

Calendar No. 228

111TH CONGRESS
1ST SESSION

S. 1067

[Report No. 111-108]

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, Mr. BROWNBACK, Mr. BROWN, Mr. CARDIN, Mr. LIEBERMAN, Mr. BURRIS, Mr. CASEY, Mr. SPECTER, Mr. BINGAMAN, Mrs. BOXER, Ms. LANDRIEU, Mr. KAUFMAN, Ms. CANTWELL, Ms. MIKULSKI, Mr. WHITEHOUSE, Mr. WYDEN, Mr. LAUTENBERG, Mr. LEVIN, Mr. BOND, Mr. MERKLEY, Mr. BENNETT, Mr. SCHUMER, Mrs. SHAHEEN, Mr. ROBERTS, Mr. SANDERS, Mr. TESTER, Mrs. GILLIBRAND, Mr. MENENDEZ, Mr. CORKER, Mr. INHOFE, Mr. BEGICH, Mr. DURBIN, Mrs. MURRAY, Mr. REID, Mr. RISCH, Mr. WICKER, Mr. KERRY, Mr. DORGAN, Mr. JOHNSON, Ms. KLOBUCHAR, Mr. HARKIN, Mr. FRANKEN, Mr. LEAHY, Ms. COLLINS, Mrs. FEINSTEIN, Mrs. HAGAN, Mr. ALEXANDER, and Mr. REED) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

DECEMBER 15, 2009

Reported by Mr. KERRY, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

A BILL

To support stabilization and lasting peace in northern Ugan-

da 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Lord's Resistance
 5 Army Disarmament and Northern Uganda Recovery Act
 6 of 2009".

7 **SEC. 2. FINDINGS.**

8 Congress makes the following findings:

9 (1) For over 2 decades, the Government of
 10 Uganda engaged in an armed conflict with the
 11 Lord's Resistance Army (LRA) in northern Uganda
 12 that led to the internal displacement of more than
 13 2,000,000 Ugandans from their homes.

14 (2) The members of the Lord's Resistance
 15 Army used brutal tactics in northern Uganda, in-
 16 cluding mutilating, abducting, and forcing individ-
 17 uals into sexual servitude and forcing a large num-
 18 ber of children and youth in Uganda, estimated by
 19 the Survey for War Affected Youth to be over
 20 66,000, to fight as part of the rebel force.

1 (3) The Secretary of State has designated the
2 Lord's Resistance Army as a terrorist organization
3 and placed the Lord's Resistance Army on the Ter-
4 rorist Exclusion list pursuant to section 212(a)(3) of
5 the Immigration and Nationality Act (8 U.S.C.
6 1182(a)(3)).

7 (4) In late 2005, according to the United Na-
8 tions Office for Coordination of Humanitarian Af-
9 fairs, the Lord's Resistance Army shifted their pri-
10 mary base of operations from southern Sudan to
11 northeastern Democratic Republic of Congo, and the
12 rebels have since withdrawn from northern Uganda.

13 (5) Representatives of the Government of
14 Uganda and the Lord's Resistance Army began
15 peace negotiations in 2006, mediated by the Govern-
16 ment of Southern Sudan in Juba, Sudan, and signed
17 the Cessation of Hostilities Agreement on August
18 20, 2006, which provided for hundreds of thousands
19 of internally displaced people to return home in safe-
20 ty.

21 (6) After nearly 2 years of negotiations, rep-
22 resentatives from the parties reached the Final
23 Peace Agreement in April 2008, but Joseph Kony,
24 the leader of the Lord's Resistance Army, refused to
25 sign the Final Peace Agreement in May 2008 and

1 his forces launched new attacks in northeastern
2 Congo.

3 (7) According to the United Nations Office for
4 the Coordination of Humanitarian Relief, the new
5 activity of the Lord's Resistance Army in north-
6 eastern Congo and southern Sudan since September
7 2008 has led to the abduction of at least 711 civil-
8 ians, including 540 children, and the displacement of
9 more than 160,000 people.

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

18 (9) The escalated activity of the Lord's Resist-
19 ance Army over recent months and the inability of
20 military operations to stop them or protect civilians
21 has perpetuated fears amongst communities in
22 northern Uganda that the rebels could cross back
23 into Uganda in the future, which complicates ongo-
24 ing recovery efforts.

