

111TH CONGRESS  
1ST SESSION

# S. 1067

To support stabilization and lasting peace in northern Uganda and areas affected by the Lord's Resistance Army through development of a regional strategy to support multilateral efforts to successfully protect civilians and eliminate the threat posed by the Lord's Resistance Army and to authorize funds for humanitarian relief and reconstruction, reconciliation, and transitional justice, and for other purposes.

---

IN THE SENATE OF THE UNITED STATES

MAY 19, 2009

Mr. FEINGOLD (for himself and Mr. BROWNBACK) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

---

## A BILL

To support stabilization and lasting peace in northern Uganda and areas affected by the Lord's Resistance Army through development of a regional strategy to support multilateral efforts to successfully protect civilians and eliminate the threat posed by the Lord's Resistance Army and to authorize funds for humanitarian relief and reconstruction, reconciliation, and transitional justice, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Lord’s Resistance  
3 Army Disarmament and Northern Uganda Recovery Act  
4 of 2009”.

5 **SEC. 2. FINDINGS.**

6 Congress makes the following findings:

7 (1) For over 2 decades, the Government of  
8 Uganda engaged in an armed conflict with the  
9 Lord’s Resistance Army (LRA) in northern Uganda  
10 that led to the internal displacement of more than  
11 2,000,000 Ugandans from their homes.

12 (2) The members of the Lord’s Resistance  
13 Army used brutal tactics in northern Uganda, in-  
14 cluding mutilating, abducting, and forcing individ-  
15 uals into sexual servitude and forcing a large num-  
16 ber of children and youth in Uganda, estimated by  
17 the Survey for War Affected Youth to be over  
18 66,000, to fight as part of the rebel force.

19 (3) The Secretary of State has designated the  
20 Lord’s Resistance Army as a terrorist organization  
21 and placed the Lord’s Resistance Army on the Ter-  
22 rorist Exclusion list pursuant to section 212(a)(3) of  
23 the Immigration and Nationality Act (8 U.S.C.  
24 1182(a)(3)).

25 (4) In late 2005, according to the United Na-  
26 tions Office for Coordination of Humanitarian Af-

1       fairs, the Lord's Resistance Army shifted their pri-  
2       mary base of operations from southern Sudan to  
3       northeastern Democratic Republic of Congo, and the  
4       rebels have since withdrawn from northern Uganda.

5           (5) Representatives of the Government of  
6       Uganda and the Lord's Resistance Army began  
7       peace negotiations in 2006, mediated by the Govern-  
8       ment of Southern Sudan in Juba, Sudan, and signed  
9       the Cessation of Hostilities Agreement on August  
10      20, 2006, which provided for hundreds of thousands  
11      of internally displaced people to return home in safe-  
12      ty.

13          (6) After nearly 2 years of negotiations, rep-  
14      resentatives from the parties reached the Final  
15      Peace Agreement in April 2008, but Joseph Kony,  
16      the leader of the Lord's Resistance Army, refused to  
17      sign the Final Peace Agreement in May 2008 and  
18      his forces launched new attacks in northeastern  
19      Congo.

20          (7) According to the United Nations Office for  
21      the Coordination of Humanitarian Relief, the new  
22      activity of the Lord's Resistance Army in north-  
23      eastern Congo and southern Sudan since September  
24      2008 has led to the abduction of at least 711 civil-

1       ians, including 540 children, and the displacement of  
2       more than 160,000 people.

3               (8) In December 2008, the military forces of  
4       Uganda, the Democratic Republic of Congo, and  
5       southern Sudan launched a joint operation against  
6       the Lord's Resistance Army's bases in northeastern  
7       Congo, but the operation failed to apprehend Joseph  
8       Kony, and his forces retaliated with a series of new  
9       attacks and massacres in Congo and southern  
10      Sudan, killing an estimated 900 people in 2 months.

11              (9) The escalated activity of the Lord's Resist-  
12      ance Army over recent months and the inability of  
13      military operations to stop them or protect civilians  
14      has perpetuated fears amongst communities in  
15      northern Uganda that the rebels could cross back  
16      into Uganda in the future, which complicates ongo-  
17      ing recovery efforts.

