

better life. He had to grow up incredibly fast, and he did so with great determination. He worked hard to learn English, graduate from college and law school, and build a legal career and solid reputation.

And then he decided to selflessly give back to the community and country that had given him so much. He rose to the highest levels of our government as the 12th Secretary of Housing and Urban Development under President George W. Bush. He served from 2001 to 2003, an especially trying time in our Nation's history. But his agency's focus on rebuilding Lower Manhattan provided necessary healing for a city and its citizens.

In 2005, Mel was sworn in as the first Cuban American U.S. Senator. It was a privilege to serve with him and to join together on many legislative efforts. Most significant was our work on expanding freedom and democracy for the people of Cuba. Cubans have been stifled for too long by a brutal communist dictator. They deserve a voice and an opportunity for a better life. Nobody knows that better than Mel Martinez, and I look forward to continuing our fight to support pro-democracy efforts.

Most recently, I was pleased to work with Mel on legislation to promote U.S. tourist destinations abroad. Florida and Nevada miss out on vital international tourism dollars because the United States has no entity to promote our amazing tourism opportunities to other countries. I am confident that the Travel Promotion Act, cosponsored by Senator Martinez, will pass the Senate shortly and will represent another accomplishment by my former colleague to improve the lives of his constituents and fuel success for all Americans.

I thank Mel Martinez for his decades of public service in Florida and here in our Nation's Capital. He proved to us all that the hope for a better life combined with determination and the limitless opportunities here in America can make any dream come true.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

#### ENHANCED PARTNERSHIP WITH PAKISTAN ACT OF 2009

• Mr. KERRY. Mr. President, I ask that my statement and accompanying documents submitted this afternoon be printed in the RECORD.

The documents follow.

Mr. KERRY. Mr. President, today I wish to discuss S. 1707, the "Enhanced Partnership with Pakistan Act of 2009," which President Obama has committed to signing into law this week. The legislation is a result of negotiations between the Senate and House of Representatives reconciling our respective bills that passed earlier this summer. The final version passed unanimously in both the Senate and the House of Representatives, sending a very strong message of the desire of

the U.S. Congress to strengthen our relationship with the people of Pakistan through a long-term pledge of economic and development assistance.

I hope that over time it will fundamentally change America's relationship with the people of Pakistan. I especially want to thank my colleagues Senator LUGAR and Representative BERMAN for their partnership in crafting this bill and their ongoing leadership on this issue.

It is hard to overstate the importance to our national security of getting our relationship with Pakistan right. The status quo has not brought success, the stakes could not be higher, and we have little choice but to think big. That is why the Obama Administration and many of us in Congress saw the need for a bold, new strategy for Pakistan.

The "Enhanced Partnership with Pakistan Act" is a centerpiece of this new approach, which is why President Obama asked Congress to pass the measure. This Act establishes a legislative foundation for a strengthened partnership between the United States and Pakistan, based on a shared commitment to improving the living conditions of the people of Pakistan through sustainable economic development, strengthening democracy and the rule of law, and combating terrorism and extremism. It is the intent of Congress to strengthen the long-term people-to-people relationship between the United States and Pakistan by investing directly in the needs of the Pakistani people.

The overall level of economic assistance authorized annually by this legislation is tripled over FY 2008 levels, with the bulk of aid intended for projects such as schools, roads, medical clinics, and infrastructure development. The legislation authorizes \$1.5 billion annually for fiscal years 2010 to 2014 and recommends an additional five years of funding to demonstrate a long-term commitment to the people of Pakistan.

This legislation is an important first step in turning the page in our relationship with Pakistan and building mutual trust. It is a prime example of "smart power" because it uses both economic and security aid to achieve an overall effect that is greater than the sum of its parts.

But this bill is not a silver bullet. It provides powerful tools—but these tools are only as effective as the policy-makers who wield them. We must approach this endeavor with a large dose of humility. Our leverage is limited. This bill aims to increase that leverage significantly. But we should be realistic about what we can accomplish—Americans can influence events in Pakistan, but we cannot and should not decide them. Ultimately, the true decision-makers are the people and leaders of Pakistan.

There have been serious concerns in Pakistan in recent days over the perceived intent of this bill. We have spo-

ken with Pakistani government officials, including Foreign Minister Qureshi and Ambassador Haqqani, to make sure we understand the nature of these concerns and to clear up any misunderstandings.

