education.

**SEC. 102. AUTHORIZATION OF ASSISTANCE.**

(a) **IN GENERAL.**—To carry out the purposes of section 101, the President is authorized to provide assistance for Pakistan to support the activities described in subsection (b).

(b) **ACTIVITIES SUPPORTED.**—Activities that may be supported by assistance under subsection (a) include the following:

(1) **FORTIFYING DEMOCRATIC INSTITUTIONS.**—To support, notwithstanding any other provision of law, democratic institutions in Pakistan in order to strengthen civilian rule and long-term stability, including assistance such as—

(A) support for efforts to strengthen the National Parliament of Pakistan, including—

(i) assistance to parliamentary committees to enhance the capacity to conduct public hearings and oversee government activities, including national security issues and the military budget, to solicit input on key public policy issues, and to oversee the conduct of elections;

(ii) support for the establishment of constituency offices and otherwise promote the responsibility of members of parliament to respond to constituents; and

(iii) strengthening of the role of parliamentary leadership;

(B) support for voter education and civil society training, including training with grassroots organizations to enhance the capacity of the organizations to advocate for the development of public policy;

(C) support for political parties, including increasing their capacity and protecting their right to carry out political activities without restriction (other than reasonable administrative requirements commonly applied in democratic countries) and fostering the responsiveness of such parties to the needs of the people of Pakistan;

(D) support for strengthening the capacity of the civilian Government of Pakistan to carry out its responsibilities, including supporting the establishment of frameworks that promote government transparency and criminalize corruption in both the government and private sector, audit offices, inspectors general offices, third party monitoring of government procurement processes, whistle-blower protections, and anti-corruption agencies; and

(E) in particular, support for efforts by the Government of Pakistan to promote governance reforms in the FATA, including—

(i) extension of the Political Parties Act;

(ii) local experimentation with methods to transition from the FCR; and

(iii) long-term development of durable and responsive political institutions.

(2) ENHANCEMENT AND STRENGTHENING OF THE JUDICIAL SYSTEM AND LAW ENFORCEMENT.—To support, notwithstanding any other provision of law, Pakistan's efforts to expand the rule of law and build the capacity, transparency, and trust in government institutions, at the national, provincial, and local levels, including assistance such as—

(A) support for the rule of law and systemic improvement of judicial and criminal justice institutions, including—

(i) management of courts;

(ii) enhanced career opportunities and professional training for judges, public defenders, and prosecutors; and

(iii) efforts to enhance the rule of law to all areas in Pakistan where the writ of the government is under heightened challenge by terrorists and militants, including through innovations in the delivery of judicial services that enhance the legitimacy of state institutions;

(B) support for professionalization of the police, including—

(i) training regarding use of force;

(ii) education and training regarding human rights;

(iii) training regarding evidence preservation and chain of custody; and

(iv) training regarding community policing;

(C) support for independent law enforcement agencies, such as the Intelligence Bureau of the Ministry of Interior, responsive to civilian control, including—

(i) enhanced coordination with judicial processes;

(ii) enhancement of forensics capabilities;

(iii) data collection and analyses;

(iv) case tracking and management;

(v) financial intelligence functions; and

(vi) maintenance of data systems to track terrorist of criminal activity; and

(D) strengthening the capacity of the police and other civilian law enforcement agencies to

provide a robust response to threats from extremists and terrorists along the frontier and elsewhere in Pakistan, including—

(i) the development of an elite rapid reaction force which could be deployed on short notice to secure areas that are threatened by militancy; and

(ii) facilitating improved counterterrorism and counterinsurgency coordination between local government officials, the police, paramilitary, and military leaders.

(3) SUPPORT FOR BROAD-BASED AND SUSTAINABLE ECONOMIC DEVELOPMENT.—To support economic development in Pakistan by—

(A) promoting energy sector reform and development;

(B) expanding assistance for agricultural and rural development, including farm-to-market roads, systems to prevent spoilage and waste, and other small-scale infrastructure improvements that will enhance supply and distribution networks;

(C) increasing employment opportunities, including support to small and medium enterprises, microfinance and microenterprise activities, and in particular programs to improve the lives of women and girls;

(D) preventing youth from turning to extremism and militancy, and promoting the renunciation of such tactics and extremist ideologies, by providing economic, social, educational, and vocational opportunities and life-skills training to at-risk youth; and

(E) increasing investment in infrastructure, including construction of roads, water resource management systems, irrigation channels, and continued development of a national aviation industry and aviation infrastructure.

(4) SUPPORT TO INCREASE LOCAL CAPACITY.—To increase the capacity and improve the sustainability of Pakistan's national, provincial, and local governmental and nongovernmental institutions, including assistance to—

(A) increase and improve the capacity of Pakistan's national, provincial, and local governmental institutions by—

(i) providing technical assistance to all ministries to improve transparency and ability to respond to the needs of the people of Pakistan; and

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

(B) enhance the capacity of Pakistan's nongovernmental and civil society organizations to respond to the needs of the people of Pakistan by—

(i) increasing support for local nongovernmental organizations with demonstrated experience in delivering services to the people of Pakistan, particularly to women, children, and other vulnerable populations in Pakistan;

(ii) providing training and education to local nongovernmental and civil society organizations on ways to identify and improve the delivery of services to the people of Pakistan; and

(iii) promoting local ownership and participation, including encouraging communities to contribute a percentage of the value of United States projects or activities carried out under this title in the form of labor, in-kind materials, or other provisions.

(5) SUPPORT FOR PUBLIC EDUCATION SYSTEM.—To support Pakistan's public education system, including—

(A) implementation of a national education strategy, to include both primary and secondary education, focused on literacy and civic education, including—

(i) programs to assist development of modern, nationwide school curriculums for public, private, and religious schools that incorporate relevant subjects, such as math, science, literature, and human rights awareness, in addition to agricultural education and training;

(ii) enhancement of civic education programs focused on political participation, democratic institutions, and tolerance of diverse ethnic and religious groups; and

(iii) support for the proper oversight of all educational institutions, including madrasas, as required by Pakistani law, including registration with the Ministry of Education and regular monitoring of curriculum by the Ministry of Education to ensure students in Pakistan receive a comprehensive education;

(B) initiatives to enhance the access to education for women and girls, and to increase women's literacy, with special emphasis on helping girls stay in school;

(C) funding to the Government of Pakistan to use to increase immediately teacher salaries and to recruit and train teachers and administrators, as well as develop formalized salary scales with merit-based pay increases;

(D) establishment of vocational and technical programs to enhance employment opportunities;

(E) encouragement of United States and Pakistani public-private partnerships to increase investment in higher education and technical training opportunities;

(F) construction and maintenance of libraries and public schools, including water sanitation, perimeter walls, and recreation areas;

(G) provision of textbooks and other learning materials and food assistance for student meals; and

(H) provision of software to educational institutions and students at the lowest possible cost, specifically targeting universities that specialize in information technology, and women's colleges and women's secondary schools.

(6) SUPPORT FOR HUMAN RIGHTS.—To promote respect for and compliance with internationally recognized human rights, including assistance such as—

(A) programs to strengthen civil society organizations that promote internationally recognized human rights, including religious freedom, freedom of expression, and freedom of association, and that support human rights monitoring;

(B) promotion of education regarding internationally recognized human rights;

(C) programs designed to end traditional practices and punishments that are inconsistent with internationally recognized human rights norms and protections, such as honor killings and other forms of cruel and unusual punishments;

(D) promotion of freedom of religion and religious tolerance, protection of religious minorities, and promotion of freedom of expression and association, including support for responsible independent media;

(E) promotion of nongovernmental organizations that focus on the protection of women and girls, including women-led organizations and programs that support the participation of women in the national, provincial, and local political process, and programs to end violence against women, including rape;

(F) technical, legal, and law enforcement assistance for the investigation of past disappearances of individuals in Pakistan and the development of a national data base of such individuals; and

(G) programs in support and protection of the rights of ethnic minorities in Pakistan, including Baluchis, Sindhis, and Pashtuns, to preserve their language, culture, traditional areas of inhabitancy, and to fight any direct or indirect discrimination.

(7) SUPPORT FOR REFUGEES AND INTERNALLY DISPLACED PERSONS.—It is the sense of Congress that—

(A) counterinsurgency operations being carried out by the Government of Pakistan should be designed to minimize civilian casualties and collateral damage to the people of Pakistan and to provide security for the delivery of humanitarian assistance to the affected civilian population;

(B) the United States should continue to provide robust assistance to the people of Pakistan who have been displaced as a result of ongoing conflict and violence;

(C) the United States should support international efforts to coordinate assistance to refugees and internally displaced persons in Pakistan, including by providing support to international and nongovernmental organizations for this purpose;

(D) the Administrator of the United States Agency for International Development should support the development objectives of the Refugee Affected and Host Areas (RAHA) Initiative in Pakistan to address livelihoods, health, education, infrastructure development, and environmental restoration in identified parts of the country where Afghan refugees have lived; and

(E) the Administrator of the United States Agency for International Development should evaluate the effectiveness of the livelihoods projects in the FATA in order to determine whether systems need to be put into place to improve programming in this key sector.

(8) **SUPPORT FOR HEALTHCARE EFFORTS.**—To provide urgently needed healthcare assistance to the people of Pakistan, including assistance to supplement the Government of Pakistan's efforts to eliminate diseases, including hepatitis, and to reduce the nation's high maternal and under-five mortality rates, including—

(A) support for repairing and building healthcare infrastructure, including purchase of equipment and training of health professionals, to ensure adequate access to healthcare for Pakistan's population, especially among its rural, poor, marginalized and disadvantaged segments; and

(B) promotion of efforts by the Government of Pakistan to reduce maternal mortality, including through the provision of maternal and newborn health services and development of community-based skilled birth attendants.

(9) **SUPPORT FOR PUBLIC DIPLOMACY.**—To implement a more effective public diplomacy strategy in Pakistan in order to ensure that the Pakistani public recognizes that it is in Pakistan's own interest to partner with the United States and other like-minded countries to combat militant extremism, as well as to promote a better understanding of the United States, including through the following:

(A) Partnering with the Government of Pakistan to highlight the negative behavior of insurgent groups and to encourage civil society, respected scholars, and other leaders to speak out against militancy and violence.

(B) Providing technical assistance to the Government of Pakistan to both disrupt and provide alternatives to the illegal FM radio stations used by insurgent groups in the FATA and adjacent districts of the NWFP.

(C) Expanded exchange activities under the Fulbright Program, the International Visitor Leadership Program, the Youth Exchange and Study Program, and related programs administered by the Department of State designed to promote mutual understanding and interfaith dialogue.

(D) Expansion of sister institution programs between United States and Pakistani schools and universities, towns and cities, and other organizations in such fields as medicine and healthcare, business management, environmental protection, information technology, and agriculture.

(E) Additional scholarships to enable students to study in the United States.

#### **SEC. 103. MULTILATERAL SUPPORT FOR PAKISTAN.**

To the extent that Pakistan continues to evolve toward civilian control of the government and to develop and implement comprehensive economic reform programs, the President should do the following:

(1) **MULTILATERAL SUPPORT.**—Take the lead in mobilizing international financial institutions, in particular the International Monetary Fund and affiliated institutions in the World Bank group, to provide timely and appropriate resources to help Pakistan.

(2) **STABILIZATION ASSISTANCE.**—In conjunction with other governments and international

financial institutions (including the International Monetary Fund), support the implementation of a plan of the Government of Pakistan to attack structural economic problems, address pressing social problems, carry out comprehensive economic reform, and relieve immediate and urgent balance of payments requirements in Pakistan.

(3) **CURRENCY STABILIZATION LOANS.**—Provide leadership in supporting multilateral agreements to provide government-to-government loans for currency stabilization in Pakistan if the loans can reduce inflation and thereby foster conditions necessary for the effective implementation of economic reforms.

#### **SEC. 104. PAKISTAN DEMOCRACY AND PROSPERITY FUND.**

(a) **ESTABLISHMENT OF FUND.**—There is established in the Treasury of the United States a fund to be known as the "Pakistan Democracy and Prosperity Fund" (hereinafter in this section referred to as the "Fund"), consisting of such amounts as may be appropriated or transferred to the Fund as provided in this section and which may be used for purposes of this title.

(b) **TRANSFERS TO FUND.**—The Fund shall consist of the following:

(1) Amounts appropriated to carry out this title.

(2) Amounts appropriated on or after the date of the enactment of this Act for "Development Assistance", "Global Health and Child Survival", and the "Economic Support Fund" for assistance for Pakistan under the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) that are transferred by the President to the Fund pursuant to subsection (d).

(3) To the extent or in the amounts provided in advance in appropriations Acts, amounts accepted by the President under subsection (c) that are transferred by the President to the Fund pursuant to subsection (d).

(c) **ACCEPTANCE OF AMOUNTS FROM OUTSIDE SOURCES.**—The President may accept funds from non-United States Government sources, including foreign governments, nongovernmental organizations, private business entities, and private individuals, for purposes of carrying out this title.

(d) **STATUS OF AVAILABILITY OF AMOUNTS IN FUND.**—The President is authorized to transfer to the Fund amounts under paragraphs (2) and (3) of subsection (b). Such amounts shall be merged with and shall be available for any purpose for which any of the amounts so transferred are available.

(e) **REPORT.**—The President shall transmit to the appropriate congressional committees not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter until September 30, 2018, a report on programs, projects, and activities carried out using amounts obligated and expended from the Fund.

#### **SEC. 105. AUTHORIZATION OF APPROPRIATIONS.**

(a) **IN GENERAL.**—There are authorized to be appropriated to the President to carry out this title \$1,500,000,000 for each of the fiscal years 2010 through 2013.

(b) **AVAILABILITY.**—Amounts authorized to be appropriated to carry out this title for a fiscal year are—

(1) authorized to remain available until September 30 of the succeeding fiscal year; and

(2) in addition to amounts otherwise available for such purposes.

(c) **SENSE OF THE CONGRESS.**—It is the sense of Congress that United States assistance provided under this title should be made available on a proportional and equitable basis between the FATA and other regions of Pakistan.

### **TITLE II—SECURITY ASSISTANCE FOR PAKISTAN**

#### **SEC. 201. SENSE OF CONGRESS.**

It is the sense of Congress that—

(1) United States security assistance for Pakistan should be used to improve relationships be-

tween United States military and Pakistani military personnel, including outreach to the "lost generation" of Pakistan's officers who did not attend United States-sponsored training as a result of restrictions placed on United States assistance for Pakistan due to Pakistan's possession of a nuclear device; and

(2) United States security assistance for Pakistan should be fully accountable, should be contingent on Pakistan ending support for terrorist groups, and should meet the national security needs of Pakistan.

#### **SEC. 202. PURPOSES OF ASSISTANCE.**

The purposes of assistance under this title are—

(1) to support Pakistan's paramount national security need to fight and win the ongoing counterinsurgency within its borders;

(2) to work with the Government of Pakistan to protect and secure Pakistan's borders and prevent any Pakistani territory from being used as a base or conduit for terrorist attacks in Pakistan, or elsewhere;

(3) to work in close cooperation with the Government of Pakistan to coordinate action against extremist and terrorist targets; and

(4) to develop knowledge of and appreciation for democratic governance and a military that is controlled by and responsible to democratically elected civilian leadership.

#### **SEC. 203. AUTHORIZATION OF ASSISTANCE.**

(a) **INTERNATIONAL MILITARY EDUCATION AND TRAINING.**—

(1) **IN GENERAL.**—Of the amounts authorized to be appropriated to carry out this title not less than \$4,000,000 for fiscal year 2010 and such sums as may be necessary for each of the fiscal years 2011 through 2013 are authorized to be made available for assistance under chapter 5 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2347 et seq.; relating to international military education and training) for Pakistan, including expanded international military education and training (commonly known as "E-IMET").

(2) **USE OF FUNDS.**—Not less than 30 percent of the amount made available to carry out this subsection for a fiscal year may be used to pay for courses of study and training in counterinsurgency and civil-military relations.

(b) **FOREIGN MILITARY FINANCING PROGRAM.**—

(1) **IN GENERAL.**—Of the amounts authorized to be appropriated to carry out this title, not less than \$300,000,000 for fiscal year 2010 and such sums as may be necessary for each of the fiscal years 2011 through 2013 are authorized to be made available for grant assistance under section 23 of the Arms Export Control Act (22 U.S.C. 2763; relating to the Foreign Military Financing program) for the purchase of defense articles, defense services, and military education and training for Pakistan.

(2) **USE OF FUNDS.**—Not less than 75 percent of the amount made available to carry out this subsection for a fiscal year may be used for the purchase of defense articles, defense services, and military education and training for activities relating to counterinsurgency and counterterrorism operations in Pakistan. Such articles, services, and military education and training may include the following:

(A) Aviation maintenance and logistics support for United States-origin and United States-supported rotary wing aircraft and upgrades to such aircraft to include modern night vision and targeting capabilities.

(B) Intelligence, surveillance, and reconnaissance (ISR) ground and air manned and unmanned platforms, including sustainment.

(C) Command and control capabilities.

(D) Force protection and counter improvised explosive device capabilities, including protection of vehicles.

(E) Protective equipment, such as body armor and helmets, night vision goggles, and other individual equipment, including load-bearing equipment, individual and unit level first aid

equipment, ballistic eye protection, and cold weather equipment.

(F) Appropriate individual and unit level medical services and articles for the Pakistan Army, the Pakistan Frontier Corps, and other appropriate security forces.

(G) Assistance to enable the Pakistani military to distribute humanitarian assistance and establish a tactical civil-military operations capability, including a civil affairs directorate.

(3) RESTRICTION RELATING TO F-16 PROGRAM.—  
(A) CONGRESSIONAL FINDING.—In accordance with the Letters of Offer and Acceptance signed between the United States and Pakistan in 2006, Congress finds that the Government of Pakistan is responsible for making the remaining payments on the 2006 sales relating to F-16 fighter aircraft and associated equipment with its own national funds, including the mid-life updates and munitions for such aircraft included in such Letters of Offer and Acceptance.

(B) RESTRICTION.—Subject to subparagraph (C), amounts authorized to be made available under this subsection for a fiscal year may not be used for the purchase of, or upgrade to, F-16 fighter aircraft or munitions for such aircraft.

(C) EXCEPTION.—Amounts authorized to be made available under this subsection for a fiscal year are authorized to be used for military construction pursuant to the security plan contained in the Letters of Offer and Acceptance signed between the United States and Pakistan in 2006.

(D) WAIVER.—The President may waive the restriction under subparagraph (B) with respect to amounts authorized to be made available under this subsection for a fiscal year, other than amounts authorized to be made available under paragraph (2) of this subsection, if the President certifies to the appropriate congressional committees not later than 15 days prior to exercising the authority of this subparagraph that the waiver is important to the national security interests of the United States.

(4) SECURITY ASSISTANCE PLAN.—Not later than 180 days after the date of the enactment of this Act, the President shall transmit to the appropriate congressional committees a plan for the proposed use of amounts authorized to be made available under this subsection for each of the fiscal years 2010 through 2013. Such plan shall include an assessment of how the use of such amounts complements or otherwise is related to amounts described in section 204.

(5) ADDITIONAL AUTHORITY.—Except as provided in section 3(a)(2) of the Arms Export Control Act and except as otherwise provided in this title, amounts authorized to be made available to carry out paragraph (2) for fiscal years 2010 and 2011 are authorized to be made available notwithstanding any other provision of law.

(6) DEFINITIONS.—In this section, the terms “defense articles”, “defense services”, and “military education and training” have the meaning given such terms in section 644 of the Foreign Assistance Act of 1961 (22 U.S.C. 2403).

(c) SENSE OF CONGRESS.—It is the sense of Congress that the United States should facilitate Pakistan’s establishment of a program to enable the Pakistani military to provide reconstruction assistance in areas damaged by combat operations.

#### SEC. 204. PAKISTAN COUNTERINSURGENCY CAPABILITY FUND.

(a) FOR FISCAL YEAR 2010.—

(1) IN GENERAL.—For fiscal year 2010, the Department of State’s Pakistan Counterinsurgency Capability Fund, hereinafter in this section referred to as the “Fund”, shall consist of the following:

(A) Amounts appropriated to carry out this subsection.

(B) Amounts otherwise available to the Secretary of State to carry out this subsection.

(2) PURPOSES OF FUND.—Amounts in the Fund made available to carry out this subsection for any fiscal year are authorized to be used by the

Secretary of State, with the concurrence of the Secretary of Defense, to build and maintain the counterinsurgency capability of Pakistan under the same terms and conditions (except as otherwise provided in this subsection) that are applicable to amounts made available under the Fund for fiscal year 2009.

(3) TRANSFER AUTHORITY.—

(A) IN GENERAL.—The Secretary of State is authorized to transfer amounts in the Fund made available to carry out this subsection for any fiscal year to the Department of Defense’s Pakistan Counterinsurgency Fund.

(B) TREATMENT OF TRANSFERRED FUNDS.—Subject to the requirements of paragraph (4), transfers from the Fund under the authority of subparagraph (A) shall be merged with and be available for the same purposes and for the same time period as amounts in the Department of Defense’s Pakistan Counterinsurgency Fund.

(C) RELATION TO OTHER AUTHORITIES.—The authority to make transfers from the Fund under subparagraph (A) is in addition to any other transfer of funds authority of the Department of State. The authority to provide assistance under this subsection is in addition to any other authority to provide assistance to foreign countries.

(D) NOTIFICATION.—The Secretary of State shall, not less than 15 days prior to making transfers from the Fund under subparagraph (A), notify the appropriate congressional committees in writing of the details of any such transfer.

(4) RESTRICTION.—

(A) IN GENERAL.—Subject to subparagraph (B), amounts in the Fund made available to carry out this subsection for any fiscal year may not be used to purchase F-16 fighter aircraft, to purchase mid-life updates for such aircraft, or to make payments on the sales of F-16 fighter aircraft and associated equipment described in section 203(b)(3)(A).

(B) EXCEPTION.—Amounts in the Fund made available to carry out this subsection for any fiscal year are authorized to be used for military construction activities.

(C) WAIVER.—The President may waive the restriction under subparagraph (A) with respect to amounts described in subparagraph (A) if the President certifies to the appropriate congressional committees not later than 15 days prior to exercising the authority of this subparagraph that the waiver is important to the national security interests of the United States.

(5) AUTHORIZATION OF APPROPRIATIONS.—For fiscal year 2010, \$300,000,000 is hereby authorized to be appropriated to carry out this subsection.

(b) SUBMISSION OF NOTIFICATIONS.—Any notification required by this section shall be submitted in classified form, but may include a unclassified annex if necessary.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

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

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

#### SEC. 205. EXCHANGE PROGRAM BETWEEN MILITARY AND CIVILIAN PERSONNEL OF PAKISTAN AND CERTAIN OTHER COUNTRIES.

(a) IN GENERAL.—The Secretary of State is authorized to establish an exchange program between—

(1) military and civilian personnel of Pakistan, and

(2)(A) military and civilian personnel of countries determined by the Secretary of State to be in transition to democracy, or

(B) military and civilian personnel of North Atlantic Treaty Organization member countries, in order to foster greater respect for and understanding of the principle of civilian rule of

Pakistan’s military. The program established under this subsection shall be known as the “Pakistan Military Transition Program”.

(b) ELEMENTS OF PROGRAM.—The program authorized under subsection (a) may include—

(1) conferences, seminars, and other events;

(2) distribution of publications; and

(3) reimbursement of expenses of foreign military personnel participating in the program, including transportation expenses, translation services expenses, and administrative expenses relating to the program.

(c) ROLE OF NONGOVERNMENTAL ORGANIZATIONS.—Amounts authorized to be appropriated to carry out this title for a fiscal year are authorized to be made available for nongovernmental organizations to facilitate the implementation of the program authorized under subsection (a).

#### SEC. 206. LIMITATION ON UNITED STATES MILITARY ASSISTANCE TO PAKISTAN.

(a) PROHIBITION ON USE OF FUNDS.—None of the funds authorized to be appropriated for military assistance to Pakistan for fiscal year 2011 and each fiscal year thereafter may be obligated or expended if the President has not made the determinations described in subsection (b) for such fiscal year.

(b) DETERMINATIONS REGARDING ENHANCED COOPERATION BETWEEN THE UNITED STATES AND PAKISTAN.—The determinations referred to in subsection (a) are—

(1) a determination by the President at the beginning of each fiscal year that the Government of Pakistan is continuing to cooperate with the United States in efforts to dismantle supplier networks relating to the acquisition of nuclear weapons-related materials, including, as necessary, providing direct access to Pakistani nationals associated with such networks; and

(2) a determination by the President at the beginning of each fiscal year that the Government of Pakistan during the preceding fiscal year has demonstrated a sustained commitment to and making progress towards combating terrorist groups, including taking into account the progress the Government of Pakistan has made with regard to—

(A) ceasing support, including by any elements within the Pakistan military or its intelligence agency, to extremist and terrorist groups, particularly to any group that has conducted attacks against United States or coalition forces in Afghanistan, or against the territory or people of neighboring countries;

(B) closing terrorist camps in the FATA, dismantling terrorist bases of operations in other parts of the country, including Quetta and Muridke, and taking action when provided with intelligence about high-level terrorist targets;

(C) preventing cross-border attacks into neighboring countries; and

(D) strengthening counter-terrorism and anti-money laundering laws.

(c) WAIVER.—The President may waive the restriction under subsection (a) for any fiscal year if the President certifies to the appropriate congressional committees 15 days before the President exercises the authority of this subsection that the provision of military assistance to Pakistan is important to the national security interests of the United States.

(d) CONSULTATION AND WRITTEN JUSTIFICATION.—Not later than 5 days prior to making a determination described in subsection (b), the President shall consult with the appropriate congressional committees and, upon making such determination, shall submit to the appropriate congressional committees a written justification that specifies the basis upon which the President made such a determination, including an acknowledgment of the extent to which the Government of Pakistan has made progress with regard to subsection (b)(2). The justification shall be unclassified but may include a classified annex.

(e) GAO ANALYSIS AND REPORT.—Not later than 120 days after the President makes the determinations described in subsection (b), the

Comptroller General of the United States shall conduct an independent analysis of each of the determinations under subsection (b) and written justifications for such determinations under subsection (d) and shall submit to the appropriate congressional committees a report containing the results of the independent analysis.

(f) **DEFINITIONS.**—For purposes of this section—

(1) the term “appropriate congressional committees” means—

(A) the Committee on Foreign Affairs, the Committee on Armed Services, the Committee on Oversight and Government Reform, and the Permanent Select Committee on Intelligence of the House of Representatives; and

(B) the Committee on Foreign Relations, the Committee on Armed Services, and the Select Committee on Intelligence of the Senate; and

(2) the term “military assistance”—

(A) means assistance authorized under section 23 of the Arms Export Control Act (22 U.S.C. 2763; relating to the Foreign Military Financing program), including assistance authorized under section 203(b) of this Act and assistance authorized under part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2301 et seq.), other than assistance authorized under chapter 5 of part II of such Act (22 U.S.C. 2347 et seq.); but

(B) does not include assistance authorized under any provision of law that is funded from accounts within budget function 050 (National Defense).

#### SEC. 207. AUTHORIZATION OF APPROPRIATIONS.

(a) **IN GENERAL.**—There are authorized to be appropriated to the President to carry out this title, other than section 204, \$400,000,000 for fiscal year 2010 and such sums as may be necessary for each of the fiscal years 2011 through 2013.

(b) **RELATION TO OTHER AVAILABLE FUNDS.**—Amounts authorized to be appropriated to carry out this title for a fiscal year are in addition to amounts otherwise available for such purposes.

### TITLE III—MISCELLANEOUS PROVISIONS

#### SEC. 301. COMPREHENSIVE REGIONAL SECURITY STRATEGY.

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that the achievement of United States national security goals to eliminate terrorist threats and close safe havens in Pakistan requires the development of a comprehensive plan that utilizes all elements of national power, including in coordination and cooperation with other concerned governments, and that it is critical to Pakistan’s long-term prosperity and security to strengthen regional relationships among India, Pakistan, and Afghanistan.

(b) **COMPREHENSIVE REGIONAL SECURITY STRATEGY.**—The President shall develop a comprehensive regional security strategy to eliminate terrorist threats and close safe havens in Pakistan, including by working with the Government of Pakistan and other relevant governments and organizations in the region and elsewhere, as appropriate, to best implement effective counterinsurgency and counterterrorism efforts in and near the border areas of Pakistan and Afghanistan, including the FATA, NWFP, parts of Balochistan, and parts of Punjab.

(c) **REPORT.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the President shall transmit to the appropriate congressional committees a report on the comprehensive regional security strategy required under subsection (b).

(2) **CONTENTS.**—The report shall include a copy of the comprehensive regional security strategy, including specifications of goals, and proposed timelines and budgets for implementation of the strategy.

(d) **DEFINITION.**—For purposes of this section, the term “appropriate congressional committees” means the Committees on Foreign Affairs and Armed Services of the House of Representatives and the Committees on Foreign Relations and Armed Services of the Senate.

#### SEC. 302. MONITORING AND EVALUATION OF ASSISTANCE.

(a) **DEFINITIONS.**—In this section:

(1) **IMPACT EVALUATION RESEARCH.**—The term “impact evaluation research” means the application of research methods and statistical analysis to measure the extent to which change in a population-based outcome can be attributed to program intervention instead of other environmental factors.

(2) **OPERATIONS RESEARCH.**—The term “operations research” means the application of social science research methods, statistical analysis, and other appropriate scientific methods to judge, compare, and improve policies and program outcomes, from the earliest stages of defining and designing programs through their development and implementation, with the objective of the rapid dissemination of conclusions and concrete impact on programming.

(3) **PROGRAM MONITORING.**—The term “program monitoring” means the collection, analysis, and use of routine program data to determine how well a program is carried out and how much the program costs.

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

(1) to successfully enhance democracy and the rule of law in Pakistan, defeat extremist elements, and ensure the protection of human rights, the President should establish a program to conduct impact evaluation research, operations research, and program monitoring to ensure effectiveness of assistance provided under title I of this Act;

(2) long-term solutions to Pakistan’s security problems depend on increasing the effectiveness and responsiveness of civilian institutions in Pakistan, including the parliament and judicial system;

(3) a specific program of impact evaluation research, operations research, and program monitoring, established at the inception of the program, is required to permit assessment of the operational effectiveness of impact of United States assistance towards these goals; and

(4) the President, in developing performance measurement methods under the impact evaluation research, operations research, and program monitoring, should consult with the appropriate congressional committees as well as the Government of Pakistan.

(c) **IMPACT EVALUATION RESEARCH, OPERATIONS RESEARCH AND PROGRAM MONITORING OF ASSISTANCE.**—The President shall establish and implement a program to assess the effectiveness of assistance provided under title I of this Act through impact evaluation research on a selected set of programmatic interventions, operations research in areas to ensure efficiency and effectiveness of program implementation, and monitoring to ensure timely and transparent delivery of assistance.