1 (10) Despite the refusal of Joseph Kony to sign
2 the Final Peace Agreement, the Government of
3 Uganda has committed to continue reconstruction
4 plans for northern Uganda, and to implement those
5 mechanisms of the Final Peace Agreement not con-
6 ditional on the compliance of the Lord's Resistance
7 Army.

8 (11) Since April 2008, recovery efforts in
9 northern Uganda have moved forward with the fi-
10 nancial support of the United States and other do-
11 nors, but have been hampered by a lack of strategic
12 coordination, logistical delays, and limited capacity
13 of the Government of Uganda.

14 (12) Continued economic disparities between
15 northern Uganda and the rest of the country and a
16 failure to take meaningful steps toward reconcili-
17 ation and accountability, if unchanged, risk perpet-
18 uating longstanding political grievances and fueling
19 new conflicts.

20 **SEC. 3. STATEMENT OF POLICY.**

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

24 (1) eliminating the threat posed by the Lord's
25 Resistance Army to civilians and regional stability

1 through political, economic, military, and intelligence
2 support for a comprehensive multilateral effort to
3 protect civilians in affected areas; to apprehend or
4 otherwise remove Joseph Kony and his top com-
5 manders from the battlefield; and to disarm and de-
6 mobilize Lord's Resistance Army fighters; and

7 (2) further supporting comprehensive recon-
8 struction, transitional justice, and reconciliation ef-
9 forts as affirmed in the Northern Uganda Crisis Re-
10 sponse Act of 2004 (Public Law 108-283) and sub-
11 sequent resolutions, including Senate Resolution
12 366, 109th Congress, agreed to February 2, 2006,
13 Senate Resolution 573, 109th Congress, agreed to
14 September 19, 2006; Senate Concurrent Resolution
15 16, 110th Congress, agreed to in the Senate March
16 1, 2007, and House Concurrent Resolution 80,
17 110th Congress, agreed to in the House of Rep-
18 resentatives June 18, 2007.

19 **SEC. 4. REQUIREMENT OF A REGIONAL STRATEGY FOR DIS-**
20 **ARMING THE LORD'S RESISTANCE ARMY.**

21 (a) **REQUIREMENT FOR STRATEGY.**—Not later than
22 180 days after the date of the enactment of this Act, the
23 President shall develop and submit to the appropriate
24 committees of Congress a regional strategy to guide
25 United States support for multilateral efforts to protect

1 civilians from attacks by the Lord's Resistance Army, to
2 eliminate the threat to civilians and regional stability
3 posed by the Lord's Resistance Army, and to enforce the
4 rule of law and ensure full humanitarian access in LRA-
5 affected areas.

6 (b) CONTENT OF STRATEGY.—The strategy should
7 include the following:

8 (1) A viable plan to protect civilians from at-
9 tacks by the Lord's Resistance Army and eliminate
10 the threat posed by the Lord's Resistance Army,
11 while building institutions in the affected areas that
12 can help to maintain the rule of law and prevent
13 conflict in the long term.

14 (2) An interagency framework to plan, coordi-
15 nate, and execute all diplomatic economic, intel-
16 ligence, and military elements of United States pol-
17 icy across the region regarding the Lord's Resist-
18 ance Army.

19 (3) A description of the type and form of diplo-
20 matic engagement to work with regional mecha-
21 nisms, including the Tripartite Plus Commission and
22 the Great Lakes Pact, and to coordinate the imple-
23 mentation of United States policy toward the Lord's
24 Resistance Army across the region.

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

4 (5) A framework to evaluate the progress and
5 effectiveness of the United States strategy toward
6 eliminating the threat posed by the Lord's Resist-
7 ance Army.