To clear up any lingering confusion and to reiterate Congress' intent with respect to this legislation, Chairman BERMAN and I are submitting a "Joint Explanatory Statement" for the CONGRESSIONAL RECORD. The purpose of the Joint Explanatory Statement is to facilitate accurate interpretation of the text and to ensure faithful implementation of its provisions in accordance with the intentions of the legislation.

As the Joint Explanatory Statement makes clear, the legislation does not seek in any way to compromise Pakistan's sovereignty, impinge on Pakistan's national security interests, or micromanage any aspect of Pakistani military or civilian operations. There are no conditions on Pakistan attached to the authorization of \$7.5 billion in non-military aid. The only requirements on this funding are financial accountability measures that Congress is imposing on the U.S. executive branch, to ensure that this assistance supports programs that most benefit the Pakistani people.

The certifications in the Act regarding certain limited forms of security assistance track very closely with previous Congressional legislation. The conditions set forth in the bill are reasonable and should be easy for any nation receiving American aid to meet. They align with and reinforce the publicly-articulated positions of the democratically-elected Pakistani government and Pakistani military leaders. The United States values its friendship with the Pakistani people and honors the sacrifices made by Pakistani security forces in the fight against extremism.

Mr. President, I ask to have printed in the RECORD this Joint Explanatory Statement along with letters of support for S. 1707, passed and printed in the RECORD of Thursday, September 24, 2009, from Secretary of State Clinton, Secretary of Defense Gates, and Chairman of the Joint Chiefs of Staff Admiral Mullen.

The material follows.

JOINT EXPLANATORY STATEMENT—ENHANCED PARTNERSHIP WITH PAKISTAN ACT OF 2009  
Sen. John F. Kerry and Congressman Howard Berman

The following is an explanation of S. 1707, the Enhanced Partnership with Pakistan Act of 2009. The final text of the legislation reflects an agreement reached by the Senate Committee on Foreign Relations and the House Committee on Foreign Affairs. The purpose of this Explanatory Statement is to facilitate accurate interpretation of the text and to ensure faithful implementation of its provisions in accordance with the intentions of the legislation.

The core intent of the Enhanced Partnership with Pakistan Act is to demonstrate the American people's long-term commitment to the people of Pakistan. The United States values its friendship with the Pakistani people and honors the great sacrifices made by

Pakistani security forces in the fight against extremism, and the legislation reflects the goals shared by our two governments.

The legislation does not seek in any way to compromise Pakistan's sovereignty, impinge on Pakistan's national security interests, or micromanage any aspect of Pakistani military or civilian operations. There are no conditions on Pakistan attached to the authorization of \$7.5 billion in non-military aid. The only requirements on this funding are financial accountability measures that Congress is imposing on the U.S. executive branch, to ensure that this assistance supports programs that most benefit the Pakistani people.

#### SUMMARY OF CONGRESSIONAL INTENT

The Enhanced Partnership with Pakistan Act of 2009 (the "Act") establishes a legislative foundation for a strengthened partnership between the United States and Pakistan, based on a shared commitment to improving the living conditions of the people of Pakistan through strengthening democracy and the rule of law, sustainable economic development, and combating terrorism and extremism. It is the intent of Congress to strengthen the long-term people-to-people relationship between the United States and Pakistan by investing directly in the needs of the Pakistani people. This legislation is intended to fortify a lasting partnership with Pakistan based on mutual trust.

The overall level of economic assistance authorized annually by this legislation is tripled over FY 2008 U.S. funding levels, with the bulk of aid intended for projects such as schools, roads, medical clinics, and infrastructure development. The funds directly authorized by this Act—\$1.5 billion in economic and development assistance annually for five years, with a similar amount envisioned for a subsequent five years—place no conditions on the Government of Pakistan. The only requirements are accountability measures placed on the United States executive branch to ensure that the aid directly benefits the Pakistani people.

This Act fully recognizes and respects the independence of Pakistan as a sovereign nation. The purpose of this Act is to forge a closer collaborative relationship between Pakistan and the United States, not to dictate the national policy or impinge on the sovereignty of Pakistan in any way. Any interpretation of this Act which suggests that the United States does not fully recognize and respect the sovereignty of Pakistan would be directly contrary to Congressional intent.

