FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEARS 2006 AND 2007

The SPEAKER pro tempore. Pursuant to House Resolution 365 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. 2601.

Mr. HYDE. Mr. Chairman, I am writing to you concerning H.R. 2601, the Foreign Relations Authorization Act, Fiscal Years 2006 and 2007 and is essentially with the same provisions.

Hon. PETER HOEKSTRA, Chairman, Permanent Select Committee on Intelligence, House of Representatives, The Capitol, Washington, DC.

DEAR MR. CHAIRMAN: I am writing to you concerning H.R. 2601, a bill to authorize appropriations for the Department of State for Fiscal Years 2006 and 2007, and for other purposes.

Section 22 U.S.C. 2656(a).

In the interest of permitting this Committee to proceed expeditiously to the floor consideration of this bill, I request your Committee waive its right to sequential referral on this matter. I understand that such a waiver only applies to this language in this bill, and not to the underlying subject matter. I will urge the Speaker to name Members of your Committee to any conference committee which is named to consider this bill.

I appreciate your willingness to allow us to proceed. I will insert this exchange of letters into the Congressional Record during the debate on this bill.

Sincerely,

HENRY J. HYDE,
Chairman.

Hon. Peter Hoekstra, Chairman, Permanent Select Committee on Intelligence, House of Representatives, Washingtion, DC, July 13, 2005.

Committee on International Relations, House of Representa-

DEAR MR. CHAIRMAN: I am writing to you concerning H.R. 2601, the “Foreign Relations Authorization Act, Fiscal Years 2006 and 2007”, as it is currently before the House, and the House permanently waives further consideration of the bill that are within its jurisdiction during any House-Senate conference that may be convened on this legislation.

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Sincerely,

PETER HOEKSTRA,
Chairman.
Section 701—703 of Title VII—Strategic Export Control and Security Assistance Act of 2005.

Section 712. Strategic Export Control Board.


Section 734. Control of Items on Missile Technology Control Regime Annex.

Section 906. Report on Foreign Law Enforcement Training and Assistance.

Section 910. Assistance for Demobilization and Disarmament of Former Irregular Combatants in Colombia; and

Section 1125. Stability and Security in Iraq.

Knowing of your interest in expediting this legislation, I will waive consideration of H.R. 2601 by the Committee on Armed Services. I do so for the understanding that by waiving consideration of the bill, the Committee on Armed Services does not waive any future jurisdictional claim over these or similar measures. In addition, in the event of a conference with the Senate on this matter, the Committee on Armed Services reserves the right to seek the appointment of conferees.

Please include this letter in your Committee’s report on H.R. 2601 or introduce it into the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

With best wishes,

Duncan Hunter
Chairman.

COMMITTEE ON INTERNATIONAL RELATIONS, HOUSE OF REPRESENTATIVES.

Hon. Christopher Cox,
Chairman, Committee on Homeland Security, House of Representatives, Washington, DC.

Dear Mr. Chairman: Thank you for your recent letter expressing the jurisdictional interest of the Committee on Homeland Security in sections 712, 732, and 1002 of H.R. 2601, the “Foreign Relations Authorization Act for Fiscal Years 2006 and 2007.” I appreciate your willingness to not seek a sequential referral in order to expedite proceedings on this legislation. I agree that, by not exercising your right to request a referral, the Committee on Homeland Security does not waive any jurisdiction it has over provisions of the bill. In addition, I agree to support your request for conferees during the House-Senate conference to consider provisions within your Committee’s jurisdiction.

As you have requested, I will include a copy of your letter and this response as part of the Congressional Record during consideration of the legislation on the House Floor. Thank you for your cooperation as we work towards the enactment of H.R. 2601.

Sincerely,

Henry J. Hyde
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,

Hon. Henry J. Hyde,
Chairman, Committee on International Relations, House of Representatives, Rayburn House Office Building, Washington, DC.

