DeMint
Deutsch
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Dooley (CA)
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emanuel
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Franks (AZ)
Frelinghuysen
Frost
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Goss
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hefley
Hensarling
Herger
Hill
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley (OR)
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
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Kildee
Kilpatrick
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King (IA)
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Knollenberg
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LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
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Lewis (CA)
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Lewis (KY)
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Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
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Lynch
Majette
Maloney
Manzullo
Markey
Marshall
Matheson
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McCarthy (MO)
McCarthy (NY)
McCollum
McCotter
McCrery
McDermott
McGovern
McHugh
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McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
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Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore
Moran (KS)
Moran (VA)
Murphy
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Musgrave
Nadler
Napolitano
Neal (MA)
Nethercutt
Neugebauer
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Peterson (MN)
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Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
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Regula
Rehberg
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Sanchez, Linda T.
Sanchez, Loretta
Sanders
Sandlin
Saxton
Schakowsky
Schiff
Schrock
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Toomey
Towns
Turner (OH)
Turner (TX)
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velazquez
Visclosky
Vitter
Walden (OR)
Walsh
Wamp
Waters
Watson
Watt
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—2

Flake
Paul

ANSWERED ''PRESENT''—1

Johnson (CT)

NOT VOTING—13

Berkley
Conyers
Frank (MA)
Gephardt
Hayworth
Janklow
Jefferson
Millender-McDonald
Myrick
Owens
Oxley
Pitts
Waxman

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SHAW) (during the vote). Members are advised there are two minutes remaining in this vote.

□ 1222

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. HAYWORTH. Mr. Speaker, as you know, I was absent today for medical reasons. If I had been in attendance, I would have voted ''yes'' on rollcall vote No. 360; and I would have voted ''yes'' on rollcall vote No. 361.

PERSONAL EXPLANATION

Mr. PITTS. Mr. Speaker, on rollcall votes 360 and 361, I was inadvertently detained.

May the record reflect that on rollcall vote No. 360, I would have voted ''yea,'' in support of the rule for the consideration of H.R. 1950.

And, on rollcall vote No. 361, on passage of H.R. 2330, the Burmese Freedom and Democracy Act, I would have voted ''yea,'' as I am an original cosponsor of the bill.

PERSONAL EXPLANATION

Mr. OXLEY. Mr. Speaker, I was unavoidably absent from the House floor earlier today due to business in my congressional district. Had I been present, I would have voted in favor of both H. Res. 316, providing for consideration of the Foreign Relations Authorization Act, and H.R. 2330, the Burmese Freedom and Democracy Act.

GENERAL LEAVE

Mr. HYDE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 1950.

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

There was no objection.

FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEARS 2004 AND 2005

The SPEAKER pro tempore. Pursuant to House Resolution 316 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 1950.

□ 1225

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 1950) to authorize appropriations for the Department of State for the fiscal years 2004 and 2005, to authorize appropriations under the Arms Export Control Act and the Foreign Assistance Act of 1961 for security assistance for fiscal years 2004 and 2005, and for other purposes, with Mr. QUINN in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Illinois (Mr. HYDE) and the gentleman from California (Mr. LANTOS) each will control 30 minutes.

The Chair recognizes the gentleman from Illinois (Mr. HYDE).

Mr. HYDE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of H.R. 1950, the Foreign Relations and Security Assistance Bill. Mr. Chairman, this bipartisan bill, which is cosponsored by my good friend, the gentleman from California (Mr. LANTOS), authorizes the funding and activities of the Department of State for 2 fiscal years, 2004 and 2005. This bill is focused on authorities necessary to operate the State Department and its overseas facilities. In addition, it includes a modernization of the defense trade and security assistance authorities and missile proliferation policy and laws.

The accounts covered in this bill are funded at or above the President's fiscal year 2004 budget request. The President's request for these accounts is approximately $14.3 billion. The total authorization for this bill, including the State Department operation accounts and the security assistance provisions for fiscal 2004, is $15.2 billion. The increases will fund additional refugee assistance, international broadcasting and a more robust public diplomacy program.

The proposed amount for fiscal 2005 is approximately the same as that of fiscal 2004 with some modest percentage increases for typical cost-of-living adjustments. A significant portion of these increases reflect the need to improve the effectiveness of our public diplomacy programs and our international broadcasting as well as to strengthen our democracy-building programs overseas.

H.R. 1950 also incorporates the Public Diplomacy Bill, H.R. 3969, the Freedom Promotion Act of 2002, that was approved by the House during the last

Congress. The provisions in this act are focused on enhancing the role of public diplomacy in our foreign policy and specifically place the responsibility for the formulation and execution of these programs on the Secretary of State. These provisions also authorize funding for student and other exchanges, as well as for a number of other public diplomacy programs, with a focus on countries with predominantly Muslim populations.

H.R. 1950 includes a much-needed reorganization of the decision-making process of our international broadcasting efforts. It would authorize $657 million for fiscal year 2004 and $651 million for fiscal 2005 for the Broadcasting Board of Governors, which is responsible for the Voice of America, Radio Free Europe, Radio Liberty, Radio Free Asia, and Radio/TV Marti.

It also includes the request from the Broadcasting Board of Governors regarding the establishment of a separate grantee to run the New Middle East Television and Radio Network. This new network will add 24 hours a day TV and radio broadcasts to the Middle East and thereby greatly contribute to an enhancement of our efforts to combat the misinformation and propaganda that contribute to the rising anti-American sentiment in the region.

Construction, maintenance, and security for our 260 embassies, consulates and various other posts around the world continue to be a top priority. To that end, we have fully funded the State request in that area while also encouraging the establishment of a cost-share program. This cost-sharing program is designed to collect funds from each agency that has staff stationed at a U.S. embassy or consulate.

□ 1230

These funds will be used to supplement the construction costs of new facilities.

At the appropriate time, I intend to offer an amendment that will add H.R. 2441, the Millennium Challenge Account Authorization and Peace Corps Expansion Act of 2003, to this bill. Recently reported by the Committee on International Relations, this bill advances the President's foreign assistance initiative and enjoys bipartisan support. In March of last year, President Bush proposed the further expansion of United States foreign assistance through the establishment of the Millennium Challenge Account, now known as MCA. He did so in a revolutionary manner, by proposing a new and additional assistance program only for those countries that meet certain standards of respecting human rights, investing in the future of their people and promoting economic opportunity and freedom.

With this proposal, the President has issued a challenge to help those less fortunate, the poorest of the poor, to promote universal human rights and values around the world, and be part of the spread of democracy and freedom worldwide.

This legislation also includes a provision I authored more than a decade ago known as the Foreign Aid Effectiveness Act. This provision requires the President to describe the actual results of U.S. foreign assistance relative to the goals and to identify the most and the least successful foreign assistance programs.

The Millennium Challenge Account Act authorizes 3 years of funding, $1.3 billion in fiscal 2004, $3 billion in fiscal 2005, and $5 billion in fiscal 2006.

The President, in his State of the Union address January 2002, announced his goal of doubling the size of the Peace Corps by 2007. As the U.S. fights global terrorism, extremism and forces which are inimical to our way of life, we can and must fight on many fronts to protect our interests, promote our values and provide hope to captive, destitute and vulnerable people across the globe.

This legislation makes amendments to the Peace Corps Act in support of the goal announced by the President of doubling the number of Peace Corps volunteers to 14,000 by the year 2007. It authorizes a gradual expansion of the budget of the Peace Corps from $366.8 million in fiscal 2004 to $499.4 million in fiscal 2007.

Since its establishment in 1961, more than 168,000 volunteers have served in 136 different countries throughout the globe. Currently, there are approximately 7,000 volunteers in 70 different countries.

I very much appreciate the bipartisan cooperation and leadership that we have received from the gentleman from California (Mr. LANTOS), the ranking Democrat on this committee, in developing this legislation; and I hope we can continue this bipartisan approach on the floor today.

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

Mr. LANTOS. Mr. Chairman. I yield myself such time as I may consume.

I rise in strong support of H.R. 1950, the foreign relations authorization bill for fiscal years 2004 and 2005 as it was reported out of committee. Mr. Chairman, this is an excellent bill; and I am proud to have cosponsored it with my good friend, the gentleman from Illinois (Mr. HYDE), the chairman; and I want to pay public tribute to his extraordinary leadership of the Committee on International Relations.

Mr. Chairman, every single item that our committee deals with represents the daily menu of all our international and domestic media: Iraq, Afghanistan, Iran, the Middle East, Pakistan, Colombia, North Korea, China, Russia, Cuba, NATO, Europe, Africa. They are all part of this legislation, and our committee and its staff deserves commendation for being able to deal with these issues in a bipartisan fashion.

I am very pleased that our bill fully funds the administration's request for the State Department and contains many of the provisions that Secretary of State Colin Powell has requested to help him better manage the Department of State. I want to commend Secretary Powell for his effort to strengthen what has traditionally been one of our Nation's greatest resources, our diplomatic corps. I am pleased to say, Mr. Chairman, that under the authority provided in our bill, the Secretary's diplomatic readiness initiative will reach its final goal of putting 1,158 new professional American diplomats in place to serve our country across the globe.

I am also very pleased to be joining my good friend from Illinois in a continuing effort to make sure that we reduce as rapidly as possible the period of time in which our embassy employees are left in compounds and facilities that are vulnerable to terrorist attack. To support this, our bill provides over $1.3 billion over the next 2 years for security upgrades at our embassies in all parts of the world.

Our bill also contains a number of critical foreign policy initiatives that will give our State Department the tools it needs to promote and protect our national security interests in an increasingly complex world.

I am very pleased to have had the chance to work with the gentleman from California (Mr. DREIER), our distinguished Committee on Rules chairman, in crafting one such measure, the International Leadership Act of 2003, which has been folded into this bill. Mr. Chairman, the Leadership Act is designed to give our diplomats the tools they need to ensure that America once again punches at its weight class at the United Nations.

Our legislation achieves this by creating a Democracy Caucus to support the United States at the United Nations by directing our President to use his influence to reform U.N. rules, so that rogue regimes cannot gain leadership positions, and by providing new training to make our diplomats more effective in multilateral diplomacy. As my colleagues well know, Mr. Chairman, just a couple of years ago, the United States was removed from the U.N. Human Rights Commission, a body we founded; and Libya was put in charge of that commission, a theater of the absurd if we ever saw one.

I am pleased, Mr. Chairman, that with the leadership of the gentleman from Illinois (Mr. HYDE) and our colleague, the gentleman from New York (Mr. ACKERMAN), on a historic measure, we succeeded in making provisions for offering significant assistance to a new and democratic Palestinian state if performance benchmarks can be reached, including a total cessation of terrorism and the establishment of a transparent, democratic, and independent judiciary and Palestinian government responsive to its people.

An important provision to our bill was added by the gentleman from New York (Mr. CROWLEY). His provision reverses the administration's harmful

and highly political decision to withhold U.S. funding from the United Nations Population Fund. The administration's move came after its own hand-picked investigative team concluded that there was no evidence that the population fund would be involved in any way in coercive family planning in China. The gentleman from New York's (Mr. CROWLEY) measure will help the population fund to demonstrate that voluntary family planning is the only humane and effective way for China to control its population explosion.

I know, Mr. Chairman, that this provision will be debated later today, and I strongly urge all of my colleagues to support the committee position on this matter.

Another important initiative included in our bill is the International Free Media Act of 2003. It will help the State Department to encourage the development of sources of accurate, objective reporting in societies which are currently polluted by messages of propaganda and hate in state-controlled media, such as the media in Egypt. I am particularly pleased that this initiative includes a new $15 million fund to support independent and ethical journalism across the globe.

Our bill also contains the Missile Threat Reduction Act of 2003, which is designed to confront the alarming spread of offensive ballistic missiles for launching nuclear, chemical, and biological warheads. This measure commits the United States to seeking a new international mechanism to restrict the trade in missiles. It strengthens United States sanctions against those who trade in missiles, and it provides assistance to countries which agree to destroy their missile arsenals.

The bill also recognizes the United States' vital interests in promoting Afghanistan's transition from chaos, civil war, and disorder to an increasingly prosperous and democratic state. To prevent the spiral downward, the bill directs the President to ensure that there is adequate security along major transportation routes in Afghanistan and urges him to expand the international security assistance force.

I am also pleased, Mr. Chairman, that our bill authorizes all funds necessary to pay our assessed dues upon reentry to UNESCO, the United Nations Educational Scientific and Cultural Organization. Full funding is critical, Mr. Chairman, if we are to fulfill the President's commitment of last year to rejoin this most important international organization. When UNESCO was founded at the end of the Second World War, its motto was, ''Since war begins in the minds of men, it is in the minds of men that the defenses of peace must first be constructed.'' Never was this statement more appropriate and timely than it is now; and our rejoining UNESCO will demonstrate that, far from being unilateral, we want to accept our full responsibility as a cooperative member of the international community.

I am disappointed, Mr. Chairman, that the rule for our bill has struck out the amendment sponsored by my friend from New Jersey (Mr. MENENDEZ) which addresses global climate change, a very real and immediate threat to our national security, an issue that has been neglected far too long.

Finally, Mr. Chairman, I would like to note that later today we will be debating an amendment to be offered by the gentleman from Illinois (Mr. HYDE) and me authorizing the President's Millennium Challenge Assistance Initiative and the proposal to dramatically expand our Peace Corps. This amendment will dramatically improve the ability of the United States to help the least fortunate on this planet and to promote a world where hope thrives and the despair that leads to support for international terrorism vanishes.

□ 1245

I want to thank the chairman of our committee, my good friend, the gentleman from Illinois (Mr. HYDE), for working with me and all of the other members of our committee in crafting an excellent bill. Virtually every element of this bill has the support of both Republicans and Democrats, and this is in large part due to the statesmanlike leadership of the gentleman from Illinois. I want to commend our distinguished chairman and thank him for the open, collegial, and witty manner in which he has brought this bill through the committee and he will bring it through this House.

Mr. Chairman, we are considering this legislation at a pivotal moment in global history. We are engaged in intense diplomacy on every continent, with opportunities to solve long-festering disputes and crises in Levant, in Iraq, in the Eastern Mediterranean, in Liberia and the Democratic Republic of Congo, in Afghanistan, in Colombia, and in scores of other places.

It is in the midst of this critical conflict against the forces of terror and Islamic fanaticism that our bill will make a major contribution to building a safe, secure and more democratic world. I believe that enactment of our legislation will leave a lasting legacy towards solving all of these disputes and crises, and I urge all of my colleagues to support it.

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

Mr. HYDE. Mr. Chairman, I am pleased to yield 3 minutes to the distinguished gentleman from California (Mr. COX).

Mr. COX. Mr. Chairman, I thank the gentleman for yielding me this time, and I rise in strong support of the foreign relations and security assistance bill. I want to thank the chairman of the committee and also the ranking member for including in its entirety in this legislation the Global Internet Freedom Act.

Today, many governments are attempting to restrict individual freedoms by blocking the most powerful tool ever created for the free exchange of ideas throughout the world. In the hands of free people, the Internet may represent the greatest threat to tyranny ever invented. That is why many repressive regimes are trying to prevent people from using the Internet.

The Global Internet Freedom Act included in this legislation will give millions of people around the world the opportunity to outwit the dictators, the power to get around the repressive regimes that are attempting to silence them and, perhaps most importantly of all, the power to protect themselves from reprisals from these vicious governments.

Many outlawed regimes have been aggressively blocking access to the Internet with technologies such as firewalls, filters and black boxes. They monitor their citizens' activities on the Internet. They keep track of who is saying what, and they punish those who exercise free speech on line.

Last month, according to Human Rights Watch, Chinese web publisher Huang Qi, after enduring a 3-month detention, was sentenced to 5 years in prison for the crime of subversion. What was he publishing? The on-line equivalent of our milk carton ads. He created a Web site in which people could share information about missing friends or family members, and he actually helped rescue several young girls who had been abducted and sold into marriage. But because his site also criticized the government's failure to deal with these human needs, he now spends his days in prison.

In Cuba, dissidents and opposition journalists are prohibited from using the Internet.

In Burma, only those with official permission from the military government can use the Internet.

In North Korea, Kim Jung Il has sealed off his population from the outside world. Of course, Kim Jung Il thinks of himself as a computer buff; and the Associated Press has recently reported he has issued an edict making computer education mandatory. But outside of those classrooms, there will be no connection to the outside world. Because, for a dictator, the top priority is keeping ideas about freedom and democracy away from the computer screens of impressionable young minds.

That is why the Global Internet Freedom Act, now included in this bill, is so important. The Act will require the United States to develop and implement a global strategy to combat state-sponsored and state-directed Internet jamming and the persecution of those who use the Internet.

Mr. Chairman, for the sake of freedom and human rights in the 21st century, I strongly urge my colleagues to support this legislation, and I support the leadership and commend the leadership of the gentleman from Illinois (Mr. HYDE) and the gentleman from California (Mr. LANTOS) for bringing this bill to the floor.

Mr. LANTOS. Mr. Chairman, I am delighted to yield 3 minutes to the gentleman from New Jersey (Mr. MENENDEZ), my good friend, the distinguished ranking Democratic member of the Subcommittee on the Western Hemisphere.

(Mr. MENENDEZ asked and was given permission to revise and extend his remarks.)

Mr. MENENDEZ. Mr. Chairman, I thank the gentleman for yielding me this time and for all his work and cooperation, and I rise to speak on some of the positive elements of this bill.

This bill includes my amendment on Iran's program to develop nuclear weapons and is particularly relevant given recent developments in Iran. Iran continues to claim that its nuclear research program's only goal is to promote peaceful activities. Last week, however, Iran confirmed that it had successfully tested its mid-range missile, the Shahab-3, which can reach Israeli soil. And last month, the International Atomic Energy Agency stated Iraq has secretly processed nuclear material. Iran continues its game with the IAEA over signing the new nuclear safeguards protocol. Iran is a country with huge oil and natural gas reserves and clearly does not need nuclear power for its energy consumption.

My amendment, as incorporated in this bill, therefore, calls on the International Atomic Energy Agency to ensure that Iran's nuclear program is used only for peaceful purposes and urges the United States representatives to the IAEA to help develop guidelines for early identification of any Iranian noncompliance with the Nuclear Non-Proliferation Treaty. And, finally, Iran should sign and ratify the new nuclear safeguards protocol to this treaty.

While I commend the gentleman from Illinois (Mr. HYDE) and the gentleman from California (Mr. LANTOS) on pursuing the Millennium Challenge Account, I am concerned that this initiative ignores the majority of the desperately poor in Latin America and the Caribbean. The initiative launched in Mexico will not contribute a dollar to the poor in the Mexican state of Chiapas. Two hundred million citizens in Latin America and the Caribbean earn under $2 a day, 100 million live on less than $1 a day, and yet these poorest of the poor in our own hemisphere will not qualify for assistance under the Millennium Challenge Account.

I look forward to seeing the Kolbe amendment, which is similar to the one that I proposed, to see if we can move some of those countries forward; and, in the absence of that look, I forward to working with the committee to see what we are going to do about our neighbors here in our own hemisphere, if we are concerned about health care, immigration, and biodiversity.

Lastly, I want to salute the leadership of the committee for incorporating the minority recruitment efforts. The State Department has had the worst record of all of the Federal Government. Our State Department must look like America. It must also have the diversity of thought that makes America great. The State Department shows our face to the rest of the world, and we should bring the synergies of people from different backgrounds to focus on American diplomacy. If the State Department is to make progress, minorities must have a seat at the table.

So, Mr. Chairman, as I said at the beginning, this bill has a number of positive components, but I am concerned that my Mexico and climate change amendments were stripped from the bill; that the Millennium Challenge Account hopefully moves closer to helping the people of the Western Hemisphere; and, finally, I look forward to the success of certain amendments to improve this product. I thank the distinguished ranking member for all his help in trying to make it an even better bill.

Mr. HYDE. Mr. Chairman, I yield 4 minutes to the gentleman from Indiana (Mr. BURTON).

Mr. BURTON of Indiana. Mr. Chairman, I want to thank the chairman, the gentleman from Illinois (Mr. HYDE) and the gentleman from California (Mr. LANTOS) for agreeing to include in this bill an en bloc amendment that deals with a very important subject that I have been concerned with for some time.

As chairman of the Committee on Government Reform for the past 6 years, we held a number of hearings on the issue of child abductions by spouses of American women and men who have taken the children who are in the custody of their mother or father here in the United States to other countries never to be seen again or heard from again by their parents. The most egregious offender of this is Saudi Arabia. They have been complicitous in allowing fathers of children born here in the United States of American mothers to come over here, kidnap the children, take them to Saudi Arabia, and the mother never sees her children again, never talks to her children again, and it is a tragic, tragic situation.

In some cases, Mr. Chairman, there have been cases where a mother went over to Saudi Arabia to get her kidnapped children, took them to the American embassy and was turned away. She was turned away. She was actually put out on the street, she was arrested, her children went back to the father who had kidnapped them, and one of them was 12 years old and she was married off at 12 years old. These are tragic things that have occurred to American children who have been kidnapped to Saudi Arabia, and the mothers have had to live with that for years and years and years, maybe for the rest of their lives.

So I have talked to Secretary of State Colin Powell about this. He has agreed to take steps to remedy the situation, and now Chairman HYDE and Ranking Member LANTOS have agreed to an en bloc amendment which will give the State Department the tools necessary to help fight this terrible, terrible tragedy that has been occurring mainly in Saudi Arabia in the Middle East but also in other countries throughout the world.

What the amendment does is it extends to the State Department powers to deny visas to the extended family of abductors, and that includes the spouse, the child, the parent, the grandparent, the aunt, the uncle, the brother, the sister, half-brother, half-sister, cousin, stepbrother, stepsister, nephew, and niece of the person who did the kidnapping. In other words, the extended family of the kidnapper would not be allowed to get visas if the State Department so chose to deny them visas.

I think that is a giant step in the right direction. It puts a lot of pressure on the kidnapper to bring those children back to American to their mother or to the rightful parent. It also requires the State Department to submit an annual report to Congress regarding the measures that they have taken on international child abduction on a country-by-country basis so Congress will be made aware of what is being done to bring these children home to their rightful parent.

It also requires the State Department to send notices regarding child abduction cases to countries where they are believed to be abducted to.

And, finally, this requires the Secretary of State to set forth guidelines on how our Department of State personnel treat abducted persons who seek sanctuary. As I said, there have been cases in the past where our State Department employees at our foreign embassies have not treated these people properly. I believe that is not going to happen in the future.

So I thank Colin Powell, our Secretary of State, for agreeing to work on this; and I especially thank Chairman Hyde and Ranking Member LANTOS. They are doing the Lord's work.

Mr. LANTOS. Mr. Chairman, I yield 2 minutes to the gentleman from American Samoa (Mr. FALEOMAVAEGA), and I ask unanimous consent that during the period of time I am making a presentation at the Committee on Resources, the gentleman from American Samoa (Mr. FALEOMAVAEGA) may control the time on this side and yield it to others.

The CHAIRMAN. Without objection, so ordered.

There was no objection.

(Mr. FALEOMAVAEGA asked and was given permission to revise and extend his remarks.)

Mr. FALEOMAVAEGA. Mr. Chairman, I rise today in strong support of H.R. 1950, the Foreign Relations Authorization Act for fiscal years 2004 and 2005. At this time, I want to commend both our chairman, the gentleman from Illinois (Mr. HYDE), and our senior ranking member, the gentleman from

California (Mr. LANTOS), of the House Committee on International Relations for their outstanding leadership in bringing to the floor the State Department reauthorization bill which has strong bipartisan support.

This bill includes an historic measure offering recognition to a Palestinian state if performance benchmarks can be reached; increases U.S. capacity at the United Nations, where rogue regimes are increasingly trying to hijack the agenda; initiates a new effort to promote free media abroad; and provides the State Department with tools to confront the alarming spread of ballistic missiles.

Mr. Chairman, this bill also includes three amendments which I offered during full committee markup on May 7, 2003, three of which were accepted by unanimous consent and have now been included in the full text of H.R. 1950.

□ 1300

One amendment expresses a sense of Congress relating to the Soviet nuclear tests in Kazakhstan and calls for the Secretary of State to establish a joint working group with the government of Kazakhstan to assist in assessing the environmental damage and health effects caused by Soviet nuclear tests Semipalatinsk.

The other amendment requires the State Department to prepare and transmit to Congress a report that contains a description of the extent to which the government of Pakistan has closed all known terrorist training camps operating in Pakistan and Pakistani-held Kashmir, has established serious and identifiable measures to prohibit the infiltration of Islamic extremists across the line of control into India, and has ceased the transfer of weapons of mass destruction, including any associated technologies, to any third country or terrorist organization.

The third amendment authorizes certain sums to allow qualified indigenous inhabitants of Latin America to pursue post-secondary and graduate studies in our Nation's colleges and universities. I feel very strongly that education is the key to the salvation of the indigenous inhabitants of the Western Hemisphere.

At the appropriate time, it is my intention to give strong support to an amendment offered by the gentlewoman from Guam (Ms. BORDALLO) which authorizes the transfer of allowances to residents of the insular areas who are members of the U.S. Foreign Service, just as it is done in the case of the residents of several States.

Madam Chairman, I rise today in strong support of H.R. 1950, the Foreign Relations Authorization Act for Fiscal years 2004 and 2005. At this time, I want to commend both our Chairman Mr. HYDE and the Ranking Member Mr. LANTOS of the House Committee on International Relations for their outstanding leadership in bringing to the floor a State Department Reauthorization bill which has strong bipartisan support.

This bill includes an historic measure offering recognition to a Palestinian state if performance benchmarks can be reached, increases U.S. capacity at the United Nations where rogue regimes are increasingly trying to hijack the agenda, initiates a new effort to promote free media abroad and provides the State Department with tools to confront the alarming spread of ballistic missiles.

This bill also includes three amendments which I offered during full committee markup on May 7, 2003, both of which were accepted by unanimous consent and have now been included in the full text of H.R. 1950. One amendment expresses a sense of Congress relating to Soviet nuclear tests in Kazakhstan and calls for the U.S. Secretary of State to establish a joint working group with the Government of Kazakhstan to assist in assessing the environmental damage and health effects cause by Soviet nuclear testing in Semipalatinsk, Kazakhstan.

The other amendment requires the State Department to prepare and transmit to Congress a report that contains a description of the extent to which the Government of Pakistan has closed all known terrorist training camps operating in Pakistan and Pakistani-held Kashmir, has established serious and identifiable measures to prohibit the infiltration of Islamic extremists across the Line of Control (LoC) into India, and has ceased the transfer of weapons of mass destruction, including any associated technologies, to any third country or terrorist organization.

The third amendment authorizes a certain sum of funds to allow qualified indigenous inhabitants of Latin America to pursue postsecondary and graduate studies in our nation's colleges and universities. Over the years, Mr. Chairman I feel very strongly that education is the key to the salvation of the indigenous inhabitants of the Western Hemisphere.

At the appropriate time, Mr. Chairman, it is also my intention to give strong support to an amendment that will be offered by my colleague from the territory of Guam, Ms. BORDALLO, which authorizes the transfer of allowances to residents of the insular areas who are members of the U.S. Foreign Service—just as it is the case with residents of the several states.

At this time, I want to thank Chairman HYDE and Ranking Member LANTOS for supporting this amendment during full committee markup and including it in H.R. 1950. Simply put, their support was critical to passage of this amendment and I want to thank the gentleman from Illinois and the gentleman from California for taking a stand on this important issue at a time when few were willing to do so.

What many do not know is that this amendment came before the House Committee on International Relations on the very day that Deputy Secretary Richard Armitage arrived in Pakistan to begin high-level diplomatic discussions and I commend Chairman HYDE and Ranking Member LANTOS for doing the right thing despite the political pressure they received to set this amendment aside. I also thank the 49 members of the International Relations Committee, both Republican and Democrat, who passed this amendment by voice vote without any objection.

I also want to commend President Bush for his leadership on this issue. Now that President Bush has made this issue popular with his recent announcement that he would also like to place conditions on Pakistan's funding, I am hopeful that the Senate will also support our efforts to make Pakistan live up to its promises.

Congressman PALLONE also deserves special recognition for the work he is doing to make Pakistan accountable. I thank the gentleman from New Jersey for his relentless commitment to monitor the steps Pakistan is taking to bring about democracy and for fully supporting the measures of this bipartisan amendment which has already been included in the text of H.R. 1950.

Like my colleagues, I am appreciative of Pakistan's post-September 11 assistance in the war against terrorism. Nevertheless, tensions in the region are rising and I know I am not alone when I say I have deep reservations about U.S. policy in South Asia. Once again, I want to reiterate that I believe Pakistan should be commended for assisting the U.S. in its efforts to hunt down Al Qaeda and Taliban fugitives and for allowing the U.S. military to use bases within its country.

But I cannot turn a blind eye to the fact that Pakistan has not closed all known terrorist training camps operating in Pakistan. I cannot turn a blind eye to the fact that Pakistan has not prohibited the infiltration of Islamic extremists across the Line of Control into Indian Kashmir. I cannot turn a blind eye to the fact that General Musharraf promised Deputy Secretary Armitage that infiltration would cease and it has not.

Since 1989, more than 50,000 men, women and children have died in the Kashmir dispute and since September 11 Islamic militants from Pakistan have crossed the Line of Control and claimed the lives of innocent men, women and children—not once, not twice, but three times, committing egregious acts of cross-border terrorism on each and every occasion.

On the other hand, India has not crossed the Line of Control since 1972. In fact, India has exercised incredible restraint in not waging full-scale war to defend itself against these terrorist acts. Although I believe we are fortunate that neither country has yet resorted to the use of nuclear weapons, we also should be very concerned that both Pakistan and India test fired short-range ballistic missiles on March 26 of this year which incidentally (or not) was the same day that Prime Minister Jamali said that Pakistan and China will enhance their defense ties.

On May 15, 2003, 8 days after the International Relations Committee unanimously voted in favor of my amendment, Pakistan's third highest ranking government official, Foreign Minister Khurshid Kasuri, requested an appointment to meet with me. We had a meaningful dialogue and he gave me his personal assurances that Pakistan is interested in creating a roadmap for peace to resolve the Kashmir dispute.

I believe Kashmir is one of the most important issues that must be resolved in order to establish peace in the Asia Pacific region. India and Pakistan have fought two wars over Kashmir in the past 50 years and came very close to the brink of nuclear war less than 2 years ago. In December of 2001, both countries amassed nearly one million soldiers along their common border and had the U.S. not intervened it was feared that India and Pakistan's dispute over Kashmir could have led to the first use of nuclear weapons sine World War II.

As the Ranking Member of the Subcommittee on Asia and the Pacific and as the

only Asia Pacific American serving on both the Subcommittee and the full Committee on International Relations, I am deeply concerned about cross-border terrorism and the threat of nuclear proliferation in the Asia Pacific region. Any threat to regional stability puts our soldiers at risk and some have argued that this situation may become as dangerous as the Israeli-Palestinian conflict.

This is why I am pleased that H.R. 1950 includes a provision which requires the State Department to report to Congress about the progress that is being made to resolve the India-Pakistan dispute. I believe this legislation is necessary and given the seriousness of this situation, I urge my colleagues to support H.R. 1950.

Madam Chairman, I reserve the balance of my time.

Mr. HYDE. Madam Chairman, I yield 3 minutes to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Madam Chairman, first of all, I commend the gentleman from Illinois (Mr. HYDE) for crafting an outstanding piece of legislation. As we all know, he guided and shepherded through this body landmark legislation on AIDS which would not have been written into law without his effective leadership. I also thank the gentleman for including so many provisions which I proposed either as amendments or as base text.

In particular, including an amendment on refugees I offered along with the gentleman from California (Mr. BERMAN) that increases refugee protection monies by $310 million over 2 years, and my bill called the Belarus Democracy Act. This legislation which is embodied now into the text of the bill, would provide for effective help to civil society, human rights promotion, and democracy promotion in Belarus; the victims of torture which gets a modest but necessary increase in the U.N. Voluntary Fund for Victims of Torture; and there are many others.

This is a consensus bill in many ways, but there are some points of divergence. The gentleman from New York (Mr. CROWLEY) has put into the bill by a very narrow vote, an amendment that seriously and fundamentally weakens America's core anti-coercion law which says no funding goes to any organization that supports or participates in the management of a coercive population control program.

We in this Congress do not make the determination as to whether or not a group gets population control money. We set the standard. It is then left to the executive branch which relies on all relevant information to make a finding. Last year, Secretary Powell made that finding and said that the PRC has in place a regime of severe penalties on women who have unapproved births and that this regime plainly operates to coerce pregnant women to have abortions in order to avoid the harsh penalties.

''UNFPA's support of and involvement in China's population planning activities allows the Chinese government to implement more effectively its program of coercive abortion,'' Secretary Powell said.

I say to my colleagues, this debate is all about coercion. I would hope that my friends who support abortion would realize that coercion, whether it be forced sterilization or forced abortion, is an unconscionable act; and when it is done with impunity by the Chinese government with their partner, the U.N. Population Fund, we need to disassociate ourselves from that kind of activity. We need to stand with the oppressed, not with the oppressor, and the friends of the oppressor. We need to stand with the victims.

I urge my colleagues to support an amendment that I will be offering, cosponsored by the gentleman from Minnesota (Mr. OBERSTAR) and the gentleman from Illinois (Mr. HYDE), that would strike this language from the bill. I would hope that we would stand with the women of China who are being oppressed by their government and with their partners in these crimes against humanity, the U.N. Population Fund. I urge Members to vote for our amendment.

Mr. FALEOMAVAEGA. Madam Chairman, I yield 2½ minutes to the gentlewoman from California (Ms. LEE).

Ms. LEE. Madam Chairman, first, let me thank the gentleman for yielding.

I rise today in support of the State Department authorization bill and also in support of the Millennium Challenge Account and Peace Corps amendments. I thank the gentleman from Illinois (Mr. HYDE) and the gentleman from California (Mr. LANTOS) for working on a bipartisan basis once again to ensure broad support for this bill.

Together we were able to craft language examining, for example, the impact of U.S. loan policy on Haiti and its ongoing humanitarian crisis and calling for the participation of small and minority-owned businesses within the MCA account. Small and disadvantaged businesses represent a very vital economic engine in this country yet too often have very little chance to participate in foreign assistance programs, so I am very pleased that we were able to ensure that they will play a role in the Millennium Challenge Account.

My two amendments are included in this bill, and once again I thank the gentleman from Illinois (Mr. HYDE) and the gentleman from California (Mr. LANTOS) for their support.

I would like to highlight two aspects of this bill which represents real progress in foreign policy, family planning and global climate change. First, through the Crowley-Lee amendment, the bill restored U.S. funding to vital United Nations family planning programs. This measure helps provide health care to and prevents abortions to the world's poorest women. Failure to provide family planning costs the lives of women and children. It is really just that simple. This also is a common-sense measure that prevents HIV and AIDS.

I strongly oppose the Smith amendment and would urge my colleagues oppose stripping out this important health care provision. The bill we passed out of committee also declared that it was the sense of the Congress and that the United States should demonstrate international leadership in mitigating global warming. The Committee on Energy and Commerce, however, refused to take up the responsibility of leadership and removed this global climate change measure. If we refuse to lead, we will be left behind technologically while we continue to contribute disproportionately to the world's pollution and global warming.

The Committee on Rules has joined the Committee on Energy and Commerce in this conspiracy of silence by refusing to allow a vote on the Menendez amendment on climate change.

Also, I am disappointed that the Committee on Rules did not make in order my amendment to advance democracy in fair and free elections on Haiti. But, on balance, it is a bill which I urge my colleagues to support. I thank the gentleman from Illinois again for this bipartisan bill.

Mr. HYDE. Madam Chairman, I yield 3 minutes to the gentleman from Nebraska (Mr. BEREUTER).

(Mr. BEREUTER asked and was given permission to revise and extend his remarks.)

Mr. BEREUTER. Madam Chairman, I rise in strong support of H.R. 1950, and I commend the gentleman from Illinois (Mr. HYDE) and the gentleman from California (Mr. LANTOS) for crafting and presenting this important legislation to the House for action.

Of course, a key goal of foreign relations authorization bills are to provide the best and most secure service to American citizens traveling and working overseas. Indeed, when lax security and dilapidation at U.S. overseas facilities contribute to U.S. vulnerability to attacks and subsequent American deaths, this country suffers.

Please recall the reaction to the tragic 1998 embassy bombings in Nairobi and Dar es Saalam. All Americans shared a sense of pain, grief and outrage at these senseless acts of terrorism. While not all attacks on U.S. overseas missions can be averted, Congress must provide the appropriate tools to improve the ability of the State Department to guard against disasters like these.

On many occasions, Secretary of State Colin Powell has articulated embassy security as a key priority for the State Department. Additionally, this Member is a long-time supporter of increased embassy security. In fact, in this legislation the funding level reflects a commitment to embassy security by allocating over $1.653 billion in fiscal year 2004 and $1.784 billion in fiscal year 2005 for ongoing embassy security construction and maintenance. This is an important additional step for both the administration and for Congress which now must work together to ease restrictions which for

many years have significantly slowed the construction of new embassies and consulates.

Furthermore, this Member is particularly pleased that the gentleman from Illinois (Mr. HYDE) will offer an amendment to provide the initial authorization for the Millennium Challenge Account. On March 14, 2002, President Bush proposed the MCA, which would provide additional U.S. aid for fiscal year 2006 to poor countries to be used for social sector improvements such as agriculture, health, education, and the environment. The President's concept underlying these proposals is clear. Countries that rule justly, invest in their people and encourage economic freedom will receive U.S. assistance.

The amendment which the chairman will offer is nearly identical to H.R. 2441, the free-standing legislation offered by the gentleman from Illinois (Mr. HYDE). This Member is a cosponsor of that legislation.

Secondly, an amendment he will offer today will establish a Millennium Challenge Corporation, MCC, an entity which would be authorized to provide development assistance grants to eligible countries. Also, the MCC would work with national local organizations, government and nongovernment organizations within eligible countries to develop specific multi-year development goals.

Finally, the amendment includes a provision which this Member requested to ensure that agricultural development would be among the areas on which the MCA focuses.

Madam Chairman, this Member has had a long-standing interest and experience in seeking to construct efficient, innovative ways to deliver humanitarian assistance, especially in agriculture. I support the amendment offered by the gentleman from Illinois and the legislation and urge all Members to support it.

Indeed, if a country cannot feed itself, that country's prospects for political, economic, and societal stability are greatly endangered. Educating children and treating adults for communicable diseases simply produces few results if the efforts are directed people who do not have to eat.

Agricultural development programs which gather supplies of good seed, build breeding livestock herds, construct basic irrigation systems and viable roads to markets, provide microcredit, and establish rural electric infrastructure do not require vast resources. However, such programs to build subsistence farming capacity do require a clear commitment from the U.S. Government and technical assistance gleaned from the incredible human resources found within American land grant colleges and universities, the NGO and cooperative communities, and the private sector.

Previously, in 1985, this Member drafted a successful amendment to the 1986 Farm Bill which required that, for the first time, a small portion of 1 percent of the funds from the Food for Peace program could be directed toward what is now the Farmer-to-Farmer program. Originally implemented as a pilot program operating only in Central America and the Caribbean, Farmer-to-Farmer has gained support from skeptics, including the USAID, who believed that the concept was too simply to be effective. The simple approach has worked and, in fact, has been extended to Africa, Asia, South America, and the Newly Independent States of the former Soviet Union (NIS).

Madam Chairman, some people within the Washington Beltway have expressed similar concerns about the MCA. This Member sincerely hopes that 18 years from today, the MCA proves to be as successful as the Farmer-to-Farmer program in assisting the world's poor people.

In conclusion, this Member encourages his colleagues to vote for the Hyde amendment regarding the MCA and for final passage of H.R. 1950.

Mr. FALEOMAVAEGA. Madam Chairman, I yield 1½ minutes to the gentleman from New York (Mr. ISRAEL).

Mr. ISRAEL. Madam Chairman, I rise to thank the gentleman from Illinois and the ranking minority member for their support on a critically important provision in this State Department authorization act. It is a measure that I drafted and they embraced and included in this bill. The Lantos-Israel language will require the Department of State to include in its annual country report on human rights a specific description on the nature and extent of curricula and classrooms that promote violence and hatred and terrorism around the world.

Why is this important? I believe it is important because I am convinced that all of the road maps and all of the cease-fires and all of the diplomatic accords and all of the agreements are going to be futile for as long as children are taught in their second grade classrooms how to hate, and the world will continue to be a very violent place if we allow classrooms to teach kids how to blow things up instead of how to put things together.

Some brief examples, I am talking about textbooks that teach children that there is no alternative to the destruction of the state of Israel, textbooks that equate Zionism with Nazism, textbooks that indoctrinated the terrorists who attacked and murdered over 200 of my constituents on September 11, 2001.

Madam Chairman, we have ignored school-sponsored lessons of hatred for too long. This provision for the first time will monitor the problem and will keep us focused on it, and it puts the world on notice that we want kids who are educated to put things together rather than indoctrinated on how to blow things up.

I thank the gentleman from Illinois and the ranking member for advancing this critical measure.

Mr. FALEOMAVAEGA. Madam Chairman, I yield 1½ minutes to the gentleman from New York (Mr. CROWLEY).

Mr. CROWLEY. Madam Chairman, I rise today to speak in strong support of the Foreign Relations Authorization Act for fiscal year 2004 and 2005. I commend the gentleman from Illinois (Mr. HYDE) and the gentleman from California (Mr. LANTOS) for putting together such a strong bipartisan bill.

This bill increases funding for State Department activities and specifically increases funding for security for members of our Foreign Service and at the embassies where they work.

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This increase is so important because of the continued terrorist threat against our Nation's embassies abroad. This bill also addresses the Quartet's road map and sets certain conditions that must be met before the United States can agree to a Palestinian state. With what looks like a potential end of the intifada, the Palestinians must prove that they can protect the security of Israel and her people before they be rewarded with statehood.

Another provision requires a report on democracy in the Western Hemisphere that my good friend, the gentleman from Massachusetts (Mr. DELAHUNT), included during the markup in the Committee on International Relations. I believe this report will show Congress and the administration the needs of our long neglected neighbors to the south. The United States needs to increase engagement with the Western Hemisphere to ensure that our neighbors continue on the path to durable democracy. I believe this is a strong bipartisan bill, if it remains intact, that deserves the support of all my colleagues.

Mr. FALEOMAVAEGA. Madam Chairman, I yield 1½ minutes to the distinguished gentleman from Oregon (Mr. BLUMENAUER), a member of the Committee on International Relations.

Mr. BLUMENAUER. Madam Chairman, I appreciate the gentleman's courtesy for permitting me to speak in support of the State Department authorization. I am pleased to be a member of the committee. I salute the gentleman from Illinois (Mr. HYDE), our chairman, and the work that he has done with the gentleman from California (Mr. LANTOS), the ranking member, to be able to deal in a bipartisan and cooperative spirit with some of the major issues of our time. Certainly nothing could be more important for us to have an opportunity for Congress to be involved in a cooperative and thoughtful measure on things that should not be rife with partisan divisions or unnecessary ideological debate.

It seems to me that there are three important things for us to focus on in the course of the discussion this afternoon. I am pleased with the benchmark that has been established for the Millennium Challenge Account, the opportunity; and I commend the administration for injecting responsibility as a criterion for giving forth aid.

I look forward to the debate on the international family planning, being able to retain, hopefully, the resources

for the United Nations population fund but to have a spirited and thoughtful exchange for what that means. Last, but by no means least, we are not going to give proper attention in the course of the detail of the debate but there has been careful work done by the committee, its staff and working with the State Department to be able to support the leadership from our Secretary of State who is dealing with the needs of the outstanding men and women who are on the front line practicing diplomacy around the world, providing defense in areas of threats to our security, promotion of commerce and, most important, international understanding. I would hope that we will be able to continue forward using this as a foundation to be able to have the type of discussion that these issues merit.

Mr. FALEOMAVAEGA. Madam Chairman, I yield 1 minute to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Madam Chairman, a few weeks ago, President Bush announced a $3 billion aid package to Pakistan. I do not support the provisions of military aid in that package. However, President Bush was willing to put some conditions on the Pakistan aid package. Those conditions were, one, Pakistan must exemplify its effort to decrease crossborder terrorism in Kashmir; two, Pakistan must end support of nuclear nonproliferation in rogue nations; and, three, Pakistan must exemplify steps toward returning to a democracy.

Madam Chairman, this bill today includes language included by the gentleman from American Samoa that is consistent with the first two conditions outlined by the President. It requires the State Department to prepare a report that contains a description of the extent to which Pakistan has closed all known terrorist training camps operating in Pakistan and Pakistani-held Kashmir, has established serious and identifiable measures to prohibit the infiltration of Islamic extremists across the Line of Control into India, and has ceased the transfer of weapons of mass destruction.

Because this important language is included in the bill, I rise in support of this legislation and only wish to make the point that it is equally as important for Pakistan to return to democracy in order to ensure future peace and stability in South Asia.

Mr. FALEOMAVAEGA. Madam Chairman, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Madam Chairman, there are many good efforts, and I do want to thank the chairman and ranking member on this bill that so many Members have a stake in, but I would like to add my opposition to the amendment that will be on the floor just shortly, the Smith-Oberstar-Hyde amendment that deals with limiting the actions on behalf of the United Nations population fund, because family planning and HIV/AIDS are so much intertwined that I think we need to show the balance, and I encourage my colleagues to look for the balance. But I thank the committee overall for the work they have done.

I want to cite, however, the importance of the millennium fund and the increase that will occur through the passage of the Hyde-Lantos amendment and I hope that we will be able to utilize it in countries like Ethiopia. I also hope that we will be able to engage in colloquies on this floor to talk about my issue of more women engaged in the peace negotiations processes around the world and add more effort, if you will, to engage in peacekeeping efforts in Liberia. And as well, I want to make sure that we do not overlook the importance of following the trail on the issue dealing with the uranium purchase in Africa that has presented such conflicting statements from the White House. It is important to tell the American people the truth. But I do believe that our foreign policies have improved by way of this legislation.

Mr. FALEOMAVAEGA. Madam Chairman, I yield myself such time as I may consume. I would like to again express our deepest appreciation to the distinguished chairman of the Committee on International Relations and also the senior ranking member not only for the outstanding job that they have done in bringing this legislation to the floor but in the spirit of bipartisanship that we are able to bring to this general debate for consideration of the Members of this body and, more importantly, the fact that we have allowed the general Members of this body the opportunity to offer amendments. This is the spirit of bipartisanship and the way democracy should operate. Again, I thank the good chairman of our committee.

Mr. SMITH of New Jersey. Madam Chairman, I am pleased that Title XV of the State Department authorization bill incorporates key provisions of the Belarus Democracy Act of 2003, which I sponsored earlier this year. The State Department's annual Country Reports on Human Rights Practices report on Belarus states that the Belarusian regime's ''human rights record remained very poor and worsened in several areas.'' Thanks to Alexander Lukashenka—aptly cited by The Washington Post as ''Europe's last dictator''—Belarus has the worst human rights record in Europe today. The Helskinki Commission, which I Chair, as well as the Organization for Security and Cooperation in Europe including its Parliamentary Assembly, the United Nations, the Council of Europe, the European Union and other international entities have all chronicled the appalling state of human rights and democracy in a country located in the heart of Europe. Belarus already borders NATO. In just a few years, Belarus will border the European Union.

The Lukashenka regime has blatantly and repeatedly violated basic freedoms of speech, expression, assembly, association and religion. The independent media, non-governmental organizations (NGOs) and democratic opposition have all faced harassment. Indeed, in the last few months, his war against civil society has intensified—resulting in the closure of non-governmental organizations, independent media outlets and Western-funded media support groups, such as Internews Network group, an international organization that helps develop independent media in countries in transition.

Just last week, the Lukashenka regime denied continuation of the accreditation of the International Research and Exchanges Board (IREX), an American organization that has implemented a variety of assistance programs in Belarus for years, including programs that helped the struggling independent media. Last week, they ordered the closure of the Minsk bureau of Russian NTV television. Just a few weeks ago, Lukashenka closed down the National Humanities Lyceum, a highly respected school promoting the study of the Belarusian language and culture. There are growing, legitimate fears that Lukashenka is aiming to remove Belarus from its vestiges of democracy dissent.

In October, Lukashenka signed into law the most restrictive religion law in Europe. Independent journalists have been sentenced to ''corrective labor'' for their writings. There are credible allegations of the Lukashenka regime's involvement in the disappearances of leading opposition figures and a journalist. Here in Washington and at various OSCE Parliamentary Assembly meetings, I've had occasion to meet with the wives of the disappeared, Victor Gonchar, Anatoly Krasovsky, Yuri Zakharenka, and Dmitry Zavadsky. These meetings have been heart-wrenching. The cases of their husbands—who disappeared in 1999 and 2000 and are presumed to have been murdered—are a stark illustration of the climate of fear that pervades in Belarus.

On the security front, reports of arms deals between the Belarusian regime and rogue states, including Iraq and North Korea, continue to circulate. Lukashenka and his regime were open in their support of Saddam Hussein.

One of the primary purposes of this initiative is to demonstrate U.S. support for those persevering to promote democracy and respect for human rights in Belarus despite the onerous pressures they face from the anti-democratic regime. Necessary assistance is authorized for democracy-building activities such as support for non-governmental organizations, independent media—including radio and television broadcasting to Belarus—and international exchanges.

The bill also encourages free and fair parliamentary elections, conducted in a manner consistent with international standards—in sharp contrast to the 2000 parliamentary and 2001 presidential elections in Belarus which flagrantly flaunted democratic standards. As a result of these elections, Belarus has the distinction of lacking legitimate presidential and parliamentary leadership, which contributes to that country's self-imposed isolation. Parliamentary elections are scheduled to be held in 2004, and we should encourage those who seek to create the laws and environment conducive to a free and fair election.

In addition, the Executive Branch is encouraged to impose sanctions against the

Lukashenka regime and deny high-ranking officials of the regime entry into the United States. U.S. Government financing would be prohibited, except for humanitarian goods and agricultural or medical products. The U.S. Executive Directors of the international financial institutions would be encouraged to vote against financial assistance to the Government of Belarus except for loans and assistance that serve humanitarian needs.

Madam Chairman, we are seeking to help put an end to the pattern of clear and uncorrected human rights violations by the Lukashenka regime and are hoping this will serve as a catalyst to facilitate Belarus' integration into democratic Europe. The Belarusian people deserve to live in a society where democratic principles and human rights are respected and the rule of law is preeminent. The Belarusian people—who have endured so much both under past and current dictatorships—deserve our support as they work to overcome the legacy of the past and develop a genuinely independent, democratic country.

In addition, Madam Chairman, in keeping with this authorization for the Department of State, I want to express my appreciation for the work of the Department in bringing needed attention to the concerns about ongoing anti-Semitism, an age-old plague that still haunts many countries in the OSCE, including our own. I have sought to identify effective responses to this troubling phenomenon, including the introduction of the resolution, H. Con. Res. 49 which passed last month.

Last month, I joined Mayor Rudy Giuliani and Congressman HASTINGS in Vienna for an OSCE conference specifically focused on anti-Semitism. Having the OSCE itself take up this important cause is significant. In fact, the idea was first raised in the May 2002 hearing of the Helsinki Commission and also suggested in the resolution condemning anti-Semitism I presented at the Berlin Parliamentary Assembly meeting last summer. I offered a similar resolution week before last at the Rotterdam OSCE PA meeting. Both resolutions passed the Assembly unanimously. While the OSCE Parliamentary Assembly has actively denounced anti-Semitic acts, I give great credit to the State Department for making the Vienna Conference a reality. Notably, one initiative emerging from the Vienna Conference was a pledge by our German friends to hold a follow-up meeting in Berlin next year to focus on anti-Semitism. I hope this meeting will rally the troops from Europe, the U.S., and Canada to say in one voice ''never again.''

Finally, Madam Chairman, I was pleased to learn of Senator VOINOVICH's amendment to the Senate's State Department reauthorization bill requiring the Annual Report on International Religious Freedom to include specific coverage of anti-Semitism. The amendment calls for the report to cover ''acts of anti-Semitic violence that occurred in that country'' and ''the response of the government of that country to such acts of violence.'' Importantly, the amendment would mandate the report to chronicle ''actions by the government of that country to enact and enforce laws relating to the protection of the right to religious freedom with respect to people of the Jewish faith.'' I think this is a worthwhile idea and hope it will be enacted into law.

Mr. SHAYS. Mr. Chairman, I rise in support of H.R. 1950, the Foreign Relations Authorization Act for Fiscal Years 2004 and 2005. In particularly, I would like to comment on Section 273: Staffing at Diplomatic Missions.

As Chairman of the Committee on Government Reform's Subcommittee on National Security, Emerging Threats, and International Relations, I have held several hearings on rightsizing the U.S. presence overseas.

Rightsizing the U.S. presence overseas is the process of putting the right people with the right skills in the right places. It is first and foremost about keeping U.S. personnel safe, but it is also about successfully manning the diplomatic front in the war against terrorism. Under-skilled personnel running visa lines in sensitive countries, personnel handling communications without necessary language skills, or a lack of staff to handle workloads hurt diplomatic readiness and a key part of the war on terrorism: our nation's relationships with its allies. Moreover, rightsizing involves every government agency with a presence overseas, not simply the Department of State.

The war on terrorism, increased AIDS funding in Africa and the Caribbean, the new Millennium Challenge Account program, changes to the U.S. entry-exit rules, and a greater emphasis on foreign affairs all promise to increase the workloads of overseas missions, and place greater pressure on chiefs of mission to right-size staff.

At our request, the General Accounting Office (GAO) has pursued and continues to pursue the rightsizing issue in concert with the Office of Management and Budget (OMB). GAO created a rightsizing framework consisting of three factors: physical and technical security of facilities and employees, mission priorities and requirements, and cost of operations. In addition, OMB has included rightsizing as part of the President's Management Agenda and begun using Europe as a test case for the GAO framework.

Section 273 calls on chiefs of mission to assist in the rightsizing process by evaluating the necessity of all staff positions under their authority, even those from other Executive Branch agencies. This language was included at my request and reflects a small but important part of the oversight work the Subcommittee has conducted. Section 273 brings us closer to giving the managers of U.S. embassies and consulates overseas, the chiefs of mission, the tools they need to effectively administer their posts and carry out U.S. foreign policy.

Mr. TOWNS. Madam Chairman, as we vote on H.R. 1950, the Foreign Relations Authorization Act of FY2004 and FY2005, I want to draw the attention of my colleagues to an important omission in this bill.

Section 303 of the Foreign Relations Authorization purports to establish an Office of Ombudsman in the Department of State. However, this bill did not create this office. Congress created this office in P.L. 100–204. Congress passed this legislation over 15 years ago based on its findings that (1) the effectiveness and efficiency of the Department of State is dependent on the contributions of its Civil Service and Foreign Service employees; (2) the contribution of the Department's Civil Service employees has been overlooked in the management of the Department and greater equity of promotion, training, and career enhancement opportunities should be accorded to them and (3) the goal of the Foreign Service Act of 1980 was to strengthen the contribution made by the Department's Civil Service employees by creating a cadre of experienced specialists and managers to provide essential continuity.

Created with the Congressional findings in mind, the office of Ombudsman was given the mission to ensure that civil service concerns are identified and properly weighed by decision-makers, make recommendations to management, and work with affected parties to correct or alleviate systemic problems that adversely affect civil service employees, and provide guidance and counseling to employees on work and career-related matters. Additionally, the Ombudsman was given the responsibility of advising the Secretary of State and senior department management on civil service issues to ensure the ability of civil service employees to contribute to the achievement of the Department's foreign affairs responsibilities. Under the original legislation, the Ombudsman reported to the Secretary of State, and participated in all management council meetings to assure that the concerns of civil service employees are presented.

Additionally, the original legislation assured that civil service employees would not be disproportionately affected by reduction in force or other actions which reduce the department's workforce.

Under the rubric of ''establishing'' the office of Ombudsman, the bill before us today eviscerates the office as established by Congress. It gives the Secretary discretion to determine the involvement of the Ombudsman in the senior-level meetings, eliminates the office's focus on civil service employees, and removes the requirement that the burden of personnel reductions not be disproportionately imposed on civil service employees.

Madam Chairman, section 303 of H.R. 1950 destroys the work of a previous Congress without rhyme or reason. It is clear that our civil service employees are a valuable asset. Our national security depends on the work of civil service employees in the Department of State. If we remove the protections afforded by this office, we are sending a clear and unmistakable message that we are no longer concerned about preserving the protections we have afforded them. We must reconsider this ill-advised provision.

Mr. FALEOMAVAEGA. Madam Chairman, I yield back the balance of my time.

Mr. HYDE. Madam Chairman, I have no further requests for time, and I yield back the balance of my time.

The CHAIRMAN pro tempore (Mrs. CAPITO). All time for general debate has expired.

Pursuant to House Resolution 316, the amendment in the nature of a substitute recommended by the Committee on International Relations printed in the bill, modified by the amendments recommended by the Committees on Armed Services and Energy and Commerce also printed in the bill, is considered as an original bill for the purpose of amendment and is considered read.

The text of the committee amendment in the nature of a substitute, as modified, is as follows:

H.R. 1950

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Foreign Relations Authorization Act, Fiscal Years 2004 and 2005''.

SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF CONTENTS.

(a) ORGANIZATION OF ACT INTO DIVISIONS.—This Act is organized into two divisions as follows:

(1) DIVISION A.—Department of State Authorization Act, Fiscal Years 2004 and 2005.

(2) DIVISION B.—Defense Trade and Security Assistance Reform Act of 2003.

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

Sec. 1. Short title.
Sec. 2. Organization of act into divisions; table of contents.
Sec. 3. Definitions.

DIVISION A—DEPARTMENT OF STATE AUTHORIZATION ACT, FISCAL YEARS 2004 AND 2005

Sec. 101. Short title.

TITLE I—AUTHORIZATIONS OF APPROPRIATIONS

Subtitle A—Department of State

Sec. 111. Administration of foreign affairs.
Sec. 112. United States educational and cultural programs.
Sec. 113. Contributions to international organizations.
Sec. 114. International commissions.
Sec. 115. Migration and refugee assistance.
Sec. 116. Voluntary contributions to international organizations.
Sec. 117. Voluntary contributions for international peacekeeping activities.
Sec. 118. Grants to the Asia Foundation.

Subtitle B—United States International Broadcasting Activities

Sec. 121. Authorizations of appropriations.

TITLE II—DEPARTMENT OF STATE AUTHORITIES AND ACTIVITIES

Subtitle A—United States Public Diplomacy

Sec. 201. Findings and purposes.
Sec. 202. Public diplomacy responsibilities of the Department of State.
Sec. 203. Annual plan on public diplomacy strategy.
Sec. 204. Public diplomacy training.
Sec. 205. United States Advisory Commission on Public Diplomacy.
Sec. 206. Library program.
Sec. 207. Sense of Congress concerning public diplomacy efforts in sub-Saharan Africa.

Subtitle B—Basic Authorities and Activities

Sec. 221. United States policy with respect to Jerusalem as the capital of Israel.
Sec. 222. Modification of reporting requirements.
Sec. 223. Report concerning efforts to promote Israel's diplomatic relations with other countries.
Sec. 224. Reimbursement rate for certain airlift services provided by the Department of Defense to the Department of State.
Sec. 225. Sense of Congress regarding additional United States consular posts.
Sec. 226. Validity of United States passports for travel to countries receiving United States foreign assistance.
Sec. 227. GAO assessment of security capital cost sharing.
Sec. 228. Authority to issue administrative subpoenas.
Sec. 229. Enhancing refugee resettlement and maintaining the United States commitment to refugees.
Sec. 230. The Colin Powell Center for American Diplomacy.