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

11 **SEC. 5. HUMANITARIAN ASSISTANCE FOR AREAS OUTSIDE**
12 **UGANDA AFFECTED BY THE LORD'S RESIST-**
13 **ANCE ARMY.**

14 (a) AUTHORITY.—In accordance with section 491 of
15 the Foreign Assistance Act of 1961 (22 U.S.C. 2292) and
16 section 2 of the Migration and Refugee Assistance Act of
17 1962 (22 U.S.C. 2601), the President is authorized to
18 provide assistance to respond to the humanitarian needs
19 of populations in northeastern Congo, southern Sudan,
20 and Central African Republic affected by the activity of
21 the Lord's Resistance Army.

22 (b) AUTHORIZATION OF APPROPRIATIONS.—There is
23 authorized to be appropriated \$10,000,000 for fiscal year
24 2010 to carry out this section.

1 **SEC. 6. ASSISTANCE FOR RECOVERY AND RECONSTRUC-**
2 **TION IN NORTHERN UGANDA.**

3 (a) **AUTHORITY.**—It is the sense of Congress that the
4 President should support efforts by the people of northern
5 Uganda and the Government of Uganda—

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

12 (2) to enhance the accountability and adminis-
13 trative competency of local governance institutions
14 and public agencies in northern Uganda with regard
15 to budget management, provision of public goods
16 and services, and related oversight functions;

17 (3) to strengthen the operational capacity of the
18 civilian police in northern Uganda to enhance public
19 safety, prevent crime, and deal sensitively with gen-
20 der-based violence, while strengthening account-
21 ability measures to prevent corruption and abuses;

22 (4) to rebuild and improve the capacity of the
23 justice system in northern Uganda, including the
24 courts and penal systems, with particular sensitivity
25 to the needs and rights of women and children;

1 (5) to establish mechanisms for the disar-
2 mament, demobilization, and reintegration of former
3 combatants, including vocational education and em-
4 ployment opportunities; and

5 (6) to promote programs to address psycho-
6 social trauma, particularly post-traumatic stress dis-
7 order.

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

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

22 (2) increasing oversight activities and reporting
23 to ensure funds under the Peace Recovery and De-
24 velopment Plan for Northern Uganda framework are
25 used efficiently and with minimal waste; and

1 to advance efforts to promote transitional justice and rec-
2 onciliation on both local and national levels, including to
3 implement the following mechanisms outlined in the
4 Annexure to the Agreement on Accountability and Rec-
5 onciliation between the Government of Uganda and the
6 Lord's Resistance Army/Movement, signed at Juba Feb-
7 ruary 19, 2008, namely—

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

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

20 (3) a system for making reparations to victims
21 of the conflict; and

22 (4) a review and strategy for supporting transi-
23 tional justice mechanisms in affected areas to pro-
24 mote reconciliation and encourage individuals to

1 take personal responsibility for their conduct during
2 the war.

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

6 **SEC. 8. REPORT.**

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

15 (b) CONTENTS.—The report required under section
16 (a) shall include—

17 (1) a description and evaluation of actions
18 taken toward the implementation of the strategy re-
19 quired under section 4;

20 (2) a description of assistance provided under
21 section 5 and section 6;

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

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

5 (5) a description of amounts of assistance com-
6 mitted, and amounts provided, to northern Uganda
7 during the reporting period by the Government of
8 Uganda, each donor country, and all relevant organi-
9 zations.

10 **SEC. 9. OFFSET.**

11 Of the total amount appropriated to purchase excess
12 secondary inventory for the Department of the Air Force,
13 the amount available for obligation and expenditure shall
14 be reduced by \$40,000,000.

15 **SEC. 10. DEFINITIONS.**

16 In this Act:

17 (1) **APPROPRIATE COMMITTEES OF CON-**
18 **GRESS.**—The term “appropriate committees of Con-
19 gress” means the Committee on Appropriations and
20 the Committee on Foreign Relations of the Senate
21 and the Committee on Appropriations and the Com-
22 mittee on International Relations of the House of
23 Representatives.

24 (2) **GREAT LAKES REGION.**—The term “Great
25 Lakes Region” means the region comprising Bu-

1 rundi, Democratic Republic of Congo, Rwanda,
2 southern Sudan, and Uganda.

3 ~~(3) LRA-AFFECTED AREAS.—~~The term “LRA-
4 affected areas” means the territory affected by the
5 activity of the Lord’s Resistance Army in the past
6 and as of the date of the enactment of this Act,
7 comprising all or parts of northern Uganda, south-
8 ern Sudan, northeastern Democratic Republic of
9 Congo, and southeastern Central African Republic.