The certifications in the Act regarding certain limited forms of security assistance are consistent with previous Congressional legislation regarding security assistance to Pakistan and other nations. In all cases, they align with the aims of, and serve to reinforce the publicly-articulated positions of, the democratically-elected Government of Pakistan, and Pakistani military leaders, to combat extremists and militants.

#### *Sections 1-4: Strengthening a Relationship Founded on Mutual Respect*

Sections 1-4 establish the framework and context for the legislative provisions that follow. The Findings and the Statement of Principles demonstrate an unequivocal appreciation for the friendship of the Pakistani people, and for the sacrifices made by the Pakistani security forces and people in fighting extremism. The Findings in Section 3 include:

Section 3(1): "Congress finds the following: The people of the Islamic Republic of Pakistan and the United States share a long history of friendship and comity, and the interests of both nations are well-served by strengthening and deepening this friendship."

Section 3(4): "Pakistan is a major non-NATO ally of the United States and has been a valuable partner in the battle against al Qaeda and the Taliban, but much more remains to be accomplished by both nations. The struggle against al Qaeda, the Taliban, and affiliated terrorist groups has led to the deaths of several thousand Pakistani civilians and members of the security forces of Pakistan over the past seven years."

The Statement of Principles in Section 4 include:

Section 4(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 economic development of Pakistan."

Section 4(4): "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 1,900 soldiers and police since 2001 in combat with al Qaeda, the Taliban, and other extremist and terrorist groups."

#### Title I: Democratic, Economic and Development Assistance for Pakistan

This Title contains the core intention of this legislation: To make a long-term commitment to the people of Pakistan by tripling non-military assistance, free of any conditions on the Pakistani government. The purposes set forth for the \$7.5 billion that is authorized here are all intended to reflect the expressed priorities of the Pakistani people. Specifically, Section 101(a) provides that:

"The President is authorized to provide assistance to Pakistan to support the consolidation of democratic institutions; to support the expansion of rule of law, build the capacity of government institutions, and promote respect for internationally-recognized human rights; to promote economic freedoms and sustainable economic development; to support investment in people, including those displaced in on-going counterinsurgency operations; and to strengthen public diplomacy."

The funds authorized under Title I are intended to be used to work with and benefit Pakistani organizations. Specifically, Section 101(c)(3) provides that:

"The President is encouraged, as appropriate, to utilize Pakistani firms and community and local nongovernmental organizations in Pakistan, including through host country contracts, and to work with local leaders to provide assistance under this section."

Section 102(a) makes clear that there are no conditions placed on the Pakistani government for delivery of the \$7.5 billion in assistance. The only accounting requirements are of the U.S. executive branch.

Section 102(d) makes clear that a long term commitment to increased civilian assistance for the people of Pakistan is envisioned by stating that it is the desire of Congress that the amounts authorized for fiscal years 2010-2014 shall continue from fiscal years 2015-2019.

Section 103(b) authorizes establishment of field offices for Inspectors General to audit and oversee expenditure of this assistance. It is the intent of Congress that such offices would be established in consultation with appropriate Pakistani authorities for the purpose of ensuring optimal management of resources.

#### Title II: Security Assistance for Pakistan

The intention of this section is to strengthen cooperative efforts to confront

extremism. The purposes of security assistance are intended to be completely cooperative, and reflect the intention that such assistance be used to support Pakistan in achieving its stated objectives in winning the ongoing counterinsurgency, defeating terrorist organizations that threaten Pakistan, and strengthening democratic institutions. Specifically, Section 201(1) "Purposes of Assistance" states that:

"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 in accordance with its national security interests;

(2) to work with the Government of Pakistan to improve Pakistan's border security and control and help 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 help strengthen the institutions of democratic governance. . . ."

The provisions applied to certain limited portions of U.S. security assistance in Section 203 are intended to be fully in line with the existing policy of the Government of Pakistan. Specifically, Section 203(c)(1) reflects our understanding that cooperative efforts currently being undertaken by the Governments of Pakistan and the United States to combat proliferation will continue.