Subtitle C—Educational and Cultural Authorities

Sec. 251. Establishment of initiatives for predominantly Muslim countries.
Sec. 252. Database of American and foreign participants in exchange programs.
Sec. 253. Report on inclusion of freedom and democracy advocates in educational and cultural exchange programs.
Sec. 254. Sense of the Congress concerning educational and cultural exchange program for foreign journalists.
Sec. 255. Sense of Congress regarding Korean Fulbright programs.
Sec. 256. Authorizing East Timorese scholarships for graduate study.
Sec. 257. Public safety awareness in study abroad programs.

Subtitle D—Consular Authorities

Sec. 271. Machine readable visas.
Sec. 272. Processing of visa applications.
Sec. 273. Staffing at diplomatic missions.

TITLE III—ORGANIZATION AND PERSONNEL OF THE DEPARTMENT OF STATE

Sec. 301. Fellowship of Hope Program.
Sec. 302. Claims for lost pay.
Sec. 303. Ombudsman for the Department of State.
Sec. 304. Repeal of recertification requirement for senior foreign service.
Sec. 305. Report concerning status of employees of State Department.
Sec. 306. Home leave.
Sec. 307. Increased limits applicable to post differentials and danger pay allowances.
Sec. 308. Regulations regarding retirement credit for government service performed abroad.
Sec. 309. Minority recruitment.
Sec. 310. Meritorious step increases.

TITLE IV—INTERNATIONAL ORGANIZATIONS

Subtitle A—Basic Authorities and Activities

Sec. 401. Raising the cap on peacekeeping contributions.
Sec. 402. Regarding the reentry of the United States in UNESCO.
Sec. 403. UNESCO national commission.
Sec. 404. Organization of American States (OAS) emergency fund.
Sec. 405. United States efforts regarding the status of Israel in the Western European and Others Group at the United Nations.

Subtitle B—United States International Leadership

Sec. 431. Short title.
Sec. 432. Findings.
Sec. 433. Establishment of a democracy caucus.
Sec. 434. Annual diplomatic missions on multilateral issues.
Sec. 435. Leadership and membership of international organizations.
Sec. 436. Increased training in multilateral diplomacy.
Sec. 437. Promoting assignments to international organizations.
Sec. 438. Implementation and establishment of office on multilateral negotiations.
Sec. 439. Synchronization of United States contributions to international organizations.

TITLE V—UNITED STATES INTERNATIONAL BROADCASTING ACTIVITIES

Subtitle A—Basic Authorities and Activities

Sec. 501. Mideast Radio and Television Network, Inc.
Sec. 502. Improving signal delivery to Cuba.
Sec. 503. Report concerning efforts to counter jamming of broadcasts of Radio Marti and TV Marti.
Sec. 504. Pilot program for the promotion of travel and tourism in the United States through United States international broadcasting.
Sec. 505. Radio Free Asia broadcasts into North Korea.
Sec. 506. Prohibition on elimination of international broadcasting in Eastern Europe.

Subtitle B—Global Internet Freedom

Sec. 521. Short title.
Sec. 522. Findings.
Sec. 523. Purposes.
Sec. 524. Development and deployment of technologies to defeat Internet jamming and censorship.

Subtitle C—Reorganization of United States International Broadcasting

Sec. 531. Establishment of United States International Broadcasting Agency.
Sec. 532. Authorities and functions of the agency.
Sec. 533. Role of the Secretary of State.
Sec. 534. Administrative provisions.
Sec. 535. Broadcasting Board of Governors and International Broadcasting Bureau.
Sec. 536. Transition.
Sec. 537. Conforming amendments.
Sec. 538. References.
Sec. 539. Broadcasting standards.
Sec. 540. Effective date.

TITLE VI—INTERNATIONAL FREE MEDIA ACT OF 2003

Sec. 601. Short title.
Sec. 602. Definitions.
Sec. 603. Findings.
Sec. 604. Statements of policy.
Sec. 605. Coordinator for International Free Media.
Sec. 606. United States Advisory Commission on Public Diplomacy and International Media.
Sec. 607. International Free Media Fund.
Sec. 608. Free media promotion activity of the Broadcasting Board of Governors.

TITLE VII—MISCELLANEOUS PROVISIONS

Subtitle A—Reporting Requirements

Sec. **701**. *Reports to Committee on International Relations.*
Sec. **702**. *Reports concerning the capture and prosecution of paramilitary and other terrorist leaders in Colombia.*
Sec. **703**. *Reports relating to Magen David Adom Society.*
Sec. **704**. *Report concerning the return of portraits of Holocaust victims to the artist Dina Babbitt.*
Sec. **705**. *Report to Congress on use of vested assets.*
Sec. **706**. *Report concerning the conflict in Uganda.*
Sec. **707**. *Requirement for report on United States policy toward Haiti.*
Sec. **708**. *Report on the effects of Plan Colombia on Ecuador.*
Sec. **709**. *Report on actions taken by Pakistan.*
Sec. **710**. *Report on democracy in the Western Hemisphere.*
Sec. **711**. *Report concerning internal and intraregional conflicts in the Great Lakes region of Africa.*

Subtitle B—Other Matters

Sec. 721. Sense of Congress relating to East Timor, justice, and rehabilitation.
Sec. 722. Sense of Congress concerning human rights and justice in Indonesia.
Sec. 723. Amendment to the International Religious Freedom Act of 1998.
Sec. 724. Sense of Congress with respect to human rights in Central Asia.
Sec. 725. Technical correction to authorization of appropriations for fiscal year 2003 for Center for Cultural and Technical Interchange Between East and West.
Sec. 726. Under Secretary of Commerce for Industry and Security.

Sec. 727. Concerning the spread of weapons of mass destruction.
Sec. 728. International agriculture biotechnology information program.
Sec. 729. Refugee resettlement burdensharing.
Sec. 730. Sense of Congress on climate change.
Sec. 731. Sense of Congress regarding migration issues between the United States and Mexico.
Sec. 732. Sense of Congress concerning United States assistance to Palestinian refugees.
Sec. 733. United States policy on World Bank Group loans to Iran.
Sec. 734. Sense of Congress relating to Soviet nuclear tests in Kazakhstan.
Sec. 735. Sense of Congress relating to violence against women.

DIVISION B—DEFENSE TRADE AND SECURITY ASSISTANCE REFORM ACT OF 2003

TITLE X—GENERAL PROVISIONS

Sec. 1001. Short title.
Sec. 1002. Definitions.
Sec. 1003. References to Arms Export Control Act.

TITLE XI—TERRORIST-RELATED PROHIBITIONS AND ENFORCEMENT MEASURES

Sec. 1101. Eligibility provisions.
Sec. 1102. Weapons transfers to foreign persons in the United States.
Sec. 1103. Coordination of license exemptions with United States law enforcement agencies.
Sec. 1104. Mechanisms to identify persons in violation of certain provisions of law.
Sec. 1105. Comprehensive nature of United States arms embargoes.
Sec. 1106. Transactions with countries supporting acts of international terrorism.
Sec. 1107. Amendments to control of arms exports and imports.
Sec. 1108. High risk exports and end use verification.
Sec. 1109. Concurrent jurisdiction of the Federal Bureau of Investigation.
Sec. 1110. Report on foreign-supplied defense articles, defense services, and dual use goods and technology discovered in Iraq.

TITLE XII—STRENGTHENING MUNITIONS EXPORT CONTROLS

Sec. 1201. Control of items on Missile Technology Control Regime Annex.
Sec. 1202. Certifications relating to export of certain defense articles and services.
Sec. 1203. Notification requirements for technical assistance and manufacturing licensing agreements with NATO member countries, Australia, New Zealand, and Japan.
Sec. 1204. Strengthening defense cooperation with Australia and the United Kingdom.
Sec. 1205. Training and liaison for small businesses.
Sec. 1206. Study and report relating to co-locating munitions control functions of the Departments of State, Defense, and Homeland Security.

TITLE XIII—SECURITY ASSISTANCE AND RELATED PROVISIONS

Subtitle A—Foreign Military Sales and Financing Authorities

Sec. 1301. Authorization of appropriations.
Sec. 1302. Provision of cataloging data and services.
Sec. 1303. Annual estimate and justification for sales program.
Sec. 1304. Adjustment to advance notification requirement for transfer of certain excess defense articles.

Subtitle B—International Military Education and Training

Sec. 1311. Authorization of appropriations.
Sec. 1312. Annual foreign military training reporting.

Subtitle C—Assistance for Select Countries

Sec. 1321. Assistance for Israel.
Sec. 1322. Assistance for Egypt.

Subtitle D—Miscellaneous Provisions

Sec. 1331. United States War Reserve Stockpiles for Allies.
Sec. 1332. Transfer to Israel of certain defense articles in the United States War Reserve Stockpiles for Allies.
Sec. 1333. Expansion of authorities for loan of material, supplies, and equipment for research and development purposes.
Sec. 1334. Assistance for demining and related activities.
Sec. 1335. Reports relating to Treaty Between the United States and the Russian Federation on Strategic Offensive Reductions.
Sec. 1336. Statement of House of Representatives regarding the Treaty Between the United States and the Russian Federation on Strategic Offensive Reductions.
Sec. 1337. Nonproliferation and Disarmament Fund.
Sec. 1338. Maritime interdiction patrol boats for Mozambique.
Sec. 1339. Report on missile defense cooperation.
Sec. 1340. Iran's program to develop a nuclear explosive device.

TITLE XIV—MISSILE THREAT REDUCTION ACT OF 2003

Sec. 1401. Short title.

Subtitle A—Strengthening International Missile Nonproliferation Law

Sec. 1411. Findings.
Sec. 1412. Policy of the United States.
Sec. 1413. Sense of Congress.

Subtitle B—Strengthening United States Missile Nonproliferation Law

Sec. 1421. Probationary period for foreign persons.
Sec. 1422. Strengthening United States missile proliferation sanctions on foreign persons.
Sec. 1423. Comprehensive United States missile proliferation sanctions on all responsible persons.

Subtitle C—Incentives for Missile Threat Reduction

Sec. 1431. Foreign assistance.
Sec. 1432. Authorization of appropriations.
Sec. 1433. Authorization of technical assistance in missile disarmament.

TITLE **XV***—PROMOTION OF DEMOCRACY, HUMAN RIGHTS, AND RULE OF LAW IN BELARUS*

Sec. **1501**. *Assistance to promote democracy and civil society in Belarus.*
Sec. **1502**. *Radio broadcasting to Belarus.*
Sec. **1503**. *Sense of Congress relating to sanctions against the Government of Belarus.*
Sec. **1504**. *Multilateral cooperation.*
Sec. **1505**. *Report.*
Sec. **1506**. *Definitions.*

TITLE **XVI***—ISRAELI-PALESTINIAN PEACE ENHANCEMENT ACT OF 2003*

Sec. **1601**. *Short title.*
Sec. **1602**. *Findings.*
Sec. **1603**. *Purposes.*
Sec. **1604**. *Sense of Congress.*
Sec. **1605**. *Recognition of a Palestinian state.*
Sec. **1606**. *Limitation on assistance to a Palestinian state.*
Sec. **1607**. *Authorization of assistance to a Palestinian state.*

TITLE **XVII***—MISCELLANEOUS FOREIGN ASSISTANCE PROVISIONS*

Sec. **1701**. *Additional authorities relating to international narcotics control assistance.*
Sec. **1702**. *United States opium eradication program in Colombia.*
Sec. **1703**. *Cooperative Development Program.*
Sec. **1704**. *West Bank and Gaza Program.*
Sec. **1705**. *Annual human rights country reports on incitement to acts of discrimination.*
Sec. **1706**. *Assistance to East Timor.*
Sec. **1707**. *Support for democracy-building efforts for Cuba.*
Sec. **1708**. *Amendment to the Afghanistan Freedom Support Act of 2002.*
Sec. **1709**. *Congo Basin Forest Partnership.*
Sec. **1710**. *Combatting the piracy of United States copyrighted materials.*
Sec. **1711**. *Assistance for law enforcement forces in certain foreign countries.*
Sec. **1712**. *Human Rights and Democracy Fund.*
Sec. **1713**. *Enhanced police training.*
Sec. **1714**. *Promoting a secure and democratic Afghanistan.*
Sec. **1715**. *Grants to the Africa Society.*

SEC. 3. DEFINITIONS.

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives.

(2) DEPARTMENT.—The term ''Department'' means the Department of State.

(3) SECRETARY.—Except as otherwise provided, the term ''Secretary'' means the Secretary of State.

DIVISION A—DEPARTMENT OF STATE AUTHORIZATION ACT, FISCAL YEARS 2004 AND 2005

SEC. 101. SHORT TITLE.

This division may be cited as the ''Department of State Authorization Act, Fiscal Years 2004 and 2005''.

TITLE I—AUTHORIZATIONS OF APPROPRIATIONS

Subtitle A—Department of State

SEC. 111. ADMINISTRATION OF FOREIGN AFFAIRS.

(a) IN GENERAL.—The following amounts are authorized to be appropriated for the Department under ''Administration of Foreign Affairs'' to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States, and for other purposes authorized by law, including public diplomacy activities and the diplomatic security program:

(1) DIPLOMATIC AND CONSULAR PROGRAMS.—

(A) AUTHORIZATION OF APPROPRIATIONS.—For ''Diplomatic and Consular Programs'', $4,187,544,000 for the fiscal year 2004 and $4,438,796,000 for the fiscal year 2005.

(B) PUBLIC DIPLOMACY.—

(i) IN GENERAL.—Of the amounts authorized to be appropriated by subparagraph (A), $320,930,000 for the fiscal year 2004 and $329,838,000 for the fiscal year 2005 is authorized to be appropriated for public diplomacy.

(ii) IMPROVEMENTS IN PUBLIC DIPLOMACY PROGRAMS.—Of the amounts authorized to be appropriated under clause (i) $20,000,000 for the fiscal year 2004 and $20,000,000 for the fiscal year 2005 is authorized to be available for improvements and modernization of public diplomacy programs and activities of the Department of State.

(iii) TRANSLATION SERVICES.—Of the amounts authorized to be appropriated under clause (i), $4,000,000 for the fiscal year 2004 and $4,000,000 for the fiscal year 2005 is authorized to be available for translation services available to public affairs officers in overseas posts.

(C) WORLDWIDE SECURITY UPGRADES.—Of the amounts authorized to be appropriated by subparagraph (A), $646,701,000 for the fiscal year 2004 and $679,036,000 for the fiscal year 2005 is authorized to be appropriated for worldwide security upgrades.

(D) BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR.—Of the amounts authorized to be appropriated by subparagraph (A), $20,000,000 for the fiscal year 2004 and $20,000,000 for the fiscal year 2005 is authorized to be appropriated for salaries and expenses of the Bureau of Democracy, Human Rights, and Labor.

(E) RECRUITMENT OF MINORITY GROUPS.—Of the amount authorized to be appropriated by subparagraph (A), $2,000,000 for the fiscal year 2004 and $2,000,000 for the fiscal year 2005 is authorized to be appropriated for the recruitment of members of minority groups for careers in the Foreign Service and international affairs.

(2) CAPITAL INVESTMENT FUND.—For ''Capital Investment Fund'', $157,000,000 for the fiscal year 2004 and $161,710,000 for the fiscal year 2005.

(3) EMBASSY SECURITY, CONSTRUCTION AND MAINTENANCE.—

(A) IN GENERAL.—For ''Embassy Security, Construction and Maintenance'', $653,000,000 for the fiscal year 2004 and $784,000,000 for the fiscal year 2005, in addition to amounts otherwise authorized to be appropriated for such purpose by section 604 of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001 (as enacted into law by section 1000(a)(7) of Public Law 106–113 and contained in appendix G of that Act; 113 Stat. 1501A–470).

(B) AMENDMENT OF THE NANCE-DONOVAN FOREIGN RELATIONS AUTHORIZATION ACT.—Section 604(a) of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001 (113 Stat. 1501A–453) is amended—

(i) at the end of paragraph (4) by striking ''and'';

(ii) in paragraph (5) by striking ''$900,000,000.'' and inserting ''$1,000,000,000; and''; and

(iii) by inserting after paragraph (5) the following:

''(6) for fiscal year 2005, $1,000,000,000.''.

(4) REPRESENTATION ALLOWANCES.—For ''Representation Allowances'', $9,000,000 for the fiscal year 2004 and $9,000,000 for the fiscal year 2005.

(5) PROTECTION OF FOREIGN MISSIONS AND OFFICIALS.—For ''Protection of Foreign Missions and Officials'', $10,000,000 for the fiscal year 2004 and $10,000,000 for the fiscal year 2005.

(6) EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE.—For ''Emergencies in the Diplomatic and Consular Service'', $1,000,000 for the fiscal year 2004 and such sums as may be necessary for the fiscal year 2005.

(7) REPATRIATION LOANS.—For ''Repatriation Loans'', $1,219,000 for the fiscal year 2004 and $1,219,000 for the fiscal year 2005.

(8) PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN.—For ''Payment to the American Institute in Taiwan'', $19,773,000 for the fiscal year 2004 and $20,761,000 for the fiscal year 2005.

(9) OFFICE OF THE INSPECTOR GENERAL.—For ''Office of the Inspector General'', $31,703,000 for the fiscal year 2004 and $32,654,000 for the fiscal year 2005.

(b) AVAILABILITY OF FUNDS FOR PROTECTION OF FOREIGN MISSIONS AND OFFICIALS.—The amount appropriated pursuant to subsection (a)(5) is authorized to remain available through September 30, 2006.

SEC. 112. UNITED STATES EDUCATIONAL AND CULTURAL PROGRAMS.

(a) IN GENERAL.—Amounts in this section are authorized to be appropriated for the Department of State to carry out educational and cultural programs of the Department of State under the United States Information and Educational Exchange Act of 1948, the Mutual Educational and Cultural Exchange Act of 1961, Reorganization Plan Number 2 of 1977, the Foreign Affairs Reform and Restructuring Act of 1998, the Center for Cultural and Technical Interchange Between East and West Act of 1960, the Dante B. Fascell North-South Center Act of 1991, and the National Endowment for Democracy Act, and to carry out other authorities in law consistent with such purposes.

(b) EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS.—

(1) AUTHORIZATION OF APPROPRIATIONS.—For ''Educational and Cultural Exchange Programs'', $393,000,000 for the fiscal year 2004 and $405,000,000 for the fiscal year 2005.

(2) PROGRAMS IN EASTERN EUROPE AND FORMER SOVIET UNION.—Of the amounts authorized to be appropriated under paragraph (1), $150,000,000 for the fiscal year 2004 and $150,000,000 for the fiscal year 2005 is authorized to be available for programs in Eastern Europe and countries of the former Soviet Union.

(3) ACADEMIC EXCHANGE PROGRAMS.—

(A) IN GENERAL.—Of the amounts authorized to be appropriated under paragraph (1), $142,000,000 for the fiscal year 2004 and $142,000,000 for the fiscal year 2005 is authorized to be available for the ''Academic Exchange Programs'' (other than programs described in paragraph (4)).

(B) HIV/AIDS INITIATIVE.—Of the amounts authorized to be available under subparagraph (A), $1,000,000 for the fiscal year 2004 and $1,000,000 for the fiscal year 2005 is authorized to be available for HIV/AIDS research and mitigation strategies.

(C) FULBRIGHT ENGLISH TEACHING ASSISTANT PROGRAM IN KOREA.—Of the amounts authorized to be available by subparagraph (A), $750,000 for the fiscal year 2004 and $750,000 for the fiscal year 2005 is authorized to be available for the Fulbright English Teaching Assistant Program in Korea, which sends United States citizen students to serve as English language teaching assistants at Korean colleges and high schools.

(D) DANTE B. FASCELL NORTH-SOUTH CENTER.—Of the amounts authorized to be available by subparagraph (A), $1,025,000 for the fiscal year 2004 and $1,025,000 for the fiscal year 2005 is authorized to be available for the ''Dante B. Fascell North-South Center''.

(E) GEORGE J. MITCHELL SCHOLARSHIP PROGRAM.—Of the amounts authorized to be available under subparagraph (A), $500,000 for the fiscal year 2004 and $500,000 for the fiscal year 2005 is authorized to be available for the ''George J. Mitchell Scholarship Program'' which provides for one year of postgraduate study for American scholars at institutions of higher education in Ireland and Northern Ireland.

(4) OTHER EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS.—

(A) IN GENERAL.—Of the amounts authorized to be appropriated under paragraph (1), $110,000,000 for the fiscal year 2004 and $110,000,000 for the fiscal year 2005 is authorized to be available for other educational and cultural exchange programs authorized by law.

(B) INITIATIVES FOR PREDOMINANTLY MUSLIM COUNTRIES.—Of the amounts authorized to be available under subparagraph (A), $35,000,000 for the fiscal year 2004 and $35,000,000 for the fiscal year 2005 is authorized to be available for initiatives for predominantly Muslim countries established under section 251.

(C) TIBETAN EXCHANGES.—Of the amounts authorized to be available under subparagraph (A), $500,000 for the fiscal year 2004 and $500,000 for the fiscal year 2005 is authorized to be available for ''Ngawang Choephel Exchange Programs'' (formerly known as ''programs of educational and cultural exchange between the United States and the people of Tibet'') under section 103(a) of the Human Rights, Refugee, and Other Foreign Relations Provisions Act of 1996 (Public Law 104–319).

(D) EAST TIMORESE SCHOLARSHIPS.—Of the amounts authorized to be available under subparagraph (A), $1,000,000 for the fiscal year 2004 and $1,000,000 for the fiscal year 2005 is authorized to be available for ''East Timorese Scholarships''.

(E) SOUTH PACIFIC EXCHANGES.—Of the amounts authorized to be available under subparagraph (A), $750,000 for the fiscal year 2004 and $750,000 for the fiscal year 2005 is authorized to be available for ''South Pacific Exchanges''.

(F) SUDANESE SCHOLARSHIPS.—Of the amounts authorized to be available under subparagraph (A), $500,000 for the fiscal year 2004 and $500,000 for the fiscal year 2005 is authorized to be available for scholarships for students from southern Sudan for secondary or postsecondary education in the United States, to be known as ''Sudanese Scholarships''.

(G) SUMMER INSTITUTES FOR KOREAN STUDENTS.—Of the amounts authorized to be available under subparagraph (A), $750,000 for the fiscal year 2004 and $750,000 for the fiscal year 2005 is authorized to be available for summer academic study programs in the United States (focusing on United States political systems, government institutions, society, and democratic culture) for college and university students from the Republic of Korea, to be known as the ''United States Summer Institutes for Korean Student Leaders''.

(H) SCHOLARSHIPS FOR INDIGENOUS PEOPLES OF MEXICO AND CENTRAL AND SOUTH AMERICA.—Of the amounts authorized to be available under subparagraph (A), $400,000 for the fiscal year 2004 and $400,000 for the fiscal year 2005 is authorized to be available for scholarships for postsecondary education in the United States for students from Mexico and the countries of Central and South America who are from the indigenous peoples of the region.

(c) NATIONAL ENDOWMENT FOR DEMOCRACY.—

(1) IN GENERAL.—For the ''National Endowment for Democracy'', $45,000,000 for the fiscal year 2004 and $47,000,000 for the fiscal year 2005.

(2) INITIATIVES FOR PREDOMINANTLY MUSLIM COUNTRIES.—Of the amounts authorized to be appropriated under paragraph (1), $3,000,000 for the fiscal year 2004 and $3,000,000 for the fiscal year 2005 is authorized to be available for the National Endowment for Democracy to fund programs that promote democracy, good governance, the rule of law, independent media, religious tolerance, the rights of women, and strengthening of civil society in countries of predominantly Muslim population within the jurisdiction of the Bureau of Near Eastern Affairs of the Department of State.

(d) CENTER FOR CULTURAL AND TECHNICAL INTERCHANGE BETWEEN EAST AND WEST.—For the ''Center for Cultural and Technical Interchange between East and West'', $14,280,000 for the fiscal year 2004 and $14,280,000 for the fiscal year 2005.

(e) REAGAN-FASCELL DEMOCRACY FELLOWS.—For the ''Reagan-Fascell Democracy Fellows'', for fellowships for democracy activists and scholars from around the world at the International Forum for Democratic Studies in Washington, D.C., to study, write, and exchange views with other activists and scholars and with Americans, $1,000,000 for the fiscal year 2004 and $1,000,000 for the fiscal year 2005.

(f) BENJAMIN GILMAN INTERNATIONAL SCHOLARSHIP PROGRAM.—Section 305 of the Micro-enterprise for Self-Reliance and International Anti-Corruption Act of 2000 (22 U.S.C. 2462 note) is amended by striking ''$1,500,000'' and inserting ''$2,500,000''.

SEC. 113. CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS.

(a) ASSESSED CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS.—There is authorized to be appropriated under the heading ''Contributions to International Organizations'' $1,010,463,000 for the fiscal year 2004 and $1,040,776,000 for the fiscal year 2005 for the Department to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States with respect to international organizations and to carry out other authorities in law consistent with such purposes.

(b) CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES.—There is authorized

to be appropriated under the heading ''Contributions for International Peacekeeping Activities'' $550,200,000 for the fiscal year 2004 and such sums as may be necessary for the fiscal year 2005 for the Department to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States with respect to international peacekeeping activities and to carry out other authorities in law consistent with such purposes.

(c) FOREIGN CURRENCY EXCHANGE RATES.—

(1) AUTHORIZATION OF APPROPRIATIONS.—In addition to the amounts authorized to be appropriated by subsection (a), there is authorized to be appropriated such sums as may be necessary for the fiscal years 2004 and 2005 to offset adverse fluctuations in foreign currency exchange rates.

(2) AVAILABILITY OF FUNDS.—Amounts appropriated under this subsection may be available for obligation and expenditure only to the extent that the Director of the Office of Management and Budget determines and certifies to the appropriate congressional committees that such amounts are necessary due to such fluctuations.

(d) REFUND OF EXCESS CONTRIBUTIONS.—The United States shall continue to insist that the United Nations and its specialized and affiliated agencies shall credit or refund to each member of the organization or agency concerned its proportionate share of the amount by which the total contributions to the organization or agency exceed the expenditures of the regular assessed budget of the organization or agency.

SEC. 114. INTERNATIONAL COMMISSIONS.

The following amounts are authorized to be appropriated under ''International Commissions'' for the Department to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States with respect to international commissions, and for other purposes authorized by law:

(1) INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO.—For ''International Boundary and Water Commission, United States and Mexico''—

(A) for ''Salaries and Expenses'', $31,562,000 for the fiscal year 2004 and $31,562,000 for the fiscal year 2005; and

(B) for ''Construction'', $8,901,000 for the fiscal year 2004 and $8,901,000 for the fiscal year 2005.

(2) INTERNATIONAL BOUNDARY COMMISSION, UNITED STATES AND CANADA.—For ''International Boundary Commission, United States and Canada'', $1,261,000 for the fiscal year 2004 and $1,261,000 for the fiscal year 2005.

(3) INTERNATIONAL JOINT COMMISSION.—For ''International Joint Commission'', $7,810,000 for the fiscal year 2004 and $7,810,000 for the fiscal year 2005.

(4) INTERNATIONAL FISHERIES COMMISSIONS.—For ''International Fisheries Commissions'', $20,043,000 for the fiscal year 2004 and $20,043,000 for the fiscal year 2005.

SEC. 115. MIGRATION AND REFUGEE ASSISTANCE.

(a) IN GENERAL.—There is authorized to be appropriated for the Department for ''Migration and Refugee Assistance'' for authorized activities, $927,000,000 for the fiscal year 2004 and $957,000,000 for the fiscal year 2005.

(b) REFUGEES RESETTLING IN ISRAEL.—Of the amount authorized to be appropriated by subsection (a), $50,000,000 for the fiscal year 2004 and $50,000,000 for the fiscal year 2005 is authorized to be available for the resettlement of refugees in Israel.

(c) TIBETAN REFUGEES IN INDIA AND NEPAL.—Of the amount authorized to be appropriated by subsection (a), $2,000,000 for the fiscal year 2004 and $2,000,000 for the fiscal year 2005 is authorized to be available for humanitarian assistance, including food, medicine, clothing, and medical and vocational training, to Tibetan refugees in India and Nepal who have fled Chinese-occupied Tibet.

(d) HUMANITARIAN ASSISTANCE FOR DISPLACED BURMESE.—Of the amount authorized to be appropriated by subsection (a), $2,000,000 for the fiscal year 2004 and $2,000,000 for the fiscal year 2005 is authorized to be available for humanitarian assistance (including food, medicine, clothing, and medical and vocational training) to persons displaced as a result of civil conflict in Burma, including persons still within Burma.

(e) AVAILABILITY OF FUNDS.—Funds appropriated pursuant to this section are authorized to remain available until expended.

SEC. 116. VOLUNTARY CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Department of State for ''Voluntary Contributions to International Organizations'', $342,555,000 for the fiscal year 2004 and $345,000,000 for the fiscal year 2005.

(b) UNITED NATIONS VOLUNTARY FUND FOR VICTIMS OF TORTURE.—Of the amounts authorized to be appropriated under subsection (a), $6,000,000 for the fiscal year 2004 and $7,000,000 for the fiscal year 2005 is authorized to be available for a United States voluntary contribution to the United Nations Voluntary Fund for Victims of Torture.

(c) ORGANIZATION OF AMERICAN STATES.—Of the amounts authorized to be appropriated under subsection (a) $2,000,000 for fiscal years 2004 and 2005 is authorized to be available for a United States voluntary contribution to the Organization of American States for the Inter-American Committee Against Terrorism (CICTE) to identify and develop a port in the Latin American and Caribbean region into a model of best security practices and appropriate technologies for improving port security in the Western Hemisphere. Amounts authorized to be available by the preceding sentence are authorized to remain available until expended and are in addition to amounts otherwise available to carry out section 301 of the Foreign Assistance Act of 1961 (22 U.S.C. 2221).

(d) RESTRICTIONS ON UNITED STATES CONTRIBUTIONS TO UNITED NATIONS DEVELOPMENT PROGRAM.—

(1) LIMITATION.—Of the amounts made available under subsection (a) for each of the fiscal years 2004 and 2005 for United States contributions to the United Nations Development Program an amount equal to the amount the United Nations Development Program will spend in Burma during each fiscal year shall be withheld unless during such fiscal year the Secretary of State submits to the appropriate congressional committees the certification described in paragraph (2).

(2) CERTIFICATION.—The certification referred to in paragraph (1) is a certification by the Secretary of State that all programs and activities of the United Nations Development Program (including United Nations Development Program—Administered Funds) in Burma—

(A) are focused on eliminating human suffering and addressing the needs of the poor;

(B) are undertaken only through international or private voluntary organizations that have been deemed independent of the State Peace and Development Council (SPDC) (formerly known as the State Law and Order Restoration Council (SLORC)), after consultation with the leadership of the National League for Democracy and the leadership of the National Coalition Government of the Union of Burma;

(C) provide no financial, political, or military benefit to the SPDC; and

(D) are carried out only after consultation with the leadership of the National League for Democracy and the leadership of the National Coalition Government of the Union of Burma.

(e) UNITED NATIONS POPULATION FUND (UNFPA).—

(1) AUTHORIZATION OF APPROPRIATIONS.—Of the amounts authorized to be appropriated under subsection (a), $50,000,000 for each of the fiscal years 2004 and 2005 is authorized only to be available for a United States voluntary contribution to the United Nations Population Fund (UNFPA).

(2) PERMANENT GUIDELINES FOR VOLUNTARY CONTRIBUTIONS TO UNFPA.—Section 301 of the Foreign Assistance Act of 1961 (22 U.S.C. 2221) is amended by inserting after subsection (a) the following new subsection:

''(b)(1) For fiscal year 2004 and each subsequent fiscal year, funds appropriated to the President or the Department of State under any law for a voluntary contribution to the United Nations Population Fund (UNFPA) may be obligated and expended for such purpose beginning 30 days after such funds become available and only if the President certifies to the Congress that the United Nations Population Fund (UNFPA) does not directly support or participate in coercive abortion or involuntary sterilization. The certification authority of the President under the preceding sentence may not be delegated.

''(2) In paragraph (1), the term 'directly supports or participates in coercive abortion or involuntary sterilization' means knowingly and intentionally working with a purpose to continue, advance, or expand the practice of coercive abortion or involuntary sterilization, or playing a primary and essential role in a coercive or involuntary aspect of a country's family planning program.''.

SEC. 117. VOLUNTARY CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Department of State for ''Voluntary Contributions for International Peacekeeping'', $110,000,000 for the fiscal year 2004 and $110,000,000 for the fiscal year 2005.

(b) PEACEKEEPING IN AFRICA.—Of the amounts authorized to be appropriated under subsection (a), $40,000,000 for the fiscal year 2004 and such sums as may be necessary for the fiscal year 2005 is authorized to be appropriated for peacekeeping activities in Africa.

SEC. 118. GRANTS TO THE ASIA FOUNDATION.

Section 404 of The Asia Foundation Act (title IV of Public Law 98–164; 22 U.S.C. 4403) is amended to read as follows:

''SEC. 404. There is authorized to be appropriated to the Secretary of State $18,000,000 for the fiscal year 2004 and $18,000,000 for the fiscal year 2005 for grants to The Asia Foundation pursuant to this title.''.

Subtitle B—United States International Broadcasting Activities

SEC. 121. AUTHORIZATIONS OF APPROPRIATIONS.

The following amounts are authorized to be appropriated to carry out United States Government broadcasting activities under the United States Information and Educational Exchange Act of 1948, the United States International Broadcasting Act of 1994, the Radio Broadcasting to Cuba Act, the Television Broadcasting to Cuba Act, and the Foreign Affairs Reform and Restructuring Act of 1998, and to carry out other authorities in law consistent with such purposes:

(1) INTERNATIONAL BROADCASTING OPERATIONS.—

(A) IN GENERAL.—For ''International Broadcasting Operations'', $600,354,000 for the fiscal year 2004 and $612,146,000 for the fiscal year 2005.

(B) ALLOCATION OF FUNDS.—Of the amounts authorized to be appropriated by subparagraph (A), there is authorized to be available for Radio Free Asia $30,000,000 for the fiscal year 2004 and $30,000,000 for the fiscal year 2005.

(C) OFFICE OF GLOBAL INTERNET FREEDOM.—Of the amounts authorized to be appropriated by subparagraph (A), there is authorized to be available for the Broadcasting Board of Governors for the establishment and operations of the Office of Global Internet Freedom under section 524(a) $8,000,000 for the fiscal year 2004 and $8,000,000 for the fiscal year 2005.

(2) BROADCASTING CAPITAL IMPROVEMENTS.—For ''Broadcasting Capital Improvements'', $29,895,000 for the fiscal year 2004 and $11,395,000 for the fiscal year 2005.

(3) BROADCASTING TO CUBA.—For ''Broadcasting to Cuba'', $26,901,000 for the fiscal year 2004 and $27,439,000 for the fiscal year 2005.

TITLE II—DEPARTMENT OF STATE AUTHORITIES AND ACTIVITIES

Subtitle A—United States Public Diplomacy

SEC. 201. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress makes the following findings:

(1) The United States possesses strong and deep connections with the peoples of the world separate from its relations with their governments. These connections can be a major asset in the promotion of United States interests and foreign policy.

(2) Misinformation and hostile propaganda in these countries regarding the United States and its foreign policy endanger the interests of the United States. Existing efforts to counter such misinformation and propaganda are inadequate and must be greatly enhanced in both scope and substance.

(3) United States foreign policy has been hampered by an insufficient consideration of the importance of public diplomacy in the formulation and implementation of that policy and by the underuse of modern communication techniques.

(4) The United States should have an operational strategy and a coordinated effort regarding the utilization of its public diplomacy resources.

(5) The development of an operational strategy and a coordinated effort by United States agencies regarding public diplomacy would greatly enhance United States foreign policy.

(6) The Secretary of State has undertaken efforts to ensure that of the new positions established at the Department of State after September 30, 2002, a significant proportion are for public diplomacy.

(b) PURPOSES.—It is the purpose of this subtitle to enhance in scope and substance, redirect, redefine, and reorganize United States public diplomacy.

SEC. 202. PUBLIC DIPLOMACY RESPONSIBILITIES OF THE DEPARTMENT OF STATE.

(a) IN GENERAL.—The State Department Basic Authorities Act of 1956 (22 U.S.C. 265 et seq.) is amended by inserting after section 58 the following new section:

''SEC. 59. PUBLIC DIPLOMACY RESPONSIBILITIES OF THE DEPARTMENT OF STATE.

''(a) IN GENERAL.—The Secretary of State shall make public diplomacy an integral component in the planning and execution of United States foreign policy. The Department of State, in coordination with the United States International Broadcasting Agency, shall develop a comprehensive strategy for the use of public diplomacy resources and assume a prominent role in coordinating the efforts of all Federal agencies involved in public diplomacy. Public diplomacy efforts shall be addressed to developed and developing countries, to select and general audiences, and shall utilize all available media to ensure that the foreign policy of the United States is properly explained and understood not only by the governments of countries but also by their peoples, with the objective of enhancing support for United States foreign policy. The Secretary shall ensure that the public diplomacy strategy of the United States is cohesive and coherent and shall aggressively and through the most effective mechanisms counter misinformation and propaganda concerning the United States. The Secretary shall endeavor to articulate the importance in American foreign policy of the guiding principles and doctrines of the United States, particularly freedom and democracy. The Secretary, in coordination with the Board of Governors of the United States International Broadcasting Agency, shall develop and articulate long-term measurable objectives for United States public diplomacy. The Secretary is authorized to produce and distribute public diplomacy programming for distribution abroad in order to achieve public diplomacy objectives, including through satellite communication, the Internet, and other established and emerging communications technologies.

''(b) INFORMATION CONCERNING UNITED STATES ASSISTANCE.—

''(1) IDENTIFICATION OF ASSISTANCE.—In cooperation with the United States Agency for International Development (USAID) and other public and private assistance organizations and agencies, the Secretary shall ensure that information concerning foreign assistance provided by the United States Government, United States nongovernmental organizations and private entities, and the American people is disseminated widely and prominently, particularly, to the extent practicable, within countries and regions that receive such assistance. The Secretary shall ensure that, to the extent practicable, projects funded by the United States Agency for International Development (USAID) that do not involve commodities, including projects implemented by private voluntary organizations, are identified as being supported by the United States of America, as American Aid or provided by the American people.

''(2) REPORT TO CONGRESS.—Not later than 120 days after the end of each fiscal year, the Secretary shall submit a report to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate on efforts to disseminate information concerning assistance described in paragraph (1) during the preceding fiscal year. Each such report shall include specific information concerning all instances in which the United States Agency for International Development has not identified projects in the manner prescribed in paragraph (1) because such identification was not practicable. Any such report shall be submitted in unclassified form, but may include a classified appendix.

''(c) AUTHORITY.—Subject to the availability of appropriations, the Secretary may contract with and compensate government and private agencies or persons for property and services to carry out this section.''.

(b) ESTABLISHMENT OF PUBLIC DIPLOMACY RESERVE CORPS.—

(1) The Secretary of State shall establish a public diplomacy reserve corps to augment the public diplomacy capacity and capabilities of the Department in emergency and critical circumstances worldwide. The Secretary shall develop a contingency plan for the use of the corps to bolster public diplomacy resources and expertise. To the extent necessary and appropriate, the Secretary may recruit experts in public diplomacy and related fields from the private sector.

(2) While actively serving with the reserve corps, individuals are prohibited from engaging in activities directly or indirectly intended to influence public opinion within the United States to the same degree that employees of the Department engaged in public diplomacy are so prohibited.

(c) FUNCTIONS OF THE UNDER SECRETARY FOR PUBLIC DIPLOMACY.—

(1) Section 1(b)(3) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(b)(3)) is amended by striking ''formation'' and all that follows through the period at the end and inserting ''formation, supervision, and implementation of United States public diplomacy policies, programs, and activities, including the provision of guidance to Department personnel in the United States and overseas who conduct or implement such policies, programs, and activities. The Under Secretary for Public Diplomacy shall assist the United States Agency for International Broadcasting in presenting the policies of the United States clearly and effectively, shall submit statements of United States policy and editorial material to the Agency for broadcast consideration in addition to material prepared by the Agency, and shall ensure that editorial material created by the Agency for broadcast is reviewed expeditiously by the Department.''.

(2) The Under Secretary for Public Diplomacy, in carrying out the functions under the last sentence of section 1(b)(3) of the State Department Basic Authorities Act of 1956 (as added by paragraph (1), shall consult with public diplomacy officers operating at United States overseas posts and in the regional bureaus of the Department of State.

SEC. 203. ANNUAL PLAN ON PUBLIC DIPLOMACY STRATEGY.

The Secretary of State, in coordination with all appropriate Federal agencies, shall prepare an annual review and analysis of the impact of public diplomacy efforts on target audiences. Each review shall assess the United States public diplomacy strategy worldwide and by region, including the allocation of resources and an evaluation and assessment of the progress in, and barriers to, achieving the goals set forth under previous plans submitted under this section. On the basis of such review, the Secretary of State, in coordination with all appropriate Federal agencies shall develop and submit, as part of the annual budget submission, a public diplomacy strategy which specifies goals, agency responsibilities, and necessary resources and mechanisms for achieving such goals during the next fiscal year. The plan may be submitted in classified form.

SEC. 204. PUBLIC DIPLOMACY TRAINING.

(a) FINDINGS.—The Congress makes the following findings:

(1) The Foreign Service should recruit individuals with expertise and professional experience in public diplomacy.

(2) Ambassadors should have a prominent role in the formulation of public diplomacy strategies for the countries and regions to which they are assigned and be accountable for the operation and success of public diplomacy efforts at their posts.

(3) Initial and subsequent training of Foreign Service officers should be enhanced to include information and training on public diplomacy and the tools and technology of mass communication.

(b) PERSONNEL.—

(1) In the recruitment, training, and assignment of members of the Foreign Service, the Secretary shall emphasize the importance of public diplomacy and of applicable skills and techniques. The Secretary shall consider the priority recruitment into the Foreign Service, at middle-level entry, of individuals with expertise and professional experience in public diplomacy, mass communications, or journalism, especially individuals with language facility and experience in particular countries and regions.

(2) The Secretary of State shall seek to increase the number of Foreign Service officers proficient in languages spoken in predominantly Muslim countries. Such increase shall be accomplished through the recruitment of new officers and incentives for officers in service.

SEC. 205. UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY.

(a) STUDY AND REPORT BY UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY.—Section 604(c)(2) of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1469(c)(2)) is amended to read as follows:

''(2)(A) Not less often than every two years, the Commission shall undertake an in-depth review of United States public diplomacy programs, policies, and activities. Each study shall assess the effectiveness of the various mechanisms of United States public diplomacy, in light of factors including public and media attitudes around the world toward the United States, Americans, United States foreign policy, and the role of the American private-sector community abroad, and make appropriate recommendations.

''(B) A comprehensive report of each study under subparagraph (A) shall be submitted to the Secretary of State and the appropriate congressional committees. At the discretion of the Commission, any report under this subsection may be submitted in classified or unclassified form, as appropriate.''.

(b) INFORMATION AND SUPPORT FROM OTHER AGENCIES.—Upon request of the United States Advisory Commission on Public Diplomacy, the Secretary of State, the Director of the United States International Broadcasting Agency, and the head of any other Federal agency that conducts public diplomacy programs and activities shall provide information to the Advisory Commission to assist in carrying out the responsibilities under section 604(c)(2) of the United States Information and Educational Exchange Act of 1948 (as amended by subsection (a)).

(c) ENHANCING THE EXPERTISE OF UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY.—

(1) QUALIFICATIONS OF MEMBERS.—Section 604(a)(2) of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1469(a)(2)) is amended by adding at the end the following: ''At least 4 members shall have substantial experience in the conduct of public diplomacy or comparable activities in the private sector. At least 1 member shall be an American residing abroad. No member may be an officer or employee of the United States.''.

(2) APPLICATION OF AMENDMENT.—The amendments made by paragraph (1) shall not apply to individuals who are members of the United States Advisory Commission on Public Diplomacy on the date of the enactment of this Act.

SEC. 206. LIBRARY PROGRAM.

The Secretary of State shall develop and implement a demonstration program to assist foreign governments to establish or upgrade their public library systems to improve literacy and support public education. The program should provide training in the library sciences. The purpose of the program shall be to advance American values and society, particularly the importance of freedom and democracy.

SEC. 207. SENSE OF CONGRESS CONCERNING PUBLIC DIPLOMACY EFFORTS IN SUB-SAHARAN AFRICA.

(a) FINDINGS.—The Congress makes the following findings:

(1) A significant number of sub-Saharan African countries have predominantly Muslim populations, including such key countries as Nigeria, Senegal, Djibouti, Mauritania, and Guinea.

(2) In several of these countries, groups with links to militant religious organizations are active among the youth, primarily young men, promoting a philosophy and practice of intolerance and radical clerics are effectively mobilizing public sentiment against the United States.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that the Secretary should include countries in sub-Saharan Africa with predominantly Muslim populations in the public diplomacy activities authorized by this Act and the amendments made by this Act.

SEC. 208. THE COLIN POWELL CENTER FOR AMERICAN DIPLOMACY.

Title I of the State Department Basic Authorities Act of 1956 is amended by adding after section 59 (22 U.S.C. 2730) the following new section:

''SEC. 60. COLIN POWELL CENTER FOR AMERICAN DIPLOMACY.

''(a) DESIGNATION.—The diplomacy center of the Department of State, located in the Harry S Truman building, is hereby designated as the 'Colin Powell Center for American Diplomacy' (hereinafter in this section referred to as the 'Center').

''(b) ACTIVITIES.—

''(1) SUPPORT AUTHORIZED.—The Secretary of State is authorized to provide by contract, grant, or otherwise, for the performance of appropriate museum visitor and educational outreach services, including organizing conference activities, museum shop services, and food services, in the public exhibit and related space utilized by the Center.

''(2) PAYMENT OF EXPENSES.—The Secretary may pay all reasonable expenses of conference activities conducted by the Center, including refreshments and reimbursement of travel expenses incurred by participants.

''(3) RECOVERY OF COSTS.—Any revenues generated under the authority of paragraph (1) for visitor services may be retained, as a recovery of the costs of operating the Center, and credited to any Department of State appropriation.

''(c) DISPOSITION OF CENTER ARTIFACTS AND MATERIALS.—

''(1) PROPERTY OF SECRETARY.—All historic documents, artifacts, or other articles permanently acquired by the Department of State and determined by the Secretary to be suitable for display in the Center shall be considered to be the property of the Secretary in the Secretary's official capacity and shall be subject to disposition solely in accordance with this subsection.

''(2) SALE OR TRADE.—Whenever the Secretary makes the determination under paragraph (3) with respect to an item, the Secretary may sell at fair market value, trade, or transfer the item, without regard to the requirements of subtitle I of title 40, United States Code. The proceeds of any such sale may be used solely for the advancement of the Center's mission and may not be used for any purpose other than the acquisition and direct care of collections.

''(3) DETERMINATIONS PRIOR TO SALE OR TRADE.—The determination referred to in paragraph (2), with respect to an item, is a determination that—

''(A) the item no longer serves to further the purposes of the Center established in the collections management policy of the Center; or

''(B) in order to maintain the standards of the collections of the Center, the sale or exchange of the item would be a better use of the item.

''(4) LOANS.—The Secretary may also lend items covered by paragraph (1), when not needed for use or display in the Center, to the Smithsonian Institution or a similar institution for repair, study, or exhibition.''.

Subtitle B—Basic Authorities and Activities

SEC. 221. UNITED STATES POLICY WITH RESPECT TO JERUSALEM AS THE CAPITAL OF ISRAEL.

(a) LIMITATION ON USE OF FUNDS FOR CONSULATE IN JERUSALEM.—None of the funds authorized to be appropriated by this Act may be expended for the operation of a United States consulate or diplomatic facility in Jerusalem unless such consulate or diplomatic facility is under the supervision of the United States Ambassador to Israel.

(b) LIMITATION ON USE OF FUNDS FOR PUBLICATIONS.—None of the funds authorized to be appropriated by this Act may be available for the publication of any official government document which lists countries and their capital cities unless the publication identifies Jerusalem as the capital of Israel.

(c) RECORD OF PLACE OF BIRTH AS ISRAEL FOR PASSPORT PURPOSES.—The first section of ''An Act to regulate the issue and validity of passports, and for other purposes'', approved July 3, 1926 (22 U.S.C. 211a; 44 Stat. 887) is amended by inserting after the first sentence the following: ''For purposes of the issuance of a passport of a United States citizen born in the city of Jerusalem, the Secretary shall, upon the request of the citizen or the citizen's legal guardian, record the place of birth as Israel.''.

SEC. 222. MODIFICATION OF REPORTING REQUIREMENTS.

(a) REPEAL.—Section 805 of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001 (section 805(a) of division A of H.R. 3427, as enacted into law by section 1000(a)(7) of Public Law 106-113; appendix G; 113 Stat. 1501A-470) (relating to reports on terrorist activity in which United States citizens were killed and related matters) is hereby repealed.

(b) ANNUAL COUNTRY REPORTS ON TERRORISM.—Section 140(b)(2) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (Public Law 100-204; 22 U.S.C. 2656f(b)(2)) is amended—

(1) in subparagraph (D), by striking ''and'' at the end;

(2) in subparagraph (E), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(F) for the reports due through May 1, 2005, information concerning terrorist attacks in Israel, territory administered by Israel, and territory administered by the Palestinian Authority, including—

''(i) a list of all citizens of the United States killed or injured in such attacks during the previous year;

''(ii) the date of each attack and the total number of people killed or injured in each attack;

''(iii) the person or group claiming responsibility for the attack and where such person or group has found refuge or support;

''(iv) to the extent possible, a list of suspects implicated in each attack and the nationality of each suspect, including information on their whereabouts (or suspected whereabouts);

''(v) a list of any terrorist suspects in these cases who are members of Palestinian police or security forces, the Palestine Liberation Organization, or any Palestinian governing body;

''(vi) the status of each case pending against a suspect, including information on whether the suspect has been arrested, detained, indicted, prosecuted, or convicted by the Palestinian Authority or Israel, and if detained and then released, the date of such release, and whether any released suspect was implicated in subsequent acts of terrorism;

''(vii) available information on convictions, releases or changes in the situation of suspects involved in attacks committed prior to December 31, 2003, and not covered in previous reports submitted under section 805(a) of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001; and

''(viii) the policy of the Department of State with respect to offering rewards for information on terrorist suspects, including any information on whether a reward has been posted for suspects involved in terrorist attacks listed in the report.''.

(c) CONSULTATION.—The Secretary of State shall, in preparing the portion of the annual country reports on terrorism required by subparagraph (F) of section 140(b)(2) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (Public Law 100–204; 22 U.S.C. 2656f(b)(2)), as added by subsection (b), consult and coordinate with all other Government officials who have information necessary to complete that portion of the report. Nothing contained in this subsection shall require the disclosure, on a classified or unclassified basis, of information that would jeopardize sensitive sources and methods or other vital national security interests or jeopardize ongoing criminal investigations or proceedings.

SEC. 223. REPORT CONCERNING EFFORTS TO PROMOTE ISRAEL'S DIPLOMATIC RELATIONS WITH OTHER COUNTRIES.

(a) FINDINGS.—The Congress makes the following findings:

(1) Israel is a friend and ally of the United States whose security is vital to regional stability and United States interests.

(2) Israel currently maintains diplomatic relations with approximately 160 countries. Approximately 30 countries do not have any diplomatic relations with Israel.

(3) The State of Israel has been actively seeking to establish formal relations with a number of countries.

(4) The United States should assist its ally, Israel, in its efforts to establish diplomatic relations.

(5) After more than 50 years of existence, Israel deserves to be treated as an equal nation by its neighbors and the world community.

(b) REPORT CONCERNING UNITED STATES EFFORTS TO PROMOTE ISRAEL'S DIPLOMATIC RELATIONS WITH OTHER COUNTRIES.—Not later than 60 days after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate congressional committees that includes the following information (in classified or unclassified form, as appropriate):

(1) Actions taken by the United States to encourage other countries to establish full diplomatic relations with Israel.

(2) Specific responses solicited and received by the Secretary from countries that do not maintain full diplomatic relations with Israel with respect to the status of negotiations to enter into diplomatic relations with Israel.

(3) Other measures being undertaken, and measures that will be undertaken, by the United States to ensure and promote Israel's full participation in the world diplomatic community.

SEC. 224. REIMBURSEMENT RATE FOR CERTAIN AIRLIFT SERVICES PROVIDED BY THE DEPARTMENT OF DEFENSE TO THE DEPARTMENT OF STATE.

(a) AUTHORITY.—Subsection (a) of section 2642 of title 10, United States Code, is amended—

(1) by striking ''provided by a component of the Department of Defense to the'' and inserting ''provided by a component of the Department of Defense as follows:

''(1) To the''; and

(2) by adding at the end the following new paragraph:

''(2) To the Department of State for the transportation of armored motor vehicles to a foreign country to meet unfulfilled requirements of the Department of State for armored motor vehicles in that foreign country.''.

(b) CONFORMING AND CLERICAL AMENDMENTS.—(1) The heading for such section is amended to read as follows:

''§ 2642. Airlift services provided to Central Intelligence Agency and Department of State: reimbursement rate''.

(2) The item relating to such section in the table of sections at the beginning of chapter 157 of such title is amended to read as follows:

''2642. Airlift services provided to Central Intelligence Agency and Department of State: reimbursement rate.''.

SEC. 225. SENSE OF CONGRESS REGARDING ADDITIONAL UNITED STATES CONSULAR POSTS.

It is the sense of the Congress that to help advance United States economic, political, and public diplomacy interests, the Secretary of State should make best efforts to establish consulates or other appropriate diplomatic presence in: Pusan, South Korea; Medan, Indonesia; and Hat Yai, Thailand.

SEC. 226. VALIDITY OF UNITED STATES PASSPORTS FOR TRAVEL TO COUNTRIES RECEIVING UNITED STATES FOREIGN ASSISTANCE.

The first section of the Act entitled ''An Act to regulate the issue and validity of passports, and for other purposes'', approved July 3, 1926 (22 U.S.C. 211a) is amended by striking ''travellers.'' and inserting ''travellers, and no such restriction may apply to a country in which the United States is providing assistance authorized by the Foreign Assistance Act of 1961.''.

SEC. 227. GAO ASSESSMENT OF SECURITY CAPITAL COST SHARING.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Congress a report on plans for security capital cost sharing between the Department of State and other Federal agencies with personnel assigned to United States diplomatic facilities under the authority of a chief of mission pursuant to section 207 of the Foreign Service Act of 1980 (22 U.S.C. 3927).

(b) REPORT ELEMENTS.—In addition to such other information as the Comptroller General considers appropriate, the report described in subsection (a) shall address and make recommendations regarding the following:

(1) The anticipated projected costs that the Department of State proposes to be paid through an inter-agency security capital cost sharing program.

(2) The mechanism the Department of State proposes to use in allocating assessments under such a program and any alternatives the General Accounting Office suggests be considered.

(3) Factors that should be incorporated into any process for implementing such a program and a financial assessment of such factors, including the cost of services provided to the Department of State by other Federal agencies.

(4) The means of ensuring transparency in the cost assessment process of such a program.

(5) Mechanisms for adjudicating disagreements among Federal agencies regarding assessed fees under such a program.

SEC. 228. AUTHORITY TO ISSUE ADMINISTRATIVE SUBPOENAS.

Section 37 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2709) is amended by adding at the end the following new subsection:

''(d) ADMINISTRATIVE SUBPOENAS.—

''(1) IN GENERAL.—If the Secretary determines that there is an imminent threat against a person, foreign mission, or international organization protected under the authority of subsection (a)(3), the Secretary may issue in writing, and cause to be served, a subpoena requiring—

''(A) the production of any records or other items relevant to the threat; and

''(B) testimony by the custodian of the items required to be produced concerning the production and authenticity of those items.

''(2) REQUIREMENTS.—

''(A) RETURN DATE.—A subpoena under this subsection shall describe the items required to be produced and shall specify a return date within a reasonable period of time within which the requested items may be assembled and made available. The return date specified may not be less than 24 hours after service of the subpoena.

''(B) NOTIFICATION TO ATTORNEY GENERAL.—As soon as practicable following the issuance of a subpoena under this subsection, the Secretary shall notify the Attorney General of its issuance.

''(C) OTHER REQUIREMENTS.—The following provisions of section 3486 of title 18, United States Code, shall apply to the exercise of the authority of paragraph (1):

''(i) Paragraphs (4) through (8) of subsection (a).

''(ii) Subsections (b), (c), and (d).

''(3) DELEGATION OF AUTHORITY.—The authority under this subsection may be delegated only to the Deputy Secretary of State.

''(4) ANNUAL REPORT.—Not later than February 1 of each year, the Secretary shall submit to the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives a report regarding the exercise of the authority under this subsection during the previous calendar year.''.

SEC. 229. ENHANCING REFUGEE RESETTLEMENT AND MAINTAINING THE UNITED STATES COMMITMENT TO REFUGEES.

(a) FINDINGS.—The Congress makes the following findings:

(1) The United States has a longstanding tradition of providing refugee assistance and relief through the Department of State's migration and refugee assistance account for refugees throughout the world who have been subjected to religious and other forms of persecution.

(2) A strong refugee resettlement and assistance program is a critical component of the United States' strong commitment to freedom.

(3) The United States refugee admissions program has been in decline for much of the last five years, resulting in a chronic inability of the United States to meet the ceiling on refugee admissions that has been set by the President each year.

(4) Refugee applicants have always undergone rigorous security screenings. The September 11, 2001, terrorist attacks on the United States has rightfully increased the awareness of the need to ensure that all aliens seeking admission to the United States would not endanger the United States.

(5) Private voluntary organizations and nongovernmental organizations (NGOs) have and continue to provide valuable information to State Department officials for refugee processing, and along with Embassy personnel, can be utilized to assist in the preliminary screening of refugees so that State Department officials can focus to a greater extent on security.

(6) Currently there are 15 million refugees worldwide. In order to meet the ceiling set by the Administration, which has been 70,000 in recent years, a broader cross-section could be considered for resettlement in the United States if the Department of State were to expand existing refugee processing priority categories in a reasonable and responsible manner. Expansion of refugee selection should include the expanded use of both the existing category reserved for refugees of special interest to the United States as well as the existing categories reserved for family reunification.

(b) PURPOSE.—It is the purpose of this section to provide the Department of State with tools to enable it to carry out its responsibilities with greater efficiency with respect to the identification and processing of refugee applicants.

(c) ENHANCEMENT OF REFUGEE IDENTIFICATION AND PROCESSING.—

(1) In addition to traditional agencies currently used in the processing of refugees for admission to the United States, where applicable, the Secretary shall develop and utilize partnerships with voluntary resettlement organizations that permit such organizations to assist in the identification and referral of refugees.

(2) In addition to traditional agencies currently used in the processing of refugees for admission to the United States, where applicable, the Secretary shall utilize private voluntary organizations with ties to domestic constituencies in the overseas processing of refugees.

(3) In addition to traditional agencies currently used in the processing of refugees for admission to the United States, where applicable, the Secretary shall establish refugee response teams.