(d) **REQUIREMENTS.**—The program required under subsection (c) shall include—

(1) a delineation of key impact evaluation research and operations research questions for main components of assistance provided under title I of this Act;

(2) an identification of measurable performance goals for each of the main components of assistance provided under title I of this Act to be expressed in an objective and quantifiable form at the inception of the program;

(3) the use of appropriate methods, based on rigorous social science tools, to measure program impact and operational efficiency; and

(4) adherence to a high standard of evidence in developing recommendations for adjustments to the assistance to enhance the impact of the assistance.

(e) **ASSISTANCE TO ENHANCE THE CAPACITY OF PAKISTAN.**—In carrying out the program required under subsection (c), the President is authorized to provide assistance to enhance the capacity of the Government of Pakistan to monitor and evaluate programs carried out by the national, provincial, and local governments in

Pakistan in order to maximize the long-term sustainable development impact of such programs.

(f) **CONSULTATION WITH CONGRESS.**—Not later than 120 days after the date of the enactment of this Act, the President shall brief and consult with the appropriate congressional committees regarding the progress in establishing and implementing the program required under subsection (c).

(g) **AUTHORIZATION OF APPROPRIATIONS.**—Of the amounts authorized to be appropriated under section 105 for each of the fiscal years 2010 through 2013, up to 5 percent of such amounts for such fiscal year is authorized to be made available to carry out this section for the fiscal year.

#### SEC. 303. AUDITING.

(a) **ASSISTANCE AUTHORIZED.**—The Inspector General of the Department of State and the Inspector General of the United States Agency for International Development shall audit, investigate, and oversee the obligation and expenditure of funds to carry out title I of this Act.

(b) **REQUIREMENT FOR IN-COUNTRY PRESENCE.**—The Inspector General of the Department of State and the Inspector General of the United States Agency for International Development, after consultation with the Secretary of State and the Administrator of the United States Agency for International Development, are authorized to establish field offices in Pakistan with sufficient staff from each of the Offices of the Inspector General in Pakistan respectively to carry out subsection (a).

(c) **AUTHORIZATION OF APPROPRIATIONS.**—

(1) **IN GENERAL.**—Of the amounts authorized to be appropriated under section 105 for each of the fiscal years 2010 through 2013, not less than \$2,000,000 for each fiscal year is authorized to be made available to the Office of the Inspector General of the Department of State and not less than \$2,000,000 for each fiscal year is authorized to be made available to the Office of the Inspector General of the United States Agency for International Development to carry out this section.

(2) **RELATION TO OTHER AVAILABLE FUNDS.**—Amounts made available under paragraph (1) are in addition to amounts otherwise available for such purposes.

#### SEC. 304. REQUIREMENTS FOR CIVILIAN CONTROL OF UNITED STATES ASSISTANCE FOR PAKISTAN.

(a) **REQUIREMENTS.**—Any direct assistance provided or payments made on or after January 1, 2010, by the United States to the Government of Pakistan, and any information required by the United States prior to providing the assistance or making the payments, may only be provided or made to, or received from, civilian authorities of a government of Pakistan constituted through a free and fair election. For purposes of this subsection, a government of Pakistan constituted through a free and fair election is a government that is determined by the President to have been elected in a free and fair manner, taking into account the laws and constitution of Pakistan and internationally recognized standards.

(b) **WAIVER.**—The President may waive—

(1) the requirements under subsection (a), or

(2) the requirements under any other provision of law that restricts assistance to the government of any country whose duly elected head of government is deposed by military coup or decree, as such provision of law applies with respect to the Government of Pakistan,

if the President certifies to the appropriate congressional committees that the waiver is important to the national security interests of the United States.

(c) **RULE OF CONSTRUCTION.**—Nothing in this section shall apply with respect to any activities subject to reporting requirements under title V of the National Security Act of 1947 (50 U.S.C. 413 et seq.).

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

the Committees on Appropriations, Armed Services, and Foreign Affairs of the House of Representatives and the Committees on Appropriations, Armed Services, and Foreign Relations of the Senate.

**SEC. 305. SENSE OF CONGRESS.**

It is the sense of Congress that—

(1) the Secretary of State, with the concurrence of the Secretary of Defense, should establish a coordinated, strategic communications strategy to engage the people of Pakistan—one that is fully funded, staffed, and implemented—to help ensure the success of the measures authorized by this Act; and

(2) the strategy should have clear and achievable objectives, based on available resources, and should be overseen by the United States Chief of Mission in Pakistan.

**SEC. 306. REPORTS.**

(a) REPORT BY PRESIDENT.—

(1) IN GENERAL.—The President shall transmit to the appropriate congressional committees a report on assistance provided under titles I and II of this Act during the preceding fiscal year. The first report shall be transmitted not later than 180 days after the date of the enactment of this Act and subsequent reports shall be transmitted not later than December 31 of each year thereafter.

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

(A) A detailed description of the assistance by program, project, and activity, as well as by geographic area.

(B) A general description of the performance goals established under section 302 and the progress made in meeting the goals.

(C) An evaluation of efforts undertaken by the Government of Pakistan to—

(i) disrupt, dismantle, and defeat al Qaeda, the Taliban, and other extremist and terrorist groups in the FATA and settled areas;

(ii) close terrorist camps, including those of Jamaat-ud-Dawa, Lashkar-e-Taiba, and Jaish-e-Mohammed;

(iii) cease all support for extremist and terrorist groups;

(iv) prevent cross-border attacks;

(v) increase oversight over curriculum in madrasas, including closing madrasas with direct links to the Taliban or other extremist and terrorist groups; and

(vi) improve counter-terrorism financing and anti-money laundering laws, apply for observer status for the Financial Action Task Force, and steps taken to adhere to the United Nations International Convention for the Suppression of Financing of Terrorism.

(D) A detailed description of Pakistan's efforts to prevent proliferation of nuclear-related material and expertise.

(E) An assessment of whether assistance provided to Pakistan pursuant to this Act has directly or indirectly aided the expansion of Pakistan's nuclear weapons program, whether by the diversion of United States assistance or the reallocation of Pakistan financial resources that would otherwise be spent for programs and activities unrelated to its nuclear weapons program.

(F) A description of the transfer or purchase of military equipment pursuant to title II of this Act, including—

(i) a list of equipment provided; and

(ii) a detailed description of the extent to which funds obligated and expended pursuant to section 203(b) meet the requirements of such section.

(G) An analysis of a suitable replacement for the AH-1F and AH-1S Cobra attack helicopters, which includes recommendations for sustainment, training, and any other matters determined to be appropriate.

(H) An assessment of the extent to which the Government of Pakistan exercises effective civilian control of the military, including a descrip-

tion of the extent to which civilian executive leaders and parliament exercise oversight and approval of military budgets, the chain of command, the process of promotion for senior military leaders, civilian involvement in strategic guidance and planning, and military involvement in civil administration.

(b) REPORT BY COMPTROLLER GENERAL.—

(1) IN GENERAL.—Not later than April 1, 2011, the Comptroller General of the United States shall submit to the appropriate congressional committees a report evaluating the effectiveness of security assistance provided to Pakistan under title II of this Act during fiscal years 2010 and 2011.

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

(A) A detailed description of the expenditures made by Pakistan pursuant to grant assistance under section 23 of the Arms Export Control Act (22 U.S.C. 2763; relating to the Foreign Military Financing program).

(B) An assessment of the impact of the assistance on the security and stability of Pakistan.

(C) An evaluation of any issues of financial impropriety on behalf of personnel implementing the assistance.

(D) An assessment of the extent to which civilian authorities are involved in administration of the assistance provided by the United States.

**SEC. 307. SUNSET.**

The authority of this Act, other than section 104 and title IV of this Act, shall expire after September 30, 2013.

**TITLE IV—DUTY-FREE TREATMENT FOR CERTAIN GOODS FROM RECONSTRUCTION OPPORTUNITY ZONES IN AFGHANISTAN AND PAKISTAN**

**SEC. 401. SHORT TITLE.**

This title may be cited as the “Afghanistan-Pakistan Security and Prosperity Enhancement Act”.

**SEC. 402. DEFINITIONS; PURPOSES.**

(a) DEFINITIONS.—In this title:

(1) AGREEMENT ON TEXTILES AND CLOTHING.—The term “Agreement on Textiles and Clothing” means the Agreement on Textiles and Clothing referred to in section 101(d)(4) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(4)).

(2) CATEGORY; TEXTILE AND APPAREL CATEGORY NUMBER.—The terms “category” and “textile and apparel category number” mean the number assigned under the U.S. Textile and Apparel Category System of the Office of Textiles and Apparel of the Department of Commerce, as listed in the HTS under the applicable heading or subheading (as in effect on September 1, 2007).

(3) CORE LABOR STANDARDS.—The term “core labor standards” means—

(A) freedom of association;

(B) the effective recognition of the right to bargain collectively;

(C) the elimination of all forms of compulsory or forced labor;

(D) the effective abolition of child labor and a prohibition on the worst forms of child labor; and

(E) the elimination of discrimination in respect of employment and occupation.

(4) ENTERED.—The term “entered” means entered, or withdrawn from warehouse for consumption, in the customs territory of the United States.

(5) ENTITY.—The term “entity” means—

(A) a natural person, corporation, company, business association, partnership, society, trust, any other nongovernmental entity, organization, or group, whether or not for profit;

(B) any governmental entity or instrumentality of a government; and

(C) any successor, subunit, or subsidiary of any entity described in subparagraph (A) or (B).

(6) HTS.—The term “HTS” means the Harmonized Tariff Schedule of the United States.

(7) NAFTA.—The term “NAFTA” means the North American Free Trade Agreement con-

cluded between the United States, Mexico, and Canada on December 17, 1992.

(8) RECONSTRUCTION OPPORTUNITY ZONE.—The term “Reconstruction Opportunity Zone” means any area that—

(A) solely encompasses portions of the territory of—

(i) Afghanistan; or

(ii) 1 or more of the following areas of Pakistan:

(I) the Federally Administered Tribal Areas;

(II) areas of Pakistan-administered Kashmir that the President determines were harmed by the earthquake of October 8, 2005;

(III) areas of Baluchistan that are within 100 miles of Pakistan's border with Afghanistan; and

(IV) the North West Frontier Province;

(B) has been designated by the competent authorities in Afghanistan or Pakistan, as the case may be, as an area in which merchandise may be introduced without payment of duty or excise tax; and

(C) has been designated by the President as a Reconstruction Opportunity Zone pursuant to section 403(a).

(b) PURPOSES.—The purposes of this title are—

(1) to stimulate economic activity and development in Afghanistan and the border region of Pakistan, critical fronts in the struggle against violent extremism;

(2) to reflect the strong support that the United States has pledged to Afghanistan and Pakistan for their sustained commitment in the global war on terrorism;

(3) to support the 3-pronged United States strategy in Afghanistan and the border region of Pakistan that leverages political, military, and economic tools, with Reconstruction Opportunity Zones as a critical part of the economic component of that strategy; and

(4) to offer a vital opportunity to improve livelihoods of indigenous populations of Reconstruction Opportunity Zones, promote good governance, improve economic and commercial ties between the people of Afghanistan and Pakistan, and strengthen the Governments of Afghanistan and Pakistan.

**SEC. 403. DESIGNATION OF RECONSTRUCTION OPPORTUNITY ZONES.**

(a) AUTHORITY TO DESIGNATE.—The President is authorized to designate an area within Afghanistan or Pakistan described in section 402(a)(8) (A) and (B) as a Reconstruction Opportunity Zone if the President determines that—

(1) Afghanistan or Pakistan, as the case may be, meets the eligibility criteria set forth in subsection (b);

(2) Afghanistan or Pakistan, as the case may be, meets the eligibility criteria set forth in subsection (c) of section 502 of the Trade Act of 1974 (19 U.S.C. 2462(c)) for designation as a beneficiary developing country under that section and is not ineligible under subsection (b) of such section; and

(3) designation of the area as a Reconstruction Opportunity Zone is appropriate taking into account the factors listed in subsection (c).

(b) ELIGIBILITY CRITERIA.—Afghanistan or Pakistan, as the case may be, meets the eligibility criteria set forth in this subsection if that country—

(1) has established, or is making continual progress toward establishing—

(A) a market-based economy that protects private property rights, incorporates an open rules-based trading system, and minimizes government interference in the economy through measures such as price controls, subsidies, and government ownership of economic assets;

(B) the rule of law, political pluralism, and the right to due process, a fair trial, and equal protection under the law;

(C) economic policies to—

(i) reduce poverty;

(ii) increase the availability of health care and educational opportunities;

(iii) expand physical infrastructure;  
 (iv) promote the development of private enterprise; and

(v) encourage the formation of capital markets through microcredit or other programs;

(D) a system to combat corruption and bribery, such as ratifying and implementing the United Nations Convention Against Corruption; and

(E) protection of core labor standards and acceptable conditions of work with respect to minimum wages, hours of work, and occupational health and safety;

(2) is eliminating or has eliminated barriers to trade and investment, including by—

(A) providing national treatment and measures to create an environment conducive to domestic and foreign investment;

(B) protecting intellectual property; and  
 (C) resolving bilateral trade and investment disputes;

(3) does not engage in activities that undermine United States national security or foreign policy interests;

(4) does not engage in gross violations of internationally recognized human rights;

(5) does not provide support for acts of international terrorism; and

(6) cooperates in international efforts to eliminate human rights violations and terrorist activities.

(c) **ADDITIONAL FACTORS.**—In determining whether to designate an area in Afghanistan or Pakistan as a Reconstruction Opportunity Zone, the President shall take into account—

(1) an expression by the government of the country of its desire to have a particular area designated as a Reconstruction Opportunity Zone under this title;

(2) the capability of the country to establish a program in the area meeting the requirements of section 407(d)(3) based on assessments undertaken by the Secretary of Labor and the government of the country of such factors as—

(A) the geographical suitability of the area for such a program;

(B) the nature of the labor market in the area;  
 (C) skills requirements and infrastructure needs for operation of such a program in the area; and  
 (D) all other relevant information;

(3) whether the government of the country has provided the United States with a monitoring and enforcement plan outlining specific steps the country will take to cooperate with the United States to—

(A) facilitate legitimate cross-border commerce;

(B) ensure that articles for which duty-free treatment is sought pursuant to this title satisfy the applicable rules of origin described in section 404 (c) and (d) or section 405 (c) and (d), whichever is applicable; and

(C) prevent unlawful transshipment, as described in section 406(b)(4);

(4) the potential for such designation to create local employment and to promote local and regional economic development;

(5) the physical security of the proposed Reconstruction Opportunity Zone;

(6) the economic viability of the proposed Reconstruction Opportunity Zone, including—

(A) whether there are commitments to finance economic activity proposed for the Reconstruction Opportunity Zone; and

(B) whether there is existing or planned infrastructure for power, water, transportation, and communications in the area;

(7) whether such designation would be compatible with and contribute to the foreign policy and national security objectives of the United States, taking into account the information provided under subsection (d); and

(8) the views of interested persons submitted pursuant to subsection (e).

(d) **INFORMATION RELATING TO COMPATIBILITY WITH AND CONTRIBUTION TO FOREIGN POLICY AND NATIONAL SECURITY OBJECTIVES OF THE**

**UNITED STATES.**—In determining whether designation of a Reconstruction Opportunity Zone would be compatible with and contribute to the foreign policy and national security objectives of the United States in accordance with subsection (c)(7), the President shall take into account whether Afghanistan or Pakistan, as the case may be, has provided the United States with a plan outlining specific steps it will take to verify the ownership and nature of the activities of entities to be located in the proposed Reconstruction Opportunity Zone. The specific steps outlined in a country's plan shall include a mechanism to annually register each entity by a competent authority of the country and—

(1) to collect from each entity operating in, or proposing to operate in, a Reconstruction Opportunity Zone, information including—

(A) the name and address of the entity;

(B) the name and location of all facilities owned or operated by the entity that are operating in or proposed to be operating in a Reconstruction Opportunity Zone;

(C) the name, nationality, date and place of birth, and position title of each person who is an owner, director, or officer of the entity; and

(D) the nature of the activities of each entity;

(2) to update the information required under paragraph (1) as changes occur; and

(3) to provide such information promptly to the Secretary of State.

(e) **OPPORTUNITY FOR PUBLIC COMMENT.**—Before the President designates an area as a Reconstruction Opportunity Zone pursuant to subsection (a), the President shall afford an opportunity for interested persons to submit their views concerning the designation.

(f) **NOTIFICATION TO CONGRESS.**—Before the President designates an area as a Reconstruction Opportunity Zone pursuant to subsection (a), the President shall notify Congress of the President's intention to make the designation, together with the reasons for making the designation.

**SEC. 404. DUTY-FREE TREATMENT FOR CERTAIN NONTEXTILE AND NONAPPAREL ARTICLES.**

(a) **IN GENERAL.**—The President is authorized to proclaim duty-free treatment for—

(1) any article from a Reconstruction Opportunity Zone that the President has designated as an eligible article under section 503(a)(1)(A) of the Trade Act of 1974 (19 U.S.C. 2463(a)(1)(A));

(2) any article from a Reconstruction Opportunity Zone located in Afghanistan that the President has designated as an eligible article under section 503(a)(1)(B) of the Trade Act of 1974 (19 U.S.C. 2463(a)(1)(B)); or

(3) any article from a Reconstruction Opportunity Zone that is not a textile or apparel article, regardless of whether the article has been designated as an eligible article under section 503(a)(1)(A) or (B) of the Trade Act of 1974 (19 U.S.C. 2463(a)(1) (A) or (B)), if, after receiving the advice of the International Trade Commission pursuant to subsection (b), the President determines that such article is not import-sensitive in the context of imports from a Reconstruction Opportunity Zone.

(b) **ADVICE CONCERNING CERTAIN ELIGIBLE ARTICLES.**—Before proclaiming duty-free treatment for an article pursuant to subsection (a)(3), the President shall publish in the Federal Register and provide the International Trade Commission a list of articles which may be considered for such treatment. The provisions of sections 131 through 134 of the Trade Act of 1974 (19 U.S.C. 2151 through 2154) shall apply to any designation under subsection (a)(3) in the same manner as such sections apply to action taken under section 123 of the Trade Act of 1974 (19 U.S.C. 2133) regarding a proposed trade agreement.

(c) **GENERAL RULES OF ORIGIN.**—

(1) **IN GENERAL.**—The duty-free treatment claimed with respect to an article described in paragraph (1) or (3) of subsection (a) shall

apply to any article subject to such proclamation which is the growth, product, or manufacture of 1 or more Reconstruction Opportunity Zones if—

(A) that article is imported directly from a Reconstruction Opportunity Zone into the customs territory of the United States; and

(B)(i) with respect to an article that is an article of a Reconstruction Opportunity Zone in Pakistan, the sum of—

(I) the cost or value of the materials produced in 1 or more Reconstruction Opportunity Zones in Pakistan or Afghanistan,

(II) the direct costs of processing operations performed in 1 or more Reconstruction Opportunity Zones in Pakistan or Afghanistan, and

(III) the cost or value of materials produced in the United States, determined in accordance with paragraph (2),

is not less than 35 percent of the appraised value of the article at the time it is entered into the United States; or

(ii) with respect to an article that is an article of a Reconstruction Opportunity Zone in Afghanistan, the sum of—

(I) the cost or value of the materials produced in 1 or more Reconstruction Opportunity Zones in Pakistan or Afghanistan,

(II) the cost or value of the materials produced in 1 or more countries that are members of the South Asian Association for Regional Cooperation,

(III) the direct costs of processing operations performed in 1 or more Reconstruction Opportunity Zones in Pakistan or Afghanistan, and

(IV) the cost or value of materials produced in the United States, determined in accordance with paragraph (2),

is not less than 35 percent of the appraised value of the article at the time it is entered into the United States.

(2) **DETERMINATION OF 35 PERCENT FOR ARTICLES FROM RECONSTRUCTION OPPORTUNITY ZONES IN PAKISTAN AND AFGHANISTAN.**—If the cost or value of materials produced in the customs territory of the United States is included with respect to an article described in paragraph (1)(B), for purposes of determining the 35-percent appraised value requirement under clause (i) or (ii) of paragraph (1)(B), not more than 15 percent of the appraised value of the article at the time the article is entered into the United States may be attributable to the cost or value of such United States materials.

(d) **RULES OF ORIGIN FOR CERTAIN ARTICLES OF RECONSTRUCTION OPPORTUNITY ZONES IN AFGHANISTAN.**—

(1) **IN GENERAL.**—The duty-free treatment proclaimed with respect to an article described in paragraph (2) of subsection (a) shall apply to any article subject to such proclamation which is the growth, product, or manufacture of 1 or more Reconstruction Opportunity Zones in Afghanistan if—

(A) that article is imported directly from a Reconstruction Opportunity Zone in Afghanistan into the customs territory of the United States; and

(B) with respect to that article, the sum of—

(i) the cost or value of the materials produced in 1 or more Reconstruction Opportunity Zones in Afghanistan,

(ii) the cost or value of the materials produced in 1 or more countries that are members of the South Asian Association for Regional Cooperation,

(iii) the direct costs of processing operations performed in 1 or more Reconstruction Opportunity Zones in Afghanistan, and

(iv) the cost or value of materials produced in the United States, determined in accordance with paragraph (2),

is not less than 35 percent of the appraised value of the product at the time it is entered into the United States.

(2) **DETERMINATION OF 35 PERCENT FOR ARTICLES FROM RECONSTRUCTION OPPORTUNITY**

ZONES IN PAKISTAN AND AFGHANISTAN.—If the cost or value of materials produced in the customs territory of the United States is included with respect to an article described in paragraph (1)(B), for purposes of determining the 35-percent appraised value requirement under paragraph (1)(B), not more than 15 percent of the appraised value of the article at the time the article is entered into the United States may be attributable to the cost or value of such United States materials.

(e) EXCLUSIONS.—An article shall not be treated as the growth, product, or manufacture of 1 or more Reconstruction Opportunity Zones, and no material shall be included for purposes of determining the 35-percent appraised value requirement under subsection (c)(1) or (d)(1), by virtue of having merely undergone—

- (1) simple combining or packaging operations; or
(2) mere dilution with water or with another substance that does not materially alter the characteristics of the article or material.

(f) DIRECT COSTS OF PROCESSING OPERATIONS.—

(1) IN GENERAL.—As used in subsections (c)(1)(B)(i)(II), (c)(1)(B)(ii)(III), and (d)(1)(B)(iii), the term "direct costs of processing operations" includes, but is not limited to—

- (A) all actual labor costs involved in the growth, production, manufacture, or assembly of the article, including—
(i) fringe benefits;
(ii) on-the-job training; and
(iii) costs of engineering, supervisory, quality control, and similar personnel; and
(B) dies, molds, tooling, and depreciation on machinery and equipment which are allocable to the article.

(2) EXCLUDED COSTS.—As used in subsections (c)(1)(B)(i)(II), (c)(1)(B)(ii)(III), and (d)(1)(B)(iii), the term "direct costs of processing operations" does not include costs which are not directly attributable to the article or are not costs of manufacturing the article, such as—

- (A) profit; and
(B) general expenses of doing business which are either not allocable to the article or are not related to the growth, production, manufacture, or assembly of the article, such as administrative salaries, casualty and liability insurance, advertising, and salesmen's salaries, commissions, or expenses.

(g) REGULATIONS.—The Secretary of the Treasury, after consultation with the United States Trade Representative, shall prescribe such regulations as may be necessary to carry out this section. The regulations may provide that, in order for an article to be eligible for duty-free treatment under this section, the article—

- (1) shall be wholly the growth, product, or manufacture of 1 or more Reconstruction Opportunity Zones; or
(2) shall be a new or different article of commerce which has been grown, produced, or manufactured in 1 or more Reconstruction Opportunity Zones.

SEC. 405. DUTY-FREE TREATMENT FOR CERTAIN TEXTILE AND APPAREL ARTICLES.

(a) DUTY-FREE TREATMENT.—The President is authorized to proclaim duty-free treatment for any textile or apparel article described in subsection (b), if—

- (1) the article is a covered article described in subsection (b); and
(2) the President determines that the country in which the Reconstruction Opportunity Zone is located has satisfied the requirements set forth in section 406.

(b) COVERED ARTICLES.—A covered article described in this subsection is an article in 1 of the following categories:

(1) ARTICLES OF RECONSTRUCTION OPPORTUNITY ZONES.—An article that is the product of 1 or more Reconstruction Opportunity Zones and falls within the scope of 1 of the following textile and apparel category numbers, as set

forth in the HTS (as in effect on September 1, 2007):

Table listing HTS numbers and their corresponding category numbers, ranging from 237 to 636.

(2) ARTICLES OF RECONSTRUCTION OPPORTUNITY ZONES IN AFGHANISTAN.—The article is the product of 1 or more Reconstruction Opportunity Zones in Afghanistan and falls within the scope of 1 of the following textile and apparel category numbers, as set forth in the HTS (as in effect on September 1, 2007):

Table listing HTS numbers and their corresponding category numbers, ranging from 201 to 438.

(3) CERTAIN OTHER TEXTILE AND APPAREL ARTICLES.—The article is the product of 1 or more Reconstruction Opportunity Zones and falls within the scope of 1 of the following textile and apparel category numbers as set forth in the HTS (as in effect on September 1, 2007) and is covered by the corresponding description for such category:

(A) CATEGORY 239.—An article in category 239 (relating to cotton and man-made fiber babies' garments) except for baby socks and baby booties described in subheading 6111.20.6050, 6111.30.5050, or 6111.90.5050 of the HTS.

(B) CATEGORY 338.—An article in category 338 (relating to men's and boys' cotton knit shirts) if the article is a certain knit-to-shape garment that meets the definition included in Statistical Note 6 to Chapter 61 of the HTS, and is provided for in subheading 6110.20.1026, 6110.20.2067 or 6110.90.9067 of the HTS.

(C) CATEGORY 339.—An article in category 339 (relating to women's and girls' cotton knit shirts and blouses) if the article is a knit-to-shape garment that meets the definition included in Statistical Note 6 to Chapter 61 of the HTS, and is provided for in subheading 6110.20.1031, 6110.20.2077, or 6110.90.9071 of the HTS.

(D) CATEGORY 359.—An article in category 359 (relating to other cotton apparel) except swimwear provided for in subheading 6112.39.0010, 6112.49.0010, 6211.11.8010, 6211.11.8020, 6211.12.8010, or 6211.12.8020 of the HTS.

(E) CATEGORY 632.—An article in category 632 (relating to man-made fiber hosiery) if the article is panty hose provided for in subheading 6115.21.0020 of the HTS.

(F) CATEGORY 638.—An article in category 638 (relating to men's and boys' man-made fiber knit shirts) if the article is a knit-to-shape garment that meets the definition included in Statistical Note 6 to Chapter 61 of the HTS, and is provided for in subheading 6110.30.2051, 6110.30.3051, or 6110.90.9079 of the HTS.

(G) CATEGORY 639.—An article in category 639 (relating to women's and girls' man-made fiber knit shirts and blouses) if the article is a knit-to-shape garment that meets the definition included in Statistical Note 6 to Chapter 61 of the HTS, and is provided for in subheading 6110.30.2061, 6110.30.3057, or 6110.90.9081 of the HTS.

(H) CATEGORY 647.—An article in category 647 (relating to men's and boys' man-made fiber trousers) if the article is ski/snowboard pants that meets the definition included in Statistical Note 4 to Chapter 62 of the HTS, and is provided for in subheading 6203.43.3510, 6210.40.5031, or 6211.20.1525 of the HTS.

(I) CATEGORY 648.—An article in category 648 (relating to women's and girls' man-made fiber trousers) if the article is ski/snowboard pants that meets the definition included in Statistical Note 4 to Chapter 62 of the HTS, and is provided for in subheading 6204.63.3010, 6210.50.5031, or 6211.20.1555 of the HTS.

(J) CATEGORY 659.—An article in category 659 (relating to other man-made fiber apparel) except for swimwear provided for in subheading 6112.31.0010, 6112.31.0020, 6112.41.0010, 6112.41.0020, 6112.41.0030, 6112.41.0040, 6211.11.1010, 6211.11.1020, 6211.12.1010, or 6211.12.1020 of the HTS.

(K) CATEGORY 666.—An article in category 666 (relating to other man-made fiber furnishings) except for window shades and window blinds provided for in subheading 6303.12.0010 or 6303.92.2030 of the HTS.

(4) CERTAIN OTHER ARTICLES.—The article is the product of 1 or more Reconstruction Opportunity Zones and falls within the scope of 1 of the following statistical reporting numbers of the HTS (as in effect on September 1, 2007):

Table listing HTS numbers and their corresponding category numbers, ranging from 4202.12.8010 to 6210.10.7000.

(c) RULES OF ORIGIN FOR CERTAIN COVERED ARTICLES.—

(1) GENERAL RULES.—Except with respect to an article listed in paragraph (2) of subsection (b), duty-free treatment may be proclaimed for an article listed in subsection (b) only if the article is imported directly into the customs territory of the United States from a Reconstruction Opportunity Zone and—

(A) the article is wholly the growth, product, or manufacture of 1 or more Reconstruction Opportunity Zones;

(B) the article is a yarn, thread, twine, cordage, rope, cable, or braiding, and—

- (i) the constituent staple fibers are spun in, or
- (ii) the continuous filament fiber is extruded in,

1 or more Reconstruction Opportunity Zones;

(C) the article is a fabric, including a fabric classifiable under chapter 59 of the HTS, and the constituent fibers, filaments, or yarns are woven, knitted, needled, tufted, felted, entangled, or transformed by any other fabric-making process in 1 or more Reconstruction Opportunity Zones;

(D) the article is any other textile or apparel article that is cut (or knit-to-shape) and sewn or otherwise assembled in 1 or more Reconstruction Opportunity Zones from its component pieces.

(2) SPECIAL RULES.—

(A) CERTAIN MADE-UP ARTICLES, TEXTILE ARTICLES IN THE PIECE, AND CERTAIN OTHER TEXTILES AND TEXTILE ARTICLES.—Notwithstanding paragraph (1)(D) and except as provided in subparagraphs (C) and (D) of this paragraph, subparagraph (A), (B), or (C) of paragraph (1), as appropriate, shall determine whether a good that is classifiable under 1 of the following headings or subheadings of the HTS shall be considered to meet the rules of origin of this subsection: 5609, 5807, 5811, 6209.20.50.40, 6213, 6214, 6301, 6302, 6303, 6304, 6305, 6306, 6307.10, 6307.90, 6308, and 9404.90.

(B) CERTAIN KNIT-TO-SHAPE TEXTILES AND TEXTILE ARTICLES.—Notwithstanding paragraph (1)(D) and except as provided in subparagraphs (C) and (D) of this paragraph, a textile or apparel article that is wholly formed on seamless knitting machines or by hand-knitting in 1 or more Reconstruction Opportunity Zones shall be considered to meet the rules of origin of this subsection.

(C) CERTAIN DYED AND PRINTED TEXTILES AND TEXTILE ARTICLES.—Notwithstanding paragraph (1)(D), an article classifiable under subheading 6117.10, 6213.00, 6214.00, 6302.22, 6302.29, 6302.52, 6302.53, 6302.59, 6302.92, 6302.93, 6302.99, 6303.92, 6303.99, 6304.19, 6304.93, 6304.99, 9404.90.85, or 9404.90.95 of the HTS, except for an article classifiable under 1 of such subheadings as of cotton or of wool or consisting of fiber blends containing 16 percent or more by weight of cotton, shall be considered to meet the rules of origin of this subsection if the fabric in the article is both dyed and printed in 1 or more Reconstruction Opportunity Zones, and such dyeing and printing is accompanied by 2 or more of the following finishing operations: bleaching, shrinking, fulling, napping, decating, permanent stiffening, weighting, permanent embossing, or moireing.