10 **SECTION 1. SHORT TITLE.**

11 *This Act may be cited as the “Lord’s Resistance Army*
12 *Disarmament and Northern Uganda Recovery Act of 2009”.*

13 **SEC. 2. FINDINGS.**

14 *Congress makes the following findings:*

15 *(1) For over 2 decades, the Government of Ugan-*
16 *da engaged in an armed conflict with the Lord’s Re-*
17 *sistance Army (LRA) in northern Uganda that led to*
18 *the internal displacement of more than 2,000,000*
19 *Ugandans from their homes.*

20 *(2) The members of the Lord’s Resistance Army*
21 *used brutal tactics in northern Uganda, including*
22 *mutilating, abducting and forcing individuals into*
23 *sexual servitude and forcing a large number of chil-*
24 *dren and youth in Uganda, estimated by the Survey*

1 *for War Affected Youth to be over 66,000, to fight as*
2 *part of the rebel force.*

3 *(3) The Secretary of State has placed the Lord's*
4 *Resistance Army on the Terrorist Exclusion list pur-*
5 *suant to section 212(a)(3) of the Immigration and*
6 *Nationality Act (8 U.S.C. 1182(a)(3)), and LRA*
7 *leader Joseph Kony has been designated a "specially*
8 *designated global terrorist" pursuant to Executive*
9 *Order 13224.*

10 *(4) In late 2005, according to the United Na-*
11 *tions Office for Coordination of Humanitarian Af-*
12 *airs, the Lord's Resistance Army shifted their pri-*
13 *mary base of operations from southern Sudan to*
14 *northeastern Democratic Republic of Congo, and the*
15 *rebels have since withdrawn from northern Uganda.*

16 *(5) Representatives of the Government of Uganda*
17 *and the Lord's Resistance Army began peace negotia-*
18 *tions in 2006, mediated by the Government of South-*
19 *ern Sudan in Juba, Sudan, and signed the Cessation*
20 *of Hostilities Agreement on August 20, 2006, which*
21 *provided for hundreds of thousands of internally dis-*
22 *placed people to return home in safety.*

23 *(6) After nearly 2 years of negotiations, rep-*
24 *resentatives from the parties reached the Final Peace*
25 *Agreement in April 2008, but Joseph Kony, the leader*

1 *of the Lord's Resistance Army, refused to sign the*
2 *Final Peace Agreement in May 2008 and his forces*
3 *launched new attacks in northeastern Congo.*

4 *(7) According to the United Nations Office for*
5 *the Coordination of Humanitarian Relief and the*
6 *United Nations High Commissioner for Refugees, the*
7 *new activity of the Lord's Resistance Army in north-*
8 *eastern Congo and southern Sudan since September*
9 *2008 has led to the abduction of at least 1,500 civil-*
10 *ians, including hundreds of children, and the dis-*
11 *placement of more than 540,000 people.*

12 *(8) In December 2008, the military forces of*
13 *Uganda, the Democratic Republic of Congo, and*
14 *southern Sudan launched a joint operation against*
15 *the Lord's Resistance Army's bases in northeastern*
16 *Congo, but the operation failed to apprehend Joseph*
17 *Kony, and his forces retaliated with a series of new*
18 *attacks and massacres in Congo and southern Sudan,*
19 *killing an estimated 900 people in 2 months alone.*

20 *(9) Despite the refusal of Joseph Kony to sign*
21 *the Final Peace Agreement, the Government of Ugan-*
22 *da has committed to continue reconstruction plans for*
23 *northern Uganda, and to implement those mecha-*
24 *nisms of the Final Peace Agreement not conditional*
25 *on the compliance of the Lord's Resistance Army.*

1 (10) *Since 2008, recovery efforts in northern*
2 *Uganda have moved forward with the financial sup-*
3 *port of the United States and other donors, but have*
4 *been hampered by a lack of strategic coordination,*
5 *logistical delays, and limited leadership from the Gov-*
6 *ernment of Uganda.*