(A) ESTABLISHMENT OF REFUGEE RESPONSE TEAMS.—In order to make the processing of refugees more efficient and effective, enhance the quality of refugee resettlement programs, and to augment the capacity of the United States government to identify, process, assist, and counsel individuals for eventual adjudication by the Department of Homeland Security as refugees, where applicable, the Secretary shall establish and utilize the services of Refugee Response Teams, (in this section referred to as ''RRTs''). RRTs shall be coordinated by the Assistant Secretary of State for Population, Refugees, and Migration, or the Assistant Secretary's designee.

(B) COMPOSITION OF THE RRTS.—RRTs shall be comprised of representatives of nongovernmental organizations and private voluntary organizations that have experience in refugee law, policy and programs.

(C) RESPONSIBILITIES OF THE RRTS.—RRTs shall be responsible for—

(i) monitoring refugee situations, with a view toward identifying those refugees whose best durable solution is third country resettlement;

(ii) preparing profiles and documentation for resettlement consideration by the United States Government;

(iii) augmenting or establishing an overseas operation, especially in response to urgent developments requiring quick responses or more staff resources than are available in the existing processing entities;

(iv) assisting with training and technical assistance to existing international organizations and other processing entities; and

(v) such other responsibilities as may be determined by the Secretary of State.

(D) RESPONSIBILITIES OF THE SECRETARY.—The Secretary shall establish appropriate training seminars for RRT personnel and make use of RRTs in situations where existing mechanisms are unable to identify and process refugees in a timely manner.

(d) PERFORMANCE STANDARDS.—In consultation with private voluntary organizations and NGOs, the Secretary shall establish performance standards to ensure accountability and effectiveness in the tasks carried out in subsection (c).

(e) CONSIDERATION OF VARIOUS GROUPS.—To ensure that there is adequate planning across fiscal years and that both the Department of State's planning and processing operations result in adequate numbers of travel-ready refugees to fulfill the admissions goals set forth in the determinations on refugee admissions required by sections 207(a) and 207(b) of the Immigration and Nationality Act (8 U.S.C. 1157(a) and (b)), the Secretary of State shall work to ensure that—

(1) those refugees in special need, including long-stayers in first countries of asylum, unaccompanied refugee minors, urban refugees, and refugees in women-headed households be given special attention for resettlement processing;

(2) attempts are made to expand processing of those refugees of all nationalities who have close family ties to citizens and residents in the United States, including spouses, unmarried children, or parents of persons lawfully admitted to the United States, regardless of their country of nationality, country of habitual residence, or first country of asylum, as well as grandparents, grandchildren, married sons or daughters, or siblings of United States citizens or other persons lawfully admitted to the United States;

(3) attempts are made to expand the number of refugees considered who are of special concern to the United States; and

(4) expanded access is provided to broader categories of refugees seeking admission to the United States, thus reducing instances of relationship-based misrepresentation by persons who are bona fide refugees but who resort to such misrepresentation merely as a way to be interviewed for refugee status.

(f) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit a report to Congress that includes information concerning the following:

(1) Efforts of the Secretary to utilize NGO's in refugee identification, utilize private voluntary organizations in processing refugees, establish and utilize RRTs, and an explanation of the rationale for not using such organizations and agencies in situations where the Secretary has made such a determination, as described in subsection (c).

(2) Efforts of the Secretary to implement performance standards and measures as described in subsection (d) and the success of NGO's and private voluntary organizations in meeting such standards.

(3) Efforts of the Secretary to expand consideration of various groups for refugee processing as described in subsection (e).

(4) Efforts to ensure that there is planning across fiscal years so as to fulfill the refugee admissions goals set forth by the President in his annual presidential determinations on refugee admissions.

SEC. 230. THE COLIN POWELL CENTER FOR AMERICAN DIPLOMACY.

Title I of the State Department Basic Authorities Act of 1956 is amended by adding after section 59 (22 U.S.C. 2730) the following new section:

"SEC. 60. COLIN POWELL CENTER FOR AMERICAN DIPLOMACY.

''(a) DESIGNATION.—The diplomacy center of the Department of State, located in the Harry S Truman building, is hereby designated as the 'Colin Powell Center for American Diplomacy' (hereinafter in this section referred to as the 'Center').

''(b) ACTIVITIES.—

''(1) SUPPORT AUTHORIZED.—The Secretary of State is authorized to provide by contract, grant, or otherwise, for the performance of appropriate museum visitor and educational outreach services, including organizing conference activities, museum shop services, and food services, in the public exhibit and related space utilized by the Center.

''(2) PAYMENT OF EXPENSES.—The Secretary may pay all reasonable expenses of conference activities conducted by the Center, including refreshments and reimbursement of travel expenses incurred by participants.

''(3) RECOVERY OF COSTS.—Any revenues generated under the authority of paragraph (1) for visitor services may be retained, as a recovery of the costs of operating the Center, and credited to any Department of State appropriation.

''(c) DISPOSITION OF CENTER ARTIFACTS AND MATERIALS.—

''(1) PROPERTY OF SECRETARY.—All historic documents, artifacts, or other articles permanently acquired by the Department of State and determined by the Secretary to be suitable for display in the Center shall be considered to be the property of the Secretary in the Secretary's official capacity and shall be subject to disposition solely in accordance with this subsection.

''(2) SALE OR TRADE.—Whenever the Secretary makes the determination under paragraph (3) with respect to an item, the Secretary may sell at fair market value, trade, or transfer the item, without regard to the requirements of subtitle I of title 40, United States Code. The proceeds of any such sale may be used solely for the advancement of the Center's mission and may not be used for any purpose other than the acquisition and direct care of collections.

''(3) DETERMINATIONS PRIOR TO SALE OR TRADE.—The determination referred to in paragraph (2), with respect to an item, is a determination that—

''(A) the item no longer serves to further the purposes of the Center established in the collections management policy of the Center; or

''(B) in order to maintain the standards of the collections of the Center, the sale or exchange of the item would be a better use of the item.

''(4) LOANS.—The Secretary may also lend items covered by paragraph (1), when not needed for use or display in the Center, to the Smithsonian Institution or a similar institution for repair, study, or exhibition.''.

Subtitle C—Educational and Cultural Authorities

SEC. 251. ESTABLISHMENT OF INITIATIVES FOR PREDOMINANTLY MUSLIM COUNTRIES.

(a) FINDINGS.—The Congress makes the following findings:

(1) Surveys indicate that, in countries of predominantly Muslim population, opinions of the United States and American foreign policy among the general public and select audiences are significantly distorted by highly negative and hostile beliefs and images and that many of these beliefs and images are the result of misinformation and propaganda by individuals and organizations hostile to the United States.

(2) These negative opinions and images are highly prejudicial to the interests of the United States and to its foreign policy.

(3) As part of a broad and long-term effort to enhance a positive image of the United States in the Muslim world, a key element should be the establishment of programs to promote a greater familiarity with American society and values among the general public and select audiences in countries of predominantly Muslim population.

(b) ESTABLISHMENT OF INITIATIVES.—The Secretary of State shall establish the following programs with countries with predominantly Muslim populations as part of the educational and cultural exchange programs of the Department of State for the fiscal years 2004 and 2005:

(1) JOURNALISM PROGRAM.—A program for foreign journalists, editors, media managers, and postsecondary students of journalism which, in cooperation with private sector sponsors to include universities, shall sponsor workshops and professional training in techniques, standards, and practices in the field of journalism to assist the participants to achieve the highest standards of professionalism.

(2) ENGLISH LANGUAGE TEACHING.—The Secretary shall provide grants to United States citizens to work in middle and secondary schools as English language teaching assistants for not less than an academic year. If feasible, the host government or local educational agency shall share the salary costs of the assistants.

(3) SISTER CITY PARTNERSHIPS.—The Secretary shall expand and enhance sister-city partnerships between United States and international municipalities in an effort to increase global cooperation at the community level. Such partnerships shall encourage economic development, municipal cooperation, health care initiatives, youth and educational programs, disability advocacy, emergency preparedness, and humanitarian assistance.

(4) CIVICS EDUCATION.—The Secretary shall establish a civics education program which shall develop civics education teaching curricula and materials, provide training for teachers of civics, and provide English language teaching materials that are designed to promote civics education. Civics education programs under this paragraph shall place particular emphasis on the on-site training of educators and the function of the mass media within that society.

(5) YOUTH AMBASSADORS.—The Secretary shall establish a program for visits by middle school students (to the extent feasible) and secondary school students to the United States during school holidays in their home country for periods not to exceed 4 weeks and a program for academic year study in the United States for secondary school students. Participating students shall reflect the economic, geographic, and ethnic diversity of their countries. Activities shall include cultural and educational activities designed to familiarize participating students with American society and values. To the extent practicable, the program involving school holiday visits shall be coordinated with middle and secondary schools in the United States to provide for school-based activities and interactions. The Secretary shall encourage the establishment of direct school-to-school linkages under the programs.

(6) FULBRIGHT EXCHANGE PROGRAM.—The Secretary shall seek to substantially increase the number of awards under the J. William Fulbright Educational Exchange Program to graduate students, scholars, professionals, teachers, and administrators from the United States who are applying for such awards to study, teach, conduct research, or pursue scholarship in predominantly Muslim countries. Part of such increase shall include awards for scholars and teachers who plan to teach subjects relating to American studies.

(7) HUBERT H. HUMPHREY FELLOWSHIPS.—The Secretary shall seek to substantially increase the number of Hubert H. Humphrey Fellowships

awarded to candidates from predominantly Muslim countries.

(8) LIBRARY TRAINING EXCHANGE PROGRAM.—The Secretary shall develop an exchange program for postgradute students seeking additional training in the library sciences and related fields.

(c) GENERAL PROVISION.—Programs established under this section shall be carried out under the provisions of the United States Information and Educational Exchange Act of 1948 and the Mutual Educational and Cultural Exchange Act of 1961.

SEC. 252. DATABASE OF AMERICAN AND FOREIGN PARTICIPANTS IN EXCHANGE PROGRAMS.

To the extent practicable, the Secretary of State, in coordination with the heads of other agencies that conduct international exchange and training programs, shall establish and maintain a database listing all American and foreign alumni of such programs in order to encourage networking, interaction, and communication with alumni.

SEC. 253. REPORT ON INCLUSION OF FREEDOM AND DEMOCRACY ADVOCATES IN EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS.

Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit to the Congress a report concerning the implementation of section 102 of the Human Rights, Refugee, and Other Foreign Relations Provisions Act of 1996. The report shall include information concerning the number of grants to conduct exchange programs to countries described in such section that have been submitted for competitive bidding, what measures have been taken to ensure that willingness to include supporters of freedom and democracy in such programs is given appropriate weight in the selection of grantees, and an evaluation of whether United States exchange programs in the countries described in such section are fully open to supporters of freedom and democracy, and, if not, what obstacles remain and what measures are being taken to implement such policy.

SEC. 254. SENSE OF THE CONGRESS CONCERNING EDUCATIONAL AND CULTURAL EXCHANGE PROGRAM FOR FOREIGN JOURNALISTS.

It is the sense of the Congress that the Secretary of State should work toward the establishment of a program for foreign journalists from regions of conflict that will provide professional training in techniques, standards, and practices in the field of journalism.

SEC. 255. SENSE OF CONGRESS REGARDING KOREAN FULBRIGHT PROGRAMS.

It is the sense of the Congress that Fulbright program activities for Korea should—

(1) include participation by students from throughout South Korea, including proportional representation from areas outside of Seoul;

(2) attempt to include Korean students from a broad range of educational institutions, including schools other than elite universities;

(3) broaden the Korean student emphasis beyond degree-seeking graduate students, to include opportunities for one-year nondegree study at United States campuses by pre-doctoral Korean students; and

(4) include a significant number of Korean students planning to move into areas other than advanced research and university teaching, such as those heading towards careers in government service, media, law, and business.

SEC. 256. AUTHORIZING EAST TIMORESE SCHOLARSHIPS FOR GRADUATE STUDY.

Section 237 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236) is amended by inserting ''graduate or'' after ''at the''.

SEC. 257. PUBLIC SAFETY AWARENESS IN STUDY ABROAD PROGRAMS.

With respect to the Department of State's support for study abroad programs, Congress—

(1) encourages the Bureau of Educational and Cultural Affairs to support public safety awareness activities as part of such programs; and

(2) encourages the Bureau to continue supporting such activities and urges special attention to public safety issues, including road safety.

Subtitle D—Consular Authorities

SEC. 271. MACHINE READABLE VISAS.

Section 140(a) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (8 U.S.C. 1351 note) is amended by adding at the end the following:

''(4) For each of the fiscal years 2004 and 2005, any amount that exceeds $700,000,000 may be made available only if a notification is submitted to Congress in accordance with the procedures applicable to reprogramming notifications under section 34 of the State Department Basic Authorities Act of 1956.''.

SEC. 272. PROCESSING OF VISA APPLICATIONS.

(a) IN GENERAL.—It shall be the policy of the Department of State to process each visa application from an alien classified as an immediate relative or as a K–1 nonimmigrant within 30 days of the receipt of all necessary documents from the applicant and the Department of Homeland Security. In the case of an immigrant visa application where the petitioner is a relative other than an immediate relative, it should be the policy of the Department to process such an application within 60 days of the receipt of all necessary documents from the applicant and the Department of Homeland Security.

(b) DEFINITIONS.—In this section:

(1) IMMEDIATE RELATIVE.—The term ''immediate relative'' has the meaning given the term in section 201(b)(2)(A)(i) of the Immigration and Nationality Act (8 U.S.C. 1151(b)(2)(A)(i)).

(2) K–1 NONIMMIGRANT.—The term ''K–1 nonimmigrant'' means a nonimmigrant alien described in section 101(a)(15)(K)(i) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(K)(i)).

SEC. 273. STAFFING AT DIPLOMATIC MISSIONS.

At least once every five years and pursuant to a process determined by the President for staffing at diplomatic missions and overseas constituent posts, the Secretary of State shall require each chief of mission to review every staff element under chief of mission authority, including staff from other executive agencies, and recommend approval or disapproval of each staff element. The Secretary of State shall submit an annual report concerning such reviews together with the Secretary's recommendations to the heads of all affected agencies and the Inspector General of the Department of State.

TITLE III—ORGANIZATION AND PERSONNEL OF THE DEPARTMENT OF STATE

SEC. 301. FELLOWSHIP OF HOPE PROGRAM.

The Secretary of State is authorized to establish in the Department of State an exchange program to be designated the ''Fellowship of Hope Program''. The program shall provide for the exchange and assignment of government employees of designated countries to fellowship positions at the Department of State and reciprocal assignment of civil service and foreign service employees of the Department as fellows within the governments of foreign countries.

SEC. 302. CLAIMS FOR LOST PAY.

Section 2 of the State Department Basic Authorities Act (22 U.S.C. 2669) is amended—

(1) at the end of subsection (o) by striking the period and inserting ''; and''; and

(2) by inserting after subsection (o) the following new subsection:

''(p) make administrative corrections or adjustments to an employee's pay, allowances, or differentials, resulting from mistakes or retroactive personnel actions, and to provide back pay and other categories of payments under the Back Pay Act as part of the settlement of administrative claims or grievances filed against the Department.''.

SEC. 303. OMBUDSMAN FOR THE DEPARTMENT OF STATE.

(a) ESTABLISHMENT.—There is established in the Office of the Secretary of State the position of Ombudsman. The position of Ombudsman shall be a career position within the Senior Executive Service. The Ombudsman shall report directly to the Secretary of State.

(b) DUTIES.—At the discretion of the Secretary of State, the Ombudsman shall participate in meetings regarding the management of the Department in order to assure that all employees may contribute to the achievement of the Department's responsibilities and to promote the career interests of all employees.

(c) CONFORMING AMENDMENT.—Section 172 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2664a) is amended—

(1) by striking subsection (c); and

(2) by redesignating subsection (d) as subsection (c).

SEC. 304. REPEAL OF RECERTIFICATION REQUIREMENT FOR SENIOR FOREIGN SERVICE.

Section 305 of the Foreign Service Act of 1980 (22 U.S.C. 3945) is amended by striking subsection (d).

SEC. 305. REPORT CONCERNING STATUS OF EMPLOYEES OF STATE DEPARTMENT.

Not later than one year after the date of the enactment of this Act, the Secretary of State shall prepare and submit to the appropriate congressional committees a report that analyzes and evaluates the merits of the conversion of employees of the Department of State to excepted service under chapter 21 of title 5, United States Code.

SEC. 306. HOME LEAVE.

(a) REST AND RECUPERATION TRAVEL.—Section 901(6) of the Foreign Service Act of 1980 (22 U.S.C. 4081(6)) is amended by striking ''unbroken by home leave'' both places it appears.

(b) REQUIRED LEAVE IN THE UNITED STATES.—Section 903(a) of the Foreign Service Act of 1980 (22 U.S.C. 4083(a)) is amended by striking ''18 months'' and inserting ''12 months''.

SEC. 307. INCREASED LIMITS APPLICABLE TO POST DIFFERENTIALS AND DANGER PAY ALLOWANCES.

(a) POST DIFFERENTIALS.—Section 5925(a) of title 5, United States Code, is amended by striking ''25 percent'' in the third sentence and inserting ''35 percent''.

(b) DANGER PAY ALLOWANCES.—Section 5928 of title 5, United States Code, is amended by striking ''25 percent'' both places it appears and inserting ''35 percent''.

(c) CRITERIA.—The Secretary shall inform the appropriate congressional committees of the criteria to be used in determinations of appropriate adjustments in post differentials under section 5925 of title 5, United States Code, and danger pay allowances under section 5928 of title 5, United States Code.

(d) STUDY AND REPORT.—Two years after the date of the enactment of this Act, the Secretary of State shall conduct a study assessing the effect of the increases in post differentials and danger pay allowances made by the amendments in subsections (a) and (b) in filling ''hard-to-fill'' positions. The Secretary shall submit a report of such study to the appropriate congressional committees.

SEC. 308. REGULATIONS REGARDING RETIREMENT CREDIT FOR GOVERNMENT SERVICE PERFORMED ABROAD.

Section 321(f) of the Foreign Relations Authorization Act, Fiscal Year 2003 (5 U.S.C. 8411 note; Public Law 107–228) is amended by striking ''regulations'' and inserting ''regulations, not later than 60 days after the date of the enactment of the Foreign Relations Authorization Act, Fiscal Years 2004 and 2005,''.

SEC. 309. MINORITY RECRUITMENT.

(a) REPORTING REQUIREMENT.—Section 324 of the Foreign Relations Authorization Act, Fiscal

Year 2003 (Public Law 107–228) is amended by striking ''and April 1, 2004'' and inserting ''April 1, 2004, and April 1, 2005''.

(b) USE OF FUNDS.—The provisions of section 325 of such Act shall apply to funds authorized by section 111(a)(1)(E) of this Act.

(c) CONFORMING AMENDMENT.—Section 325(c) of such Act is amended in the second sentence by striking ''two'' and inserting ''three''.

SEC. 310. MERITORIOUS STEP INCREASES.

Section 406(b) of the Foreign Service Act of 1980 (22 U.S.C. 3966(b)) is amended by striking ''receiving an increase in salary under subsection (a),''.

TITLE IV—INTERNATIONAL ORGANIZATIONS

Subtitle A—Basic Authorities and Activities

SEC. 401. RAISING THE CAP ON PEACEKEEPING CONTRIBUTIONS.

Section 404(b)(2)(B) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 is amended by inserting after clause (iv) the following:

''(v) For assessments made during calendar year 2005 and calendar year 2006, 27.10 percent.''.

SEC. 402. REGARDING THE REENTRY OF THE UNITED STATES IN UNESCO.

(a) SENSE OF CONGRESS.—As the United States resumes membership in the United Nations Educational, Scientific, and Cultural Organization (UNESCO), the President should—

(1) appoint a United States Representative to the Organization for Economic Cooperation and Development (OECD) who shall also serve as the United States Representative to UNESCO;

(2) take steps to ensure that more Americans are employed by UNESCO, particularly for senior level positions;

(3) request that the Secretary General of UNESCO create a Deputy Director General position for Management or a comparable position with high level managerial and administrative responsibilities to be filled by an American;

(4) insist that any increases in UNESCO's budget beyond the level of zero nominal growth for the 2004–2005 biennium focus primarily on the adoption of management and administrative reforms; and

(5) request that the Secretary General of UNESCO spend the United States contribution to UNESCO for the last quarter of calendar year 2003 on key education and science priorities of the organization that will directly benefit United States national interests.

(b) ANNUAL ASSESSMENT FOR UNITED STATES PARTICIPATION IN UNESCO.—Of the amounts authorized to be appropriated by section 113(a), such sums as may be necessary for each of the fiscal years 2004 and 2005 are authorized to be available for the annual assessment for United States contributions to the regular budget of the United Nations Educational, Scientific, and Cultural Organization.

SEC. 403. UNESCO NATIONAL COMMISSION.

(a) IN GENERAL.—Section 3 of the Act of July 30, 1946, ''Providing for membership and participation by the United States in the United Nations Educational, Scientific, and Cultural Organization, and authorizing an appropriation therefor.'' (22 U.S.C. 287o) is amended to read as follows:

''SEC. 3. (a) In fulfillment of article VII of the constitution of the Organization, the Secretary of State shall establish a National Commission on Educational, Scientific, and Cultural Cooperation.

''(b) The National Commission shall be composed of not more than 35 members appointed by the Secretary of State in consultation with the National Academy of Sciences, the National Science Foundation, the Secretary of Education, the Secretary of Health and Human Services, and the Secretary of the Interior. Members of the National Commission shall be representatives of nongovernmental organizations, academic institutions, and associations interested in education, scientific, and cultural matters. Periodically, the Secretary shall review and revise the entities represented on the National Commission in order to achieve a desirable rotation in representation. Except as otherwise provided, each member of the National Commission shall be appointed to a term of 3 years. As designated by the Secretary of State at the time of appointment, of the members first appointed one-third shall be appointed for a term of 1 year, one-third shall be appointed for a term of 2 years, and one-third shall be appointed for a term of 3 years. Any member appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall be appointed only for the remainder of that term. A member may serve after the expiration of that member's term until a successor has taken office. No member may serve more than 2 consecutive terms. The Secretary of State shall designate a chair of the National Commission.

''(c) Members of the National Commission shall serve without pay. For attendance at the annual meeting, each member shall receive travel expenses in accordance with section 5703 of title 5, United States Code.

''(d) The National Commission shall meet at the call of the chair at least annually and such meetings may be through video conferencing or other electronic means. The National Commission shall designate an executive committee from among the members of the commission and may designate such other committees as may be necessary to carry out its duties under this Act.

''(e) Upon request of the National Commission, the Secretary of State may detail any of the personnel of the Department of State to the National Commission to assist it in carrying out its duties under this Act.''.

(b) CONFORMING CHANGES.—Section 2 of the Act of July 30, 1946, ''Providing for membership and participation by the United States in the United Nations Educational, Scientific, and Cultural Organization, and authorizing an appropriation therefor.'' (22 U.S.C. 287o) is amended by striking ''One of the representatives'' and all that follows through the end of such section.

SEC. 404. ORGANIZATION OF AMERICAN STATES (OAS) EMERGENCY FUND.

Section 109(b)(3) of Public Law 104–114 (22 U.S.C. 6039(b)(3)) is amended by striking ''should provide not less than $5,000,000'' and inserting ''shall provide for each of the fiscal years 2004 and 2005 not less than $500,000''.

SEC. 405. UNITED STATES EFFORTS REGARDING THE STATUS OF ISRAEL IN THE WESTERN EUROPEAN AND OTHERS GROUP AT THE UNITED NATIONS.

(a) UNITED STATES EFFORTS.—The Secretary of State and other appropriate officials of the United States Government should pursue an aggressive diplomatic effort and should take all necessary steps to ensure the extension and upgrade of Israel's membership in the Western European and Others Group at the United Nations.

(b) REPORT.—Not later than 60 days after the date of the enactment of this Act and semiannually thereafter through September 30, 2005, the Secretary of State shall submit to the appropriate congressional committees a report on the steps taken by the United States pursuant to subsection (a) and progress in achieving the objectives of subsection (a).

Subtitle B—United States International Leadership

SEC. 431. SHORT TITLE.

This subtitle may be cited as the ''United States International Leadership Act of 2003''.

SEC. 432. FINDINGS.

The Congress makes the following findings:

(1) International organizations and other multilateral institutions play a key role in United States foreign policy and serve key United States foreign policy objectives, such as obligating all countries to freeze assets of terrorist groups, preventing the proliferation of chemical, biological, and nuclear weapons, and spearheading the fight to combat the ravages of HIV/AIDS and other infectious diseases.

(2) Decisions at many international organizations, including membership and key positions, remain subject to determinations made by regional groups where democratic states are often in the minority and where there is intensive cooperation among repressive regimes. As a result, the United States has often been blocked in its attempts to take action in these institutions to advance its goals and objectives, including at the United Nations Human Rights Commission (where a representative of Libya was elected as chairman and the United States temporarily lost a seat).

(3) In order to address these shortcomings, the United States must actively work to improve the workings of international organizations and multilateral institutions, particularly by creating a caucus of democratic countries that will advance United States interests. In the Second Ministerial Conference of the Community of Democracies in Seoul, Korea, on November 10–20, 2002, numerous countries recommended working together as a democracy caucus in international organizations such as the United Nations and ensuring that international and regional institutions develop and apply democratic standards for member states.

(4) In addition, the United States has shortchanged its ability to influence these organizations by failing to obtain enough support for positions that are congruent to or consistent with United States objectives and has not done enough to build expertise in the United States Government in the area of multilateral diplomacy.

SEC. 433. ESTABLISHMENT OF A DEMOCRACY CAUCUS.

(a) IN GENERAL.—The President of the United States, acting through the Secretary of State and the relevant United States chiefs of mission, shall seek to establish a democracy caucus at the United Nations, the United Nations Human Rights Commission, the United Nations Conference on Disarmament, and at other broad-based international organizations.

(b) PURPOSES OF THE CAUCUS.—A democracy caucus at an international organization should—

(1) forge common positions, including, as appropriate, at the ministerial level, on matters of concern before the organization and work within and across regional lines to promote agreed positions;

(2) work to revise an increasingly outmoded system of regional voting and decision making; and

(3) set up a rotational leadership scheme to provide member states an opportunity, for a set period of time, to serve as the designated president of the caucus, responsible for serving as its voice in each organization.

SEC. 434. ANNUAL DIPLOMATIC MISSIONS ON MULTILATERAL ISSUES.

The Secretary of State, acting through the principal officers responsible for advising the Secretary on international organizations, shall ensure that a high-level delegation from the United States Government, on an annual basis, is sent to consult with key foreign governments in every region in order to promote the United States agenda at key international fora, such as the United Nations General Assembly, United Nations Human Rights Commission, the United Nations Education, Science, and Cultural Organization, and the International Whaling Commission.

SEC. 435. LEADERSHIP AND MEMBERSHIP OF INTERNATIONAL ORGANIZATIONS.

(a) UNITED STATES POLICY.—The President, acting through the Secretary of State and the relevant United States chiefs of mission, shall use the voice, vote, and influence of the United States to—

(1) where appropriate, reform the criteria for leadership and, in appropriate cases for membership, at all United Nations bodies and at other international organizations and multilateral institutions to which the United States is a member so as to exclude nations that violate the principles of the specific organization;

(2) make it a policy of the United Nations and other international organizations and multilateral institutions, of which the United States is a member, that a member state may not stand in nomination or be in rotation for a leadership position in such bodies if the member state is subject to sanctions imposed by the United Nations Security Council; and

(3) work to ensure that no member state stand in nomination or be in rotation for a leadership position in such organizations, or for membership of the United Nations Security Council, if the member state is subject to a determination under section 620A of the Foreign Assistance Act of 1961, section 40 of the Arms Export Control Act, or section 6(j) of the Export Administration Act.

(b) REPORT TO CONGRESS.—Not later than 15 days after a country subject to to a determination under section 620A of the Foreign Assistance Act of 1961, section 40 of the Arms Export Control Act, or section 6(j) of the Export Administration Act is selected for a leadership post in an international organization of which the United States is a member or a membership of the United Nations Security Council, the Secretary of State shall submit a report to the appropriate congressional committees on any steps taken pursuant to subsection (a)(3).

SEC. 436. INCREASED TRAINING IN MULTILATERAL DIPLOMACY.

(a) TRAINING PROGRAMS.—Section 708 of the Foreign Service Act of 1980 (22 U.S.C. 4028) is amended by adding after subsection (b) the following new subsection:

''(c) TRAINING IN MULTILATERAL DIPLOMACY.—

''(1) IN GENERAL.—The Secretary shall establish a series of training courses for officers of the Service, including appropriate chiefs of mission, on the conduct of diplomacy at international organizations and other multilateral institutions and at broad-based multilateral negotiations of international instruments.

''(2) PARTICULAR PROGRAMS.—The Secretary shall ensure that the training described in paragraph (1) is provided at various stages of the career of members of the Service. In particular, the Secretary shall ensure that after January 1, 2004—

''(A) officers of the Service receive training on the conduct of diplomacy at international organizations and other multilateral institutions and at broad-based multilateral negotiations of international instruments as part of their training upon entry of the Service; and

''(B) officers of the Service, including chiefs of mission, who are assigned to United States missions representing the United States to international organizations and other multilateral institutions or who are assigned in Washington, D.C. to positions that have as their primary responsibility formulation of policy towards such organizations and institutions or towards participation in broad-based multilateral negotiations of international instruments receive specialized training in the areas described in paragraph (1) prior to beginning of service for such assignment or, if receiving such training at that time is not practical, within the first year of beginning such assignment.''.

(b) TRAINING FOR CIVIL SERVICE EMPLOYEES.—The Secretary shall ensure that employees of the Department of State that are members of the civil service and that are assigned to positions described in section 708(c) of the Foreign Service Act of 1980 (as amended by this subtitle) have training described in such section.

(c) CONFORMING AMENDMENTS.—Section 708 of such Act is further amended—

(1) in subsection (a) by striking ''(a) The'' and inserting ''(a) TRAINING ON HUMAN RIGHTS.—The''; and

(2) in subsection (b) by striking ''(b) The'' and inserting ''(b) TRAINING ON REFUGEE LAW AND RELIGIOUS PERSECUTION.—The''.

SEC. 437. PROMOTING ASSIGNMENTS TO INTERNATIONAL ORGANIZATIONS.

(a) PROMOTIONS.—

(1) IN GENERAL.—Section 603(b) of the Foreign Service Act of 1980 (22 U.S.C. 4003) is amended by striking the period at the end and inserting: '', and shall consider whether the member of the Service has served in a position whose primary responsibility is to formulate policy towards or represent the United States at an international organization, a multilateral institution, or a broad-based multilateral negotiation of an international instrument.''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect January 1, 2010.

(b) ESTABLISHMENT OF A MULTILATERAL DIPLOMACY CONE IN THE FOREIGN SERVICE.—

(1) FINDINGS.—

(A) The Department of State maintains a number of United States missions both within the United States and abroad that are dedicated to representing the United States to international organizations and multilateral institutions, including missions in New York, Brussels, Geneva, Rome, Montreal, Nairobi, Vienna, and Paris, which will soon be responsible for United States representation to UNESCO and OECD.

(B) In offices at the Harry S. Truman Building, the Department maintains a significant number of positions in bureaus that are either dedicated, or whose primary responsibility is, to represent the United States to such organizations and institutions or at multilateral negotiations.

(C) Given the large number of positions in the United States and abroad that are dedicated to multilateral diplomacy, the Department of State may be well served in developing persons with specialized skills necessary to become experts in this unique form of diplomacy.

(2) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report—

(A) evaluating whether a new cone should be established for the Foreign Service that concentrates on members of the Service that serve at international organizations and multilateral institutions or are primarily responsible for participation in broad-based multilateral negotiations of international instruments; and

(B) provides alternative mechanisms for achieving the objective of developing a core group of United States diplomats and other government employees who have expertise and broad experience in conducting multilateral diplomacy.

SEC. 438. IMPLEMENTATION AND ESTABLISHMENT OF OFFICE ON MULTILATERAL NEGOTIATIONS.

(a) ESTABLISHMENT OF OFFICE.—The Secretary of State is authorized to establish, within the Bureau of International Organizational Affairs, an Office on Multilateral Negotiations to be headed by a Special Representative for Multilateral Negotiations (in this section referred to as the ''special representative'').

(b) APPOINTMENT.—The special representative shall be appointed by the President with the advice and consent of the Senate and shall have the rank of Ambassador-at-Large. At the discretion of the President another official at the Department may serve as the special representative. The President may direct that the special representative report to the Assistant Secretary for International Organizations.

(c) STAFFING.—The special representative shall have a staff of foreign service and civil service officers skilled in multilateral diplomacy.

(d) DUTIES.—The special representative shall have the following responsibilities:

(1) IN GENERAL.—The primary responsibility of the special representative shall be to assist in the organization of, and preparation for, United States participation in multilateral negotiations, including the advocacy efforts undertaken by the Department of State and other United States agencies.

(2) ADVISORY ROLE.—The special representative shall advise the President and the Secretary of State, as appropriate, regarding advocacy at international organizations and multilateral institutions and negotiations and, in coordination with the Assistant Secretary of State for International Organizational Affairs, shall make recommendations regarding—

(A) effective strategies (and tactics) to achieve United States policy objectives at multilateral negotiations;

(B) the need for and timing of high level intervention by the President, the Secretary of State, the Deputy Secretary of State, and other United States officials to secure support from key foreign government officials for the United States position at such organizations, institutions, and negotiations;

(C) the composition of United States delegations to multilateral negotiations; and

(D) liaison with Congress, international organizations, nongovernmental organizations, and the private sector on matters affecting multilateral negotiations.

(3) DEMOCRACY CAUCUS.—The special representative, in coordination with the Assistant Secretary for International Organizational Affairs, shall ensure the establishment of a democracy caucus.

(4) ANNUAL DIPLOMATIC MISSIONS OF MULTILATERAL ISSUES.—The special representative, in coordination with the Assistant Secretary for International Organizational Affairs, shall organize annual consultations between the principal officers responsible for advising the Secretary of State on international organizations and foreign governments to promote the United States agenda at the United Nations General Assembly and other key international fora (such as the United Nations Human Rights Commission).

(5) LEADERSHIP AND MEMBERSHIP OF INTERNATIONAL ORGANIZATIONS.—The special representative, in coordination with the Assistant Secretary of International Organizational Affairs, shall direct the efforts of the United States Government to reform the criteria for leadership and membership of international organizations as described in section 435.

(6) PARTICIPATION IN MULTILATERAL NEGOTIATIONS.—The special representative, or members of the special representative's staff, may, as required by the President or the Secretary of State, serve on a United States delegation to any multilateral negotiation.

(e) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit a plan to establish a democracy caucus to the appropriate congressional committees. The report required by section 437(c) may be submitted together with the report under this subsection.

SEC. 439. SYNCHRONIZATION OF UNITED STATES CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS.

Not later than 180 days after the date of the enactment of this Act, the President shall submit a plan to the appropriate congressional committees on the implementation of section 404 of the Foreign Relations Authorization Act of 2003 (Public Law 107–228), (relating to a resumption by the United State of the payment of its full contribution to certain international organizations at the beginning of each calendar year).

TITLE V—UNITED STATES INTERNATIONAL BROADCASTING ACTIVITIES

Subtitle A—Basic Authorities and Activities

SEC. 501. MIDEAST RADIO AND TELEVISION NETWORK, INC.

(a) The United States International Broadcasting Act of 1994 (22 U.S.C. 6201 et seq.) is

amended by adding after section 309 the following new section:

"SEC. 310. MIDEAST RADIO AND TELEVISION NETWORK, INC.

''(a) AUTHORITY.—Grants authorized under section 305 shall be available to make annual grants to Mideast Radio and Television Network, Inc. (hereinafter in this title also referred to as 'Mideast Network') for the purpose of carrying out radio and television broadcasting to the Middle East region.

''(b) FUNCTION.—Mideast Network shall provide radio and television programming to the Middle East region consistent with the broadcasting standards and broadcasting principles set forth in section 303 of this Act.

''(c) GRANT AGREEMENT.—Any grant agreement or grants under this section shall be subject to the following limitations and restrictions:

''(1) The Board may not make any grant to the nonprofit corporation, Mideast Network unless its certificate of incorporation provides that—

''(A) the Board of Directors of Mideast Radio and Television Network, Inc. (hereinafter referred to as 'the Board') shall consist of the members of the Broadcasting Board of Governors established under section 304 and of no other members; and

''(B) the Board shall make all major policy determinations governing the operation of Mideast Network and shall appoint and fix the compensation of such managerial officers and employees of Mideast Network as it considers necessary to carry out the purposes of the grant provided under this title, except that no officer or employee may be paid a salary or other compensation in excess of the rate of pay payable for Level IV of the Executive Schedule under section 5315 of title 5, United States Code.

''(2) Any grant agreement under this section shall require that any contract entered into by Mideast Network shall specify that obligations are assumed by Mideast Network and not the United States Government.

''(3) Any grant agreement shall require that any lease agreement entered into by Mideast Network shall be, to the maximum extent possible, assignable to the United States Government.

''(4) Grants awarded under this section shall be made pursuant to a grant agreement which requires that grant funds be used only for activities consistent with this section, and that failure to comply with such requirements shall permit the grant to be terminated without fiscal obligation to the United States.

''(5) Duplication of language services and technical operations between the Mideast Radio and Television Network, Inc., (including Radio Sawa), RFE/RL, and the International Broadcasting Bureau will be reduced to the extent appropriate, as determined by the Board.

''(d) NOT A FEDERAL AGENCY OR INSTRUMENTALITY.—Nothing in this title may be construed to establish Mideast Network as a Federal agency or instrumentality, nor shall the officers or employees of Mideast Network be considered to be officers or employees of the United States Government.

''(e) AUDIT AUTHORITY.—

''(1) Such financial transactions of Mideast Network, as relate to functions carried out under this section may be audited by the General Accounting Office in accordance with such principles and procedures and under such rules and regulations as may be prescribed by the Comptroller General of the United States. Any such audit shall be conducted at the place or places where accounts of Mideast Network are normally kept.

''(2) Representatives of the General Accounting Office shall have access to all books, accounts, records, reports, files, papers, and property belonging to or in use by Mideast Network pertaining to such financial transactions as necessary to facilitate an audit. Such representatives shall be afforded full facilities for verifying transactions with any assets held by depositories, fiscal agents, and custodians. All such books, accounts, records, reports, files, papers, and property of Mideast Network shall remain in the custody of Mideast Network.

''(3) Notwithstanding any other provisions of law, the Inspector General of the Department of State is authorized to exercise the authorities of the Inspector General Act with respect to the Mideast Network.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 305 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6204) is amended—

(A) in subsection (a)(5) by striking ''308 and 309'' and inserting ''308, 309, and 310'';

(B) in subsection (a)(6) by striking ''308 and 309'' and inserting ''308, 309, and 310''; and

(C) in subsection (c) by striking ''308 and 309'' and inserting ''308, 309, and 310''.

(2) Section 307 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6206) is amended—

(A) in subsection (a) by striking ''308 and 309'' and inserting ''308, 309, and 310''; and

(B) in subsection (c) by adding ''Mideast Radio and Television Network, Inc.,'' after ''Asia''.

(3) Section 304(g) of the United States International Broadcasting Act of 1994 (22 U.S.C. 6203(g)) is amended by striking ''and Radio Free Asia'' and inserting '', Radio Free Asia, and Mideast Radio and Television Network, Inc.''.

(4) Section 8332(b)(11) of title 5, United States Code, is amended by adding ''Mideast Radio and Television Network, Inc.;'' after ''the Asia Foundation;''.

SEC. 502. IMPROVING SIGNAL DELIVERY TO CUBA.

Section 3 of the Radio Broadcasting to Cuba Act (22 U.S.C. 1465a) is amended—

(1) in subsection (c) by striking the second sentence and inserting ''The Board is authorized to simultaneously utilize other broadcasting transmission facilities, and other frequencies, including the Amplitude Modulation (AM) Band (535 kHz to 1705 kHz), the Frequency Modulation (FM) Band, and the Shortwave (SW) Band.'';

(2) in subsection (c) in the third sentence by striking ''Provided, That'' and all that follows before the period at the end;

(3) in subsection (d) by striking the last sentence;

(4) by amending subsection (e) to read as follows:

''(e) Any program of United States Government radio broadcasts to Cuba authorized by this section shall be designated 'Radio Marti program'.''; and

(5) in subsection (f) by striking ''Voice of America''.

SEC. 503. REPORT CONCERNING EFFORTS TO COUNTER JAMMING OF BROADCASTS OF RADIO MARTI AND TV MARTI.

Not later than 30 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report providing the following information:

(1) Specific steps taken to increase the capabilities of Radio Marti and TV Marti to ensure that broadcasts overcome jamming by the Government of Cuba.

(2) An evaluation and analysis of not less than 10 alternate methods to counter jamming of radio and television broadcasts including the following:

(A) Methods used to broadcast into Iraq involving a C–130.

(B) Methods previously used to transmit into the former Soviet Union and other Soviet bloc countries.

(C) Successful methods employed by non-United States Government entities, such as those used by the Falun Gong to overcome Chinese Government jamming and those recently used by a Cuban exile group to transmit television broadcasts into Cuba.

SEC. 504. PILOT PROGRAM FOR THE PROMOTION OF TRAVEL AND TOURISM IN THE UNITED STATES THROUGH UNITED STATES INTERNATIONAL BROADCASTING.

(a) PILOT PROGRAM.—The Broadcasting Board of Governors, in consultation with the Department of Commerce and other appropriate Federal, State, and local agencies, shall conduct a pilot program for the promotion of travel and tourism in the United States through United States international broadcasting, particularly to regional economies that have been affected by the decrease in tourism following the events of September 11, 2001.

(b) PROGRAMMING.—The pilot program shall devote regular programming to broadcasting information on localities of the United States with the purpose of promoting travel and tourism to regional economies heavily reliant on such tourism.

(c) REPORT TO CONGRESS.—Not later than 180 days after the date of the enactment of this Act, the Broadcasting Board of Governors shall submit to the appropriate congressional committees a report detailing the actions taken by the Board in carrying out this section.

SEC. 505. RADIO FREE ASIA BROADCASTS INTO NORTH KOREA.

(a) FINDINGS.—The Congress makes the following findings:

(1) North Korea's development of nuclear weapons and missile delivery systems poses one of the gravest security threats to the United States in the world.

(2) The Kim Jong Il regime in North Korea has one of the worst human rights records in the world. On April 16, 2003, the United Nations Commission on Human Rights passed a resolution, ''expressing its deep concern about reports of systemic, widespread and grave violations of human rights'' in North Korea.

(3) In order to ensure its survival, the Kim Jong Il regime makes extensive efforts to control the flow of information in North Korea.

(4) In 2002, a survey found that five of twelve ''elite'' defectors from North Korea had listened to Radio Free Asia.

(5) Radio Free Asia broadcasts only 4 hours each day into North Korea.

(6) Many North Korean citizens lack radios capable of receiving Radio Free Asia broadcasts.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that the Broadcasting Board of Governors should ensure that Radio Free Asia increases its broadcasting with respect to North Korea to 24 hours each day.

(c) REPORT TO CONGRESS.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State, after consulting with other agencies of the United States Government, shall submit a report, in classified form, on specific measures currently being undertaken and measures necessary, including the provision of adequate radios, to maximize North Korean citizen access to Radio Free Asia and other foreign broadcasts to the Committee on International Relations and the Permanent Select Committee on Intelligence of the House of Representatives and the Committee on Foreign Relations and the Select Committee on Intelligence of the Senate.

SEC. 506. PROHIBITION ON ELIMINATION OF INTERNATIONAL BROADCASTING IN EASTERN EUROPE.

During the 2 year period beginning on the date of the enactment of this Act, the Broadcasting Board of Governors may not eliminate foreign language broadcasting in any of the following languages: Bulgarian, Czech, Estonian, Hungarian, Latvian, Lithuanian, Georgian, Polish, Slovene, Slovak, Romanian, Croatian, Armenian, and Ukrainian.

Subtitle B—Global Internet Freedom

SEC. 521. SHORT TITLE.

This subtitle may be cited as the ''Global Internet Freedom Act of 2003''.

SEC. 522. FINDINGS.

The Congress makes the following findings:

(1) Freedom of speech, freedom of the press, and freedom of association are fundamental characteristics of a free society. The first amendment to the Constitution of the United States guarantees that ''Congress shall make no law . . . abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble.'' These constitutional provisions guarantee the rights of Americans to communicate and associate with one another without restriction, including unfettered communication and association via the Internet. Article 19 of the United Nation's Universal Declaration of Human Rights explicitly guarantees the freedom to ''receive and impart information and ideas through any media and regardless of frontiers''.

(2) All people have the right to communicate freely with others, and to have unrestricted access to news and information, on the Internet.

(3) With nearly 10 percent of the world's population now online, and more gaining access each day, the Internet stands to become the most powerful engine for democratization and the free exchange of ideas ever invented.

(4) The governments of Burma, Cuba, Laos, North Korea, the People's Republic of China, Saudi Arabia, Syria, and Vietnam, among others, are taking active measures to keep their citizens from freely accessing the Internet and obtaining international political, religious, and economic news and information.

(5) The Voice of America and Radio Free Asia, as well as hundreds of news sources with an Internet presence, are routinely being jammed by repressive governments.

(6) Since the 1940s, the United States has deployed anti-jamming technologies to make Voice of America and other United States Government sponsored broadcasting available to people in nations with governments that seek to block news and information.

(7) The United States Government has thus far commenced only modest steps to fund and deploy technologies to defeat Internet censorship.

(8) The success of United States policy in support of freedom of speech, press, and association requires continued efforts to defeat totalitarian and authoritarian controls on news and information over the Internet.

SEC. 523. PURPOSES.

The purposes of this subtitle are—

(1) to adopt an effective and robust global Internet freedom policy;

(2) to establish an office within the Broadcasting Board of Governors with the sole mission of countering Internet jamming and blocking by utilizing available anti-jamming technology;

(3) to expedite the development and deployment of technology to protect Internet freedom around the world; and

(4) to bring to bear the pressure of the free world on repressive governments guilty of Internet censorship and the intimidation and persecution of their citizens who use the Internet.

SEC. 524. DEVELOPMENT AND DEPLOYMENT OF TECHNOLOGIES TO DEFEAT INTERNET JAMMING AND CENSORSHIP.

(a) ESTABLISHMENT OF OFFICE OF GLOBAL INTERNET FREEDOM.—The Broadcasting Board of Governors shall establish an Office of Global Internet Freedom (hereinafter in this subtitle referred to as the ''Office''). The Office shall develop and implement a comprehensive global strategy to combat state-sponsored and state-directed Internet jamming and persecution of those who use the Internet.

(b) COOPERATION OF OTHER FEDERAL DEPARTMENTS AND AGENCIES.—Each department and agency of the United States Government shall cooperate fully with, and assist in the implementation of, the strategy developed by the Office and shall make such resources and information available to the Office as is necessary to the achievement of the purposes of this subtitle.

(c) COOPERATION WITH DEPARTMENT OF STATE.—The Office shall assist the Secretary of State in preparing portions of the country reports on human rights practices that address Internet accessibility.

(d) REPORT TO CONGRESS.—Nine months after the date of the enactment of this Act, the Broadcasting Board of Governors shall submit to the Congress a report on the status of foreign government interference with Internet use and of efforts by the United States to counter such interference. The report shall list the countries that pursue policies of Internet censorship, blocking, and other abuses; provide information concerning the government agencies or quasi-governmental organizations that implement Internet censorship; and describe with the greatest particularity practicable the technological means by which such blocking and other abuses are accomplished. In the discretion of the Broadcasting Board of Governors, such report may be submitted in both a classified and non-classified version. One year after the date of submission of such report, the Office shall submit a second report.

(e) LIMITATION ON AUTHORITY.—Nothing in this subtitle shall be interpreted to authorize any action by the United States to interfere with foreign national censorship in furtherance of legitimate law enforcement aims consistent with the Universal Declaration of Human Rights.

Subtitle C—Reorganization of United States International Broadcasting

SEC. 531. ESTABLISHMENT OF UNITED STATES INTERNATIONAL BROADCASTING AGENCY.

(a) IN GENERAL.—Section 304 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6203) is amended to read as follows:

''SEC. 304. ESTABLISHMENT OF UNITED STATES INTERNATIONAL BROADCASTING AGENCY.

''(a) ESTABLISHMENT.—There is established as an independent agency in the executive branch the United States International Broadcasting Agency (hereinafter in this Act referred to as the 'Agency').

''(b) BOARD OF GOVERNORS OF THE AGENCY.—

''(1) HEAD OF AGENCY.—The Agency shall be headed by the Board of Governors of the United States International Broadcasting Agency (hereinafter in this Act referred to as the 'Board of Governors').

''(2) AUTHORITIES AND FUNCTIONS.—The Board of Goverors shall—

''(A) carry out the authorities and functions of the Agency under section 305; and

''(B) be responsible for the exercise of all authorities and powers and the discharge of all duties and functions of the Agency.

''(3) COMPOSITION OF THE BOARD OF GOVERNORS.—

''(A) The Board of Governors shall consist of 9 members, as follows:

''(i) Eight voting members who shall be appointed by the President, by and with the advice and consent of the Senate.

''(ii) The Secretary of State who shall also be a voting member.

''(B) The President shall appoint one member (other than the Secretary of State) as Chair of the Board of Governors, subject to the advice and consent of the Senate.

''(C) Exclusive of the Secretary of State, not more than 4 of the members of the Board of Governors appointed by the President shall be of the same political party.

''(4) TERM OF OFFICE.—The term of office of each member of the Board of Governors shall be three years, except that the Secretary of State shall remain a member of the Board of Governors during the Secretary's term of service. The President shall appoint, by and with the advice and consent of the Senate, board members to fill vacancies occurring prior to the expiration of a term, in which case the members so appointed shall serve for the remainder of such term. Any member whose term has expired may serve until a successor has been appointed and qualified. When there is no Secretary of State, the Acting Secretary of State shall serve as a member of the board until a Secretary is appointed.

''(5) SELECTION OF BOARD OF GOVERNORS.—Members of the Board of Governors appointed by the President shall be citizens of the United States who are not regular full-time employees of the United States Government. Such members shall be selected by the President from among Americans distinguished in the fields of mass communications, print, broadcast media, or foreign affairs.

''(6) COMPENSATION.—Members of the Board of Governors, while attending meetings of the board or while engaged in duties relating to such meetings or in other activities of the board pursuant to this section (including travel time) shall be entitled to receive compensation equal to the daily equivalent of the compensation prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code. While away from their homes or regular places of business, members of the board may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons in the Government service employed intermittently. The Secretary of State shall not be entitled to any compensation under this title, but may be allowed travel expenses as provided under this subsection.

''(7) DECISIONS.—Decisions of the Board of Governors shall be made by majority vote, a quorum being present. A quorum shall consist of 5 members.

''(8) IMMUNITY FROM CIVIL LIABILITY.—Notwithstanding any other provision of law, any and all limitations on liability that apply to the members of the Board of Governors also shall apply to such members when acting in their capacities as members of the boards of directors of RFE/RL, Incorporated and Radio Free Asia.

''(c) DIRECTOR.—

''(1) APPOINTMENT.—The Board of Governors shall appoint a Director of the Agency. The Director shall receive basic pay at the rate payable for level III of the Executive Schedule under section 5314 of title 5, United States Code. The Director may be removed through a majority vote of the Board.

''(2) FUNCTIONS AND DUTIES.—The Director shall have the following functions and duties:

''(A) To exercise the authorities delegated by the Board of Governors pursuant to section 305(b).

''(B) To carry out all broadcasting activities conducted pursuant to this title, the Radio Broadcasting to Cuba Act, and the Television Broadcasting to Cuba Act.

''(C) To examine and make recommendations to the Board of Governors on long-term strategies for the future of international broadcasting, including the use of new technologies.

''(D) To review engineering activities to ensure that all broadcasting elements receive the highest quality and cost-effective delivery services.

''(E) To procure supplies, services, and other personal property to carry out the functions of the Agency.

''(F) To obligate and expend, for official reception and representation expenses, such amounts as may be made available through appropriations.

''(G) To provide for the use of United States Government transmitter capacity for relay of broadcasting by grantees.

''(H) To procure temporary and intermittent personal services to the same extent as is authorized by section 3109 of title 5, United States Code, at rates not to exceed the daily equivalent of the rate provided for positions classified above grade GS–15 of the General Schedule under section 5108 of title 5, United States Code.

''(I) To procure for the Agency, pursuant to section 1535 of title 31, United States Code goods and services from other departments or agencies.

''(J) To the extent funds are available, to lease space and acquire personal property for the Agency.

''(d) INSPECTOR GENERAL AUTHORITIES.—

''(1) IN GENERAL.—The Inspector General of the Department of State shall exercise the same authorities with respect to the Agency as the Inspector General exercises under the Inspector General Act of 1978 and section 209 of the Foreign Service Act of 1980 with respect to the Department of State.

''(2) RESPECT FOR JOURNALISTIC INTEGRITY OF BROADCASTERS.—The Inspector General of the Department of State and the Foreign Service shall respect the journalistic integrity of all the broadcasters covered by this title and may not evaluate the philosophical or political perspectives reflected in the content of broadcasts.''.

(b) RETENTION OF EXISTING BOARD MEMBERS.—The members of the Broadcasting Board of Governors appointed by the President pursuant to section 304 of the United States International Broadcasting Act of 1994 on the day before the effective date of this title and holding office as of that date may serve the remainder of their terms of office as members of the Board of Governors established under section 304(b) of the United States International Broadcasting Act of 1994, as amended by subsection (a) of this section, without reappointment, or if their term has expired may serve until a successor is appointed and qualified.

SEC. 532. AUTHORITIES AND FUNCTIONS OF THE AGENCY.

Section 305 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6204) is amended to read as follows:

''SEC. 305. AUTHORITIES AND FUNCTIONS OF THE AGENCY.

''(a) The Agency shall have the following authorities and functions:

''(1) To supervise all broadcasting activities conducted pursuant to this title, the Radio Broadcasting to Cuba Act, and the Television Broadcasting to Cuba Act.

''(2) To review and evaluate the mission and operation of, and to assess the quality, effectiveness, and professional integrity of, all such activities within the context of the broad foreign policy objectives of the United States and the guiding principles and doctrines of the United States, particularly freedom and democracy.

''(3) To develop strategic goals after reviewing human rights reporting and other reliable assessments to assist in determining programming and resource allocation.

''(4) To ensure that United States international broadcasting is conducted in accordance with the standards and principles contained in section 303.

''(5) To review, evaluate, and determine, at least annually, after consultation with the Secretary of State, the addition or deletion of language services.

''(6) To make and supervise grants for broadcasting and related activities in accordance with sections 308 and 309.

''(7) To allocate funds appropriated for international broadcasting activities among the various elements of the Agency and grantees, subject to the limitations in sections 308 and 309 and subject to reprogramming notification requirements in law for the reallocation of funds.

''(8) To undertake such studies as may be necessary to identify areas in which broadcasting activities under its authority could be made more efficient and economical.

''(9) To submit to the President and the Congress an annual report which summarizes and evaluates activities under this title, the Radio Broadcasting to Cuba Act, and the Television Broadcasting to Cuba Act, placing special emphasis on the assessment described in paragraph (2).

''(10) To make available in the annual report required by paragraph (9) information on funds expended on administrative and managerial services by the Agency and by grantees and the steps the Agency has taken to reduce unnecessary overhead costs for each of the broadcasting services.

''(11) To utilize the provisions of titles III, IV, V, VII, VIII, IX, and X of the United States Information and Educational Exchange Act of 1948, and section 6 of Reorganization Plan Number 2 of 1977, as in effect on the day before the effective date of title XIII of the Foreign Affairs Agencies Consolidation Act of 1998, to the extent the Director considers necessary in carrying out the provisions and purposes of this title.

''(12) To utilize the authorities of any other statute, reorganization plan, Executive order, regulation, agreement, determination, or other official document or proceeding that had been available to the Director of the United States Information Agency, the Bureau, or the Board before the effective date of title XIII of the Foreign Affairs Consolidation Act of 1998 for carrying out the broadcasting activities covered by this title.

''(b) DELEGATION OF AUTHORITY.—The Board of Governors may delegate to the Director of the Agency, or any other officer or employee of the United States, the authorities provided in this section, except those authorities provided in paragraph (1), (2), (4), (5), (6), (7), or (9) of subsection (a).

''(c) BROADCASTING BUDGETS.—The Director and the grantees identified in sections 308 and 309 shall submit proposed budgets to the Board. The Board shall forward its recommendations concerning the proposed budget for the Board and broadcasting activities under this title, the Radio Broadcasting to Cuba Act, and the Television Broadcasting to Cuba Act to the Office of Management and Budget.''.

SEC. 533. ROLE OF THE SECRETARY OF STATE.

Section 306 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6205) is amended to read as follows:

''SEC. 306. ROLE OF THE SECRETARY OF STATE.

''To assist the Agency in carrying out its functions, the Secretary of State shall provide such information and guidance on foreign policy and public diplomacy issues to the Agency as the Secretary considers appropriate.''.

SEC. 534. ADMINISTRATIVE PROVISIONS.

The United States International Broadcasting Act of 1994 is amended by striking section 307 and inserting the following new section:

''SEC. 307. ADMINISTRATIVE PROVISIONS.

''(a) OFFICERS AND EMPLOYEES.—The Board of Governors may appoint and fix the compensation of such officers and employees as may be necessary to carry out the functions of the Agency. Except as otherwise provided by law, such officers and employees shall be appointed in accordance with the civil service laws and their compensation shall be fixed in accordance with title 5, United States Code.

''(b) EXPERTS AND CONSULTANTS.—The Board of Governors, as may be provided in appropriation Acts, may obtain the services of experts and consultants in accordance with section 3109 of title 5, United States Code, and may compensate such experts and consultants at rates not to exceed the daily rate prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code.

''(c) ACCEPTANCE OF VOLUNTARY SERVICES.—

''(1) IN GENERAL.—Notwithstanding section 1342 of title 31, United States Code, the Board of Governors may accept, subject to regulations issued by the Office of Personnel Management, voluntary services if such services—

''(A) are to be uncompensated; and

''(B) are not used to displace any employee.

''(2) TREATMENT.—Any individual who provides voluntary services under this section shall not be considered a Federal employee for any purpose other than for purposes of chapter 81 of title 5, United States Code (relating to compensation for injury) and sections 2671 through 2680 of title 28, United States Code (relating to tort claims).

''(d) DELEGATION.—Except as otherwise provided in this Act, the Board of Governors may delegate any function to the Director and such other officers and employees of the Agency as the Board of Governors may designate, and may authorize such successive redelegations of such functions within the Agency as may be necessary or appropriate.

''(e) CONTRACTS.—

''(1) IN GENERAL.—Subject to the Federal Property and Administrative Services Act of 1949 and other applicable Federal law, the Board of Governors may make, enter into, and perform such contracts, grants, leases, cooperative agreements, and other similar transactions with Federal or other public agencies (including State and local governments) and private organizations and persons, and to make such payments, by way of advance or reimbursement, as the Board of Governors may determine necessary or appropriate to carry out functions of the Board of Governors or the Agency.

''(2) APPROPRIATION AUTHORITY REQUIRED.—No authority to enter into contracts or to make payments under this title shall be effective except to such extent or in such amounts as are provided in advance under appropriation Acts.

''(f) REGULATIONS.—The Director may prescribe such rules and regulations as the Board of Governors considers necessary or appropriate to administer and manage the functions of the Agency, in accordance with chapter 5 of title 5, United States Code.

''(g) SEAL.—The Director shall cause a seal of office to be made for the Agency of such design as the Board of Governors shall approve. Judicial notice shall be taken of such seal.''.