(D) FABRICS OF SILK, COTTON, MAN-MADE FIBER, OR VEGETABLE FIBER.—Notwithstanding paragraph (1)(C), a fabric classifiable under the HTS as of silk, cotton, man-made fiber, or vegetable fiber shall be considered to meet the rules of origin of this subsection if the fabric is both dyed and printed in 1 or more Reconstruction Opportunity Zones, and such dyeing and printing is accompanied by 2 or more of the following finishing operations: bleaching, shrinking, fulling, napping, decating, permanent stiffening, weighting, permanent embossing, or moireing.

(d) RULES OF ORIGIN FOR COVERED ARTICLES THAT ARE PRODUCTS OF 1 OR MORE RECONSTRUCTION OPPORTUNITY ZONES IN AFGHANISTAN.—

(1) GENERAL RULES.—Duty-free treatment may be proclaimed for an article listed in paragraph (2) of subsection (b) only if the article is imported directly into the customs territory of the United States from a Reconstruction Opportunity Zone in Afghanistan and—

(A) the article is wholly the growth, product, or manufacture of 1 or more Reconstruction Opportunity Zones in Afghanistan,

(B) the article is a yarn, thread, twine, cordage, rope, cable, or braiding, and—

- (i) the constituent staple fibers are spun in, or

(ii) the continuous filament fiber is extruded in,

1 or more Reconstruction Opportunity Zones in Afghanistan;

(C) the article is a fabric, including a fabric classifiable under chapter 59 of the HTS, and the constituent fibers, filaments, or yarns are woven, knitted, needled, tufted, felted, entangled, or transformed by any other fabric-making process in 1 or more Reconstruction Opportunity Zones in Afghanistan; or

(D) the article is any other textile or apparel article that is cut (or knit-to-shape) and sewn or otherwise assembled in 1 or more Reconstruction Opportunity Zones in Afghanistan from its component pieces.

(2) SPECIAL RULES.—

(A) CERTAIN MADE-UP ARTICLES, TEXTILE ARTICLES IN THE PIECE, AND CERTAIN OTHER TEXTILES AND TEXTILE ARTICLES.—Notwithstanding paragraph (1)(D) and except as provided in subparagraphs (C) and (D) of this paragraph, subparagraph (A), (B), or (C) of paragraph (1), as appropriate, shall determine whether a good that is classifiable under 1 of the following headings or subheadings of the HTS shall be considered to meet the rules of origin of this subsection: 5609, 5807, 5811, 6209.20.50.40, 6213, 6214, 6301, 6302, 6303, 6304, 6305, 6306, 6307.10, 6307.90, 6308, and 9404.90.

(B) CERTAIN KNIT-TO-SHAPE TEXTILES AND TEXTILE ARTICLES.—Notwithstanding paragraph (1)(D) and except as provided in subparagraphs (C) and (D) of this paragraph, a textile or apparel article that is wholly formed on seamless knitting machines or by hand-knitting in 1 or more Reconstruction Opportunity Zones in Afghanistan shall be considered to meet the rules of origin of this subsection.

(C) CERTAIN DYED AND PRINTED TEXTILES AND TEXTILE ARTICLES.—Notwithstanding paragraph (1)(D), an article classifiable under subheading 6117.10, 6213.00, 6214.00, 6302.22, 6302.29, 6302.52, 6302.53, 6302.59, 6302.92, 6302.93, 6302.99, 6303.92, 6303.99, 6304.19, 6304.93, 6304.99, 9404.90.85, or 9404.90.95 of the HTS, except for an article classifiable under 1 of such subheadings as of cotton or of wool or consisting of fiber blends containing 16 percent or more by weight of cotton, shall be considered to meet the rules of origin of this subsection if the fabric in the article is both dyed and printed in 1 or more Reconstruction Opportunity Zones in Afghanistan, and such dyeing and printing is accompanied by 2 or more of the following finishing operations: bleaching, shrinking, fulling, napping, decating, permanent stiffening, weighting, permanent embossing, or moireing.

(D) FABRICS OF SILK, COTTON, MAN-MADE FIBER OR VEGETABLE FIBER.—Notwithstanding paragraph (1)(C), a fabric classifiable under the HTS as of silk, cotton, man-made fiber, or vegetable fiber shall be considered to meet the rules of origin of this subsection if the fabric is both dyed and printed in 1 or more Reconstruction Opportunity Zones in Afghanistan, and such dyeing and printing is accompanied by 2 or more of the following finishing operations: bleaching, shrinking, fulling, napping, decating, permanent stiffening, weighting, permanent embossing, or moireing.

(e) REGULATIONS.—The Secretary of the Treasury, after consultation with the United States Trade Representative, shall prescribe such regulations as may be necessary to carry out this section.

**SEC. 406. PROTECTIONS AGAINST UNLAWFUL TRANSSHIPMENT.**

(a) DUTY-FREE TREATMENT CONDITIONED ON ENFORCEMENT MEASURES.—

(1) IN GENERAL.—The duty-free treatment described in section 405 shall not be provided to covered articles that are imported from a Reconstruction Opportunity Zone in a country unless the President determines that country meets the following criteria:

- (A) The country has adopted—

(i) an effective visa or electronic certification system; and

(ii) domestic laws and enforcement procedures applicable to covered articles to prevent unlawful transshipment of the articles and the use of false documents relating to the importation of the articles into the United States.

(B) The country has enacted legislation or promulgated regulations that would permit U.S. Customs and Border Protection verification teams to have the access necessary to investigate thoroughly allegations of unlawful transshipment through such country.

(C) The country agrees to provide U.S. Customs and Border Protection with a monthly report on shipments of covered articles from each producer of those articles in a Reconstruction Opportunity Zone in that country.

(D) The country will cooperate fully with the United States to address and take action necessary to prevent circumvention, as described in Article 5 of the Agreement on Textiles and Clothing.

(E) The country agrees to require each producer of a covered article in a Reconstruction Opportunity Zone in that country to register with the competent government authority, to provide that authority with the following information, and to update that information as changes occur:

(i) The name and address of the producer, including the location of all textile or apparel facilities owned or operated by that producer in Afghanistan or Pakistan.

(ii) The telephone number, facsimile number, and electronic mail address of the producer.

(iii) The names and nationalities of the producer's owners, directors, and corporate officers, and their positions.

(iv) The number of employees the producer employs and their occupations.

(v) A general description of the covered articles of the producer and the producer's production capacity.

(vi) The number and type of machines the producer uses to produce textile or apparel articles at each facility.

(vii) The approximate number of hours the machines operate per week.

(viii) The identity of any supplier to the producer of textile or apparel goods, or fabrics, yarns, or fibers used in the production of textile or apparel goods.

(ix) The name of, and contact information for, each of the producer's customers in the United States.

(F) The country agrees to provide to U.S. Customs and Border Protection on a timely basis all of the information received by the competent government authority in accordance with subparagraph (E) and to provide U.S. Customs and Border Protection with an annual update of that information.

(G) The country agrees to require that all producers and exporters of covered articles in a Reconstruction Opportunity Zone in that country maintain complete records of the production and the export of covered articles, including materials used in the production, for at least 5 years after the production or export (as the case may be).

(H) The country agrees to provide, on a timely basis, at the request of U.S. Customs and Border Protection, documentation establishing the eligibility of covered articles for duty-free treatment under section 405.

(2) DOCUMENTATION ESTABLISHING ELIGIBILITY OF ARTICLES FOR DUTY-FREE TREATMENT.—For purposes of paragraph (1)(H), documentation establishing the eligibility of a covered article for duty-free treatment under section 405 includes documentation such as production records, information relating to the place of production, the number and identification of the types of machinery used in production, the number of workers employed in production, and certification from both the producer and the exporter.

(b) CUSTOMS PROCEDURES AND ENFORCEMENT.—

(1) IN GENERAL.—

(A) REGULATIONS.—The Secretary of the Treasury, after consultation with the United States Trade Representative, shall promulgate regulations setting forth customs procedures similar in all material respects to the requirements of article 502(1) of the NAFTA as implemented pursuant to United States law, which shall apply to any importer that claims duty-free treatment for an article under section 405.

(B) DETERMINATION.—In order for articles produced in a Reconstruction Opportunity Zone to qualify for the duty-free treatment under section 405, there shall be in effect a determination by the President that Afghanistan or Pakistan, as the case may be—

(i) has implemented and follows, or

(ii) is making substantial progress toward implementing and following,

procedures and requirements similar in all material respects to the relevant procedures and requirements under chapter 5 of the NAFTA.

(2) CERTIFICATE OF ORIGIN.—A certificate of origin that otherwise would be required pursuant to the provisions of paragraph (1) shall not be required in the case of an article imported under section 405 if such certificate of origin would not be required under article 503 of the NAFTA, as implemented pursuant to United States law, if the article were imported from Mexico.

(3) PENALTIES.—If the President determines, based on sufficient evidence, that an entity has engaged in unlawful transshipment described in paragraph (4), the President shall deny for a period of 5 years beginning on the date of the determination all benefits under section 405 to the entity, any successor of the entity, and any other entity owned, operated, or controlled by the principals of the entity.

(4) UNLAWFUL TRANSSHIPMENT DESCRIBED.—For purposes of this section, unlawful transshipment occurs when duty-free treatment for a covered article has been claimed on the basis of material false information concerning the country of origin, manufacture, processing, or assembly of the article or any of its components. For purposes of the preceding sentence, false information is material if disclosure of the true information would mean or would have meant that the article is or was ineligible for duty-free treatment under section 405.

(5) MONITORING AND REPORTS TO CONGRESS.—U.S. Customs and Border Protection shall monitor and the Commissioner responsible for U.S. Customs and Border Protection shall submit to Congress, not later than March 31 of each year, a report on the effectiveness of the visa or electronic certification systems and the implementation of legislation and regulations described in subsection (a) and on measures taken by Afghanistan and Pakistan to prevent circumvention as described in article 5 of the Agreement on Textile and Clothing.

(c) ADDITIONAL CUSTOMS ENFORCEMENT.—U.S. Customs and Border Protection shall—

(1) make available technical assistance to Afghanistan and Pakistan—

(A) in the development and implementation of visa or electronic certification systems, legislation, and regulations described in subsection (a)(1)(A) and (B); and

(B) to train their officials in anti-transshipment enforcement;

(2) send production verification teams to Afghanistan and Pakistan as necessary; and

(3) to the extent feasible, place Afghanistan and Pakistan on a relevant e-certification program.

(d) AUTHORIZATION OF APPROPRIATIONS.—To carry out subsection (c), there are authorized to be appropriated to U.S. Customs and Border Protection \$10,000,000 for each of the fiscal years 2010 through 2023.

**SEC. 407. TECHNICAL ASSISTANCE, CAPACITY BUILDING, COMPLIANCE ASSESSMENT, AND REMEDIATION PROGRAM.**

(a) DEFINITIONS.—In this section:

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

(A) the Committee on Finance and the Committee on Armed Services of the Senate; and

(B) the Committee on Ways and Means and the Committee on Armed Services of the House of Representatives.

(2) TEXTILE OR APPAREL PRODUCER.—The term “textile or apparel producer” means a producer of a covered article described in section 405(b) that is located in a Reconstruction Opportunity Zone.

(b) ELIGIBILITY.—

(1) PRESIDENTIAL CERTIFICATION OF COMPLIANCE BY AFGHANISTAN OR PAKISTAN WITH REQUIREMENTS.—Upon the expiration of the 16-month period beginning on the date on which the President designates an area within Afghanistan or Pakistan, as the case may be, as a Reconstruction Opportunity Zone under section 403(a), duty-free treatment proclaimed under section 404(a) or 405(a) for articles from such Reconstruction Opportunity Zone may remain in effect only if the President determines and certifies to Congress that Afghanistan or Pakistan, as the case may be—

(A) has implemented the requirements set forth in subsections (c) and (d) with respect to such Reconstruction Opportunity Zone; and

(B) has agreed to require textile or apparel producers in such Reconstruction Opportunity Zone to participate in the program described in subsection (d) and has developed a system to ensure participation in such program by such producers, including by developing and maintaining the registry described in subsection (c)(2)(A).

(2) EXTENSION.—

(A) INITIAL EXTENSION.—The President may extend the period for compliance by Afghanistan or Pakistan under paragraph (1) for an initial 6-month period if the President—

(i) determines that Afghanistan or Pakistan, as the case may be, has made a good faith effort toward implementing the requirements set forth in paragraph (1) (A) and (B) and has agreed to take additional steps towards implementing such requirements that are satisfactory to the President; and

(ii) provides to the appropriate congressional committees, not later than 30 days before the last day of the 16-month period specified in paragraph (1), a report identifying the additional steps that Afghanistan or Pakistan, as the case may be, has agreed to take as described in clause (i).

(B) SUBSEQUENT EXTENSIONS.—The President may extend the period for compliance by Afghanistan or Pakistan under paragraph (1) for subsequent 6-month periods if, with respect to each such extension, the President—

(i) provides an opportunity for public comment and a public hearing on the possible extension not later than 45 days before the last day of the existing 6-month extension;

(ii) consults with the Secretary of Labor and the appropriate congressional committees with respect to the possible extension not later than 45 days before the last day of the existing 6-month extension;

(iii) determines, taking into account any public comments and input received during the public hearing described in clause (i) and the consultations described in clause (ii), that extraordinary circumstances exist that preclude Afghanistan or Pakistan, as the case may be, from meeting the requirements set forth in paragraph (1) (A) and (B); and

(iv) publishes in the Federal Register a notice that describes—

(I) the extraordinary circumstances described in clause (iii);

(II) the reasons why the extraordinary circumstances preclude Afghanistan or Pakistan,

as the case may be, from meeting the requirements set forth in paragraph (1) (A) and (B); and

(III) the steps Afghanistan or Pakistan, as the case may be, will take during the 6-month period of the extension to implement the requirements set forth in paragraph (1) (A) and (B).

(3) CONTINUING COMPLIANCE.—

(A) TERMINATION OF DUTY-FREE TREATMENT.—If, after making a certification under paragraph (1), the President determines that Afghanistan or Pakistan is no longer meeting the requirements set forth in paragraph (1) (A) and (B), the President shall terminate the duty-free treatment proclaimed under section 404(a) or 405(a).

(B) CONTINUATION OF DUTY-FREE TREATMENT NOTWITHSTANDING NONCOMPLIANCE.—

(i) INITIAL 6-MONTH CONTINUATION.—Notwithstanding subparagraph (A), if, after making a certification under paragraph (1), the President determines that Afghanistan or Pakistan is no longer meeting the requirements set forth in paragraph (1) (A) and (B), the President may extend the duty-free treatment proclaimed under section 404(a) or 405(a) for an initial 6-month period if the President—

(I) determines, after consultation with the Secretary of Labor and the appropriate congressional committees, that extraordinary circumstances exist that preclude Afghanistan or Pakistan, as the case may be, from continuing to meet the requirements set forth in paragraph (1) (A) and (B); and

(II) publishes in the Federal Register a notice, not later than 30 days after making the determination under subclause (I), that describes—

(aa) the extraordinary circumstances described in subclause (I); and

(bb) the reasons why the extraordinary circumstances preclude Afghanistan or Pakistan, as the case may be, from continuing to meet the requirements set forth in paragraph (1) (A) and (B).

(ii) SUBSEQUENT 6-MONTH CONTINUATION.—The President may extend the duty-free treatment proclaimed under section 404(a) or 405(a) for a subsequent 6-month period if, with respect to such extension, the President makes a determination that meets the requirements of clause (i)(I) and publishes in the Federal Register a notice that meets the requirements of clause (i)(II).

(C) SUBSEQUENT COMPLIANCE.—If the President, after terminating duty-free treatment under subparagraph (A), determines that Afghanistan or Pakistan, as the case may be, is implementing the requirements set forth in paragraph (1) (A) and (B) and meets the requirements of section 403, the President shall reinstate the application of duty-free treatment proclaimed under section 404(a) or 405(a).

(c) LABOR OFFICIAL.—

(1) IN GENERAL.—The requirement under this subsection is that Afghanistan or Pakistan, as the case may be, has designated a labor official within the national government that—

(A) reports directly to the President of Afghanistan or Pakistan, as the case may be;

(B) is chosen by the President of Afghanistan or Pakistan, as the case may be, in consultation with labor unions and industry associations; and

(C) is vested with the authority to perform the functions described in paragraph (2).

(2) FUNCTIONS.—The functions of the labor official shall include—

(A) developing and maintaining a registry of textile or apparel producers, and developing, in consultation and coordination with any other appropriate officials of the Government of Afghanistan or Pakistan, as the case may be, a system to ensure participation by such producers in the program described in subsection (d);

(B) overseeing the implementation of the program described in subsection (d);

(C) receiving and investigating comments from any interested party regarding the conditions

described in subsection (d)(2) in facilities of textile or apparel producers listed in the registry described in subparagraph (A) and, where appropriate, referring such comments or the result of such investigations to the appropriate authorities of Afghanistan or Pakistan, as the case may be, and to the entity operating the program described in subsection (d);

(D) assisting, in consultation and coordination with any other appropriate authorities of Afghanistan or Pakistan, as the case may be, textile or apparel producers listed in the registry described in subparagraph (A) in meeting the conditions set forth in subsection (d)(2); and

(E) coordinating, with the assistance of the entity operating the program described in subsection (d), a tripartite committee comprised of appropriate representatives of government agencies, employers, and workers, as well as other relevant interested parties, for the purposes of evaluating progress in implementing the program described in subsection (d), and consulting on improving core labor standards and working conditions in the textile and apparel sector in Afghanistan or Pakistan, as the case may be, and on other matters of common concern relating to such core labor standards and working conditions.

(d) TECHNICAL ASSISTANCE, CAPACITY BUILDING, COMPLIANCE ASSESSMENT, AND REMEDIATION PROGRAM.—

(1) IN GENERAL.—The requirement under this subsection is that Afghanistan or Pakistan, as the case may be, in cooperation with the entity designated by the Secretary of Labor under paragraph (3)(A)(i), has established a program meeting the requirements under paragraph (3)—

(A) to assess compliance by textile or apparel producers listed in the registry described in subsection (c)(2)(A) with the conditions set forth in paragraph (2) and to assist such producers in meeting such conditions; and

(B) to provide assistance to improve the capacity of the Government of Afghanistan or Pakistan, as the case may be—

(i) to inspect facilities of textile or apparel producers listed in the registry described in subsection (c)(2)(A); and

(ii) to enforce national labor laws and resolve labor disputes, including through measures described in paragraph (5).

(2) CONDITIONS DESCRIBED.—The conditions referred to in paragraph (1) are—

(A) compliance with core labor standards; and

(B) compliance with the labor laws of Afghanistan or Pakistan, as the case may be, that relate directly to core labor standards and to ensuring acceptable conditions of work with respect to minimum wages, hours of work, and occupational health and safety.

(3) REQUIREMENTS.—The requirements for the program are that the program—

(A) is operated by an entity that—

(i) is designated by the Secretary of Labor, in consultation with appropriate officials of the Government of Afghanistan or Pakistan, as the case may be;

(ii) operates independently of the Government of Afghanistan or Pakistan, as the case may be;

(iii) has expertise relating to monitoring of core labor standards;

(iv) if the entity designated under clause (i) is an entity other than the International Labor Organization, is subject to evaluation by the International Labor Organization at the request of the Secretary of Labor, including—

(I) annual review of the operation of the program; and

(II) annual recommendations to the entity operating the program, the Government of Afghanistan or Pakistan, as the case may be, and the Secretary of Labor to improve the operation of the program;

(v) prepares the annual report described in paragraph (4);

(B) is developed through a participatory process that includes the labor official described in subsection (c) of Afghanistan or Pakistan, as

the case may be, and appropriate representatives of government agencies, employers, and workers;

(C) assess compliance by each textile or apparel producer listed in the registry described in subsection (c)(2)(A) with the conditions set forth in paragraph (2) and identify any deficiencies by such producer with respect to meeting such conditions, including by—

(i) conducting site visits to facilities of the producer;

(ii) conducting confidential interviews with workers and management of the facilities of the producer; and

(iii) providing to management and workers, and where applicable, worker organizations of the producer, on a confidential basis—

(I) the results of the assessment carried out under this subparagraph; and

(II) specific suggestions for remediating any such deficiencies;

(D) assist the textile or apparel producer in remediating any deficiencies identified under subparagraph (C);

(E) conduct prompt follow-up site visits to the facilities of the textile or apparel producer to assess progress on remediation of any deficiencies identified under subparagraph (C); and

(F) provide training to workers and management of the textile or apparel producer, and where appropriate, to other persons or entities, to promote compliance with paragraph (2).

(4) ANNUAL REPORT.—The annual report referred to in paragraph (3)(A)(v) is a report, by the entity operating the program, that is published (and available to the public in a readily accessible manner) on an annual basis, beginning 1 year after Afghanistan or Pakistan, as the case may be, has implemented a program under this subsection, covering the preceding 1-year period, and that includes the following:

(A) The name of each textile or apparel producer listed in the registry described in subsection (c)(2)(A) that has been in operation in the Reconstruction Opportunity Zone for at least 1 year and has been identified as having met the conditions under paragraph (2).

(B) The name of each textile or apparel producer listed in the registry described in subsection (c)(2)(A) that has been in operation in the Reconstruction Opportunity Zone for at least 1 year and has been identified as having deficiencies with respect to the conditions under paragraph (2), and has failed to remedy such deficiencies.

(C) For each textile or apparel producer listed under subparagraph (B)—

(i) a description of the deficiencies found to exist and the specific suggestions for remediating such deficiencies made by the entity operating the program;

(ii) a description of the efforts by the producer to remediate the deficiencies, including a description of assistance provided by any entity to assist in such remediation; and

(iii) with respect to deficiencies that have not been remediated, the amount of time that has elapsed since the deficiencies were first identified in a report under this subparagraph.

(D) For each textile or apparel producer identified as having deficiencies with respect to the conditions described under paragraph (2) in a prior report under this paragraph, a description of the progress made in remediating such deficiencies since the submission of the prior report, and an assessment of whether any aspect of such deficiencies persists.

(5) CAPACITY BUILDING.—The assistance to the Government of Afghanistan or Pakistan referred to in paragraph (1)(B) shall include programs—

(A) to review the labor laws and regulations of Afghanistan or Pakistan, as the case may be, and to develop and implement strategies for improving such labor laws and regulations;

(B) to develop additional strategies for protecting core labor standards and providing acceptable conditions of work with respect to minimum wages, hours of work, and occupational

safety and health, including through legal, regulatory, and institutional reform;

(C) to increase awareness of core labor standards and national labor laws;

(D) to promote consultation and cooperation between government representatives, employers, worker representatives, and United States importers on matters relating to core labor standards and national labor laws;

(E) to assist the labor official of Afghanistan or Pakistan, as the case may be, designated pursuant to subsection (c) in establishing and coordinating operation of the committee described in subsection (c)(2)(E);

(F) to assist worker representatives in more fully and effectively advocating on behalf of their members; and

(G) to provide on-the-job training and technical assistance to labor inspectors, judicial officers, and other relevant personnel to build their capacity to enforce national labor laws and resolve labor disputes.

(e) COMPLIANCE WITH ELIGIBILITY CRITERIA.—

(1) COUNTRY COMPLIANCE WITH CORE LABOR STANDARDS ELIGIBILITY CRITERIA.—In making a determination of whether Afghanistan or Pakistan is meeting the eligibility requirement set forth in section 403(b)(1)(E) relating to core labor standards, the President shall consider any reports produced under subsection (d)(4) and acceptable conditions of work with respect to minimum wages, hours of work, and occupational health and safety.

(2) PRODUCER ELIGIBILITY.—

(A) IDENTIFICATION OF PRODUCERS.—

(i) IN GENERAL.—Except as provided in clause (ii), beginning 2 years after the President makes the certification under subsection (b)(1), the President shall identify on a biennial basis whether a textile or apparel producer listed in the registry described in subsection (c)(2)(A) and in operation for at least 1 year has failed to comply with core labor standards and with the labor laws of Afghanistan or Pakistan, as the case may be, that directly relate to and are consistent with core labor standards.

(ii) EXCEPTION.—The President may identify a textile or apparel producer at any time under clause (i) if the evidence warrants such a review.

(B) ASSISTANCE TO PRODUCERS; WITHDRAWAL, ETC., OF DUTY-FREE TREATMENT.—For each textile or apparel producer that the President identifies under subparagraph (A), the President shall seek to assist such producer in coming into compliance with core labor standards and with the labor laws of Afghanistan or Pakistan, as the case may be, that directly relate to and are consistent with core labor standards. If, within a reasonable period of time, such efforts fail, the President shall withdraw, suspend, or limit the application of duty-free treatment to textile and apparel covered articles of such producer.

(C) REINSTATING DUTY-FREE TREATMENT.—If the President, after withdrawing, suspending, or limiting the application of duty-free treatment under subparagraph (B) to articles of a textile or apparel producer, determines that such producer is complying with core labor standards and with the labor laws of Afghanistan or Pakistan, as the case may be, that directly relate to and are consistent with core labor standards, the President shall reinstate the application of duty-free treatment under section 405 to the textile and apparel covered articles of such producer.

(D) CONSIDERATION OF REPORTS.—In making the identification under subparagraph (A) and the determination under subparagraph (C), the President shall consider the reports made available under subsection (d)(4).

(f) REPORTS BY THE PRESIDENT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, and annually thereafter, the President shall transmit to the appropriate congressional committees a report on the implementation of this section during the preceding 1-year period.

(2) **MATTERS TO BE INCLUDED.**—Each report required by paragraph (1) shall include the following:

(A) An explanation of the efforts of Afghanistan and Pakistan, the President, and entity designated by the Secretary of Labor to carry out this section.

(B) A summary of each report produced under subsection (d)(4) during the preceding 1-year period and a summary of the findings contained in such report.

(C) Identifications made under subsection (e)(2)(A) and determinations made under subsection (e)(2)(C).

(g) **EVALUATION AND REPORT BY SECRETARY OF LABOR.**—

(1) **EVALUATION.**—The Secretary of Labor shall evaluate the monitoring program established under this section to determine ways to improve adoption and adherence to core labor standards and acceptable conditions of work with respect to minimum wages, hours of work, and occupational health and safety. To the extent that producers of nontextile or nonapparel articles described in section 404 have established operations in Reconstruction Opportunity Zones, the report shall also evaluate options for expanding the program to include such producers.

(2) **REPORT.**—Not later than 1 year after the date on which Afghanistan or Pakistan, as the case may be, has implemented a program under this section, the Secretary of Labor shall submit to the appropriate congressional committees a report that contains the results of the evaluation required under paragraph (1) and recommendations to improve the program under this section and, if applicable, to expand the program to include producers of nontextile or nonapparel articles.

(3) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the Secretary of Labor such sums as may be necessary to carry out this subsection.

(h) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section (other than subsection (g)) \$20,000,000 for the period beginning on October 1, 2009, and ending on September 30, 2023.

#### **SEC. 408. PETITION PROCESS.**

Any interested party may file a request to have the status of Afghanistan or Pakistan reviewed with respect to the eligibility requirements listed in this title, and the President shall provide for this purpose the same procedures as those that are provided for reviewing the status of eligible beneficiary developing countries with respect to the designation criteria listed in subsections (b) and (c) of section 502 of the Trade Act of 1974 (19 U.S.C. 2462 (b) and (c)).

#### **SEC. 409. LIMITATIONS ON PROVIDING DUTY-FREE TREATMENT.**

(a) **IN GENERAL.**—

(1) **PROCLAMATION.**—Except as provided in paragraph (2), and subject to subsection (b) and the conditions described in sections 403 through 407, the President shall exercise the President's authority under this title, and the President shall proclaim any duty-free treatment pursuant to that authority.

(2) **WAIVER.**—The President may waive the application of this title if the President determines that providing such treatment is inconsistent with the national interests of the United States. In making such determination, the President shall consider—

(A) obligations of the United States under international agreements;

(B) the national economic interests of the United States; and

(C) the foreign policy interests of the United States, including the economic development of Afghanistan and the border region of Pakistan.

(b) **WITHDRAWAL, SUSPENSION, OR LIMITATION OF DUTY-FREE TREATMENT.**—The President may withdraw, suspend, or limit the application of the duty-free treatment proclaimed under this

title upon consideration of the factors set forth in section 403 (b) and (c) of this Act, and section 502 (b) and (c) of the Trade Act of 1974 (19 U.S.C. 2462 (b) and (c)). In taking any action to withdraw, suspend, or limit duty-free treatment with respect to producers receiving benefits under section 404 or 405, the President shall consider the information described in section 403(d) relating to verification of the ownership and nature of the activities of such producers and any other relevant information the President determines to be appropriate.

(c) **NOTICE TO CONGRESS.**—The President shall advise Congress—

(1) of any action the President takes to waive, withdraw, suspend, or limit the application of duty-free treatment with respect to Reconstruction Opportunity Zones in Afghanistan or Pakistan or enterprises receiving benefits under section 404 or 405; and

(2) if either Afghanistan or Pakistan fails to adequately take the actions described in section 403 (b) and (c) of this Act or section 502 (b) and (c) of the Trade Act of 1974 (19 U.S.C. 2462 (b) and (c)).

#### **SEC. 410. TERMINATION OF BENEFITS.**

Duty-free treatment provided under this title shall remain in effect through September 30, 2024.

#### **SEC. 411. CUSTOMS USER FEES.**

(a) **IN GENERAL.**—The Secretary of the Treasury shall increase the amount of fees charged and collected under section 13031(a) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(a)) for the provision of customs services in connection with imports and travel from Afghanistan and Pakistan as necessary to meet the requirements of subsection (b).

(b) **MINIMUM AMOUNT.**—The amount of the increase in fees charged and collected under the authority of subsection (a)—

(1) shall not be less than \$12,000,000 for the period beginning on the date of the enactment of this Act and ending at the close of September 30, 2014; and

(2) shall not be less than \$105,000,000 for the period beginning on the date of the enactment of this Act and ending at the close of September 30, 2019.

(c) **RULE OF CONSTRUCTION.**—The amount of the increase in fees charged and collected under the authority of subsection (a) shall be in addition to the amount of fees that would otherwise be charged and collected under section 13031(a) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(a)) for the provision of customs services in connection with imports and travel from Afghanistan and Pakistan.

(d) **TERMINATION OF AUTHORITY.**—The authority provided under subsection (a) terminates at the close of the date on which the aggregate amount of the increase in fees charged and collected under the authority of subsection (a) equals \$105,000,000.

The SPEAKER pro tempore. After 1 hour of debate on the bill, as amended, it shall be in order to consider the amendment in the nature of a substitute printed in part B of the report, if offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) or her designee, which shall be considered read, and shall be debatable for 30 minutes, equally divided and controlled by the proponent and an opponent.