18              (10) Despite the refusal of Joseph Kony to sign  
19      the Final Peace Agreement, the Government of  
20      Uganda has committed to continue reconstruction  
21      plans for northern Uganda, and to implement those  
22      mechanisms of the Final Peace Agreement not con-  
23      ditional on the compliance of the Lord's Resistance  
24      Army.

1           (11) Since April 2008, recovery efforts in  
2 northern Uganda have moved forward with the fi-  
3 nancial support of the United States and other do-  
4 nors, but have been hampered by a lack of strategic  
5 coordination, logistical delays, and limited capacity  
6 of the Government of Uganda.

7           (12) Continued economic disparities between  
8 northern Uganda and the rest of the country and a  
9 failure to take meaningful steps toward reconcili-  
10 ation and accountability, if unchanged, risk perpet-  
11 uating longstanding political grievances and fueling  
12 new conflicts.

13 **SEC. 3. STATEMENT OF POLICY.**

14       It is the policy of the United States to work vigor-  
15 ously for a lasting resolution to the conflict in northern  
16 and eastern Uganda and other affected areas by—

17           (1) eliminating the threat posed by the Lord's  
18 Resistance Army to civilians and regional stability  
19 through political, economic, military, and intelligence  
20 support for a comprehensive multilateral effort to  
21 protect civilians in affected areas, to apprehend or  
22 otherwise remove Joseph Kony and his top com-  
23 manders from the battlefield, and to disarm and de-  
24 mobilize Lord's Resistance Army fighters; and

1           (2) further supporting comprehensive recon-  
2           struction, transitional justice, and reconciliation ef-  
3           forts as affirmed in the Northern Uganda Crisis Re-  
4           sponse Act of 2004 (Public Law 108–283) and sub-  
5           sequent resolutions, including Senate Resolution  
6           366, 109th Congress, agreed to February 2, 2006,  
7           Senate Resolution 573, 109th Congress, agreed to  
8           September 19, 2006, Senate Concurrent Resolution  
9           16, 110th Congress, agreed to in the Senate March  
10          1, 2007, and House Concurrent Resolution 80,  
11          110th Congress, agreed to in the House of Rep-  
12          resentatives June 18, 2007.

13 **SEC. 4. REQUIREMENT OF A REGIONAL STRATEGY FOR DIS-**  
14 **ARMING THE LORD’S RESISTANCE ARMY.**

15          (a) REQUIREMENT FOR STRATEGY.—Not later than  
16 180 days after the date of the enactment of this Act, the  
17 President shall develop and submit to the appropriate  
18 committees of Congress a regional strategy to guide  
19 United States support for multilateral efforts to protect  
20 civilians from attacks by the Lord’s Resistance Army, to  
21 eliminate the threat to civilians and regional stability  
22 posed by the Lord’s Resistance Army, and to enforce the  
23 rule of law and ensure full humanitarian access in LRA-  
24 affected areas.

1 (b) CONTENT OF STRATEGY.—The strategy should  
2 include the following:

3 (1) A viable plan to protect civilians from at-  
4 tacks by the Lord’s Resistance Army and eliminate  
5 the threat posed by the Lord’s Resistance Army,  
6 while building institutions in the affected areas that  
7 can help to maintain the rule of law and prevent  
8 conflict in the long term.

9 (2) An interagency framework to plan, coordi-  
10 nate, and execute all diplomatic economic, intel-  
11 ligence, and military elements of United States pol-  
12 icy across the region regarding the Lord’s Resist-  
13 ance Army.

14 (3) A description of the type and form of diplo-  
15 matic engagement to work with regional mecha-  
16 nisms, including the Tripartite Plus Commission and  
17 the Great Lakes Pact, and to coordinate the imple-  
18 mentation of United States policy toward the Lord’s  
19 Resistance Army across the region.

20 (4) A description of how this engagement will  
21 fit within the context of broader efforts and policy  
22 objectives in the Great Lakes Region.

23 (5) A framework to evaluate the progress and  
24 effectiveness of the United States strategy toward

1 eliminating the threat posed by the Lord's Resist-  
2 ance Army.

3 (c) FORM.—The strategy under this section shall be  
4 submitted in unclassified form, but may include a classi-  
5 fied annex.