SEC. 535. BROADCASTING BOARD OF GOVERNORS AND INTERNATIONAL BROADCASTING BUREAU.

The Broadcasting Board of Governors and the International Broadcasting Bureau are abolished.

SEC. 536. TRANSITION.

(a) TRANSFER OF FUNCTIONS.—Except as otherwise provided in this subtitle or an amendment made by this subtitle, all functions that on the day before the effective date specified in section 540 are authorized to be performed by the Broadcasting Board of Governors and the International Broadcasting Bureau and any officer, employee, or component of such entities, under any statute, reorganization plan, Executive order, or other provision of law, are transferred to the Agency established under this title effective on that date.

(b) DETERMINATION OF CERTAIN FUNCTIONS.—If necessary, the Office of Management and Budget shall make any determination of the functions that are transferred under this title.

(c) TRANSITION PROVISIONS.—

(1) EXERCISE OF AUTHORITIES.—Except as otherwise provided by law, the Board of Governors may, for purposes of performing a function that is transferred to the Agency by this title, exercise all authorities under any other provision of law that were available with respect to the performance of that function to the official responsible for the performance of that function on the day before the effective date specified in section 540.

(2) AUTHORITIES TO WIND UP AFFAIRS.—

(A) The Director of the Office of Management and Budget may take such actions as the Director of the Office of Management and Budget considers necessary to wind up any outstanding affairs of the Broadcasting Board of Governors and the International Broadcasting Bureau associated with the functions that are transferred pursuant to subsection (a).

(B) The Director of the Office of Management and Budget may take such actions as the Director of the Office of Management and Budget considers necessary to wind up any outstanding affairs of the Broadcasting Board of Governors and the International Broadcasting Bureau associated with the functions that are transferred pursuant to subsection (a).

(3) TRANSFER OF ASSETS.—Any property, records, unexpended balances of appropriations, allocations, and other funds employed, used, held, available, or to be made available in connection with a function transferred to the Agency by this Act are transferred on the effective date specified in section 540.

SEC. 537. CONFORMING AMENDMENTS.

(a) UNITED STATES INTERNATIONAL BROADCASTING ACT OF 1994.—The United States International Broadcasting Act of 1994 is amended as follows:

(1) Section 308 (22 U.S.C. 6207) is amended—

(A) in subsection (a)—

(i) by striking ''The Board'' and inserting ''The Agency''; and

(ii) in paragraph (1) by striking ''Broadcasting Board of Governors'' and inserting ''Board Governors of the International Broadcasting Agency'';

(B) in subsection (b)—

(i) by striking paragraph (2);

(ii) by striking ''(1)''; and

(iii) by striking ''Board'' both places it appears and inserting ''Agency'';

(C) in subsections (c), (d), (g), (h), and (i) by striking ''Board'' each place it appears and inserting ''Agency'';

(D) in subsection (g)(4) by striking ''International Broadcasting Bureau'' and inserting ''Agency''; and

(E) in subsections (i) and (j) by striking ''and the Foreign Service'' each place it appears.

(2) Section 309 (22 U.S.C. 6208) is amended—

(A) in subsection (c)(1) by striking ''Board'' both places it appears and inserting ''Agency'';

(B) by striking subsection (e);

(C) in subsections (f) and (g) by striking ''Board'' each place it appears and inserting ''Agency''; and

(D) in subsection (g) by striking ''Chairman of the Board'' and inserting ''Agency''.

(3) By striking section 311 (22 U.S.C. 6210).

(4) In section 313 (22 U.S.C. 6212) by striking ''Board'' and inserting ''Agency''.

(5) In section 314 (22 U.S.C. 6213) by striking paragraph (2).

(6) By striking section 315.

(b) CUBAN LIBERTY AND DEMOCRATIC SOLIDARITY (LIBERTAD) ACT OF 1996.—Section 107 of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (22 U.S.C. 6037) is amended in subsections (a) and (b) by striking ''International Broadcasting Bureau'' each place it appears and inserting ''United States International Broadcasting Agency''.

(c) RADIO BROADCASTING TO CUBA ACT.—The Radio Broadcasting to Cuba Act (22 U.S.C. 1465 et seq.) is amended as follows:

(1) In section 3 (22 U.S.C. 1465a) as follows:

(A) In the section heading by striking ''BROADCASTING BOARD OF GOVERNORS'' and inserting ''UNITED STATES INTERNATIONAL BROADCASTING AGENCY''.

(B) In subsection (a) by striking ''the 'Board')'' and inserting ''the 'Agency')''.

(C) In subsections (a), (d), and (f) by striking ''Broadcasting Board of Governors'' and inserting ''United States International Broadcasting Agency''.

(2) In section 4 (22 U.S.C. 1465b) as follows:

(A) In the first sentence by striking ''The'' and all that follows through ''Bureau'' and inserting: ''The Board of Governors of the United States International Broadcasting Agency shall establish within the Agency''.

(B) In the third sentence by striking ''Broadcasting Board of Governors'' and inserting ''Board of Governors of the United States International Broadcasting Agency''.

(C) In the fourth sentence by striking ''Board of the International Broadcasting Bureau'' and inserting ''Board of Governors of the United States International Broadcasting Agency''.

(3) In section 5 (22 U.S.C. 1465c) as follows:

(A) In subsection (b) by striking ''Broadcasting Board of Governors'' and inserting ''Board of Governors of the United States International Broadcasting Agency''.

(B) By striking ''Board'' each place it appears and inserting ''Advisory Board''.

(4) In section 6 (22 U.S.C. 1465d) as follows:

(A) In subsection (a) by striking ''Broadcasting Board of Governors'' and inserting ''United States International Broadcasting Agency'' and by striking ''Board'' and inserting ''Board of Directors of the United States International Broadcasting Agency''.

(B) In subsection (b) by striking ''Board'' and inserting ''United States International Broadcasting Agency''.

(5) In section 7 (22 U.S.C. 1465e) by striking ''Board'' in subsections (b) and (d) and inserting ''United States International Broadcasting Agency''.

(6) In section 8(a) (22 U.S.C. 1465f(a)), by striking ''Broadcasting Board of Governors'' and inserting ''United States International Broadcasting Agency''.

(d) TELEVISION BROADCASTING TO CUBA ACT.—The Television Broadcasting to Cuba Act (22 U.S.C. 1465aa note) is amended as follows:

(1) Section 243(a) (22 U.S.C. 1465bb) is amended by striking ''Broadcasting Board of Governors'' and inserting ''United States International Broadcasting Agency''.

(2) Section 244 (22 U.S.C. 1465cc) is amended as follows:

(A) In subsection (a) by amending the third sentence to read as follows: ''The Board of Governors of the United States International Broadcasting Agency shall appoint a head of the Service who shall report directly to the Board of Governors.''.

(B) In subsection (b) by striking ''Board'' and inserting ''United States International Broadcasting Agency''.

(C) In subsection (c) by striking ''The Board'' and inserting ''The Agency'' and by striking ''Board determines'' and inserting ''Board of Governors of the United States International Broadcasting Agency determines''.

(3) In section 246 (22 U.S.C. 1465dd) by striking ''United States Information Agency'' and inserting ''United States International Broadcasting Agency'' and by striking ''Board'' and inserting ''Board of Governors of the United States International Broadcasting Agency''.

(e) UNITED STATES INFORMATION AND EDUCATIONAL EXCHANGE ACT OF 1948.—The United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1431 et seq.) is amended—

(1) in section 505 (22 U.S.C. 1464a), by striking ''Broadcasting Board of Governors'' each place it appears and inserting ''United States International Broadcasting Agency''; and

(2) in section 506(c) (22 U.S.C. 1464b(c))—

(A) by striking ''Broadcasting Board of Governors'' and inserting ''United States International Broadcasting Agency''; and

(B) by striking ''Board'' and inserting ''Agency''.

(f) FOREIGN SERVICE ACT OF 1980.—The Foreign Service Act of 1980 (22 U.S.C. 3901 et seq.) is amended—

(1) in section 202(a)(1) (22 U.S.C. 3922(a)(1)), by striking ''Broadcasting Board of Governors'' and inserting ''United States International Broadcasting Agency'';

(2) in section 210 (22 U.S.C. 3930), by striking ''Broadcasting Board of Governors'' and inserting ''United States International Broadcasting Agency'';

(3) in section 1003(a) (22 U.S.C. 4103(a)), by striking ''Broadcasting Board of Governors'' and inserting ''United States International Broadcasting Agency''; and

(4) in section 1101(c) (22 U.S.C. 4131(c)), by striking ''Broadcasting Board of Governors,'' and inserting ''the United States International Broadcasting Agency,''.

(g) STATE DEPARTMENT BASIC AUTHORITIES ACT OF 1956.—The State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a et seq.) is amended—

(1) in section 23(a) (22 U.S.C. 2695(a)), by striking ''Broadcasting Board of Governors,'' and inserting ''United States International Broadcasting Agency,'';

(2) in section 25(f) (22 U.S.C. 2697(f))—

(A) by striking ''Broadcasting Board of Governors'' and inserting ''United States International Broadcasting Agency''; and

(B) by striking ''the Board and the Agency'' and inserting ''their respective agencies'';

(3) in section 26(b) (22 U.S.C. 2698(b))—

(A) by striking 'Broadcasting Board of Governors,'' and inserting ''United States International Broadcasting Agency''; and

(B) by striking ''the Board and the Agency'' and inserting ''their respective agencies''; and

(4) in section 32 (22 U.S.C. 2704), by striking ''Broadcasting Board of Governors'' and inserting ''United States International Broadcasting Agency''.

(h) TITLE 5, UNITED STATES CODE.—

(1) Section 5314 of title 5, United States Code, is amended by adding at the end the following: ''Director, United States International Broadcasting Agency.''.

(2) Section 5315 of title 5, United States Code, is amended by striking ''Director of the International Broadcasting Bureau.''.

SEC. 538. REFERENCES.

Except as otherwise provided in this subtitle or an amendment made by this subtitle, any reference in any statute, reorganization plan, Executive order, regulation, agreement, determination, or other official document or proceeding to the Broadcasting Board of Governors and the International Broadcasting Bureau or any other officer or employee of the Broadcasting Board of Governors or the International Broadcasting Bureau shall be deemed to refer to the United States International Broadcasting Agency or the Board of Governors of the United States International Broadcasting Agency established under this subtitle.

SEC. 539. BROADCASTING STANDARDS.

Section 303(a) of the United States International Broadcasting Act of 1994 (22 U.S.C. 6202(a)) is amended—

(1) in paragraph (6) by striking ''and'';

(2) in paragraph (8) by striking the period and inserting ''; and''; and

(3) by adding after paragraph (8) the following new paragraph:

''(9) seek to ensure that resources are allocated to broadcasts directed at people whose governments deny freedom of expression or who are otherwise in special need of honest and professional broadcasting, commensurate with the need for such broadcasts.''.

SEC. 540. EFFECTIVE DATE.

Except as otherwise provided, this subtitle and the amendments made by this subtitle shall take effect on the last day of the 6-month period beginning on the date of the enactment of this Act.

TITLE VI—INTERNATIONAL FREE MEDIA ACT OF 2003

SEC. 601. SHORT TITLE.

This title may be cited as the ''International Free Media Act of 2003''.

SEC. 602. DEFINITIONS.

In this title, the term ''free media'' means individuals or organizations engaged in the gathering and distribution of news and information free of direct or indirect governmental control.

SEC. 603. FINDINGS.

The Congress makes the following findings:

(1) Freedom of speech and freedom of the press are fundamental human rights enshrined in international law.

(2) The United States has a national interest in promoting these freedoms by supporting free media abroad, which is essential to the development of free and democratic societies consistent with our own.

(3) Free media is undermined, endangered, or nonexistent in many repressive and transitional

societies around the world, including in Eurasia, Africa, and the Middle East.

(4) Free media is suppressed by foreign governments by a variety of means, including state censorship, legal restriction, financial pressure, and physical intimidation.

(5) Unprofessional and unethical media that violate widely accepted standards of professional journalism and editorial practice compromises the ability of a free media to contribute to open, fair, and constructive democratic debate.

(6) Unprofessional and unethical media includes media that violate the standards set in the International Covenant on Civil and Political Rights, which includes article 20, section 2 of the Covenant which states that ''Any advocacy of national, racial, or religious hatred that constitutes incitement to discrimination, hostility, or violence shall be prohibited by law.''.

(7) Individuals lacking access to a plurality of free media are vulnerable to misinformation and propaganda and are potentially more likely to adopt anti-American views.

(8) Foreign governments have a responsibility to actively and publicly discourage and rebut unprofessional and unethical media while respecting journalistic integrity and editorial independence.

(9) Past and continuing United States Government efforts to promote free media through training and technical support have advanced United States national interests by contributing to the promotion of human rights and democracy worldwide.

(10) Support for free media must be an integral part of United States foreign policy, including public diplomacy and United States international broadcasting, and should be coordinated across government agencies and with international, bilateral, and private donor organizations toward achieving the shared goal of developing professional, ethical, diversified, sustainable, independent, indigenous media worldwide.

SEC. 604. STATEMENTS OF POLICY.

It shall be the policy of the United States, acting through the Secretary of State, to—

(1) make the promotion of press freedoms and free media worldwide a priority of United States foreign policy and an integral component of United States public diplomacy;

(2) respect the journalistic integrity and editorial independence of free media worldwide;

(3) use widely accepted standards for professional and ethical journalistic and editorial practices in assessing international media; and

(4) discourage incitement to discrimination, hostility, or violence, based on nationality, race, or religion, as described in article 20, section 2, of the International Covenant on Civil and Political Rights, and develop a strategy to respond to it.

SEC. 605. COORDINATOR FOR INTERNATIONAL FREE MEDIA.

(a) ESTABLISHMENT.—There is established within the Department of State a Coordinator for International Free Media (in this section referred to as the ''Coordinator''). At the discretion of the President another official at the Department of State may serve as the Coordinator.

(b) APPOINTMENT OF COORDINATOR.—The Coordinator shall be appointed by the President, by and with the advice and consent of the Senate.

(c) DUTIES.—The principal duties of the Coordinator shall be the promotion of international press freedoms and free media by—

(1) coordinating United States government policies, programs, and projects concerning international press freedoms and free media;

(2) in consultation with appropriate agencies of the United States Government and national and international organizations, monitoring and assessing the status of free media and government controlled sources of information, including for incitement of national, racial, or religious hatred that constitutes incitement to discrimination, hostility, or violence, as described in article 20 of the International Covenant on Civil and Political Rights;

(3) promoting widely accepted standards of professional and ethical journalism and editorial practices;

(4) discouraging media and government controlled sources of information from advocating national, racial, or religious hatred that constitutes incitement to discrimination, hostility, or violence consistent with article 20, section 2 of the International Covenant on Civil and Political Rights;

(5) reporting foreign media that advocates national, racial, or religious hatred that constitutes incitement to discrimination, hostility, or violence consistent with article 20, section 2, of the International Covenant on Civil and Political Rights and making available to the public and to the United States Agency for International Broadcasting translations of such media to the extent practicable;

(6) promoting the journalistic integrity and editorial independence of free media worldwide;

(7) advising the President and the Secretary of State regarding matters of international press freedoms and free media;

(8) representing the United States in matters and cases relevant to international press freedoms and free media;

(9) assisting the Secretary of State in preparing the portions of the Department of State country reports on human rights that relate to international press freedoms and free media and incitement to acts of discrimination;

(10) consulting with the Broadcasting Board of Governors and the United States Agency for International Development for the purpose of promoting free media through training of international journalists, producers, editors, and media managers; and

(11) administering the International Free Media Fund (established in section 607) in consultation with the United States Advisory Commission on Public Diplomacy and International Media.

(d) ASSESSMENT FACTORS.—In making an assessment of media within individual countries pursuant to subsection (c)(2), the Coordinator shall take into account—

(1) the number and diversity of media;

(2) access to and consumption of media by populations;

(3) the extent of direct or indirect government ownership, control, or censorship of media outlets;

(4) the financial viability and profitability of free media;

(5) the extent to which journalists, editors, and media managers adhere to widely accepted standards for professional and ethical journalism;

(6) domestic laws addressing press freedoms;

(7) instances in which the media and government-controlled sources of information have incited discrimination, hostility, or violence consistent with article 20, section 2 of the International Covenant on Civil and Political Rights;

(8) physical threats, intimidation or inappropriate pressure by government on free media;

(9) the number of journalists, editors, producers, and media managers receiving training from programs of the Department of State, the Broadcasting Board of Governors, grantees of the United States Agency for International Development, or other organizations qualified to provide such training; and

(10) the activity of local and international nongovernmental organizations promoting press freedoms and free media and obstacles to their activity.

(e) CONSULTATION REQUIREMENT.—The Coordinator shall consult with United States public affairs officers and other United States foreign mission personnel directly engaged in interacting with indigenous media in carrying out the duties specified in subsection (c).

(f) DETERMINATION.—The Coordinator shall determine, and annually report to the appropriate congressional committees, whether there is a pattern of government-controlled information that constitutes incitement (as described in article 20 of the International Covenant on Civil and Political Rights) and that endangers United States citizens or nationals, impairs relations between the United States and the foreign government, or constitutes incitement to national, racial, or religious discrimination, hostility, or violence. The Coordinator shall specify the governments engaged in such practices and examples of such incitement and propaganda.

(g) FUNDING.—The Secretary of State shall ensure that the Coordinator has adequate staff and funding for the conduct of investigations, the administration of the International Free Media Fund, necessary travel, and other activities necessary to carry out the provisions of this section.

SEC. 606. UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY AND INTERNATIONAL MEDIA.

(a) ESTABLISHMENT.—Section 604(a)(1) of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1469) is amended to read as follows:

''(1) There is established an advisory commission to be known as the United States Advisory Commission on Public Diplomacy and International Media.''.

(b) DUTIES AND RESPONSIBILITIES.—Section 604(c) of the United States Information and Exchange Act of 1948 (22 U.S.C. 1469) is amended by adding at the end the following:

''(5) The Commission shall—

''(A) advise the Coordinator for International Free Media on issues relating to the promotion of international press freedoms and free media;

''(B) assist the Coordinator for International Free Media in monitoring and assessing the status of free media worldwide;

''(C) consult with the Coordinator on the administration of the International Free Media Fund; and

''(D) make policy recommendations to the President, the Secretary of State, and Congress with respect to matters involving international press freedoms and free media.''.

(c) REFERENCES.—Except as otherwise provided in this section or an amendment made by this section, any reference in any statute, reorganization plan, Executive order, regulation, agreement, determination, or other official document or proceeding to the United States Advisory Commission on Public Diplomacy or any other officer or employee of the United States Advisory Commission on Public Diplomacy shall be deemed to refer to the United States Advisory Commission on Public Diplomacy and International Media established under this section.

SEC. 607. INTERNATIONAL FREE MEDIA FUND.

(a) ESTABLISHMENT.—There is established an International Free Media Fund (in this section referred to as the ''Fund'') at the Department of State.

(b) PURPOSES.—The purposes of the Fund shall be—

(1) to promote the development of free and independent media worldwide which adhere to widely accepted standards of professional and ethical journalism and editorial practice; and

(2) to complement current efforts by the Department of State, the United States Agency for International Development, the Broadcasting Board of Governors, and other agencies of the United States Government to support free and independent media worldwide.

(c) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts otherwise authorized to be appropriated to carry out the purposes specified in subsection (b), there is authorized to be appropriated to the Fund $15,000,000 for fiscal year 2004. Such amounts are authorized to remain available until expended.

(d) NONAPPLICABILITY OF OTHER LAWS.—Notwithstanding any other provision of law, funds

appropriated pursuant to subsection (c) may be used for the purposes of this section.

(e) ADMINISTRATION.—

(1) The Fund shall be administered by the Coordinator in consultation with the Commission.

(2) Activities and assistance financed through the Fund may be carried out through grants, contracts, technical assistance, and material support.

(f) ELIGIBLE ORGANIZATIONS, PROGRAMS, AND PROJECTS.—Amounts in the Fund may be used to carry out activities and provide assistance only for organizations, programs, and projects consistent with the purposes set forth in subsection (b).

(g) PROHIBITIONS.—Amounts in the Fund shall not be used to carry out activities or provide assistance to organizations, programs, or projects which advocate national, racial, or religious hatred that incites discrimination, hostility, or violence consistent with article 20, section 2 of the International Covenant on Civil and Political Rights.

(h) ASSISTANCE CRITERIA.—In administering the Fund, the Coordinator shall take into account—

(1) the importance of providing assistance to organizations, programs, and projects based on their proven or potential contribution to the development of a free media environment worldwide;

(2) the importance of enabling free media to become commercially viable and financially independent in the long term; and

(3) the importance of providing media personnel whose organizations, programs, or projects receive assistance under this section for training in professional and ethical journalism, editorial practices, and media management by the Department of State, the Broadcasting Board of Governors, United States Agency for International Development grantees, or other organizations qualified to provide such training.

(i) ANNUAL REPORTS.—Not later than January 31, of 2005 and in each subsequent year, the Coordinator shall publish an annual report on the activities of the Fund, which shall include a comprehensive and detailed description of the operations, activities, financial condition, and accomplishments under this section for the preceding fiscal year. The reports shall also include an assessment of whether the Fund should also provide loans and guarantees as an additional means to carry out the purposes of this title.

(j) CONSULTATION REQUIREMENTS.—

(1) The Coordinator shall consult with the State Department official primarily responsible for developing and implementing United States policy with respect to a country prior to carrying out activities or providing assistance for such country through the Fund.

(2) Amounts in the Fund shall be used to carry out activities or provide assistance on the basis of consultations among all relevant United States Government agencies operating in the country and with the approval of the chief of mission.

SEC. 608. FREE MEDIA PROMOTION ACTIVITY OF THE BROADCASTING BOARD OF GOVERNORS.

(a) IN GENERAL.—The Broadcasting Board of Governors shall make support for indigenous free media an integral part of its mission.

(b) AFFILIATES.—The Broadcasting Board of Governors shall submit a report to the appropriate congressional committees on the prospects and strategy for cultivating affiliate relationships with free media in countries targeted for United States international broadcasting.

(c) TRAINING.—The Broadcasting Board of Governors shall enhance foreign journalist training programs in coordination with existing training programs administered by the Department of State and the United States Agency for International Development.

(d) AUTHORIZATION FOR APPROPRIATIONS.—In addition to amounts otherwise authorized to be appropriated, there is authorized to be appropriated $2,500,000 for the fiscal year 2004 and $2,500,000 for the fiscal year 2005 to support free media in countries in which the Broadcasting Board of Governors is decreasing or discontinuing United States international broadcasting activity.

TITLE VII—MISCELLANEOUS PROVISIONS

Subtitle A—Reporting Requirements

SEC. 701. REPORTS TO COMMITTEE ON INTERNATIONAL RELATIONS.

Notwithstanding any other provision of law, for the fiscal years 2004 and 2005, any report required by law or otherwise requested to be submitted by the Secretary of State or the Department of State to any committee of the Congress shall be submitted also to the Committee on International Relations of the House of Representatives.

SEC. 702. REPORTS CONCERNING THE CAPTURE AND PROSECUTION OF PARAMILITARY AND OTHER TERRORIST LEADERS IN COLOMBIA.

(a) FINDINGS.—The Congress makes the following findings:

(1) As reported in the Department of State report Patterns of Global Terrorism 2001, the United Self-Defense Forces of Colombia (also referred to as ''AUC'' or ''paramilitaries'') have been designated as a foreign terrorist organization by the United States primarily because of their increasing reliance on terrorist methods, such as the use of massacres, to purposefully displace segments of the population as retaliation for allegedly supporting the AUC's rival organizations, the Revolutionary Armed Forces of Colombia (FARC) and the National Liberation Army (ELN) of Colombia. According to the report, the paramilitaries also use terrorist tactics to compete for narcotics-trafficking corridors and prime coca-growing terrain.

(2) The Department of State concluded in the 2001 Country Report on Human Rights Practices that despite increased efforts by the Government of Colombia to combat and capture members of paramilitary groups, security forces sometimes illegally collaborate with paramilitaries forces and often fail to take action to prevent paramilitary attacks which lead to serious abuses of human rights.

(3) In September 2002, Amnesty International, Human Rights Watch, and the Washington Office on Latin America released a report which argued that the Colombian Government had not made substantial progress toward suspending officers implicated in human rights abuses, conducting effective judicial investigations of such abuses, or breaking the persistent links between some units of the Colombian military and paramilitary groups.

(4) In February 2003, the United Nations High Commissioner for Human Rights in Colombia reported that some units of the Colombian Security Forces continued to collude openly with illegal paramilitary groups in operations which resulted in violations of human rights.

(5) The Consolidated Appropriations Resolution, 2003 (Public Law 108–7) made available not less than $5,000,000 to support a Colombian Armed Forces unit which is dedicated to apprehending leaders of Colombian paramilitary organizations.

(b) REPORTS TO CONGRESS.—Not later than 30 days after the date of enactment of this Act, and every 180 days thereafter, the Secretary of State, after consulting with internationally recognized human rights organizations pursuant to the procedures required in section 564(b) of the Consolidated Appropriations Resolution, 2003, shall submit a report, in unclassified form (with a classified annex if necessary), on the specific measures that the Colombian authorities are taking to apprehend effectively and prosecute aggressively leaders of paramilitary organizations, to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate.

(c) CONTENTS OF REPORTS.—Each report submitted pursuant to subsection (b) shall—

(1) identify which Colombian Armed Forces units are receiving assistance to apprehend leaders of Colombian paramilitary organizations;

(2) describe the amount and purposes of such assistance;

(3) describe operations by Colombian security forces to apprehend and arrest leaders of Colombian paramilitary organizations;

(4) list the number of detentions, captures, and arrests of leaders of Colombian paramilitary organizations, disaggregating the number according to those detentions, captures, and arrests which were carried out by Colombian security forces identified under paragraph (1);

(5) briefly describe the status of investigations and prosecutions of cases by the Colombian Attorney General's office involving the arrests of leaders of Colombian paramilitary organizations; and

(6) estimate the number of hours of use by the Colombian military of helicopters provided by the United States under Plan Colombia and successor programs to apprehend the leaders of Colombian paramilitary organizations, as well as leaders of the FARC and ELN, including those individuals who have United States indictments pending against them.

SEC. 703. REPORTS RELATING TO MAGEN DAVID ADOM SOCIETY.

(a) FINDINGS.—Section 690(a) of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107–228) is amended by adding at the end the following:

''(5) Since the founding of the Magen David Adom in 1930, the American Red Cross has regarded it as a sister national society forging close working ties between the two societies and has consistently advocated recognition and membership of the Magen David Adom in the International Red Cross and Red Crescent Movement.

''(6) The American Red Cross and Magen David Adom signed an important memorandum of understanding in November 2002, outlining areas for strategic collaboration, and the American Red Cross will encourage other societies to establish similar agreements with Magen David Adom.''.

(b) SENSE OF CONGRESS.—Section 690(b) of such Act is amended—

(1) in paragraph (3) after the semicolon by striking ''and'';

(2) by redesignating paragraph (4) as paragraph (5); and

(3) by inserting after paragraph (3) the following new paragraph:

''(4) the High Contracting Parties to the Geneva Conventions of August 12, 1949, should adopt the October 12, 2000, draft additional protocol which would accord international recognition to an additional distinctive emblem; and''.

(c) REPORT.—Section 690 of such Act is further amended by adding at the end the following:

''(c) REPORT.—Not later than 60 days after the date of the enactment of the Foreign Relations Authorization Act, Fiscal Years 2004 and 2005 and annually thereafter, the Secretary of State shall submit a report, on a classified basis if necessary, to the appropriate congressional committees describing—

''(1) efforts by the United States to obtain full membership for the Magen David Adom in the International Red Cross Movement;

''(2) efforts by the International Committee of the Red Cross to obtain full membership for the Magen David Adom in the International Red Cross Movement;

''(3) efforts of the High Contracting Parties to the Geneva Convention of 1949 to adopt the October 12, 2000, draft additional protocol; and

''(4) the extent to which the Magen David Adom of Israel is participating in the activities of the International Red Cross and Red Crescent Movement.''.

SEC. 704. REPORT CONCERNING THE RETURN OF PORTRAITS OF HOLOCAUST VICTIMS TO THE ARTIST DINA BABBITT.

(a) FINDINGS.—The Congress makes the following findings:

(1) Dina Babbitt (formerly known as Dinah Gottliebova), a United States citizen, has requested the return of watercolor portraits she painted while suffering a one and one-half year long internment at the Auschwitz death camp during World War II, where she was ordered to paint portraits by the infamous war criminal Dr. Josef Mengele.

(2) Congress has previously considered the issue, under the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107–228), and urged the Administration to facilitate the return of the paintings to Dina Babbitt.

(3) The Administration has not yet reported any progress in furthering this goal, nor has the Secretary reported on the status of any negotiations held with the intent of furthering this goal.

(b) SENSE OF CONGRESS.—The Congress—

(1) continues to recognize the moral right of Dina Babbitt to obtain the artwork she created, and recognizes her courage in the face of the evils perpetrated by the Nazi command of the Auschwitz- Birkenau death camp, including the atrocities committed by Dr. Josef Mengele;

(2) urges the President of the United States to make all necessary efforts to retrieve the 7 watercolor portraits painted by Dina Babbitt, during her internment at the Auschwitz death camp; and

(3) urges the Secretary of State to make immediate diplomatic efforts to facilitate the transfer of the 7 original watercolors painted by Dina Babbitt from the Auschwitz-Birkenau State Museum to Dina Babbitt, their rightful owner.

(c) REPORTING REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit a report to the appropriate congressional committees, describing all diplomatic efforts the United States has taken to facilitate the return of the paintings referred to in this section to Dina Babbitt.

SEC. 705. REPORT TO CONGRESS ON USE OF VESTED ASSETS.

Section 203(a) of the International Emergency Economic Powers Act (50 U.S.C. 1702(a)) is amended—

(1) in subparagraph (C), by inserting ''subject to paragraph (4),'' after ''such interest or property shall''; and

(2) by adding at the end the following:

''(4) The authority under paragraph (1)(C) to use property that has been vested or to use assets that have been liquidated may not be exercised until 15 days after the President has notified the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate of the purpose for which such vested property or liquidated assets will be so used.''.

SEC. 706. REPORT CONCERNING THE CONFLICT IN UGANDA.

(a) SENSE OF CONGRESS.—It is the sense of the Congress that the United States should—

(1) exhaust all diplomatic means and pressures, including the creation of a United States role in negotiating humanitarian access to hitherto inaccessible populations which would offer an opportunity to bring the warring parties together to build confidence, to support an immediate peaceful resolution to the 16-year old conflict in Northern Uganda that has—

(A) killed an estimated 23,000 people, including 12,000 civilians,

(B) resulted in the forced abduction, sexual servitude, and armed recruitment of between 16,000 to 26,000 Ugandan children by the Lord's Resistance Army, a renegade army that has in the past sought refuge in southern Sudan and raided villages in northern Uganda,

(C) displaced over 800,000 Ugandan citizens and Sudanese refugees,

(D) resulted in the death and abduction of humanitarian aid workers, and

(E) gravely inhibited the delivery of emergency assistance and food aid to nearly 1 million northern Ugandan civilians dependent on such assistance for survival;

(2) urge rebel forces to stop the abduction of children, urge all forces to stop the use of child soldiers, and seek the release of all forcibly-held children;

(3) make available technical assistance resources to seek, track, and stop funding for the Lord's Resistance Army (LRA) from all sources and condemn all governments and organizations who do assist the LRA;

(4) monitor and support negotiations conducted by third-party institutions for an immediate cease-fire between the LRA and the Ugandan Government, and to explore the possibility of facilitating the creation of mechanisms for an international monitoring team to enforce this cease-fire as the first step in the process toward a permanent peace;

(5) continue supporting the Sudan Peace Process and Danforth Initiative, which includes peace talks, donor coordination, regional support, civilian protection and monitoring, and cease-fire verification and consider modeling aspects of this process in northern Uganda;

(6) make available sufficient resources to meet the immediate relief of the towns and cities supporting large displaced populations, including food, clean water, medicine, shelter, and clothing;

(7) make available increased resources for assistance to released and returned abducted children and child soldiers and ensure that amnesty is provided when appropriate;

(8) work with other donors and the Ugandan Government to increase resources and technical support to the Uganda Amnesty Commission for the increased demobilization of rebel combatants;

(9) examine ways in which development assistance can help those living in protective villages in northern Uganda return to and cultivate farmland; and

(10) condition military assistance to Uganda on its international compliance with sustained troop withdrawals from the Democratic Republic of Congo where the presence of Ugandan armies has contributed to the violence and instability in the region.

(b) REPORTS TO CONGRESS.—Not later than 180 days after the date of the enactment of this Act, and not later than April 1 of each subsequent year, the Secretary shall submit to the appropriate congressional committees a report on the comprehensive actions of the United States in seeking a peaceful and immediate solution to conflict in northern Uganda as well as humanitarian assistance efforts to the region, including efforts to advance each area addressed in subsection (a).

SEC. 707. REQUIREMENT FOR REPORT ON UNITED STATES POLICY TOWARD HAITI.

(a) FINDINGS.—Congress makes the following findings:

(1) The United States has a political and economic interest and a humanitarian and moral responsibility in assisting the Government and people of Haiti in resolving the country's problems and challenges.

(2) The situation in Haiti is increasingly cause for alarm and concern, and a sustained, coherent, and active approach by the United States Government is needed to make progress toward resolving Haiti's political and economic crises.

(b) REQUIREMENT FOR REPORT.—Not later than 60 days after the date of enactment of this Act, the Secretary, in consultation with the Secretary of the Treasury, shall submit to the appropriate congressional committees a report that describes United States policy toward Haiti. The report shall include the following:

(1) A description of the activities carried out by the United States Government to resolve Haiti's political crisis and to promote the holding of free and fair elections in Haiti at the earliest possible date.

(2) A description of the activities that the United States Government anticipates initiating to resolve the political crisis and promote free and fair elections in Haiti.

(3) An assessment of whether Resolution 822 issued by the Permanent Council of the Organization of American States on September 4, 2002, is an appropriate framework for a multilateral approach to resolving the political and economic crises in Haiti.

(4) A description of the status of efforts to release the approximately $146,000,000 in loan funds that have been approved by the Inter-American Development Bank to Haiti for the purposes of rehabilitating rural roads, reorganizing the health sector, improving potable water supply and sanitation, and providing basic education, a description of any obstacles that are delaying the release of the loan funds, and recommendations for overcoming such obstacles, including whether any of the following would facilitate the release of such funds:

(A) Establishing an International Monetary Fund staff monitoring program in Haiti.

(B) Obtaining bridge loans or other sources of funding to pay the cost of any arrears owed by the Government of Haiti to the Inter-American Development Bank.

(C) Providing technical assistance to the Government of Haiti to permit the Government to meet international financial transparency and other requirements.

SEC. 708. REPORT ON THE EFFECTS OF PLAN COLOMBIA ON ECUADOR.

(a) FINDINGS.—The Congress makes the following findings:

(1) Section 695 of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107–228) required the Secretary of State to submit a report to Congress on the impact of Plan Colombia on Ecuador and the other adjacent countries to Colombia within 150 days after the date of the enactment of that Act.

(2) The 150 day time period for the submission of such report has lapsed without a report being submitted to the Congress.

(3) There continues to be growing alarm concerning the spillover effect of Plan Colombia on Ecuador, a frontline state, especially in the northern region of Ecuador which includes the Sucumbios province.

(b) REPORT TO CONGRESS.—Not later than 30 days after the date of the enactment of this Act, the Secretary of State shall submit a report to the appropriate congressional committees which sets forth—

(A) a statement of policy and comprehensive strategy for United States activities in Colombia related to the impact of Plan Colombia on Ecuador and the other adjacent countries to Colombia; and

(B) the reasons for the failure of the Department of State to submit the report required by section 695 of Public Law 107–228 within the time period mandated by law.

SEC. 709. REPORT ON ACTIONS TAKEN BY PAKISTAN.

For each of fiscal years 2004 and 2005, the President shall prepare and transmit to the appropriate congressional committees a report that contains a description of the extent to which the Government of Pakistan—

(1) has closed all known terrorist training camps operating in Pakistan and Pakistani-held Kashmir;

(2) has established serious and identifiable measures to prohibit the infiltration of Islamic extremists across the ''Line of Control'' (LoC) into India; and

(3) has ceased the transfer of weapons of mass destruction, including any associated technologies, to any third country or terrorist organization.

SEC. 710. REPORT ON DEMOCRACY IN THE WESTERN HEMISPHERE.

(a) FINDINGS.—Congress finds the following:

(1) Although 34 out of 35 countries in the Western Hemisphere have held elections for civilian leaders of national, regional, and local

governments, many of these countries have failed to successfully develop independent democratic institutions, transparent and accountable governance, and effective means of guaranteeing the rule of law, which are key components of a fully functioning democracy.

(2) The rule of law, independent democratic institutions, and transparent, accountable governance are essential for guaranteeing human rights, especially civil, political, and labor rights.

(3) The rule of law, independent democratic institutions, and transparent accountable governance are also necessary for promoting successful economic development and reliable trading and investment mechanisms.

(4) In part because of the lack of these three factors, progress on human rights and economic development has lagged or been uneven in much of the Western Hemisphere, leading some to question the benefits of democracy itself as a path for improving the lives of individuals in the hemisphere.

(5) For democracy to continue in many of these countries, for human rights to improve, and for regional economic integration to be successful, the rule of law, independent democratic institutions, and transparent accountable governance must be strengthened.

(6) As a strong supporter of democracy and human rights and as an advocate of regional economic integration, it is in the interests of the United States to enhance its efforts to promote a deepening of democracy in the Western Hemisphere, particularly through strengthening the rule of law, independent democratic institutions, and transparent accountable governance.

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary, in consultation with the heads of other Federal departments and agencies as necessary, shall prepare and submit to the appropriate congressional committees a report on the state of democracy in each country in the Western Hemisphere (other than the United States and Canada). For each such country, the report shall provide the following:

(1) A description of its system of government, including schedule of elections, manner of judicial appointments, and responsibilities of each branch of government.

(2) An assessment of—

(A) the state of the rule of law;

(B) the power and independence of each branch of government and institutions;

(C) the transparence and accountability in governance; and

(D) the effect on human rights, particularly civil and political rights, caused by the presence (or lack thereof) of any of the factors in subparagraphs (A) through (C); and

(E) the effect on economic development caused by the presence (or lack thereof) of any of the factors in subparagraphs (A) through (C).

(3) A description of efforts to strengthen the rule of law, independent institutions, or transparent governance in the country, whether through local efforts or through efforts funded or implemented by the United States, the Organization of American States (OAS), or others.

SEC. 711. REPORT CONCERNING INTERNAL AND INTRA-REGIONAL CONFLICTS IN THE GREAT LAKES REGION OF AFRICA.

(a) FINDINGS.—The Congress makes the following findings:

(1) The Great Lakes region of Central Africa has a history of colonial based ethnic divisions, political violence, and civil wars which have perpetuated conditions conducive to chronic poverty and turmoil over the past decade. The countries of the Great Lakes region are heavily embroiled in the conflicts within their neighbors borders. At different times, the war in the Democratic Republic of Congo (DRC) has involved more outside countries than any other contemporary war in Africa's history, (including Angola, Rwanda, Uganda, Zimbabwe, Burundi, Sudan, Chad, Namibia, and Central African Republic).

(2) The region is hallmarked by genocide, the recruitment of child soldiers, war crimes, systematic rape of women and violence directed against children, corruption, and the illegal exploitation of natural resources on a global scale. Civil wars, conflicts over natural resources, and structural violence in the Great Lakes have resulted in—

(A) the death of approximately three million people through direct and indirect causes of the war in the DRC since 1998;

(B) the deaths of at least 800,000 people during the 1994 genocide in Rwanda;

(C) the deaths of an estimated 300,000 people through direct and indirect causes of the war in Burundi since 1993;

(D) the deaths of thousands in Uganda;

(E) the forced abduction, sexual servitude, and armed recruitment of thousands of children;

(F) the displacement of millions of Ugandan, Burundian, Congolese, Rwandan, and Sudanese refugees;

(G) the death and abduction of humanitarian aid workers throughout the region; and

(H) grave disruptions in the delivery of emergency assistance and food aid to millions of civilians in northern Uganda, eastern Congo, and Burundi dependent on such assistance for survival.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that the United States should—

(1) exhaust all diplomatic means and utilize all foreign policy instruments to help peacefully resolve conflicts in the Great Lakes region by supporting both national and regional political, economic, and social initiatives conducive to fostering African-led peace, reconstruction, and political and economic institutional and structural transformation processes in Uganda, Rwanda, Burundi, and the Democratic Republic of Congo;

(2) urge all rebel forces to stop the abduction of children, urge all armed forces to stop the use of child soldiers, and seek the release of all forcibly-held children;

(3) make available technical assistance resources to seek, track, and stop funding for all armed extremist paramilitary and militarist rebel organizations from all sources and condemn all governments and organizations who do assist such groups;

(4) monitor and support negotiations conducted by third-party institutions for an immediate end of armed actions between: The LRA and the Ugandan Government; the RCD factions and MLC and the government of Democratic Republic of the Congo under the terms of the Lusaka Accords; the FDD and the Burundian Government under the terms of the Arusha Accords;

(5) explore the possibility of facilitating the creation of mechanisms for an international monitoring team to enforce cease-fires as the first step in the process toward a permanent peace in the region;

(6) continue supporting the Sudan Peace Process, the Danforth Initiative, the Lusaka Accords, and the Arusha Accords which includes peace talks, donor coordination, regional support, civilian protection and monitoring, and cease-fire verification;

(7) make available sufficient resources to meet the immediate relief needs of the towns and cities in the Great Lakes region supporting large displaced populations, including food, clean water, medicine, shelter, and clothing;

(8) make available increased resources for assistance to released and returned abducted children and child soldiers in the Great Lakes Region and ensure that amnesty is provided when appropriate;

(9) work with other donors and the Governments of Uganda, Burundi, Rwanda, and the Democratic Republic of Congo to increase resources and technical support to both regional and national combatant demobilization entities such as the Uganda Amnesty Commission in Uganda and equivalent entities in Burundi, Rwanda, and the Democratic Republic of Congo for the increased demobilization of rebel combatants;

(10) examine ways in which development assistance (DA) can help those living in protective villages in northern Uganda, eastern Congo, and other demilitarized areas in Rwanda and Burundi to return to and cultivate farmland;

(11) condition military assistance to any nation which acts to destabilize the DRC by violating international agreements regarding sustained troop withdrawals and respect for the territorial integrity of the DRC; and

(12) direct the Secretary of State to appoint a special envoy to the Great Lakes region to oversee cross-cutting security and economic policies in the region.

(c) REPORTS TO CONGRESS.—Not later than 180 days after the date of the enactment of this Act, and not later than April 1 of each subsequent year, the Secretary should submit to the appropriate congressional committees a report on the comprehensive actions taken by the United States in promoting peaceful and immediate solutions to the internal and intra-regional conflicts in the Great Lakes region, including taking steps to bring an end to the illegal exploitation and international trade of natural resources from the Democratic Republic of Congo; supporting bilateral and multilateral peace keeping initiatives; the promotion of regional economic integration; the promotion of broad based democratic political processes based on the rule of law; the promotion of women and other previously disadvantaged communities as equal political and economic stakeholders in societies; and humanitarian assistance efforts in the region, including efforts to advance each area addressed in subsection (a).

Subtitle B—Other Matters

SEC. 721. SENSE OF CONGRESS RELATING TO EAST TIMOR, JUSTICE, AND REHABILITATION.

The Congress—

(1) recalls that the United Nations International Commission of Inquiry concluded in January 2000 that ''the Indonesian Army was responsible for the intimidation, terror, killings and other acts of violence'' during East Timor's vote for independence in 1999;

(2) reiterates that justice for crimes against humanity and war crimes committed in East Timor during the vote for independence in 1999 is crucial for peace, reconciliation, and the ongoing nation-building process in East Timor and Indonesia;

(3) finds that the ad hoc Human Rights Court on East Timor established by the Indonesian Government in 2001 has inadequately brought to justice the perpetrators of these crimes as eleven of fourteen defendants have been acquitted as a result of poor indictments and the absence of an adequate witness protection program, and four of the five sentences imposed have been less than the minimum allowed under the Indonesian Human Rights Law;

(4) supports the work of the Joint United Nations-East Timor Serious Crimes Unit (SCU), which filed indictments against high-ranking Indonesian officers who were allegedly involved in the crimes, including Gen. Wiranto, Maj. Gen. Kiki Syahnakri, Maj. Gen. Zacky Anwar Makarim, Maj. Gen. Adam Damiri, Col. Suratman, Col. Noer Muis, Col. Yayat Sudrajat and former Governor Abilio Soares, and expresses its strong disappointment that the Indonesian Government has stated its intention to ignore the indictments;

(5) calls on the State Department and the United States Mission to the United Nations to push for a comprehensive United Nations review of the Indonesian ad hoc Human Rights Court on East Timor, including a review of the conduct of trials, the indictment strategy by the prosecutors and its adherence to the international standards, and urges the State Department to consider alternative mechanisms of justice for East Timor, including the establishment of an ad hoc international tribunal; and

(6) urges the Indonesian Government to fully cooperate with the joint United Nations-East Timor Serious Crimes Unit (SCU) and encourages the United States to urge the Indonesian Government to fully cooperate with the SCU.

SEC. 722. SENSE OF CONGRESS CONCERNING HUMAN RIGHTS AND JUSTICE IN INDONESIA.

The Congress—

(1) notes with grave concern that members of the Indonesian security forces, particularly the Army Special Forces (Kopassus) and the Police Mobile Brigade (Brimob), continue to commit many serious human rights violations, including extrajudicial killings, torture, rape, and arbitrary detention, particularly in areas of conflict such as Aceh, Papua, the Moluccas, and Central Sulawesi;

(2) notes with grave concern that the Government of Indonesia largely fails to hold soldiers and police accountable for extrajudicial killings and other serious human rights abuses, both past and present;

(3) condemns the intimidation and harassment of human rights and civil society organizations and activists by members of Indonesian security forces and by military-backed militia groups, particularly in Aceh and Papua;

(4) notes with concern the Indonesian military's resistance to civilian control and oversight, its lack of budgetary transparency, and its continuing emphasis on internal security within Indonesia;

(5) urges the Indonesian government and military to provide full, active, and unfettered cooperation with the investigation of the Federal Bureau of Investigation of the United States Department of Justice into the August 31, 2002 attack near Timika, Papua, which killed three people (including two Americans, Rick Spier and Ted Burgon), and injured 12 others, and which appears likely to have been perpetrated at least in part by members of the Indonesian military;

(6) commends the December 2002 signing of the Framework Agreement on Cessation of Hostilities in Aceh, but condemns the recent outbreaks of violence and militia activity that appear calculated to subvert that cease-fire agreement;

(7) notes with grave concern the continued detention of Muhammad Nazar, and the fact that those responsible for the murders of other prominent members of civil society in Aceh, such as Jafar Siddiq Hamzah, Sukardi, Sulaiman Ahmad, Tengku Safwan Idris, Nashiruddin Daud, and Zaini Sulaiman, still have not been apprehended, prosecuted, or punished;

(8) commends the ''Zone of Peace'' initiative in Papua, which has brought together civic, religious, governmental, and police representatives to discuss productive means of avoiding conflict, but expresses concern at the refusal of the Indonesian military to participate in that effort; and

(9) encourages the Government of Indonesia to expedite the reunification of separated East Timorese children with their families, and to hold legally accountable those individuals and organizations responsible for taking those children and for obstructing reunification efforts.

SEC. 723. AMENDMENT TO THE INTERNATIONAL RELIGIOUS FREEDOM ACT OF 1998.

Section 207(a) of the International Religious Freedom Act of 1998 (22 U.S.C. 6435(a)) is amended by inserting ''and for each subsequent fiscal year'' after ''2003''.

SEC. 724. SENSE OF CONGRESS WITH RESPECT TO HUMAN RIGHTS IN CENTRAL ASIA.

(a) FINDINGS.—The Congress makes the following findings:

(1) The Central Asian nations of Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan are providing the United States with assistance in the war in Afghanistan, from military basing and overflight rights to the facilitation of humanitarian relief.

(2) In turn, the United States victory over the Taliban in Afghanistan provides important benefits to the Central Asian nations by removing a regime that threatened their security and by significantly weakening the Islamic Movement of Uzbekistan, a terrorist organization that had previously staged armed raids from Afghanistan into the region.

(3) The United States has consistently urged the nations of Central Asia to open their political systems and economies and to respect human rights, both before and since the attacks of September 11, 2001.

(4) Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan are members of the United Nations and the Organization for Security and Cooperation in Europe (OSCE), both of which confer a range of obligations with respect to human rights on their members.

(5) While the United States recognizes marked differences among the social structures and commitments to democratic and economic reform of the Central Asian nations, the United States notes nevertheless, according to the State Department Country Reports on Human Rights Practices, that all five governments of such nations, to differing degrees, restrict freedom of speech and association, restrict or ban the activities of human rights organizations and other nongovernmental organizations, harass or prohibit independent media, imprison political opponents, practice arbitrary detention and arrest, and engage in torture and extrajudicial executions.

(6) By continuing to suppress human rights and to deny citizens peaceful, democratic means of expressing their convictions, the nations of Central Asia risk fueling popular support for violent and extremist movements, thus undermining the goals of the war on terrorism.

(7) President George W. Bush has made the defense of human dignity, the rule of law, limits on the power of the state, respect for women and private property, free speech, equal justice, religious tolerance strategic goals of United States foreign policy in the Islamic world, arguing that ''a truly strong nation will permit legal avenues of dissent for all groups that pursue their aspirations without violence''.

(8) Congress has expressed its desire to see deeper reform in Central Asia in past resolutions and other legislation, most recently conditioning assistance to Uzbekistan and Kazakhstan on their progress in meeting commitments to the United States on human rights and democracy.

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

(1) the governments of Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan should accelerate democratic reforms and fulfill their human rights obligations, including, where appropriate, by—

(A) releasing from prison anyone jailed for peaceful political activism or the nonviolent expression of their political or religious beliefs;

(B) fully investigating any credible allegations of torture and prosecuting those responsible;

(C) permitting the free and unfettered functioning of independent media outlets, independent political parties, and nongovernmental organizations, including by easing registration processes;

(D) permitting the free exercise of religious beliefs and ceasing the persecution of members of religious groups and denominations that do not engage in violence or political change through violence;

(E) holding free, competitive, and fair elections; and

(F) making publicly available documentation of their revenues and punishing those engaged in official corruption;

(2) the President, the Secretary of State, and the Secretary of Defense should—

(A) continue to raise at the highest levels with the governments of the nations of Central Asia specific cases of political and religious persecution, and to urge greater respect for human rights and democratic freedoms at every diplomatic opportunity;

(B) take progress in meeting the goals specified in paragraph (1) into account when determining the scope and nature of United States diplomatic and military relations and assistance with each of such governments;

(C) ensure that the provisions of foreign operations appropriations Acts are fully implemented to ensure that no United States assistance benefits security forces in Central Asia that are implicated in violations of human rights;

(D) press the Government of Turkmenistan to implement the helpful recommendations contained in the 2003 resolution on Turkmenistan of the United Nations Commission on Human Rights and the so-called ''Moscow Mechanism'' Report of the Organization for Security and Cooperation in Europe (OSCE), respect the right of all prisoners to due process and a fair trial and release democratic activists and their family members from prison;

(E) urge the Government of Russia not to extradite to Turkmenistan members of the political opposition of Turkmenistan;

(F) work with the Government of Kazakhstan to create a political climate free of intimidation and harassment, including releasing political prisoners and permitting the return of political exiles, and to reduce official corruption, including by urging the Government of Kazakhstan to cooperate with the ongoing United States Department of Justice investigation;

(G) support through United States assistance programs individuals, nongovernmental organizations, and media outlets in Central Asia working to build more open societies, to support the victims of human rights abuses, and to expose official corruption; and

(H) press the Government of Uzbekistan to implement fully the recommendations made to the Government of Uzbekistan by the United Nations' Special Rapporteur on Torture; and

(3) increased levels of United States assistance to the governments of the nations of Central Asia made possible by their cooperation in the war in Afghanistan can be sustained only if there is substantial and continuing progress toward meeting the goals specified in paragraph (1).

SEC. 725. TECHNICAL CORRECTION TO AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 2003 FOR CENTER FOR CULTURAL AND TECHNICAL INTERCHANGE BETWEEN EAST AND WEST.

Section 112(3) of the Foreign Relations Authorization Act, Fiscal Year 2003 (116 Stat. 1358; Public Law 107–228) is amended by striking ''$15,000,000'' and inserting ''$18,000,000''.

SEC. 726. UNDER SECRETARY OF COMMERCE FOR INDUSTRY AND SECURITY.

(a) UNDER SECRETARY.—There shall be in the Department of Commerce an Under Secretary of Commerce for Industry and Security who shall serve as the head of the Bureau of Industry and Security and perform such duties as the Secretary of Commerce shall prescribe. The Under Secretary of Commerce for Industry and Security shall be appointed by the President by and with the advice and consent of the Senate.

(b) INCUMBENT.—The individual serving on the date of the enactment of this Act as the Under Secretary of Commerce for Export Administration shall serve as the Under Secretary of Commerce for Industry and Security until such time as a successor is appointed under subsection (a).

(c) COMPENSATION.—Section 5314 of title 5, United States Code, is amended by striking ''Under Secretary of Commerce for Export Administration'' and inserting ''Under Secretary of Commerce for Industry and Security''.

(d) CONFORMING AMENDMENTS.—Section 15(a) of the Export Administration Act of 1979 (50 U.S.C. App. 2414(a)) is amended—

(1) by striking the first sentence; and

(2) in the second sentence, by striking ''in carrying out such functions'' and inserting ''of Commerce for Industry and Security in carrying out the functions of the Under Secretary''.

SEC. 727. CONCERNING THE SPREAD OF WEAPONS OF MASS DESTRUCTION.

(a) FINDINGS.—The Congress makes the following findings:

(1) The proliferation of weapons of mass destruction presents a direct threat to the stability, security, and safety of nations around the globe.

(2) Combatting the spread of such weapons is a responsibility borne by all nations.

(3) United States efforts to stop the further spread of these weapons can be further enhanced by cooperative efforts between the United States and the European Union.

(4) There are many different components in this effort that require a comprehensive approach, immediate attention, and vigorous action, including the ''10+10 over 10 Initiative'' agreed to by the United States and many members of the European Union.

(5) Stopping the spread of weapons of mass destruction is made more difficult when states willingly participate in, or contribute to, their development or their sale or transfer to other nations.

(6) Stopping the spread of weapons of mass destruction is made more difficult when private companies willingly participate in, or contribute to, their development or their sale or transfer to other nations.

(7) United States security and safety is undermined when companies engage in such commerce.

(b) SENSE OF CONGRESS.—The Congress call on the European Union to—

(1) develop an aggressive and robust regulatory system designed to—

(A) investigate allegations of companies contributing to the development of weapons of mass destruction or their sale or transfer to other nations;

(B) isolate and comdemn companies found to participate in, or contribute to, the development of such weapons or their sale or transfer to other nations; and

(C) develop a punitive response designed to punish such companies, thereby preventing further actions on their part and discouraging other companies from engaging in such actions;

(2) condemn, by name, states known to be contributing to the development or spread of weapons of mass destruction; and

(3) develop appropriate punitive measures designed to discourage further actions.

SEC. 728. INTERNATIONAL AGRICULTURAL BIOTECHNOLOGY INFORMATION PROGRAM.

(a) IN GENERAL.—The Department of State shall provide to other countries, as appropriate, the scientific evidence on the benefits, safety, and potential uses of agricultural biotechnology.

(b) SPECIFIC OBJECTIVES.—The Secretary of State shall—

(1) chair an interagency task force comprised of representatives of the Department of Commerce, the Department of Agriculture, and the United States Agency for International Development to develop and disseminate accurate written scientific information on the potential benefits of agricultural biotechnology for human and animal nutrition, the environment, food and feed production, agricultural sustainability, and bioenergy development;

(2) coordinate the development and dissemination of scientifically-based facts regarding, the safety and regulation of biotechnology-derived food and feed products;

(3) instruct the United States Agency for International Development (USAID) to develop a program to demonstrate the potential benefits of agricultural biotechnology to develop products that can be grown under local soil and climate conditions and better meet the health and nutritional needs of local populations in the developing world; and

(4) ensure that personnel undertaking these activities are knowledgeable of, and disseminate information on, the United States regulatory safeguards that assure food and environmental safety.

SEC. 729. REFUGEE RESETTLEMENT BURDENSHARING.

It is the sense of the Congress that—

(1) the Secretary of State should actively encourage the international community to accept refugees for resettlement on a more equitable basis;

(2) the Secretary of State should raise the issue of refugee resettlement burdensharing at the United Nations and other multilateral and bilateral meetings;

(3) developed countries should be encouraged to increase the percentage of the world's refugees accepted for resettlement; and

(4) the Secretary of State should encourage developing stable countries in regions with refugee flows to accept for resettlement as many of their neighbors as possible.

SEC. 730. SENSE OF CONGRESS ON CLIMATE CHANGE.

(a) FINDINGS.—The Congress makes the following findings:

(1) Evidence continues to build that increases in atmospheric concentrations of manmade greenhouse gases are contributing to global climate change.

(2) The Intergovernmental Panel on Climate Change (in this section referred to as the ''IPCC'') has concluded that ''there is new and stronger evidence that most of the warming observed over the last 50 years is attributable to human activities'' and that the Earth's average temperature can be expected to rise between 2.5 and 10.4 degrees Fahrenheit in this century.

(3) The National Academy of Sciences confirmed the findings of the IPCC, stating that ''the IPCC's conclusion that most of the observed warming of the last 50 years is likely to have been due to the increase of greenhouse gas concentrations accurately reflects the current thinking of the scientific community on this issue'' and that ''there is general agreement that the observed warming is real and particularly strong within the past twenty years''. The National Academy of Sciences also noted that ''because there is considerable uncertainty in current understanding of how the climate system varies naturally and reacts to emissions of greenhouse gases and aerosols, current estimates of the magnitude of future warming should be regarded as tentative and subject to future adjustments upward or downward''.

(4) The IPCC has stated that in the last 40 years, the global average sea level has risen, ocean heat content has increased, and snow cover and ice extent have decreased, which threatens to inundate low-lying island nations and coastal regions throughout the world.

(5) In October 2000, a report of the United States interagency Global Change Research Program found that global climate change may harm the United States by altering crop yields, accelerating sea-level rise, and increasing the spread of tropical infectious diseases.

(6) In 1992, the United States ratified the United Nations Framework Convention on Climate Change (in this section referred to as the ''UNFCCC''), the ultimate objective of which is the ''stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system. Such a level should be achieved within a time-frame sufficient to allow ecosystems to adapt naturally to climate change, to ensure that food production is not threatened and to enable economic development to proceed in a sustainable manner''.

(7) The UNFCCC stated in part that the Parties to the UNFCCC are to implement policies ''with the aim of returning . . . to their 1990 levels anthropogenic emissions of carbon dioxide and other greenhouse gases'' under the principle that ''policies and measures . . . should be appropriate for the specific conditions of each Party and should be integrated with national development programmes, taking into account that economic development is essential for adopting measures to address climate change''.

(8) There is a shared international responsibility to address this problem, as industrial nations are the largest historic and current emitters of greenhouse gases and developing nations' emissions will significantly increase in the future.