Section 203(c)(2) reflects the intent that U.S. security assistance is used in furtherance of the purposes set forth in Section 201 above, e.g., ensuring Pakistan's security, winning the counterinsurgency within Pakistan, preventing territory from being used for terrorist attacks in Pakistan and elsewhere, and coordinating action against extremist and terrorist targets. This section requires a certification by the U.S. executive branch to Congress regarding the efforts and progress made in achieving these purposes, and includes a series of factors to be considered collectively by the Secretary of State in making this assessment.

Section 203(c)(3) includes a provision intended to express support for democratic institutions in Pakistan.

Section 203(e) contains a waiver making clear that this certification could be waived if the determination is made by the Secretary of State in the interests of national security that this was necessary to continue such assistance.

#### Title III: Strategy, Accountability, Monitoring, and Other Provisions

The intention of this section is to ensure that there is transparency and accountability in the way authorized assistance is spent. This Title requires the U.S. executive branch to provide various reports to Congress designed to demonstrate that funds are being used for the purposes set forth in Title I and Title II; there are no requirements on the Government of Pakistan.

Section 301 "Strategy Reports" requires three reports from the U.S. executive branch that detail a plan for how U.S. assistance to Pakistan will be spent and evaluated and a regional security plan for how the United States can best work with its partners for "effective counterinsurgency and counterterrorism efforts."

Section 302 "Monitoring Reports" reflects the need for ongoing consultation between the U.S. executive branch and Congress on monitoring U.S. assistance to Pakistan, including a "Semi-Annual Monitoring Report" where:

“The Secretary of State, in consultation with the Secretary of Defense, shall submit to the appropriate congressional committees a report that describes the assistance provided under this Act during the preceding 180-day period.”

The many requirements of this report are intended as a way for Congress to assess how effectively U.S. funds are being spent, shortfalls in U.S. resources that hinder the use of such funds, and steps the Government of Pakistan has taken to advance our mutual interests in countering extremism and nuclear proliferation and strengthening democratic institutions.

There is no intent to, and nothing in this Act in any way suggests that there should be, any U.S. role in micromanaging internal Pakistani affairs, including the promotion of Pakistani military officers or the internal operations of the Pakistani military.

The reports envisioned in this Section are not binding on Pakistan, and require only the provision of information by the executive branch to the U.S. Congress, in furtherance of the Act’s stated purpose of strengthening civilian institutions and the democratically-elected Government of Pakistan.

THE SECRETARY OF STATE,  
Washington, DC, September 29, 2009.

Hon. NANCY PELOSI, H-232 Capitol Building,  
Washington, DC.

Speaker of the House of Representatives,

Hon. JOHN A. BOEHNER,

House of Representatives, H-204 Capitol Building,  
Washington, DC.

DEAR MADAM SPEAKER AND MR. REPUBLICAN LEADER: I write to express the State Department’s strong support of S. 1707, the Enhanced Partnership with Pakistan Act of 2009.

The bipartisan Enhanced Partnership with Pakistan Act of 2009 will be an essential tool in support of our national security interests and underscores a multifaceted, multi-year commitment between the peoples of the United States and Pakistan.

I appreciate the hard work by many in both the House and the Senate in reaching this reconciled text, and urge its passage as soon as possible.

Sincerely yours,

HILLARY RODHAM CLINTON.

THE SECRETARY OF DEFENSE,  
Washington, DC, September 25, 2009.

Hon. NANCY PELOSI,

Speaker of the House of Representatives, House of Representatives, Washington, DC.

Hon. HARRY REID,

Senate Majority Leader,  
U.S. Senate, Washington, DC.

DEAR MADAM SPEAKER AND MR. MAJORITY LEADER: As the United States Government continues to implement its strategy to disrupt, dismantle and defeat al Qaeda in Afghanistan and Pakistan, it is important that we strongly signal to the Pakistani people our long-term commitment to partnering with them to combat terrorism and extremism.

We appreciate that the House and Senate have worked hard to finalize the Enhanced Partnership with Pakistan Act of 2009, a bipartisan bill that would underscore a long-term, multi-year commitment to increase civilian assistance to Pakistan.

The bill as revised addresses the key concerns we previously raised in an April 28, 2009, letter. We appreciated the opportunity to work with your committees on these concerns.

This bill would support U.S. national security interests in Afghanistan and Pakistan. The Department of Defense strongly supports moving this bill to final passage by the

House and Senate as expeditiously as possible.