7 **SEC. 3. STATEMENT OF POLICY.**

8 *It is the policy of the United States to work with re-*
9 *gional governments toward a comprehensive and lasting*
10 *resolution to the conflict in northern Uganda and other af-*
11 *ected areas by—*

12 (1) *providing political, economic, military, and*
13 *intelligence support for viable multilateral efforts to*
14 *protect civilians from the Lord's Resistance Army, to*
15 *apprehend or remove Joseph Kony and his top com-*
16 *manders from the battlefield in the continued absence*
17 *of a negotiated solution, and to disarm and demobi-*
18 *lize the remaining Lord's Resistance Army fighters;*

19 (2) *targeting assistance to respond to the human-*
20 *itarian needs of populations in northeastern Congo,*
21 *southern Sudan, and Central African Republic cur-*
22 *rently affected by the activity of the Lord's Resistance*
23 *Army; and*

24 (3) *further supporting and encouraging efforts of*
25 *the Government of Uganda and civil society to pro-*

1 *mote comprehensive reconstruction, transitional justice,*
 2 *and reconciliation in northern Uganda as af-*
 3 *firmed in the Northern Uganda Crisis Response Act*
 4 *of 2004 (Public Law 108–283) and subsequent resolu-*
 5 *tions, including Senate Resolution 366, 109th Con-*
 6 *gress, agreed to February 2, 2006, Senate Resolution*
 7 *573, 109th Congress, agreed to September 19, 2006,*
 8 *Senate Concurrent Resolution 16, 110th Congress,*
 9 *agreed to in the Senate March 1, 2007, and House*
 10 *Concurrent Resolution 80, 110th Congress, agreed to*
 11 *in the House of Representatives June 18, 2007.*

12 **SEC. 4. REQUIREMENT OF A STRATEGY TO SUPPORT THE**
 13 **DISARMAMENT OF THE LORD’S RESISTANCE**
 14 **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 com-*
 18 *mittees of Congress a strategy to guide future United States*
 19 *support across the region for viable multilateral efforts to*
 20 *mitigate and eliminate the threat to civilians and regional*
 21 *stability posed by the Lord’s Resistance Army.*

22 (b) *CONTENT OF STRATEGY.*—*The strategy shall in-*
 23 *clude the following:*

24 (1) *A plan to help strengthen efforts by the*
 25 *United Nations and regional governments to protect*

1 *civilians from attacks by the Lord's Resistance Army*
2 *while supporting the development of institutions in*
3 *affected areas that can help to maintain the rule of*
4 *law and prevent conflict in the long term.*

5 (2) *An assessment of viable options through*
6 *which the United States, working with regional gov-*
7 *ernments, could help develop and support multilateral*
8 *efforts to eliminate the threat posed by the Lord's Re-*
9 *sistance Army.*

10 (3) *An interagency framework to plan, coordi-*
11 *nate, and review diplomatic, economic, intelligence,*
12 *and military elements of United States policy across*
13 *the region regarding the Lord's Resistance Army.*

14 (4) *A description of the type and form of diplo-*
15 *matic engagement across the region undertaken to co-*
16 *ordinate and implement United States policy regard-*
17 *ing the Lord's Resistance Army and to work multilat-*
18 *erally with regional mechanisms, including the Tri-*
19 *partite Plus Commission and the Great Lakes Pact.*

20 (5) *A description of how this engagement will fit*
21 *within the context of broader efforts and policy objec-*
22 *tives in the Great Lakes Region.*

23 (c) *FORM.—The strategy under this section shall be*
24 *submitted in unclassified form, but may include a classified*
25 *annex.*

1 **SEC. 5. HUMANITARIAN ASSISTANCE FOR AREAS OUTSIDE**
2 **UGANDA AFFECTED BY THE LORD'S RESIST-**
3 **ANCE ARMY.**

4 (a) *AUTHORITY.*—*In accordance with section 491 of*
5 *the Foreign Assistance Act of 1961 (22 U.S.C. 2292) and*
6 *section 2 of the Migration and Refugee Assistance Act of*
7 *1962 (22 U.S.C. 2601), the President is authorized to pro-*
8 *vide additional assistance to the Democratic Republic of*
9 *Congo, southern Sudan, and Central African Republic to*
10 *respond to the humanitarian needs of populations directly*
11 *affected by the activity of the Lord's Resistance Army.*

