

propriate congressional committees a plan for the proposed use of amounts authorized for security-related assistance for each of the fiscal years 2010 through 2014. Such plan shall include an assessment of how the use of such amounts complements or otherwise is related to amounts described in section 8424 of this title.

(Pub. L. 111-73, title III, §301, Oct. 15, 2009, 123 Stat. 2075.)

Executive Documents

DELEGATION OF A REPORTING AUTHORITY

Memorandum of President of the United States, Apr. 7, 2010, 75 F.R. 19533, provided:

Memorandum for the Secretary of State

By the authority vested in me as President by the Constitution and the laws of the United States, including section 301 of title 3, United States Code, I hereby delegate to you the functions and authority conferred upon the President by section 301 of the Enhanced Partnership with Pakistan Act of 2009, Public Law 111-73, to make the specified report to the Congress.

You are authorized and directed to notify the appropriate congressional committees and publish this memorandum in the Federal Register.

BARACK OBAMA.

§ 8442. Monitoring reports

(a) Semi-annual monitoring report

Not later than 180 days after the submission of the Pakistan Assistance Strategy Report pursuant to section 8441(a) of this title, and every 180 days thereafter through September 30, 2014, 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 chapter during the preceding 180-day period. The report shall include—

(1) a description of all assistance by program, project, and activity, as well as by geographic area, provided pursuant to subchapter I of this chapter during the period covered by the report, including the amount of assistance provided for each program or project, and with respect to the first report a description of all amounts made available for assistance to Pakistan during fiscal year 2009, including a description of each program, project, and activity for which funds were made available;

(2) a list of persons or entities from the United States or other countries that have received funds in excess of \$100,000 to conduct projects under subchapter I of this chapter during the period covered by the report, which may be included in a classified annex, if necessary to avoid a security risk, and a justification for the classification;

(3) with respect to the plan described in section 8441(a)(3) of this title, updates to such plan and a description of best practices to improve the impact of the assistance authorized under subchapter I of this chapter;

(4) an assessment of the effectiveness of assistance provided under subchapter I of this chapter during the period covered by the report in achieving desired objectives and outcomes as guided by the plan described in section 8441(a)(3) of this title, and as updated pursuant to paragraph (3) of this subsection, in-

cluding a systematic, qualitative, and where possible, quantitative basis for assessing whether desired outcomes are achieved and a timeline for completion of each project and program;

(5) a description of any shortfall in United States financial, physical, technical, or human resources that hinder the effective use and monitoring of such funds;

(6) a description of any negative impact, including the absorptive capacity of the region for which the resources are intended, of United States bilateral or multilateral assistance and recommendations for modification of funding, if any;

(7) any incidents or reports of waste, fraud, and abuse of expenditures under subchapter I of this chapter;

(8) the amount of funds authorized to be appropriated pursuant to section 8412 that were used during the reporting period for administrative expenses or for audits and program reviews pursuant to the authority under sections 8411(c)(2) and 8413 of this title;

(9) a description of the expenditures made from any Chief of Mission Fund established pursuant to section 8411(c)(5) of this title during the period covered by the report, the purposes for which such expenditures were made, and a list of the recipients of any expenditures from the Chief of Mission Fund in excess of \$100,000;

(10) an accounting of assistance provided to Pakistan under subchapter I of this chapter, broken down into the categories set forth in section 8441(a)(6) of this title;

(11) an evaluation of efforts undertaken by the Government of Pakistan to—

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

(B) eliminate the safe havens of such forces in Pakistan;

(C) close terrorist camps, including those of Lashkar-e-Taiba and Jaish-e-Mohammed;

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

(E) prevent attacks into neighboring countries;

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

(G) improve counterterrorism financing and anti-money laundering laws, apply for observer status for the Financial Action Task Force, and take steps to adhere to the United Nations International Convention for the Suppression of Financing of Terrorism;

(12) a detailed description of Pakistan's efforts to prevent proliferation of nuclear-related material and expertise;

(13) an assessment of whether assistance provided to Pakistan 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's financial resources that would otherwise be spent for programs and activities unrelated to its nuclear weapons program;

(14) a detailed description of the extent to which funds obligated and expended pursuant to section 8422(b) of this title meet the requirements of such section; and

(15) an assessment of the extent to which the Government of Pakistan exercises effective civilian control of the military, including a description 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) Government Accountability Office reports

(1) Pakistan Assistance Strategy Report

Not later than one year after the submission of the Pakistan Assistance Strategy Report pursuant to section 8441(a) of this title, the Comptroller General of the United States shall submit to the appropriate congressional committees a report that contains—

(A) a review of, and comments addressing, the Pakistan Assistance Strategy Report;

(B) recommendations relating to any additional actions the Comptroller General believes could help improve the efficiency and effectiveness of United States efforts to meet the objectives of this chapter;

(C) a detailed description of the expenditures made by Pakistan pursuant to grant assistance under section 2763 of this title (relating to the Foreign Military Financing program); and

(D) an assessment of the impact of the assistance on the security and stability of Pakistan.

(2) Certification report

Not later than 120 days after the date on which the President makes the certification described in section 8423(c) of this title for a fiscal year, the Comptroller General of the United States shall conduct an independent analysis of the certification described in such section and shall submit to the appropriate congressional committees a report containing the results of the independent analysis.

(c) Submission

The Secretary of State may submit the reports required by this section in conjunction with other reports relating to Pakistan required under other provisions of law, including sections 1116 and 1117 of the Supplemental Appropriations Act, 2009 (Public Law 111-32; 123 Stat. 1906 and 1907).

(d) 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.

(Pub. L. 111-73, title III, §302, Oct. 15, 2009, 123 Stat. 2077.)

Editorial Notes

REFERENCES IN TEXT

Sections 1116 and 1117 of the Supplemental Appropriations Act, 2009 (Public Law 111-32; 123 Stat. 1906 and 1907), referred to in subsec. (c), are not classified to the Code.

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