Dear Mr. Chairman: I am writing to you concerning the jurisdictional interest of the Committee on Homeland Security in H.R. 2601, the “Foreign Relations Authorization Act for Fiscal Years 2006 and 2007.” The bill contains provisions that fall within the jurisdiction of the Committee on Homeland Security, including: section 712, which involves the participation of the Secretary of the Department of Homeland Security on a Strategic Export Control Board, section 732, involving the Department of Commerce, the Export Administration Act, and section 1002, which provides for an interagency process for compilation of an annual report on proliferation of global terrorism.

Recognizing your interest in bringing the legislation before the House without delay, the Committee on Homeland Security agrees not to request a sequential referral of the bill. By agreeing not to seek a sequential referral, the Committee does not waive its jurisdiction or other provisions of the bill that may fall within its jurisdiction. The Committee also reserves its right to seek conferees for any provisions within its jurisdiction or other provisions of the House-Senate conference, and asks for your support in being accorded such conferees. I ask that you please include this letter as part of the Congressional Record during consideration of this bill by the House.

Sincerely,

Christopher Cox
Chairman.

COMMITTEE ON INTERNATIONAL RELATIONS, HOUSE OF REPRESENTATIVES.
Washington, DC, July 14, 2005.

Hon. F. James Sensenbrenner, Jr.
Chairman, Committee on the Judiciary, House of Representatives, Rayburn House Office Building, Washington, DC.

Dear Mr. Chairman: I am writing to you concerning the bill H.R. 2601, “To authorize appropriations for the Department of State for Fiscal Years 2006 and 2007, and for other purposes”. The Committee has marked up the bill and ordered it reported by a unanimous vote. There are certain provisions within the version of the legislation ordered reported by the Committee which fall within the Rule X jurisdiction of the Committee on the Judiciary. Specifically Title II of the bill, section 201 deals with consolidation of law enforcement powers and creates a new title 18 criminal offense.

In the interest of permitting this Committee to proceed expeditiously to the floor consideration of this bill, I request that the Committee on the Judiciary waive its right to sequential referral on this matter. I understand that such a waiver only applies to this language, but not to the underlying subject matter. I will urge the Speaker to name Members of the Committee on the Judiciary to any conference committee which is named to consider this bill. I appreciate your willingness to allow us to proceed. I will insert this exchange of letters into the Congressional Record during the debate on this bill.

Sincerely,

Henry J. Hyde
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, July 14, 2005.

Hon. Henry J. Hyde,
Chairman, House Committee on International Relations, Rayburn House Office Building, Washington, DC.

Dear Mr. Chairman: Thank you for your letter concerning H.R. 2601, “To authorize appropriations for the Department of State for fiscal years 2006 and 2007, and for other purposes.” As you state, the language in Title II of the bill, section 201 dealing with consolidation of law enforcement powers and creating a new title 18 criminal offense falls within the sole Rule X jurisdiction of the Committee on the Judiciary.

Since you have consulted with this Committee, and in recognition of desire to proceed expeditiously to the floor, I hereby waive consideration of this legislation by the Committee on the Judiciary. The Committee takes this action with the understanding that the Committee’s jurisdiction over these and other provisions of H.R. 2601 is in no way altered or diminished. I also appreciate your including this letter in your Committee’s report on this legislation and in the Congressional Record during consideration of the legislation on the House floor.

Sincerely,

F. James Sensenbrenner, Jr.
Chairman.

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

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

Mr. Chairman, I rise in strong support of H.R. 2601, the Foreign Relations Authorization Bill for Fiscal Years 2006 and 2007 as it was reported out of committee.

At the outset I want to pay tribute to the chairman of the committee, my good friend, the gentleman from Illinois (Mr. HYDE), for conducting the discussion with statesmanlike dignity.

Mr. Chairman, today our great Nation continues to face a grave terrorist threat. Despite our many successes at disrupting al Qaeda and other violent and brutal Islamic extremists, our determination to defeat terror remains unshakable, and we know we shall prevail in this struggle.