The gentleman from California (Mr. BERMAN) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) each will control 30 minutes.

The Chair recognizes the gentleman from California.

#### **GENERAL LEAVE**

Mr. BERMAN. Mr. Speaker, I ask unanimous consent that all Members

may have 5 legislative days to revise and extend their remarks and include extraneous material on H.R. 1886.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BERMAN. Mr. Speaker, at this time I would like, for purposes of opening general debate, to yield to the chairman of the House Armed Services Committee, whom we have worked very closely with in putting together a bill that we can now bring to the floor, a very good bill. His help and the help of his staff, working with our staff, has really been just indispensable to the progress of this effort.

I yield 3 minutes to the gentleman from Missouri (Mr. SKELTON), the chairman of the House Armed Services Committee.

Mr. SKELTON. I thank the gentleman for yielding.

Mr. Speaker, this measure before the House today is very well one of the most important pieces of legislation that we will pass regarding national security.

I first must compliment the chairman, compliment his staff, as well as the staff of the Armed Services Committee, who worked diligently to craft this piece of legislation. It's very important because Pakistan is very important. Pakistan is important to the Middle East and our intentions there. Their cooperation, of course, is so very, very important. This legislation gives economic and democratic development assistance to that country.

What is, of course, of great interest to me is the security assistance that we have given Pakistan, some \$400 million. I will leave it to the chairman, the very able chairman, to go into the details, but I must say that it not only provides for training and financing, one part that seems to be overlooked so often is the part that deals with the international military education, which has for a period of time missed out with this country of Pakistan, which again is back on our radar, and hopefully will be of great benefit to them as well as to us. It requires certain milestones to be met.

Under the able leadership of this chairman, this is an excellent bill. I wholly endorse it. I certainly hope that we will get a very, very strong vote because the future of Pakistan is a centerpiece that we need to be successful for our efforts in that part of the world.

With that, I again thank the chairman and compliment him, as well as all those who worked on it.

Mr. BERMAN. Mr. Speaker, I thank the gentleman from Missouri, the chairman of the committee, for his kind comments, and I yield myself 3 minutes.

Mr. Speaker, the United States has an enormous stake in the security and stability of Pakistan. We can't allow al Qaeda or any other terrorist group that threatens our national security to operate with impunity in the tribal regions or any other part of Pakistan.

Nor can we permit the Pakistani state and its nuclear arsenal to be taken over by the Taliban.

To help prevent this nightmare scenario, we need to forge a true strategic partnership with Pakistan and its people, strengthen Pakistan's democrat government, and work to make Pakistan a source of stability in a volatile region. H.R. 1886 is designed to help achieve these critical goals.

This legislation would significantly expand democratic, economic, and social development assistance to help lay the foundation for a stronger, more stable Pakistan. The bill provides funding to strengthen the capacity of Pakistan's democratic institutions including its Parliament, judicial system, and law enforcement agencies. It calls for increased assistance for Pakistan's public education system, emphasis on access for women and girls. To help ensure that U.S. assistance actually reaches the Pakistani people, it requires increased auditing, greater monitoring, and better evaluation.

H.R. 1886 also provides critical security assistance to help the government of Pakistan in its fight against the extremists that threaten the national security of both Pakistan and the United States. To strengthen civilian control of the military, H.R. 1886 requires that all assistance flow through the Pakistan's elected civilian government. And to support the administration's request for additional flexibility to address Pakistan's urgent security needs, the bill authorizes funds for the Pakistan Counterinsurgency Capability Fund, or PCCF. The legislation includes some important accountability provisions to ensure that Pakistan is using our security assistance in a manner consistent with U.S. national security interests. An annual Presidential determination is required that determines whether or not Pakistan is cooperating with the United States on nonproliferation, is meeting its commitment to combat terrorist groups, and has made progress towards that end.

Contrary to what some have suggested, these are not rigid or inflexible conditions that severely constrain the military. We appreciate the urgency of the situation in Pakistan and the need for appropriate flexibility. We are simply asking Pakistan to follow through with the commitments it has already made. If their President is unable to make these determinations, then we should be asking ourselves much deeper questions about what we really hope to achieve in Pakistan.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BERMAN. I yield myself 1 additional minute.

If their President is unable to make these determinations, as I mentioned, we should be asking the deeper question of why are we doing this. By including these accountability provisions in this bill, we lay down an important marker that Congress will no longer

provide a blank check. We've had extensive conversation with the administration, with the Armed Services Committee, as I mentioned earlier, and have made a number of changes to make this legislation and this effort work better.

I want to re-enforce the notion this is not a partisan product. This is a bipartisan bill. We are honored to have two of the most thoughtful and experienced Members from the minority side, Mr. ROYCE and Mr. KIRK, as original co-sponsors of this legislation, and we hope that their actions and this debate will persuade a majority of both parties that this is an effort worth supporting.

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

Ms. ROS-LEHTINEN. Mr. Speaker, I rise in opposition to H.R. 1886, the Pakistan Enduring Assistance and Cooperation Enhancement Act of 2009, and I yield myself such time as I may consume.

Mr. Speaker, at the beginning of this debate, it's important to emphasize that Congress and the administration are united in our goals toward Pakistan. We want a long-term partnership with a modern, a prosperous, a democratic Pakistan that is at peace with itself and at peace with its neighbors. And we want a Pakistan that does not provide safe haven to al Qaeda, the Taliban, and other militant extremist groups.

□ 1245

Mr. Speaker, I appreciate the hard work that has gone into my good friend Chairman BERMAN's bill. I also recognize that both amendments in committee, as well as the manager's amendment, have made this a somewhat less objectionable instrument than it was at the outset, but it is still worthy of being objected to.

However, concerns remain, and these are not just my concerns, but they are concerns that, I understand, the White House, the Defense Department and our own intelligence agencies continue to have with H.R. 1886. These concerns are particularly acute in light of the current Pakistani military offensive against the Taliban and against other extremists in the North-West Frontier Province as well as the fact that the new policy is still evolving.

Rather than a forward-looking bill that addresses the current leadership and the current dynamics in Pakistan, this bill before us, H.R. 1886, focuses on past actions and failures attributed to the Pakistani Government, punishing the new leadership for the sins of its predecessors. That is why I will be offering a comprehensive substitute which parallels the results of the administration's strategic review and which fully funds its request for critical nonmilitary and certain military assistance to Pakistan.

Unlike the underlying bill, our measure provides the necessary flexibility for all U.S. agencies to respond quickly

and to respond effectively to rapidly unfolding developments on the ground while still retaining robust accountability and congressional oversight of these programs.

As Members will recall, on March 27, the President announced a new strategy to guide U.S. policy in Afghanistan and Pakistan. This strategy focused our efforts, the U.S. efforts, toward meeting a core goal: to disrupt, to dismantle and to defeat al Qaeda and its safe havens in Pakistan, and to prevent their return to Afghanistan or Pakistan.

As our intelligence agencies have made clear, the threats emanating from al Qaeda and from their allies in Pakistan directly endanger our homeland security, the survival of Pakistan as a modern nation-state and the security of our friends and allies around the world.

The President as well as all of his top advisers, including Secretary of State Clinton and Secretary of Defense Gates, insist that this new strategy is intended to be a framework, not a straitjacket, for U.S. policy. That is why Secretary Clinton has emphasized that the democratically-elected government in Pakistan shares our goals with respect to tackling militancy, and that is why she urged that Congress not legislate onerous conditionality that might undercut our efforts to work with Pakistanis who share the interests of the United States. That is also why Ambassador Holbrooke noted before our committee this May that certain legislative conditionality could prove seriously counterproductive.

While the authors of H.R. 1886 may have sought to empower our Pakistani partners to undertake the formidable task of fighting and winning against violent extremists, it does the opposite. Further, accountability measures for Afghanistan and Pakistan must be tightly linked to the new U.S. strategy for the region rather than outdated assessments of the situation in Pakistan and preconceived notions about the response from our Pakistani partners.

Mr. Speaker, we have gone down this road before. I recall during the Iraq debate in the last Congress Members expressed great distrust for the judgment of General Petraeus, and they sought to prejudice the surge strategy before it could even be implemented. Let us hope that this will not be repeated with respect to Pakistan and Afghanistan, as General Petraeus is now the chief of Central Command, leading the efforts of the Department of Defense in these countries and, in fact, in the broader theater.

Why does the executive branch need great flexibility in trying to execute a strategy in Pakistan? Look what is happening on the ground right now. Six weeks of fighting between the Pakistani troops and the Taliban insurgencies have forced 2 million people from their homes in the Swat Valley and in other northwestern areas.

According to Islamabad, since the operation began on April 26, 1,305 militants have been killed; 120 have been arrested; 105 soldiers have died; and 306 have been injured. In response, the extremists have launched a wave of suicide bombings and other attacks in Lahore and elsewhere across the country.

As one Pakistani writer noted, "The terrorist backlash is principally aimed at draining public support from the army's offensive in Swat and to rattle the political and military establishments, weaken national resolve and erode public support for the anti-militancy campaign."

Fortunately, Pakistan's democratic government has responded with firmness and with new resolve to persevere and to succeed in our mission. Perhaps even more importantly, anti-Taliban sentiment among the Pakistani people appears to be increasing in response to the mayhem that has been unleashed by the militants. But these gains are fragile, Mr. Speaker. Winning the peace could yet prove elusive. There could be little doubt that the political and military challenges ahead for the government and for the people of Pakistan are, indeed, profound.

That is why it is so important to provide this administration with flexible authorities to carry out its new strategy for Afghanistan and Pakistan, focusing on the strategic importance of Pakistan to the United States and to the world and focusing on the need for increased security, for increased governance and for development assistance to help us meet these vitally important goals.

Finally, the rule for this bill made in order a self-executing mechanism whereby House Resolution 1318, a bill to provide duty-free treatment for certain goods from designated Reconstruction Opportunity Zones, ROZs, in Afghanistan and Pakistan, will be incorporated into the text of H.R. 1886 even though that legislation has never even been marked up in committee.

While I support the concept of ROZs, this highly irregular maneuver is not the appropriate approach to take on this serious matter. Although we share the majority's goal, we believe that the Republican substitute that I will offer later in this debate affords the best means for the United States Congress and for the U.S. administration to work together to develop an integrated and effective assistance plan to advance our mutual interests in a democratic, stable and prosperous Pakistan that is a strong partner in the struggle against extremism and that maintains responsible controls over its nuclear weapons technology.

With that, Mr. Speaker, I reserve the balance of our time.

Mr. BERMAN. Mr. Speaker, I am very pleased to yield 3 minutes to the chairman of the Middle East and South Asia Subcommittee, the gentleman with whom I just traveled to Pakistan, the gentleman from New York (Mr. ACKERMAN).

Mr. ACKERMAN. Mr. Speaker, I rise in strong support of the legislation before us. I want to thank Chairman BERMAN for allowing me to work closely with him on this bill and, more importantly, for his producing such an excellent piece of legislation.

Some may be surprised that I am an enthusiastic supporter of this bill to assist Pakistan. Over the years, I have been, unashamedly, one of the most persistent and aggressive critics of Pakistan's government and of the previous administration's policies for dealing with it. I remain deeply concerned about much of Islamabad's behavior, ranging from its cozy relations with native terrorist groups to its obsessive belief that India intends to devour Pakistan. None of Pakistan's governments have demonstrated a persuasive commitment to internal political or economic reform or to anything approaching real acceptance of the rule of law.

Pakistan has been, at best, an obstreperous partner on the subject of proliferation, and like many, I fail to understand what possible reason they could have that could justify the stonewalling we've faced regarding the A.Q. Khan proliferation network. I continue to believe that Pakistan's interest in F-16 aircraft is akin to a fetish.

Nevertheless, I am a strong supporter of the bill. Why? Very simply, it is time our partnership with Pakistan connects directly to the Pakistani people. Our previous strategy of depending wholly upon the government of Pakistan to fight a war most of its people detest is not sustainable, and I believe it has contributed significantly to the political instability in that country.

This bill sets the stage for the United States to work with Pakistan to promote long-term development and infrastructure projects in all areas of Pakistan, to establish a real counterinsurgency and counterterrorism strategy and to ensure U.S. access to individuals suspected of engaging in nuclear proliferation. This legislation will help Pakistan gain control of its under-governed areas, and it will ensure accountability for all U.S. assistance to Pakistan.

In addition to requiring the President to develop a real security strategy and to regularly report back to Congress on the effectiveness of our military assistance, the act prohibits such assistance until Pakistan demonstrates its commitment to shared security goals. There are also strong oversight and audit requirements for the State Department and for USAID, and there is a requirement for the U.S. Comptroller General to report independently on the effectiveness of our security assistance.

This bill is a tremendous step forward for us in our efforts to bring peace and stability to South Asia. I would hope that every Member would support this legislation. I thank the chairman.

Ms. ROS-LEHTINEN. Mr. Speaker, at this time, I am pleased to yield 5 min-

utes to the gentleman from Indiana (Mr. BURTON), the ranking member of the Subcommittee on the Middle East and South Asia.

(Mr. BURTON of Indiana asked and was given permission to revise and extend his remarks.)

Mr. BURTON of Indiana. Mr. Speaker, first of all, let me congratulate our chairman on crafting a bill that, in large part, is very good. It increases aid to Pakistan by triple in some areas, and I think it's very positive. It deals with economic and humanitarian assistance that will help Pakistan build schools, roads and hospitals, and it will help Pakistan's economic infrastructure. All of that is good. I know that the President and the administration support that as well.

But unfortunately—here comes the "but" part—unfortunately, the chairman and our Democrat colleagues decided to load this bill up with ill-conceived provisions to micromanage U.S. security assistance to Pakistan, as the ranking member just said. This is not just my opinion. The Secretary of Defense, Mr. Gates, and the chairman of the Joint Chiefs of Staff, Mr. Mullen, wrote the Armed Services Committee last month. Here is what they said:

"The degree of conditionality and limitations on security assistance to Pakistan" in H.R. 1886 "severely constrains the flexibility necessary for the executive branch and the Department of Defense given the fluid and dynamic environment that exists in Pakistan."

Mr. BERMAN. Will the gentleman yield? After yesterday, why wouldn't you?

Mr. BURTON of Indiana. I will in a minute. Do you remember last night when I asked you to yield? But that's okay. I will yield to you in a minute just to show you what kind of a guy I am.

Anyhow, this is a very difficult time over there. I would like to say to my chairman, if he could see this—Mr. Chairman, I hope that you can see this. It's very important that we look at the situation on the ground in Pakistan right now.

The green area is the area that the government controls. The brown area is the area that the Taliban controls. The tan area is where there is a strong Taliban presence. The yellow is where there are federally supported tribal areas. Of course, up here in the north is the blue North-West Frontier Province.

If we lose this, if we lose this here, you've got a heck of a problem in Afghanistan. That's the entire border with Afghanistan. If you lose that, then the President's goal to stabilize and to win the war in Afghanistan is going to go right down the tubes, and this micromanaging that you're doing in this bill is not going to be helpful.

Now, in the past, I have not agreed with Senator KERRY. In fact, I can't remember ever agreeing with Senator KERRY. But just to let you know that there is some bipartisan opposition, I want to read to you what he said. Senate Foreign Relations Chairman JOHN

KERRY, Democrat of Massachusetts, the author of similar Senate legislation, Senate bill 962, said, it's "overly restrictive" and "counterproductive."

"It sends a message in the Pakistani body politic that the people of Pakistan say, 'Well . . . we're just doing their (U.S.) bidding, we're their lackeys, we're not in control.'"

I think that's counter to the kind of message that we want to send to Pakistan right now.

□ 1300

This is a very difficult time. This is not just a debate between the chairman and the ranking member and me. This is war and peace. It's the survivability of Pakistan as an independent country. It's winning or losing the war in Afghanistan. And we have to remember that Pakistan is a nuclear power. If the Taliban is successful in this area, not only will Afghanistan go down the tubes, but in likelihood, they will have control of some nuclear weapons. I know we've got precautions that are being taken to stop that. But in the event this takes place and we lose control of those nuclear weapons, we've got a real possible conflagration for the whole area in that part of the world.

So I would like to say to the chairman, and I hope in conference committee this is changed, that this micromanaging that you're doing to try the tell the Pakistani Government how to conduct its military operations in Pakistan, that that is limited or stopped.

Mr. BERMAN. Will the gentleman yield?

Mr. BURTON of Indiana. I will be happy to yield.

Mr. BERMAN. This isn't for a polemic. It's really just to take what you said.

Number one, I agree completely with the urgency of it. If I didn't—we don't have a lot of money—we would not be authorizing these sums. We share your sense of the urgency of the situation.

Secondly, the letter you cite is correct. The letter is not correct, but the existence of the letter is correct. But it was addressed to a bill that had been introduced. Since the introduction of the bill, we have gone through elaborate negotiations with the House Armed Services Committee. To deal with some of the issues that letter was concerned about, we have worked through, both in the supplemental and in the authorizing committee—

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. ROS-LEHTINEN. I will give the gentleman an additional 1 minute because we do want to clarify Senator KERRY's statements.

Mr. BURTON of Indiana. Let me just say to my colleague that there is an unnecessary limitation relating to Pakistan's F-16 program that could be dealt with by nonlegislative means, which you're dealing with that in this bill. It shows that there is no trust: a limitation on State Department-funded

assistance unless Pakistan meets certain conditions relating to non-proliferation, counterterrorism, and other issues.

Mr. BERMAN. Good things.

Mr. BURTON of Indiana. I don't understand you.

Mr. BERMAN. Ensuring that the mission that we are equipping and training for is committed to a counterinsurgency, not an arms race in South Asia.

Mr. BURTON of Indiana. All I can say, if you read the bill and you listen to the debate and listen to even what Senator KERRY says, with whom I don't agree with very much, you see that there is too much micromanaging in this bill.

This is a war over there, and we should be supporting our ally in every way possible so the Taliban isn't victorious.

Mr. BERMAN. Mr. Speaker, I am very pleased to yield to someone who, like the previous speaker, the gentleman from Indiana, has spent a great deal of time in Pakistan looking at the situation. She chairs the Pakistan Caucus. She joined our congressional delegation in Pakistan in the month of April and speaks with great knowledge and experience on this subject, the gentlelady from Texas, Ms. SHEILA JACKSON-LEE, for 3 minutes.

Ms. JACKSON-LEE of Texas. I thank very much the distinguished chairman of the full committee for both his insight and his leadership, and my good friend, the subcommittee chairman, Mr. ACKERMAN, and my doubly good friend, Mr. BURTON, who was just on the floor of the House who shares with me this commitment to Pakistan.

Mr. Speaker, the reason why we must go forward today is for the very reason that our colleagues have been addressing themselves to our colleagues, if you will. We have a crisis, a dire crisis in Pakistan. There is no time for us to quarrel over what really are minimal differences, if you will. Right now, as we speak, 2½ million people are homeless. They are fleeing the conflicts in the Swat area that has been initiated by the Pakistani Government that is standing not for America, but is standing for the freedom of her people. And we must applaud these actions.

We must look to the leadership of the President, the leadership of the Secretary of State, who has a strong commitment to Pakistan, the policies of this new government. Our government is to recognize Pakistan as an ally. And so 1886 is a bill that recognizes comprehensively that we have an equal ally that is fighting against terrorism within their borders.

I have been to Peshawar, Islamabad, and any number of the sites visiting with leaders around the Nation. I have been to the schools that are trying to replace the madrasas. And in this legislation, we have, for example, a Pakistan development and prosperity fund.

Just 3 weeks ago, a hundred-plus members of the Pakistani community met in New York to talk about how

they can provide social services to that nation. As we speak, there are medical doctors from the Pakistani-American community that are leaving their homes here in the United States to go to Pakistan to help these refugees.

So let us look at the big picture that this legislation provides. The prosperity fund, yes, there are conditionalities, but I would suggest that they are refrained from the issues that the distinguished Member in the other body spoke to, and we're going to work even further.

But if our colleagues appreciate the fact that there are dire conditions that the Pakistan military is fighting the terrorists, they will help us pass 1886. This bill refers, itself, to the nuclear materials and requires the protecting of those materials. Do we want to leave that willy-nilly?

This particular legislation also, in essence, helps to protect women and girls, to provide more resources for women and girls. It helps to deradicalize the youth. This legislation is a stopgap to the crisis and the emergency.

I ask my colleagues to read it. This bill should be passed.

I urge you to support H.R. 1886, The Pakistan Enduring Assistance and Cooperation Enhancement Act. H.R. 1886 establishes a new, more positive framework for U.S.-Pakistan relations. The legislation establishes a set of principles that should govern the U.S.-Pakistan relationship, including the actions that the two countries should take to maintain a robust, relevant and lasting relationship. The bill is comprised of three titles.

The first title provides Economic, Social and Democratic Development Assistance for Pakistan; the second title provides Security Assistance for Pakistan; and the third title requires the President to develop a regional security strategy; provides for enhanced monitoring, evaluation, and auditing of U.S. assistance; requires a Presidential report on Pakistan, including an evaluation on Pakistan's progress in counterterrorism and an assessment of whether assistance provided to Pakistan is in any way facilitating the expansion of Pakistan's nuclear weapons program; and requires that all assistance to Pakistan be provided through a civilian government in Pakistan established by free and fair elections.

Pakistan is a critical ally of the United States. For too long, however, our relationship with Pakistan has been one of fits and starts, depending on events in the region and who happens to be in power in Pakistan. It is time for us the United States to forge a truly strategic partnership with Pakistan, one that goes beyond our mutual interest today in counterinsurgency and counterterrorism and speaks to the everyday needs of the average Pakistani.

H.R. 1886 accomplishes these objectives. The legislation would significantly expand economic, social and democracy assistance to help lay the foundation for a stronger, more stable Pakistan. In particular, the bill authorizes a Pakistan Democracy and Prosperity Fund, a permanent fund in the U.S. Treasury for which the United States, along with other interested nations, nongovernmental organizations and even private citizens, can contribute

to the prosperous future of Pakistan. The fund also provides additional flexibility to the State Department in order to provide such assistance, thereby responding to the ever dynamic situation Pakistan faces with its on going efforts to counter a domestic insurgency and provide humanitarian care for its displaced people.

As much as we must focus on the internal conflicts in Pakistan, we must not forget the external issues affecting the region as a whole and the need for stabilization.

Over the years, U.S. assistance to Pakistan has fluctuate with political events, sending mixed messages and leading most Pakistanis to question both our intentions and our staying power. Today, many Pakistanis believe the United States will cut and run when it serves our purpose, a belief which undermines our longterm efforts to defeat extremists, foster democratic change, and support transparent and accountable institutions that promote security and stability in Pakistan.

However, the status quo is not working: many in the United States believe we are paying too much and getting too little—and most Pakistanis believe exactly the opposite. Without changing this baseline, there is little likelihood of drying up popular tolerance for anti-U.S. terrorist groups or persuading Pakistani leaders to devote the political capital necessary to deny such groups sanctuary and covert material support.

The bill helps bridge a sustainable U.S.-Pakistan partnership through an increased focus on public diplomacy and engagement. H.R. 1886 authorizes a new exchange program for Pakistani civil servants and military officers in order to foster greater respect for and understanding of the principle of civilian rule in Pakistan's military. By building bridges to Pakistan and its people, the legislation is intended to provide a new, more positive framework for U.S.-Pakistan relations. Finally, the bill authorizes an extensive increase in military assistance to help Pakistan wage an effective counterinsurgency campaign against those forces that threaten Pakistan's national security.

This legislation establishes a new, more positive framework for U.S.-Pakistan relations. The legislation establishes a set of principles that should govern the U.S.-Pakistan relationship, including the actions that the two countries should take to maintain a robust, relevant and lasting relationship.

#### RECONSTRUCTION OPPORTUNITY ZONES

It is important to note that the rule incorporated into this bill a modified version of H.R. 1318, Afghanistan-Pakistan Security and Prosperity Enhancement Act. These provisions create Reconstruction Opportunity Zones (ROZs) in Afghanistan and Pakistan, where non-trade-sensitive exports would be permitted to enter the U.S. duty-free.

From a broader foreign policy perspective, the ROZ initiative constitutes an affirmation of the importance of the United States attaches to Pakistan and Afghanistan via a long term effective economic program that is directly aimed at improving the lives of its people. ROZs work toward achieving counterinsurgency policy goals, as job creation in these areas would counter al-Qaeda and Taliban recruitment efforts by offering alternatives to joining the insurgency. Such job creation and will serve as positive reinforcement for young people on a path toward building a solid future

in Pakistan where these young people would otherwise turn to extremism as their way of life.

Moreover, it should be noted that the AFL-CIO does not oppose ROZs, as these zones assist in achieving the delicate balance of helping Pakistan establish a better economy, while simultaneously respecting trade restrictions here in the United States. On the premise of a new friendship between the United States and Pakistan, we need to support H.R. 1886. The ROZ initiative open avenues for employment and job growth in Afghanistan and Pakistan, and its impact will help shut down paths that lead to terrorism, warlords and the drug trade. Additionally, I was a co-sponsor of the original ROZ bill and maintain its importance.

#### AMENDMENT LANGUAGE

I have worked tirelessly with Chairman BERMAN to include several key provisions in this important legislation. First, I am pleased that the Chairman has included language from my past amendments in the legislation which states that the United States recognizes the recent major efforts that Pakistan has taken in the SWAT area. Second, my language included in the former manager's amendment includes language on page 40 in section 206 which states that any limitations on the dispensation of military funds to Pakistan should be modified or reconsidered if Pakistan has made rapid compliance with the objectives contained in the section (i.e., those objectives that lead to cooperation with the United States). Additionally, the legislation includes important language on page 19 that funding for education must be used for the education of school girls between the ages of 10–20 and that the money should be used to make sure that these girls stay in school.

I have also worked closely on the Manager's Amendment to H.R. 1886, which includes important language that funding for rehabilitation programs is designed to deter military insurgency. It is imperative that United States security assistance for Pakistan should be used for the creation of militant rehabilitation programs designed to rehabilitate insurgents and to prevent youth from turning to militancy from the onset. Such militant rehabilitation programs shall be implemented by moderate Islamic clerics, in keeping with Islamic tradition. United States security assistance for Pakistan should further be used to create incentives for steering insurgents away from militancy by providing financial support and job assistance for those militants who effectively renounce their subscription to militancy. I would urge that my colleagues support the Manager's Amendment. I believe that it contains language that would be of benefit to the Pakistani people.

#### CODELS TO PAKISTAN

I have been to Pakistan many times. My belief in this country and its relationship with the United States drove me to co-chair the Pakistan Caucus. This year alone, I have participated in two Congressional Delegation Trips to Pakistan, and I am very passionate about diplomatic relations between our two countries.

Benazir Bhutto, shortly before her death, said that "The next few months are critical to Pakistan's future direction as a democratic state committed to promoting peace, fighting terrorism and working for social justice. Democracy is necessary to peace and to under-

mining the forces of terrorism." I had the pleasure of knowing the late Benazir Bhutto and losing her in death was truly a tragedy felt beyond Pakistan. She made this statement over two years ago, yet is relevant today more than ever.

On May 19, 2009, Secretary of State Hillary Clinton announced \$110 million in emergency assistance for the South Asia nation of Pakistan, including aid for civilians fleeing a military offensive against Taliban militants in the northwest. The United Nations refugee agency issued a report stating that more than 1.4 million people in the North West Frontier Province (NWFP) have been registered as displaced since May 2, describing the flood as the largest and swiftest to take place anywhere in the world in recent years.

The newly-registered internally displaced persons (IDP) took the total number of those who have fled their homes in the SWAT valley and surrounding areas to 2 million.

I am hopeful that the \$110 million in emergency assistance will get to the people on the ground and will be of assistance to them. It is important that the people of Pakistan see that the aid is coming from America to give a face to this aid. It is essential to global security and the security of the United States.

The surge of IDPs followed the launch of a military offensive in late April. President Asif Ali Zardari acted after U.S. officials stepped up warnings that Islamabad's willingness to tolerate and negotiate peace deals with the militants was endangering both Pakistan and the wider region. The Taliban fighting spread to NWFP districts and SWAT.

President Obama's new approach to Pakistan is different than anything that has been tried before. America has expressed that it will support the democratically-elected government and it will have a clear and transparent relationship.

In conclusion, I urge you to support H.R. 1886, the Pakistan Enduring Assistance and Cooperation Enhancement Act, which seeks to and effectively establishes a new, more positive and enduring framework for U.S.-Pakistan relations.

Ms. ROS-LEHTINEN. Before yielding time to my distinguished friend from Florida, I would like to clarify that Senator KERRY was indeed referring to the bill as amended to the text we're considering today. And further, much reference has been made to the Armed Services Committee, as the gentleman knows from Florida, but the Armed Services minority did not sign off on the bill before us due to pending concerns.

And with that, I am proud to yield 5 minutes to the gentleman from Florida (Mr. MILLER), the ranking member on the Armed Services Subcommittee on Terrorism and Unconventional Threats.

Mr. MILLER of Florida. I thank the ranking member, and I appreciate you bringing up the fact that our friends on the majority are, again, talking about the bipartisan efforts that have been made with the Armed Services Committee, all of the extensive negotiations that have taken place. I serve on the Armed Services Committee. I am the ranking member, as Ms. ROS-

LEHTINEN just said. There has been absolutely no negotiation with any member of the minority side of the House Armed Services Committee.

You know, it sounds like a great thing to support when you look at the bill, at least the title of the bill, but when you start looking at it, reading it, listening to the people who it actually is going to affect, like General David Petraeus who I met at CENTCOM last week and had an opportunity to talk to him about these specific issues, he said it is going to tie their hands, not allow us to do what we need to do and the military needs to do to train and assist in this very important issue.

Nobody, I think, has any qualms or quarrels with the majority side saying this is something that needs to be done. The issue is a jurisdictional problem with regards to whether State or DOD has input or actually controls what goes on in this program.

Look, I've been to Pakistan and Afghanistan three times in the last year. I understand what's going on there. I know how hard the Pakistanis are fighting to control what's going on in their country. We need to do what we can do to help with the counterinsurgency problem. But it's my understanding that the President does not support this particular piece of legislation and, as has already been said on the floor today, that Senator KERRY does not support this particular piece of legislation.

So those are the facts. Others may not want to necessarily address those facts and say that they are, in fact, true, but they are. And I heard a Member on the floor of the House yesterday trying desperately to get Members to understand and believe that Foreign Service members, as a whole, are actually on the front lines.

Look, the State Department cannot compel any State Department employee to go into a combat zone. This is a DOD issue. This is a counterinsurgency issue. It needs to be in the basket, if you will, of the Department of Defense. The majority's tendency to use diplomacy for every single thing should not result in a career State Department bureaucrat running a military counterinsurgency operation. It just shouldn't be so.

Look, as I said, they can't legally compel their people to go into a combat zone, but what they do is they use money for programs to fly Muslim people from the United States of America to Sweden to talk about issues in regards to Islamic outreach, which I have serious concerns with that particular program, but that's the State Department and that's what they want to do. I think they probably would have thought that the diplomatic efforts that Pakistan made in the Swat Valley was the thing that we should have done. It was not something that should have been done, and we know the Taliban broke the truce real quickly after that was done.