6 **SEC. 5. HUMANITARIAN ASSISTANCE FOR AREAS OUTSIDE**  
7 **UGANDA AFFECTED BY THE LORD'S RESIST-**  
8 **ANCE ARMY.**

9 (a) AUTHORITY.—In accordance with section 491 of  
10 the Foreign Assistance Act of 1961 (22 U.S.C. 2292) and  
11 section 2 of the Migration and Refugee Assistance Act of  
12 1962 (22 U.S.C. 2601), the President is authorized to  
13 provide assistance to respond to the humanitarian needs  
14 of populations in northeastern Congo, southern Sudan,  
15 and Central African Republic affected by the activity of  
16 the Lord's Resistance Army.

17 (b) AUTHORIZATION OF APPROPRIATIONS.—There is  
18 authorized to be appropriated \$10,000,000 for fiscal year  
19 2010 to carry out this section.

20 **SEC. 6. ASSISTANCE FOR RECOVERY AND RECONSTRUC-**  
21 **TION IN NORTHERN UGANDA.**

22 (a) AUTHORITY.—It is the sense of Congress that the  
23 President should support efforts by the people of northern  
24 Uganda and the Government of Uganda—

1           (1) to assist internally displaced people in tran-  
2           sition and returnees to secure durable solutions by  
3           spurring economic revitalization, supporting liveli-  
4           hoods, helping to alleviate poverty, and advancing  
5           access to basic services at return sites, specifically  
6           clean water, health care, and schools;

7           (2) to enhance the accountability and adminis-  
8           trative competency of local governance institutions  
9           and public agencies in northern Uganda with regard  
10          to budget management, provision of public goods  
11          and services, and related oversight functions;

12          (3) to strengthen the operational capacity of the  
13          civilian police in northern Uganda to enhance public  
14          safety, prevent crime, and deal sensitively with gen-  
15          der-based violence, while strengthening account-  
16          ability measures to prevent corruption and abuses;

17          (4) to rebuild and improve the capacity of the  
18          justice system in northern Uganda, including the  
19          courts and penal systems, with particular sensitivity  
20          to the needs and rights of women and children;

21          (5) to establish mechanisms for the disar-  
22          mament, demobilization, and reintegration of former  
23          combatants, including vocational education and em-  
24          ployment opportunities; and

1           (6) to promote programs to address psycho-  
2           social trauma, particularly post-traumatic stress dis-  
3           order.

4           (b) FUTURE YEAR FUNDING.—It is the sense of Con-  
5           gress that the Secretary of State and Administrator of the  
6           United States Agency for International Development  
7           should work with the appropriate committees of Congress  
8           to increase assistance in future fiscal years to support ac-  
9           tivities described in this section if the Government of  
10          Uganda demonstrates a commitment to transparent and  
11          accountable reconstruction in war-affected areas of north-  
12          ern and eastern Uganda, specifically by—

13           (1) finalizing the establishment of mechanisms  
14           within the Office of the Prime Minister to suffi-  
15           ciently manage and coordinate the programs under  
16           the framework of the Peace Recovery and Develop-  
17           ment Plan for Northern Uganda (PRDP);

18           (2) increasing oversight activities and reporting  
19           to ensure funds under the Peace Recovery and De-  
20           velopment Plan for Northern Uganda framework are  
21           used efficiently and with minimal waste; and

22           (3) committing substantial funds of its own,  
23           above and beyond standard budget allocations to  
24           local governments, to the task of implementing the  
25           Peace Recovery and Development Plan for Northern

1       Uganda such that communities affected by the war  
2       can recover.

3       (c) **COORDINATION WITH OTHER DONOR NA-**  
4 **TIONS.**—The United States should work with other donor  
5 nations, on a bilateral and multilateral basis, to increase  
6 contributions for recovery efforts in northern Uganda and  
7 strengthen accountability mechanisms to ensure the trans-  
8 parent and timely use of those funds.

9       (d) **TERMINATION OF ASSISTANCE.**—It is the sense  
10 of Congress that the Secretary of State should withhold  
11 bilateral assistance to the Republic of Uganda for the pur-  
12 poses described under this section if the Secretary deter-  
13 mines that the Government of Uganda is not committed  
14 to transparent and accountable reconstruction and rec-  
15 onciliation in the war-affected areas of northern and east-  
16 ern Uganda.