(9) The UNFCCC further stated that ''developed country Parties should take the lead in combating climate change and the adverse effects thereof'', as these nations are the largest historic and current emitters of greenhouse gases. The UNFCCC also stated that ''steps required to understand and address climate change will be environmentally, socially and economically most effective if they are based on relevant scientific, technical and economic considerations and continually re-evaluated in the light of new findings in these areas''.

(10) Any future, binding treaty on climate change must not result in serious harm to the United States economy, and should not cause the United States to abandon its shared responsibility to help reduce the risks of climate change and its impacts. Future international efforts in this regard should focus on recognizing the equitable responsibilities for addressing climate change by all nations, including commitments by the largest developing country emitters in a future, binding climate change treaty.

(11) While the United States has elected against becoming a party to the Kyoto Protocol to the UNFCCC at this time, it is the position of the United States that it will not interfere with the plans of any nation that chooses to ratify and implement the Kyoto Protocol.

(12) United States businesses need to know how governments worldwide will address the risks of climate change. By committing themselves to reducing their greenhouse gas emissions, leading companies in the United States and worldwide are doing more than addressing the problem of climate change—they are also improving their competitive positioning. More than 30 major corporations, most with operations in the United States, have specifically committed themselves to reducing their greenhouse gas emissions.

(13) The United States benefits from investments in the research, development, and deployment of a range of clean energy and efficiency technologies that can reduce the risks of climate change and its impacts and that can make the United States economy more productive, bolster energy security, create jobs, and protect the environment.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that the United States should demonstrate international leadership and responsibility in reducing the health, environmental, and economic risks posed by climate change by—

(1) taking responsible action to ensure significant and meaningful reductions in emissions of greenhouse gases from all sectors;

(2) creating flexible international and domestic mechanisms, including joint implementation, technology deployment, tradable credits for emissions reductions, and carbon sequestration projects that will reduce, avoid, and sequester greenhouse gas emissions;

(3) participating in international negotiations, including putting forth a proposal to the Conference of the Parties to the UNFCCC, with the objective of securing United States participation in a future binding treaty on climate change in a manner that protects the economic interests of the United States, is consistent with the environmental objectives of the UNFCCC, and recognizes the shared international responsibility for addressing climate change, including developing country participation; and

(4) establishing a bipartisan observer group of Members of the House of Representatives, designated by the chairman and ranking member of

the Committee on International Relations of the House of Representatives, to monitor any international negotiations on climate change.

SEC. 731. SENSE OF CONGRESS REGARDING MIGRATION ISSUES BETWEEN THE UNITED STATES AND MEXICO.

(a) FINDINGS.—The Congress finds as follows:

(1) During President Bush's first meeting with President Fox in Guanajuato, Mexico, the Presidents stated in the Joint Communique of February 16, 2001 that ''we are instructing our Governments to engage, at the earliest opportunity, in formal high level negotiations aimed at achieving short and long-term agreements that will allow us to constructively address migration and labor issues between our two countries.''.

(2) During President Fox's official visit to Washington, D.C., the Joint Statement of September 6, 2001, summarized the meeting as follows: ''The Presidents reviewed the progress made by our joint working group on migration chaired by Secretaries Powell, CastaZeda, and Creel and Attorney General Ashcroft and noted this represented the most fruitful and frank dialogue we have ever had on a subject so important to both nations. They praised implementation of the border safety initiative, and recognized that migration-related issues are deeply felt by our publics and vital to our prosperity, well-being, and the kind of societies we want to build. They renewed their commitment to forging new and realistic approaches to migration to ensure it is safe, orderly, legal and dignified, and agreed on the framework within which this ongoing effort is based. This includes: matching willing workers with willing employers; serving the social and economic needs of both countries; respecting the human dignity of all migrants, regardless of their status; recognizing the contribution migrants make to enriching both societies; shared responsibility for ensuring migration takes place through safe and legal channels. Both stressed their commitment to continue our discussions, instructing the high-level working group to reach mutually satisfactory results on border safety, a temporary worker program and the status of undocumented Mexicans in the United States. They requested that the working group provide them proposals with respect to these issues as soon as possible. The Presidents recognized that this is an extraordinarily challenging area of public policy, and that it is critical to address the issue in a timely manner and with appropriate thoroughness and depth.''.

(3) On September 7, 2001, during President Fox's historic State Visit to Washington, the United States and Mexico issued a joint statement instructing our cabinet-level working group to provide us with specific proposals to forge a new and realistic framework that will ensure a safe, legal, orderly, and dignified migration flow between our countries. We have today agreed that our Cabinet level migration group should continue the work we charged it with in Guanajuato and Washington.

(4) When the Presidents met in Monterrey, Mexico, the Presidents stated in a Joint Statement on March 22, 2002, as follows: ''Slightly more than one year ago, in Guanajuato, we talked about migration as one of the major ties that join our societies. We launched then the frankest and most productive dialogue our countries have ever had on this important and challenging subject. Those talks have continued over the past year, and have yielded a clearer assessment of the scope and nature of this issue. This bond between our nations can render countless benefits to our respective economies and families.

(5) Over the past year, important progress has been made to enhance migrant safety and particularly in saving lives by discouraging and reducing illegal crossings in dangerous terrain.

(6) At the conclusion of the Mexico-United States Binational Commission (BNC) meeting in Mexico City in November 2002, Secretary of State Powell's press conference was summarized by the State Department as follows: The BNC's migration working group ''affirmed our strong commitment to advancing our bilateral migration agenda,'' he stressed, adding that ''there should be no doubt in anyone's mind that this is a priority for President Bush, just as it is a priority for [Mexican] President [Vicente] Fox.''

(7) Secretary Powell said no schedule had been established for a migration accord, but he confirmed that the United States and Mexico want to come up with a series of migration initiatives over the course of the next six months to a year.

(8) Mexico's state-run oil monopoly, Petróleos Mexicanos (PEMEX), is inefficient, plagued by corruption, and in need of substantial reform and private investment in order to provide sufficient petroleum products to Mexico and the United States to fuel future economic growth which can help curb illegal migration into the United States.

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

(1) that the United States and Mexico should as soon as is practicable commence negotiations in an attempt to reach a migration accord that is as comprehensive as possible and which addresses the key issues of concern for both nations;

(2) that any accord on migration issues between the United States and Mexico should also include an accord to open Petróleos Mexicanos (PEMEX) to investment by U.S. oil companies and specific steps to reform PEMEX's operations to make them more transparent and efficient; and

(3) that as part of any migration agreement between the United States and Mexico, the issues of the extradition of violent criminals and law enforcement cooperation between the two nations be addressed.

SEC. 732. SENSE OF CONGRESS CONCERNING UNITED STATES ASSISTANCE TO PALESTINIAN REFUGEES.

The Congress—

(1) recognizes the importance of United States humanitarian assistance to Palestinian refugees as an essential component to the peace process in the Middle East;

(2) acknowledges the hardships endured by many innocent Palestinian refugees in the West Bank and Gaza Strip and in other neighboring countries;

(3) notes that the United Nations High Commission for Refugees (UNHCR) is the international body that seeks to find ''lasting solutions'' to the plight of refugees throughout the world, with the sole exception of the Palestinians, for whose exclusive benefit a special agency, the United Nations Relief and Works Agency (UNRWA), was established in 1950 and which makes no effort to permanently resettle Palestinian refugees, even those who reside under the jurisdiction of the Palestinian Authority, in order to ensure the perpetuation of the problem of Palestinian refugees;

(4) recognizes that the United States has been the world's leading donor to UNRWA, having provided over $2,500,000,000 to UNRWA since 1950, including the provision of $110,000,000, in fiscal year 2002, and that such organization has provided important humanitarian assistance to the Palestinian people;

(5) notes that the United States contribution to UNRWA is nearly 10 times that of the entire Arab world, and calls on Arab states to assume a greater share of the burden for financing UNWRA;

(6) expresses its outrage over credible reports that UNRWA facilities have been used for terrorist training and bases for terrorist operations, with little attempt by the UNRWA to stop or oppose such attacks or alert relevant law enforcement authorities about such terrorist activities;

(7) expresses deep concern over the textbooks and educational materials used in the UNRWA educational system that promote anti-Semitism, denial of the existence and the right to exist of the state of Israel, and exacerbate stereotypes and tensions between the Palestinians and Israelis;

(8) strongly urges the Secretary General of the United Nations to immediately take steps to comprehensively reform the UNRWA so that it actively works to oppose terrorist attacks and actively works to promote reconciliation and understanding between the Israelis and Palestinians;

(9) strongly urges UNRWA to meet the requirements, in letter and spirit, of section 301(c) of the Foreign Assistance Act of 1961, including by comprehensively ensuring that no UNRWA assistance is rendered to anyone who has been involved with terrorism at any time and that all UNRWA beneficiaries be informed at the earliest possible time, and at regular intervals thereafter, that anyone involved with terrorism thereafter will be ineligible for UNRWA benefits;

(10) strongly urges the Secretary of State to make UNRWA reforms a priority at the United Nations by actively campaigning within the United Nations to support such reforms, including comprehensive and independently verifiable audits of UNRWA activities and educational reform that would remove from the curriculum all textbooks and educational materials that promote hatred of Jews and Israel and denial of Israel's right to exist and replace them with teaching materials that promote Israeli-Palestinian reconciliation and mutual understanding; and

(11) notes the General Accounting Office (GAO) audit required by section 580 of the FY 2003 Foreign Operations Appropriations Act (Public Law 108–7), and strongly encourages the GAO to conduct, as part of this audit, an investigation and inspection of all recent United States assistance to UNRWA to ensure that taxpayer funds are being spent effectively and are not directly or indirectly supporting terrorism, anti-Semitic or anti-Jewish teachings, or the glorification or incitement of violence.

SEC. 733. UNITED STATES POLICY ON WORLD BANK GROUP LOANS TO IRAN.

(a) UNITED STATES POLICY.—The Secretary of State (or a designee), in consultation with the Secretary of the Treasury, shall communicate directly with the governments of countries represented on the decision-making boards and councils of the international financial institutions of the World Bank Group and consistently convey the strong opposition of the United States Government to any further activity in Iran by the international financial institutions of the World Bank Group.

(b) REPORTS.—Not later than 90 days after the date of the enactment of this Act and one year thereafter, the Secretary of State shall submit a report on the efforts of the Secretary to carry out subsection (a) to the chairman and ranking minority member of the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate.

(c) WORLD BANK GROUP DEFINED.—As used in this section, the term ''World Bank Group'' means the International Bank for Reconstruction and Development, the International Development Association, the International Financial Corporation, and the Multilateral Investment Guaranty Agency.

SEC. 734. SENSE OF CONGRESS RELATING TO SOVIET NUCLEAR TESTS IN KAZAKHSTAN.

(a) FINDINGS.—Congress finds the following:

(1) In 1991, immediately after achieving independence, Kazakhstan closed and sealed the world's second largest nuclear test site in Semipalatinsk which had been inherited from the former Soviet Union and at which more than 500 nuclear tests had been conducted from 1949 to 1991.

(2) The cumulative power of explosions from those tests, conducted above ground, on the ground, and underground is believed to be equal to the power of 20,000 explosions of the type of bomb dropped on Hiroshima, Japan, in 1945.

(3) More than 1,500,000 people in Kazakhstan suffered because of decades of Soviet nuclear weapons testing in the region.

(4) A horrifying array of disease will continue to destroy the lives of hundreds of thousands and their descendants for many generations to come as a result of these tests.

(5) Since its independence, Kazakhstan has constructed a stable and peaceful state, voluntarily disarmed the world's fourth largest nuclear arsenal, joined the Strategic Arms Reduction Treaty (START), and became an example of responsible nonproliferation of such weapons.

(6) Kazakhstan is also doing its best to help those who were exposed to the horrific nuclear experiments of the 20th century but it faces daunting challenges.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of State should work to establish a joint working group with the Government of Kazakhstan to assist in assessing the environmental damage and health effects caused by Soviet nuclear testing in Semipalatinsk.

SEC. 735. SENSE OF CONGRESS RELATING TO VIOLENCE AGAINST WOMEN.

The Congress—

(1) recalls that Article 4 of the United Nations Declaration on the Elimination of Violence Against Women (20 December 1993) outlines that states should condemn violence against women and should not invoke any custom, tradition, or religious consideration to avoid their obligations with respect to its elimination;

(2) recalls that Chapter 4, Section 125, of the Beijing Declaration and Platform for Action, Fourth World Conference on Women (15 September 1995) states that governments condemn violence against women and refrain from invoking any custom, tradition, or religious consideration to avoid their obligations with respect to its elimination as set out in the Declaration on the Elimination of Violence against Women;

(3) recalls that the United States has supported both the United Nations Declaration on the Elimination of Violence and the Beijing Declaration and Platform for Action; and

(4) reinforces the position of the United States that the United States condemns violence against women and refrains from invoking any custom, tradition, or religious consideration to avoid this nation's obligations with respect to its elimination as set out in the Declaration on the Elimination of Violence against Women.

DIVISION B—DEFENSE TRADE AND SECURITY ASSISTANCE REFORM ACT OF 2003

TITLE X—GENERAL PROVISIONS

SEC. 1001. SHORT TITLE.

This division may be cited as the ''Defense Trade and Security Assistance Reform Act of 2003''.

SEC. 1002. DEFINITIONS.

Except as otherwise provided, in this division:

(1) DEFENSE ARTICLES.—The term ''defense articles'' has the meaning given the term in section 47(7)(A) of the Arms Export Control Act (as amended by section 1107(d) of this Act).

(2) DEFENSE SERVICES.—The term ''defense services'' has the meaning given the term in section 47(7)(B) of the Arms Export Control Act (as amended by section 1107(d) of this Act).

(3) DUAL USE.—The term ''dual use'' means, with respect to goods or technology, those goods or technology that are specifically designed or developed for civil purposes but which also may be used or deployed in a military mode.

(4) EXPORT ADMINISTRATION REGULATIONS.—The term ''Export Administration Regulations'' means those regulations contained in sections 730–774 of title 15, Code of Federal Regulations (or successor regulations).

(5) GOOD.—The term ''good'' has the meaning given the term in section 16(3) of the Export Administration Act of 1979 (50 U.S.C. App. 2415(3)).

(6) INTERNATIONAL TRAFFIC IN ARMS REGULATIONS.—The term ''International Traffic in Arms Regulations'' means those regulations contained in sections 120–130 of title 22, Code of Federal Regulations (or successor regulations).

(7) MISSILE TECHNOLOGY CONTROL REGIME; MTCR.—The term ''Missile Technology Control Regime'' or ''MTCR'' has the meaning given the term in section 11B(c)(2) of the Export Administration Act of 1979 (50 U.S.C. App. 2401b(c)(2)).

(8) MISSILE TECHNOLOGY CONTROL REGIME ANNEX; MTCR ANNEX.—The term ''Missile Technology Control Regime Annex'' or ''MTCR Annex'' has the meaning given the term in section 11B(c)(4) of the Export Administration Act of 1979 (50 U.S.C. App. 2401b(c)(4)).

(9) OPERATION IRAQI FREEDOM.—The term ''Operation Iraqi Freedom'' means operations of United States Armed Forces, the armed forces of the United Kingdom, and the armed forces of other coalition member countries initiated on or about March 19, 2003—

(A) to disarm Iraq of its weapons of mass destruction;

(B) to enforce United Nations Security Council Resolution 1441 (November 8, 2002) and other relevant Security Council resolutions with respect to Iraq; and

(C) to liberate the people of Iraq from the regime of Saddam Hussein.

(10) TECHNOLOGY.—The term ''technology'' has the meaning given the term in section 16(4) of the Export Administration Act of 1979 (50 U.S.C. App. 2415(4)).

SEC. 1003. REFERENCES TO ARMS EXPORT CONTROL ACT.

Except as otherwise specifically provided, whenever in this division an amendment is expressed in terms of an amendment to a section or other provision, the reference shall be considered to be made to that section or other provision of the Arms Export Control Act (22 U.S.C. 2751 et seq.).

TITLE XI—TERRORIST-RELATED PROHIBITIONS AND ENFORCEMENT MEASURES

SEC. 1101. ELIGIBILITY PROVISIONS.

(a) INELIGIBILITY FOR TERRORIST RELATED TRANSACTIONS.—Section 3(c)(1) (22 U.S.C. 2753(c)(1)) is amended—

(1) in each of subparagraphs (A) and (B), by striking ''or any predecessor Act,'' and inserting '', any predecessor Act, or licensed or approved under section 38 of this Act, to carry out a transaction with a country, the government of which the Secretary of State has determined is a state sponsor of international terrorism for purposes of section 6(j)(1) of the Export Administration Act of 1979 (50 U.S.C. App. 2405(j)(1)), or otherwise uses such defense articles or defense services''; and

(2) by adding at the end the following:

''(C) In this section, the term 'transaction' means the taking of any action, directly or indirectly, by a foreign country that would be a transaction prohibited by section 40 of this Act with respect to the United States Government and United States persons.''.

(b) REPORTING REQUIREMENT.—Section 3(e) (22 U.S.C. 2753(e)) is amended by inserting after ''the Foreign Assistance Act of 1961,'' the following: ''regardless of whether the article or service has been sold or otherwise furnished by the United States Government or licensed under section 38 of this Act,''.

SEC. 1102. WEAPONS TRANSFERS TO FOREIGN PERSONS IN THE UNITED STATES.

Section 38(a)(1) (22 U.S.C. 2778(a)(1)) is amended in the first sentence by inserting after ''import and the export of defense articles and defense services'' the following: '', or the transfer of such articles, other than firearms (or ammunition, components, parts, accessories, or attachments for firearms), and services within the United States to foreign persons,''.

SEC. 1103. COORDINATION OF LICENSE EXEMPTIONS WITH UNITED STATES LAW ENFORCEMENT AGENCIES.

(a) SENSE OF CONGRESS.—In view of the historic difficulties in the enforcement of the Arms Export Control Act (22 U.S.C. 2751 et seq.) associated with violations involving exports of defense articles and defense services that have been exempted by regulation from the licensing requirements of section 38 of such Act, it is the sense of Congress that the establishment of new exemptions by regulation should only be undertaken after careful coordination with the appropriate United States law enforcement agencies.

(b) AMENDMENT.—Section 38(b)(2) (22 U.S.C. 2778(b)(2)) is amended by adding at the end the following new sentences: ''In promulgating regulations under subsection (a)(1) in accordance with the preceding sentence, any provision in such regulations that permits the export of defense articles or defense services without a license shall include a determination by the Attorney General, in consultation with the Secretary of Homeland Security and the Director of the Federal Bureau of Investigation, that the compilation and maintenance of sufficient documentation relating to the export without a license of the articles or services is ensured, notwithstanding the absence of a license, to facilitate law enforcement efforts to detect, prevent, and prosecute criminal violations of any provision of this section, section 39, or section 40 of this Act, including the efforts on the part of countries and factions engaged in international terrorism to illicitly acquire defense articles and defense services. No defense article or defense service designated by the President under subsection (a)(1) may be exported without a license pursuant to a regulation under subsection (a)(1) that is promulgated on or after January 1, 2003, until 30 days after the date on which the President provides notice of the proposed regulation to the Committee on International Relations of the House of Representatives and to the Committee on Foreign Relations of the Senate in accordance with the procedures applicable to reprogramming notifications under section 634A(a) of the Foreign Assistance Act of 1961, including a description of the criteria that would be used to permit the export of the article or service and any measures to facilitate law enforcement efforts associated with the Attorney General's determination required by the preceding sentence.''.

SEC. 1104. MECHANISMS TO IDENTIFY PERSONS IN VIOLATION OF CERTAIN PROVISIONS OF LAW.

Section 38(g)(1)(A) (22 U.S.C. 2778(g)(1)(A)) is amended—

(1) in clause (iii)—

(A) by striking ''or section 2339A'' and inserting '', section 2339A''; and

(B) by inserting at the end before the comma the following: '', or section 2339C of such title (relating to financing terrorism)'';

(2) in clause (x), by striking ''or'' at the end;

(3) in clause (xi), by striking the semicolon at the end and inserting a comma; and

(4) by adding at the end the following:

''(xii) subclause (I) or (II) of section 1956(c)(7)(B)(v) of title 18, United States Code;

''(xiii) section 329 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT ACT) Act of 2001;

''(xiv) section 5332 of title 31, United States Code;

''(xv) section 1960 of title 18, United States Code;

''(xvi) section 175(b), 175b, 1993, 2339 of title 18, United States Code;

''(xvii) section 2332a, 2332b, or 2332f of title 18, United States Code; or

''(xviii) section 175 of title 18, United States Code;''.

SEC. 1105. COMPREHENSIVE NATURE OF UNITED STATES ARMS EMBARGOES.

(a) FINDINGS; SENSE OF CONGRESS.—

(1) FINDINGS.—Congress finds that—

(A) governments to which the United States Government prohibits by law or policy the

transfer of implements of war, including material, components, parts, and other defense articles and defense services (as defined in paragraphs (3) and (4) of section 47 of the Arms Export Control Act, respectively) continue to seek to evade these embargoes through increasingly sophisticated illegal acquisitions via the ''international gray arms market'' and by seeking to exploit weaknesses in the export control system of the United States and its friends and allies; and

(B) the strict and comprehensive application of arms embargoes referred to in subparagraph (A) including those embargoes established by the United Nations Security Council is of fundamental importance to the security and foreign policy interests of the United States.

(2) SENSE OF CONGRESS.—It is the sense of Congress that the United States Government should continue to provide a leadership role internationally in ensuring the effectiveness of arms embargoes referred to in paragraph (1).

(b) SCOPE OF EMBARGOES.—Section 38 (22 U.S.C. 2778) is amended by adding at the end the following:

''(k) Whenever the United States maintains an arms embargo pursuant to United States law, or through public notice by the President or Secretary of State pursuant to the authorities of this Act, no defense article or defense service subject to sections 120–130 of title 22, Code of Federal Regulations (commonly known as the 'International Traffic in Arms Regulations') and no dual use good or technology subject to sections 730–774 of title 15, Code of Federal Regulations (commonly known as the 'Export Administration Regulations') shall be sold or transferred to the military, police, or intelligence services of the embargoed government, including any associated governmental agency, subdivision, entity, or other person acting on their behalf, unless, at a minimum and without prejudice to any additional requirements established in United States law or regulation, the Secretary of State and the Secretary of Defense have concurred in the sale or transfer through issuance of a license.''.

(c) ESTABLISHMENT OF CONTROLS.—The Secretary shall consult with the Secretary of Commerce to ensure the establishment of appropriate foreign policy and national security controls and license requirements under the Export Administration Regulations in order to ensure the effective implementation of section 38(k) of the Arms Export Control Act, as added by subsection (b).

(d) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report that describes the actions taken to implement the requirements of subsection (c).

SEC. 1106. TRANSACTIONS WITH COUNTRIES SUPPORTING ACTS OF INTERNATIONAL TERRORISM.

Section 40(l)(1) (22 U.S.C. 2780(l)(1)) is amended by striking ''any item enumerated on the United States Munitions List'' and inserting ''a defense article or defense service (as defined in subparagraph (A) or (B) of section 47(7), respectively), an item enumerated on the United States Munitions List (as designated by the President pursuant to section 38(a)), or any other activity for which a license or other approval is required pursuant to the regulations promulgated under subsection (a)(1)''.

SEC. 1107. AMENDMENTS TO CONTROL OF ARMS EXPORTS AND IMPORTS.

(a) REVISION OF STANDARD FOR VIOLATION; AMOUNT OF PENALTIES.—Section 38(c) (22 U.S.C. 2778(c)) is amended—

(1) by striking ''willfully'' each place it appears and inserting ''knowingly'';

(2) by striking ''this section or section 39'' and inserting ''this section, section 39, or section 40''; and

(3) by striking ''$1,000,000'' and inserting ''$1,000,000 (in the case of a violation of this section or section 39), $2,000,000 (in the case of a violation involving any country covered by section 40), and $1,500,000 (in the case of a violation involving any country other than a country covered by section 40 that is subject by United States law or policy to an arms embargo)''.

(b) CIVIL PENALTIES.—Section 38(e) (22 U.S.C. 2778(e)) is amended in the third sentence by striking ''under this section may not exceed $500,000'' and inserting ''or any other activities subject to control under this section, section 39, or section 40, may not exceed $500,000 for each violation of section 38 or section 39, $1,000,000 for each violation involving any country covered by section 40, and $750,000 for each violation relating to an arms embargo (other than a violation covered by section 40)''.

(c) REVISION OF STANDARD FOR VIOLATION; CRIMINAL PENALTY; CIVIL PENALTIES; ENFORCEMENT.—Section 40 (22 U.S.C. 2780) is amended—

(1) in subsection (j)—

(A) by striking ''willfully'' and inserting ''knowingly''; and

(B) by striking ''$1,000,000'' and inserting ''$2,000,000''; and

(2) in subsection (k), by striking ''$500,000'' and inserting ''$1,000,000''.

(d) DEFINITIONS.—Section 47(7) (22 U.S.C. 2794(7)) is amended to read as follows:

''(7)(A) 'defense articles', with respect to exports subject to sections 38, 39, and 40 of this Act, has the meaning given such term in sections 120–130 of title 22, Code of Federal Regulations (commonly known as the 'International Traffic in Arms Regulations'), as such regulations were in effect on January 1, 2003, and includes such additional articles as may be designated by the President under section 38(a)(1); and

''(B) 'defense services', with respect to exports subject to sections 38, 39, and 40 of this Act, has the meaning given such term in sections 120–130 of title 22, Code of Federal Regulations (commonly known as the 'International Traffic in Arms Regulations'), as such regulations were in effect on January 1, 2003, and includes—

''(i) the provision of assistance (including aiding, abetting, or training) to foreign persons; and

''(ii) such other activities as may be designated by the President pursuant to section 38(a)(1).''.

SEC. 1108. HIGH RISK EXPORTS AND END USE VERIFICATION.

Section 38(g)(7) (22 U.S.C. 2778) is amended by adding at the end the following new sentence: ''Such standards shall be coordinated biennially with the Secretary of Homeland Security, the Attorney General, the Director of the Federal Bureau of Investigation, the Director of Central Intelligence, and the heads of other Federal departments or agencies, as appropriate.''.

SEC. 1109. CONCURRENT JURISDICTION OF THE FEDERAL BUREAU OF INVESTIGATION.

(a) SENSE OF CONGRESS.—It is the sense of Congress that, in view of the responsibilities of the Federal Bureau of Investigation for protecting the United States against terrorist attack, foreign intelligence operations, high technology crimes, and transnational criminal organizations and enterprises, the Federal Bureau of Investigation should be provided authority to investigate and enforce violations of the Arms Export Control Act without adversely affecting the existing authority of the Bureau of Customs and Border Protection of the Department of Homeland Security.

(b) COPY OF REGISTRATION.—Section 38(b)(1) (22 U.S.C. 2778(b)) is amended—

(1) by redesignating the second subparagraph (B) as subparagraph (C); and

(2) in subparagraph (B)—

(A) in the first sentence, by inserting ''and the Director of the Federal Bureau of Investigation'' after ''Secretary of Treasury''; and

(B) in the second sentence, by inserting ''and the Director'' after ''The Secretary''.

(c) JURISDICTION OF FBI AND BUREAU OF CUSTOMS.—Section 38(e) (22 U.S.C. 2778(e)) is amended in the first sentence by adding at the end before the period the following: '', and except further, that the Federal Bureau of Investigation and the Bureau of Customs and Border Protection of the Department of Homeland Security shall have concurrent jurisdiction for criminal violations and enforcement of this Act''.

(d) MECHANISMS TO IDENTIFY PERSONS IN VIOLATION OF CERTAIN PROVISIONS OF LAW.—Section 38(g) (22 U.S.C. 2778(g)) is amended in the second sentence of paragraph (3), in paragraph (4), and in paragraph (8) by inserting ''and the Director of the Federal Bureau of Investigation'' after ''Secretary of Treasury''.

SEC. 1110. REPORT ON FOREIGN-SUPPLIED DEFENSE ARTICLES, DEFENSE SERVICES, AND DUAL USE GOODS AND TECHNOLOGY DISCOVERED IN IRAQ.

(a) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and on annual basis thereafter as appropriate, the President shall prepare and transmit to the congressional committees specified in paragraph (2) a written report on foreign-supplied defense articles, defense services, and dual use goods and technology supplied to Iraq since the adoption of United Nations Security Council Resolution 687 (April 3, 1991) and discovered in Iraq since the inception of Operation Iraqi Freedom or identified as having been in Iraq at any time since April 3, 1991, and not destroyed or otherwise accounted for by the United Nations Special Commission (UNSCOM) or the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC).

(2) CONGRESSIONAL COMMITTEES SPECIFIED.—The congressional committees referred to in paragraph (1) are—

(A) the Committee on International Relations and the Committee on Armed Services of the House of Representatives; and

(B) the Committee on Foreign Relations and the Committee on Armed Services of the Senate.

(b) CONTENTS.—The report required by subsection (a) shall include information on defense articles, defense services, and dual use goods and technology discovered in accordance with such subsection, including a description of such articles, services, and goods and technology by category or type, quantity, country of origin (if known), manufacturer (if known), date of acquisition (if known), and, in the case of dual use goods and technology, the use or intended use or deployment (if known) and whether the goods or technology are covered by any arms control agreement or nonproliferation arrangement to which the United States is a party.

(c) FORM.—The report required by subsection (a) shall be transmitted in unclassified form to the maximum extent practicable, but may contain a classified annex if necessary.

TITLE XII—STRENGTHENING MUNITIONS EXPORT CONTROLS

SEC. 1201. CONTROL OF ITEMS ON MISSILE TECHNOLOGY CONTROL REGIME ANNEX.

(a) SENSE OF CONGRESS.—It is the sense of Congress that all proposals to export or transfer to foreign persons by other means, whether in the United States or abroad, and any other activities subject to regulation under section 38, 39, or 40 of the Arms Export Control Act, relating to items on the Missile Technology Control Regime Annex, should be accorded stringent control and scrutiny consistent with the purposes of section 71 of the Arms Export Control Act (22 U.S.C. 2797).

(b) CONTROL OF ITEMS ON MTCR ANNEX.—The Secretary, in coordination with the Secretary of Commerce, the Attorney General, and the Secretary of Defense, shall ensure that all items on the MTCR Annex are subject to stringent control by the United States Government pursuant to the International Traffic in Arms Regulations and the Export Administration Regulations.

(c) CERTIFICATION.—Not later than March 1 of each year, the Secretary, in coordination with the Secretary of Commerce, the Attorney General and the Secretary of Defense, shall prepare and submit to the appropriate congressional committees a report that contains—

(1) a certification that the requirement of subsection (b) has been met for the prior year, or if the requirement has not been met, the reasons therefor; and

(2) a description of the updated coverage, if any, of the regulations referred to in subsection (b) with respect to all items on the MTCR Annex and an explanation of any areas of overlap or omissions, if any, among the regulations.

SEC. 1202. CERTIFICATIONS RELATING TO EXPORT OF CERTAIN DEFENSE ARTICLES AND SERVICES.

Section 36(c) (22 U.S.C. 2776(c)) is amended—

(1) in the first sentence of paragraph (1), by inserting after ''$1,000,000 or more'' the following: '', or, notwithstanding section 27(g) of this Act, for any special comprehensive authorization under sections 120–130 of title 22, Code of Federal Regulations (commonly known as the 'International Traffic in Arms Regulations') for the export of defense articles or defense services in an aggregate amount of $100,000,000 or more'';

(2) in paragraph (2)—

(A) by striking subparagraph (B); and

(B) by redesignating subparagraph (C) as subparagraph (B); and

(3) in the matter preceding subparagraph (A) of paragraph (5), by inserting ''or paragraph (2)'' after ''paragraph (1)''.

SEC. 1203. NOTIFICATION REQUIREMENTS FOR TECHNICAL ASSISTANCE AND MANUFACTURING LICENSING AGREEMENTS WITH NATO MEMBER COUNTRIES, AUSTRALIA, NEW ZEALAND, AND JAPAN.

Section 36(d) (22 U.S.C. 2776(d)) is amended by adding at the end the following:

''(6) In the case of a commercial technical assistance or manufacturing license agreement with a member country of the North Atlantic Treaty Organization (NATO) or Australia, Japan, or New Zealand that does not authorize a new sales territory that includes any country other than such countries, the requirements contained in paragraphs (2) and (4) shall apply only if—

''(A) the agreement involves—

''(i) major defense equipment in the amount of $7,000,000 or more; or

''(ii) significant military equipment in the amount of $25,000,000 or more; and

''(B) the amount referred to in clause (i) or (ii) of subparagraph (A), as the case may be, includes the estimated value of all defense articles and defense services to be manufactured or transferred throughout the duration of the approval period.''.

SEC. 1204. STRENGTHENING DEFENSE COOPERATION WITH AUSTRALIA AND THE UNITED KINGDOM.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the expeditious consideration of munitions license applications that meet the policy and eligibility criteria established in section 38 of the Arms Export Control Act (22 U.S.C. 2778) for export or transfer of defense items (as such term is defined in subsection (j)(4)(A) of such section) to Australia and the United Kingdom is fully consistent with United States security and foreign policy interests and the objectives of world peace and security.

(b) ESTABLISHMENT OF FAST TRACK MUNITIONS LICENSING FOR AUSTRALIA AND THE UNITED KINGDOM.—Section 38(f) (22 U.S.C. 2778(f)) is amended by adding at the end the following:

''(4) In the absence of a binding bilateral agreement with the Government of Australia or the Government of the United Kingdom (as the case may be) that meets the requirements of paragraph (2) and subsection (j), the Secretary of State shall ensure that any application submitted under this section for the export of defense items to Australia or the United Kingdom (as the case may be) that meets all other requirements of this section (including requirements relating to eligibility of parties to the transaction, the absence of risk of diversion to unauthorized end use and end users, and preservation of United States intelligence and law enforcement interests), and which are also transactions involving defense items that would be exempt pursuant to sections 120–130 of title 22, Code of Federal Regulations (commonly known as the 'International Traffic in Arms Regulations') from export licensing or other written approvals if such items were items to be exported to Canada, are processed by the Department of State not later than ten days after the date of receipt of the application without referral to any other Federal department or agency, except on an extraordinary basis upon receipt of a written request from the Attorney General, the Secretary of Homeland Security, the Director of Central Intelligence, or the Secretary of Defense.''.

SEC. 1205. TRAINING AND LIAISON FOR SMALL BUSINESSES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that it is increasingly important that the Secretary, in administering the licensing, registration, compliance, and other authorities contained in section 38 of the Arms Export Control Act (22 U.S.C. 2778), should provide up-to-date training and other educational assistance to small businesses in the United States aerospace and defense industrial sector.

(b) SMALL BUSINESS LIAISON.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall designate, within the Office of Defense Trade Controls of the Department of State, a coordinator for small business affairs. The coordinator shall serve as a liaison for small businesses in the United States aerospace and defense industrial sector with respect to licensing and registration requirements in order to facilitate the compliance and other forms of participation by such small businesses in the United States munitions control system, including by providing training, technical assistance, and through other efforts as may be appropriate.

SEC. 1206. STUDY AND REPORT RELATING TO CO-LOCATING MUNITIONS CONTROL FUNCTIONS OF THE DEPARTMENTS OF STATE, DEFENSE, AND HOMELAND SECURITY.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the administrative, licensing, and compliance-related functions associated with the export of defense articles and defense services under section 38 of the Arms Export Control Act (22 U.S.C. 2778), which are generally administered by the Department of State in conjunction with the Department of Homeland Security and the Department of Defense, should be expedited consistent with United States security, law enforcement, and foreign policy requirements by a reduction in the those matters necessitating inter-agency referral outside of the Department of State, or by co-locating related functions of the Department of Homeland Security and the Department of Defense with those functions of the Department of State in order to minimize the time and administrative tasks to government and industry involved in inter-agency referrals, while also providing a convenient, central location for United States defense companies, especially small businesses.

(b) STUDY AND REPORT.—

(1) STUDY.—The Secretary, in consultation with the Secretary of Homeland Security and the Secretary of Defense, and through the Federal advisory committee structure with the public, shall conduct a study to examine the relative advantages and disadvantages to the United States Government, the United States defense industry, including United States small businesses, and to other public constituencies of co-locating relevant functions and personnel of the Department of State, the Department of Homeland Security, and the Department of Defense with the Office of Defense Trade Controls of the Department of State at a central location convenient to the public and United States defense industry, without prejudice to the responsibilities and prerogatives of the Secretary, the Secretary of Homeland Security, and the Secretary of Defense under existing law.

(2) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall prepare and submit to the appropriate congressional committees a report that contains the results of study conducted under paragraph (1).

TITLE XIII—SECURITY ASSISTANCE AND RELATED PROVISIONS

Subtitle A—Foreign Military Sales and Financing Authorities

SEC. 1301. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the President for grant assistance under section 23 of the Arms Export Control Act (22 U.S.C. 2763) and for the subsidy cost, as defined in section 502(5) of the Federal Credit Reform Act of 1990, of direct loans under such section $4,414,000,000 for fiscal year 2004.

SEC. 1302. PROVISION OF CATALOGING DATA AND SERVICES.

Section 21(h)(2) (22 U.S.C. 2761(h)(2)) is amended by striking ''or to any member government of that Organization if that Organization or member government'' and inserting '', to any member of that Organization, or to the Governments of Australia, New Zealand, or Japan if that Organization, member government, or the Governments of Australia, New Zealand, or Japan''.

SEC. 1303. ANNUAL ESTIMATE AND JUSTIFICATION FOR SALES PROGRAM.

Section 25(a)(1) (22 U.S.C. 2765(a)(1)) is amended by inserting after ''$7,000,000 or more'' the following ''(or, in the case of a member country of the North Atlantic Treaty Organization (NATO), Australia, New Zealand, or Japan, $25,000,000 or more)''.

SEC. 1304. ADJUSTMENT TO ADVANCE NOTIFICATION REQUIREMENT FOR TRANSFER OF CERTAIN EXCESS DEFENSE ARTICLES.

Section 516(f)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321i) is amended by striking ''significant military equipment (as defined in section 47(9) of the Arms Export Control Act)'' and inserting ''major defense equipment (as defined in section 47(6) of the Arms Export Control Act)''.

Subtitle B—International Military Education and Training

SEC. 1311. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the President $91,700,000 for fiscal year 2004 to carry out chapter 5 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2347 et seq.).

SEC. 1312. ANNUAL FOREIGN MILITARY TRAINING REPORTING.

Section 656(a)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2416(a)(1)) is amended—

(1) by striking ''January 31'' and inserting ''March 1''; and

(2) by striking ''and all such training proposed for the current fiscal year''.

Subtitle C—Assistance for Select Countries

SEC. 1321. ASSISTANCE FOR ISRAEL.

Section 513 of the Security Assistance Act of 2000 (Public Law 106–280) is amended—

(1) in subsection (b)(1), by striking ''2002 and 2003'' and inserting ''2003 through 2005'';

(2) in subsection (c)(1), by striking ''2002 and 2003'' and inserting ''2003 through 2005'';

(3) in subsection (c)(3)—

(A) by striking ''fiscal years 2002 and 2003'' and inserting ''fiscal years 2004 and 2005'';

(B) by striking ''fiscal year 2002'' and inserting ''fiscal year 2004''; and

(C) by striking ''fiscal year 2003, or'' and inserting ''fiscal year 2005, or''; and

(4) in subsection (c)(4)—

(A) by striking ''2002 and 2003'' and inserting ''2003 through 2005''; and

(B) by striking ''$535,000,000 for fiscal year 2002'' and all that follows through ''fiscal year 2003'' and inserting ''$550,000,000 for fiscal year 2003, not less than $565,000,000 for fiscal year 2004, and not less than $580,000,000 for fiscal year 2005''.

SEC. 1322. ASSISTANCE FOR EGYPT.

Section 514 of the Security Assistance Act of 2000 (Public Law 106–280) is amended—

(1) by striking ''2002 and 2003'' each place it appears and inserting ''2003 through 2005''; and

(2) in subsection (e)—

(A) by striking ''fiscal years 2002 and 2003'' and inserting ''fiscal years 2004 and 2005'';

(B) by striking ''fiscal year 2002'' and inserting ''fiscal year 2004''; and

(C) by striking ''fiscal year 2003, or'' and inserting ''fiscal year 2005, or''.

Subtitle D—Miscellaneous Provisions

SEC. 1331. UNITED STATES WAR RESERVE STOCKPILES FOR ALLIES.

Section 514(b)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h(b)(2)) is amended—

(1) in subparagraph (A), by striking ''for fiscal year 2003'' and inserting ''for each of fiscal years 2003 and 2004''; and

(2) in subparagraph (B), by striking ''for fiscal year 2003'' and inserting ''for each of fiscal years 2003 and 2004''.

SEC. 1332. TRANSFER TO ISRAEL OF CERTAIN DEFENSE ARTICLES IN THE UNITED STATES WAR RESERVE STOCKPILES FOR ALLIES.

(a) AUTHORIZATION.—Notwithstanding section 514 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h), the President is authorized to transfer to Israel, in return for concessions to be negotiated by the Secretary of Defense, with the concurrence of the Secretary, defense articles, including armor, artillery, ammunition for automatic weapons, missiles, and other munitions that are—

(1) obsolete or surplus items;

(2) in the inventory of the Department of Defense;

(3) intended for use as reserve stocks in Israel; and

(4) are located in a stockpile in Israel as of the date of enactment of this Act.

(b) CONCESSIONS.—The value of concessions negotiated pursuant to subsection (a) shall be at least equal to the fair market value of the items transferred. The concessions may include cash compensation, services, waiver of charges otherwise payable by the United States, and other items of value.

(c) ADVANCE NOTIFICATION OF TRANSFER.—

(1) IN GENERAL.—Not less than 30 days before making a transfer under the authority of this section, the President shall transmit a notification describing the items to be transferred to Israel and the concessions to be received by the United States to the congressional committees specified in paragraph (2).

(2) CONGRESSIONAL COMMITTEES SPECIFIED.—The congressional committees referred to in paragraph (1) are—

(A) the Committee on International Relations and the Committee on Armed Services of the House of Representatives; and

(B) the Committee on Foreign Relations and the Committee on Armed Services of the Senate.

(d) EXPIRATION OF AUTHORITY.—No transfer may be made under the authority of this section following the expiration of the five-year period beginning on the date of enactment of this Act.

SEC. 1333. EXPANSION OF AUTHORITIES FOR LOAN OF MATERIAL, SUPPLIES, AND EQUIPMENT FOR RESEARCH AND DEVELOPMENT PURPOSES.

Section 65 (22 U.S.C. 2796d) is amended—

(1) in subsection (a)(1), by inserting ''or a friendly foreign country'' after ''ally'' each place such term appears; and

(2) in subsection (d) to read as follows:

''(d) For purposes of this section—

''(1) the term 'NATO ally' means a member country of the North Atlantic Treaty Organization (other than the United States); and

''(2) the term 'friendly foreign country' means any non-NATO member country determined by the President to be eligible for a cooperative project agreement with the United States pursuant to section 27(j) of this Act.''.

SEC. 1334. ASSISTANCE FOR DEMINING AND RELATED ACTIVITIES.

(a) ASSISTANCE.—The Secretary is authorized to provide grants to, or enter into contracts or cooperative agreements with, public-private partnerships for the purpose of establishing and carrying out demining, clearance of unexploded ordnance, and related activities in foreign countries.

(b) LIMITATION.—Except as otherwise provided, the total amount provided on a grant basis to public-private partnerships under subsection (a) for a fiscal year may not exceed $450,000.

(c) FUNDING.—Amounts made available to carry out ''Nonproliferation, Anti-Terrorism, Demining, and Related Programs'' for fiscal year 2004 are authorized to be made available to carry out this section.

SEC. 1335. REPORTS RELATING TO TREATY BETWEEN THE UNITED STATES AND THE RUSSIAN FEDERATION ON STRATEGIC OFFENSIVE REDUCTIONS.

The President shall submit to the Committee on International Relations of the House of Representatives all reports submitted to the Committee on Foreign Relations pursuant to section 2 of the Senate Resolution of Ratification to Accompany Treaty Document 107–8, Treaty Between the United States of America and the Russian Federation on Strategic Offensive Reductions.

SEC. 1336. STATEMENT OF HOUSE OF REPRESENTATIVES REGARDING THE TREATY BETWEEN THE UNITED STATES AND THE RUSSIAN FEDERATION ON STRATEGIC OFFENSIVE REDUCTIONS.

The House of Representatives—

(1) concurs with the declarations of the Senate in section 3 of the Resolution of Ratification to Accompany Treaty Document 107–8, Treaty Between the United States of America and the Russian Federation on Strategic Offensive Reductions;

(2) encourages the President to continue strategic offensive reductions to the lowest possible levels consistent with national security requirements and alliance obligations of the United States;

(3) urges the President to engage the Russian Federation with the objectives of establishing cooperative measures to give each party to the Treaty Between the United States of America and the Russian Federation on Strategic Offensive Reductions improved confidence regarding the accurate accounting and security of nonstrategic nuclear weapons maintained by the other party; and

(4) encourages the President to accelerate United States strategic force reductions, to the extent feasible and consistent with the treaty, in order that the reductions required by Article I of the Treaty Between the United States of America and the Russian Federation on Strategic Offensive Reductions may be achieved prior to December 31, 2012.

SEC. 1337. NONPROLIFERATION AND DISARMAMENT FUND.

(a) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated to the President to carry out section 504 of the Freedom for Russia and Emerging Eurasian Democracies and Open Markets Support Act of 1992 (22 U.S.C. 5854; relating to the ''Nonproliferation and Disarmament Fund'') $60,000,000 for each of the fiscal years 2004 and 2005.

(2) AVAILABILITY.—Amounts appropriated pursuant to the authorization of appropriations under paragraph (1) are authorized to remain available until expended.

(b) NONPROLIFERATION OF HIGHLY ENRICHED URANIUM.—

(1) FINDINGS.—Congress finds the following:

(A) Highly enriched uranium is the most likely source material for terrorist or other outlaw organizations that seek to acquire a nuclear weapon.

(B) Such organizations are not likely to produce this source material on their own, but will instead look to divert highly enriched uranium from some of the many vulnerable stockpiles in numerous facilities around the world.

(C) There is a need for a coordinated United States Government initiative to secure and dispose of highly enriched uranium stockpiles in these vulnerable facilities around the world.

(D) The Nonproliferation and Disarmament Fund (NDF) is a unique and flexible entity that is well-suited to carry out the initiative described in subparagraph (C), in cooperation with other Federal departments and agencies, including the Department of Energy.

(2) INITIATIVE.—The Secretary of State is authorized to establish and carry out an initiative to secure and dispose of highly enriched uranium stockpiles in foreign countries, including the provision of such assistance as may be required to secure host country cooperation under the initiative.

(3) AUTHORIZATION OF APPROPRIATIONS.—Of the amounts made available to carry out section 504 of the Freedom for Russia and Emerging Eurasian Democracies and Open Markets Support Act of 1992 (22 U.S.C. 5854) for fiscal years 2004 and 2005, there are authorized to be appropriated to the Secretary to carry out paragraph (2) $25,000,000 for each such fiscal year.

SEC. 1338. MARITIME INTERDICTION PATROL BOATS FOR MOZAMBIQUE.

(a) IN GENERAL.—Of the amounts made available to carry out section 23 of the Arms Export Control Act for fiscal year 2004, there is authorized to be appropriated $1,000,000 for refurbishment, delivery, operational training, and related costs associated with the provision of not more than four excess coastal patrol boats to the Government of Mozambique for maritime patrol and interdiction activities.

(b) AVAILABILITY.—Amounts appropriated pursuant to the authorization of appropriations under subsection (a) are authorized to remain available until September 30, 2006.

SEC. 1339. REPORT ON MISSILE DEFENSE COOPERATION.

Not later than December 31, 2003, and December 31, 2004, the Secretary of State shall submit to the appropriate congressional committees a report on cooperative efforts that have been undertaken by the United States with foreign governments to foster the development and deployment of defenses against missile attack. Such report shall include a detailed description of such efforts on a country-by-country basis, and may be submitted in classified and unclassified form, as appropriate.

SEC. 1340. IRAN'S PROGRAM TO DEVELOP A NUCLEAR EXPLOSIVE DEVICE.

(a) FINDINGS.—Congress finds the following:

(1) Iran, as a party to the Treaty on the Non-Proliferation of Nuclear Weapons, has legally forsworn developing or acquiring nuclear weapons.

(2) Iran has for more than a decade pursued a program aimed at the development of a nuclear explosive device.

(3) Director of Central Intelligence George Tenet has repeatedly warned of Iran's clandestine efforts to acquire weapons of mass destruction, stating as recently as February 11, 2003, in testimony before Congress that ''Iran is continuing to pursue development of a nuclear fuel cycle for civilian and nuclear weapons purposes . . . [and further that] Tehran may be able to

indigenously produce enough fissile material for a nuclear weapon'' within this decade.

(4) On March 17, 2003, Dr. el Baradei, Director General of the International Atomic Energy Agency (IAEA), called on Iran to agree to a more intrusive monitoring regime at its nuclear sites and demanded that Iran, which is a signatory to the Nuclear Non-Proliferation Treaty, agree to an ''additional protocol'' under the IAEA's nuclear inspection rights, which would enable more intrusive monitoring.

(5) In early 2003 Iran announced plans to mine its own natural uranium and admitted constructing two nuclear facilities, one a gas centrifuge uranium enrichment facility and the other a heavy water production plant.

(6) A uranium enrichment facility would give Iran the capability to indigenously produce nuclear-weapons grade uranium. Further, heavy water is used in reactors that not only produce weapons-grade plutonium, but also tritium, a key ingredient in boosted-fission weapons.

(7) At the same time, Iran has been developing long-range missiles that could deliver nuclear explosive devices. Director of Central Intelligence Tenet has warned that Iran could flight test an intercontinental ballistic missile later this decade.

(8) Iran has received considerable assistance in its nuclear program and in its missile development program from the Russian Federation, the People's Republic of China, and North Korea.

(9) Congress has long been seized with finding ways to deter or delay Iran's acquisition or development of such deadly weapons, including through the enactment of the Iran-Iraq Arms Non-Proliferation Act of 1992, the Iran Libya Sanctions Act of 1996, the Iran Non-Proliferation Act of 2000, and the Iran Nuclear Proliferation Prevention Act of 2002.

(10) Successive Administrations have similarly sought to deter or delay Iran's acquisition or development of such weapons by such measures as elevating Iran's proliferation behavior in bilateral relations with the Russian Federation and the People's Republic of China, sanctioning entities of the Russian Federation providing technology or expertise to Iran's nuclear and missile programs, and urging multilateral export control regimes to deny sensitive technology to proliferators like Iran.

(11) President Bush included Iran as one of the countries that comprise the ''axis of evil'' in his January 2002 State of the Union Address because of its efforts to develop weapons of mass destruction and its support of international terrorism. Iran has been the principle supporter and supplier to Hizballah in southern Lebanon, Hamas, and Islamic Jihad. Further, the leaders of Iran have publicly called for the destruction of the State of Israel.

(12) A nuclear-armed Iran would pose a grave threat to the national security of the United States and to our allies in the region.

(b) STATEMENT OF POLICY.—Congress—

(1) finds that Iran's support of terrorism and its efforts to develop nuclear weapons are a grave threat to the national security of the United States and its allies and to the United States Armed Forces;

(2) declares that the United States and our friends and allies must make maximum efforts to prevent Iran from developing or acquiring nuclear weapons and the missiles to deliver them;

(3) urges the President to use all appropriate means to prevent Iran from gaining such capabilities;

(4) urges the International Atomic Energy Agency (IAEA) to employ the full range of its inspection authorities to ensure that Iran's nuclear program is used for peaceful purposes only;

(5) encourages Iran to sign and ratify the new nuclear safeguards protocol, the ''Model Additional Protocol (INFCIRC/540-Corr)'' to the Treaty on the Non-Proliferation of Nuclear Weapons, which would demonstrate Iran's commitment to sharing information about its nuclear program with the IAEA and the international community and to full disclosure and transparency about its nuclear program; and

(6) urges the United States resident representative to the IAEA to work with the Board of Governors of the IAEA on guidelines for early identification of noncompliance with the Nuclear Non-Proliferation Treaty.

TITLE XIV—MISSILE THREAT REDUCTION ACT OF 2003

SEC. 1401. SHORT TITLE.

This title may be cited as the ''Missile Threat Reduction Act of 2003''.

Subtitle A—Strengthening International Missile Nonproliferation Law

SEC. 1411. FINDINGS.

Congress makes the following findings:

(1) The spread of offensive ballistic missiles suitable for launching nuclear, chemical, and biological warheads is accelerating across the globe.

(2) According to the Carnegie Endowment for International Peace, more than 25 countries possess missiles with ranges in excess of 300 kilometers and capable of delivering a nuclear warhead.

(3)(A) Many of the countries now possessing such missiles, and engaging in the sale and transfer of such missiles and their production technology to other countries, are directly hostile to the United States, its interests, and its allies.

(B) Of particular concern in this regard is North Korea, which regularly sells ballistic missiles and technology to countries in regions of instability and concern to the United States.

(4) The Central Intelligence Agency has stated in its most recent report on the foreign ballistic missile threat the following:

''Emerging ballistic missile states continue to increase the range, reliability, and accuracy of the missile systems in their inventories—posing ever greater risks to U.S. forces, interests, and allies throughout the world. A decade ago, U.S. and allied forces abroad faced threats from SRBM's [Short Range Ballistic Missiles]—primarily the Scud and its variants. Today, countries have deployed or are on the verge of deploying MRBM's [Medium Range Ballistic Missiles], placing greater numbers of targets at risk.

''Proliferation of ballistic missile-related technologies, materials, and expertise—especially by Russian, Chinese, and North Korean entities—has enabled emerging missile states to accelerate the development timelines for their existing programs, acquire turnkey systems to gain previously non-existent capabilities—in the case of the Chinese sale of the M–11 SRBM to Pakistan—and lay the groundwork for the expansion of domestic infrastructures to potentially accommodate even more capable and longer range future systems.''.

(5) The same CIA report also noted the following: ''North Korea has assumed the role as the missile and manufacturing technology source for many programs. North Korean willingness to sell complete systems and components has enabled other states to acquire longer range capabilities earlier than otherwise would have been possible—notably the sale of the No Dong MRBM to Pakistan. The North also has helped countries to acquire technologies to serve as the basis for domestic development efforts—as with Iran's reverse-engineering of the No Dong in the Shahab-3 program. Meanwhile, Iran is expanding its efforts to sell missile technology.''.

(6) Since 1987, 33 countries have committed to abide by a voluntary set of guidelines known as the Missile Technology Control Regime (MTCR), whereby adherents agreed to refrain from the transfer to nonadherents of certain categories of whole missiles, their constituent parts, and the facilities to manufacture them, especially ''Category I'' missiles, which at a range of 300 kilometers or more and a payload capacity of 500 kilograms or more are especially suited for delivering nuclear weapons.

(7) In October 2002, 93 countries committed to observe a nonbinding code of conduct derived from, but less restrictive than, the nonbinding MTCR. While this is a welcome achievement, it does not provide a legal obligation on its adherents to refrain from the trade in missiles or missile technology.

(8) On December 10, 2002, the White House released its ''National Strategy to Combat Weapons of Mass Destruction'', wherein it is stated that strengthening international nonproliferation controls on weapons of mass destruction (WMD) and upon the missiles that can deliver them is the second of three principal pillars of the National Strategy. The National Strategy also states that ''effective interdiction is a critical part of the U.S. strategy to combat WMD and their delivery means''.

(9) On December 11, 2002, the United States took control of an unflagged freighter that was attempting clandestinely to ship, from North Korea to Yemen, SCUD missiles of a type that would be generally prohibited from transfer as Category I missiles.

(10) Neither North Korea nor Yemen is an adherent to the MTCR guidelines, which in any case are not legally binding, and there is no binding international legal instrument that would prohibit shipments of the missiles referred to in paragraph (9).

(11) At Yemen's request, the United States released the shipment of North Korean Scud missiles to Yemen.

(12) Also on December 11, 2002, the White House press spokesman stated that existing international law regarding halting the spread of missile proliferation could be strengthened. The new National Strategy to Combat Weapons of Mass Destruction also commits the United States to support those regimes that are currently in force, and to work to improve the effectiveness of, and compliance with, those regimes, and identifies the MTCR as a regime that the United States will seek to strengthen.

(13) Secretary of Defense Donald Rumsfeld, testifying on February 12, 2003, before the Committee on Armed Services of the Senate, stated the following: ''. . . [I]t's pretty clear that the proliferation regimes that exist in the world worked pretty well before, [but] they're not working very well right now. . . . [U]nless the world wakes up and says this is a dangerous thing and creates a set of regimes that will in fact get cooperation to stop those weapons, we're going to be facing a very serious situation in the next five years.''.

(14) The MTCR has made an invaluable contribution to restraint in the international trade of offensive ballistic missiles. Strengthening international controls on ballistic missiles, however, will require a dramatic expansion of adherents that rigorously abide by the MTCR's guidelines, and a binding legal basis for the United Nations and countries devoted to nonproliferation to prevent, and when necessary act to prevent, further proliferation of offensive ballistic missiles around the world.

(15) Therefore, it should be the policy of the United States to promote the creation of new international mechanisms that would, in all future circumstances, allow the peace-loving and law-abiding nations of the world the authority to interdict and prevent the transfer of such missiles.

SEC. 1412. POLICY OF THE UNITED STATES.

It shall be the policy of the United States to seek a binding international instrument or instruments to restrict the trade in offensive ballistic missiles with ranges of 300 kilometers or more that have a payload capacity of 500 kilograms or more. Such a binding international instrument may take the form of a multilateral treaty, a United Nations Security Council resolution, or other instrument of international law, and should provide for enforcement measures including interdiction, seizure, and impoundment of illicit shipments of offensive ballistic

missiles and related technology, equipment, and components.

SEC. 1413. SENSE OF CONGRESS.

It is the sense of the Congress that the United States should immediately introduce a resolution in the United Nations Security Council to prohibit all members of the United Nations from purchasing, receiving, assisting or allowing the transfer of, and to authorize the subsequent interdiction, seizure, and impoundment of, any missile, missile-related equipment, means of producing missiles, or missile-related technology from North Korea.

Subtitle B—Strengthening United States Missile Nonproliferation Law

SEC. 1421. PROBATIONARY PERIOD FOR FOREIGN PERSONS.

(a) IN GENERAL.—Notwithstanding any other provision of law, upon the expiration, or the granting of a waiver, on or after January 1, 2003, of sanctions against a foreign person imposed under section 73(a) of the Arms Export Control Act (22 U.S.C. 2797b(a)) or under section 11B(b)(1) of the Export Administration Act of 1979 (50 U.S.C. App. 2410b(b)(1)), as continued in effect under the International Emergency Economic Powers Act, a license shall be required, for a period of not less than 3 years, for the export to that foreign person of all items controlled for export under section 5 or 6 of the Export Administration Act of 1979 (50 U.S.C. App. 2404, 2405), as continued in effect under the International Emergency Economic Powers Act, in accordance with the Export Administration Regulations.

(b) TERMINATION.—Subsection (a) shall not apply to a foreign person 30 days after the President notifies the Committee on International Relations of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs and the Committee on Foreign Relations of the Senate that he has determined that—

(1) the foreign person has—

(A) ceased all activity related to the original imposition of sanctions under section 73(a) of the Arms Export Control Act or section 11B(b)(A) of the Export Administration Act of 1979, as the case may be; and

(B) has instituted a program of transparency measures whereby the United States will be able to verify for at least a period of 3 years that the foreign person is not engaging in prohibited activities under those provisions of law referred to in paragraph (1); and

(2) there has been an appropriate resolution of the original violation or violations, such as financial penalties, incarceration, destruction of prohibited items, or other appropriate measures taken to prevent a recurrence of the violation or violations.