But look, the Department of State should not be taking the lead in this vital issue. It should be the Department of Defense. And I think that, ultimately, Members of this body on both sides of the aisle understand that.

So I urge a defeat of this flawed particular piece of legislation.

The SPEAKER pro tempore. Without objection, the gentleman from New York (Mr. ACKERMAN) may control the time of the gentleman from California (Mr. BERMAN).

There was no objection.

Mr. ACKERMAN. Mr. Speaker, I am pleased to yield 2 minutes to the gentlelady from California (Ms. WATSON.)

Ms. WATSON. I rise today in support of H.R. 1886, the Pakistan Enduring Assistance and Cooperation Enhancement Act, called PEACE, of 2009.

Since President Barack Obama took the reins of our Nation, he has begun to lead us in a new era of foreign policy based on the theme: listen, learn, then lead.

This bill introduced by Chairman BERMAN is the beginning of this new era of American foreign policy which will give the President the tools he needs to bring peace and long-lasting stability to Pakistan. The PEACE Act authorizes the President to provide assistance for Pakistan to enhance economic development, human rights, cultural and educational programs, the judicial system, and democratic institutions in order to strengthen civilian rule and long-term stability.

This bill does not allow Pakistan to use any of this assistance to upgrade or buy new F-16s or upgrade its nuclear arsenal. The reporting requirements in the PEACE Act provide the necessary oversight provisions which require Pakistan's government and the Obama administration to inform Congress on the progress and uses of our assistance.

I urge my colleagues to support H.R. 1886.

Ms. ROS-LEHTINEN. I reserve the balance of our time.

Mr. ACKERMAN. Mr. Speaker, I am pleased at this time to yield 2 minutes to the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY of Virginia. I thank my colleague, Mr. Speaker, and I rise in support of H.R. 1886, the Pakistan Enduring Assistance Cooperation Act, and I congratulate our chairman, Mr. BERMAN, for his leadership.

This bill is a national security bill. It authorizes military assistance to help Pakistan disrupt and defeat al Qaeda and insurgent elements, including the Taliban, and requires that the majority of such assistance be focused on critical counterinsurgency and counterterrorism efforts.

□ 1315

Additionally, the bill requires that all military assistance flow through the democratically elected Government of Pakistan.

The legislation includes accountability measures for military assist-

ance, including a requirement that the Government of Pakistan demonstrate a sustained commitment to combating terrorism. The bill aligns Pakistan's defense goals with ours by conditioning military aid. Specifically, the bill provides \$400 million a year in military aid on the condition that Pakistan cooperate in dismantling nuclear supply networks and fighting terrorist groups. The bill will not provide funding for Pakistan to build its forces on the eastern border with India, as the real threat lies on the western border. To this end, the bill would bar the use of foreign military financing to buy or upgrade F-16 fighter jets with the exception of money to finish a 2006 deal.

I understand the concerns about Pakistan's commitment to fighting terrorism. I myself have concerns about Pakistan's nuclear arsenal and its past history of proliferation. This is why, at my request, the report language accompanying this bill specifically mentions the A.Q. Khan proliferation network as a source of concern in the United States and that representatives of the United States must have access to him because they have not interviewed him.

Pakistan, Mr. Speaker, is a key partner in South Asian security. Clearly, recent events in the Swat Valley demonstrate that stability in the region is not just an American concern. We must move ahead with clear expectations and goals, as this bill enumerates, to ensure that U.S. aid is being used in the most effective manner possible. Ultimately, this will benefit both the Pakistani people and U.S. strategic interests. This bill, H.R. 1886, does that; and I urge my colleagues to support it.

Ms. ROS-LEHTINEN. Mr. Speaker, before yielding to my good friend from Texas, I would like to point out, as the previous speaker noted, this is supposed to be a national security bill, yet the majority tagged on a trade bill to it, and then, under the rule, attaches it to the State bill.

I am proud to yield 2 minutes to the gentleman from Texas (Mr. BRADY), the ranking member on the Ways and Means Subcommittee on Trade.

Mr. BRADY of Texas. Mr. Speaker, I rise in opposition to this bill due to the last-minute addition of the Pakistan Afghanistan Recovery Opportunity Zone bill.

While I commend Congressman VAN HOLLEN for his hard work and his strong commitment to this very important legislation, I am concerned the bill fails to encourage significant investment in the Afghan and Pakistan regions under the new trade program. And I say that as someone who believes that trade can be a powerful tool to help developing countries lift themselves up out of poverty. Unfortunately, I believe this bill will discourage economic development and investment because it includes some dangerous eligibility criteria that will drive away investment and require each firm, including U.S. firms, there

to meet labor standards that could exceed U.S. law in such a way that will create a dangerous precedent that could be applied to our own free-trade agreements, making U.S. labor laws vulnerable to challenge from foreign countries.

And the scope of the eligible products in the bill, unfortunately, have been whittled down—I know there have been difficult negotiations to try and broaden that—and it imposes fees on certain Pakistan products in return for sales of others; again, sort of, I think, a trade-off that has been difficult to swallow.

I am concerned that this measure, despite its excellent intentions—and again, very hard work from Congressman VAN HOLLEN—will fall short of its objectives to bring economic stability to this very difficult region.

I would point out, too, we are doing a lot to open up America to foreign countries. We've had six votes to open up America to foreign sales, but no votes to open up other countries to what we sell. It's not enough to buy American; we need to sell American products throughout the world. And in this economic recession, we have three pending trade agreements that would allow us to sell \$11 billion of American products around the world to create jobs here in the United States that are being held up, not brought to a vote on the floor. We need to get our priorities right. As we help lift countries up, let's lift American jobs up as well.

The SPEAKER pro tempore. Without objection, the gentleman from California (Mr. BERMAN) reclaims his time from the gentleman from New York (Mr. ACKERMAN).

There was no objection.

Mr. BERMAN. Mr. Speaker, I am very pleased to yield 3 minutes to the ranking member of the Terrorism Non-proliferation and Trade Subcommittee of the Foreign Affairs Committee, a cosponsor of the legislation and another member of the congressional delegation that went to Pakistan last month. In fact, everybody who went to Pakistan with me is supporting this bill. I should have taken more people. But I yield to the gentleman from California (Mr. ROYCE).

Mr. ROYCE. I rise in support of this very important legislation, and I think there are a few points that we should keep in mind.

The first is that Pakistan is a tinderbox; its government is very weak, and social and economic trends are moving in the wrong direction and that is fostering extremism. The Pakistan Government has killed many militants over the last few weeks, but the insurgency remains potent. And, clearly, Pakistan is going to be troubled for some time.

Second, this region is the center of international terrorism. And most importantly, Pakistan has a growing nuclear arsenal. Now, we can either stay engaged and try to shape events, or go to the sidelines and see a bad situation become a possible disaster.

Third, to date, Pakistan has taken us for a ride. Since 9/11, we have provided Pakistan with some \$12.3 billion. We spent billions before that. I've been to Pakistan a number of times; I have seen what has happened without conditions. I have also seen the need there. A school that I visited in the North-West Frontier has now been blown up, and madrasas now educate kids there in jihad. I have been to Peshawar. I've been to the regions where this militancy has to be confronted.

Little has improved without conditions, and there has been significant waste and corruption. So this legislation is the proposal we have with the best conditions. It best conditions that aid. It takes the position that while we must work with the Pakistani Government, our experience demands greater accountability from that government. No blank checks. That the Pakistan Government denounces this bill's conditions, frankly, should be a selling point.

I do, however, have one significant reservation. The trade provision that the Rules Committee majority added to this bill is sheer window dressing. As this bill goes to conference with the Senate, as the process continues, this trade provision must be liberalized. Increasing trade should be an important goal.

In short, the situation in Pakistan is dire, and with its nuclear arsenal, the stakes could not be any higher. We need all the accountability we can get. And that's why I support this bill.

Ms. ROS-LEHTINEN. Mr. Speaker, I am so proud to yield 3 minutes to the gentleman from Michigan (Mr. CAMP), the ranking member on the Committee on Ways and Means.

Mr. CAMP. I thank the gentlewoman for yielding.

I strongly oppose H.R. 1886, in particular, language inserted at the Rules Committee to create a new, but poorly designed, trade preference program for Afghanistan and Pakistan.

While I would support a well-designed program to create jobs and spur economic development, this legislation is deeply flawed. First, it brings virtually no economic benefit because the product mix is stingy—an economic fig leaf that should fool no one.

My second objection is even more fundamental. While the bill is light on commercial benefits, it is heavy on intrusive, impractical labor requirements that could exceed U.S. law. Now, I very much support improving labor conditions; but these new, unnecessarily onerous labor criteria would impede investment and won't improve labor conditions.

Specifically, this legislation requires the Secretary of Labor to designate any entity to conduct firm-level inspections in Afghanistan and Pakistan to ensure compliance with "core labor standards," even an NGO hostile to trade. This vague language subjects firms to arbitrary standards that could exceed U.S. law—I repeat, that could

exceed U.S. law. Given the dire security situation there, having inspectors go from door to door, even cottage to cottage, to enforce such standards strains credibility.

Moreover, this standard exceeds the labor provisions in other preference programs and even our trade agreements negotiated under the bipartisan May 10 standard for FTAs both lauded by the Speaker and Chairman RANGEL. It could be viewed as a precedent to justify the inclusion of similar language, not only in new trade agreements, but perhaps even in efforts to revise existing ones, which would, of course, apply to us as well, leaving the United States vulnerable to challenges that our labor laws don't meet this standard.

I am also concerned about the pay-for. For every dollar of duty relief that reconstruction opportunity zone exports from these countries receive, other Pakistani and Afghan exports have to pay at least that amount in increased fees, making these countries potentially worse off than they are right now.

Lastly, I am disappointed that this is my first opportunity to explain my concerns. This bill was not even considered by the Ways and Means Committee, which, again, it's not about the committee but again this denies the American people their voice. This is not the return to regular order we were promised by the Speaker. And I fear this is not the last time this month I will be on the floor raising that concern.

The provision also subverts the prerogatives out of the House by turning an aid bill into a revenue measure, ripe for mischief when it gets to the other side of the Capitol.

Because of all of this, I strongly oppose the legislation in its current form. I urge my colleagues to vote against the measure.

Mr. BERMAN. Mr. Speaker, I am pleased to yield 2 minutes to the principal cosponsor of the legislation, the gentleman from Illinois (Mr. KIRK).

Mr. KIRK. I thank the chairman.

I want to praise the chairman and his team for putting together a bipartisan bill regarding our assistance to Pakistan. This is a very critical region for the United States and assistance is authorized under this legislation, and necessary. But as was stated before, when Colin Powell called the President of Pakistan right after September 11, he offered a choice: you're either with us or against us. And President Musharraf picked well. Under that arrangement, we did provide \$12 billion to Pakistan but largely without strings attached. And the Pakistani effort against the militants, especially in the frontier autonomous region, was initially aggressive but then petered out. The United States was providing \$16 million a month to the Pakistani military but after 2005 was receiving little benefit.

Under the new government, that is, unquestionably, a democratic government, I think we have a more stable partner to deal with in the war on terror, specifically in what the Pentagon would call the "al Qaeda core." With this new government really representing the essence of the Pakistani middle class, we now take on their true aspirations in which the central issue for the long term is not nuclear competition with India, but how quickly Pakistan is falling behind India's rising economic growth.

In that view, then, a bunch of radicals ruining the economic and business climate of Pakistan is a mortal danger to the future income of Pakistanis. On that basis, a war on terror is solidly grounded in democracy, in the Pakistani middle class, and the joint interest to the United States. But this bill reflects what we have learned over the last 5 years, that strings should be attached, that benchmarks should be established, that we should have accountability in that very difficult part of the world.

I will also praise this bill because it is probably the only free trade bill this Congress will adopt, and it represents a true bipartisan will that will help add to the employment of Pakistan and stability of that country.

Mr. BERMAN. Mr. Speaker, I am very pleased to yield 2 minutes to the vice Chair of the Subcommittee on Terrorism, Nuclear Nonproliferation, and International Trade of the Foreign Affairs Committee, the gentleman from Georgia (Mr. SCOTT).

Mr. SCOTT of Georgia. Mr. Chairman, thank you very much.

This is really the most critical, the most important piece of legislation facing us right now. The situation in Pakistan is very tenuous; it is very critical. We have before us a very significant piece of legislation that has been expertly crafted. Yes, trade is a part of it because trade is important at this time to make sure that we are able to help sustain the economy of Pakistan at this very critical time.

Pakistan is in a fragile situation. Military aid is in here, yes, because Pakistan needs this. But we have the safeguards here because, let me just say, the other side mentioned something a little while back about the Department of Defense and their role. Let us go back for an example in Afghanistan.

In Afghanistan, we do not want another repeat of the very significant problem that the Department of Defense had in Afghanistan with losing—yes, losing—significant military equipment to the Taliban.

□ 1330

The U.S. taxpayers deserve better, and in this bill we are giving them better. We are giving the oversight. In essence, we are making sure that aid that we give to Pakistan is properly used, that oversight is in place, that benchmarks are in place. We're making

sure that any entity that is being used, whether it's military or certainly their nuclear weapons, do not fall into terrorists' hands or into other hands. We've made sure, under the leadership of Ms. LEE, who's on this committee, with the chairman's manager's amendment, that we have safeguards in here to make sure that none of these funds are used to even expand their nuclear capacity.

This is an extraordinary bill at an extraordinary time. It is heavily bipartisan, and I commend the chairman on an excellent piece of legislation.

The SPEAKER pro tempore. The gentleman from California has 7½ minutes remaining. The gentlewoman from Florida has 6½ minutes remaining.

Ms. ROS-LEHTINEN. I yield myself as much time as I may consume.

Mr. Speaker, as we have noted here on the floor, too often the relationship between the United States and Pakistan has been characterized by mutual frustration engendered by a growing trust gap. And while the leaderships of the two countries place a high value on our relationship, their publics and their legislatures have viewed each other with suspicion and depicted each other as unreliable allies. But with the advent of a new administration, both in Pakistan and in the United States, we're offered a window of opportunity to redefine, to recalibrate relations.

Both sides need to guard against unrealistic expectations but be prepared to engage in an honest dialogue; and therein lies the rub, Mr. Speaker. As a Pakistani civil society leader and a close confidant of the late Benazir Bhutto has said, "Conditioning aid turns on its head the very rationale for assistance to stabilize Pakistan and empower it to deal more effectively with security challenges. An approach that treats Pakistan from the paradigm of 'hired help' rather than 'valued ally' is deeply counterproductive. It only reinforces the transactional nature of ties that are so resented by Pakistanis."

Mr. Speaker, our overarching goal should and, indeed, must be—do no harm. Unfortunately, the bill before us could hamper, rather than help, vital U.S. security and strategic objectives regarding Pakistan and Afghanistan.

With that, I reserve the balance of my time.

Mr. BERMAN. Mr. Chairman, I am very pleased to yield 2 minutes to a member of the committee, my friend from California, the gentlewoman BARBARA LEE.

Ms. LEE of California. Mr. Speaker, first let me thank the chairman for his very effective work on this bill and for your leadership and for really bringing this forward to the committee so that all of us could have an opportunity to weigh in, and talk about, and amend, and include many of the provisions that we believe allowed us to come to this floor today to support this bill.

I believe, like many believe, that addressing Pakistan, rather than an esca-

lation of the war in Afghanistan, is a much more effective way to address terrorism and our national security. I'm greatly encouraged by the goals of this legislation, which aims to put United States "smart power" to work, which many of us have been talking about for many years. The smart power. This helps to reshape our relationship with Pakistan based on a long-term commitment to social, economic and political development. The legislation integrates key benchmarks and limitations absent in previous aid packages which resulted in really \$10 billion in United States aid since 2001, yielding little or no results or progress on many fronts in Pakistan. So you can imagine why some of us initially were very skeptical of this.

This legislation also seeks to reshape the U.S.-Pakistan relationship by shifting unconditional United States military assistance away from this historical trend of exclusively unconditional military assistance. I want to make that point very clear. This is not unconditional. This is conditional. And it also provides a two-to-one ratio in terms of the development assistance, economic assistance, social and democratic priorities, which we all believe we should support.

Simply put, this bill really reflects the sentiments shared by many of my colleagues, that the national security of our Nation hinges upon much more than military might. Instead, it hinges upon the success of diplomatic and development efforts around the globe.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. BERMAN. I yield the gentlewoman 30 additional seconds.

Ms. LEE of California. Let me just say that as a supporter of nonproliferation efforts all of my life, I am very pleased and want to thank Chairman BERMAN for working with myself and other members of the committee to address the concerns regarding the potential expansion of Pakistan's nuclear program. I wanted to make sure that the possible fungibility of these funds was not a factor. In President Obama's bold and brilliant speech in Cairo last week, he strongly reaffirmed America's commitment to seek a world in which no nation holds nuclear weapons. So we wanted to make sure that that was the case here with Pakistan in this bill and that we minimized any type of fungibility of funds.

Ms. ROS-LEHTINEN. Mr. Speaker, I'm pleased to yield 1 minute to the gentleman from California (Mr. ROHRABACHER), the ranking member of the Subcommittee on International Organizations, Human Rights and Oversight.

Mr. ROHRABACHER. I rise in opposition to this effort to send billions of more dollars to Pakistan. I have reached my threshold with Pakistan. We have sent them billions upon billions of dollars, and we still have an anti-American sentiment all the way through that government. They were

our friends during the Cold War. Yes, they sided with us against the Soviet Union. The Cold War is over. It is long over. And since that time, the leaders of Pakistan have allied themselves with the most radical elements of Islam who hate the United States; and the Pakistani officials and the ISI, their CIA, have been working in conjunction with these radical Islamicists in Saudi Arabia and elsewhere ever since. We should not be sending them billions and billions of more dollars. We should be seeking, instead, to start relying on relationships with India, Russia and other countries that will be more reliable allies. I'm sorry that I'm having to say that we should be writing off a country like this. Let's focus on Afghanistan and quit sending billions of dollars to Pakistanis.

Mr. BERMAN. Mr. Speaker, I yield myself 15 seconds.

Just remember, a decision at this point to give up on Pakistan, it is Pakistan that is providing sanctuary for the people who are fighting us in Afghanistan. It is Pakistan who has nuclear weapons.

I now yield 2 minutes to the gentleman from Texas (Mr. AL GREEN).

Mr. AL GREEN of Texas. Thank you, Mr. Chairman.

I'm supporting this legislation because it addresses both war and peace. And if I may, I'd like to focus on the peace initiative because, truth be told, the great issue of our time is not whether a superpower can police the world. A superpower can police the world. The great issue of our time is whether a superpower can bring peace to the world.

This piece of legislation helps us not only with war but also with peace because it helps us with economic development. It helps us to give people the opportunity to take care of themselves and sustain themselves, but it also helps us with education. The wealth of a nation is the education of its people. It helps us to bring the peace and stability that will be needed when the war is over. War can help us to provide a certain degree of security, but it won't provide the salvation that we need to have the peace.

I support this bill because it helps us when the war is over to have the peace and stability that Pakistan will need. I thank you, Mr. Chairman. It's a great piece of legislation.

The SPEAKER pro tempore. The gentleman from Florida has 3½ minutes remaining.

Ms. ROS-LEHTINEN. At this point I am very pleased to yield 2 minutes to Mr. HUNTER of California.

Mr. HUNTER. Mr. Speaker, let me say this: I have served in Iraq two times as a United States Marine, and I served in Afghanistan once. When I was over there in 2007, I was fighting, and in October of 2007, word came across from here in the States that said several hundred State Department employees expressed their resentment over a policy that could force them to

serve in Iraq or they might lose their jobs. They actually called going over to Iraq and Afghanistan a potential death sentence. So these are State Department employees, diplomats—the same ones we're asking to go to Pakistan and Afghanistan, which is arguably the most dangerous area right now in the entire world. We're asking them to go over, the exact same people who called going over to Iraq a potential death sentence.

I would equate this to sending diplomats to Katrina-destroyed New Orleans in 2005 instead of the National Guard. We're going to send diplomats to Louisiana. We aren't going to send the National Guard. We aren't going to send emergency services. We're going to send diplomats. So as opposed to giving General Petraeus, as the President asked for, funding to help out in Pakistan and Afghanistan, we're going to send diplomats so they can talk to the Taliban and they can talk to al Qaeda. They can talk to the mad men who cut off people's heads. That's what the State Department is going to do.

This is the wrong move. The Republicans have it right this time. Give the President full authority. Let him come up with a plan, and let General Petraeus implement that. The Republican substitute is the right way to go. We need to make sure that Pakistan is fighting for Pakistan and that Pakistan doesn't think it's only fighting for American dollars. That's what we need to do.

Once more, as a United States Marine that saw State Department ineptness and cowardice while I was in Afghanistan, it's almost personally insulting that we're going to pull the funding from General Petraeus and give it to those State Department cronies.

The SPEAKER pro tempore. The gentleman from Florida has 1½ minutes remaining. The gentleman from California has ¾ minutes remaining.

Mr. BERMAN. Mr. Chairman, I am very pleased to yield 2 minutes to the gentleman who has made a significant contribution to this legislative effort, the gentleman from Wisconsin (Ms. MOORE).

Ms. MOORE of Wisconsin. Mr. Speaker, I want to thank Chairman BERMAN for working with me so closely to include provisions in H.R. 1886 to ensure that the empowerment, protection and human rights of women are an important purpose for our aid to Pakistan and to help address the high rate of maternal mortality in Pakistan.

As Secretary of State Clinton noted earlier this year, the status of women and girls is a key indicator of whether or not progress is even possible in a society. We simply can't solve the global problems confronting us—from the worldwide financial crisis to the risk of climate change, chronic hunger, disease, poverty—when the energies and talents of hundreds of millions of people, half the world's population is left behind.

According to the World Health Organization, maternal mortality is an indicator of disparity and inequity between men and women and reflects a woman's so-called place in society and their ultimate access to social health, nutritional services and to economic opportunities. In this case, Pakistan's maternal mortality rate speaks of the great challenges facing Pakistani women.

□ 1345

Over 400 women die per 100,000 live births in Pakistan, and, for comparison, that is compared to 11 per 100,000 in the United States.

It is the aim of my amendment to make clear that the U.S. aid authorized in this bill addresses this challenge. We need to make it unmistakably clear, Mr. Speaker, that addressing that nation's high child and maternal mortality rates is a key part of our assistance to Pakistan. We know that these interventions will save these women's lives and ultimately save the nation.

Again, I thank the chairman for his support.

The SPEAKER pro tempore. The gentleman from California (Mr. BERMAN) has 1¼ minutes remaining and the right to close, and the gentlewoman from Florida (Ms. ROS-LEHTINEN) has 1½ minutes remaining.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I feel like I am experiencing *deja vu*. The seemingly same arguments that opponents of General Petraeus and his Iraq surge strategy used just under 2 years ago about Iraqis and the Iraqi government and their commitment to fighting extremist groups, they are making an appearance today in this Chamber with respect to Pakistan.

U.S. commanders have just begun to assess the situation on the ground to determine the need to implement that new strategy, and some of the speakers today are already tying the U.S.' hands while prejudging the response of Pakistan. We should be focusing on success, on prevailing against al Qaeda, prevailing against the Taliban, not anticipating failure.

While the authors of this bill seek to empower our Pakistani partners to confront insurgency and militarism, I feel that this bill will actually inadvertently have a counterproductive impact by potentially making the Pakistani government appear subservient to the United States, as Senator KERRY suggested. This bill could weaken Pakistani democracy as well as could potentially fuel paranoia, wild conspiracy theories that help give rise to that country's visceral and deep-seated anti-American feelings.

So I urge my colleagues to look at this bill, examine carefully what we are doing to our military, what we are doing to this new administration, and come to the correct conclusion that they should oppose this bill.

Mr. BERMAN. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, just a few points. There was reference here to the F-16s. There is nothing in this bill that prohibits the Pakistanis from deciding to buy more F-16s. Two years ago they signed a contract indicating that that is what they were going to do. What this legislation does is say other than some specific adjustments particularly to deal with utilizing the F-16s they already have, in the counterinsurgency, we are not going to give our taxpayer dollars for a weapons system, an airplane, whose counterinsurgency interests are far less important than other equipment or training we could be providing.

Secondly, Admiral Mullen came to see me about the problems of utilizing the traditional security assistance program for providing the kind of equipment that is needed for the counterinsurgency in Pakistan. As a result of the case he made, we have created and worked with the Armed Services Committee to create an entire fund that waives every provision of law in the foreign military financing program so that we can get this equipment and training to the Pakistanis.

Pakistan is an urgent problem, but doing it right, not just doing it carelessly, is the way to go. I urge that this bill be supported.

Ms. JACKSON-LEE of Texas. Mr. Speaker, thank you for affording me this opportunity to address the Rules Committee and explain my amendment to H.R. 1886, the "Pakistan Enduring Assistance and Cooperation Act".

My amendment is a simple but important addition to this important legislation, which I believe can be supported by every member of this Committee.

My amendment would foster counterterrorism efforts in Pakistan with the creation of militant rehabilitation programs designed to rehabilitate insurgents and to prevent youth from turning to militancy from the onset. Financial support and job opportunities will be provided to graduates of the rehabilitation programs as incentives for steering insurgents away from militancy.

H.R. 1886 establishes a new, more positive framework for U.S.-Pakistan relations. The legislation establishes a set of principles that should govern the U.S.-Pakistan relationship, including the actions that the two countries should take to maintain a robust, relevant and lasting relationship. The bill is comprised of three titles.

The first Title provides Economic, Social and Democratic Development Assistance for Pakistan; the second Title provides Security Assistance for Pakistan; and the third Title requires the President to develop a regional security strategy; provides for enhanced monitoring, evaluation, and auditing of U.S. assistance; requires a Presidential report on Pakistan, including an evaluation on Pakistan's progress in counterterrorism and an assessment of whether assistance provided to Pakistan is in any way facilitating the expansion of Pakistan's nuclear weapons program; and requires that all assistance to Pakistan be provided through a civilian government in Pakistan established by free and fair elections.

I urge you to support my amendment.

Mr. DRIER. Mr. Speaker, this week we are considering a number of foreign policy bills that affect critically important issues. Yesterday we considered H.R. 2410, the State Department Reauthorization Act. Today we are considering two proposals, which have been joined together in one bill, H.R. 1886, to provide assistance to Pakistan. The first proposal provides funding to help Pakistan develop its institutions and provide economic development for its people, in order to help combat the growing terrorist threat that is within its borders and that fuels the conflict in Afghanistan. The second proposal also seeks to bolster development in Pakistan, as well as Afghanistan, by creating duty-free zones along their shared border to encourage new investment and provide access to the U.S. market.

These are all very worthy ideas. Foreign assistance, particularly capacity building, plays a critical role in bolstering our national security, when it is done right. By helping our partners in the developing world to strengthen the rule of law, build transparent and accountable institutions, and spur the kind of economic development that improves standards of living, we help to tear down the foundations of terrorism and tyranny and combat the radicalism that threatens the safety of all Americans.

Our efforts in Pakistan are particularly important, not only because of the implications for the war in Afghanistan, where our troops are in harm's way, but because it is a nuclear-armed state. The stakes couldn't be higher. If Pakistan's democratically elected government were to be taken over by the terrorists in their midst, the consequences would be almost unthinkable. Creating economic opportunity and real alternatives to terrorism in Pakistan and elsewhere in the developing world is a vital national security concern. Unfortunately, the bills that we are considering this week are fundamentally flawed. The State Department Reauthorization bill, rather than pursuing meaningful reform to make our foreign assistance more effective, simply expanded government spending and bureaucracy at an untenable rate. It also included a number of highly controversial provisions, yet the rule did not provide for debate or consideration of amendments on those issues. As a result, I could not support this bill.

The two proposals on Pakistan before us today are even more problematic. The first, while providing vital funding in a key region, ties the hands of our military and attempts to micromanage interagency efforts from 7000 miles away. This is a counterproductive and potentially fatal error to make. The second proposal, which proposes new duty-free zones for textile and household products, is counterproductive as well.

While the idea behind it is a very good one, the actual program proposed has three key flaws—it excludes the top products that are made in Pakistan, rendering the program ineffective; it imposes such restrictive and unworkable labor provisions that it undermines the proposed program and sets a very bad precedent for future trade preference bills; and finally, it imposes new tariffs on the very Pakistani businesses that we are trying to help, in order to pay for the elimination of tariffs in other categories of products. This bill would take with one hand while it attempts to appear to give with the other. This is not a workable proposal. It will not spur development in Pakistan, and could actually hurt those companies

that are currently creating the only economic opportunity that exists in Pakistan. It would also set a very dangerous precedent for future attempts to spur development and poison our efforts to create opportunity elsewhere in the developing world.

All three foreign policy proposals before us this week represent nothing more than three very unfortunate missed opportunities. I am truly disappointed that we have not had the opportunity to get these bills right, as they deal with such critically important issues. I hope very much that in the future, we can have an open, bipartisan process that allows us to effectively and appropriately deal with the key national security issue of foreign assistance.

Mr. VAN HOLLEN. Mr. Speaker, I rise today in support of the Afghanistan-Pakistan Security and Prosperity Enhancement Act. The legislation, originally introduced as H.R. 1318, was subsequently incorporated into H.R. 1886, to authorize Democratic, Economic and Social Development Assistance for Pakistan, introduced by Congressman BERMAN, the Chairman of the Committee on Foreign Affairs. This legislation is aimed at protecting our homeland and those of our allies in the fight against Al-Qa'ida and the Taliban in Afghanistan and Pakistan by providing tools for economic development.

We worked with the Bush Administration to craft the framework of this legislation. This initiative was subsequently embraced by President Obama who specifically incorporated it into his counterinsurgency strategy for Pakistan and Afghanistan. This bill authorizes the President of the United States to designate specific trade zones, known as Reconstruction Opportunity Zones (ROZs), in Afghanistan and in certain regions of Pakistan to create economic opportunities.

These ROZs will allow qualified businesses duty-free access into U.S. markets for designated products, thereby providing significant employment opportunities where few currently exist. A ROZ program could go a long way to bolster economic development in this critical region of the world where extremists have tried to exploit the lack of economic opportunities to gain recruits for their radical agenda.

Enhanced security efforts by the United States, as well as a strong foreign and military assistance program, are needed to disrupt and weaken Al-Qa'ida and the Taliban. These extremist groups exploit the poor socio-economic conditions, such as high unemployment, in the border areas, to gain adherents to their nefarious causes. With no meaningful alternatives, young men in particular are vulnerable to their entreaties.

This legislation was endorsed by the Washington Post in an editorial on March 22, 2009. Moreover, in a letter to the Speaker this week, Ambassador Richard Holbrooke, the State Department, Special Representative for Afghanistan and Pakistan, reiterated the Administration's support and noted that "ROZs are an important component of the President's comprehensive national security strategy in Afghanistan and Pakistan, and we need enactment of ROZ legislation as quickly as possible to help facilitate success."

I urge all Members of the House to support this valuable program and vote for this bill today. I ask unanimous consent to insert, into the RECORD, the speech of President Obama, the letter of Ambassador Holbrooke and the Washington Post editorial with my statement.