We saw a tragic demonstration of terror this month in London’s underground and on its famed double-decker buses. While a number of Osama bin Laden’s top lieutenants captured and killed, he remains at large, as do other key terrorist figures. In this security environment, Mr. Chairman, legislation on foreign policy should be bipartisan. And our legislation, passed unanimously by the Committee on International Relations by a vote of 44 to 0, is a tribute to my friend, the gentleman from Illinois (Mr. HYDE), and his effort to work in a bipartisan fashion.

Chairman HYDE has outlined many of the features of our legislation, and I will merely add a footnote. To address the dangers of terrorist attacks on our embassies, which are the platform for diplomacy and conducting the administration’s request for worldwide embassy security.

Mr. Chairman, in 2003, when an extremist involved in attacks against the Israeli embassy in Rome was captured and killed, he remained at large, as he did elsewhere, and I quote, “Because even a bird cannot fly into the U.S. embassy.” This statement is a dramatic
demonstration that our embassy security program, begun after the East Africa bombings in 1998, is bearing fruit. I am pleased that our bill fully funds the administration’s request for the State Department and contains most of the percentage increases that Secretary Rice has requested and needs to help her administer the Department more effectively.

Our bill, Mr. Chairman, also launches a critical initiative to address the key issue of disrupting nuclear black markets. The Nuclear Black Market Elimination Act, which is included in our bill, authorizes sanctions against individuals and companies that provide nuclear enrichment technology to countries which do not have it or have not signed the additional IAEA, International Atomic Energy Agency, protocols relating to verification. Our initiative will help prevent nuclear weapons technology from getting into the hands of terrorists and rogue states, and clearly that is our most significant national security concern.

Our bill contains provisions of the Missile Threat Reduction Act, which I introduced in the last Congress with the support of Chairman Hyde. These provisions are designed to confront the alarmingly offensive nature of nuclear missiles, which can be used for launching nuclear, chemical, and biological warheads. This measure commits the United States to seeking a new international mechanism to restrict the trade and components of these weapons and to strengthen U.S. sanctions against those who trade in missiles, and it provides assistance to countries that agree to destroy their missile arsenals.

Let me just say a word, Mr. Chairman, about another important initiative in our bill, the ADVANCE Democracy Act of 2005. I introduced a version of this legislation earlier this year with my good friend, the gentleman from California (Mr. Lantos), in the Congressional Human Rights Caucus. We consulted extensively with democracy experts, former diplomats, and U.S. Government officials. I am delighted to report that our work stimulated much discussion about how the U.S. Government could organize better to promote democracy around the globe.

With invaluable input from Chairman Hyde, the ADVANCE Democracy Act that is included as part of this legislation and looks like a very strong piece of legislation for democracy promotion, enhanced training for our diplomats, and increased resources for those who are responsible for democracy promotion. We trust that our bill will help institutionalize the advancement of democracy throughout the U.S. Government.

Mr. Chairman, our bill also provides support for the next critical phase in Afghanistan’s transition from chaos, civil war, and disorder to an increasingly prosperous and democratic state by providing assistance for that country’s upcoming parliamentary elections. Continued attention from the international community on this critical next step is essential if reformers are not to be intimidated by narcotics traffickers and warlords.

Given the general bipartisan nature of our legislation, Mr. Chairman, I regret that the majority has decided to report it out without amendments to our bill. In particular, I am profoundly disappointed that a U.N. reform amendment, virtually identical to the bill considered and barely passed by a sharply divided House last month, was not needed to make our point, and debate this controversial and divisive topic yet another time. The House has already spoken.

This amendment requires withholding 50 percent of our contributions to the United Nations if any one of 46 conditions is not fully implemented. During debates earlier, I called this an automatic guillotine, and it certainly has not changed since that debate. Adding this amendment threatens to undermine support for our legislation. I will oppose this amendment, and I ask all of my colleagues to join me in voting against it.

Mr. Chairman, we are considering this important at a pivotal moment in our Nation’s history. We are engaged in intense diplomacy on every continent. We are working to resolve long-fester ing disputes and crises in North Korea, in Iraq, in Afghanistan, in Colombia, and countless other places. And we are doing this in the midst of a critical conflict against the violent forces of nihilism and bloodthirsty Islamic fanaticism.