SEC. 1422. STRENGTHENING UNITED STATES MISSILE PROLIFERATION SANCTIONS ON FOREIGN PERSONS.

(a) ARMS EXPORT CONTROL ACT.—Section 73(a)(2) (22 U.S.C. 2797b(a)(2)) is amended by striking ''2 years'' each place it appears and inserting ''4 years''.

(b) PUBLIC INFORMATION.—Section 73(e)(2) (22 U.S.C. 2797b(e)(2)) is amended by adding at the end the following new sentence: ''Such report may be classified only to the extent necessary to protect intelligence sources and methods. If the report is so classified, the President shall make every effort to acquire sufficient alternative information that would allow a subsequent unclassified version of the report to be issued.''.

(c) EXPORT ADMINISTRATION ACT OF 1979.—Any sanction imposed on a foreign person under section 11B(b)(1) of the Export Administration Act of 1979 (50 U.S.C. App. 2410b(b)(1)), as continued in effect under the International Emergency Economic Powers Act, shall be in effect for a period of 4 years beginning on the date on which the sanction was imposed.

(d) APPLICABILITY.—The amendments made by subsections (a) and (b) and the provisions of subsection (c) shall apply to all sanctions imposed under section 73(a) of the Arms Export Control Act or section 11B(b)(1) of the Export Administration Act of 1979, as continued in effect under the International Emergency Economic Powers Act, by reason of acts giving rise to such sanctions that were committed by foreign persons on or after January 1, 2003.

SEC. 1423. COMPREHENSIVE UNITED STATES MISSILE PROLIFERATION SANCTIONS ON ALL RESPONSIBLE PERSONS.

(a) ARMS EXPORT CONTROL ACT.—Section 73(a) (22 U.S.C. 2797b(a)) is amended by adding at the end the following new paragraph:

''(3)(A) Sanctions imposed upon a foreign person under paragraph (2) shall also be imposed on any governmental entity that the President determines exercises effective control over, benefits from, or directly or indirectly facilitates the activities of that foreign person.

''(B) When a sanction is imposed on a foreign person under paragraph (2), the President may also impose that sanction on any other person or entity that the President has reason to believe has or may acquire items that may not be exported to that foreign person on account of the sanction imposed on that foreign person, with the intent to transfer to that foreign person, or provide to that foreign person access to, such items.

''(C) The President may also prohibit, for such period of time as he may determine, any transaction or dealing, by a United States person or within the United States, with any foreign person on whom sanctions have been imposed under this subsection.

''(D) The President shall report on an annual basis to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate the identity of any foreign person that engages in any transaction or activity with a foreign person on whom sanctions have been imposed under this subsection that either—

''(i) would be the basis for imposing sanctions under subparagraph (B) but for which sanctions have not been imposed; or

''(ii) would be the basis for imposing sanctions under subparagraph (C) if the transaction or activity had been carried out by a United States person or by a person in the United States.

Such report shall be unclassified to the maximum extent feasible, but may include a classified annex.''.

(b) DEFINITION OF PERSON.—Section 74(a)(8)(A) (22 U.S.C. 2797c(a)(8)(A)) is amended to read as follows:

''(8)(A) the term 'person' means—

''(i) a natural person;

''(ii) a corporation, business association, partnership, society, trust, transnational corporation, or transnational joint venture, any other nongovernmental entity, organization, or group, and any governmental entity;

''(iii) any subsidiary, subunit, or parent entity of any business enterprise or other organization or entity listed in clause (ii); and

''(iv) any successor of any business enterprise or other organization or entity listed in clause (ii) or (iii); and''.

(c) EXPORT ADMINISTRATION ACT OF 1979.—

(1) SANCTIONS IMPOSED ON GOVERNMENT ENTITIES.—Any sanction imposed on a foreign person under section 11B(b)(1)(B) of the Export Administration Act of 1979 (50 U.S.C. App. 2410b(b)(1)(B)), as continued in effect under the International Emergency Economic Powers Act (in this subsection referred to as a ''dual use sanction''), shall also be imposed on any governmental entity that the President determines exercises effective control over, benefits from, or directly or indirectly facilitates the activities of that foreign person.

(2) OTHER ENTITIES.—When a dual use sanction is imposed on a foreign person, the President may also impose that sanction on any other person or entity that the President has reason to believe has or may acquire items that may not be exported to that foreign person on account of the dual use sanction imposed on that foreign person, with the intent to transfer to that foreign person, or provide to that foreign person access to, such items.

(3) TRANSACTIONS BY THIRD PARTIES.—The President may also prohibit, for such period of time as he may determine, any transaction or dealing, by a United States person or within the United States, with any foreign person on whom dual use sanctions have been imposed.

(4) REPORT.—The President shall submit on an annual basis to the appropriate congressional committees a report that contains the identity of any foreign person that engages in any transaction or activity with a foreign person on whom dual use sanctions have been imposed that either—

(A) would be the basis for imposing dual use sanctions under paragraph (2) but for which such sanctions have not been imposed; or

(B) would be the basis for imposing dual use sanctions under paragraph (3) if the transaction or activity had been carried out by a United States person or by a person in the United States.

Such report shall be unclassified to the maximum extent feasible, but may include a classified annex.

(5) DEFINITIONS.—In this subsection:

(A) PERSON.—The term ''person'' means—

(i) a natural person;

(ii) a corporation, business association, partnership, society, trust, transnational corporation, or transnational joint venture, any other nongovernmental entity, organization, or group, and any governmental entity;

(iii) any subsidiary, subunit, or parent entity of any business enterprise or other organization or entity listed in clause (ii); and

(iv) any successor of any business enterprise or other organization or entity listed in clause (ii) or (iii).

(B) In the case of countries where it may be impossible to identify a specific governmental entity referred to in subparagraph (A), the term ''person'' means—

(i) all activities of that government relating to the development or production of any missile equipment or technology; and

(ii) all activities of that government affecting the development or production of aircraft, electronics, and space systems or equipment.

(C) UNITED STATES PERSON.—The term ''United States person'' has the meaning given that term in section 16(2) of the Export Administration Act of 1979 (50 U.S.C. App. 2415(2)).

(D) MISSILE EQUIPMENT OR TECHNOLOGY.—The term ''missile equipment or technology'' has the meaning given that term in section 11B(c) of the Export Administration Act of 1979 (50 U.S.C. App. 2410b(c)).

(d) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall apply with respect to sanctions imposed on or after January 1, 2003, on foreign persons under section 73(a)(2) of the Arms Export Control Act, and the provisions of subsection (c) shall apply with respect to sanctions imposed on or after January 1, 2003, on foreign persons under section 11B(b) of the Export Administration Act of 1979 (50 U.S.C. App. 2410b(b)), as continued in effect under the International Emergency Economic Powers Act.

Subtitle C—Incentives for Missile Threat Reduction

SEC. 1431. FOREIGN ASSISTANCE.

(a) TYPES OF ASSISTANCE.—The President is authorized to provide, on such terms as the President deems appropriate, the following assistance to countries that agree to destroy their ballistic missiles, and their facilities for producing ballistic missiles, that have a payload capacity of 500 kilograms or more over a distance of 300 kilometers or more:

(1) Assistance under section 23 of the Arms Export Control Act (22 U.S.C. 2763).

(2) Assistance under chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et

seq.), notwithstanding section 531(e) or 660(a) of that Act (22 U.S.C. 2346(e) or 2420(a)).

(3) Drawdown of defense articles, defense services, and military education and training under section 506 of the Foreign Assistance Act of 1961 (22 U.S.C. 2318).

(b) CONGRESSIONAL NOTIFICATION.—Assistance authorized under subsection (a) may not be provided until 30 days after the date on which the President has provided notice thereof to the appropriate congressional committees in accordance with the procedures applicable to reprogramming notifications under section 634A(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2394–1(a)).

(c) LIMITATION.—Any assistance provided to a country under subsection (a) may not be provided in more than 3 fiscal years.

SEC. 1432. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION.—There is authorized to be appropriated to the President to carry out section 1431 the sum of $250,000,000.

(b) AVAILABILITY.—Amounts appropriated pursuant to the authorization of appropriations under subsection (a) are authorized to remain available until expended.

SEC. 1433. AUTHORIZATION OF TECHNICAL ASSISTANCE IN MISSILE DISARMAMENT.

The President is authorized to provide technical assistance in the destruction of any missile or facility for producing ballistic missiles, in any country that requests such assistance.

TITLE XV—PROMOTION OF DEMOCRACY, HUMAN RIGHTS, AND RULE OF LAW IN BELARUS

SEC. 1501. ASSISTANCE TO PROMOTE DEMOCRACY AND CIVIL SOCIETY IN BELARUS.

(a) PURPOSES OF ASSISTANCE.—The assistance under this section shall be available for the following purposes:

(1) To assist the people of the Republic of Belarus in regaining their freedom and to enable them to join the European community of democracies.

(2) To encourage free and fair presidential, parliamentary, and local elections in Belarus, conducted in a manner consistent with internationally accepted standards and under the supervision of internationally recognized observers.

(3) To assist in restoring and strengthening institutions of democratic governance in Belarus.

(b) AUTHORIZATION FOR ASSISTANCE.—To carry out the purposes of subsection (a), the President is authorized to furnish assistance and other support for the activities described in subsection (c), to be provided primarily for indigenous Belarusian groups that are committed to the support of democratic processes.

(c) ACTIVITIES SUPPORTED.—Activities that may be supported by assistance under subsection (b) include—

(1) the observation of elections and the promotion of free and fair electoral processes;

(2) development of democratic political parties;

(3) radio and television broadcasting to and within Belarus;

(4) the development of nongovernmental organizations promoting democracy and supporting human rights;

(5) the development of independent media working within Belarus and from locations outside the country and supported by nonstate-controlled printing facilities;

(6) international exchanges and advanced professional training programs for leaders and members of the democratic forces in skill areas central to the development of civil society; and

(7) other activities consistent with the purposes of this title.

(d) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to the President to carry out this section such sums as may be necessary for fiscal years 2004 and 2005.

(2) AVAILABILITY OF FUNDS.—Amounts appropriated pursuant to the authorization of appropriations under paragraph (1) are authorized to remain available until expended.

SEC. 1502. RADIO BROADCASTING TO BELARUS.

*(a) **Purpose**.—It is the purpose of this section to authorize increased support for United States Government and surrogate radio broadcasting to the Republic of Belarus that will facilitate the unhindered dissemination of information.*

(b) AUTHORIZATION OF APPROPRIATIONS.—In addition to such sums as are otherwise authorized to be appropriated, there is authorized to be appropriated such sums as may be necessary for each fiscal year for Voice of America and RFE/RL, Incorporated for radio broadcasting to the people of Belarus in languages spoken in Belarus.

SEC. 1503. SENSE OF CONGRESS RELATING TO SANCTIONS AGAINST THE GOVERNMENT OF BELARUS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the sanctions described in subsections (c) and (d) should apply with respect to the Republic of Belarus until the President determines and certifies to the appropriate congressional committees that the Government of Belarus has made significant progress in meeting the conditions described in subsection (b).

(b) CONDITIONS.—The conditions referred to in subsection (a) are the following:

(1) The release of individuals in Belarus who have been jailed based on political or religious beliefs.

(2) The withdrawal of politically motivated legal charges against all opposition figures and independent journalists in Belarus.

(3) A full accounting of the disappearances of opposition leaders and journalists in Belarus, including Victor Gonchar, Anatoly Krasovsky, Yuri Zakharenka, and Dmitry Zavadsky, and the prosecution of those individuals who are responsible for their disappearances.

(4) The cessation of all forms of harassment and repression against the independent media, independent trade unions, nongovernmental organizations, religious organizations (including their leadership and members), and the political opposition in Belarus.

(5) The implementation of free and fair presidential and parliamentary elections in Belarus consistent with OSCE standards on democratic elections and in cooperation with relevant OSCE institutions.

(c) DENIAL OF ENTRY INTO THE UNITED STATES OF BELARUSIAN OFFICIALS.—The President should use his authority under section 212(f) of the Immigration and Nationality Act (8 U.S.C. 1182(f)) to deny the entry into the United States of any alien who—

(1) holds a position in the senior leadership of the Government of Belarus; or

(2) is a spouse, minor child, or agent of a person inadmissible under paragraph (1).

(d) PROHIBITION ON LOANS AND INVESTMENT.—

(1) UNITED STATES GOVERNMENT FINANCING.—No loan, credit guarantee, insurance, financing, or other similar financial assistance should be extended by any agency of the United States Government (including the Export-Import Bank and the Overseas Private Investment Corporation) to the Government of Belarus, except with respect to the provision of humanitarian goods and agricultural or medical products.

(2) TRADE AND DEVELOPMENT AGENCY.—No funds available to the Trade and Development Agency should be available for activities of the Agency in or for Belarus.

(e) MULTILATERAL FINANCIAL ASSISTANCE.—It is further the sense of Congress that, in addition to the application of the sanctions described in subsections (c) and (d) to the Republic of Belarus (until the President determines and certifies to the appropriate congressional committees that the Government of Belarus has made significant progress in meeting the conditions described in subsection (b)), the Secretary of the Treasury should instruct the United States Executive Director of each international financial institution to which the United States is a member to use the voice and vote of the United States to oppose any extension by those institutions of any financial assistance (including any technical assistance or grant) of any kind to the Government of Belarus, except for loans and assistance that serve humanitarian needs.

SEC. 1504. MULTILATERAL COOPERATION.

It is the sense of Congress that the President should continue to seek to coordinate with other countries, particularly European countries, a comprehensive, multilateral strategy to further the purposes of this title, including, as appropriate, encouraging other countries to take measures with respect to the Republic of Belarus that are similar to measures described in this title.

SEC. 1505. REPORT.

(a) REPORT.—Not later than 90 days after the date of enactment of this Act, and every year thereafter, the President shall transmit to the appropriate congressional committees a report that describes, with respect to the preceding 12-month period, the following:

(1) The sale or delivery of weapons or weapons-related technologies from the Republic of Belarus to any country, the government of which the Secretary of State has determined, for purposes of section 6(j)(1) of the Export Administration Act of 1979 (50 U.S.C. App. 2405(j)(1)), has repeatedly provided support for acts of international terrorism.

(2) An identification of each country described in paragraph (1) and a detailed description of the weapons or weapons-related technologies involved in the sale.

(3) An identification of the goods, services, credits, or other consideration received by Belarus in exchange for the weapons or weapons-related technologies.

(4) The personal assets and wealth of Aleksandr Lukashenka and other senior leadership of the Government of Belarus.

(b) FORM.—A report transmitted pursuant to subsection (a) shall be in unclassified form but may contain a classified annex.

SEC. 1506. DEFINITIONS.

In this title:

(1) OSCE.—The term ''OSCE'' means the Organization for Security and Cooperation in Europe.

(2) SENIOR LEADERSHIP OF THE GOVERNMENT OF BELARUS.—The term ''senior leadership of the Government of Belarus'' includes—

(A) the President, Prime Minister, Deputy Prime Ministers, government ministers, Chairmen of State Committees, and members of the Presidential Administration of Belarus;

(B) any official of the Government of Belarus who is personally and substantially involved in the suppression of freedom in Belarus, including judges and prosecutors; and

(C) any other individual determined by the Secretary of State (or the Secretary's designee) to be personally and substantially involved in the formulation or execution of the policies of the Lukashenka regime that are in contradiction of internationally recognized human rights standards.

TITLE XVI—ISRAELI-PALESTINIAN PEACE ENHANCEMENT ACT OF 2003

SEC. 1601. SHORT TITLE.

This title may be cited as the ''Israeli-Palestinian Peace Enhancement Act of 2003''.

SEC. 1602. FINDINGS.

Congress makes the following findings:

(1) The security of the State of Israel is a major and enduring national security interest of the United States.

(2) A lasting peace in the Middle East region can only take root in an atmosphere free of violence and terrorism.

(3) The Palestinian people have been ill-served by leaders who, by resorting to violence and terrorism to pursue their political objectives, have

brought economic and personal hardship to their people and brought a halt to efforts seeking a negotiated settlement of the conflict.

(4) The United States has an interest in a Middle East in which two states, Israel and Palestine, will live side by side in peace and security.

(5) In his speech of June 24, 2002, and in other statements, President George W. Bush outlined a comprehensive vision of the possibilities of peace in the Middle East region following a change in Palestinian leadership.

(6) A stable and peaceful Palestinian state is necessary to achieve the security that Israel longs for, and Israel should take concrete steps to support the emergence of a viable, credible Palestinian state.

(7) The Palestinian state must be a reformed, peaceful, and democratic state that abandons forever the use of terror.

(8) On April 29, 2003, the Palestinian Legislative Council confirmed in office, by a vote of 51 yeas, 18 nays, and 3 abstentions, the Palestinian Authority's first prime minister, Mahmoud Abbas (Abu Mazen), and his cabinet.

(9) In his remarks prior to the vote of the Palestinian Legislative Council, Mr. Abbas declared: ''The government will concentrate on the question of security . . . The unauthorized possession of weapons, with its direct threat to the security of the population, is a major concern that will be relentlessly addressed . . . There will be no other decision-making authority except for the Palestinian Authority.''.

(10) In those remarks, Mr. Abbas further stated: ''We denounce terrorism by any party and in all its forms both because of our religious and moral traditions and because we are convinced that such methods do not lend support to a just cause like ours but rather destroy it.''.

(11) Israel has repeatedly indicated its willingness to make painful concessions to achieve peace once there is a partner for peace on the Palestinian side.

SEC. 1603. PURPOSES.

The purposes of this title are—

(1) to express the sense of Congress with respect to United States recognition of a Palestinian state; and

(2) to demonstrate United States willingness to provide substantial economic and humanitarian assistance, and to support large-scale multilateral assistance, after the Palestinians have achieved the reforms outlined by President Bush and have achieved peace with the State of Israel.

SEC. 1604. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) peace between Israel and the Palestinians cannot be negotiated until the Palestinian system of government has been transformed along the lines outlined in President Bush's June 24, 2002, speech;

(2) substantial United States and international economic assistance will be needed after the Palestinians have achieved the reforms described in section 620K(c)(2) of the Foreign Assistance Act of 1961 (as added by section 1706 of this Act) and have made a lasting and secure peace with Israel;

(3) the Palestinian people merit commendation on the confirmation of the Palestinian Authority's first prime minister, Mahmoud Abbas (Abu Mazen), and his cabinet;

(4) the new Palestinian administration urgently should take the necessary security-related steps to allow for implementation of a performance-based road map to resolve the Israeli-Palestinian conflict;

(5) the United States Administration should work vigorously toward the goal of two states living side-by-side in peace within secure and internationally-recognized boundaries free from threats or acts of force; and

(6) the United States has a vital national security interest in a permanent, comprehensive, and just resolution of the Arab-Israeli conflict, and particularly the Palestinian-Israeli conflict, based on the terms of United Nations Security Council Resolutions 242 and 338.

SEC. 1605. RECOGNITION OF A PALESTINIAN STATE.

It is the sense of Congress that a Palestinian state should not be recognized by the United States until the President determines that—

(1) a new leadership of a Palestinian governing entity, not compromised by terrorism, has been elected and taken office; and

(2) the newly-elected Palestinian governing entity—

(A) has demonstrated a firm and tangible commitment to peaceful coexistence with the State of Israel and to ending anti-Israel incitement, including the cessation of all officially sanctioned or funded anti-Israel incitement;

(B) has taken appropriate measures to counter terrorism and terrorist financing in the West Bank and Gaza, including the dismantling of terrorist infrastructures and the confiscation of unlawful weaponry;

(C) has established a new Palestinian security entity that is fully cooperating with the appropriate Israeli security organizations;

(D) has achieved exclusive authority and responsibility for governing the national affairs of a Palestinian state, has taken effective steps to ensure democracy, the rule of law, and an independent judiciary, and has adopted other reforms ensuring transparent and accountable governance; and

(E) has taken effective steps to ensure that its education system promotes the acceptance of Israel's existence and of peace with Israel and actively discourages anti-Israel incitement.

SEC. 1606. LIMITATION ON ASSISTANCE TO A PALESTINIAN STATE.

Chapter 1 of part III of the Foreign Assistance Act of 1961 (22 U.S.C. 2351 et seq.) is amended—

(1) by redesignating the second section 620G (as added by section 149 of Public Law 104–164 (110 Stat. 1436)) as section 620J; and

(2) by adding at the end the following new section:

''SEC. 620K. LIMITATION ON ASSISTANCE TO A PALESTINIAN STATE.

''(a) LIMITATION.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, assistance may be provided under this Act or any other provision of law to the government of a Palestinian state only during a period for which a certification described in subsection (c) is in effect. The limitation contained in the preceding sentence shall not apply (A) to humanitarian or development assistance that is provided through nongovernmental organizations for the benefit of the Palestinian people in the West Bank and Gaza, or (B) to assistance that is intended to reform the Palestinian Authority and affiliated institutions, or a newly elected Palestinian governing entity, in order to help meet the requirements contained in subparagraphs (A) through (H) of subsection (c)(2) or to address the matters described in subparagraphs (A) through (E) of section 1705(2) of the Israeli-Palestinian Peace Enhancement Act of 2003.

''(2) WAIVER.—The President may waive the limitation of the first sentence of paragraph (1) if the President determines and certifies to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate that it is vital to the national interest of the United States to do so.

''(b) CONGRESSIONAL NOTIFICATION.—

''(1) IN GENERAL.—Assistance made available under this Act or any other provision of law to a Palestinian state may not be provided until 15 days after the date on which the President has provided notice thereof to the Committee on International Relations and the Committee on Appropriations of the House of Representatives and to the Committee on Foreign Relations and the Committee on Appropriations of the Senate in accordance with the procedures applicable to reprogramming notifications under section 634A(a) of this Act.

''(2) SUNSET.—Paragraph (1) shall cease to be effective beginning ten years after the date on which notice is first provided under such paragraph.

''(c) CERTIFICATION.—A certification described in this subsection is a certification transmitted by the President to Congress that—

''(1) a binding international peace agreement exists between Israel and the Palestinians that—

''(A) was freely signed by both parties;

''(B) guarantees both parties' commitment to a border between two states that constitutes a secure and internationally recognized boundary for both states, with no remaining territorial claims;

''(C) provides a permanent resolution for both Palestinian refugees and Jewish refugees from Arab countries; and

''(D) includes a renunciation of all remaining Palestinian claims against Israel through provisions that commit both sides to the ''end of the conflict''; and

''(2) the new Palestinian government—

''(A) has been democratically elected through free and fair elections, has exclusive authority and responsibility for governing the national affairs of the Palestinian state, and has achieved the reforms outlined by President Bush in his June 24, 2002, speech;

''(B) has completely renounced the use of violence against the State of Israel and its citizens, is vigorously attempting to prevent any acts of terrorism against Israel and its citizens, and punishes the perpetrators of such acts in a manner commensurate with their actions;

''(C) has dismantled, and terminated the funding of, any group within its territory that conducts terrorism against Israel;

''(D) is engaging in ongoing and extensive security cooperation with the State of Israel;

''(E) refrains from any officially sanctioned or funded statement or act designed to incite Palestinians or others against the State of Israel and its citizens;

''(F) has an elected leadership not compromised by terror;

''(G) is demilitarized; and

''(H) has no alliances or agreements that pose a threat to the security of the State of Israel.

''(d) RECERTIFICATIONS.—Not later than 90 days after the date on which the President transmits to Congress an initial certification under subsection (c), and every 6 months thereafter for the 10-year period beginning on the date of transmittal of such certification—

''(1) the President shall transmit to Congress a recertification that the requirements contained in subsection (c) are continuing to be met; or

''(2) if the President is unable to make such a recertification, the President shall transmit to Congress a report that contains the reasons therefor.

''(e) RULE OF CONSTRUCTION.—A certification under subsection (c) shall be deemed to be in effect beginning on the day after the last day of the 10-year period described in subsection (d) unless the President subsequently determines that the requirements contained in subsection (c) are no longer being met and the President transmits to Congress a report that contains the reasons therefor.''.

SEC. 1607. AUTHORIZATION OF ASSISTANCE TO A PALESTINIAN STATE.

Chapter 1 of part III of the Foreign Assistance Act of 1961 (22 U.S.C. 2351 et seq.), as amended by section 1706, is further amended by adding at the end the following new section:

''SEC. 620L. AUTHORIZATION OF ASSISTANCE TO A PALESTINIAN STATE.

''(a) ASSISTANCE.—The President is authorized to provide assistance to a Palestinian state in accordance with the requirements of this section.

''(b) ACTIVITIES TO BE SUPPORTED.—Assistance provided under subsection (a) shall be used to support activities within a Palestinian state to substantially improve the economy and living conditions of the Palestinians by, among other things, providing for economic development in the West Bank and Gaza, continuing to promote democracy and the rule of law, developing water resources, assisting in security cooperation between Israelis and Palestinians, and helping with the compensation and rehabilitation of Palestinian refugees.

''(c) AUTHORIZATION OF APPROPRIATIONS.—Of the amounts made available to carry out chapter 4 of part II of this Act for a fiscal year, there are authorized to be appropriated to the President to carry out subsections (a) and (b) such sums as may be necessary for each such fiscal year.

''(d) COORDINATION OF INTERNATIONAL ASSISTANCE.—

''(1) IN GENERAL.—Beginning on the date on which the President transmits to Congress an initial certification under section 620K(c) of this Act, the Secretary of State shall seek to convene one or more donors conferences to gain commitments from other countries, multilateral institutions, and nongovernmental organizations to provide economic assistance to Palestinians to ensure that such commitments to provide assistance are honored in a timely manner, to ensure that there is coordination of assistance among the United States and such other countries, multilateral institutions, and nongovernmental organizations, to ensure that the assistance provided to Palestinians is used for the purposes for which is was provided, and to ensure that other countries, multilateral institutions, and nongovernmental organizations do not provide assistance to Palestinians through entities that are designated as terrorist organizations under United States law.

''(2) REPORT.—Not later than 180 days after the date of the enactment of this section, and on an annual basis thereafter, the Secretary of State shall prepare and submit to the Committee on International Relations and the Committee on Appropriations of the House of Representatives and the Committee on Foreign Relations and the Committee on Appropriations of the Senate a report that describes the activities undertaken to meet the requirements of paragraph (1), including a description of amounts committed, and the amounts provided, to a Palestinian state or Palestinians during the reporting period by each country and organization.''.

TITLE XVII—MISCELLANEOUS FOREIGN ASSISTANCE PROVISIONS

SEC. 1701. ADDITIONAL AUTHORITIES RELATING TO INTERNATIONAL NARCOTICS CONTROL ASSISTANCE.

Notwithstanding any other provision of law, assistance provided by the United States Government to support international efforts to combat aerial trafficking of illicit narcotics under chapter 8 of part I of the Foreign Assistance Act of 1961 or under any other provision of law shall include the authority to interdict illicit arms in connection with the trafficking of illicit narcotics.

SEC. 1702. UNITED STATES OPIUM ERADICATION PROGRAM IN COLOMBIA.

Not later than 180 days after the date of the enactment of this Act, the Secretary of State, acting through the Department of State's Narcotics Affairs Section (NAS) in Bogota, Colombia, shall ensure that all pilots participating in the United States opium eradication program in Colombia are Colombians and are fully trained, qualified, and experienced pilots, with preference provided to individuals who are members of the Colombian National Police.

SEC. 1703. COOPERATIVE DEVELOPMENT PROGRAM.

Of the amounts made available for development assistance under the Foreign Assistance Act of 1961, not less than $2,000,000 for each of the fiscal years 2004 and 2005 are authorized to be made available to finance projects among the United States, Israel, and developing countries in Africa under the Cooperative Development Program.

SEC. 1704. WEST BANK AND GAZA PROGRAM.

(a) OVERSIGHT.—For fiscal year 2004, the Secretary of State shall certify to the appropriate committees of Congress not later than 30 days prior to the initial obligation of funds for the West Bank and Gaza that procedures have been established to assure the Comptroller General will have access to appropriate United States financial information in order to review the use of United States assistance for the West Bank and Gaza funded under chapter 4 of part II of the Foreign Assistance Act of 1961 (''Economic Support Fund'').

(b) VETTING.—Prior to any obligation of funds authorized to be appropriated to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 for assistance for the West Bank and Gaza, the Secretary of State shall take all appropriate steps to ensure that such assistance is not provided to or through any individual or entity that the Secretary knows, or has reason to believe, advocates, plans, sponsors, engages in, or has engaged in, terrorist activity. The Secretary of State shall, as appropriate, establish procedures specifying the steps to be taken in carrying out this subsection.

(c) AUDITS.—

(1) IN GENERAL.—The Administrator of the United States Agency for International Development shall ensure that independent audits of all contractors and grantees, and significant subcontractors and subgrantees, under the West Bank and Gaza Program, are conducted at least on an annual basis to ensure, among other things, compliance with this section.

(2) AUDITS BY INSPECTOR GENERAL OF USAID.—Of the funds authorized to be appropriated by this Act to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 that are made available for assistance for the West Bank and Gaza, up to $1,000,000 may be used by the Office of the Inspector General of the United States Agency for International Development for audits, inspections, and other activities in furtherance of the requirements of paragraph (1). Such funds are in addition to funds otherwise available for such purposes.

SEC. 1705. ANNUAL HUMAN RIGHTS COUNTRY REPORTS ON INCITEMENT TO ACTS OF DISCRIMINATION.

(a) COUNTRIES RECEIVING ECONOMIC ASSISTANCE.—Section 116(d) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(d)) is amended—

(1) in paragraph (9), by striking ''and'' at the end;

(2) in paragraph (10), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(11)(A) wherever applicable, in a separate section with a separate heading, a description of the nature and extent of—

''(i) propaganda in government and government-controlled media and other sources, including government-produced educational materials and textbooks, that attempt to justify or promote racial hatred or incite acts of violence against any race or people; and

''(ii) complicity or involvement in the creation of such propaganda or incitement of acts of violence against any race; and

''(B) a description of the actions, if any, taken by the government of the country to eliminate such propaganda or incitement.''.

(b) COUNTRIES RECEIVING SECURITY ASSISTANCE.—Section 502B(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2304(b)) is amended by inserting after the eighth sentence the following: ''Each report under this section shall also include wherever applicable, in a separate section with a separate heading, a description of (i) the nature and extent of (I) propaganda in government and government-controlled media and other sources, including government-produced educational materials and textbooks, that attempt to justify or promote racial hatred or incite acts of violence against any race, and (II) complicity or involvement in the creation of such propaganda or incitement of acts of violence against any race or people, and (ii) a description of the actions, if any, taken by the government of the country to eliminate such propaganda or incitement.''.

SEC. 1706. ASSISTANCE TO EAST TIMOR.

Section 632(b)(1) of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107–228) is amended by striking ''the fiscal year 2003'' and inserting ''each of the fiscal years 2003, 2004, and 2005''.

SEC. 1707. SUPPORT FOR DEMOCRACY-BUILDING EFFORTS FOR CUBA.

(a) STATEMENT OF POLICY.—It is the policy of the United States to support those individuals and groups who struggle for freedom and democracy in Cuba, including human rights dissidents, independent journalists, independent labor leaders, and other opposition groups.

(b) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated to the President to carry out section 109(a) of Public Law 104–114 (22 U.S.C. 6039(a)) $15,000,000 for each of the fiscal years 2004 and 2005.

(2) ADDITIONAL AUTHORITIES.—Amounts appropriated pursuant to the authorization of appropriations under subsection (a)—

(A) are authorized to remain available until expended; and

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

SEC. 1708. AMENDMENT TO THE AFGHANISTAN FREEDOM SUPPORT ACT OF 2002.

The Afghanistan Freedom Support Act of 2002 (22 U.S.C. 7501 et seq.) is amended—

(1) in section 103(a) by striking ''section 512 of Public Law 107–115 or any similar'' and inserting ''any other''; and

(1) in section 207(b) by striking ''section 512 of Public Law 107–115 or any similar'' and inserting ''any other''.

SEC. 1709. CONGO BASIN FOREST PARTNERSHIP.

(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the President to carry out the Congo Basin Forest Partnership (CBFP) program $18,600,000 for each of the fiscal years 2004 and 2005. Of the amounts appropriated pursuant to the authorization of appropriations under the preceding sentence for a fiscal year, $16,000,000 is authorized to be made available to the Central Africa Regional Program for the Environment (CARPE) of the United States Agency for International Development.

(b) AVAILABILITY.—Amounts appropriated pursuant to the authorization of appropriations under subsection (a) are authorized to remain available until expended.

SEC. 1710. COMBATTING THE PIRACY OF UNITED STATES COPYRIGHTED MATERIALS.

(a) AUTHORIZATION OF APPROPRIATIONS.—In addition to such amounts as may otherwise be authorized to be appropriated for such purpose, there are authorized to be appropriated for the Department of State, $10,000,000 to carry out the following activities in countries that are not members of the Organization for Economic Cooperation and Development (OECD):

(1) Provision of equipment and training for foreign law enforcement, including in the interpretation of intellectual property laws.

(2) Training for judges and prosecutors, including in the interpretation of intellectual property laws.

(3) Assistance in complying with obligations under appropriate international copyright and intellectual property treaties and agreements.

(b) CONSULTATION WITH WORLD INTELLECTUAL PROPERTY ORGANIZATION.—In carrying out subsection (a), the Department of State should make every effort to consult with, and provide

appropriate assistance to, the World Intellectual Property Organization to promote the integration of non-OECD countries into the global intellectual property system.

SEC. 1711. ASSISTANCE FOR LAW ENFORCEMENT FORCES IN CERTAIN FOREIGN COUNTRIES.

Notwithstanding section 660 of the Foreign Assistance Act of 1961 (22 U.S.C. 2420), the Administrator of the United States Agency for International Development is authorized to provide assistance for fiscal years 2004 and 2005 to—

(1) law enforcement agencies of the Government of India for the purposes of enhancing their capacity for medical-first-response and search-and-rescue operations after a natural disaster, improving the access of women to justice, and combating the trafficking of persons; and

(2) the new police force of Northern Ireland for the purpose of providing computer-based, human-rights and other professional training, and the law enforcement agencies of the Republic of Ireland (ROI) for the purposes of fostering greater cooperation and communication between the police force of the Republic of Ireland and the new police force of Northern Ireland, as recommended by the Patten Commission.

SEC. 1712. HUMAN RIGHTS AND DEMOCRACY FUND.

Section 664(c)(1) of the Freedom Investment Act of 2002 (subtitle E of title VI of division A of Public Law 107–228; 22 U.S.C. 2151n–2(c)(1)) is amended—

(1) by striking ''for fiscal year 2003'' and inserting ''for each of the fiscal years 2003 through 2005''; and

(2) by striking ''$21,500,000 is'' and inserting ''$21,500,000 for fiscal year 2003, $24,000,000 for fiscal year 2004, and such sums as may be necessary for fiscal year 2005 are''.

SEC. 1713. ENHANCED POLICE TRAINING.

Section 660(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2420(b)) is amended—

(1) in paragraph (7), by striking the period at the end and inserting ''; or''; and

(2) by adding at the end the following new paragraph:

''(8) with respect to assistance provided to enhance the effectiveness and accountability of civilian police authority through training and technical assistance in internationally recognized human rights, the rule of law, strategic planning, and counter-narcotics, and through the promotion of civilian police roles that support democratic governance, including programs to combat corruption and the trafficking of persons, particularly by organized crime, prevent conflict, and foster improved police relations with the communities in which they serve.''.

SEC. 1714. PROMOTING A SECURE AND DEMOCRATIC AFGHANISTAN.

(a) FINDINGS.—The Congress finds that—

(1) the United States has a vital interest in promoting Afghanistan's transition from chaos, civil war, and disorder to an increasingly prosperous democratic state, safe and secure with its neighbors, respecting human rights, particularly the rights of women and girls, dedicated to the liberty, literacy, and enrichment of its citizens, and serving as a model for other countries;

(2) basic security in the major cities and along key transportation routes is critical to the reconstruction and development of Afghanistan, including fostering implementation of the Bonn Agreement, achieving progress towards a democratic and tolerant government, and encouraging international private investment;

(3) Afghanistan and its people remain under serious threat from terrorism, insurgency, widespread crime, banditry, intimidation, rape, and suppression of minorities and women, and other grave violations of human rights continue to occur, especially in areas that do not have a routine presence of international security personnel;

(4) lethal clashes continue between the private armies of warlords, attacks against Afghan civilians and officials and United States and international organization personnel are on the rise, and threats against civilians and whole villages not to cooperate with Americans or the central government are now routine;

(5) the growth, production, and trafficking of Afghan opium and its derivatives pose a serious threat to international peace and security and efforts toward reconstruction in Afghanistan;

(6) recruitment and training of the Afghan National Army and the Afghan National Police are seriously behind schedule and will not be at full strength for several years, leaving the central government and Afghan citizens vulnerable to the depredations of terrorists, insurgents, and the private armies of warlords;

(7) although the 4,500 soldiers of the International Security Assistance Force (ISAF) have provided much-needed security for the citizens of Kabul, it is not within their mandate or power to promote security to other areas, and human rights abuses are continuing in areas in and around Kabul where ISAF is not present;

(8) vastly disproportionate numbers of refugees returning from neighboring countries have gone to Kabul because of the security provided by ISAF and the insecurity of their home areas, overwhelming Kabul and far exceeding its capacity for shelter, food, and employment;

(9) NATO has recently decided to take over responsibility for a limited ISAF, a welcome development that will not, unfortunately, provide any additional security in Kabul or elsewhere;

(10) the United States has stated on numerous occasions that it does not oppose the expansion of ISAF, but that heretofore other countries have not expressed a willingness to participate in an expanded force;

(11) the United States has not itself demonstrated a commitment to expansion of ISAF or a similar international security or peacekeeping force, a commitment to leadership that other nations may more likely follow;

(12) the Secretary of Defense has announced that the combat phase of the war in Afghanistan has ended, and that the United States will be focusing its efforts on a reconstruction phase utilizing lightly-armed, platoon-sized Provincial Reconstruction Teams to provide security for reconstruction efforts, rather than an expanded international peacekeeping or patrolling security force;

(13) the Provincial Reconstruction Teams may prove inadequate to provide a significant level of security to their regions, and are not tasked to secure the major transportation routes which are critical to the economic revival of Afghanistan;

(14) United States and foreign nongovernmental aid workers and Afghan civilian aid workers are at great risk of being robbed, beaten, and killed in areas of Afghanistan that are not being patrolled by United States forces or Afghan central government forces;

(15) such acts of theft, intimidation, and murder against foreign aid and Afghan civilian workers are occurring with increasing frequency, and are often deliberately committed by Taliban and other insurgent and rebel forces with the intention of creating sufficient terror to undermine and arrest any efforts to rebuild Afghanistan into a peaceful, democratic, and prosperous nation that prohibits terrorism and tyranny;

(16) the report of the Inspector General of the United States Agency for International Development (USAID) confirms that USAID workers are virtual captives in their compounds, able to venture out into the countryside for brief periods and only under heavy armed escort, conditions which are counterproductive to their mission of assisting the people of Afghanistan;

(17) the Taliban and al-Qaeda may believe they only have to create enough terror and uncertainty in the country to undermine the creation of strong representative institutions, and wait until the United States leaves to again create chaos, exploit tribal rivalries, and plunge Afghanistan back into chaos;

(18) failure to secure a peaceful and democratic Afghanistan will diminish the credibility of efforts by the United States and the international community to promote peace and democracy elsewhere in the Muslim world; and

(19) unless general security can be provided in the major population areas, strategic highways, and border crossings and chokepoints, the goals for which the war in Afghanistan was fought may be lost and the efforts and lives spent in the attempt to liberate and rebuild Afghanistan may be wasted.

(b) SECURITY POLICY.—

(1) SECURITY ALONG HIGHWAYS.—The President shall take immediate steps to ensure that there is adequate security along the length of highways connecting major Afghan urban centers in order to terminate and deter acts of banditry, illegal checkpoints, human rights abuses, terrorism, and intimidation against Afghan and foreign civilians and military personnel.

(2) DISARMAMENT, ETC. OF AFGHAN MILITIAS.—The President shall take immediate steps to support directly the disarmament, demobilization, and reintegration of Afghan militias and irregulars that are not formally part of the Afghan National Army or under the direct control of the central government in Afghanistan.

(c) SENSE OF CONGRESS.—It is the sense of the Congress that the President should take steps to implement section 206(d) of the Afghanistan Freedom Support Act of 2002 (Public Law 107–327) to expand significantly the International Security Assistance Force, or take such other steps as may be necessary, such as increasing the number and force levels of United States Provincial Reconstruction Teams, so as to—

(1) increase the area in which security is provided and undertake vital tasks related to promoting security, such as disarming warlords militias and irregulars;

(2) deter criminal activity, including rape, robbery, and intimidation of civilians; and

(3) safeguard highways in order to allow governmental and nongovernmental assistance and reconstruction personnel to move more freely in the countryside to provide humanitarian relief and rebuild Afghanistan.

SEC. 1715. GRANTS TO THE AFRICA SOCIETY.

(a) GRANTS TO THE AFRICA SOCIETY.—For any fiscal year, the Secretary of State is authorized to make grants to the Africa Society to carry out programs and activities that advance United States interests and values in Africa through public and private partnerships that facilitate the continent's political transition to more open democratic societies, support equitable economic growth through trade and investment, support efforts to promote transparency and openness through the public and private sectors, encourage civil society growth and development, and promote awareness of all Americans about Africa, consistent with a grant agreement under such terms as the Secretary of State considers necessary and appropriate.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $1,000,000 for the fiscal year 2004 and such sums as may be necessary for the fiscal year 2005.

The CHAIRMAN pro tempore. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in House Report 108–206 and amendments en bloc described in section 2 of the resolution.

Each amendment printed in the report shall be offered only in the order printed (except as specified in section 3), may be offered only by a Member designated in the report, shall be considered read, shall be debatable for the

time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

It shall be in order at any time for the chairman of the Committee on International Relations or his designee to offer amendments en bloc consisting of amendments printed in the report not earlier considered. Amendments en bloc shall be considered read, shall be debatable for 20 minutes, equally divided and controlled by the chairman and ranking minority member or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

The original proponent of an amendment included in amendments en bloc may insert a statement in the CONGRESSIONAL RECORD immediately before disposition of the amendments en bloc.

The chairman of the Committee of the Whole may recognize for consideration any amendment out of the order printed, but not sooner than 1 hour after the chairman of the Committee on International Relations or a designee prospectively announces from the floor a request to that effect.

It is now in order to consider amendment No. 1 printed in House Report 108–206.

AMENDMENT NO. 1 OFFERED BY MR. SMITH OF NEW JERSEY

Mr. SMITH of New Jersey. Madam Chairman, I offer an amendment cosponsored by the gentleman from Minnesota (Mr. OBERSTAR) and the gentleman from Illinois (Mr. HYDE) to strike the Crowley language in the State Department bill under consideration.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. SMITH of New Jersey:

In section 116(a) of the bill—

(1) after the first dollar amount, insert ''(reduced by $25,000,000)''; and

(2) after the second dollar amount, insert ''(reduced by $25,000,000)''.

Strike subsection (e) of section 116 of the bill.

The CHAIRMAN pro tempore. Pursuant to House Resolution 316, the gentleman from New Jersey (Mr. SMITH) and the gentleman from New York (Mr. CROWLEY) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. SMITH).

Mr. CROWLEY. Madam Chairman, I ask unanimous consent that the gentleman from Pennsylvania (Mr. GREENWOOD) be allowed to control half of the time in opposition to the Smith amendment and be able to yield that time to others as he sees fit.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SMITH of New Jersey. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, just 10 months ago a sweeping, comprehensive reiteration of China's Draconian population control program went into effect in all of China. Sadly, the new law is as harsh, brutal, and violent as ever. Lest anyone be deceived that Beijing is somehow easing up on coercive population control, it is all there in the new law, the infamous one-child-per-couple policy, the crippling fines on those women who attempt to resist, and severe punishment to those women who have a child without explicit government permission.

Since 1979, the U.N. population fund has been the chief apologist for China's coercive one-child-per-couple policy. By its words and by its actions, the UNFPA has chosen to partner with those who oppress women. The UNFPA has funded, provided crucial technical support and, most importantly, provided cover for massive crimes of forced abortion and involuntary sterilization. Tens of millions of children have been slaughtered, their mothers robbed of their children by the state. The UNFPA has aggressively defended this barbaric policy that makes brothers and sisters illegal and makes women the pawns of population control cadres.

One terrifying consequence of China's policy is the disproportionate number of girl murders. According to the State Department's Country Reports on Human Rights Practices in China, currently there may be as many as 100 million more men than women, clearly a direct result of the one-child-per-couple policy.

Time and again, Madam Chairman, the officials at the UNFPA have defended the indefensible. The former executive director of the UNFPA, Nafis Sadik, said, ''China has every reason to feel proud of and pleased with its remarkable achievements made in its family planning policy. The country could offer its experience and social expertise to help other countries.'' God forbid. Let them export the one-child-per-couple policy which relies on coercion to achieve its ends? I hope not! On CBS ''Nightwatch,'' the executive director of the UNFPA said, ''The UNFPA firmly believes, as does the government of the People's Republic of China, that their program is a total voluntary program.'' Madam Chairman, that is unmitigated nonsense and that is a lie.

UNFPA Beijing representative Sven Burmester said and I quote, and please listen to this. This is the U.N.'s man in Beijing:

''China has had the most successful family planning policy in the history of mankind.'' That does not sound like a criticism of coercion or involuntary or forced abortion. That sounds like a partner defending a fellow partner gushing with praise. Of course it ''works,'' and of course the Chinese program is ''successful.'' Coercion works every day of the week.

Forced abortion, I would remind my colleagues, was construed to be a crime against humanity at the Nuremberg war crimes tribunal. It is no less of a crime today as it is practiced by China with its partners in that crime, the UNFPA.

Madam Chairman, having failed the important review required by the Kemp-Kasten anticoercion law, the gentleman from New York (Mr. CROWLEY) today is now attempting to gut, to weaken, to rig the 18-year-old Kemp-Kasten law by requiring that it only be operative if an organization ''knowingly and intentionally'' advances or expands coerced abortion or forced sterilization. If we adopt the Crowley language, enforcement of the current anticoercive law would be dead. Clearly, the whole idea behind this is that the money will flow to the UNFPA unfettered because with this standard, the weakened standard, there is little doubt that the money will flow.

U.S. investigators, if we adopted this language that is in the underlying bill, would now be required to investigate UNFPA personnel and ascertain their knowledge and their intent: What did they know and when did they know it? Given UNFPA's deplorable track record of denying that coercion even exists in China, it would be nearly impossible to prove intent. Even the hardliners in China, in the government, deny coercion or any knowledge of coercion or intent to compel abortions.

I have made three human rights trips to China. I met with the head of China's population control program, Peng Peiyun. Madame Peng Peiyun told me over and over in that lengthy conversation that there was no coercion in China and then she backed that up by citing UNFPA's participation in the program and UNFPA's public statements where UNFPA leaders have defended and said there is no coercion in China. For the past 24 years, again despite overwhelming evidence to the contrary, UNFPA has declared China's program to be, quote, purely voluntary, free of coercion and a model to be emulated by other countries. Let us not forget that proving intent, this weakening standard offered by the gentleman from New York, is usually the stuff of criminal prosecutions, not grant-making.

I would point out to my colleagues, also, if we applied the misguided Crowley standard to any other human rights standard, human trafficking or religious persecution, we would seriously undercut, even destroy, our efforts to mitigate these abuses around the world.

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CROWLEY sets a dangerous precedent in human rights law.

Let me just point out to my colleagues I am the prime sponsor of the Trafficking Victims Protection Act of 2000. Pursuant to that law, Secretary Powell recently placed 15 countries on what we call the tier 3 sanctions list. Those sanctions will soon be imposed. Nowhere in the statute do we require

the Secretary of State to divine the intent of the officials or whether or not they knowingly engaged in these human rights abuses. To give the oppressors that out, that escape clause, would be a gross betrayal of the victims.

In like manner, I respectfully submit we betray the victims of forced abortion and forced sterilization, millions of Chinese women, millions of Chinese children, when we give the oppressors or the friends of the oppressors this engraved invitation to continue denying and obfuscating the truth and, of course, enabling this kind of carnage to go on.

I ask Members to support the Smith-Oberstar-Hyde amendment.

Madam Chairman, I reserve the balance of my time.

Mr. CROWLEY. Madam Chairman, I yield myself 2 minutes.

Madam Chairman, the provisions the gentleman seeks to strike does not promote abortion, forced sterilization or any of the other horrible things opponents of UNFPA say it will do. Madam Chairman, the underlying Crowley-Lee provision funds the U.N. Population Fund, UNFPA, in its work in over 141 countries to provide for child and maternal health, child survival, HIV/AIDS prevention, and family planning.

Nearly 600,000 women die each year from causes related to pregnancy. Ninety-nine percent of those women are in the developing world. Many of these deaths could be prevented through maternal care and through family planning to space those pregnancies.

The President has finished up a 5-day, five-country tour in Africa where he talked about democracy and economic opportunity, but what he did not talk about were the empowerment and equality of women. When women have the ability and access to contraception to plan their families, their economic livelihoods improve. In Bangladesh, I saw UNFPA working with women in the garment industry, educating them without contraception and showing women how limiting their births can improve their economic situation. In Malawi, I saw UNFPA work with a rural birth assistant, providing clean razor blades to cut the umbilical cord, soap and kerosine for a lantern to help rural women deliver their babies safely.

Let me say what I have not seen, what UNFPA is not doing. UNFPA does not provide for abortion. I want to remind my colleagues that no U.S. funding can go to any group that provides for abortions. The gentleman from Illinois (Chairman HYDE) passed his amendment in 1984, and he knows it is still the law today. UNFPA does not engage in coercion of any kind.

Opponents will say that this provision will gut human rights and will say that UNFPA has been engaged in China. In fact, the Bush administration, which at first supported UNFPA by requesting $25 million for UNFPA and funding UNFPA's work in Afghanistan, abruptly changed course when it refused to release $34 million in funding, citing UNFPA's work in 31 counties in China.

Madam Chairman, I reserve the balance of my time.

Mr. GREENWOOD. Madam Chairman, I yield myself 2 minutes.

Madam Chairman, since 1969 when the program was developed with the help of the United States of America, United Nations Family Planning Fund has met an incredible need. That need is that in developing countries in Africa and Asia and Central and South America, throughout the world, women find themselves hopelessly enmeshed in poverty without access to healthcare and without access to family planning services; and the result of that, as the gentleman from New York (Mr. CROWLEY) said, they have more pregnancies than they can bear physically. They have more children than they can feed, and their children are condemned to another cycle of poverty. United Nations Family Planning Agency in 160 countries meets that need so women around the world have access as Americans do.

The gentleman from New Jersey (Mr. SMITH) wants to cut that program in half with this amendment, and the gentleman from New Jersey (Mr. SMITH) wants to make sure that in 159 of those countries access to this service is cut because in one country, China, something terrible happens and that is coercive abortions. But when the President sent his team over there to China to find out what UNFPA's role was, they said we find no evidence that UNFPA has knowingly supported or participated in the management of a program of coercive abortion or involuntary sterilization in the PRC. In fact, it is the UNFPA that is the most effective organization in preventing that from happening, in getting the Chinese to move towards education, to move towards contraception, and away from coercive practices.

If we support the amendment, what we do is we cut off that funding not only to the agency that is trying to enlighten Chinese family planning programs, but we cut it off to 159 other countries, none of whom uses money for anything coercive nor for abortion at all.

Mr. SMITH of New Jersey. Madam Chairman, I yield myself 40 seconds.

I just want to point out to my colleagues that the State Department and Secretary of State Colin Powell relied on many sources to make their determination, and Secretary Powell made this comment in his letter of finding: ''Regrettably, the PRC has in place a regime of severe penalties on women who have unapproved births. This regime plainly operates to coerce pregnant women to have abortions in order to avoid the penalties and therefore amounts to a program of coercive abortion.'' He pointed out ''UNFPA's support of, and involvement in, China's population planning activities allows the Chinese government to implement more effectively its program of coercive abortion.''

Every dollar, Madam Chairman, that does not go to the UNFPA the Secretary of State has said in writing he wants to reprogram to family planning and to maternal healthcare initiatives elsewhere around the world.

Madam Chairman, I reserve the balance of my time.

Mr. CROWLEY. Madam Chairman, I yield 1 minute to the gentleman from California (Mr. LANTOS), ranking member of the House Committee on International Relations.

Mr. LANTOS. Madam Chairman, I thank the gentleman for yielding me this time.

I rise in strong opposition to the amendment. I am second to no one in this body in my criticism of China's horrendous human rights record, including its population control policies. But the U.N. funds program in China is specifically designed to demonstrate the effectiveness of voluntary family planning programs free of coercion and free of quotas. In fact, for over three decades the U.N. fund has helped couples in scores of countries around the globe, avoiding unwanted pregnancies through voluntary family planning programs that fully respect individual rights.

Today, 99 percent of U.N. funds, and let me repeat, 99 percent of the funds are spent outside of China. But this amendment ignores 99 percent of the programs and cuts off our contribution solely over China. If this amendment should pass, more unwanted children will come into the world, and more unnecessary abortions will occur.

I strongly urge my colleagues to oppose the amendment.

Mr. SMITH of New Jersey. Madam Chairman, I yield 2 minutes to the distinguished gentleman from Pennsylvania (Mr. PITTS).

Mr. PITTS. Madam chairman, I rise in strong support of this amendment.

The Chinese government has a policy of killing unborn children it deems a waste of valuable space in one of the world's largest countries. And the UNFPA's response to this policy? Turn a blind eye to the practice of forcing women to kill their unborn children. In fact, it has gone so far as to praise China's population control tactics. Until that changes, UNFPA should not get a dime of the U.S. taxpayers' money.

Last year the State Department said that the UNFPA, and I quote, ''is helping improve the administration of local family planning offices that are effectively coercing women to have abortions.'' Witnesses have testified in the Committee on International Relations that the UNFPA shares office space in one Chinese county with the Chinese Office of Family Planning. That is the very same agency carrying out these coercive practices. And after these revelations, did the UNFPA change its ways? No. Instead, it claimed ignorance.

As we debate this bill, let us face the truth. UNFPA actively and passively supports the policy of forcing women to kill their unborn children based on the debatable claims that it controls population growth. Is that really what we want to support or encourage? I do not think so. If we truly care about human rights, we should support programs that work, programs that uphold the dignity of human life, not programs that allow a repressive communist government to enforce a systematic effort of abuse, repression, and forced abortion.

Some in this body are more committed to using taxpayer money to force Chinese women to have abortions because they have chosen to have children. They are so deeply committed to forcing these women to have abortions that they have already prevented us from sending more than $60 million to people in need.

Make no mistake about it, UNFPA is in bed with Beijing on forced abortions, and if we fund UNFPA, Beijing gets stronger. If we fund UNFPA, we only encourage the regime's strategy of exterminating the babies they do not want; and we should not do that.

Mr. CROWLEY. Madam Chairman, I yield 1 minute to the gentlewoman from California (Ms. LEE), the cosponsor of this amendment.

Ms. LEE. Madam Chairman, I rise today in strong opposition to the Smith amendment to deny basic, urgently needed health services to poor women living in over 141 countries around the globe. This dangerous amendment would strip the amendment that we successfully offered on a bipartisan basis in committee to restore UNFPA funding.

UNFPA saves the lives of women and their children. It prevents abortions, and it provides basic HIV/AIDS prevention services.

Madam Chairman, an overwhelming majority of this House voted for and the President recently signed into law an HIV/AIDS initiative. UNFPA funding is yet another important source of funding in the fight against the deadly pandemic and should be supported. Every day UNFPA is fighting the spread of HIV and AIDS and is saving the lives of hard-to-reach women in hard-to-reach places all around the world.

Finally, for those who are trying to turn this debate into a debate about abortion, let me clarify once more, not one single penny of UNFPA funds goes towards abortion. The Crowley-Lee amendment included in the bill strengthens the fact, and that is the reality. I urge a no on the Smith amendment.

Mr. GREENWOOD. Madam Chairman, I yield 2½ minutes to the gentlewoman from Connecticut (Mrs. JOHNSON).

Mrs. JOHNSON of Connecticut. Madam Chairman, I thank the gentleman for yielding me this time.

Study after study and the experience of nation after nation has demonstrated that the more knowledge women have of how to control their reproductive capability, the more the abortion rate declines. We have seen this in spades in Russia and in countries around the world. Give women the knowledge they need to assume their family planning responsibilities, and they do not have abortions.

So why would you want to deny the women of Haiti $2.8 million in family planning funds and all of the women's health that accompanies these funds, all of the education women gain about how to care for themselves, how to have healthy babies as opposed to unhealthy babies, how to have safe deliveries, how to recover postpartum?

Why would you want to deny the women of Nicaragua $1.1 million in women's healthcare and in safe pregnancies?

Why would you want to deny the women of El Salvador $600,000?

Nigeria, a country in which there is terrible starvation, terrible deprivation, women get terrible healthcare and children die of hunger routinely, why would you want to deny the women of Nigeria $5.3 million so they could have the knowledge to handle their reproductive capabilities responsibly, plan their families so their children are spaced far enough apart, so their children survive and they survive to care for their children?

Why would you want to deny the women of Pakistan $4.1 million, India $13 million, and so on?

I do not comprehend. Why? Because China has a policy we absolutely oppose. So let's withhold our funds from China, but not from the rest of the women of the world!

□ 1345

Why can we not help us focus, as we have been willing to, on the problem in China? But do not deny the women of the world the power of knowledge, because it is that power of knowledge that helps them have healthy pregnancies, healthy babies, and reduces the rate of abortions dramatically; and that is a fact that cannot be denied.

Mr. SMITH of New Jersey. Madam Chairman, I yield myself 15 seconds to remind my colleagues that we provide almost half a billion dollars in family planning monies that go to Haiti, that go to Nicaragua, that go to El Salvador. We provide government-to-government and through nongovernmental organization support. And the money that does not go to the UNFPA will be reprogrammed dollar-for-dollar for these kinds of services.

Madam Chairman, I yield 2 minutes to the distinguished gentlewoman from Virginia (Mrs. JO ANN DAVIS).

Mrs. JO ANN DAVIS of Virginia. Madam Chairman, I rise today in support of the Smith-Oberstar-Hyde amendment to H.R. 1950.

Madam Chairman, I am deeply troubled by the $25 million included in this bill for the United Nations Population Fund. The UNFPA has been proven to be an active participant in China's coercive population program. Secretary Colin Powell, following an investigation into the UNFPA's family planning programs, concluded that the ''UNFPA's support of, and involvement in, China's population-planning activities allows the Chinese government to implement more effectively its program of coercive abortion.''

Madam Chairman, by funding UNFPA, we are permitting women in China to be victimized through this policy of forced abortion and involuntary sterilization. Certainly these women deserve better than that. No woman, no woman should be forced to have an abortion. Yet this is precisely how the Chinese government enforces its population control agenda, with the assistance of UNFPA. Madam Chairman, we cannot support this egregious violation of human rights and violence against women.

By permitting the Crowley provision to remain in this bill, we will allow U.S. taxpayer dollars to be used to support coercive abortion practices overseas. To me, this is unthinkable. U.S. funds should not be connected to any program that is at all involved in a coercive population program, whether directly or indirectly. Due to the clear evidence of UNFPA's involvement in China, we cannot allow our taxpayers to contribute to this organization.