12 (b) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*
13 *authorized to be appropriated \$10,000,000 for fiscal year*
14 *2011 to carry out this section.*

15 **SEC. 6. ASSISTANCE FOR RECOVERY AND RECONSTRUC-**
16 **TION IN NORTHERN UGANDA.**

17 (a) *AUTHORITY.*—*It is the sense of Congress that the*
18 *President should support efforts by the people of northern*
19 *Uganda and the Government of Uganda—*

20 (1) *to assist internally displaced people in tran-*
21 *sition and returnees to secure durable solutions by*
22 *spurring economic revitalization, supporting liveli-*
23 *hoods, helping to alleviate poverty, and advancing ac-*
24 *cess to basic services at return sites, specifically clean*
25 *water, health care, and schools;*

1 (2) *to enhance the accountability and adminis-*
2 *trative competency of local governance institutions*
3 *and public agencies in northern Uganda with regard*
4 *to budget management, provision of public goods and*
5 *services, and related oversight functions;*

6 (3) *to strengthen the operational capacity of the*
7 *civilian police in northern Uganda to enhance public*
8 *safety, prevent crime, and deal sensitively with gen-*
9 *der-based violence, while strengthening accountability*
10 *measures to prevent corruption and abuses;*

11 (4) *to rebuild and improve the capacity of the*
12 *justice system in northern Uganda, including the*
13 *courts and penal systems, with particular sensitivity*
14 *to the needs and rights of women and children;*

15 (5) *to establish mechanisms for the disarmament,*
16 *demobilization, and reintegration of former combat-*
17 *ants and those abducted by the LRA, including voca-*
18 *tional education and employment opportunities, with*
19 *attention given to the roles and needs of men, women*
20 *and children; and*

21 (6) *to promote programs to address psychosocial*
22 *trauma, particularly post-traumatic stress disorder.*

23 (b) *FUTURE YEAR FUNDING.*—*It is the sense of Con-*
24 *gress that the Secretary of State and Administrator of the*
25 *United States Agency for International Development should*

1 *work with the appropriate committees of Congress to in-*
2 *crease assistance in future fiscal years to support activities*
3 *described in this section if the Government of Uganda dem-*
4 *onstrates a commitment to transparent and accountable re-*
5 *construction in war-affected areas of northern Uganda, spe-*
6 *cifically by—*

7 (1) *finalizing the establishment of mechanisms*
8 *within the Office of the Prime Minister to sufficiently*
9 *manage and coordinate the programs under the*
10 *framework of the Peace Recovery and Development*
11 *Plan for Northern Uganda (PRDP);*

12 (2) *increasing oversight activities and reporting,*
13 *at the local and national level in Uganda, to ensure*
14 *funds under the Peace Recovery and Development*
15 *Plan for Northern Uganda framework are used effi-*
16 *ciently and with minimal waste; and*

17 (3) *committing substantial funds of its own,*
18 *above and beyond standard budget allocations to local*
19 *governments, to the task of implementing the Peace*
20 *Recovery and Development Plan for Northern Uganda*
21 *such that communities affected by the war can re-*
22 *cover.*

23 (c) *COORDINATION WITH OTHER DONOR NATIONS.—*
24 *The United States should work with other donor nations*
25 *to increase contributions for recovery efforts in northern*

1 *Uganda and better leverage those contributions to enhance*
2 *the capacity and encourage the leadership of the Govern-*
3 *ment of Uganda in promoting transparent and accountable*
4 *reconstruction in northern Uganda.*

5 *(d) TERMINATION OF ASSISTANCE.—It is the sense of*
6 *Congress that the Secretary of State should withhold non-*
7 *humanitarian bilateral assistance to the Republic of Ugan-*
8 *da if the Secretary determines that the Government of*
9 *Uganda is not committed to reconstruction and reconcili-*
10 *ation in the war-affected areas of northern Uganda and is*
11 *not taking proactive steps to ensure this process moves for-*
12 *ward in a transparent and accountable manner.*