DEPARTMENT OF STATE,  
Washington, DC, June 10, 2009.

Hon. NANCY PELOSI,  
Speaker, House of Representatives.

DEAR MADAM SPEAKER: Thank you for giving me the opportunity on Monday to discuss legislation creating Reconstruction Opportunity Zones (ROZs) in Afghanistan and Pakistan, and to reiterate the Administration's support. As you know, the House version (H.R. 1318) of this bipartisan legislation is sponsored by Representative Chris Van Hollen. Allow me to reaffirm, in writing, the key points, in the hope they will be useful as you proceed.

First, let me emphasize that ROZs are a vital component of our policy toward Pakistan in a moment of great challenge, indeed crisis, for that critically important nation. Pakistan's stability and security are directly related to our own national security and the ROZ legislation addresses issues central to the very area in which, at present, there are well over 2 million internal refugees and in which the Taliban and al-Qaeda are operating.

Military power alone cannot bring peace to Afghanistan and Pakistan. ROZs are an important component of the President's comprehensive national security strategy in Afghanistan and Pakistan, and we need enactment of ROZ legislation as quickly as possible to help facilitate success. As the President put it earlier this year in calling for Congress to enact this bipartisan bill, ROZs will "develop the economy [in the border regions] and bring hope to places plagued by violence."

By spurring economic growth and job creation, ROZs will provide legitimate job opportunities in high-unemployment, high-poverty areas in Pakistan and Afghanistan where livelihood choices are extremely limited. We need ROZs now—economic opportunities must be expanded to quickly follow up military operations with economic development to prove to populations in critical targeted areas that there are benefits to defeating the militants. Simply put, ROZs are crucial to the "build" part of our "clear-hold-build" counterinsurgency efforts and will help us to assist the Governments of Pakistan and Afghanistan to create conditions on the ground that will help marginalize the insurgents.

ROZs will enhance our "whole of government" strategy and will be a highly visible example of U.S. commitment to the long-term prosperity of the Afghan and Pakistani peoples. On my trips to Pakistan and Afghanistan, I hear a constant refrain from all quarters in these societies about the importance of this legislation, including the signal its passage would send about the strength of the long-term relationships between our peoples.

Thank you again for your leadership. I am committed to working with you and other Congressional leaders to quickly enact Pakistan and Afghanistan ROZs into law.

Sincerely,

RICHARD C. HOLBROOKE,  
Special Representative for  
Afghanistan and Pakistan.

[From the Washington Post, Mar. 22, 2009]

#### PLOWSHARES FOR PEACE

As the Obama administration formulates its strategy for Pakistan and Afghanistan, pretty much everyone agrees that spurring the economy in both countries—creating jobs—is key to defusing militancy. The usual prescription is more foreign aid, which is sure to figure in any new plan. But what doesn't always get acknowledged in these discussions is that such aid often doesn't do much good. The United States wasted bil-

ions of dollars in Iraqi reconstruction aid, and given the dangerous environment—which discourages inspection and monitoring—you can expect a rerun in Afghanistan and Pakistan. A more effective way to boost both economies would be to allow them to export their products tariff-free into the United States. But that idea arouses the enmity of U.S. labor unions, which means that it's not going to get far in a Democratic Congress.

Enter Rep. Chris Van Hollen, Montgomery County Democrat and member of the House leadership, with a practical alternative. Mr. Van Hollen, with co-sponsors, has introduced legislation to create "reconstruction opportunity zones" within both countries. Certain products, including some (not all) textiles, produced within the zones would enjoy duty-free access to the U.S. market for 15 years. This would encourage investment by local businessmen, who best know the terrain, and create jobs. There's no better formula for discouraging Taliban recruitment.

It's not a magic formula, of course. The investment areas have to be drawn widely enough to make the prospect of investment realistic; if you limit them to the most intense battle zones, you're not going to see many jobs created. The bigger they are, though, the likelier the bill will arouse union opposition, so the politics are tricky. Mr. Van Hollen and his co-sponsors—including Reps. Sander M. Levin (D-Mich), Peter Hoekstra (R-Mich.) and Mark Steven Kirk (R-Ill.)—have tried to find the sweet spot, and their bill also insists that any factories in the zones meet core international standards in their treatment of workers.

Maybe the strongest argument for the opportunity zones is that there is no down side; the worst that could possibly happen is they don't trigger much investment. But they would immediately provide a signal of U.S. commitment—the governments of both countries strongly support the idea—and they could have a substantial positive effect reasonably quickly, at almost no cost to the U.S. Treasury. Congress and the administration should get behind this idea.

#### OBAMA ANNOUNCES NEW AFGHANISTAN, PAKISTAN STRATEGIES

President BARACK OBAMA. Good morning. Please be seated.

Before I begin today, let me acknowledge, first of all, Your Excellencies, all the ambassadors who are in attendance. I also want to acknowledge both the civilians and our military personnel that are about to be deployed to the region. And I am very grateful to all of you for your extraordinary work.

I want to acknowledge General David Petraeus, who's here, and has been doing an outstanding job at CENTCOM. We appreciate him. I want to thank Bruce Riedel. Bruce is down at the end here, who has worked extensively on our strategic review.

I want to acknowledge Carl Eikenberry, who's here, and is our ambassador designate to Afghanistan, and to my national security team. Thanks for their outstanding work.

Today, I'm announcing a comprehensive new strategy for Afghanistan Pakistan. And this marks the conclusion of careful policy review led by Bruce that I ordered as soon as I took office. My administration has heard from our military commanders as well as our diplomats. We consulted with the Afghan and Pakistani governments, with our partners, and our NATO allies and with other donors and international organizations. We've also worked closely with members of Congress here at home.

And now I'd like to speak clearly and candidly to the American people. The situation is increasingly perilous. It's been more than

seven years since the Taliban was removed from power yet war rages on and insurgents control parts of Afghanistan and Pakistan. Attacks against our troops, our NATO allies, and the Afghanistan government has risen steadily.

And, most painfully, 2008 was the deadliest year of the war for American forces. Many people in the United States and many in partner country that have sacrificed so much have a simple question. What is our purpose in Afghanistan? Of so many years, they ask why do our men and women still fight and die there? They deserve a straightforward answer.

So let me be clear. Al Qaida and its allies, the terrorists who planned and supported the 9/11 attacks are in Pakistan and Afghanistan. Multiple intelligence estimates have warned that Al Qaida is actively planning attacks on the United States homeland from its safe haven in Pakistan. And if the Afghan government falls to the Taliban or allows Al Qaida to go unchallenged, that country will again be a base for terrorists who want to kill as many of our people as they possibly can.

The future of Afghanistan is inextricably linked to the future of its neighbor Pakistan. In the nearly eight years since 9/11, Al Qaida and its extremist allies have moved across the border to remote areas of the Pakistani frontier. This almost certainly includes Al Qaida's leadership, Osama bin Laden and Ayman al-Zawahiri. They have used this mountainous terrain as a safe haven to hide, to train terrorists, and communicate with followers, to plot attacks, and to send fighters to support the insurgency in Afghanistan.

For the American people, this border region has become the most dangerous place in the world. But this is not simply an American problem, far from it. It is, instead, international security challenge of the highest order.

Terrorist attacks in London, in Bali were tied to Al Qaida and its allies in Pakistan as were attacks in North Africa and the Middle East, in Islamabad and in Kabul. If there is a major attack on an Asian, European, or African city it, too, is likely to have ties to Al Qaida leadership in Pakistan.

The safety of people around the world is at stake. For the Afghan people, the return to Taliban rule would condemn their country to brutal governance, international isolation, a paralyzed economy, and the denial of basic human rights to the Afghan people, especially, women and girls.

A return in force of Al Qaida terrorists who would accompany the core Taliban leadership would cast Afghanistan under the shadow of perpetual violence.

Obama: As president, my greatest responsibility is to protect the American people. We are not in Afghanistan to control that country or to dictate its future. We are in Afghanistan to confront a common enemy that threatens the United States, our friends, and our allies and the people of Afghanistan and Pakistan who have suffered the most at the hands of violent extremists.

So I want the American people to understand that we have a clear and focused goal to disrupt, dismantle, and defeat Al Qaida in Pakistan and Afghanistan and to prevent their return to either country in the future. That's the goal that must be achieved. That is a cause that could not be more just.

And to the terrorists who oppose us, my message is the same. We will defeat you.

To achieve our goals, we need a stronger, smarter, and comprehensive strategy. To focus on the greatest threat to our people, America must no longer deny resources to Afghanistan because of the war in Iraq. To enhance the military, governance, and economic capacity of Afghanistan and Pakistan,

we have to marshal international support. And to defeat an enemy that heeds no border or laws of war, we must recognize the fundamental connection between of future of Afghanistan and Pakistan which is why I've appointed Ambassador Richard Holbrooke, who is here, to serve as special representative from both countries and work closely with General Petraeus to integrate our civilian and military efforts.

Let me start by addressing the way forward in Pakistan. The United States has great respect for the Pakistani people. They have a rich history and have struggled against long odds to sustain their democracy. The people of Pakistan want the same things that we want. An end to terror, access to basic services, the opportunity to live their dreams and the security that can only come with the rule of law. The single greatest threat to that future comes from Al Qaida and their extremist allies. And that is why we must stand together.

The terrorist within Pakistan's border are not simply enemies of America or Afghanistan. They are a grave and urgent danger to the people of Pakistan. Al Qaida and other violent extremists have killed several thousand Pakistanis since 9/11. They've killed many Pakistani soldiers and police. They assassinated Benazir Bhutto. They've blown up buildings, derailed foreign investment, and threatened the stability of the state.

So make no mistake, Al Qaida and its extremist allies are a cancer that risks killing Pakistan from within.

It's important for the American people to understand that Pakistan needs our help in going after Al Qaida. This is no simple task. The tribal regions are vast, they are rugged, and they are often ungoverned. And that's why we must focus on military assistance on the tools, training, and support that Pakistan needs to root out the terrorists.

And after years of mixed results, we will not and cannot provide a blank check. Pakistan must demonstrate its commitment to rooting out Al Qaida and the violent extremists within its borders.

We will insist that action be taken, one way or another, when we have intelligence about high-level terrorist targets. The government's ability to destroy these safe havens is tied to its own strength and security. To help Pakistan weather the economic crisis, we must continue to work with the IMF, the World Bank, and other international partners.

To lessen tensions between two nuclear-armed nations that too often teeter on the edge of escalation and confrontation, we must pursue constructive diplomacy with both India and Pakistan. To avoid the mistakes of the past, we must make clear that our relationship with Pakistan is grounded in support for Pakistan's democratic institutions and the Pakistani people.

And to demonstrate through deeds as well as words a commitment that is enduring, we must stand for lasting opportunity.

Now a campaign against extremism will not succeed with bullets or bombs alone. Al Qaida offers the people of Pakistan nothing but destruction. We stand for something from the time.

So, today, I'm calling upon Congress to pass a bipartisan bill co-sponsored by John Kerry and Richard Lugar that authorizes \$1.5 billion in direct support to the Pakistani people every year over the next five years, resources that will build schools, roads, and hospitals, and strengthen Pakistan's democracy.

I'm also calling on Congress to pass a bipartisan bill co-sponsored by Maria Cantwell and Chris Van Hollen and Peter Hoekstra that creates opportunity zones in the border regions to develop the economy and bring hope to places plagued with violence.

And we will ask our friends and allies to do their part, including, at the donors' conference in Tokyo next month.

Obama: I don't ask for this support lightly. These are challenging times. Resources are stretched. But the American people must understand that this is a down payment on our own future because the security of American and Pakistan is shared. Pakistan's government must be a stronger partner in destroying these safe havens, and we must isolate Al Qaida from the Pakistani people.

These steps in Pakistan are also indispensable to our efforts in Afghanistan which will see no end to violence if insurgents move freely back and forth across the border. Security demands a new sense of shared responsibility, and that's why we will launch a standing, trilateral dialogue among the United States, Afghanistan, and Pakistan.

Our nations will meet regularly with Secretaries Clinton and Secretary Gates leading our effort. Together, we must enhance intelligence sharing and military cooperation along the border while addressing issues of common concern like trade, energy, and economic development.

This is just one part of a comprehensive strategy to prevent Afghanistan from becoming the Al Qaida safe haven that it was before 9/11. To succeed, we and our friends and allies must reverse the Taliban's gains and promote a more capable and accountable Afghan government.

Our troops have fought bravely against a ruthless enemy. Our civilians have made great sacrifices. Our allies have borne a heavy burden. Afghans have suffered and sacrificed for their future. But for six years, Afghanistan has been denied the resources that it demands because of the war in Iraq.

Now, we must make a commitment that can accomplish our goals. I've already ordered the deployment of 17,000 troops that have been requested by General McKiernan for many months. These soldiers and Marines will take the fight to the Taliban in the south and the east and give us a great capacity to partner with Afghan security forces and to go after insurgents along the border.

This push will also help provide security in advance of the important presidential elections in Afghanistan in August. At the same time, we will shift the emphasis of our mission to training and increasing the size of Afghan security forces so that they can eventually take the lead in securing their country.

Mr. STARK. Mr. Speaker, I rise today in opposition to the Pakistan Enduring Assistance and Cooperation Enhancement Act (H.R. 1886). I do commend the strong funding levels for development assistance, education, and health care contained in the legislation and if the bill consisted only of this type of humanitarian support I would gladly vote for it. I cannot, however, support authorizing over \$1 billion per year in military aid to a nation that has already suffered under a military dictatorship and continues to experience daily violence.

The people of Pakistan do need our help to strengthen their democratic institutions, educate their citizens, and provide social and economic opportunity. What they do not need is an influx of guns, tanks, and other weapons that will lead to further destabilization and violence.

I urge all of my colleagues to stand for peace and vote against this legislation.

Mr. LARSON of Connecticut. Mr. Speaker, today we will vote on a historic piece of legislation that will refocus American foreign policy and forge a true partnership with Pakistan and its people. H.R. 1886, the Pakistan Enduring

Assistance and Cooperation Enhancement Act of 2009, will triple U.S. economic assistance to Pakistan, with a focus on the rights of women and religious minorities, strengthening democratic institutions, and improving Pakistan's public education system.

I am especially proud to pass this bill because of its focus on public education. The Enduring Assistance and Cooperation Enhancement Act will help Pakistan develop a national curriculum for public, private and religious schools and will expand educational opportunities for women and girls. I recently read a very important book; *Three Cups of Tea* is an inspirational story about a journey to Pakistan and the feats of one of the most inspirational people of our generation: Greg Mortenson. Upon my visit to Afghanistan several months ago, I saw the truth in Mortenson's message: that the poverty and lack of opportunity in countries like Pakistan and Afghanistan can incite hatred against the United States and lead to acts of terrorism. That is why I am proud of my colleagues for realizing that sticks, alone, will not fight terrorism. We can also fight terrorism by building schools, buying books, and helping children—especially girls—increase life's prospects through education. I commend Chairman BERMAN for introducing this important bill and urge my colleagues to join me in passing it and helping bring peace, stability, and opportunity to Pakistan's people.

The SPEAKER pro tempore. All time for debate on the bill has expired.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MS. ROS-LEHTINEN

Ms. ROS-LEHTINEN. Mr. Speaker, I have a substitute amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment in the nature of a substitute offered by Ms. ROS-LEHTINEN:

Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "United States-Pakistan Security and Stability Act".

**SEC. 2. FINDINGS.**

Congress finds the following:

(1) Congress supports the following elements outlined in the President's White Paper of the Interagency Policy Group's Report on United States Policy Toward Afghanistan and Pakistan:

(A) The core goal of the United States must be to disrupt, dismantle, and defeat al Qaeda and its affiliated networks and their safe havens in Pakistan.

(B) The threat that al Qaeda poses to the United States and its allies in Pakistan—including the possibility of extremists obtaining fissile material—is all too real.

(C) The United States must overcome its trust deficit with Pakistan and demonstrate that it is a reliable, long-term partner.

(2) The Government of Pakistan is facing significant security and socio-economic challenges that set the conditions for greater radicalization and may threaten Pakistan's viability. Such challenges include the following:

(A) Al Qaeda's and other extremist groups' campaign of violent attacks throughout Pakistan, including the Red Mosque incident, the assassination of Benazir Bhutto, and the bombing of the Marriott Hotel in Islamabad.

(B) Pakistan's population growth at a rate of approximately 2 percent a year, with nearly half of its 172 million residents illiterate, under the age of 20, and living near or below the poverty line.

(3) The security and stability to Pakistan is further complicated given the prevalence of ungoverned spaces between Pakistan and Afghanistan in which state control has not been fully exercised given ethnic and tribal affiliations.

(4) The security and stability of Pakistan is vital to the national security of the United States, and the consequences of failure poses a grave threat to the security of the American people, the region, and United States allies.

(5) The objectives of United States policy toward Pakistan are to empower and enable Pakistan to—

(A) develop into a prosperous and democratic state that is at peace with itself and with its neighbors;

(B) actively confront, and deny safe haven to, al Qaeda, the Taliban, and other extremists;

(C) implement the economic, legal, and social reforms required to create an environment that discourages violent Islamic extremism; and

(D) maintain robust command and control over its nuclear weapons technology.

### SEC. 3. COMPREHENSIVE INTERAGENCY STRATEGY AND IMPLEMENTATION PLAN FOR PAKISTAN.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of the Supplemental Appropriations Act of 2009, the President shall develop and transmit to the appropriate congressional committees a comprehensive interagency strategy and implementation plan for long-term security and stability in Pakistan which shall be composed of the elements specified in subsection (b).

(b) ELEMENTS.—The comprehensive interagency strategy and implementation plan required by subsection (a) shall contain at least the following elements:

(1) A description of how United States assistance described in section 4 will be used to achieve the objectives of United States policy toward Pakistan.

(2) Progress toward the following:

(A) Assisting efforts to enhance civilian control and a stable constitutional government in Pakistan and promote bilateral and regional trade and economic growth.

(B) Developing and operationally enabling Pakistani security forces so they are capable of succeeding in sustained counter-insurgency and counter-terror operations.

(C) Shutting down Pakistani safe havens for extremists.

(D) Improving Pakistan's capacity and capability to "hold" and "build" areas cleared of insurgents to prevent their return.

(E) Developing and strengthening mechanisms for Pakistan-Afghanistan cooperation.

(3) A financial plan and description of the resources, programming, and management of United States foreign assistance to Pakistan, including the criteria used to determine their prioritization.

(4) A complete description of both the evaluation process for reviewing and adjusting the strategy and implementation as necessary, and measures of effectiveness for the implementation of the strategy.

(c) INTELLIGENCE SUPPORT.—The President, after consultation with the Director of National Intelligence, shall provide intelligence support to the development of the comprehensive interagency strategy and implementation plan required by subsection (a).

(d) UPDATES OF STRATEGY.—The President shall transmit in writing to the appropriate congressional committees any updates of the

comprehensive interagency strategy and implementation plan required by subsection (a), as necessary.

### SEC. 4. AUTHORIZATION OF ASSISTANCE FOR PAKISTAN.

(a) FOREIGN ASSISTANCE ACT OF 1961.—There is authorized to be appropriated to the President, for the purposes of providing assistance to Pakistan under the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.), \$1,500,000,000 or such sums as may be necessary for each of the fiscal years 2010 through 2013.

(b) PAKISTAN COUNTERINSURGENCY CAPABILITY FUND.—There is authorized to be appropriated to the President, for the purposes of building a more effective counterinsurgency capability in Pakistan's security forces, up to \$700,000,000 for the Pakistan Counterinsurgency Capability Fund, for fiscal year 2010.

(c) USE OF FUNDS.—Amounts authorized to be appropriated under this section or otherwise made available to carry out this Act shall be used to the maximum extent practicable as direct expenditures for programs, projects, and activities, subject to existing reporting and notification requirements.

### SEC. 5. CONGRESSIONAL BRIEFING AND NOTIFICATION REQUIREMENTS.

(a) BRIEFING.—Not later than 30 days after the date of the transmission of the comprehensive interagency strategy and implementation plan required by section 3, and quarterly thereafter through December 1, 2013, the President, acting through the Secretary of State and the Secretary of Defense, shall brief the appropriate congressional committees on the status of the comprehensive interagency strategy and implementation plan.

(b) NOTIFICATION.—The President shall notify the appropriate congressional committees not later than 30 days prior to obligating any assistance described in section 4 as budgetary support to the Government of Pakistan or to any persons, agencies, instrumentalities, or elements of the Government of Pakistan and shall describe the purpose and conditions attached to any such budgetary support assistance. The President shall notify the appropriate congressional committees not later than 30 days prior to obligating any other type of assistance described in section 4.

### SEC. 6. DEFINITION.

In this Act, the term "appropriate congressional committees" means—

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

(2) the Committee on Appropriations, the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate.

Amend the title so as to read: "A bill to require the President to develop a comprehensive interagency strategy and implementation plan for long-term security and stability in Pakistan, and for other purposes."

The SPEAKER pro tempore. Pursuant to House Resolution 522, the gentlewoman from Florida (Ms. ROSLEHTINEN) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentlewoman from Florida.

Ms. ROSLEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the substitute amendment reflects input from, and was drafted in coordination with, the rank-

ing members of the Committees on Appropriations, on Armed Services, on Homeland Security and Intelligence. In so doing, this approach emulated to some degree the administration's interagency strategic review.

The substitute recognizes that of all the foreign policy challenges facing the United States, stabilizing and reforming Pakistan may be one of the most daunting. Given the enormous complexities and the ever-changing nature of the situation in Pakistan, we believe that it is critical at this stage that the administration retain the necessary flexibility to craft policies that offer the best chance of successfully partnering with the people of Pakistan, with the government of Pakistan, and with the military of Pakistan to defeat violent extremism.

At the same time, the substitute requires an ongoing policy dialogue between the administration and the Congress regarding U.S. policy toward Pakistan, as well as robust legislative oversight of our strategy, of our implementation plan, as well as allocation and expenditure of U.S. assistance.

The Republican substitute requires that not later than 30 days after the enactment of the Supplemental Appropriations Act for 2009, the President submit to Congress a comprehensive interagency strategy and implementation plan for U.S. efforts to eliminate safe havens and help toward the long-term security and stability in Pakistan.

Let me repeat that again, Mr. Speaker. Thirty days after enactment of the current supplemental under discussion, the President is required to produce a comprehensive interagency strategy and implementation plan. This is more timely than what is in the underlying bill, and it seeks to address immediate as well as evolving dynamics.

The Republican substitute relies on the President's leadership and his commitment in providing the strategy and implementation plan to the Congress, but does require that plan to include a description of how the U.S. assistance will be used in order to achieve our U.S. foreign policy objectives.

What does that include? Enhancing stable democratic governments, making sure that we have economic growth, developing Pakistani counterinsurgency capabilities, success in shutting down safe havens for extremists, improving the capacity and capability of Pakistan to hold and build areas cleared of insurgents to prevent their return, and developing and strengthening mechanisms for Pakistan-Afghanistan cooperation, for they cannot be separated.

The substitute also requires that the report include a detailed financial plan of the resources, of the programming and of the management of U.S. assistance to Pakistan and the criteria used to determine their need and value in advancing our U.S. objectives.

This substitute seeks to ensure that congressional oversight and notification keeps pace with changing conditions on the ground, and in turn, changes in strategy and their implementation.

The Republican substitute also fully funds the administration's request for the critically important new Pakistan counterinsurgency capability fund.

I reserve the balance of my time.

Mr. BERMAN. Mr. Speaker, I claim the time in opposition to the amendment.

The SPEAKER pro tempore. The gentleman from California is recognized for 15 minutes.

Mr. BERMAN. Mr. Speaker, I would like to yield 2 minutes to the gentleman from California, the author of her own legislation on security assistance and the question of the proliferation network in Pakistan.

Ms. HARMAN. I thank the chairman for yielding to me and I rise in strong opposition to this Republican substitute, and in strong support of the underlying bill, H.R. 1886, to provide long-term nonmilitary aid to a country in the crosshairs of the effort by the Taliban to expand its reach in South Asia.

H.R. 1886 will help persuade the Pakistani people that their future lies with a stable and moderate democratic government and not with an authoritarian, theocratic terrorist organization. But a key to doing this is important language in the bill ensuring access of U.S. investigators to persons suspected of engaging in nuclear proliferation. This issue is critical, this language must become law, and I disagree strongly with some in this House and in the other Chamber who say these requirements are overly restrictive and counterproductive.

Pakistan's history of nuclear weapons development has contributed to instability in South Asia and paved the way for A.Q. Khan's insidious and highly profitable proliferation network. Additional and substantial nonmilitary support provided by the U.S. must assure that the security threat to the U.S., which is represented by this network, is minimized.

For at least a decade, A.Q. Khan's illicit network was the most attractive shortcut for nations and rogue organizations interested in acquiring the materials and know-how to build a nuclear device. After illegally securing the capability for Pakistan, which made him a hero at home and a pariah abroad, Khan and his network sold it to Iran, Libya and North Korea. Despite billions of U.S. dollars in aid, former Pakistani President Musharraf pardoned Khan, and earlier this year the Islamabad High Court released him from house arrest.

H.R. 1886, but not the Republican substitute, declares that the U.S. will work with Pakistan to ensure our investigators access to suspected proliferators and to restrict proliferators from travel or other ac-

tivity that could result in further proliferation. It also incorporates, as the chairman said, language from a bill introduced by several of us to require a presidential assessment and restrict military aid in the future.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BERMAN. I yield the gentleman 30 additional seconds.

Ms. HARMAN. I thank the gentleman.

It will restrict military aid in the future unless Pakistan cooperates in efforts to dismantle its nuclear weapons supplier networks.

It is the right thing to do, and I thank the committee for doing it. The world cannot afford another Libya, Iran or North Korea, and we certainly don't want a new nuclear power called al Qaeda.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the Republican substitute, as I was saying, also fully funds the administration's request for the critically important new Pakistan Counterinsurgency Capability Fund, PCCF. Forging an effective partnership with Pakistan's military and intelligence apparatus has not been a straightforward affair. Although the United States has enjoyed some success, our efforts have also been hampered by a series of exceptionally difficult problems.

One is a matter of a threat perception and divergent strategic priorities, with Pakistan almost obsessively focused on their traditional rival in India.

Another problem is the legacy of mistrust on both sides, a trust deficit, as I discussed earlier, that continues to greatly complicate our bilateral relations.

A third problem is a limited Pakistani ability to conduct modern counterinsurgency, and to some degree counterterrorism operations, against al Qaeda and their allies in the tribal areas. There is no question, for example, that Pakistan needs to fully cooperate with New Delhi in holding accountable all of those responsible for the brutal assault in Mumbai as well as work with the U.S. and others on critical nonproliferation concerns.

We do not disagree with the overarching goals and the strategic priorities that we want to achieve in relation to Pakistan. Our disagreement is that at this juncture we believe that the best way to achieve critical interests is to give the administration the scope to develop intensive, multiple approaches to rebuild, to strengthen relationships with Pakistan, and address threats common to both of our nations.

We believe the Republican substitute is a more workable basis than the underlying bill for being a partner with Pakistan at this critical time.

□ 1400

The substitute heeds the concerns raised by Secretary Gates and the

Joint Chiefs Chairman, Admiral Mullen, who wrote about this underlying bill.

The Department is concerned about aspects of this bill, in particular, those provisions that impose conditions on the furnishing of military assistance that may undermine current administration authorities such as the Global Train and Equip authority. And furthermore, this will allow the Department to use the funds expeditiously and effectively without these purse strings, as evolving circumstance may warrant, in an effort to implement the President's strategy for the region most effectively.

And I think that this Republican substitute gets to what the Department of Defense wishes to do, what the Obama administration wants to achieve, what our democratic allies in Pakistan and here, our strong military in the U.S., wants to achieve; a robust, free and democratic Pakistan upon which we can build that level of trust again.

I hope our colleagues support our Republican substitute.

I reserve the balance of my time.

Mr. BERMAN. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Virginia (Mr. MORAN), very knowledgeable on issues affecting Pakistan and U.S.-Pakistan relations.

Mr. MORAN of Virginia. Mr. Speaker, I rise in strong support of the underlying bill proposed by the International Relations Committee, and in opposition to the Republican substitute because, however you spin it, it's basically a continuation of the Republicans' blank check policy towards Pakistan. And what has that gotten us after 8 years of that policy?

Well, it's time to assess it. Twelve billion dollars of taxpayers' money has been spent, and we have nearly half a million Pakistani troops on the border with India, our ally, and one brigade fighting the Taliban and al Qaeda, our enemy. Their principal defense priority is F-16s, which is a combat aircraft. Our enemy doesn't have combat aircraft.

We don't want to be funding a nation to fight against another ally. We want them to fight with us against our enemy.

What this bill does is to enable the children of Pakistan to have a decent public education and not be forced to go to the madrasas where they learn violent extremism against India and against modernity. This enables the women of Pakistan, particularly the young girls, to grow up to be women of influence and power and consequence.

This enables Pakistan to develop economically, not to use its resources into a military posture against India, but to use its resources to become a full-fledged, first world nation.

Pakistan is our ally, and this bill will enable it to stand on its own two feet, not to be able to fight India, not to be able to engage in nuclear proliferation, but to help us fight against the forces of violent extremism.

Pakistan is a valued ally. This will give them the resources so that we can count on that ally to do the right thing.

And to continue the same blank check policy which has made matters worse rather than better, I think, is a terrible mistake.

I urge defeat of the amendment.

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to yield 5 minutes to the gentleman from Michigan (Mr. HOEKSTRA), the ranking member on the House Permanent Select Committee on Intelligence.

Mr. HOEKSTRA. Mr. Speaker, I would like to thank my colleague for yielding the time.

You know, Pakistan and Afghanistan are very difficult parts of the world. As we develop the strategies, I think many of us have the same goals and objectives in mind, but we need to take a look at exactly what we're doing today.

I'm proud to support the Republican amendment to the Pakistan Enduring Assistance and Cooperation Enhancement Act of 2009. Interestingly, I believe that this substitute supports our current President's direction that he has outlined for Pakistan and Afghanistan. It supports President Obama's strategy to address the situation in Pakistan, to restore peace and stability to that region.

Maybe, once again, this is another foreign policy initiative where President Obama has decided that perhaps following some of the direction outlined under the Bush administration may not be a bad idea.

I'm one of many Republican ranking members to come forward today to express concern about the majority's bill and to urge support for the Republican substitute. The Democratic bill places too many restrictions on the ability of the President's advisors and the U.S. military to conduct diplomacy and military operations in the region.

In a letter to the Armed Services Committee, Secretary of Defense Gates and Chairman of the Joint Chiefs of Staff Mullen raised their concern about the majority's bill, noting that "The degree of conditionality and limitations on security assistance to Pakistan" in H.R. 1886 "severely constrains the flexibility necessary for the executive branch and the Department of Defense given the fluid and dynamic environment that exists in Pakistan."

But obviously, they're saying, our troops in Afghanistan and the military in Pakistan and our support of the military efforts in Pakistan require more flexibility than what this bill will allow.