Madam Chairman, UNFPA fails women through its participation in China's policy of coercive abortion. Regardless, regardless of where one stands on the issue of abortion, I think we can all agree that no woman, no woman should be forced to abort her child. My colleague from Connecticut spoke earlier about denying women of Nigeria, Pakistan, Haiti, and so forth. But Madam Chairman, I do not want to deny the women of China the right to have their children.

I urge my colleagues to protect the fundamental human rights of women and children and support the Smith-Oberstar-Hyde amendment.

Mr. CROWLEY. Madam Chairman, I yield 1 minute and 15 seconds to the gentlewoman from New York (Mrs. LOWEY).

Mrs. LOWEY. Madam Chairman, I rise in strong opposition to this amendment and in support of funding for UNFPA.

The language this amendment's sponsors are trying to strike is simple. It says that no U.S. funds go to UNFPA if it directly supports coercive abortion and involuntary sterilization. That is in the bill.

My colleagues may argue that we devote enough to bilateral international family planning programs, that UNFPA is unnecessary. I say that while USAID reaches families in 58 countries, UNFPA reaches 141. In which of the 83 countries in question are there women whom we do not want to help?

My colleagues may argue that our bilateral programs are comprehensive

and UNFPA's is merely repetitive. I point to UNFPA's recent study on obstetric fistula. UNFPA is helping countries in sub-Saharan Africa to fix this terrible problem; USAID, to date, has done nothing.

My colleagues may argue that the language in question today waters down current law. I say that it clarifies current law, maintaining its strength while ensuring it cannot be misinterpreted in order to cut off funding to life-saving programs.

Madam Chairman, our refusal to fund UNFPA simply makes no sense. We do not champion human rights by cutting off UNFPA. What we do is prevent women from understanding what their rights are. We do not save women from coercive practices by cutting off UNFPA. We do, however, destroy an organization that is often the only place women can go to for basic medical and reproductive health care.

Please vote against this amendment.

Madam Chairman, I rise in opposition to this amendment, which would strike common-sense foreign policy from this bill.

The language in question here is simple—it says that no U.S. funds can go to UNFPA if it directly supports or participates in coercive abortion and involuntary sterilization. It codifies the notion that respect for human rights and individual choice are critical components of our identity as Americans, and they should be essential parts of our foreign assistance program.

The language in question fixes an egregious error in current law, an ambiguously-written, overly broad provision that allows politics—not sound policy—to decide where our foreign aid dollars go. Current law has prevented U.S. funding from reaching UNFPA programs since 2001—deeply injuring an organization that saves the lives of the poorest of the poor women and children around the world.

My colleagues may argue that it is enough that we devote hundreds of millions of dollars to bilateral international family planning programs. I say that while USAID reaches families in 58 countries, UNFPA reaches families in 141 countries. In which of the 83 countries in question are there women whom we don't want to help?

My colleagues may argue that our bilateral programs are comprehensive, eliminating the need for UNFPA's repetitive programs. I point to UNFPA's recent study on obstetric fistula, a debilitating result of unattended childbirth that affects more than 2 million women in Africa alone. UNFPA is providing technical and programmatic assistance to countries in sub-Saharan Africa with the will to fix this horrific problem; USAID, to date, has done nothing.

My colleagues may argue that the language in question today waters down current law. I say that it merely clarifies current law, to ensure it cannot be misinterpreted in order to cut off funding to life-saving programs around the world.

Our continued refusal to fund UNFPA should embarrass us, because it simply makes no sense. We do not champion human rights by cutting off UNFPA—we all know that you can't solve problems by attacking the problem-solvers. What the withholding does is prevent women from understanding what their rights actually are.

We do not save women from coercive practices by cutting off UNFPA. We do, however, destroy an organization that, in many countries, is the only place women can turn to for medical care and basic contraceptive products. The only point we make by zero funding UNFPA is that we do not care about the world's most vulnerable women. And that does not adequately reflect what the American people—and even the sponsors of this amendment—feel.

I urge my colleagues to oppose this amendment. Let's put politics aside and allow common-sense, basic human decency, and the merit of UNFPA's work dictate our foreign policy.

Mr. GREENWOOD. Madam Chairman, I yield 2 minutes to the gentleman from Maryland (Mr. HOYER).

(Mr. HOYER asked and was given permission to revise and extend his remarks.)

Mr. HOYER. Madam Chairman, I thank the gentleman from Pennsylvania (Mr. GREENWOOD) for yielding me this time.

The gentleman from New Jersey (Mr. SMITH) is my good friend, but this amendment is misguided. I do not believe that the vast majority of the American public agree with the proposition in this amendment.

The fact is, this issue is not about abortion. It is about the health of millions of women and children in some of the poorest nations in the world. The United Nations Population Fund is the single largest global source of multilateral funding for maternal health and family planning programs, supporting programs in 150 developing nations. It helps mothers deliver healthy babies through prenatal care and safe delivery kits and counseling. It enables couples to determine the number and spacing of their children through the voluntary, and I stress voluntary, use of safe modern contraception. The gentleman from New Jersey, I do not think, believes in that, and I understand that.

This program reduces the incidence and prevents the transmission of HIV/AIDS and others sexually transmitted diseases.

Let us be clear. The United Nations Population Fund does not provide abortion or abortion services anywhere in the world. Not one penny of program funding is used to promote or to perform abortions. In fact, the U.N. Population Fund program in China was developed with the express purpose of moving China away from coerced abortion and involuntary stabilization practices.

I urge my colleagues to vote against this amendment and to support the bipartisan provision offered by the gentleman from New York (Mr. CROWLEY) that was adopted in committee.

Today, we do not ask the proponents of this amendment to abandon their deepest principles on abortion. They should not now ask us to put our heads in the sand and ignore the plight of millions of women and children.

Mr. SMITH of New Jersey. Madam Chairman, I yield 2 minutes to the distinguished gentleman from Missouri (Mr. AKIN).

Mr. AKIN. Madam Chairman, the question is really whether U.S. dollars are going to be funding forced abortions. U.S. dollars may be used for some other things as well, but this amendment is dealing the restrictions to make sure that there will be no forced abortions. So if we vote ''yes'' on the amendment, then what we are going to do is effectively maintain the current ban on U.S. taxpayers' dollars being used to force abortions.

I recall when this came up, it was really quite a number of years ago, but it was an unusual situation. A professor from Stanford University had gone to China and was absolutely amazed at what he saw in their delivery rooms, the fact that women were being forced to have abortions. Those were the better-equipped delivery rooms. The other delivery rooms had buckets full of water, and the unwanted children were simply drowned.

Now, China has had this policy for some time. The question is whether or not we want to coerce our taxpayer dollars, first of all, to go and, second of all, to kill these children.

Well, the end of the story was that the professor talked about this publicly. It upset Stanford because they had so many Chinese students. Stanford told the professor to be quiet. He refused to be quiet, and he lost his job. But the damage was done. The American people found out about coerced abortions.

So it is ironic, it seems to me, that in the name of choice, that we are forcing taxpayers to pay their money and forcing women to have abortions.

Madam Chairman, I urge my colleagues to support the amendment and have no part of any coercion whatsoever.

Mr. GREENWOOD. Madam Chairman, I yield myself 10 seconds to note that the Stanford University professor who was just quoted, Steven Mosher, was kicked out of Stanford in the 1980s for academic fraud and misappropriation of university funds.

Mr. CROWLEY. Madam Chairman, I yield 1 minute to the gentlewoman from New York (Mrs. MALONEY), a leader on this issue.

Mrs. MALONEY. Madam Chairman, I thank my colleagues, the gentleman from New York (Mr. CROWLEY) and the gentleman from Pennsylvania (Mr. GREENWOOD), for their extraordinary leadership in saving the lives of women and children around the world.

I will place in the RECORD two reports that will help clarify this debate. Members on the other side of the aisle, the gentleman from New Jersey (Mr. SMITH) and others, have talked about the China policy; and I will place in the RECORD the report from the British Government and the report from the President's own hand-picked investigatory team which found that UNFPA was not participating in any way in coercion or forced abortion in China, so it is clear and in the RECORD.

Now, let me tell my colleagues what this debate is really about. This debate is about saving women's lives around the world through international family planning. Over 1,600 women die each day in childbirth. That is roughly 600,000 women, at a minimum, each year. It is equivalent to two Boeing jets crashing each day.

What UNFPA is about is about handing out safe birthing kits to needy, poor women.

The CHAIRMAN pro tempore (Mrs. CAPITO). The time of the gentlewoman has expired.

Mr. GREENWOOD. Madam Chairman, I yield 30 seconds to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY. Madam Chairman, it includes simple things like a plastic mat, a razor, soap; basic items that can provide the necessary items that prevent the death of a woman in childbirth. That is what UNFPA is about.

Madam Chairman, 150 countries cannot be wrong. They support the efforts of UNFPA. Our country should be there too, helping the poor women and children around the world, not cutting off needed supplies like this birthing kit that only saves the lives of women in childbirth. And if my friends on the other side support life so much, they would support UNFPA's efforts to save the lives of women and children around the world.

The President's own handpicked investigatory team found that UNFPA was not participating in coercion.

In sum, based in what we saw, heard, and read, we find no evidence that UNFPA has knowingly supported or participated in the management of a program of coercive abortion or involuntary sterilization in the PRC. Indeed, UNFPA has registered its strong opposition to such practices. (Team Report to Colin Powell, July 22, 2002)

A team composed of members of Parliament from the UK in July 2002 found that UNFPA was not participating in coercion.

The [delegation] was convinced that the UNFPA program is a force for good, in moving China away from abuses such as forced-family planning, sterilizations, and abortions . . . It is vitally important that the UNFPA remains actively involved in China, with continued financial support from the UK and other Western Governments. (Report filed by MPs Christine McCafferty, Edward Leigh, and Norman Lamb (July 2, 2002) and forwarded to the U.S. State Department)

Mr. SMITH of New Jersey. Madam Chairman, I yield 2 minutes to the gentleman from Indiana (Mr. PENCE), my good friend and colleague.

(Mr. PENCE asked and was given permission to revise and extend his remarks.)

Mr. PENCE. Madam Chairman, I thank the gentleman for yielding me this time.

I want to be clear on this issue. I am pro-life and I do not apologize for it, but there is no choice in China.

□ 1400

There is no woman's right to choose in China. There is a policy of forced coercive abortion and family planning. Whether or not academics who first observed it were discredited entirely, there is a policy of forced abortion. And with regard to the UNFPA's role, Madam Chairman, I will quote none other than Secretary of State Colin Powell, July 21, 2002, saying, ''The UNFPA's support of and involvement in China's population planning activities allows the Chinese government to implement more effectively its program of coercive abortion; therefore, it is not permissible to continue funding of the UNFPA at this time.'' So said Secretary of State Colin Powell.

It is why we are here today, because there is an attempt to change the language first adopted in Kemp-Kasten in the 1985 Supplemental Appropriations Acts that barred funding to organizations that support or participate in the management of a program of coercive abortion or involuntary sterilization. The language adopted in the Committee on International Relations essentially creates a safe harbor where, as long as the UNFPA claims ignorance of China's barbaric birth control policies, they can receive U.S. funds.

The reality is that UNFPA has a history of supporting China's coercive family planning program. Sven Burmeister of the UNFPA actually called China's population control policies ''a gift to mankind.''

It is barbarism at its worst. I stand, therefore, in strong support of the Smith-Oberstar-Hyde amendment. It is not time to back up on fundamental human rights protections.

Mr. CROWLEY. Madam Chairman, I yield 30 seconds to the gentlewoman from California (Ms. SOLIS).

Ms. SOLIS. Madam Chairman, I rise in strong opposition to the Smith amendment and strongly support international family planning programs, the United Nations Population Fund, and the Crowley-Lee amendment. The UNFPA fund helps promote family services and maternal child health care.

Last year, I had an opportunity to visit Nicaragua. As some of you know, I am half Nicaraguan. I got to see the work that was happening out there to help improve the lives of women and their children. And in Nicaragua, UNFPA fund is working to train midwives, midwifes working in maternity houses that offer free shelter, medical counselling and assistance to high-risk pregnant women.

Madam Chairman, I rise in opposition to the Smith Amendment. I strongly support international family planning programs, the United Nations Population Fund, and Crowley Lee Amendment.

UNFPA helps promote family services and maternal and child health care.

It successfully operates in 34 countries in Latin America and the Caribbean and works to increase the number of skilled birth attendants and reduced high rates of maternal and infant mortality.

In Nicaragua, UNFPA is working to train midwives working in maternity houses that offer free shelter, medical counseling and assistance to high-risk pregnant women, I had a chance to visit and hear about these successes.

As a result, these UNFPA funded maternity homes have helped to reduce maternal mortality in Nicaragua, but many are facing severe funding shortages and may be forced to shut down.

The United States should be helping UNFPA address the continuing unmet need for reproductive and maternal health services in Latin America and around the world!

Mr. GREENWOOD. Madam Chairman, how much time remains?

The CHAIRMAN pro tempore (Mrs. CAPITO). The gentleman from Pennsylvania (Mr. GREENWOOD) has 3 minutes remaining. The gentleman from New Jersey (Mr. SMITH) has 4½ minutes remaining. The gentleman from New York (Mr. CROWLEY) has 3¼ minutes remaining.

Mr. GREENWOOD. Madam Chairman, I yield 1½ minutes to the gentleman from Illinois (Mr. KIRK).

Mr. KIRK. Madam Chairman, I urge the defeat of this amendment, not because of my concerns over what is happening in China but my concerns over what is happening in Mexico. If you believe that we should reduce the population growth of Mexico, then you should be for the United Nations Population Fund which contributes to their program.

Is anyone in this Chamber concerned with the population of Haiti? If you are concerned with overly robust immigration from Haiti, especially illegal immigration, we should be concerned about smaller family size in that country. The UNFPA does that. And Nicaragua and Guatemala and El Salvador.

But much more directly, the Central Intelligence Agency has identified several countries of long-term concern to the United States, particularly the government of Pakistan which they believe may not survive this century. Are you concerned about population pressures there? Are you concerned about large numbers of Pakistanis entering the job market and not finding a job? Well, I am; and the UNFPA is directly supporting the Pakistani family planning program.

More directly, how about the UNFPA efforts to reduce the population size and pressure on Liberia, a government of direct interest to the U.S. national security community at this time? Or what about the mother of all countries in the Middle East undergirding our peace process there, Egypt? The UNFPA is the way that we support the Egyptian family planning program.

I would urge the defeat of this amendment for Mexico, for Haiti, for Pakistan, for Liberia, for Egypt.

Mr. SMITH of New Jersey. Madam Chairman, I yield 2 minutes to the gentleman from Iowa (Mr. KING.)

Mr. KING of Iowa. Madam Chairman, I thank the gentleman for yielding me time.

I support the Smith-Oberstar-Hyde amendment which removes the Crowley amendment. The Crowley amendment to H.R. 1950 renders impotent

previous language known as the Kemp-Kasten anti-coercion provision, a longstanding provision that allows the President to withhold funding from organizations and programs that were supporters or participants in the management of a program of coercive abortion or involuntary sterilization.

The Crowley amendment replaces this easy-to-use oversight language with language that would make it virtually impossible to pull the plug on funding to questionable organizations, by requiring they ''knowingly and intentionally'' support the coercive program being carried out. Should not the fact that an organization merely subsidizes the effort of coercive abortions or forced sterilization be enough of a connection to make their hands too dirty to be trusted with taxpayer money?

The knowingly and intentionally standard is difficult and perhaps impossible to prove. It would allow offenders to invade the prohibition and receive United States tax dollars to subsidize forced abortions and sterilizations.

Quite frankly, we should not have to go through with a virtually impossible task of definitively establishing that an organization knowingly and intentionally supported a tyrannical government's coercive abortion practices. On the contrary, those organizations should have to prove to the nations funding them that they unequivocally do not force women to have abortions or undergo sterilizations in any way. An organization's mere connection to and support of a tyrannical government's overall population control infrastructure is compelling enough evidence that they should not receive funding.

Organizations that, wittingly or unwittingly, directly or indirectly, support the population control systems of a nation that forces a woman to undergo an abortion or take away a woman's availability to have a child have no business receiving U.S. tax dollars.

Mr. CROWLEY. Madam Chairman, I yield 30 seconds to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. Madam Chairman, I urge this House to reject the Smith amendment.

Slashing our contribution to the United Nations Population Fund would sacrifice the health and safety of some of the poorest women and children around the world. This program provides critical maternal health, emergency assistance for refugees, reproduction education, prevention and treatment for HIV and AIDS, and critical care for infants and children.

I saw with my own eyes recently in South Africa that this program is the only health care that many families receive. This Congress should know that each year we hold our funding hostage to the divisive politics we cost impoverished women and children their lives. Defeating this amendment is essential for child survival and AIDS prevention. Millions of orphans around the world are pleading with us.

Mr. SMITH of New Jersey. Madam Chairman, I yield myself 30 seconds.

Madam Chairman, presumably the gentleman from California (Mr. LANTOS), the gentleman from Pennsylvania (Mr. GREENWOOD) and virtually everybody in this Chamber opposes the tyrannical forced abortion policy of China, but not the UNFPA. Let me say that again, not the United Nations Population Fund.

Their representative has called this the most successful family planning policy in the history of mankind. They call it voluntary when it is not. They aid and abet this cruel policy in many, many tangible ways.

The State Department has it right. In the 32 counties as well as in the rest of China, when a woman gets pregnant and the baby is out of ''plan'', in other words, an illegal pregnancy—an illegal child—she faces Draconian fines of up to 6 years of salary. That is what compels the abortion. Desperate, with nowhere to turn, she aborts the child to avoid those fines. I urge support for Smith-Oberstar-Hyde amendment.

Mr. GREENWOOD. Mr. Chairman, I yield 30 seconds back to the gentleman from New York (Mr. CROWLEY).

Mr. CROWLEY. Mr. Chairman, I yield 30 seconds to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Chairman, in opposing the amendment we recognize that reproductive rights embrace certain human rights. We respect the rights of women to make personal decisions on the number, spacing, and timing of children they wish to bear, what type of birth control she chooses, and the right for health, including sexual health.

The UNPF is one of the most successful foreign aid programs that achieves these goals. By denying UNFPA funding to women in poor countries, we deprive them of human rights. UNFPA estimates that $69 million could prevent 4 million unwanted pregnancies, prevent 1.6 million abortions, prevent 9,400 maternal deaths and prevent 1,200 cases of serious material injury and illness.

Mr. SMITH of New Jersey. Mr. Chairman, we have one final speaker to close debate on my side.

Mr. CROWLEY. Mr. Chairman, I will reserve the right to close.

Mr. Chairman, I yield 1 minute to the gentleman from Ohio (Mr. RYAN).

Mr. RYAN of Ohio. Mr. Chairman, I thank the gentleman from New York (Mr. CROWLEY) for yielding me time.

Mr. Chairman, we know that China participates in forced abortions and we all want that to end, but the argument that we are hearing from the other side is that, if we fund this program, that frees money up for China to participate with forced abortions. So that also means, logically, that the money that Secretary Thompson is using for HIV and AIDS investing in China is also freeing up money for them to use for forced abortions; and it also means the free trade deals that we sign that allow Motorola and other companies to put investment into China also frees up money for them to used for coerced abortion.

That does not make any sense. We all want to prevent abortions. That means funding this program will stop 800,000 abortions. That is the goal. Nobody wants coerced abortions in this Chamber. Nobody. Let us make the proper decision. Let us have preventative medicine and let us prevent 800,000 abortions right now with one vote.

I oppose this amendment. Vote it down. Keep the Crowley language.

Mr. GREENWOOD. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, this is one of those days when I stand on the floor and wonder what it is that we are fighting about because our values are so common in so many ways.

Every one of us agrees not a penny of this money should go for abortions, and it does not. Everyone agrees that the policy of coerced abortion is an abomination. It is horrible.

The gentleman from New Jersey came to the floor with an amendment that said if this administration finds that UNFPA is engaged in helping coerced abortions to occur, we would get a 100 percent vote for it. If he said that, the funding to China or the UNFPA would stop. That is not what he has done.

What he has done is similar to in the movies when the bad guys come to town and somebody did something they did not like, so they line them up and they shoot them up.

The Smith amendment lines them up and shoots them all. It shoots them in Haiti. It shoots the program down in Nicaragua, throughout Africa, throughout Asia, throughout the world. All of the good that the gentleman says he supports he cuts in half with his amendment. Because, despite the fact that this administration said we find no evidence that the UNFPA has knowingly supported or participated in the management of coercive abortions, he suspects that perhaps there is an inkling that they do.

Mr. SMITH of New Jersey. Mr. Chairman, I yield our remaining time to the gentleman from Illinois (Mr. HYDE), the distinguished chairman of the Committee on International Relations, to close debate for our side.

Mr. HYDE. Mr. Chairman, I thank the gentleman from New Jersey (Mr. SMITH) very much for yielding me time.

I really do not know where to begin. We have all agreed that the Chinese population control program is coercive and, therefore, violative of human rights. We ought to stay a thousand miles away from anything that facilitates that. And yet this money that we give to the population control fund facilitates the Chinese program.

Now, what no one has mentioned today is the law in China. The population and family planning law which was adopted a couple of years ago has

some chilling phrases in it. Citizens who give birth to a child in violation of Article 18 of this law may be ordered to pay a premium to a fund. Yes, they are ordered to pay a premium triple the yearly income which forces an abortion, coerces an abortion. And guess who enforces the Chinese population law? The People's Liberation Army, the Chinese People's Liberation Army enforces their population law.

Now, I listened very carefully to criticisms that the countries are going to be denied family planning. We are the largest spender on the globe, in the galaxy for family planning, and nobody will be denied anything. It just does not go through the U.N. You know the U.N. That is the organization that supplanted us on the Commission for Human Rights with Libya.

Now, if you think it is important for us to worry about the population of Mexico, as one of the late speakers did, I can understand a Mexican listening to that and saying, who are they to worry about our population?

I am out of time. I just want to say I am just getting wound up, but that is the way it goes. I hope you support the Smith amendment.

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Mr. CROWLEY. Mr. Chairman, before closing, I yield 30 seconds to the gentlewoman from Colorado (Ms. DEGETTE).

Ms. DEGETTE. Mr. Chairman, I thank the gentleman for yielding me the time, and I thank him for his leadership on this issue.

As a woman and a Member of Congress, I am appalled to think that we would cut money for family planning in order to say we are cutting money from abortion. If we have family planning, all around the world we will reduce the number of abortions; and it seems to me that is a good thing.

The UNFPA money is not going to force abortions in China. This is a red herring. The former director of that group said any form of coercion is unacceptable.

Vote ''no'' on this ill-conceived amendment.

Mr. CROWLEY. Mr. Chairman, I yield myself the remaining time.

I will close by just saying that I have enormous respect for the authors of this amendment, the gentleman from New Jersey (Mr. SMITH), the gentleman from Illinois (Mr. HYDE), and the gentleman from Minnesota (Mr. OBERSTAR).

The gentleman from New Jersey (Mr. SMITH) has a stellar record when it comes to the issue of human rights, and I applaud him for that. We just simply do not agree on this issue.

If I believed that or any part of my body believed or my soul believed that the UNFPA was engaged in any form of forced abortion anywhere in the world, I would be the first person supporting their amendment. I just do not believe that to be the case.

I have seen the benefit of UNFPA in the world. I have been to Africa. I have been to Asia. I have been to Bangladesh and India and China. I have seen the abuses in China, and I do not agree with them. I do not agree with China on just about anything, but that does not mean we should gut a program that has worked all around this world to save lives.

Let me just say this in closing. Dr. Nafis Sadik, the former executive director of UNFPA, said, ''Any form of coercion is completely unacceptable, on practical as well as ethical grounds. Coercion is a violation of human rights. Although it is every country's sovereign right to determine its own policy, that right does not extend to coercive practices. The assumption behind coercion, that women are inferior, incapable of independent decision making, not to be trusted, are also those that undermine sustainable development.''

The choice is really clear. If you support family planning, you will oppose the Smith-Oberstar-Hyde amendment.

Mr. SHAYS. Mr. Chairman, I rise in opposition to this harmful amendment.

Cutting funds to the United Nations Population Fund will prevent vital assistance for poor women and children in developing countries. UNFPA's programs help families prevent unwanted pregnancies, undergo childbirth safely, avoid STDs including HIV/AIDS, and combats violence against women. I cannot understand how, in good conscience, a member could vote to cut these programs.

I believe we must support UNFPA and its family planning initiatives because world population continues to grow out of control. In 1960, there were 3 billion people that lived on this Earth. Today, there are 6 billion people; and in 40 years, without worldwide family planning services, it will rise to nearly 9 billion. The UNFPA responds to this growth by assisting the world's poorest countries in formulating population policies and strategies. Overpopulation threatens not only the world's political stability, but our global environment as well.

As a former Peace Corps volunteer, I can attest to the substantial contributions international family programs make to economic development, higher living standards and improved health nutrition.

We need to defeat the Smith/Hyde amendment.

Mr. CROWLEY. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore (Mr. OSE). All time having expired, the question is on the amendment offered by the gentleman from New Jersey (Mr. SMITH).

The question was taken; and the Chairman pro tempore announced that the ayes appeared to have it.

Mr. CROWLEY. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN pro tempore. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Jersey (Mr. SMITH) will be postponed.

The point of no quorum is considered withdrawn.

It is now in order to consider amendment No. 2 printed in House Report 108–206.

AMENDMENT NO. 2 OFFERED BY MR. HYDE

Mr. HYDE. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. HYDE:

Strike section 1 of the bill and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Millennium Challenge Account, Peace Corps Expansion, and Foreign Relations Authorization Act of 2003''.

Strike subsection (a) of section 2 of the bill and insert the following:

(a) ORGANIZATION OF ACT INTO DIVISIONS.—This Act is organized into four divisions as follows:

(1) DIVISION A.—Millennium Challenge Account Act of 2003.

(2) DIVISION B.—Peace Corps Expansion Act of 2003.

(3) DIVISION C.—Department of State Authorization Act, Fiscal Years 2004 and 2005.

(4) DIVISION D.—Defense Trade and Security Assistance Reform Act of 2003.

Redesignate division A of the bill as division C of the bill (and conform all titles, subtitles, and sections therein accordingly, and make all other related technical and conforming amendments).

Redesignate division B of the bill as division D of the bill (and conform all titles, subtitles, and sections therein accordingly, and make all other related technical and conforming amendments).

Insert after section 3 of the bill the following two new divisions (and conform the table of contents accordingly):

DIVISION A—MILLENNIUM CHALLENGE ACCOUNT

TITLE I—GENERAL PROVISIONS

SEC. 101. SHORT TITLE.

This division may be cited as the ''Millennium Challenge Account Act of 2003''.

SEC. 102. DEFINITIONS.

In this division:

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

(A) the Committee on International Relations and the Committee on Appropriations of the House of Representatives; and

(B) the Committee on Foreign Relations and the Committee on Appropriations of the Senate.

(2) BOARD.—The term ''Board'' means the Board of Directors of the Corporation established pursuant to section 303 of this Act.

(3) COMPACT.—The term ''Compact'' means the Millennium Challenge Compact described in section 204 of this Act.

(4) CORPORATION.—The term ''Corporation'' means the Millennium Challenge Corporation established under section 301 of this Act.

(5) COUNCIL.—The term ''Council'' means the Millennium Challenge Advisory Council established under section 308 of this Act.

(6) MILLENNIUM DEVELOPMENT GOALS.—The term ''Millennium Development Goals'' means the key development objectives described in the United Nations Millennium Declaration, as contained in United Nations General Assembly Resolution 55/2 (September 2000), which aim to eradicate extreme poverty and hunger, achieve universal primary education, promote gender equality and empower women, reduce child mortality, improve maternal health, combat HIV/AIDS,

malaria, and other infectious diseases, ensure environmental sustainability, and develop a global partnership for development.

SEC. 103. SUNSET.

All authorities under this division (other than title IV) shall terminate on October 1, 2007.

TITLE II—MILLENNIUM CHALLENGE ASSISTANCE

SEC. 201. FINDINGS; STATEMENT OF POLICY.

(a) FINDINGS.—Congress finds the following:

(1) A principal objective of United States foreign assistance programs, as stated in section 101 of the Foreign Assistance Act of 1961, is the ''encouragement and sustained support of the people of developing countries in their efforts to acquire the knowledge and resources essential to development and to build the economic, political, and social institutions which will improve the quality of their lives''.

(2) The expanding acceptance of free trade and open markets and the spread of democracy and the rule of law have brought a better way of life to an increasing number of people in the world.

(3) Inequalities between men and women undermine development and poverty-reduction efforts in fundamental ways. A woman's limited access to resources and restrictions on the exercise of her rights, including the right to participate in social and political processes, disables her from maximizing her contribution to her family's health, education, and general well-being.

(4) On March 14, 2002, the President noted the successes of development assistance programs: ''The advances of free markets and trade and democracy and rule of law have brought prosperity to an ever-widening circle of people in this world. During our lifetime, per capita income in the poorest countries has nearly doubled. Illiteracy has been cut by one-third, giving more children a chance to learn. Infant mortality has been almost halved, giving more children a chance to live.''.

(5) Development is neither an easy process nor a linear one. There are successes and there are failures. Today, too many people are still living in poverty, disease has eroded many of the economic and social gains of previous decades, and many countries have not adopted policies, for a variety of reasons, that would enable them to compete in an open and equitable international economic system.

(6) More countries and more people will be able to participate in and benefit from the opportunities afforded by the global economy if the following conditions for sound and sustainable economic development are met:

(A) SECURITY.—Security is necessary for economic development. Persistent poverty and oppression can lead to hopelessness, despair, and to failed states that become havens for terrorists.

(B) POLICIES THAT SUPPORT BROAD-BASED ECONOMIC GROWTH.—Successful long-term development can only occur through broad-based economic growth that enables the poor to increase their incomes and have access to productive resources and services so that they can lead lives of decency, dignity, and hope.

(C) DEMOCRACY AND THE RULE OF LAW.—Democratic development, political pluralism, and respect for internationally recognized human rights are intrinsically linked to economic and social progress. The ability of people to participate in the economic and political processes affecting their lives is essential to sustained growth. The rule of law and a commitment to fight corruption is also critical to the development of a prosperous society.

(D) INVESTMENTS IN PEOPLE.—Economic growth and democracy can be sustained only if both men and women have the basic tools and capabilities that foster the opportunity for participation in the economic, social, and political life of their countries. Successful development of countries requires citizens who are literate, healthy, and prepared and able to work.

(7) Economic assistance programs authorized under part I of the Foreign Assistance Act of 1961, as administered by the United States Agency for International Development and other Federal agencies, are of critical importance in assisting countries to be in a position to maximize the effectiveness of assistance authorized by this title.

(8) It is in the national interest of the United States to help those countries that are implementing the economic and political reforms necessary for development to occur.

(9) On March 14, 2002, the President stated that the ''growing divide between wealth and poverty, between opportunity and misery, is both a challenge to our compassion and a source of instability . . . [w]e must confront it . . . [w]e must include every African, every Asian, every Latin American, every Muslim, in an expanding circle of development.''.

(10) The President has pledged that funds requested for the Millennium Challenge Account shall be in addition to, and not a substitute for, existing development and humanitarian programs.

(11) Development assistance alone is not sufficient to stimulate economic growth and development. Assistance has been shown to have a positive impact on growth and development in developing countries with sound policies and institutions. If countries have poor policies and institutions, however, it is highly unlikely that assistance will have a net positive effect.

(12) Economic development, and the achievement of the Millennium Development Goals, must be a shared responsibility between donor and recipient countries.

(b) STATEMENT OF POLICY REGARDING A NEW COMPACT FOR GLOBAL DEVELOPMENT.—It is, therefore, the policy of the United States to support a new compact for global development that—

(1) increases support by donor countries to those developing countries that are fostering democracy and the rule of law, investing in their people, and promoting economic freedom for all their people;

(2) recognizes, however, that it is the developing countries themselves that are primarily responsible for the achievement of those goals;

(3) seeks to coordinate the disparate development assistance policies of donor countries, and to harmonize the trade and finance policies of donor countries with their respective development assistance programs; and

(4) aims to reduce poverty by significantly increasing the economic growth trajectory of beneficiary countries through investing in the productive potential of the people of such countries.

SEC. 202. AUTHORIZATION OF ASSISTANCE.

(a) ASSISTANCE.—The President, acting through the Chief Executive Officer of the Millennium Challenge Corporation, is authorized to provide assistance to eligible countries to support policies and programs that advance the progress of such countries in achieving lasting economic growth and poverty reduction and are in furtherance of the purposes of this title.

(b) PRINCIPAL OBJECTIVES.—Assistance provided under subsection (a) should advance a country's progress toward promoting the following principal objectives:

(1) FOSTERING DEMOCRATIC SOCIETIES, HUMAN RIGHTS, AND THE RULE OF LAW.—The assistance should promote—

(A) political, social, and economic pluralism;

(B) respect for the rule of law;

(C) anti-corruption initiatives and law enforcement;

(D) development of institutions of democratic governance, including electoral and legislative processes;

(E) transparent and accountable public administration at all levels of government;

(F) a fair, competent, and independent judiciary; and

(G) a free and independent media.

(2) FOSTERING INVESTMENT IN EDUCATION AND HEALTH INFRASTRUCTURE AND SYSTEMS.—The assistance should foster improved educational opportunities and health conditions, particularly for women and children, including through—

(A) support for programs and personnel that promote broad-based primary education, including through the development of academic curricula, by making available textbooks and other educational materials, and through appropriate use of technology;

(B) support for programs to strengthen and build institutions, including primary health care systems, infrastructure, facilities, and personnel that provide quality health care;

(C) support for improved systems for the delivery of healthy water and sanitation services; and

(D) support for programs that reduce child mortality (including those programs that combat HIV/AIDS, malaria, tuberculosis, and other infectious diseases, consistent with sections 104(c), 104A, 104B, and 104C of the Foreign Assistance Act of 1961).

(3) PROMOTING ECONOMIC FREEDOM, BROAD-BASED ECONOMIC GROWTH, AND FOSTERING FREE MARKET SYSTEMS.—The assistance should foster the institutions and conditions needed to promote free market systems, trade, and investment, including—

(A) the reform and restructuring of banking and financial systems, including by allowing foreign competition in the banking and financial sectors, where appropriate;

(B) the development of transparent and efficient commercial codes and reduction in the regulatory burden on business;

(C) the protection of property rights, including—

(i) private property and intellectual property rights, including through the adoption and effective enforcement of intellectual property treaties or international agreements; and

(ii) the establishment and maintenance of an efficient and integrated legal property system that, among other things, facilitates the ability of the poor, particularly women, to convert physical and intellectual assets into capital, such as utilizing existing practices and customs that allow assets to be documented in a manner that makes the assets widely transferable, leveragable, and fungible, that allows individuals to hold legal title to their property, and that holds owners accountable for transactions involving their property;

(D) support for market-based policies that support increased agricultural production;

(E) a strong commitment to sound monetary and budgetary policies;

(F) the development of small businesses, private cooperatives, credit unions, and trade and labor unions;

(G) the protection of internationally recognized workers' rights; and

(H) the capacity of eligible countries to ameliorate damage to the environment and respect other environmental standards.

SEC. 203. ELIGIBILITY AND RELATED REQUIREMENTS.

(a) ASSISTANCE FOR LOW INCOME COUNTRIES.—

(1) FISCAL YEAR 2004.—A country shall be eligible to receive assistance under section 202 for fiscal year 2004 if—

(A) the country is eligible for assistance from the International Development Association, and the per capita income of the country is equal to or less than the historical ceiling of the International Development Association for that year, as defined by the International Bank for Reconstruction and Development;

(B) subject to paragraph (3), the country is not ineligible to receive United States economic assistance by reason of the application of section 116, 490, or 620A of the Foreign Assistance Act of 1961, or by reason of the application of any other provision of law; and

(C) the Chief Executive Officer of the Corporation determines that the country has demonstrated a commitment to—

(i) bolster democracy, human rights, good governance and the rule of law;

(ii) invest in the health and education of its citizens; and

(iii) promote sound economic policies that promote economic freedom and opportunity.

(2) FISCAL YEARS 2005 AND 2006.—A country shall be eligible to receive assistance under section 202 for fiscal years 2005 and 2006 if—

(A) the per capita income of the country is equal to or less than the historical ceiling of the International Development Association for the fiscal year involved, as defined by the International Bank for Reconstruction and Development;

(B) the country meets the requirements of paragraph (1)(B); and

(C) the country meets the requirements of clauses (i) through (iii) of paragraph (1)(C), as determined by the Chief Executive Officer.

(3) RULE OF CONSTRUCTION.—For the purposes of determining whether a country is eligible for receiving assistance under section 202 pursuant to paragraph (1)(B), the exercise by the President, the Secretary of State, or any other officer or employee of the United States of any waiver or suspension of any provision of law referred to in such paragraph shall not be construed as satisfying the requirement of such paragraph.

(b) ASSISTANCE FOR LOWER MIDDLE INCOME COUNTRIES.—

(1) IN GENERAL.—In addition to countries described in subsection (a), a country shall be eligible to receive assistance under section 202 for fiscal year 2006 if the country—

(A) is classified as a lower middle income country in the then most recent edition of the World Development Report published by the International Bank for Reconstruction and Development;

(B) meets the requirements of subsection (a)(1)(B); and

(C) meets the requirements of clauses (i) through (iii) of subsection (a)(1)(C), as determined by the Chief Executive Officer.

(2) LIMITATION.—The total amount of assistance provided to countries under this subsection for fiscal year 2006 may not exceed 20 percent of the total amount of assistance provided to all countries under section 202 for fiscal year 2006.

(c) ASSISTANCE FOR SELECTED LOW INCOME COUNTRIES.—

(1) IN GENERAL.—A country shall be eligible to receive assistance for any of fiscal years 2004 through 2006 solely for the purpose of becoming eligible to receive assistance under subsection (a) if the country—

(A) meets the requirements of paragraphs (1)(B) and (2)(A) of subsection (a);

(B) demonstrates a commitment to meeting the requirements of clauses (i) through (iii) of subsection (a)(1)(C), as determined by the Chief Executive Officer; but

(C) fails to meet the eligibility criteria necessary to receive assistance under section 202, as established under subsection (e).

(2) ADMINISTRATION.—Assistance for countries eligible by reason of the application of this subsection shall be provided through the United States Agency for International Development.

(3) ALLOCATION OF FUNDS.—Of the amount authorized to be appropriated under section 208(a) for a fiscal year, not more than 15 percent of such amount is authorized to be appropriated to the President for the fiscal year to carry out this subsection.

(d) GENERAL AUTHORITY TO DETERMINE ELIGIBILITY.—

(1) GENERAL AUTHORITY.—The Chief Executive Officer shall determine whether or not a country is eligible to receive assistance under section 202.

(2) CONGRESSIONAL NOTIFICATION.—Not later than 7 days after making a determination of eligibility for a country under paragraph (1), the Chief Executive Officer shall provide notice thereof to the appropriate congressional committees. Such notice shall include a certification of the determination of the Chief Executive Officer that the country meets the requirements of clauses (i) through (iii) of subsection (a)(1)(C) in accordance with such subsection, subsection (a)(2)(C), subsection (b)(1)(C), or subsection (c)(1)(B), as the case may be.

(e) ELIGIBILITY CRITERIA.—

(1) INITIAL CRITERIA AND METHODOLOGY.—At soon as practicable after the date of the enactment of this Act, but not later than 30 days prior to making any determination of eligibility for a country under this section, the Chief Executive Officer—

(A) shall consult in-person with the appropriate congressional committees with respect to the establishment of eligibility criteria and methodology that the Chief Executive Officer proposes to use for purposes of determining eligibility under this section;

(B) shall establish such eligibility criteria and methodology; and

(C) shall prepare and transmit to such committees a written report that contains such eligibility criteria and methodology.

(2) REVISIONS TO CRITERIA AND METHODOLOGY.—If the Chief Executive Officer proposes to use revised or different criteria from the criteria described in paragraph (1) in making a determination of eligibility for a country under this section, then, not later than 15 days prior to making such determination, the Chief Executive Officer shall consult in-person with the appropriate congressional committees with respect to such revised or different criteria and methodology in accordance with paragraph (1)(A) and shall prepare and transmit a written report in accordance with paragraph (1)(C).

(f) FORM OF ASSISTANCE; RECIPIENTS.—

(1) FORM OF ASSISTANCE.—Assistance provided under section 202 for a country shall be provided to one or more of the entities described in paragraph (2) on a nonrepayable basis and in accordance with a fair, open, and competitive selection process that results in the awarding of such assistance on a merit basis using selection criteria that are made public by the Corporation in advance and are otherwise in accordance with standard and customary best practices for the provision of similar types of assistance.

(2) RECIPIENTS.—The entities referred to in paragraph (1) are the following:

(A) The national government of the country.

(B) Regional or local governmental units of the country.

(C) Nongovernmental organizations, including for-profit, not-for-profit, and voluntary organizations.

(D) International organizations and trust funds.

(g) CONGRESSIONAL NOTIFICATION.—The Chief Executive Officer may not make any grant or enter into any contract for assistance for a country under section 202 that exceeds $5,000,000 until 15 days after the date on which the Chief Executive Officer provides notification of the proposed grant or contract to the appropriate congressional committees in accordance with the procedures applicable to reprogramming notifications under section 634A of the Foreign Assistance Act of 1961.

(h) PROHIBITION ON USE OF FUNDS.—The prohibitions on use of funds contained in paragraphs (1) through (3) of section 104(f) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b(f)(1)–(3)) shall apply to funds made available to carry out this division to the same extent and in the same manner as such prohibitions apply to funds made available to carry out part I of such Act.

SEC. 204. MILLENNIUM CHALLENGE COMPACT.

(a) COMPACT.—The President, acting through the Chief Executive Officer of the Corporation, may provide assistance to an eligible country under section 202 only if the country enters into a contract with the United States, to be known as a ''Millennium Challenge Compact'', that establishes a multi-year plan for achieving shared development objectives in furtherance of the purposes of this title, and only if the President, acting through the Chief Executive Officer, provides to Congress notice regarding such Compact pursuant to subsection (h).

(b) ELEMENTS.—

(1) IN GENERAL.—The Compact shall take into account the national development strategy of the eligible country and shall contain—

(A) the specific objectives that the country and the United States expect to achieve;

(B) the responsibilities of the country and the United States in the achievement of such objectives;

(C) regular benchmarks to measure, where appropriate, progress toward achieving such objectives;

(D) an identification of the intended beneficiaries, disaggregated by income level, gender, and age, to the maximum extent practicable;

(E) a multi-year financial plan, including the estimated amount of contributions by the Corporation and the country and proposed mechanisms to implement the plan and provide oversight, that describes how the requirements of subparagraphs (A) through (D) will be met, including identifying the role of civil society in the achievement of such requirements;

(F) where appropriate, a description of the responsibility of other donors in the achievement of such objectives; and

(G) a plan to ensure appropriate fiscal accountability for the use of assistance provided under section 202.

(2) LOWER MIDDLE INCOME COUNTRIES.—In addition to the elements described in subparagraphs (A) through (G) of paragraph (1), with respect to a lower middle income country described in section 203(b), the Compact shall identify an appropriate contribution from the country relative to its national budget, taking into account the prevailing economic conditions, toward meeting the objectives of the Compact. Such contribution shall be in addition to government spending allocated for such purposes in the country's budget for the year immediately preceding the establishment of the Compact and shall continue for the duration of the Compact.

(c) DEFINITION.—In subsection (b), the term ''national development strategy'' means any strategy to achieve market-driven economic growth that has been developed by the government of the country in consultation with a wide variety of civic participation, including nongovernmental organizations, private and voluntary organizations, academia, women and student organizations, local trade and labor unions, and the business community.

(d) ADDITIONAL PROVISION RELATING TO PROHIBITION ON TAXATION.—In addition to the elements described in subsection (b), each Compact shall contain a provision that states that assistance provided by the United States under the Compact shall be exempt from taxation by the government of the eligible country.

(e) LOCAL INPUT.—In entering into a Compact, the United States and the eligible country—

(1) shall take into account the local-level perspectives of the rural and urban poor in the eligible country; and

(2) should consult with private and voluntary organizations, the business community, and other donors, in the eligible country.

(f) CONSULTATION.—During any discussions with a country for the purpose of entering into a Compact with the country, officials of the Corporation participating in such discussions shall, at a minimum, consult with appropriate officials of the United States Agency for International Development, particularly with those officials responsible for the appropriate region or country on development issues related to the Compact.

(g) COORDINATION WITH OTHER DONORS.—To the maximum extent feasible, activities undertaken to achieve the objectives of the Compact shall be undertaken in coordination with the assistance activities of other donors.

(h) CONGRESSIONAL AND PUBLIC NOTIFICATION.—Not later than 15 days prior to entering into a Compact with an eligible country, the President, acting through the Chief Executive Officer—

(1) shall consult in-person with the appropriate congressional committees with respect to the proposed Compact;

(2) shall provide notification of the proposed Compact to the appropriate congressional committees in accordance with the procedures applicable to reprogramming notifications under section 634A of the Foreign Assistance Act of 1961;

(3) shall prepare and transmit to such committees a written report that contains a detailed summary of the proposed Compact and a copy of the full text of the Compact; and

(4) shall publish such detailed summary and full text of the proposed Compact in the Federal Register and on the Internet website of the Corporation.

(i) ASSISTANCE FOR DEVELOPMENT OF COMPACT.—Notwithstanding subsection (a), the Chief Executive Officer may enter into contracts or make grants for any eligible country for the purpose of facilitating the development of the Compact between the United States and the country.

SEC. 205. SUSPENSION AND TERMINATION OF ASSISTANCE.

(a) SUSPENSION OF ASSISTANCE.—

(1) IN GENERAL.—The President shall suspend assistance in whole or in part for a country under this title if the President determines that—

(A) the country is engaged in activities which are contrary to the national security interests of the United States;

(B) the elected head of state of the country or any member of the country's highest judicial tribunal has been removed from that office or forcibly detained through extra-constitutional processes; or

(C) the country has failed to adhere to its responsibilities under the Compact.

(2) REINSTATEMENT.—The President may reinstate assistance for a country under this title only if the President determines that the country has demonstrated a commitment to correcting each condition for which assistance was suspended under paragraph (1).

(3) CONGRESSIONAL NOTIFICATION.—A suspension of assistance under paragraph (1), or a reinstatement of assistance under paragraph (2), shall be effective beginning 15 days after the date on which the President transmits to the appropriate congressional committees a report that contains the determination of the President under paragraph (1) or paragraph (2), as the case may be.

(b) TERMINATION OF ASSISTANCE.—

(1) IN GENERAL.—The President, acting through the Chief Executive Officer of the Corporation, shall terminate all assistance for a country under this title if the President determines that the country has consistently failed to adhere to its responsibilities under the Compact or has significantly failed to meet the requirements of this title.

(2) CONGRESSIONAL NOTIFICATION.—A termination of assistance under paragraph (1) shall be effective beginning 15 days after the date on which the President, acting through the Chief Executive Officer, provides notification of the proposed termination of assistance to the congressional committees specified in section 634A(a) of the Foreign Assistance Act of 1961 in accordance with the procedures applicable to reprogramming notifications under that section.

SEC. 206. ANNUAL REPORT.

(a) REPORT.—Not later than April 1, 2005, and not later than April 1 of each year thereafter, the Chief Executive Officer of the Corporation shall prepare and transmit to the appropriate congressional committees a report on the implementation of this title for the preceding year.

(b) CONTENTS.—The report shall include the following:

(1) A description and assessment of the eligibility criteria and methodology utilized by the Chief Executive Officer to determine eligibility for each country under section 203.

(2) A description of the agreed upon measures of progress contained in each Compact.

(3)(A) An analysis, on a country-by-country, project-by-project basis, of the impact of assistance provided under this title on the economic development of each country.

(B) For each country, the analysis shall—

(i) to the maximum extent possible, be done on a sector-by-sector basis, gender basis, and per capita income basis, and identify trends within each of these bases;

(ii) identify economic policy reforms conducive to economic development that are supported by assistance provided under this title;

(iii) describe, in quantified terms to the extent practicable, the progress made in achieving assistance objectives for the country;

(iv) describe the amount and nature of economic assistance provided by other major donors which further the purposes of this title; and

(v) discuss the commitment and contribution of the country to achieving the assistance objectives contained in its Compact.

(4) A description and assessment of property rights in each country, including—

(A) the total value of legal and extralegal property and business holdings;

(B) the average time required to acquire land; and

(C) the average time required to register and wind up a business enterprise.

SEC. 207. PARTICIPATION OF CERTAIN UNITED STATES BUSINESSES.

(a) PARTICIPATION.—To the maximum extent practicable, the President, acting through the Chief Executive Officer, shall ensure that United States small, minority-owned, and disadvantaged business enterprises fully participate in the provision of goods and services that are financed with funds made available under this title.

(b) REPORT.—The Chief Executive Officer shall prepare and submit to the appropriate congressional committees an annual report that contains a description of the extent to which the requirement of subsection (a) has been met for the preceding year.

SEC. 208. AUTHORIZATION OF APPROPRIATIONS; RELATED AUTHORITIES.

(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the President, acting through the Chief Executive Officer of the Corporation, to carry out this division (other than title IV) $1,300,000,000 for fiscal year 2004, $3,000,000,000 for fiscal year 2005, and $5,000,000,000 for fiscal year 2006.

(b) ADDITIONAL AUTHORITIES.—Amounts appropriated pursuant to the authorization of appropriations under subsection (a)—

(1) may be referred to as the ''Millennium Challenge Account'';

(2) are authorized to remain available until expended; and

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

TITLE III—MILLENNIUM CHALLENGE CORPORATION

SEC. 301. MILLENNIUM CHALLENGE CORPORATION.

(a) ESTABLISHMENT.—There is hereby established in the executive branch a corporation to be known as the ''Millennium Challenge Corporation'' that shall be responsible for carrying out title II.

(b) GOVERNMENT CORPORATION.—The Corporation shall be a Government corporation, as defined in section 103 of title 5, United States Code.

SEC. 302. CHIEF EXECUTIVE OFFICER.

(a) APPOINTMENT.—The Corporation shall be headed by an individual who shall serve as Chief Executive Officer of the Corporation, who shall be appointed by the President, by and with the advice and consent of the Senate.

(b) COMPENSATION AND RANK.—

(1) IN GENERAL.—The Chief Executive Officer shall be compensated at the rate provided for level II of the Executive Schedule under section 5313 of title 5, United States Code, and shall have the equivalent rank of Deputy Secretary.

(2) AMENDMENT.—Section 5313 of title 5, United States Code, is amended by adding at the end the following:

''Chief Executive Officer, Millennium Challenge Corporation.''.

(c) AUTHORITIES AND DUTIES.—The Chief Executive Officer shall exercise the powers and discharge the duties of the Corporation and any other duties, as conferred on the Chief Executive Officer by the President.

(d) AUTHORITY TO APPOINT OFFICERS.—The Chief Executive Officer shall appoint all officers of the Corporation.

SEC. 303. BOARD OF DIRECTORS.

(a) IN GENERAL.—There shall be in the Corporation a Board of Directors.

(b) DUTIES.—The Board may prescribe, amend, and repeal bylaws, rules, regulations, and procedures governing the manner in which the business of the Corporation may be conducted and in which the powers granted to it by law may be exercised.

(c) MEMBERSHIP.—

(1) IN GENERAL.—The Board shall consist of—

(A) the Secretary of State, the Secretary of Treasury, the Administrator of the United States Agency for International Development, the Chief Executive Officer of the Corporation, and the United States Trade Representative; and

(B) four other individuals who shall be appointed by the President, by and with the advice and consent of the Senate, of which—

(i) one individual shall be appointed from among a list of individuals submitted by the majority leader of the House of Representatives;

(ii) one individual shall be appointed from among a list of individuals submitted by the minority leader of the House of Representatives;

(iii) one individual shall be appointed from among a list of individuals submitted by the majority leader of the Senate; and

(iv) one individual shall be appointed from among a list of individuals submitted by the minority leader of the Senate.

(2) EX-OFFICIO MEMBERS.—In addition to members of the Board described in paragraph (1), the Director of the Office of Management and Budget, the President and Chief Executive Officer of the Overseas Private Investment Corporation, the Director of the Trade and Development Agency, and the Director of the Peace Corps shall be non-voting members, ex officio, of the Board.

(d) TERMS.—

(1) OFFICERS OF FEDERAL GOVERNMENT.—Each member of the Board described in paragraphs (1)(A) and (2) of subsection (c) shall serve for a term that is concurrent with the term of service of the individual's position as an officer within the other Federal department or agency.

(2) OTHER MEMBERS.—Each member of the Board described in subsection (c)(1)(B) shall be appointed for a term of 3 years and may be reappointed for a term of an additional 2 years.

(3) VACANCIES.—A vacancy in the Board shall be filled in the manner in which the original appointment was made.

(e) CHAIRPERSON.—The Secretary of State shall serve as the Chairperson of the Board.

(f) QUORUM.—A majority of the members of the Board shall constitute a quorum, which shall include at least one member of the Board described in subsection (c)(1)(B).

(g) MEETINGS.—The Board shall meet at the call of the Chairperson.

(h) COMPENSATION.—

(1) OFFICERS OF FEDERAL GOVERNMENT.—

(A) IN GENERAL.—A member of the Board described in paragraphs (1)(A) and (2) of subsection (c) may not receive additional pay, allowances, or benefits by reason of their service on the Board.

(B) TRAVEL EXPENSES.—Each such member of the Board shall receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, United States Code.

(2) OTHER MEMBERS.—

(A) IN GENERAL.—Except as provided in paragraph (2), a member of the Board described in subsection (c)(1)(B)—

(i) shall be paid compensation out of funds made available for the purposes of this title at the daily equivalent of the highest rate payable under section 5332 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the actual performance of duties as a member of the Board; and

(ii) while away from the member's home or regular place of business on necessary travel, as determined by the Chief Executive Officer, in the actual performance of duties as a member of the Board, shall be paid per diem, travel, and transportation expenses in the same manner as is provided under subchapter I of chapter 57 of title 5, United States Code.

(B) LIMITATION.—A member of the Council may not be paid compensation under subparagraph (A)(i) for more than thirty days in any calendar year.

SEC. 304. INTERAGENCY COORDINATION.

In carrying out the functions described in this title, and consistent with section 101 of the National Security Act of 1947 (50 U.S.C. 402), the President shall ensure coordination of assistance authorized under title II with foreign economic assistance programs and activities carried out by other Federal departments and agencies.

SEC. 305. POWERS OF THE CORPORATION; RELATED PROVISIONS.

(a) POWERS.—The Corporation—

(1) may adopt, alter, and use a corporate seal, which shall be judicially noticed;

(2) may prescribe, amend, and repeal such rules, regulations, and procedures as are necessary for carrying out the functions of the Corporation and all Compacts;

(3) may make and perform such contracts, grants, and other agreements with any individual, corporation, or other private or public entity, however designated and wherever situated, as may be necessary for carrying out the functions of the Corporation;

(4) may determine and prescribe the manner in which its obligations shall be incurred and its expenses allowed and paid, including expenses for representation not exceeding $95,000 in any fiscal year;

(5) may lease, purchase, or otherwise acquire, own, hold, improve, use or otherwise deal in and with such property (real, personal, or mixed) or any interest therein, wherever situated, as may be necessary for carrying out the functions of the Corporation;

(6) may accept gifts or donations of services or of property (real, personal, or mixed), tangible or intangible, in furtherance of the purposes of this division;

(7) may hire or obtain passenger motor vehicles;

(8) may use the United States mails in the same manner and on the same conditions as the Executive departments (as defined in section 101 of title 5, United States Code);

(9) may, with the consent of any Executive agency (as defined in section 105 of title 5, United States Code), use the information, services, facilities, and personnel of that agency on a full or partial reimbursement in carrying out the purposes of this division; and

(10) may sue and be sued, complain, and defend, in its corporate name in any court of competent jurisdiction.

(b) OFFICES.—

(1) PRINCIPAL OFFICE.—The Corporation shall maintain its principal office in the metropolitan area of Washington, District of Columbia.

(2) OTHER OFFICES.—The Corporation may establish other offices in any place or places outside the United States in which the Corporation may carry out any or all of its operations and business.

(c) COOPERATION WITH OTHER FEDERAL DEPARTMENTS AND AGENCIES.—In order to avoid unnecessary expense and duplication of functions, efforts, and activities between the Corporation and other Federal departments and agencies the Chief Executive Officer, or the Chief Executive Officer's designee—

(1)(A) shall consult, to the maximum extent practicable, with the Administrator of the United States Agency for International Development, or the Administrator's designee, in order to coordinate the activities of the Corporation and the Agency for International Development; and

(B) shall consult with the heads of other departments and agencies to ensure similar coordination of activities;

(2)(A) shall ensure proper coordination of activities of the Corporation with the provision of development assistance of relevant international financial institutions, including the International Bank for Reconstruction and Development, the International Monetary Fund, and the regional multilateral development banks; and

(B) shall provide to each United States Executive Director (or other United States representative) to the relevant international financial institutions a copy of each proposed Compact between the United States and an eligible country and a copy of each such final Compact.

(d) POSITIONS WITH FOREIGN GOVERNMENTS.—When approved by the Corporation, in furtherance of its purposes, employees of the Corporation (including individuals detailed to the Corporation) may accept and hold offices or positions to which no compensation is attached with governments or governmental agencies of foreign countries or with international organizations.

SEC. 306. TRANSPARENCY AND ACCOUNTABILITY OF THE CORPORATION.

The Corporation and its officers and employees shall be subject to the provisions of section 552 of title 5, United States Code (relating to freedom of information).

SEC. 307. DETAIL OF PERSONNEL TO THE CORPORATION; OTHER AUTHORITIES AND LIMITATIONS.

(a) DETAIL OF PERSONNEL.—Upon request of the Chief Executive Officer of the Corporation, the head of an agency may detail any employee of such agency to the Corporation on a fully or partially reimbursable basis. Any employee so detailed remains, for the purpose of preserving such employee's allowances, privileges, rights, seniority, and other benefits, an employee of the agency from which detailed.

(b) LIMITATION ON TOTAL SERVICE.—

(1) IN GENERAL.—Except as provided in paragraph (2), no individual may serve in or under the Corporation (whether as an employee of the Corporation, a detailee to the Corporation, or a combination thereof) for a total period exceeding 5 years.

(2) EXCEPTIONS.—

(A) EXTENSION AUTHORITY.—The Chief Executive Officer may extend the 5-year period under paragraph (1) for up to an additional 3 years, in the case of any particular individual, if the Chief Executive Officer determines that such extension is essential to the achievement of the purposes of this division.

(B) OFFICERS.—Nothing in this subsection shall limit the period for which an individual may serve as an officer of the Corporation appointed pursuant to section 302(d) nor shall any period of service as such an officer be taken into account for purposes of applying this subsection.

(c) REEMPLOYMENT RIGHTS.—

(1) IN GENERAL.—An employee of an agency who is serving under a career or career conditional appointment (or the equivalent), and who, with the consent of the head of such agency, transfers to the Corporation, is entitled to be reemployed in such employee's former position or a position of like seniority, status, and pay in such agency, if such employee—

(A) is separated from the Corporation—

(i) by reason of the application of subsection (b); or

(ii) for any other reason, other than misconduct, neglect of duty, or malfeasance; and

(B) applies for reemployment not later than 90 days after the date of separation from the Corporation.