13 **SEC. 7. ASSISTANCE FOR RECONCILIATION AND TRANSI-**
14 **TIONAL JUSTICE IN NORTHERN UGANDA.**

15 *(a) SENSE OF CONGRESS.—It is the sense of Congress*
16 *that, despite reconstruction and development efforts, a con-*
17 *tinued failure to take meaningful steps toward national rec-*
18 *onciliation and accountability risks perpetuating long-*
19 *standing political grievances and fueling new conflicts.*

20 *(b) AUTHORITY.—In accordance with section 531 of*
21 *the Foreign Assistance Act of 1961 (22 U.S.C. 2346), the*
22 *President is authorized to support efforts by the people of*
23 *northern Uganda and the Government of Uganda to ad-*
24 *vance efforts to promote transitional justice and reconcili-*
25 *ation on both local and national levels, including to encour-*

1 *age implementation of the mechanisms outlined in the*
2 *Annexure to the Agreement on Accountability and Rec-*
3 *onciliation between the Government of Uganda and the*
4 *Lord's Resistance Army/Movement, signed at Juba Feb-*
5 *ruary 19, 2008, namely—*

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

13 (2) *a special division of the High Court of Ugan-*
14 *da to try individuals alleged to have committed seri-*
15 *ous crimes during the conflict, and a special unit to*
16 *carry out investigations and prosecutions in support*
17 *of trials;*

18 (3) *a system for making reparations to victims*
19 *of the conflict; and*

20 (4) *a review and strategy for supporting transi-*
21 *tional justice mechanisms in affected areas to promote*
22 *reconciliation and encourage individuals to take per-*
23 *sonal responsibility for their conduct during the war.*

1 (c) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*
2 *authorized to be appropriated \$10,000,000 for each of fiscal*
3 *years 2011 through 2013 to carry out this section.*

4 **SEC. 8. REPORT.**

5 (a) *REPORT REQUIRED.*—*Not later than 1 year after*
6 *the submission of the strategy required under section 4, the*
7 *Secretary of State shall prepare and submit to the appro-*
8 *priate committees of Congress a report on the progress made*
9 *toward the implementation of the strategy required under*
10 *section 4 and a description and evaluation of the assistance*
11 *provided under this Act toward the policy objectives de-*
12 *scribed in section 3.*

13 (b) *CONTENTS.*—*The report required under section (a)*
14 *shall include—*

15 (1) *a description and evaluation of actions taken*
16 *toward the implementation of the strategy required*
17 *under section 4;*

18 (2) *a description of assistance provided under*
19 *sections 5, 6, and 7;*

20 (3) *an evaluation of bilateral assistance provided*
21 *to the Republic of Uganda and associated programs*
22 *in light of stated policy objectives;*

23 (4) *a description of the status of the Peace Re-*
24 *covery and Development Plan for Northern Uganda*

1 and the progress of the Government of Uganda in ful-
2 filling the steps outlined in section 6(b); and

3 (5) a description of amounts of assistance com-
4 mitted, and amounts provided, to northern Uganda
5 during the reporting period by the Government of
6 Uganda and each donor country.

7 (c) *FORM.*—The report under this section shall be sub-
8 mitted in unclassified form, but may include a classified
9 annex.

10 **SEC. 9. DEFINITIONS.**

11 *In this Act:*

12 (1) *APPROPRIATE COMMITTEES OF CONGRESS.*—
13 The term “appropriate committees of Congress”
14 means the Committee on Appropriations and the
15 Committee on Foreign Relations of the Senate and the
16 Committee on Appropriations and the Committee on
17 Foreign Affairs of the House of Representatives.

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

22 (3) *LRA-AFFECTED AREAS.*—The term “LRA-af-
23 fected areas” means those portions of northern Ugan-
24 da, southern Sudan, northeastern Democratic Repub-
25 lic of Congo, and southeastern Central African Re-

1 *public determined by the Secretary of State to be af-*
2 *fected by the Lord's Resistance Army as of the date*
3 *of the enactment of this Act.*

Calendar No. 228

111TH CONGRESS
1ST Session

S. 1067

[Report No. 111-108]

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.

DECEMBER 15, 2009

Reported with an amendment