The Office of Management and Budget advises that, from the standpoint of the Administration’s program, there is no objection to the presentation of this letter.

Sincerely,

ROBERT M. GATES,  
Secretary of Defense.  
M.G. MULLEN,  
Admiral, U.S. Navy.●

#### 40TH ANNIVERSARY OF THE VERMONT STUDENT ASSISTANCE CORPORATION

Mr. LEAHY. Mr. President, I wish to take this opportunity to congratulate the Vermont Student Assistance Corporation, VSAC, for three important milestones it has reached this year. This year marks the 40th anniversary of the VSAC Talent Search Program, the 10th anniversary of the VSAC Gear UP Program, and the 10th anniversary of the Vermont Higher Education Investment Program.

Although small in size, Vermont has a long history of establishing national models for making higher education accessible to disadvantaged students. The University of Vermont provided Senator Justin Morrill the inspiration for the first and second Morrill Act. The student loan programs which have made college possible for millions of students each year bear the name of my former colleague and dear friend, Senator Bob Stafford.

The Vermont Student Assistance Corporation has continued this tradition through innovative programs to encourage first-generation and low-income students to pursue their career and education goals. Each year more than 47,000 students and parents participate in one or more of their career, education and financial aid programs. In addition, VSAC has been at the forefront of efforts to reach young people with programs that link career ambitions with educational requirements and opportunities. This past year, VSAC’s Start Where You Are program won a prestigious WebAward for Education Standard of Excellence from the Web Marketing Association. In a more traditional vein, VSAC staff was recognized this year with the David Swedlow Memorial College Access Staff Award of Excellence from the National College Access Network.

Several States have established not-for-profit State agencies to administer financial aid and to provide their residents and students attending their schools with quality counseling services and low-cost loans. Vermont pioneered this movement by creating the Vermont Student Assistance Corporation more than 40 years ago. VSAC has worked hard to establish and maintain strong and longstanding working relationships with Vermont’s higher education institutions as well as K-12 schools to provide outreach programs critical to the economic vitality of Vermont.

The U.S. Department of Education has proposed that all future student

loans be made through direct lending from the Federal Government to students. The Direct Loan program is projected to save students millions of dollars in fees and interest payments. Additional savings would be distributed to States for school construction and grants for K-12 education. Unfortunately this proposal does not include a role for not-for-profit State agencies such as VSAC. I believe that is a significant oversight. Vermonters have come to rely on the high quality, comprehensive programs that VSAC offers. A one-size-fits-all Federal direct loan program does not acknowledge all of the hard work and experience of nonprofits such as VSAC and their tremendous staff. As this proposal makes its way through Congress, Senator SANDERS, Congressman WELCH, and I will be working for changes to ensure a role for nonprofit State financial aid agencies such as VSAC.

I congratulate VSAC on their landmark 40th anniversary, and I hope there will be many more to come.

#### ADDITIONAL STATEMENTS

##### RECOGNIZING AMERICAN GOLD STAR MOTHER’S DAY

● Mr. SCHUMER. Mr. President, today I wish to recognize that September 27, 2009, is designated as “Gold Star Mother’s Day.”

It is fitting that we recognize the American Gold Star Mothers, whose sons and daughters have died in defense of the ideals of individual liberty. They should be honored and offered respect and gratitude for their personal sacrifice.

Gold Star Mother’s Day is intended to honor women who deserve special recognition and gratitude for their tremendous personal loss on behalf of our country.

During the early days of World War I, a Blue Star was used to represent each soldier in military service of the United States, and as the war progressed and soldiers were killed or wounded in combat or died from wounds or disease, a Gold Star superimposed over the Blue Star designated the loss of these individuals. This tradition recognized soldiers for their ultimate sacrifice to our country, and the Gold Star offered families an outward symbol by which to honor the loss of a loved one. In 1928, the Gold Star tradition was formalized in Washington, DC, by a group of mothers who had lost sons and daughters in service to their country and met to form the American Gold Star Mothers organization. This organization is a non-denominational, non-profitable, and nonpolitical organization that is dedicated in supporting veterans, military families, and servicemembers returning from our present-day battlefields.

In 1936, President Franklin Roosevelt issued a proclamation which recognized Gold Star Mothers for their strength and inspiration to this country. The