(2) SPECIFIC RIGHTS.—An employee who satisfies paragraph (1) is entitled to be reemployed (in accordance with such paragraph)

within 30 days after applying for reemployment and, on reemployment, is entitled to at least the rate of basic pay to which such employee would have been entitled had such employee never transferred.

(d) BASIC PAY.—The Chief Executive Officer may fix the rate of basic pay of employees of the Corporation without regard to the provisions of—

(1) chapter 51 of title 5, United States Code (relating to the classification of positions), and

(2) subchapter III of chapter 53 of such title (relating to General Schedule pay rates),

except that no employee of the Corporation may receive a rate of basic pay that exceeds the rate for level II of the Executive Schedule under section 5313 of such title.

(e) ASSIGNMENT TO UNITED STATES EMBASSIES.—An employee of the Corporation, including an individual detailed to or contracted by the Corporation, may be assigned to a United States diplomatic mission or consular post, or United States Agency for International Development field mission.

(f) PRIVILEGES AND IMMUNITIES.—The Secretary of State shall seek to ensure that an employee of the Corporation, including an individual detailed to or contracted by the Corporation, and the members of the family of such employee, while the employee is performing duties in any country or place outside the United States, enjoy the privileges and immunities that are enjoyed by a member of the Foreign Service, or the family of a member of the Foreign Service, as appropriate, of comparable rank and salary of such employee, if such employee or a member of the family of such employee is not a national of or permanently resident in such country or place.

(g) RESPONSIBILITY OF CHIEF OF MISSION.—An employee of the Corporation, including an individual detailed to or contracted by the Corporation, and a member of the family of such employee, shall be subject to section 207 of the Foreign Service Act of 1980 (22 U.S.C. 3927) in the same manner as United States Government employees while the employee is performing duties in any country or place outside the United States if such employee or member of the family of such employee is not a national of or permanently resident in such country or place.

(h) ALLOCATION OF FUNDS.—

(1) IN GENERAL.—The Corporation may allocate or transfer to the United States Agency for International Development or any other agency any part of any funds available for carrying out the purposes of this division. Such funds shall be available for obligation and expenditure for the purposes for which authorized, in accordance with authority granted in this title or under authority governing the activities of the agencies of the United States Government to which such funds are allocated or transferred.

(2) CONGRESSIONAL NOTIFICATION.—The Chief Executive Officer shall notify the appropriate congressional committees not later than 15 days prior to a transfer of funds under paragraph (1) that exceeds $5,000,000.

(3) USE OF SERVICES.—For carrying out the purposes of this division, the Corporation may utilize the services and facilities of, or procure commodities from, any agency under such terms and conditions as may be agreed to by the head of the agency and the Corporation.

(i) FUNDING LIMITATION.—Of the funds allocated under subsection (h) in any fiscal year, not more than 7 percent of such funds may be used for administrative expenses.

(j) OTHER AUTHORITIES.—Except to the extent inconsistent with the provisions of this division, the administrative authorities under chapters 1 and 2 of part III of the Foreign Assistance Act of 1961 shall apply to the provision of assistance under this division to the same extent and in the same manner as such authorities apply to the provision of economic assistance under part I of such Act.

(k) APPLICABILITY OF GOVERNMENT CORPORATION CONTROL ACT.—

(1) IN GENERAL.—The Corporation shall be subject to the provisions of chapter 91 of subtitle VI of title 31, United States Code, except that the Corporation shall not be authorized to issue obligations or offer obligations to the public.

(2) CONFORMING AMENDMENT.—Section 9101(3) of title 31, United States Code, is amended by adding at the end the following:

''(Q) the Millennium Challenge Corporation.''

(l) INSPECTOR GENERAL.—

(1) IN GENERAL.—The Inspector General of the United States Agency for International Development shall serve as Inspector General of the Corporation, and, in acting in such capacity, may conduct reviews, investigations, and inspections of all aspects of the operations and activities of the Corporation.

(2) AUTHORITY OF THE BOARD.—In carrying out its responsibilities under this subsection, the Inspector General shall report to and be under the general supervision of the Board of Directors.

(3) REIMBURSEMENT AND AUTHORIZATION OF SERVICES.—

(A) REIMBURSEMENT.—The Corporation shall reimburse the United States Agency for International Development for all expenses incurred by the Inspector General in connection with the Inspector General's responsibilities under this subsection.

(B) AUTHORIZATION FOR SERVICES.—Of the amount authorized to be appropriated under section 208(a) for a fiscal year, up to $1,000,000 is authorized to be made available to the Inspector General of the United States Agency for International Development to conduct reviews, investigations, and inspections of operations and activities of the Corporation.

(m) COMPTROLLER GENERAL.—

(1) IN GENERAL.—The Comptroller General shall conduct audits, evaluations, and investigations of the Corporation.

(2) SCOPE.—The activities and financial transactions of the Corporation for any fiscal year during which Federal funds are available to finance any portion of its operations may be evaluated, investigated, or audited by the Comptroller General in accordance with such rules and regulations as may be prescribed by the Comptroller General.

(3) ACCESS AND RECORDS.—Any evaluation, investigation, or audit shall be conducted at the place or places where pertinent information of the Corporation is normally kept. The representatives of the General Accounting Office shall have access to all books, accounts, financial records, reports, files, and other papers or property belonging to or in use by the Corporation and necessary to facilitate the evaluation, investigation, or audit; and full facilities for verifying transactions with the balances and securities held by depositories, fiscal agents, and custodians shall be afforded to such representatives. All such books, accounts, financial records, reports, files, and other papers or property of the Corporation shall remain in the possession and custody of the Corporation throughout the period beginning on the date such possession or custody commences and ending three years after such date, but the General Accounting Office may require the retention of such books, accounts, financial records, reports, files, papers, or property for a longer period under section 3523(c) of title 31, United States Code.

(4) REPORT.—A report of such audit, evaluation, or investigation shall be made by the Comptroller General to the appropriate congressional committees and to the President, together with such recommendations with respect thereto as the Comptroller General shall deem advisable.

(n) DEFINITIONS.—For purposes of this section—

(1) the term ''agency'' means an Executive agency, as defined by section 105 of title 5, United States Code; and

(2) the term ''detail'' means the assignment or loan of an employee, without a change of position, from the agency by which such employee is employed to the Corporation.

SEC. 308. MILLENNIUM CHALLENGE ADVISORY COUNCIL.

(a) ESTABLISHMENT.—There is hereby established in the executive branch an advisory council to the Corporation to be known as the Millennium Challenge Advisory Council.

(b) FUNCTIONS.—

(1) GENERAL FUNCTIONS.—The Council shall advise and consult with the Chief Executive Officer of the Corporation and the Board of Directors with respect to policies and programs designed to further the purposes of this division and shall periodically report to the Congress with respect to the activities of the Corporation. In addition, the Council shall review on an annual basis the criteria and methodology used to determine eligibility of countries for assistance under title II and make recommendations to the Chief Executive Officer and the Board to improve the effectiveness of such criteria and methodology in order to achieve the purposes of this division.

(2) ADDITIONAL FUNCTIONS.—Members of the Council shall (subject to subsection (d)(1)) conduct on-site inspections, and make examinations, of the activities of the Corporation in the United States and in other countries in order to—

(A) evaluate the accomplishments of the Corporation;

(B) assess the potential capabilities and the future role of the Corporation;

(C) make recommendations to the Chief Executive Officer, the Board of Directors, and Congress, for the purpose of guiding the future direction of the Corporation and of helping to ensure that the purposes and programs of the Corporation are carried out in ways that are economical, efficient, responsive to changing needs in developing countries and to changing relationships among people, and in accordance with law;

(D) make such other evaluations, assessments, and recommendations as the Council considers appropriate.

(3) PUBLIC PARTICIPATION.—The Council may provide for public participation in its activities, consistent with section 552b of title 5, United States Code.

(c) MEMBERSHIP.—

(1) IN GENERAL.—The Council shall consist of seven individuals, who shall be appointed by the Chief Executive Officer, and who shall be broadly representative of nongovernmental entities with expertise and interest in international trade and economic development, including business and business associations, trade and labor unions, private and voluntary organizations, foundations, public policy organizations, academia, and other entities as the Chief Executive Officer determines appropriate.

(2) ADDITIONAL REQUIREMENT.—No member appointed under paragraph (1) may be an officer or employee of the United States Government.

(d) COMPENSATION.—

(1) IN GENERAL.—Except as provided in paragraph (2), a member of the Council—

(A) shall be paid compensation out of funds made available for the purposes of this title at the daily equivalent of the highest rate payable under section 5332 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the actual performance of duties as a member of the Council; and

(B) while away from the member's home or regular place of business on necessary travel, as determined by the Chief Executive Officer, in the actual performance of duties as a member of the Council, shall be paid per diem, travel, and transportation expenses in the same manner as is provided under subchapter I of chapter 57 of title 5, United States Code.

(2) LIMITATION.—A member of the Council may not be paid compensation under paragraph (1)(A) for more than thirty days in any calendar year.

(e) QUORUM.—A majority of the members of the Council shall constitute a quorum for the purposes of transacting any business.

(f) FINANCIAL INTERESTS OF MEMBERS.—A member of the Council shall disclose to the Chairperson of the Council and the Chief Executive Officer of the existence of any direct or indirect financial interest of that member in any particular matter before the Council and may not vote or otherwise participate as a Council member with respect to that particular matter.

(g) CHAIRPERSON.—The Chief Executive Officer shall designate one of the members of the Council as Chairperson, who shall serve in that capacity for a term of two years. The Chief Executive Officer may renew the term of the member appointed as Chairperson under the preceding sentence.

(h) MEETINGS, BYLAWS, AND REGULATIONS.—

(1) MEETINGS.—The Council shall hold a regular meeting during each calendar quarter and shall meet at the call of the President, the Chief Executive Officer, the Chairperson of the Board, the Chairperson of the Council, or two members of the Council.

(2) BYLAWS AND REGULATIONS.—The Council shall prescribe such bylaws and regulations as it considers necessary to carry out its functions. Such bylaws and regulations shall include procedures for fixing the time and place of meetings, giving or waiving of notice of meetings, and keeping of minutes of meetings.

(i) REPORT TO THE PRESIDENT, CHIEF EXECUTIVE OFFICER, AND BOARD.—

(1) REPORT.—Not later than January 1, 2005, and not later than January 1 of each year thereafter that the Corporation is in existence, the Council shall submit to the President, the Chief Executive Officer, and the Board a report on its views on the programs and activities of the Corporation.

(2) CONTENTS.—Each report shall contain a summary of the advice and recommendations provided by the Council to the Chief Executive Officer and the Board during the period covered by the report and such recommendations (including recommendations for administrative or legislative action) as the Council considers appropriate to make to the Congress.

(3) ADDITIONAL REQUIREMENT.—Not later than 90 days after receiving each such report, the Chief Executive Officer shall transmit to Congress a copy of the report, together with any comments concerning the report that the Chief Executive Officer considers appropriate.

(j) ADMINISTRATIVE ASSISTANCE.—The Chief Executive Officer shall make available to the Council such personnel, administrative support services, and technical assistance as are necessary to carry out its functions effectively.

(k) TERMINATION.—Section 14(a)(2)(B) of the Federal Advisory Committee Act (5 U.S.C. App.; relating to the termination of advisory committees) shall not apply to the Council. Notwithstanding section 102 of this Act, the authorities of the Council shall terminate on December 31, 2007.

SEC. 309. MILLENNIUM CHALLENGE SEED GRANTS.

(a) FINDINGS.—Congress finds the following:

(1) Many countries in the developing world lack the academic and public policy advocacy base essential to attaining the principal objectives of the Millennium Challenge Account.

(2) Because of widespread government repression of free speech and poverty, the countries of Africa in particular suffer an acute shortage of nongovernmental organizations which effectively study and promote the principal objectives of the Millennium Challenge Account.

(3) Many developing countries, particularly low income countries, lack the institutional capacity to enhance the quality and accuracy of data upon which the eligibility criteria in section 203 relies. Such countries may also lack the ability to monitor and evaluate development projects effectively.

(4) The Millennium Challenge Account will struggle to reach its goals unless countries in the developing world possess a home grown intellectual commitment and culture of advocacy aimed at promoting its principal objectives.

(b) ASSISTANCE.—The Chief Executive Officer of the Corporation is authorized to provide assistance in support of nongovernmental organizations (including universities, independent foundations, and other organizations) in low income and lower middle income countries, and, where appropriate, directly to agencies of foreign governments in low income countries, that are undertaking research, education, and advocacy efforts aimed at promoting democratic societies, human rights, the rule of law, improved educational opportunities and health conditions, particularly for women and children, and economic freedom, including research aimed at improving data related to the eligibility criteria and methodology established by this division with respect to such a country or monitoring and evaluating the impact of assistance provided under this division.

(c) LIMITATION.—Not more than $10,000,000 of the amount made available to carry out this division for a fiscal year may be made available to carry out this section.

TITLE IV—PROVISIONS RELATING TO UNITED STATES ECONOMIC ASSISTANCE

SEC. 401. DEFINITION.

In this title, the term ''United States economic assistance'' means any bilateral economic assistance, from any budget functional category, that is provided by any department or agency of the United States to a foreign country, including such assistance that is intended—

(A) to assist the development and economic advancement of friendly foreign countries and peoples, including assistance provided under title II (relating to the Millennium Challenge Account);

(B) to promote the freedom, aspirations, or sustenance of friendly peoples under oppressive rule by unfriendly governments;

(C) to promote international trade and foreign direct investment as a means of aiding economic growth;

(D) to save lives and alleviate suffering of foreign peoples during or following war, natural disaster, or complex crisis;

(E) to assist in recovery and rehabilitation of countries or peoples following disaster or war;

(F) to protect refugees and promote durable solutions to aid refugees;

(G) to promote sound environmental practices;

(H) to assist in development of democratic institutions and good governance by the people of foreign countries;

(I) to promote peace and reconciliation or prevention of conflict;

(J) to improve the technical capacities of governments to reduce production of and demand for illicit narcotics; and

(K) to otherwise promote through bilateral foreign economic assistance the national objectives of the United States.

SEC. 402. FRAMEWORK FOR ASSISTANCE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that a coherent framework for United States economic assistance should be established in accordance with this section.

(b) ELEMENTS.—The framework described in subsection (a) includes the following elements:

(1) The United States Agency for International Development, under the direction and foreign policy guidance of the Secretary of State, should be responsible for—

(A) providing assistance to countries that face natural and man-made disasters in order to provide humanitarian relief to the peoples of such countries, in coordination with refugee programs administered by the Department of State;

(B) providing assistance to countries that are suffering from conflicts or are in post-conflict situations in order to provide humanitarian relief, transition assistance, and reconstruction assistance;

(C) providing assistance to help moderate-to-poorly performing countries achieve development progress in the areas described in part I of the Foreign Assistance Act of 1961, including progress toward becoming eligible for assistance under this title, and to promote international health worldwide, as well as assisting in the development of country and regional development strategies;

(D) addressing transnational problems, such as environmental degradation, food insecurity, and health problems; and

(E) assisting other Federal departments and agencies, including the Corporation established under title III, to carry out assistance activities abroad, including providing technical assistance and advice to such departments and agencies, coordinating its assistance programs with such departments and agencies, and using its field offices to help implement such assistance.

(2) The Corporation established under title III should provide assistance to countries that have demonstrated a commitment to bolstering democracy, good governance, and the rule of law, to investing in the health and educations of their people, and to promoting sound economic policies that foster economic opportunity for their people.

(3) The Department of State should be responsible for allocating security assistance to support key foreign policy objectives of the United States and shall administer assistance in such areas as non-proliferation, anti-terrorism, counter-narcotics, and relief for refugees.

(4) Other Federal departments and agencies with expertise in international development-related activities, such as the Overseas Private Investment Corporation, the Trade and Development Agency, the Department of Agriculture, the Department of Health and Human Services, and the Centers for Disease Control and Prevention, to the extent such departments and agencies have the authority to carry out development-related programs, and in coordination with the Department of State and the United States Agency for International Development, should provide expertise in specific technical areas and shall provide assistance, including assistance

provided with funds made available from the Corporation to assist United States Government international development activities.

SEC. 403. REPORT RELATING TO IMPACT AND EFFECTIVENESS OF ASSISTANCE.

(a) REPORT.—Not later than December 31, 2004, and December 31 of each third year thereafter, the President shall transmit to Congress a report which analyzes, on a country-by-country basis, the impact and effectiveness of United States economic assistance furnished under the framework established in section 402 to each country during the preceding three fiscal years. The report shall include the following for each recipient country:

(1) An analysis of the impact of United States economic assistance during the preceding three fiscal years on economic development in that country, with a discussion of the United States interests that were served by the assistance. This analysis shall be done on a sector-by-sector basis to the extent possible and shall identify any economic policy reforms which were promoted by the assistance. This analysis shall—

(A) include a description, quantified to the extent practicable, of the specific objectives the United States sought to achieve in providing economic assistance for that country, and

(B) specify the extent to which those objectives were not achieved, with an explanation of why they were not achieved.

(2) A description of the amount and nature of economic assistance provided by other donors during the preceding three fiscal years, set forth by development sector to the extent possible.

(3) A discussion of the commitment of the host government to addressing the country's needs in each development sector, including a description of the resources devoted by that government to each development sector during the preceding three fiscal years.

(4) A description of the trends, both favorable and unfavorable, in each development sector.

(5) Statistical and other information necessary to evaluate the impact and effectiveness of United States economic assistance on development in the country.

(6) A comparison of the analysis provided in the report with relevant analyses by international financial institutions, other international organizations, other donor countries, or nongovernmental organizations.

(b) LISTING OF MOST AND LEAST SUCCESSFUL ASSISTANCE PROGRAMS.—The report required by this section shall identify—

(1) each country in which United States economic assistance has been most successful, as indicated by the extent to which the specific objectives the United States sought to achieve in providing the assistance for the country, as referred to in subsection (a)(1)(A), were achieved; and

(2) each country in which United States economic assistance has been least successful, as indicated by the extent to which the specific objectives the United States sought to achieve in providing the assistance for the country, as referred to in subsection (a)(1)(A), were not achieved.

For each country listed pursuant to paragraph (2), the report shall explain why the assistance was not more successful and shall specify what the United States has done as a result.

(d) DE MINIMUS EXCEPTION.—Information under subsections (a) and (b) for a fiscal year shall not be required with respect to a country for which United States economic assistance for the country for the fiscal year is less than $5,000,000.

DIVISION B—REAUTHORIZATION AND EXPANSION OF THE PEACE CORPS

TITLE X—GENERAL PROVISIONS

SEC. 1001. SHORT TITLE.

This division may be cited as the ''Peace Corps Expansion Act of 2003''.

SEC. 1002. DEFINITIONS.

In this division:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate.

(2) DIRECTOR.—The term ''Director'' means the Director of the Peace Corps.

(3) HOST COUNTRY.—The term ''host country'' means a country whose government has invited the Peace Corps to establish a Peace Corps program within the territory of the country.

(4) PEACE CORPS VOLUNTEER.—The term ''Peace Corps volunteer'' means a volunteer or a volunteer leader under the Peace Corps Act.

(5) RETURNED PEACE CORPS VOLUNTEER.—The term ''returned Peace Corps volunteer'' means a person who has been certified by the Director as having served satisfactorily as a Peace Corps volunteer.

SEC. 1003. FINDINGS.

Congress makes the following findings:

(1) The Peace Corps was established in 1961 to promote world peace and friendship through the service abroad of volunteers who are United States citizens. The spirit of service and commitment to helping others is a fundamental component of democracy.

(2) Since its establishment, more than 168,000 volunteers have served in the Peace Corps in 136 countries throughout the world.

(3) The three goals codified in the Peace Corps Act which have guided the Peace Corps and its volunteers over the years, can work in concert to promote global acceptance of the principles of international peace and nonviolent coexistence among peoples of diverse cultures and systems of government.

(4) The Peace Corps has sought to fulfill three goals—to help people in developing countries meet basic needs, promote understanding abroad of the values and ideals of the United States, and promote an understanding of other peoples by the people of the United States.

(5) After more than 40 years of operation, the Peace Corps remains the world's premier international service organization dedicated to promoting grassroots development by working with families and communities to improve health care for children, expand agricultural production, teach in schools, fight infectious diseases, protect the environment, and initiate small business opportunities.

(6) The Peace Corps remains committed to sending well trained and well supported Peace Corps volunteers overseas to promote international peace, cross-cultural awareness, and mutual understanding between the United States and other countries.

(7) The Peace Corps is an independent agency, and, therefore, no Peace Corps personnel or volunteers should be used to accomplish any goal other than the goals established by the Peace Corps Act.

(8) The Crisis Corps has been an effective tool in harnessing the skills and talents of returned Peace Corps volunteers and should be expanded, to the maximum extent practicable, to utilize the talent of returned Peace Corps volunteers.

(9) In fiscal year 2003, the Peace Corps is operating with an annual budget of $295,000,000 in 70 countries, with more than 7,000 Peace Corps volunteers.

(10) There is deep misunderstanding and misinformation in many parts of the world, particularly in countries with substantial Muslim populations, with respect to United States values and ideals. A new or expanded Peace Corps presence in such places could foster better understanding between the people of the United States and such countries.

(11) Congress has declared, and the Peace Corps Act provides, that the Peace Corps shall maintain, to the maximum extent practicable and appropriate, a volunteer corps of at least 10,000 individuals.

(12) President George W. Bush has called for the doubling of the number of Peace Corps volunteers in service.

(13) Any expansion of the Peace Corps should not jeopardize the quality of the Peace Corps volunteer experience and, therefore, necessitates, among other things, an appropriate increase in field and headquarters support staff.

(14) In order to ensure that the proposed expansion of the Peace Corps preserves the integrity of the program and the security of volunteers, the integrated Planning and Budget System supported by the Office of Planning and Policy Analysis should continue its focus on strategic planning.

(15) A streamlined, bipartisan Peace Corps National Advisory Council composed of distinguished returned Peace Corps volunteers, former Peace Corps staff, and other individuals with diverse backgrounds and expertise can be a source of ideas and suggestions that may be useful to the Director of the Peace Corps as the Director discharges the duties and responsibilities as head of the agency.

TITLE XI—AMENDMENTS TO PEACE CORPS ACT; RELATED PROVISIONS

SEC. 1101. ADVANCING THE GOALS OF THE PEACE CORPS.

(a) RECRUITMENT OF VOLUNTEERS.—Section 2A of the Peace Corps Act (22 U.S.C. 2501–1) is amended by adding at the end the following new sentence: ''As an independent agency, the Peace Corps shall be responsible for recruiting all of its volunteers.''.

(b) DETAILS AND ASSIGNMENTS.—Section 5(g) of the Peace Corps Act (22 U.S.C. 2504(g)) is amended by striking ''*Provided*, That'' and inserting ''*Provided*, That such detail or assignment furthers the fulfillment of Peace Corps' development and public diplomacy goals as described in section 2: *Provided further*, That''.

SEC. 1102. REPORTS AND CONSULTATIONS.

(a) ANNUAL REPORTS; CONSULTATIONS ON NEW INITIATIVES.—Section 11 of the Peace Corps Act (22 U.S.C. 2510) is amended by striking the section heading and the text of section 11 and inserting the following:

''SEC. 11. ANNUAL REPORTS; CONSULTATIONS ON NEW INITIATIVES.

''(a) ANNUAL REPORTS.—The Director shall transmit to Congress, at least once in each fiscal year, a report on operations under this Act. Each report shall contain information—

''(1) describing efforts undertaken to improve coordination of activities of the Peace Corps with activities of international voluntary service organizations, such as the United Nations volunteer program, and of host country voluntary service organizations, including—

''(A) a description of the purpose and scope of any development project which the Peace Corps undertook during the preceding fiscal year as a joint venture with any such international or host country voluntary service organizations; and

''(B) recommendations for improving coordination of development projects between the Peace Corps and any such international or host country voluntary service organizations;

''(2) describing—

''(A) any major new initiatives that the Peace Corps has under review for the upcoming fiscal year, and any major initiatives

that were undertaken in the previous fiscal year that were not included in prior reports to the Congress;

''(B) the rationale for undertaking such new initiatives;

''(C) an estimate of the cost of such initiatives; and

''(D) the impact on the safety of volunteers;

''(3) describing in detail the Peace Corps plans, including budgetary plans, to have 14,000 volunteers in service by 2007 while maintaining the quality of the volunteer experience, ensuring the safety and security of all volunteers, and providing for appropriate administrative and other support; and

''(4) describing standard security procedures for any country in which the Peace Corps operates programs or is considering doing so, as well as any special security procedures contemplated because of changed circumstances in specific countries, and assessing whether security conditions would be enhanced—

''(A) by co-locating volunteers with international or local nongovernmental organizations; or

''(B) with the placement of multiple volunteers in one location.

''(b) CONSULTATIONS ON NEW INITIATIVES.—The Director of the Peace Corps shall consult with the appropriate congressional committees with respect to any major new initiatives not previously discussed in the latest annual report submitted to Congress under subsection (a) or in budget presentations. Whenever possible, such consultations should take place prior to the initiation of such initiatives, or as soon as practicable thereafter.''.

(b) ONE–TIME REPORT ON STUDENT LOAN FORGIVENESS PROGRAMS.—Not later than 30 days after the date of enactment of this Act, the Director shall submit to the appropriate congressional committees a report—

(1) describing the student loan forgiveness programs currently available to Peace Corps volunteers upon completion of their service;

(2) comparing such programs with other Government-sponsored student loan forgiveness programs; and

(3) recommending any additional student loan forgiveness programs which could attract more applications from low- and middle-income individuals who are carrying considerable student-loan debt burdens.

(c) ANNUAL REPORT TO CONGRESS ON THE FEDERAL EQUAL OPPORTUNITY RECRUITMENT PROGRAM (FEORP).—Not later than 90 days after the date of enactment of this Act and annually thereafter, the Director shall report on the progress of the Peace Corps in recruiting historically underrepresented groups. The Director shall prepare this report in accordance with section 7201 of title 5, United States Code, and subpart B of part 720 of title 5, Code of Federal Regulations.

(d) REPORT ON MAINTAINING THE INTEGRITY OF THE MEDICAL SCREENING AND MEDICAL PLACEMENT COORDINATION PROCESSES.—Not later than 120 days after the date of enactment of this Act, the Director shall prepare and submit to the appropriate congressional committees a report that—

(1) describes the medical screening procedures and standards of the Office of Medical Services/Screening Unit of the Peace Corps to determine whether an applicant for Peace Corps service has worldwide clearance, limited clearance, a deferral period, or is not medically, including psychologically, qualified to serve in the Peace Corps as a volunteer;

(2) describes the procedures and criteria for matching applicants for Peace Corps service with a host country to ensure that the applicant, reasonable accommodations notwithstanding, can complete at least two years of volunteer service without interruption to host country national projects due to foreseeable medical conditions; and

(3) with respect to each of fiscal years 2000 through 2002 and the first six months of fiscal year 2003, states the number of—

(A) medical screenings conducted;

(B) applicants who have received worldwide clearance, limited clearance, deferral periods, and medical disqualifications to serve;

(C) Peace Corps volunteers who the agency has had to separate from service due to the discovery of undisclosed medical information; and

(D) Peace Corps volunteers who have terminated their service early due to medical, including psychological, reasons.

SEC. 1103. SPECIAL VOLUNTEER RECRUITMENT AND PLACEMENT FOR CERTAIN COUNTRIES.

(a) REPORT.—Not later than 60 days after the date of enactment of this Act, the Director shall submit to the appropriate congressional committees a report that—

(1) describes the recruitment strategies to be employed by the Peace Corps to recruit and train volunteers with the appropriate language skills and interest in serving in host countries; and

(2) lists the countries that the Director has determined should be priorities for special recruitment and placement of Peace Corps volunteers.

(b) USE OF RETURNED PEACE CORPS VOLUNTEERS AND FORMER STAFF.—The Director is authorized and strongly urged to utilize the services of returned Peace Corps volunteers and former Peace Corps staff who have relevant language and cultural experience and may have served previously in countries with substantial Muslim populations, in order to open or reopen Peace Corps programs in such countries.

SEC. 1104. GLOBAL INFECTIOUS DISEASES INITIATIVE; COORDINATION OF HIV/AIDS ACTIVITIES.

(a) INITIATIVE.—

(1) IN GENERAL.—The Director, in cooperation with international public health experts, such as the Centers for Disease Control and Prevention, the National Institutes of Health, the World Health Organization, the Pan American Health Organization, and local public health officials, shall expand the Peace Corps' program of training for Peace Corps volunteers in the areas of education, prevention, and treatment of infectious diseases which are prevalent in host countries in order to ensure that the Peace Corps increases its contribution to the global campaign against such diseases.

(2) ADDITIONAL REQUIREMENT.—Activities for the education, prevention, and treatment of infectious diseases in host countries by the Peace Corps shall be undertaken in a manner that is consistent with activities authorized under sections 104(c), 104A, 104B, and 104C of the Foreign Assistance Act of 1961.

(b) COORDINATION OF HIV/AIDS ACTIVITIES.—

(1) IN GENERAL.—The Director should designate an officer or employee of the Peace Corps who is located in the United States to coordinate all HIV/AIDS activities within the Peace Corps. Such individual may be an individual who is an officer or employee of the Peace Corps on the date of the enactment of this Act.

(2) FIELD COORDINATION.—In addition to the position established under paragraph (1), the Director should designate an individual within each country in sub-Saharan Africa, the Western Hemisphere, and Asia in which Peace Corps volunteers carry out HIV/AIDS activities to coordinate all such activities of the Peace Corps in such countries.

(c) DEFINITIONS.—In this section:

(1) AIDS.—The term ''AIDS'' means the acquired immune deficiency syndrome.

(2) HIV.—The term ''HIV'' means the human immunodeficiency virus, the pathogen that causes AIDS.

(3) HIV/AIDS.—The term ''HIV/AIDS'' means, with respect to an individual, an individual who is infected with HIV or living with AIDS.

(4) INFECTIOUS DISEASES.—The term ''infectious diseases'' means HIV/AIDS, tuberculosis, and malaria.

SEC. 1105. PEACE CORPS NATIONAL ADVISORY COUNCIL.

Section 12 of the Peace Corps Act (22 U.S.C. 2511; relating to the Peace Corps National Advisory Council) is amended—

(1) in subsection (b)(2)—

(A) in subparagraph (C), by striking ''and'' after the semicolon;

(B) by redesignating subparagraph (D) as subparagraph (E); and

(C) by inserting after subparagraph (C) the following:

''(D) make recommendations for utilizing the expertise of returned Peace Corps volunteers and former Peace Corps staff in fulfilling the goals of the Peace Corps; and'';

(2) in subsection (c)(2)—

(A) in subparagraph (A)—

(i) in the first sentence—

(I) by striking ''fifteen'' and inserting ''eleven''; and

(II) by striking ''President, by and with the advice and consent of the Senate'' and inserting ''Director of the Peace Corps'';

(ii) by striking the second sentence and inserting the following: ''Six of the members shall be former Peace Corps volunteers, at least one of whom shall have been a former staff member abroad or in the Washington headquarters, and not more than six shall be members of the same political party.'';

(B) by striking subparagraph (B);

(C) by amending subparagraph (D) to read as follows:

''(D) The members of the Council shall be appointed to 2-year terms.'';

(D) in subparagraph (H), by striking ''nine'' and inserting ''seven'';

(E) in subparagraph (I), by striking ''President shall nominate'' and inserting ''Director shall appoint''; and

(F) by redesignating subparagraphs (C), (D), (E), (F), (G), (H), and (I) as subparagraphs (B), (C), (D), (E), (F), (G), and (H), respectively; and

(3) by amending subsection (g) to read as follows:

''(g) CHAIR.—The Director shall designate one of the voting members of the Council as Chair, who shall serve in that capacity for a term of two years. The Director may renew the term of a voting member appointed as Chair under the preceding sentence.''.

SEC. 1106. READJUSTMENT ALLOWANCES.

The Peace Corps Act is amended—

(1) in section 5(c) (22 U.S.C. 2504(c)), by striking ''$125 for each month of satisfactory service'' and inserting ''$275 for each month of satisfactory service during fiscal year 2004 and $300 for each month of satisfactory service thereafter''; and

(2) in section 6(1) (22 U.S.C. 2505(1)), by striking ''$125 for each month of satisfactory service'' and inserting ''$275 for each month of satisfactory service during fiscal year 2004 and $300 for each month of satisfactory service thereafter''.

SEC. 1107. PROGRAMS AND PROJECTS OF RETURNED PEACE CORPS VOLUNTEERS AND FORMER STAFF.

(a) PURPOSE.—The purpose of this section is to provide support for returned Peace Corps volunteers to develop and carry out programs and projects to promote the objectives of the Peace Corps Act, as set forth in section 2(a) of that Act (22 U.S.C. 2501(a)).

(b) GRANTS TO CERTAIN NONPROFIT CORPORATIONS.—

(1) GRANT AUTHORITY.—

(A) IN GENERAL.—To carry out the purpose of this section, and subject to the availability of appropriations, the Director may award grants on a competitive basis to private nonprofit corporations for the purpose of enabling returned Peace Corps volunteers to use their knowledge and expertise to develop and carry out the programs and projects described in paragraph (2).

(B) DELEGATION OF AUTHORITY AND TRANSFER OF FUNDS.—The Director may delegate the authority to award grants under subparagraph (A) and may transfer funds authorized under this section subject to the notification procedures of section 634A of the Foreign Assistance Act of 1961 to the Chief Executive Officer of the Corporation for National and Community Service (referred to in this section as the ''Corporation'').

(2) PROGRAMS AND PROJECTS.—Such programs and projects may include—

(A) educational programs designed to enrich the knowledge and interest of elementary school and secondary school students in the geography and cultures of other countries where the volunteers have served;

(B) projects that involve partnerships with local libraries to enhance community knowledge about other peoples and countries; and

(C) audio-visual projects that utilize materials collected by the volunteers during their service that would be of educational value to communities.

(3) ELIGIBILITY FOR GRANTS.—To be eligible to compete for grants under this section, a nonprofit corporation shall have a board of directors composed of returned Peace Corps volunteers and former Peace Corps staff with a background in community service, education, or health. If the grants are made by the Corporation, the nonprofit corporation shall meet all appropriate Corporation management requirements, as determined by the Corporation.

(c) GRANT REQUIREMENTS.—Such grants shall be made pursuant to a grant agreement between the Peace Corps or the Corporation and the nonprofit corporation that requires that—

(1) the grant funds will only be used to support programs and projects described in subsection (a) pursuant to proposals submitted by returned Peace Corps volunteers (either individually or cooperatively with other returned volunteers);

(2) the nonprofit corporation will give consideration to funding individual programs or projects by returned Peace Corps volunteers, in amounts of not more than $50,000, under this section;

(3) not more than 20 percent of the grant funds made available to the nonprofit corporation will be used for the salaries, overhead, or other administrative expenses of the nonprofit corporation;

(4) the nonprofit corporation will not receive grant funds for programs or projects under this section for a third or subsequent year unless the nonprofit corporation makes available, to carry out the programs or projects during that year, non-Federal contributions—

(A) in an amount not less than $2 for every $3 of Federal funds provided through the grant; and

(B) provided directly or through donations from private entities, in cash or in kind, fairly evaluated, including plant, equipment, or services; and

(5) the nonprofit corporation shall manage, monitor, and submit reports to the Peace Corps or the Corporation, as the case may be, on each program or project for which the nonprofit corporation receives a grant under this section.

(d) STATUS OF THE FUND.—Nothing in this section shall be construed to make any nonprofit corporation supported under this section an agency or establishment of the Federal Government or to make the members of the board of directors or any officer or employee of such nonprofit corporation an officer or employee of the United States.

(e) FACTORS IN AWARDING GRANTS.—In determining the number of nonprofit corporations to receive grants under this section for any fiscal year, the Peace Corps or the Corporation—

(1) shall take into consideration the need to minimize overhead costs that direct resources from the funding of programs and projects; and

(2) shall seek to ensure a broad geographical distribution of grants for programs and projects under this section.

(f) CONGRESSIONAL OVERSIGHT.—Grant recipients under this section shall be subject to the appropriate oversight procedures of Congress.

(g) FUNDING.—

(1) IN GENERAL.—There is authorized to be appropriated to carry out this section up to $10,000,000. Such sum shall be in addition to funds made available to the Peace Corps under this division.

(2) AVAILABILITY.—Amounts appropriated pursuant to paragraph (1) are authorized to remain available until expended.

(h) CRISIS CORPS.—

(1) STATEMENT OF POLICY.—Congress states that the Crisis Corps has been an effective tool in harnessing the skills and talents of returned Peace Corps volunteers.

(2) INCREASE IN NUMBER OF CRISIS CORPS ASSIGNMENTS.—The Director, in consultation with the governments of host countries and appropriate nongovernmental organizations, shall increase the number of available Crisis Corps assignments for returned Peace Corps volunteers to at least 120 assignments in fiscal year 2004, 140 assignments in fiscal year 2005, 160 assignments in fiscal year 2006, and 165 assignments in fiscal year 2007.

SEC. 1108. DECLARATION OF POLICY.

Congress declares its support for the goal announced by President Bush of doubling the number of Peace Corps volunteers to 14,000 by 2007 and supports the funding levels necessary to accomplish this growth.

SEC. 1109. PEACE CORPS IN SIERRA LEONE.

(a) FINDINGS.—Congress makes the following findings:

(1) Peace Corps service to Sierra Leone was suspended in 1994 due to a brutal civil war between the government and the Revolutionary United Front (RUF).

(2) Backed by British military intervention and a United Nations peacekeeping operation, government authority has been reestablished throughout the country and ''free and fair'' national elections took place in May 2002.

(3) Sierra Leone is a majority Muslim country.

(4) The Peace Corps has given the safety and security of its volunteers high priority.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Peace Corps should return its program to Sierra Leone as soon as security conditions are consistent with the safety and security of its volunteers.

SEC. 1110. AUTHORIZATION OF APPROPRIATIONS.

Section 3(b)(1) of the Peace Corps Act (22 U.S.C. 2502(b)(1)) is amended by striking ''and $365,000,000 fiscal year 2003'' and inserting ''$365,000,000 for fiscal year 2003, $366,868,000 for fiscal year 2004, $411,800,000 for fiscal year 2005, $455,930,000 for fiscal year 2006, and $499,400,000 for fiscal year 2007''.

The CHAIRMAN pro tempore. Pursuant to House Resolution 316, the gentleman from Illinois (Mr. HYDE) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Illinois (Mr. HYDE).

Mr. HYDE. Mr. Chairman, I yield myself such time as I may consume.

I rise today to offer amendment No. 2, which includes the text of H.R. 2441, the Millennium Challenge Account Authorization and Peace Corps Expansion Act of 2003.

The Millennium Challenge Account is based on the revolutionary idea that countries must be accountable for their actions, be responsible for developing and advancing their own plans of progress, and must show results in order to receive economic assistance from the American taxpayer. The Peace Corps Expansion Act supports the President's vision that he described in this Chamber during his 2002 State of the Union address to double the number by the year 2007 of Peace Corps volunteers serving their Nation overseas.

Many U.S. assistance programs have not achieved results over the years. Some assistance has allowed corrupt leaders to amass personal fortunes and remain in power beyond the will of the citizenry. Other aid has allowed leaders and governments to abdicate responsibility for effective governance and pursue detrimental, self-destructive, or personally self-enriching policies. Other assistance has gone to consultants or middlemen with little results to show in the end.

These failures of the past should not lead us to turn our backs on the developing world. Just the opposite. Now is the time for American leadership and for America to recognize through its aid those countries that respect the rights of citizens, promote democracy, and encourage economic freedom and prosperity. However, we need to demonstrate what works and what does not, and we need to hold accountable those governments and leaders who do not choose the right path of reform.

The President's proposal is the first serious attempt to address the fact that existing U.S. development assistance programs have consistently failed to meet their stated goals. Despite decades of economic aid, many Nations are poorer now than they were before first receiving development assistance. The President's proposal is enthusiastically supported by the relief and development nongovernmental community, as well as by the Heritage Foundation, the Wall Street Journal, and other organizations that have previously assailed foreign assistance as wasteful, inefficient, and ineffective.

The U.S. must be more selective in aid distribution if the assistance is to be effective and a positive contributor to development. As proposed by the President and included in the legislation before us today, MCA assistance will reward only those recipients who

willingly adopt good policies and institutions. Of the 70-or-so countries currently eligible for development assistance, it is possible that only 10 countries will meet the strict criteria stipulated by the President and endorsed in this bill.

At the funding levels proposed, this may mean a very high level of assistance for MCA-eligible countries. The administration believes this will create a competition among cusp countries which may accelerate reforms and the adoption of good policies. This amendment endorses this approach.

The President's proposal for a Millennium Challenge Account deserves our support. We should embrace the idea of increasing U.S. economic assistance but only to those countries that demonstrate a commitment to human rights, democratic ideals and practices, and investment in people.

H.R. 2441, reported favorably by the Committee on International Relations, is truly a bipartisan bill that supports two of the President's key foreign policy initiatives and has more than 70 cosponsors. The work of the gentleman from California (Mr. LANTOS), the ranking member on this committee, has been indispensable; and I congratulate and thank him, and I urge my colleagues to support the Hyde-Lantos amendment, which incorporates the text from H.R. 2441.

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

The CHAIRMAN pro tempore. Does the gentleman from California (Mr. LANTOS) seek to control the time on the proposed amendment?

Mr. LANTOS. Mr. Chairman, yes, I do.

The CHAIRMAN pro tempore. The gentleman is recognized.

Mr. LANTOS. Mr. Chairman, I yield myself such time as I may consume.

First, I want to commend my good friend and colleague, the gentleman from Illinois (Chairman HYDE), for the power and integrity of his convictions. The Millennium Challenge Account would not have been possible without his leadership and commitment to a bipartisan approach to international poverty reduction.

The Millennium Challenge Account, as conceived by the President and crafted by the Committee on International Relations, marks the beginning of a revolution in U.S. international development assistance by recognizing the importance of democratic rule, good governance, and human rights. In achieving sustainable levels of economic growth and social development, the MCA creates the political and economic linkages critical to reducing poverty and to achieving progress.

At the same time, the MCA removes the Cold War-era strategic calculus from the development assistance equation. Each potential recipient of our assistance is to be judged on its own merits, based on their commitment to progress and our commitment to the political, economic, social, and humanitarian value of development assistance.

Finally, the MCA implicitly endorses a critical aspect of our approach to combatting international terrorism. Although the administration has not focused on this point, modern terrorism of the kind that struck our Nation on September 11 is fueled in part by the desperation and hopelessness that pervades much of the developing world. The MCA provides new hope, and as such, represents a powerful antidote to terrorism and other forms of violent conflict that have stalled the developing world.

Mr. Chairman, when the Committee on International Relations held its first meeting on the MCA, I expressed a range of concerns about various aspects of the administration's initial proposal. I am pleased to say that the legislation included in this amendment has addressed satisfactorily each of my earlier concerns, and the Hyde-Lantos amendment before us has my very strong support.

The administration's initial proposal relegated USAID, the most capable agency within our government in administering international assistance, to a bit part in managing this massive account. Our bipartisan amendment restores USAID to its rightful role by providing its administrator with a seat and a vote on the Millennium Challenge Corporation's board of directors. Together with the interagency coordination that our amendment requires, this improvement promises to strengthen the MCA considerably.

Our bipartisan amendment also addresses my earlier concerns about the rigid application of strict eligibility criteria by mandating congressional and societal consultations on the finalization of criteria. By providing for an annual reevaluation process and by authorizing limited assistance to those countries on the cusp of eligibility, our legislation safeguards against the inherently arbitrary nature of mechanically selecting qualified states.

Mr. Chairman, the Hyde-Lantos MCA amendment will not single handedly eradicate poverty, nor will it place the United States in the same company as Denmark, Norway, and the Netherlands, the global leaders in this field, in terms of per capita levels of development assistance; but our legislation will renew our commitment to poor, but striving, countries in our common fight against hunger and despair.

Speaking as someone who as a youth experienced both tremendous deprivation and the bounty of American generosity, I can testify to the profound influence that U.S. assistance can have on shaping the perceptions of foreign nations of our great country.

Mr. Chairman, allow me to conclude by addressing the reauthorization of the Peace Corps, which is also included in this amendment. It is fitting that we consider the Millennium Challenge Account and the Peace Corps jointly because both are critical to enhancing U.S. international development assistance.

Since President Kennedy first deployed the Peace Corps in 1961, the program's 168,000 volunteers, men and women, young and old, have made an immeasurable contribution to reducing poverty and promoting American values literally all over the globe. Reauthorizing this inspirational initiative is clearly in our national interests and in the interests of reducing poverty and restoring hope across the globe.

Two of our colleagues deserve special recognition for bringing the Peace Corps reauthorization before us. The gentlewoman from Minnesota (Ms. MCCOLLUM), a new, but invaluable, member of our committee, and the gentleman from California (Mr. FARR), a former Peace Corps volunteer himself, were instrumental in crafting this amendment; and I am deeply indebted to both of them.

Mr. Chairman, today this Chamber has the opportunity to reauthorize the Peace Corps and to establish the Millennium Challenge Account. Both initiatives offer the best hope to defeat international poverty and international terrorism, and I strongly urge all of my colleagues to support the Hyde-Lantos amendment.

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Mr. LANTOS. Mr. Chairman, I reserve the balance of my time.

Mr. HYDE. I yield 3 minutes to the gentleman from Wisconsin (Mr. GREEN).

Mr. GREEN of Wisconsin. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, some months ago, I met with an American ambassador posted in an Islamic nation. That ambassador said she often heard the charge that America was losing the battle for the hearts and minds of the young Muslim world. She said to me that that charge was untrue. It was not that we were losing the battle, but that we are not even in it.

Mr. Chairman, today, by supporting the Millennium Challenge Account, we step into the fray not just with respect to young Muslims but to Africans in general and Asians and Latin Americans and others in the underdeveloped world who have all too often been left behind or been left out.

There is so much to commend the Millennium Challenge Account. For conservatives, it will bring greater accountability and results in our foreign assistance. For internationalists, it will dramatically increase foreign assistance. For all of us, this legislation, in very bold ways, rewards and encourages and reinforces those policies that will root out corruption, policies that will produce education reform, a commitment to health care, and, most importantly, greater freedom.

Mr. Chairman, during these troubled times, the best thing I can say about the Millennium Challenge Account is

that it will make a historic difference in our long struggle with terrorism. An observer recently noted that in our long battle with the threat of terrorism it is not enough for us to merely hunt down the terrorists. We must also shut down the schools and institutions and the policies that churn out wave after wave of hate-filled attackers. We cannot destroy all the terrorists and potential terrorists. We cannot capture every last bomb and every bullet. We have to change their minds as well. And we can only do so by showing them in compassionate ways our values and our principles in action.

We must attack those conditions that foster despair, because despair can lead to radicalism; and in tyranny that radicalism can lead to vivid evil violence, violence that we have seen too painfully in recent months.

The Millennium Challenge Account must be our answer. It offers resources to those in need. It shows beyond doubt that Americans care about the plight of humanity. And, finally, it rewards those leaders who are committed to freedom and reform and the values and the principles that everyone in this Chamber holds dear.

I commend the President for his vision in introducing the Millennium Challenge Account. I commend and thank the chairman of the Committee on International Relations and the ranking member for their leadership in bringing it here today. I congratulate them. Together, my friends, we are making history, in my view, in a very positive way.

Mr. LANTOS. Mr. Chairman, I am very pleased to yield 2 minutes to the gentleman from California (Mr. FARR), my good friend and colleague and a former Peace Corps volunteer.

Mr. FARR. Mr. Chairman, I want to thank my colleagues, the Chair and ranking member of the Committee on International Relations, for this great piece of legislation that is coming before us. I want to express my particular appreciation for the inclusion of the Peace Corps Expansion Act in this bill.

Five of us now serving in the United States House of Representatives are returned Peace Corps volunteers, and we very much appreciate the work of this committee to strengthen the Peace Corps. I want to thank the gentleman from Illinois (Mr. HYDE) and the ranking member, the gentleman from California (Mr. LANTOS), for their leadership in bringing this important bill to the floor.

The Peace Corps was, for me, a life-challenging experience, a life-changing experience as well as challenging. The Peace Corps Expansion Act will help offer this unique experience to more Americans than ever before. I would like to engage in a brief colloquy with the distinguished ranking member about an amendment that I offered that was not made in order for this rule. My understanding is that the gentleman has had the opportunity to familiarize himself with the amendment, known as the Winning The Peace Act of 2003 that seeks to strengthen U.S. capabilities in responding to the challenges of postconflict reconstruction.

The framework for the amendment is the result of my work and that of my colleagues, the gentleman from Virginia (Mr. WOLF) and the gentleman from Nebraska (Mr. BEREUTER), on the Post-Conflict Reconstruction Commission.

Mr. LANTOS. Mr. Chairman, will the gentleman yield?

Mr. FARR. I yield to the gentleman from California.

Mr. LANTOS. Mr. Chairman, I am fully aware of the gentleman's excellent amendment, and I support his efforts in enhancing our capability to provide post-conflict reconstruction assistance.

The legislation of the gentleman addresses the importance of providing a coherent strategy in the provision of assistance to postconflict reconstruction in countries and regions. In today's world, we are continually faced with humanitarian disasters, wars and other crises, and enhancing our capability in providing reconstruction assistance in times of such crises is a vital and necessary goal that we must achieve.

I want to commend my friend for proposing this very useful approach.

Mr. FARR. Reclaiming my time, Mr. Chairman, I thank the gentleman for his comments, and I look forward to working both with the chairman and the ranking member on this important legislation.

Mr. HYDE. Mr. Chairman, I am pleased to yield 2½ minutes to the distinguished gentlewoman from Florida (Ms. HARRIS).

(Ms. HARRIS asked and was given permission to revise and extend her remarks.)

Ms. HARRIS. Mr. Chairman, H.R. 2441, the Millennium Challenge Account Authorization Act of 2003 implements President Bush's historic initiative to comprehensively reform how the United States designs, implements, and monitors its financial assistance to the developing world.

The President proposed the Millennium Challenge Account, or MCA, as the vehicle for realizing, in his words, ''a new compact for global development defined by a new accountability for both rich and poor nations alike.'' The testimony that this committee heard on March 6 confirmed that many U.S. financial assistance programs have fallen short of their objective in past years. Basing aid allocations upon recipient governments' pledges of future reform, these programs have often funded corruption and waste.

Instead of lifting countries out of poverty, the American taxpayer money has lined the pockets of corrupt leaders, consultants and middlemen while perpetuating inefficient and counterproductive government policies. Particularly in the post 9–11 environment, these concerns must not deter us from attempting to foster freedom and prosperity throughout the world. Quite to the contrary, our national security and defense from terrorism depends upon how well we promote these national precursors of peace and stability.

Through the MCA, the United States will gradually increase its annual aid to developing nations. Unlike the current economic assistance programs, however, the MCA will distribute this additional assistance based upon the existing record and achievements of eligible nations rather than upon the promises of their governments.

Mr. Chairman, this legislation is not perfect, and in particular I remain concerned that the provisions in the current bill limiting the participation of middle income nations will exclude many of our Latin American neighbors that still wrestle with large intractable pockets of poverty. For moral, strategic, and economic reasons, the challenges that confront Latin America must remain at the top of our priorities of our foreign aid and strategy.

As the legislative process continues, I will persist in drawing attention to this critical issue. Many Latin American nations can serve as strategic models for the reforms that this legislation tries to encourage.

Notwithstanding this one concern, I believe we stand at the cusp of a remarkable achievement. I commend President Bush and our honorable chairman for their extraordinary vision and foresight in proposing this aptly named initiative. They have truly posed a challenge to the nations we seek to assist and a challenge to us all as well.

Mr. LANTOS. Mr. Chairman, I am delighted to yield 1 minute to the gentleman from New Jersey (Mr. PAYNE), the distinguished ranking member of our Subcommittee on Africa.

(Mr. PAYNE asked and was given permission to revise and extend his remarks.)

Mr. PAYNE. Mr. Chairman, let me commend the gentleman from Illinois (Mr. HYDE) and the ranking member, the gentleman from California (Mr. LANTOS), for bringing this important legislation to the floor.

When President Bush announced his MCA initiative, I originally was skeptical and concerned about the rigid eligibility criteria and those groups who would be determined eligible. But after considering what the MCA could do for development around the world, I offer my support; and I have worked with my colleagues on both sides of the aisle to make sure this program works and also to make sure not only that we do not cut back our other foreign assistance commitment but to keep this program and bring it to its full force.

During the recent trip of the President, he spoke about the MCA and pledged to the heads of state from Africa his commitment to make sure that the Millennium Challenge Account is fully funded. I am concerned about the

fact that the MCA is not fully funded and this Congress has only appropriated $800 million this past cycle. How will we ever make the $5 billion we were supposed to do over a 3-year period? The administration requested $1.3 billion, but only $800 million has been appropriated.

So I urge the restoring of the full amount to the Millennium account.

The CHAIRMAN pro tempore (Mr. OSE). The Committee will rise informally.

The SPEAKER pro tempore (Mr. GREEN of Wisconsin) assumed the Chair.

SUNDRY MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Ms. Evans, one of his secretaries.

The CHAIRMAN pro tempore. The Committee will resume its sitting.

FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEARS 2004 AND 2005—Resumed

The Committee resumed its sitting.

Mr. SHAYS. Mr. Chairman, I rise in strong support of the Hyde/Lantos amendment and want to thank the gentlemen for their leadership.

The Millennium Challenge Account is an excellent initiative, and I believe it will make great strides in the way the United States provides aid to countries most in need.

I rise today, however, to speak about the Peace Corps, which will be reauthorized and expanded under this amendment.

I spent two of the greatest, most profound, years of my life serving with my wife Betsi as a Peace Corps volunteer in Fiji. Words cannot describe how important those years were to me, and how they helped me to develop as a person and a leader.

Expanding the Peace Corps from 7,000 to 14,000 members is an excellent idea. We will have an extra 7,000 well-trained and motivated young people prepared as future leaders of America. More importantly, this expansion doubles our commitment to the world's poor. 7,000 additional Peace Corps volunteers will help educate children, improve small businesses, bring cleaner water for communities, and provide hope for many more communities around the world.

I appreciate the Chairman and Ranking Member's commitment to the expansion of the Peace Corps, and urge the adoption of the Hyde/Lantos Amendment.

Ms. MCCOLLUM. Mr. Chairman, I rise today in support of the Hyde-Lantos amendment.

I am greatly encouraged by the bipartisan work of this body in moving forward with the Millennium Challenge Account (MCA) and reauthorization of the Peace Corps. Today, we take a significant step forward in addressing the needs of the developing world and strengthening the United States commitment to our global neighbors and families.

While I support the unprecedented increase in foreign assistance provided through the MCA, I am concerned with the lack of environmental safeguards in the bill. Last night the Rules Committee refused to make in order my amendment to address this critically important issue. This amendment would have promoted environmental sustainability and the protection of our natural resources by requiring the compact made between the U.S. and an eligible country, under MCA, include an environmental assessment and regular benchmarks to monitor an evaluate impacts during the implementation of the project.

Any development initiative that offers lasting relief from poverty and promotes economic opportunity must take into account the protection of the natural resources on which all people—all families—depend upon. The major environmental challenges facing the world today—water scarcity, poor sanitation, degradation of agricultural lands, and pandemic diseases, such as malaria—weaken the foundation for a strong and prosperous economy, a secure nation, and poverty reduction.

In order for developing countries to assure the protection of their natural resources, achieve sustainable economic growth and promote the health, education and well-being of their citizens an assessment of the environmental effects of projects funded through the MCA should be required to be conducted. This amendment is consistent with environmental assessments currently required under the Foreign Assistance Act for USAID and the Overseas Private Investment Corporation—two of our largest foreign development organizations. These assessments are required for U.S.-sponsored development projects around the world and I believe should continue to be used on all future projects funded through the MCA.

The MCA places a strong emphasis on the ability of developing nations to invest in their people wisely, rule justly and pursue sound economic principles that stimulate enterprise and entrepreneurship. Although we can all agree that each of these principles is critically important, it is unrealistic to expect any developing nation to achieve these principles unless a healthy environment exists. Without clean air, clean water and the protection of our natural resources, sustainable development, adequate health care and education, a stable open market and opportunities for economic growth are not possible. Economic growth at the expense of the environment is completely contradictory to the development goals of the United States.

If investments in development are to yield sustainable benefits, the effects on a developing nation's natural resources must be taken into account. To do this, an assessment of a project's environmental impact must be part of a country's development plan from the beginning.

I look forward to working with Chairman HYDE, Ranking Member LANTOS and my colleagues in the other body on this important issue in the weeks and months ahead.

Mr. THORNBERRY. Mr. Chairman, I rise in support of the amendment offered by Chairman HYDE and Mr. LANTOS to implement the Millennium Challenge Account. MCA can truly provide the revolution in foreign assistance so desperately desired by the American taxpayers and by the people in the countries we are trying to help.

I am particularly interested in the language related to property rights. The amendment includes property rights as one of the primary objectives and metrics to be used in assessing progress in recipient countries. The work of Peruvian economist Hernando do Soto provides real, empirical evidence that property rights is the key to economic progress. All too often, our attempts to help other peoples has ignored this fundamental building block.

Economic success of any people or nation requires that individuals are motivated to work and accumulate wealth. That ''wealth'' might look like a shack to us, but if one can begin to accumulate something of value and have that wealth protected by the government, one will be more likely to work to build more. If that wealth can then be passed along to one's children, one is motivated to work even harder and has a stake in the future of that system. Hope for the future is absolutely critical for future economic success and for success in the war on terrorism. Respect for the rule of law and a legal system that protects the fruits of one's labors must be established. No amount of money for economic development will be successful without them.

This amendment is a hopeful start toward much needed reform. I support it and hope we can build on it in order to achieve a better future for all of us.

Mr. PETRI. Mr. Chairman, I rise in support of the Hyde/Lantos amendment, which would authorize the establishment of the Millennium Challenge Account and support the doubling of the number of Peace Corps volunteers to 14,000 by the year 2007.

I served as a Peace Corps volunteer in Somalia for two years, which was a meaningful experience for me. The Peace Corps has proven to be a very cost-effective mechanism for disseminating foreign assistance—from the bottom up. Doubling the number of Peace Corps volunteers will only make these efforts more effective, and allow more U.S. citizens to serve our country on the international level.

The Hyde/Lantos amendment also provides for the establishment of a new and innovative foreign aid initiative, the Millennium Challenge Account.

This initiative shows great promise as it would fund programs which already have shown impressive rates of performance. U.S. foreign aid would then be invested in those programs that actually work, not just those that promise to work.

Expanding the Peace Corps and establishing the Millennium Challenge Account will make U.S. foreign aid more accountable and effective. I encourage my colleagues to support this amendment.

Mr. CROWLEY. Mr. Chairman, as an original cosponsor of the Millennium Challenge Account, I rise to speak in strong support of the Hyde/Lantos amendment.

The MCA has the potential to do much good throughout the developing world and I commend Chairman HYDE and Mr. LANTOS for working together to produce a strong bipartisan bill.

This bill represents the largest spending increase in foreign aid by the United States in the past half century.

The MCA will provide increased development assistance to the world's poorest nations.

The MCA will not just give out this aid to the worlds poorest countries instead they will have to meet a set of indicators to be eligible for MCA funding.

These indicators include the rule of law and good governance to name a few.

When countries realize that meeting these standards not only enables them to receive