From intelligence briefings, I understand how volatile the situation is in Pakistan. Just on Tuesday, there was a hotel bombing, 18 people killed. The Pakistan Army has been engaged in a battle in the Swat Valley against Taliban militants. Any legislation on Pakistan must give the administration both flexibility to react to the fast-

paced developments and the opportunity to develop a plan on how it will implement its strategy for Pakistan and Afghanistan.

Instead of flexibility, this bill is full of restrictive and intrusive provisions that I'm not sure we'd even apply to the United States, where the Democrat majority is trying to dictate and micromanage the President's administration's Pakistan policy. Their bill even includes language to increase Pakistani teacher salaries. It goes into the detail of the level of assistance for student meals.

Wow. That doesn't sound like we're giving the Paks a whole lot of flexibility to even run their own country. This down-in-the-weeds language may represent a new low for congressional micromanagement, not to mention a distraction from the crucial issue of bringing peace and stability to the region.

We need to defeat al Qaeda and the Taliban in Pakistan. That is our goal. That is our mission. This Congress shouldn't be dictating to the Pakistanis teacher salaries and the level of assistance that it needs to provide students for meals in Pakistan.

Republicans have been unfairly criticized in the press as being the party of "no." Not only are the Republicans being the party of "yes" on this bill, we're also being more supportive of the Obama administration's Pakistan policy than the Democrat majority.

We support President Obama's efforts in the region. We want them to succeed. I believe the Republican amendment presents the best way Congress can ensure and move toward success in Pakistan and, at the same time, make sure that we stay united on foreign policy, because this amendment, this substitute supports the President's Pakistan strategy.

So let's stand with the President. Let's move forward. Let's make sure that we're united, Republicans and Democrats, House, Senate and the administration, in supporting this President's direction for Pakistan.

I ask my colleagues to support the Republican substitute.

Mr. BERMAN. Mr. Speaker, I yield myself 15 seconds.

The gentleman from Michigan (Mr. HOEKSTRA) just spoke in behalf of the Republican substitute, but he's a major cosponsor of the Reconstruction Opportunity Zones. Unlike the bill in front of us, the Republican substitute does not contain the ROZs, the reconstruction zones. I'm wondering how the gentleman squares that with his position.

I now yield 2 minutes to the gentleman from Massachusetts (Mr. TIERNEY), who has done remarkable work on the issue of how the \$12 billion given to Pakistan over the past 7 years has been spent.

Mr. TIERNEY. Mr. Speaker, I sometimes wonder, listening to this particular substitute, whether some people here, whether it's the administration or whether it's our friends on the

other side of the aisle, have been sleepwalking through history. If you want to see a repeat of the last 8 years then, fine, let's get rid of all the accountability.

A billion and a half dollars now for the next 5 years is going to be given to the Pakistanis on the civil side of things. In the past, there's been tens of billions of dollars since their independence. We have maybe a structure that's supposed to be a school or a structure that's supposed to be a clinic standing somewhere but no teachers, no nurses, no doctors, no systems that actually work because there's been a total lack of accountability. This substitute amendment would continue that lack of accountability.

On the security side of things, we have a situation where we have \$6.2 billion given in the coalition support funds which, essentially, were a blank check to General Musharraf and the military over there. What we got in return, when we finally started doing some oversight in January of 2007 and afterwards, was a determination that some 40 percent of that had vaporized, cannot be accounted for. It was supposed to be going for things that are counterinsurgency, weaponry that would help fight a common problem of extremists in that country, and disappeared somewhere else.

This particular bill that the substitute is trying to undermine would put in place the accountability provisions. They are flexible enough. They simply say that you have to fight those extremists that are mutual problems. You have to make sure you stop people from going over the border to create problems in Afghanistan. You have to cooperate on nuclear nonproliferation, reasonable things.

The American people have a right to expect that their Representatives are going to be accountable for the billions of dollars. We are supposed to be having a partnership and a mature relationship with the Pakistanis. Then let's get over that notion that we're going to offend their sensibilities so that they won't actually cooperate with us if we want to put some conditions to make sure that our mutual problems are addressed with the billions of dollars of American citizens' money.

We've had 8-plus years of not having accountability on funds to that country and others. We've had times since 2002 where we had totally no accountability. Let's stop sleepwalking. Let's get the problem resolved. Let's make sure we have accountability.

I say vote against the substitute; vote for the underlying bill.

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to yield 1 additional minute to the ranking member on the Intelligence Committee, Mr. HOEKSTRA.

Mr. HOEKSTRA. I thank my colleague for yielding, but I felt I needed to respond as my name was brought up from my colleagues on the other side of the aisle.

You know, the ROZs in this rule process, regardless of the underlying bill, will be part of the final package that moves through. What happens with the Democrat base bill here is they undercut many of the things and put in a lot of restrictions that, as Congressman VAN HOLLEN and I tried to craft the bill together, we wanted to make sure that there was enough freedom for these programs to be successful. And the important thing here is you can vote for the substitute. The ROZs become part of the program when the substitute passes on final passage, after it replaces the underlying Democrat amendment.

So I thank you. I think I understand the rule, but to say that I was not supportive of the ROZs because I was supporting the substitute I don't believe is an accurate indication.

Mr. BERMAN. Mr. Speaker, I yield myself 15 seconds.

The gentleman's point is, I know, inadvertently and unintentionally incorrect.

The Republican substitute replaces the entire bill and, therefore, were the Republican substitute to pass, the ROZs the gentleman has fought for would not be part of the bill that was sent to the Senate.

□ 1415

Mr. BERMAN. Mr. Speaker, I am pleased to yield 1 minute to a member of the committee, the delegate from American Samoa (Mr. FALEOMAVAEGA).

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

Mr. FALEOMAVAEGA. I thank the chairman for yielding me time to speak on this important issue.

Mr. Speaker, I have tremendous respect for the gentlewoman from Florida, my dear friend. But on her proposal for this substitute, however, I must respectfully disagree with her on this issue.

I rise in opposition to the substitute version. While like the underlying bill, the substitute provides \$1.5 billion in nonmilitary assistance to Pakistan for fiscal year 2010, regrettably the substitute requires no oversight, no accountability, and no meaningful role for Congress to play.

Like my colleagues, I'm appreciative that Pakistan has provided some support for the U.S.-led anti-terror coalition, and I believe Pakistan should be commended for assisting the U.S. in its efforts to hunt down al Qaeda and Taliban insurgents and for allowing the U.S. military to use bases within its country.

However, I do not believe we should provide billions in aid to Pakistan without some sort of accountability. H.R. 1886 includes robust monitoring, evaluations, and auditing provisions to ensure that assistance is actually reaching the Pakistani people and that U.S. taxpayer dollars are being spent wisely.

The SPEAKER pro tempore (Mr. WEINER). The time of the gentleman has expired.

Mr. BERMAN. I yield the gentleman an additional 10 seconds.

Mr. FALEOMAVAEGA. I urge my colleagues to oppose the substitute.

Unfortunately, the previous Administration spent the past 8 years writing blank checks to Pakistan and turned a blind eye, while A.Q. Khan transferred nuclear technology to rogue nations and while General Musharraf failed to keep good on his promises to hold free, fair and transparent elections.

By contrast, this Administration is committed to making Pakistan a success while holding Pakistan accountable. H.R. 1886 as offered by Chairman BERMAN is the way forward to making sure U.S. security assistance is spent in a manner consistent with our national security objectives.

I urge my colleagues to vote "no" on the Republican substitute and to vote "yes" for H.R. 1886, the Pakistan Enduring Assistance and Cooperation Act of 2009.

Mr. BERMAN. Mr. Speaker, I am very pleased to yield on the Republican substitute 2 minutes to the chairman of the Subcommittee of the Middle East and South Asia, the vice chairman of the committee, Mr. ACKERMAN.

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

Mr. ACKERMAN. Mr. Speaker, the Ros-Lehtinen substitute is not just a step back in policy; it's a step back in time. It attempts to reinstate the failed Bush-Cheney-Rumsfeld model for managing the wars in Iraq and Afghanistan. Under this Congress, it gives the President a massive blank check and then walks away from its responsibility as a co-equal branch of government.

The Ros-Lehtinen substitute strips out all policy from the bill and has no provisions to encourage Pakistan to change its behavior; it has no provisions to ensure U.S. dollars are being effectively accounted for; it has no provisions for keeping Congress involved in the process; and it has no guidance whatsoever for the President about how taxpayer dollars ought to be spent. This is not legislation; this is abdication.

Is Pakistan cooperating with the U.S. to dismantle nuclear supplier networks? Apparently it doesn't matter in the Republican substitute. Is Pakistan ending its support to extremist groups and closing terrorist camps in the Fatah? Judging by the Republican substitute, who cares? Is Pakistan working to prevent cross-border attacks on its neighbors and strengthening its counterterrorism laws? If the Republican substitute is any guide, in the words of Jackie Mason, "This is not my business."

We have tried the minority approach. It is completely devoid of policy. It encourages abuse. It doesn't work. But it does have one advantage: it allows Members of Congress to avoid any responsibility for the war in Afghanistan.

Mr. Speaker, it's too late to go back to "strategy."

Mr. BERMAN. Mr. Speaker, I am very pleased to yield 2 minutes on the

Republican substitute to the Chair of the Pakistan Caucus, the gentlewoman from Texas, SHEILA JACKSON-LEE.

Ms. JACKSON-LEE of Texas. I thank the distinguished chairman for yielding.

We cannot wait, and I just suggest to my colleagues that they would look quickly at these pictures where the Pakistan military is fighting terrorism, and these are the activities that are happening in that area. People are fleeing terrorism and the people that are in these camps are suffering. We cannot wait for this legislation.

I oppose the Republican substitute because I want not an isolation of Pakistan, I want a regional response, a comprehensive regional strategy, including the role of countries outside the region in supporting Pakistan's efforts to combat al Qaeda and the Taliban, a global effort. The Republican substitute has a one-on-one effort. We need a global effort.

Let me also suggest that there is important language in this legislation because if we suggest that the Pentagon is not favorable, the Pentagon has indicated that they are aware of the counterinsurgency efforts that the Pakistan military is engaging in and they're satisfied with the structure of this legislation that would help them continue to fight terrorism. We can work out some of the kinks, but are we going to wait while people are suffering?

This legislation also has a recognition that we are establishing a new relationship with Pakistan and the United States, a friendship relationship. We are acknowledging the recent efforts of the Pakistan military in Swat, and we're also suggesting that if there are changes in Pakistan, we will reconsider some of the requirements or some of the structures that we put in place.

I would also say to my colleagues that I hope the Republicans who are so interested in Pakistan would be interested in making sure the International Monetary Fund is funded like the President would like it to be and that they will join in that support because they're so strongly in support of Pakistan, which got money from it in the last year.

In addition, there are issues dealing with trade, but the AFL-CIO is supporting it because of the way the structure is. We have an effective balance of helping them establish a better economy but at the same time respecting our trade requirements over here in the United States. This is the way to address this issue. But I can't imagine that my colleagues want to leave Pakistan and the people of Pakistan in these dire conditions.

Pakistan Americans recognize we are establishing a new friendship, and on that new friendship we need to oppose the Republican substitute and support H.R. 1886.

Mr. BERMAN. Mr. Speaker, I reserve the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to yield myself 1 minute.

We fully agree with the chairman that much of the prior investment in Pakistan has failed to yield all of the results that we hoped for and that it is appropriate to require the administration to develop scientific, specific, meaningful performance-based measures.

Where we differ, Mr. Speaker, is that we do not mandate that the executive branch follow a specific new congressionally mandated methodology, which may not even be technically correct, even before the new administration has had time to operationalize their new South Asia strategy.

Our substitute, therefore, requires that as part of the comprehensive interagency strategy and implementation plan mandated by the legislation that the administration put forth a robust and detailed financial plan, a description of the resources, of the programming, of the management of the United States foreign assistance to Pakistan, including the criteria used to determine this prioritization. We believe that this is the correct approach.

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

Mr. BERMAN. Mr. Speaker, I have no further requests for time, and I reserve the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to take up the balance of my time.

Mr. Speaker, our Republican substitute will allow for the development of specific, credible measures of effectiveness that are tightly linked to the President's strategy for the region and are therefore preferable to those that stem from the legislation. And I would like to just briefly address, and I don't have much time, some of the issues raised in favor of the underlying bill and against my substitute.

First, some of the speakers are seeking to fuel distrust between Pakistan and India, and they use the Congress' strong support for the world's largest democracy, India, to create the impression that U.S. assistance has been and would be used against India. That is counterproductive. It is not correct. It is dangerous and disingenuous.

I urge my colleagues to adopt the Republican substitute and reject the underlying bill.

Mr. BERMAN. Mr. Speaker, I will include in the RECORD a letter from the Premier Pakistani American organization, the Pakistani American Leadership Center, endorsing H.R. 1886.

PAKISTANI AMERICAN LEADERSHIP  
CENTER,

Washington, DC, June 6, 2009.

Hon. HOWARD BERMAN,  
Chair, Committee on Foreign Affairs, House of  
Representatives, Washington, DC.

DEAR CHAIRMAN BERMAN: On behalf of the Pakistani American Leadership Center (PAL-C) and other team members listed below, I am writing to express our strong support for H.R. 1886, the Pakistan Enduring Assistance and Cooperation Enhancement Act of 2009. PAL-C was established in 2004 to mobilize the Pakistani-American community to be more conversant with the U.S. po-

litical process and to promote greater understanding of Pakistan by building lasting ties with the U.S.

H.R. 1886 reflects our deep commitment to developing a strong U.S.-Pakistan relationship and will be instrumental in strengthening Pakistan's democratic government, promoting economic and social development for Pakistan's citizens, and creating the foundation for a stronger, more stable Pakistan.

We are particularly pleased that H.R. 1886 accentuates investments in Pakistan's healthcare, education, and infrastructure and includes a requirement that all U.S. security assistance be provided through the elected civilian government. PAL-C also applauds the requirements for enhanced monitoring, evaluation and auditing of U.S. economic assistance. These aspects of the bill will assure the most impactful application of the funds, create the greatest long term leverage from the assistance package, and establish the needed transparency in distribution of money.

We thank you for your hard work and visionary leadership on this critical legislation and hope that its passage will initiate the beginning of a new, more positive and enduring era in U.S.-Pakistan relations. We also stand ready to continue doing our part as proud Pakistani Americans in offering U.S. congress special insights into Pakistan, based on our deep rooted perspective.

Sincerely,

PERVAIZ LODHIE.

Pervaiz Lodhie, Founder/President, LEDtronics; Salim Adaya, Chairperson, IDS Real Estate Group; Muhammad Adaya, IDS Real Estate Group; Najeeb Ghauri, Chairman/CEO, Netsol; Dr. Satter Abbasi, Prof. Clinical Medicine, UCLA; Jamal Khawaja, Director, JFK Import & Export; Dr. Salman Nagvi, COS, Kindred Hospital OC; Adnan Khan, President, CIDD Inc.; Fiza Shah, Founder/CEO, DIL; Ghazala Khan, Principal, GK & Associates; Shezad Rokerya, Chairman, The Interlink Group; Taha Gaya, Exec. Dir., PAL-C; Jim Moody, Chairman AFHD/NCHD; Salman Ahmed, UN Goodwill Ambassador, Artist.

Mr. Speaker, I rise to strongly oppose the Republican substitute. I'm pleased to see that the substitute does support the President's request for \$1.5 billion a year in nonmilitary assistance for Pakistan, the same amount as the underlying bill. But that's where the similarity ends.

With all due respect to my colleagues on the other side of the aisle, this substitute amounts to nothing more than a blank check. It requires no real oversight, no serious accountability, no congressional role beyond getting briefings on what we could ask for without any new law.

Since 9/11, I repeat again, we have poured more than \$12 billion into Pakistan, with very little to show for it. This substitute is simply a continuation of the same failed policy.

H.R. 1886, on the other hand, expresses our sense of priorities for democratic, economic, and social development assistance without tying the President's hands. Unlike the substitute, our bill provides robust monitoring and evaluation to ensure that the assistance is reaching the Pakistani people. Why would you support another \$1.5 billion in economic assistance unless you knew it wasn't just

going for ghost schools and to disappear into unspecified budget support? You need the monitoring and evaluation kinds of provisions that we haven't had in the past and that our bill provides and the Republican substitute doesn't.

The Republican substitute treats Pakistan in virtual isolation with a brief mention of the Afghan-Pakistan cooperation. H.R. 1886 requires a comprehensive regional strategy, including the role of countries outside the region in supporting Pakistan's efforts to combat al Qaeda and the Taliban. A global effort is required to make Pakistan a success, and the substitute's failure to recognize this salient fact is another serious flaw.

Read the bill. Please read the bill. Our accountability provisions are not rigid. They're not inflexible. We state very clearly simply that we expect Pakistan to make progress in their fight against the extremists and to sustain their commitment. If the President can't tell us that Pakistan is meeting with that very minimal standard, we should be asking ourselves much deeper questions about what we're really trying to achieve here. The onus is on our minority colleagues to explain why, given Pakistan's recent history, we should provide more weapons without making sure the equipment is being used properly.

In this context I find it curious that the substitute is totally inconsistent with the arguments that my friends made just yesterday during debate on the State Department authorization bill. Then all the repeated arguments were more accountability, we need stricter accountability for critical foreign policy priorities. Here we have the most critical foreign policy priority and in the Republican substitute the absence of any provisions regarding accountability, evaluation, auditing, or monitoring.

This substitute begs the question, why does the minority support total flexibility for President Obama in Pakistan but everywhere else in the foreign policy or domestic sphere, they try to constrain him? This is at the top of our list of national security challenges. Our approach is the better approach.

I urge defeat of the substitute.

Mr. Speaker, I yield back the balance of my time.

□ 1430

The SPEAKER pro tempore. Pursuant to House Resolution 522, the previous question is ordered on the bill, as amended, and on the amendment offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN).

The question is on the amendment offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN).

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Ms. ROS-LEHTINEN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 173, nays 246, not voting 14, as follows:

[Roll No. 331]

YEAS—173

Aderholt	Frelinghuysen	Moran (KS)
Akin	Gallegly	Murphy, Tim
Alexander	Garrett (NJ)	Myrick
Austria	Gerlach	Neugebauer
Bachmann	Gingrey (GA)	Nunes
Bachus	Gohmert	Olson
Barrett (SC)	Goodlatte	Paul
Bartlett	Granger	Paulsen
Barton (TX)	Graves	Pence
Biggert	Guthrie	Petri
Bilbray	Hall (TX)	Pitts
Bilirakis	Harper	Platts
Blackburn	Hastings (WA)	Poe (TX)
Boehner	Hensarling	Posey
Bonner	Herger	Price (GA)
Bono Mack	Hoekstra	Putnam
Boozman	Hunter	Radanovich
Boustany	Inglis	Rehberg
Brady (TX)	Issa	Reichert
Broun (GA)	Jenkins	Roe (TN)
Brown (SC)	Johnson (IL)	Rogers (AL)
Brown-Waite,	Johnson, Sam	Rogers (KY)
Ginny	Jones	Rogers (MI)
Buchanan	Jordan (OH)	Rooney
Burgess	King (IA)	Ros-Lehtinen
Burton (IN)	King (NY)	Roskam
Buyer	Kingston	Royce
Calvert	Kirk	Ryan (WI)
Camp	Kline (MN)	Scalise
Campbell	Lamborn	Schmidt
Cantor	Lance	Schock
Cao	Latham	Sensenbrenner
Capito	LaTourette	Sessions
Carter	Latta	Shadegg
Cassidy	Lee (NY)	Shimkus
Castle	Lewis (CA)	Shuster
Chaffetz	Linder	Simpson
Coble	LoBiondo	Smith (NE)
Coffman (CO)	Luetkemeyer	Smith (NJ)
Cole	Lummis	Smith (TX)
Conaway	Lungren, Daniel	Souder
Crenshaw	E.	Stearns
Culberson	Mack	Terry
Davis (KY)	Manzullo	Thompson (PA)
Deal (GA)	Marchant	Thornberry
Dent	Marshall	Tiahrt
Diaz-Balart, L.	McCarthy (CA)	Tiberi
Diaz-Balart, M.	McCaul	Turner
Dreier	McClintock	Upton
Duncan	McCotter	Walden
Ehlers	McHenry	Wamp
Emerson	McHugh	Westmoreland
Fallin	McKeon	Whitfield
Flake	McMorris	Wilson (SC)
Fleming	Rodgers	Wittman
Forbes	Mica	Wolf
Fortenberry	Miller (FL)	Young (AK)
Fox	Miller (MI)	Young (FL)
Franks (AZ)	Miller, Gary	

NAYS—246

Abercrombie	Carney	Donnelly (IN)
Ackerman	Carson (IN)	Doyle
Adler (NJ)	Castor (FL)	Driehaus
Altire	Chandler	Edwards (MD)
Andrews	Childers	Edwards (TX)
Arcuri	Clarke	Ellison
Baird	Clay	Ellsworth
Baldwin	Cleaver	Engel
Barrow	Clyburn	Eshoo
Bean	Cohen	Etheridge
Becerra	Connolly (VA)	Farr
Berkley	Conyers	Fattah
Berman	Cooper	Filner
Berry	Costa	Foster
Bishop (GA)	Costello	Frank (MA)
Bishop (NY)	Courtney	Fudge
Blumenauer	Crowley	Giffords
Bocchieri	Cuellar	Gonzalez
Boren	Cummings	Gordon (TN)
Boswell	Dahlkemper	Grayson
Boucher	Davis (AL)	Green, Al
Boyd	Davis (CA)	Green, Gene
Brady (PA)	Davis (IL)	Griffith
Bralley (IA)	Davis (TN)	Grijalva
Bright	DeFazio	Gutierrez
Butterfield	DeGette	Hall (NY)
Capps	DeLauro	Halvorson
Capuano	Dicks	Hare
Cardoza	Dingell	Harman
Carnahan	Doggett	Hastings (FL)

Heinrich	McGovern	Sarbanes
Heller	McIntyre	Schakowsky
Herseth Sandlin	McMahon	Schauer
Higgins	McNerney	Schiff
Hill	Meek (FL)	Schrader
Hinchey	Meeke (NY)	Schwartz
Hinojosa	Melancon	Scott (GA)
Hirono	Michaud	Scott (VA)
Hodes	Miller (NC)	Serrano
Holden	Miller, George	Sestak
Holt	Minnick	Shea-Porter
Honda	Mitchell	Sherman
Hoyer	Mollohan	Shuler
Inslee	Moore (KS)	Sires
Israel	Moore (WI)	Skelton
Jackson (IL)	Moran (VA)	Slaughter
Jackson-Lee	Murphy (CT)	Smith (WA)
(TX)	Murphy (NY)	Snyder
Johnson (GA)	Murphy, Patrick	Space
Johnson, E. B.	Murtha	Speier
Kanjorski	Nadler (NY)	Spratt
Kaptur	Napolitano	Stark
Kildee	Neal (MA)	Stupak
Kilpatrick (MI)	Nye	Sutton
Kilroy	Obey	Tanner
Kind	Oliver	Tauscher
Kirkpatrick (AZ)	Ortiz	Taylor
Kissell	Pallone	Teague
Klein (FL)	Pascarell	Thompson (CA)
Kosmas	Pastor (AZ)	Thompson (MS)
Kratovil	Payne	Tierney
Kucinich	Perlmutter	Titus
Langevin	Perrilli	Tonko
Larsen (WA)	Peters	Towns
Larson (CT)	Peterson	Tsongas
Lee (CA)	Pingree (ME)	Van Hollen
Levin	Polis (CO)	Velázquez
Lipinski	Pomeroy	Visclosky
Loeb sack	Price (NC)	Walz
Lofgren, Zoe	Quigley	Wasserman
Lowe	Rahall	Schultz
Lujan	Rangel	Waters
Lujan	Reyes	Watson
Maffei	Rodriguez	Watt
Maloney	Rohrabacher	Waxman
Markey (CO)	Ross	Weiner
Markey (MA)	Rothman (NJ)	Welch
Massa	Roybal-Allard	Wexler
Matheson	Ruppersberger	Wilson (OH)
Matsui	Rush	Woolsey
McCarthy (NY)	Ryan (OH)	Wu
McCollum	Salazar	Yarmuth
McDermott	Sanchez, Loretta	

NOT VOTING—14

Baca	Himes	Oberstar
Bishop (UT)	Kagen	Richardson
Blunt	Kennedy	Sánchez, Linda
Brown, Corrine	Lewis (GA)	T.
Delahunt	Lucas	Sullivan

□ 1453

Messrs. TEAGUE, SCHRADER, MOORE of Kansas, RUSH, SESTAK and Ms. SHEA-PORTER changed their vote from “yea” to “nay.”

Mr. HALL of Texas changed his vote from “nay” to “yea.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. ROGERS of Michigan. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. ROGERS of Michigan. Yes, I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Rogers of Michigan moves to recommit the bill H.R. 1886 to the Committee on Foreign Affairs with instructions to report the

same back to the House forthwith with the following amendment:

Strike all after the enacting clause and insert the following:

**TITLE 1—COMPREHENSIVE INTERAGENCY STRATEGY AND IMPLEMENTATION PLAN FOR LONG-TERM SECURITY AND STABILITY IN PAKISTAN**

**SEC. 101. SHORT TITLE.**

This title may be cited as the “United States-Pakistan Security and Stability Act”.

**SEC. 102. FINDINGS.**

Congress finds the following:

(1) Congress supports the following elements outlined in the President’s White Paper of the Interagency Policy Group’s Report on United States Policy Toward Afghanistan and Pakistan:

(A) The core goal of the United States must be to disrupt, dismantle, and defeat al Qaeda and its affiliated networks and their safe havens in Pakistan.

(B) The threat that al Qaeda poses to the United States and its allies in Pakistan—including the possibility of extremists obtaining fissile material—is all too real.

(C) The United States must overcome its trust deficit with Pakistan and demonstrate that it is a reliable, long-term partner.

(2) The Government of Pakistan is facing significant security and socio-economic challenges that set the conditions for greater radicalization and may threaten Pakistan’s viability. Such challenges include the following:

(A) Al Qaeda’s and other extremist groups’ campaign of violent attacks throughout Pakistan, including the Red Mosque incident, the assassination of Benazir Bhutto, and the bombing of the Marriott Hotel in Islamabad.

(B) Pakistan’s population growth at a rate of approximately 2 percent a year, with nearly half of its 172 million residents illiterate, under the age of 20, and living near or below the poverty line.

(3) Security and stability to Pakistan is further complicated given the prevalence of ungoverned spaces between Pakistan and Afghanistan in which state control has not been fully exercised given ethnic and tribal affiliations.

(4) The security and stability of Pakistan is vital to the national security of the United States, and the consequences of failure poses a grave threat to the security of the American people, the region, and United States allies.

(5) The objectives of United States policy toward Pakistan are to empower and enable Pakistan to—

(A) develop into a prosperous and democratic state that is at peace with itself and with its neighbors;

(B) actively confront, and deny safe haven to, al Qaeda, the Taliban, and other extremists;

(C) implement the economic, legal, and social reforms required to create an environment that discourages violent Islamic extremism; and

(D) maintain robust command and control over its nuclear weapons technology.

**SEC. 103. COMPREHENSIVE INTERAGENCY STRATEGY AND IMPLEMENTATION PLAN FOR PAKISTAN.**

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of the Supplemental Appropriations Act of 2009, the President shall develop and transmit to the appropriate congressional committees a comprehensive interagency strategy and implementation plan for long-term security and stability in Pakistan which shall be composed of the elements specified in subsection (b).

(b) ELEMENTS.—The comprehensive inter-agency strategy and implementation plan required by subsection (a) shall contain at least the following elements:

(1) A description of how United States assistance described in section 104 will be used to achieve the objectives of United States policy toward Pakistan.

(2) Progress toward the following:

(A) Assisting efforts to enhance civilian control and a stable constitutional government in Pakistan and promote bilateral and regional trade and economic growth.

(B) Developing and operationally enabling Pakistani security forces so they are capable of succeeding in sustained counter-insurgency and counter-terror operations.

(C) Shutting down Pakistani safe havens for extremists.

(D) Improving Pakistan's capacity and capability to "hold" and "build" areas cleared of insurgents to prevent their return.

(E) Developing and strengthening mechanisms for Pakistan-Afghanistan cooperation.

(3) A financial plan and description of the resources, programming, and management of United States foreign assistance to Pakistan, including the criteria used to determine their prioritization.

(4) A complete description of both the evaluation process for reviewing and adjusting the strategy and implementation as necessary, and measures of effectiveness for the implementation of the strategy.

(c) INTELLIGENCE SUPPORT.—The President, in developing the comprehensive interagency strategy and implementation plan required by subsection (a), shall consult with the Director of National Intelligence.

(d) UPDATES OF STRATEGY.—The President shall transmit in writing to the appropriate congressional committees any updates of the comprehensive interagency strategy and implementation plan required by subsection (a), as necessary.

#### SEC. 104. AUTHORIZATION OF ASSISTANCE FOR PAKISTAN.

(a) FOREIGN ASSISTANCE ACT OF 1961.—There is authorized to be appropriated to the President, for the purposes of providing assistance to Pakistan under the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.), \$1,500,000,000 or such sums as may be necessary for each of the fiscal years 2010 through 2013.

(b) PAKISTAN COUNTERINSURGENCY CAPABILITY FUND.—There is authorized to be appropriated to the President, for the purposes of building a more effective counterinsurgency capability in Pakistan's security forces, up to \$700,000,000 for the Pakistan Counterinsurgency Capability Fund, for fiscal year 2010.

(c) USE OF FUNDS.—Amounts authorized to be appropriated under this section or otherwise made available to carry out this title shall be used to the maximum extent practicable as direct expenditures for programs, projects, and activities, subject to existing reporting and notification requirements.

#### SEC. 105. CONGRESSIONAL BRIEFING AND NOTIFICATION REQUIREMENTS.

(a) BRIEFING.—Not later than 30 days after the date of the transmission of the comprehensive interagency strategy and implementation plan required by section 103, and quarterly thereafter through December 1, 2013, the President, acting through the Secretary of State and the Secretary of Defense, shall brief the appropriate congressional committees on the status of the comprehensive interagency strategy and implementation plan.

(b) NOTIFICATION.—The President shall notify the appropriate congressional committees not later than 30 days prior to obligating any assistance described in section

104 as budgetary support to the Government of Pakistan or to any persons, agencies, instrumentalities, or elements of the Government of Pakistan and shall describe the purpose and conditions attached to any such budgetary support assistance. The President shall notify the appropriate congressional committees not later than 30 days prior to obligating any other type of assistance described in section 104.

#### SEC. 106. DEFINITION.

In this title, the term "appropriate congressional committees" means—

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

(2) the Committee on Appropriations, the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate.

### TITLE II—COMPREHENSIVE INTERAGENCY STRATEGY AND IMPLEMENTATION PLAN FOR LONG-TERM SECURITY AND STABILITY IN AFGHANISTAN

#### SEC. 201. SHORT TITLE.

This title may be cited as the "United States-Afghanistan Security and Stability Act".

#### SEC. 202. FINDINGS.

Congress finds the following:

(1) Congress supports the following elements outlined in the President's White Paper of the Interagency Policy Group's Report on United States Policy Toward Afghanistan and Pakistan:

(A) The United States has a vital national security interest in addressing the current and potential security threats posed by extremists in Afghanistan and Pakistan.