17 **SEC. 7. ASSISTANCE FOR RECONCILIATION AND TRANSI-**  
18 **TIONAL JUSTICE IN NORTHERN UGANDA.**

19       (a) **SENSE OF CONGRESS.**—It is the sense of Con-  
20 gress that the President should support efforts by the peo-  
21 ple of northern Uganda and the Government of Uganda  
22 to advance efforts to promote transitional justice and rec-  
23 onciliation on both local and national levels, including to  
24 implement the following mechanisms outlined in the  
25 Annexure to the Agreement on Accountability and Rec-

1 onciliation between the Government of Uganda and the  
2 Lord's Resistance Army/Movement, signed at Juba Feb-  
3 ruary 19, 2008, namely—

4           (1) a body to investigate the history of the con-  
5 flict, inquire into human rights violations committed  
6 during the conflict by all sides, promote truth-telling  
7 in communities, and encourage the preservation of  
8 the memory of events and victims of the conflict  
9 through memorials, archives, commemorations, and  
10 other forms of preservation;

11           (2) a special division of the High Court of  
12 Uganda to try individuals alleged to have committed  
13 serious crimes during the conflict, and a special unit  
14 to carry out investigations and prosecutions in sup-  
15 port of trials;

16           (3) a system for making reparations to victims  
17 of the conflict; and

18           (4) a review and strategy for supporting transi-  
19 tional justice mechanisms in affected areas to pro-  
20 mote reconciliation and encourage individuals to  
21 take personal responsibility for their conduct during  
22 the war.

23           (b) AUTHORIZATION OF APPROPRIATIONS.—There is  
24 authorized to be appropriated \$10,000,000 for each of fis-  
25 cal years 2010 through 2012 to carry out this section.

1 **SEC. 8. REPORT.**

2 (a) **REPORT REQUIRED.**—Not later than 1 year after  
3 the submission of the strategy required under section 4,  
4 the Secretary of State shall prepare and submit to the ap-  
5 propriate committees of Congress a report on the progress  
6 made toward the implementation of the strategy required  
7 under section 4 and a description and evaluation of the  
8 assistance provided under this Act toward the policy objec-  
9 tives described in section 3.

10 (b) **CONTENTS.**—The report required under section  
11 (a) shall include—

12 (1) a description and evaluation of actions  
13 taken toward the implementation of the strategy re-  
14 quired under section 4;

15 (2) a description of assistance provided under  
16 section 5 and section 6;

17 (3) an evaluation of bilateral assistance pro-  
18 vided to the Republic of Uganda and associated pro-  
19 grams in light of stated policy objectives;

20 (4) a description of the status of the Peace Re-  
21 covery and Development Plan for Northern Uganda  
22 and the progress of the Government of Uganda to  
23 take the steps outlined in section 6(b); and

24 (5) a description of amounts of assistance com-  
25 mitted, and amounts provided, to northern Uganda  
26 during the reporting period by the Government of

1       Uganda, each donor country, and all relevant organi-  
2       zations.

3   **SEC. 9. OFFSET.**

4       Of the total amount appropriated to purchase excess  
5       secondary inventory for the Department of the Air Force,  
6       the amount available for obligation and expenditure shall  
7       be reduced by \$40,000,000.

8   **SEC. 10. DEFINITIONS.**

9       In this Act:

10           (1) APPROPRIATE COMMITTEES OF CON-  
11       GRESS.—The term “appropriate committees of Con-  
12       gress” means the Committee on Appropriations and  
13       the Committee on Foreign Relations of the Senate  
14       and the Committee on Appropriations and the Com-  
15       mittee on International Relations of the House of  
16       Representatives.

17           (2) GREAT LAKES REGION.—The term “Great  
18       Lakes Region” means the region comprising Bu-  
19       rundi, Democratic Republic of Congo, Rwanda,  
20       southern Sudan, and Uganda.

21           (3) LRA-AFFECTED AREAS.—The term “LRA-  
22       affected areas” means the territory affected by the  
23       activity of the Lord’s Resistance Army in the past  
24       and as of the date of the enactment of this Act,  
25       comprising all or parts of northern Uganda, south-

- 1 ern Sudan, northeastern Democratic Republic of
- 2 Congo, and southeastern Central African Republic.

○