(B) The United States homeland, Pakistan, Afghanistan, India, Europe, Australia, and United States allies in the Middle East remain targets of al Qaeda and other extremist groups.

(C) At the same time, the Taliban and related organizations seek to reestablish their old sanctuaries in Afghanistan.

(2) Afghanistan is a central front in the global struggle against al Qaeda and other affiliated networks. A stable Afghanistan that is free from al Qaeda, the Taliban, and extremist influence and ideology will require a patient, long-term, integrated political, military, and economic strategy that is adequately resourced to accomplish its objectives.

(3) Allowing Afghanistan to revert to its pre-September 11, 2001, status of control by al Qaeda and the Taliban is not an option for United States policy.

(4) Security and stability in Afghanistan is further complicated given the prevalence of ungoverned space between Afghanistan and Pakistan in which state control has not been fully exercised given ethnic and tribal affiliations.

(5) The United States will continue to demonstrate its long-term commitment to the people of Afghanistan by—

(A) sustained civilian assistance and providing United States commanders with the troops and resources needed to conduct counterinsurgency operations with the support of the Government and people of Afghanistan; and

(B) continuing to engage the Afghan people in ways that demonstrate United States commitment to promoting a legitimate and capable Afghan government.

(6) The objectives of United States policy toward Afghanistan are to empower and enable Afghanistan to—

(A) develop into secure and stable state with a government that exercises full control and authority over all the country; and

(B) develop increasingly reliable and capable Afghan security forces that can actively confront, and deny safe haven to al Qaeda, the Taliban, and other extremists and eventually lead the counterinsurgency and counterterrorism fight with reduced United States assistance.

#### SEC. 203. COMPREHENSIVE INTERAGENCY STRATEGY AND IMPLEMENTATION PLAN FOR AFGHANISTAN.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of the Supplemental Appropriations Act, 2009, the President shall develop and transmit to the appropriate congressional committees a comprehensive interagency strategy and implementation plan for long-term security and stability in Afghanistan which shall be composed of the elements specified in subsection (b).

(b) ELEMENTS.—The comprehensive interagency strategy and implementation plan required by subsection (a) shall contain at least the following elements:

(1) A description of how United States assistance described in section 204 will be used to achieve the objectives of United States policy toward Afghanistan.

(2) Progress toward the following:

(A) Executing and resourcing an integrated civilian-military counterinsurgency strategy in Afghanistan.

(B) Disrupting terrorist networks in Afghanistan and Pakistan to degrade any ability such networks have to plan and launch international terrorist attacks.

(C) Resourcing and prioritizing civilian assistance in Afghanistan.

(D) Promoting a more capable, accountable, and effective government in Afghanistan that serves the Afghan people.

(E) Expanding the Afghan National Security Forces and developing self-reliant security forces that can lead the counterinsurgency and counterterrorism fight with reduced United States assistance.

(F) Supporting Afghanistan in disrupting and dismantling narco-traffickers and breaking the narcotics-insurgency nexus.

(G) Ensuring that nations and various international organizations that have pledged to provide multilateral and bilateral assistance to support efforts to rebuild Afghanistan fulfill their commitment.

(H) Developing and strengthening mechanisms for Afghanistan-Pakistan cooperation.

(3) A financial plan and description of the resources, programming, and management of United States foreign assistance to Afghanistan, including the criteria used to determine their prioritization.

(4) A complete description of both the evaluation process for reviewing and adjusting the strategy and implementation as necessary, and measures of effectiveness for the implementation of the strategy.

(c) INTELLIGENCE SUPPORT.—The President, in developing the comprehensive interagency strategy and implementation plan required by subsection (a), shall consult with the Director of National Intelligence.

(d) UPDATES OF STRATEGY.—The President shall transmit in writing to the appropriate congressional committees any updates of the comprehensive interagency strategy and implementation plan required by subsection (a), as necessary.

#### SEC. 204. AUTHORIZATION OF ASSISTANCE FOR AFGHANISTAN.

(a) IN GENERAL.—There is authorized to be appropriated to the President, for the purposes of providing assistance to Afghanistan under the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.), \$2,800,000,000 or such sums as may be necessary for each of the fiscal years 2010 through 2013.

(b) USE OF FUNDS.—Amounts authorized to be appropriated under this section or otherwise made available to carry out this title

shall be used to the maximum extent practicable as direct expenditures for programs, projects, and activities, subject to existing reporting and notification requirements.

**SEC. 205. CONGRESSIONAL BRIEFING AND NOTIFICATION REQUIREMENTS.**

(a) **BRIEFING.**—Not later than 30 days after the date of the transmission of the comprehensive interagency strategy and implementation plan required by section 203, and quarterly thereafter through December 1, 2013, the President, acting through the Secretary of State and the Secretary of Defense, shall brief the appropriate congressional committees on the status of the comprehensive interagency strategy and implementation plan.

(b) **NOTIFICATION.**—The President shall notify the appropriate congressional committees not later than 30 days before obligating any assistance described in section 204 as budgetary support to the Government of Afghanistan or to any persons, agencies, instrumentalities, or elements of the Government of Afghanistan and shall describe the purpose and conditions attached to any such budgetary support assistance. The President shall notify the appropriate congressional committees not later than 30 days before obligating any other type of assistance described in section 204.

**SEC. 206. DEFINITION.**

In this title, the term “appropriate congressional committees” means—

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

(2) the Committee on Appropriations, the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate.

Mr. BERMAN (during the reading). Mr. Speaker, I ask unanimous consent that the reading be dispensed with.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. ROGERS) is recognized for 5 minutes in support of his motion.

Mr. ROGERS of Michigan. Mr. Speaker, I commend my friend, Mr. BERMAN, for his efforts on this bill, as I do Congresswoman ROS-LEHTINEN on her efforts on what I think is the most pressing national security issue we face today, Pakistan. And when you look at the troubles that they face and what a unique country it is, they are a nuclear-armed sovereign nation that has expressed concern about its eastern neighbors, the Indians, and all of the effort, both diplomatic, economic, militarily, intelligence, that they apply to what they view as a problem sect.

And to the west of that country, even in their Constitution, they treat differently. They give it special autonomy: the Federally Administered Tribal Areas. And that's the area that has caused Afghanistan and the United States untold misery, danger, something we ought to worry about.

And this bill in the most arrogant way says, You know what? We know better than you, Pakistan. We're going to make you set up a teachers' pay scale if you want our Federal money, if

you want U.S. money to help us in the fight against terrorism that is ongoing today by people like Batula Masood, who are trying to kill Americans today and make further unstable the Pakistani Government, or Fazlullah, who has moved into the Swat area, the first time somebody from the tribal areas has taken this effort.

□ 1508

Fazlullah, for the first time, took some settled areas. It used to be a great area—as a matter of fact, a tourist area in Pakistan, the Swat Valley—and the military has had difficulty in trying to extract them from what is a settled area in Pakistan. That is real trouble.

Many of you have quoted “The 60 Miles from Islamabad.” That was the Swat Valley movement, and it was done by Fazlullah, 30-something years old, rabid Taliban leader, who was able to, in just a very short period of time, take over most of the police stations.

You have al Qaeda senior leadership moving freely with the Haqqani network supporting their abilities in the tribal areas of Pakistan. Batula Masood, as I said before, has been engaged in terrorist acts not only against us, but the Pakistanis.

Their government is at risk, their people are dying. This bill arrogantly says, listen, we want you to help us in terrorism, but let me tell you what's important, your teacher pay scales. Those are important.

This is a sovereign nation. As a matter of fact, Senator KERRY—we don't often agree with Senator KERRY—an interesting quote: “Well”—I won't use all of his language—“we're just doing their bidding. We're their lackeys. We're not in control. You guys (the Pakistani Government) are an American puppet, blah, blah, blah.” What he was saying is, don't put all these arbitrary caveats on this bill.

Let's support President Obama. He hasn't been there that long. He wants to implement his policy. He says he needs flexibility. I agree with him. This is one of the most complicated, complex problems we will face when it comes to national security.

You even, in this bill—and I don't think you're thinking about what the implications are—through your labor agreements in this bill, inspectors are to publish reports listing the names and locations of every firm in the program. This is a nation beleaguered by terrorists. Why would you give them a list of targets in Pakistan published by the United States Government? It makes no sense whatsoever.

You often talked about the arrogance of the previous administration telling people how they ought to live and telling them how they ought to govern. This is the most intrusive, most arrogant approach to providing someone assistance that is actually helping us fight terrorism in the most difficult area I can find in the world today.

I am going to ask you to please take a look at this motion to recommit. It

puts a little common sense back in it and says, you know what, we'll get to the teacher pay scale and merit-based system that you would like to get to maybe another day, but today we are worried about the safety and security of our soldiers in Afghanistan who are under attack from Taliban leaders, headquartered the Shura Council in Quetta, Pakistan. We are worried about the Haqqani network, who is developing the logistical support that they need through arms and other things to help target our soldiers in Afghanistan. We are worried about Fazlullah's efforts in his first settled areas of Pakistan. That ought to be our watch today.

We are getting ready to send thousands and thousands of fresh United States troops to this region. Our focus has to be national security; it has to be their security. It has to say, Pakistan, we are a partner, not your mother. We are not going to hold your hand in this. We are going to be your equal partner in your fight on terror. Thank you for your commitment.

We're going to stand up for those folks.

I yield back the remainder of my time.

Mr. BERMAN. Mr. Speaker, I rise in opposition to the motion.

The SPEAKER pro tempore. The gentleman from California is recognized for 5 minutes.

Mr. BERMAN. I made a mistake earlier. I objected to the reading of the motion to recommit. I should have asked for a reading of the bill. As much as I admire the gentleman, the one thing that is clear to me from his comments is he didn't read the bill.

We have absolutely no conditions or restrictions or efforts to earmark or tie up any of the economic assistance in this bill. Why you would say that is only because someone told you that. Because when you look at the bill, we have some principles, we have suggestions, we lay out things that need to be done to build democratic institutions in Pakistan, to build a school system.

We know that we are providing up to \$12 billion, much of it in economic assistance for schools that have no teachers. We're providing money for teachers who have no education and don't know how to teach science and math. So we suggest in this bill some guidelines and tie no one's hands. We don't tie the Secretary's hands; we don't tie the Pakistanis' hands.

Now, the state of play is that when we put together our Pakistan bill, we went to the minority and said, let's work on a Pakistan/Afghanistan bill. They weren't interested. The problem with the minority's way to do a motion to recommit is the leadership meets in some office—they don't bring in the Republicans from the committee—and they come up with a motion to recommit, let's join Afghanistan with Pakistan. We've been trying to do that for 4 months in our committee, but the minority didn't want to do it that way.

And by the way, we just had a little vote. We had a vote on a Republican substitute that, on security assistance, had no monitoring provisions, no auditing provisions, no evaluation provisions. This is in the context of \$12 billion that's been spent, a huge amount on reimbursements for which there are no receipts for money, that we cannot find what it went for. If you like what's been going on there, you're praising the right of Pakistan to do what it wants to do.

When Musharraf kept making appeasement agreements with different elements of the Taliban, was that a wise thing to be encouraging? I don't think so. The only thing we provide any benchmarks on is the security assistance. And what we say there is, Mr. President, look at how that money is being spent and make a determination whether or not Pakistan has a commitment—that they are now, by the way, demonstrating—to combating the insurgency and fighting the terrorists, and whether they're making progress. And are they cooperating in the efforts to dismantle the proliferation regime, and are they doing things to secure it? And, Mr. President, you make the determination and you make the decision.

We have worked with the leadership of the Armed Services Committee to make sure that the security assistance gets to the Pakistani military as quickly as possible, but not equipment that has nothing to do with the counterinsurgency. We want the equipment, the helicopters, the night-vision goggles, the training, the IMET programs to go as fast as they can. So in our bill, not in yours, but in our bill we waive all the traditions that now exist on traditional security assistance programs.

So this is a motion to recommit that includes an Afghan bill that says, continue as usual, where the lack of end-use monitoring has meant that we have been arming the Taliban because they steal the guns we provide and use them against our forces and the Afghan forces, and repeat in toto the Republican substitute we just rejected.

Let's vote against it. We did it once; let's do it again. Let's try to reestablish some sense of bipartisan collaboration. These differences aren't that great. We can work them out if the majority and the minority cooperate. I say, as the chairman of the committee with jurisdiction over these issues, I would love to put together a bipartisan approach. Maybe we can start working on that for the conference committee.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. ROGERS of Michigan. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 164, noes 245, not voting 24, as follows:

[Roll No. 332]

AYES—164

- |                 |               |               |
|-----------------|---------------|---------------|
| Aderholt        | Franks (AZ)   | Myrick        |
| Akin            | Frelinghuysen | Neugebauer    |
| Alexander       | Galleghy      | Nunes         |
| Austria         | Garrett (NJ)  | Olson         |
| Bachmann        | Gerlach       | Paulsen       |
| Bachus          | Gingrey (GA)  | Pence         |
| Barrett (SC)    | Gohmert       | Petri         |
| Bartlett        | Granger       | Pitts         |
| Barton (TX)     | Graves        | Platts        |
| Biggart         | Griffith      | Poe (TX)      |
| Bibray          | Guthrie       | Posey         |
| Bilirakis       | Hall (TX)     | Price (GA)    |
| Bishop (UT)     | Harper        | Putnam        |
| Blackburn       | Hastings (WA) | Radanovich    |
| Boehner         | Hensarling    | Rehberg       |
| Bonner          | Herger        | Reichert      |
| Bono Mack       | Hoekstra      | Roe (TN)      |
| Boozman         | Hunter        | Rogers (AL)   |
| Boustany        | Inglis        | Rogers (KY)   |
| Brady (TX)      | Issa          | Rogers (MI)   |
| Broun (GA)      | Jenkins       | Rooney        |
| Brown (SC)      | Johnson, Sam  | Ros-Lehtinen  |
| Brown-Waite,    | Jordan (OH)   | Roskam        |
| Ginny           | King (NY)     | Royce         |
| Buchanan        | Kingston      | Ryan (WI)     |
| Burgess         | Kirk          | Scalise       |
| Burton (IN)     | Kline (MN)    | Schock        |
| Buyer           | Lamborn       | Sensenbrenner |
| Calvert         | Lance         | Sessions      |
| Camp            | Latham        | Shadegg       |
| Campbell        | LaTourette    | Shimkus       |
| Cantor          | Latta         | Shuster       |
| Cao             | Lee (NY)      | Simpson       |
| Capito          | Lewis (CA)    | Smith (NE)    |
| Carter          | Linder        | Smith (NJ)    |
| Castle          | LoBiondo      | Smith (TX)    |
| Coble           | Lummis        | Souder        |
| Coffman (CO)    | Mack          | Stearns       |
| Cole            | Manzullo      | Terry         |
| Conaway         | Marchant      | Thompson (PA) |
| Crenshaw        | McCarthy (CA) | Thornberry    |
| Culberson       | McCauley      | Tiahrt        |
| Davis (KY)      | McClintock    | Tiberi        |
| Deal (GA)       | McCotter      | Turner        |
| Dent            | McHenry       | Upton         |
| Diaz-Balart, L. | McHugh        | Walden        |
| Diaz-Balart, M. | McKeon        | Wamp          |
| Dreier          | McMorris      | Westmoreland  |
| Ehlers          | Rodgers       | Whitfield     |
| Emerson         | Melancon      | Wilson (SC)   |
| Fallin          | Mica          | Wittman       |
| Flake           | Miller (FL)   | Wolf          |
| Fleming         | Miller (MI)   | Young (AK)    |
| Forbes          | Miller, Gary  | Young (FL)    |
| Fortenberry     | Moran (KS)    |               |
| Foxx            | Murphy, Tim   |               |

NOES—245

- |             |               |               |
|-------------|---------------|---------------|
| Abercrombie | Braley (IA)   | Costello      |
| Ackerman    | Bright        | Courtney      |
| Adler (NJ)  | Butterfield   | Crowley       |
| Altmire     | Capps         | Cuellar       |
| Andrews     | Capuano       | Cummings      |
| Arcuri      | Cardoza       | Dahlkemper    |
| Baird       | Carnahan      | Davis (AL)    |
| Baldwin     | Carney        | Davis (CA)    |
| Barrow      | Carson (IN)   | Davis (IL)    |
| Bean        | Castor (FL)   | Davis (TN)    |
| Berkley     | Chaffetz      | DeFazio       |
| Berman      | Chandler      | DeGette       |
| Berry       | Childers      | DeLauro       |
| Bishop (GA) | Clarke        | Dicks         |
| Bishop (NY) | Clay          | Dingell       |
| Blumenauer  | Cleaver       | Doggett       |
| Bocchieri   | Clyburn       | Donnelly (IN) |
| Boren       | Cohen         | Doyle         |
| Boswell     | Connolly (VA) | Driehaus      |
| Boucher     | Conyers       | Duncan        |
| Boyd        | Cooper        | Edwards (MD)  |
| Brady (PA)  | Costa         | Edwards (TX)  |

- |                  |                 |                  |
|------------------|-----------------|------------------|
| Ellison          | Lee (CA)        | Reyes            |
| Ellsworth        | Levin           | Rodriguez        |
| Engel            | Lipinski        | Rohrabacher      |
| Eshoo            | Loeb sack       | Ross             |
| Etheridge        | Lofgren, Zoe    | Rothman (NJ)     |
| Farr             | Lowey           | Royal-Allard     |
| Fattah           | Lujan           | Ruppersberger    |
| Filner           | Lungren, Daniel | Rush             |
| Foster           | E.              | Ryan (OH)        |
| Frank (MA)       | Lynch           | Salazar          |
| Fudge            | Maffei          | Sanchez, Loretta |
| Giffords         | Maloney         | Sarbanes         |
| Gonzalez         | Markey (CO)     | Schakowsky       |
| Gordon (TN)      | Markey (MA)     | Schauer          |
| Grayson          | Marshall        | Schiff           |
| Green, Al        | Massa           | Schrader         |
| Green, Gene      | Matheson        | Schwartz         |
| Grijalva         | Matsui          | Scott (GA)       |
| Gutierrez        | McCarthy (NY)   | Scott (VA)       |
| Hall (NY)        | McCollum        | Serrano          |
| Halvorson        | McDermott       | Sestak           |
| Hare             | McGovern        | Shea-Porter      |
| Harman           | McMahon         | Sherman          |
| Hastings (FL)    | McNerney        | Shuler           |
| Heinrich         | Meek (FL)       | Sires            |
| Heller           | Meeks (NY)      | Skelton          |
| Hereth Sandlin   | Michaud         | Smith (WA)       |
| Higgins          | Miller (NC)     | Snyder           |
| Hill             | Miller, George  | Space            |
| Hinchey          | Mitchell        | Speier           |
| Guthriosa        | Mollohan        | Spratt           |
| Hirono           | Moore (KS)      | Stark            |
| Hodes            | Moore (WI)      | Stupak           |
| Holden           | Moran (VA)      | Sutton           |
| Holt             | Murphy (CT)     | Tanner           |
| Honda            | Murphy (NY)     | Tauscher         |
| Hoyer            | Murphy, Patrick | Teague           |
| Inslee           | Murtha          | Thompson (CA)    |
| Israel           | Nadler (NY)     | Thompson (MS)    |
| Jackson (IL)     | Napolitano      | Tierney          |
| Jackson-Lee      | Neal (MA)       | Titus            |
| (TX)             | Nye             | Towns            |
| Johnson (GA)     | Oberstar        | Tsongas          |
| Johnson (IL)     | Obey            | Van Hollen       |
| Johnson, E. B.   | Olver           | Velázquez        |
| Jones            | Ortiz           | Walz             |
| Kanjorski        | Pallone         | Wasserman        |
| Kaptur           | Pascrell        | Schultz          |
| Kildee           | Pastor (AZ)     | Waters           |
| Kilpatrick (MI)  | Paul            | Watson           |
| Kilroy           | Payne           | Watt             |
| Kind             | Perlmutter      | Waxman           |
| Kirkpatrick (AZ) | Perriello       | Weiner           |
| Kissell          | Peters          | Welch            |
| Klein (FL)       | Pingree (ME)    | Wexler           |
| Kosmas           | Polis (CO)      | Wilson (OH)      |
| Kratovil         | Pomeroy         | Woolsey          |
| Kucinich         | Price (NC)      | Wu               |
| Langevin         | Quigley         | Yarmuth          |
| Larsen (WA)      | Rahall          |                  |
| Larson (CT)      | Rangel          |                  |

NOT VOTING—24

- |                |             |                |
|----------------|-------------|----------------|
| Baca           | Kennedy     | Sánchez, Linda |
| Becerra        | King (IA)   | T.             |
| Blunt          | Lewis (GA)  | Schmidt        |
| Brown, Corrine | Lucas       | Slaughter      |
| Cassidy        | Luetkemeyer | Sullivan       |
| Delahunt       | McIntyre    | Tonko          |
| Goodlatte      | Minnick     | Visclosky      |
| Himes          | Peterson    |                |
| Kagen          | Richardson  |                |

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE  
 The SPEAKER pro tempore (during the vote). Members are advised they now have less than 2 minutes remaining.

□ 1523

Mr. WESTMORELAND changed his vote from “no” to “aye.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. GOODLATTE. Mr. Speaker, on rollcall No. 332 I was unavoidably detained. Had I been present, I would have voted “aye.”

Mr. KING of Iowa. Mr. Speaker, on rollcall No. 332 I was detained in the Committee on Agriculture during a question and answer exchange with Secretary of Agriculture Vilsack and was not able to reach the floor before the

vote was closed. Had I been present, I would have voted "aye."

Mr. CASSIDY. Mr. Speaker, on rollcall No. 332 I was unavoidably detained. Had I been present, I would have voted "aye."

Mr. TONKO. Mr. Speaker, on rollcall No. 332 I was unable to vote due to the fact that I was meeting with constituents. Had I been present, I would have voted "no."

Ms. SLAUGHTER. Mr. Speaker, on rollcall No. 332 I was unable to vote due to the fact that I was meeting with constituents. Had I been present, I would have voted "no."

Mr. BECERRA. Mr. Speaker, I was unavoidably detained earlier today and missed rollcall vote 332. If present, I would have voted "no."

(By unanimous consent, Mr. UPTON was allowed to speak out of order.)

ANNOUNCING THE DEATH OF FORMER MEMBER  
CARL PURSELL OF MICHIGAN

Mr. UPTON. Mr. Speaker, as dean of the Michigan Republican delegation, I have the sad duty to relay the news that our former colleague Carl Pursell from Michigan passed away this morning. He was the ranking member on the Labor-HHS appropriations subcommittee for many years. He retired in 1993.

I would yield to Mr. MCCOTTER who represents Plymouth, Michigan.

Mr. McCOTTER. I thank the gentleman.

I grew up in Carl's district. We watched as he went from a Wayne County commissioner to a Michigan State Senator and then into this illustrious body. As a young person growing up getting interested in politics, Carl's example was an inspiration. It showed that a fine and decent gentleman could come from the small town of Plymouth, retain his Main Street truths, and do the people's business in this, the people's House.

The last several years have not been kind to Carl. He is in a far better place, and we are all diminished. Our best goes out to his family, and we would appreciate it if you keep him in your prayers.

Mr. UPTON. Mr. Speaker, I would ask for a moment of silence.

The SPEAKER pro tempore. Members will rise for a moment of silence.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. UPTON. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 234, noes 185, not voting 14, as follows:

[Roll No. 333]

AYES—234

Ackerman  
Adler (NJ)  
Altmire  
Andrews  
Baird  
Baldwin  
Barrow  
Bean  
Becerra  
Berkley  
Berman  
Berry  
Bishop (GA)  
Bishop (NY)  
Blumenauer  
Bocchieri  
Boren  
Boswell  
Boucher  
Boyd  
Brady (PA)  
Braley (IA)  
Butterfield  
Cao  
Capps  
Capuano  
Cardoza  
Carnahan  
Carney  
Carson (IN)  
Castor (FL)  
Chandler  
Childers  
Clarke  
Clay  
Cleaver  
Clyburn  
Cohen  
Connolly (VA)  
Cooper  
Costa  
Courtney  
Crowley  
Cuellar  
Cummings  
Dahlkemper  
Davis (AL)  
Davis (CA)  
Davis (IL)  
Davis (TN)  
DeFazio  
DeGette  
DeLauro  
Dicks  
Dingell  
Donnelly (IN)  
Doyle  
Driehaus  
Edwards (MD)  
Edwards (TX)  
Ehlers  
Ellison  
Ellsworth  
Engel  
Eshoo  
Etheridge  
Farr  
Fattah  
Filner  
Foster  
Frank (MA)  
Fudge  
Giffords  
Gonzalez  
Gordon (TN)  
Grayson  
Green, Al  
Green, Gene  
Griffith

Grijalva  
Gutierrez  
Hall (NY)  
Halvorson  
Hare  
Harman  
Hastings (FL)  
Heinrich  
Herseth Sandlin  
Higgins  
Hill  
Hinchev  
Hinojosa  
Hirono  
Hodes  
Holden  
Holt  
Honda  
Hoyer  
Inslee  
Israel  
Jackson (IL)  
Jackson-Lee  
Cao  
Johnson (GA)  
Johnson, E. B.  
Kanjorski  
Kildee  
Kilpatrick (MI)  
Kilroy  
Kind  
Kirk  
Kirkpatrick (AZ)  
Klein (FL)  
Kosmas  
Kratovil  
Langevin  
Larsen (WA)  
Larson (CT)  
Lee (CA)  
Levin  
Loeb sack  
Lofgren, Zoe  
Lowey  
Lujan  
Lungren, Daniel E.  
Lynch  
Maffei  
Maloney  
Markey (CO)  
Markey (MA)  
Marshall  
Matheson  
Matsui  
McCarthy (NY)  
McCollum  
McGovern  
McHugh  
McIntyre  
McMahon  
McNerney  
Meek (FL)  
Meeke (NY)  
Melancon  
Miller (NC)  
Miller, George  
Mitchell  
Mollohan  
Moore (KS)  
Moore (WI)  
Moran (VA)  
Murphy (NY)  
Murphy, Patrick  
Murtha  
Nadler (NY)  
Neal (MA)  
Nye  
Oberstar

NOES—185

Abercrombie  
Aderholt  
Akin  
Alexander  
Arcuri  
Austria  
Bachmann  
Bachus  
Barrett (SC)  
Bartlett  
Barton (TX)  
Biggett  
Bilbray  
Bilirakis  
Bishop (UT)

Blackburn  
Boehner  
Bonner  
Bono Mack  
Boozman  
Boustany  
Brady (TX)  
Bright  
Broun (GA)  
Brown (SC)  
Brown-Waite,  
Ginny  
Buchanan  
Burgess  
Burton (IN)

Obey  
Olver  
Ortiz  
Pallone  
Pascarell  
Pastor (AZ)  
Payne  
Perlmutter  
Peters  
Peterson  
Pingree (ME)  
Polis (CO)  
Pomeroy  
Price (NC)  
Quigley  
Rahall  
Rangel  
Reichert  
Reyes  
Rodriguez  
Ross  
Rothman (NJ)  
Roybal-Allard  
Royce  
Ruppersberger  
Rush  
Ryan (OH)  
Salazar  
Sanchez, Loretta  
Sarbanes  
Schakowsky  
Schauer  
Schiff  
Schrader  
Schwartz  
Scott (GA)  
Scott (VA)  
Serrano  
Sestak  
Shea-Porter  
Sherman  
Sires  
Skelton  
Slaughter  
Smith (WA)  
Snyder  
Space  
Speier  
Spratt  
Stupak  
Sutton  
Tanner  
Tauscher  
Taylor  
Teague  
Thompson (CA)  
Thompson (MS)  
Tierney  
Titus  
Tonko  
Townes  
Tsongas  
Upton  
Van Hollen  
Velázquez  
Visclosky  
Walz  
Wasserman  
Schultz  
Watson  
Watt  
Waxman  
Weiner  
Welch  
Wexler  
Wilson (OH)  
Woolsey  
Wu  
Yarmuth

Costello  
Crenshaw  
Culberson  
Davis (KY)  
Deal (GA)  
Dent  
Diaz-Balart, L.  
Diaz-Balart, M.  
Doggett  
Dreier  
Duncan  
Emerson  
Fallin  
Flake  
Fleming  
Forbes  
Fortenberry  
Foxy  
Franks (AZ)  
Frelinghuysen  
Gallegly  
Garrett (NJ)  
Gerlach  
Gingrey (GA)  
Gohmert  
Goodlatte  
Granger  
Graves  
Guthrie  
Hall (TX)  
Harper  
Hastings (WA)  
Heller  
Hensarling  
Herger  
Hoekstra  
Hunter  
Inglis  
Issa  
Jenkins  
Johnson, Sam  
Jones  
Jordan (OH)  
Kaptur  
King (IA)  
King (NY)  
Kingston  
Kissell

Kline (MN)  
Kucinich  
Lamborn  
Lance  
Latham  
LaTourette  
Latta  
Lee (NY)  
Lewis (CA)  
Linder  
Lipinski  
LoBiondo  
Lucas  
Luetkemeyer  
Lummis  
Mack  
Manzullo  
Marchant  
Massa  
McCarthy (CA)  
McCaull  
McClintock  
McCotter  
McDermott  
McHenry  
McKeon  
McMorris  
Rodgers  
Mica  
Michaud  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Minnick  
Moran (KS)  
Murphy, Tim  
Myrick  
Neugebauer  
Nunes  
Olson  
Paul  
Paulsen  
Pence  
Perriello  
Petri  
Pitts  
Platts  
Poe (TX)

Posey  
Price (GA)  
Putnam  
Radanovich  
Rehberg  
Roe (TN)  
Rohrabacher  
Rooney  
Ros-Lehtinen  
Roskam  
Ryan (WI)  
Scalise  
Schmidt  
Schock  
Sensenbrenner  
Sessions  
Shadegg  
Shimkus  
Shuler  
Shuster  
Simpson  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Souder  
Stark  
Stearns  
Terry  
Thompson (PA)  
Thornberry  
Tiahrt  
Tiberi  
Turner  
Walden  
Wamp  
Waters  
Westmoreland  
Whitfield  
Wilson (SC)  
Wittman  
Wolf  
Young (AK)  
Young (FL)

NOT VOTING—14

Baca  
Blunt  
Brown, Corrine  
Delahunt  
Himes

Johnson (IL)  
Kagen  
Kennedy  
Lewis (GA)  
Murphy (CT)  
Napolitano  
Richardson  
Sanchez, Linda T.  
Sullivan

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are less than 2 minutes remaining on this vote.

□ 1534

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. JOHNSON of Illinois. Mr. Speaker, on rollcall No. 333, H.R. 1886 would provide an element of stability in the troubled Middle East, but its cost, in these economic times, is excessive. As a result, I determined a "present" vote to be appropriate. I was present on the House floor for all votes prior to and after this vote on final passage; and due to a malfunction in the voting process, I was shown as "Not Voting." This explanation is filed due to the unusual nature of the substance of the issue, and my position and rec- ordation of same.

The SPEAKER pro tempore. Without objection, H.R. 1886 is laid on the table.

There was no objection.