I believe that enactment of our legislation will provide important tools that can help resolve these international disputes and crises. I continue to hope that at the end of this legislative process we will all be able to support the bill.

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

Mr. HYDE. Mr. Chairman, I yield 6 minutes to the gentleman from New Jersey (Mr. SORDO).

Mr. SMITH of New Jersey. Mr. Chairman, I thank the very distinguished chairman for yielding me this time. I would echo the statements of the gentleman from California (Mr. LANTOS) in applauding Chairman Hyde for his extraordinary leadership on the Committee on International Relations. He is the best and the most effective chairman I have ever seen, and I want to thank him for that leadership.

Mr. Chairman, the Foreign Relations Authorization Act for 2006 and 2007 is a comprehensive 332-page bill. With 11 titles, it authorizes funding for the State Department, international broadcasting, economic and educational exchange programs, peacekeeping, the State Department, and much, much more. H.R. 2601 funds the all-important framework by which the United States carries out its foreign aid and foreign policy programs and authorizes U.S. contributions to the United Nations, NATO, the OSCE, and other vital international organizations.

The cost of the bill is $10.8 billion for fiscal year 2006, $10 billion for 2007, with some costs in the outyears totaling $1.9 billion, for a total multiyear price tag of $22.3 billion, and it is within budget.

Mr. Chairman, as the gentleman from California (Mr. LANTOS) pointed out, passed 42 to 6, and the rule today permits 39 additional amendments for consideration.

The legislation, Mr. Chairman, puts a heavy emphasis on security and authorizes $1.5 billion for security-related construction at U.S. missions, $580 million for increased security for diplomatic personnel and $930 million for border security programs.

This funding continues the work begun after the devastating terrorist bombings in the late 1990s of our two diplomatic missions in Africa. In subsequent hearings to that, Admiral Crowe, who headed up the Accountability Review Board, reported that some 85 percent of our missions at the time were vulnerable. Since then, Congress has stepped up and provided funding to try to close that gap.

This bill continues that work and includes funding for 55 additional diplomatic security personnel positions and 55 new consular positions. Under the capital security construction program, eight new embassy compounds in Eritrea, Zimbabwe, Pakistan, Ukraine, Rwanda, Zambia, Mozambique, Bosnia, and for St. Petersburg in Russia, and four USAID annexes in Nigeria, Ghana, Panama, Nicaragua, and Georgia would be funded.

The bill also increases funding for minority recruitment, and continues the annual report on minority recruiting efforts at the Department of State. It increases the ceiling on differential pay for hardship and danger at a time when we are operating new posts in extremely dangerous locations. It supports human rights efforts at the Department through targeted funding for the Office of Democracy, Human Rights and Labor; promotes programs to fight anti-Semitism, protects religious freedom in OSCE countries; provides a permanent authorization for Radio Free Asia; and funds scholarships for outstanding individuals from the Southern Sudan region to study in the United States.

Given the unparalleled threat to the United States and to the world from the continued proliferation of nuclear weapons, strengthening our nuclear nonproliferation efforts is an important and vital piece of this legislation. Title VII of the bill revises and strengthens strategic export controls and mandates
Mr. LANTOS. Mr. Chairman, I yield 3 minutes to the gentleman from New Jersey (Mr. MENENDEZ), a distinguished member of the Committee on International Relations.

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

Mr. MENENDEZ. Mr. Chairman, I thank the gentleman from California (Mr. LANTOS) for his gracious comments.

I rise to support H.R. 2601 in its present form and to comment on some of the merits of this bill.

Iran’s nuclear program continues to threaten the world, the United States, and Israel. For nearly 2 decades, Iran has pursued a clandestine nuclear program while claiming that it had to keep this program hidden from the international community because of the sanctions against it.

Let us be clear. Iran is a country with huge oil and natural gas reserves. They do not need nuclear power for energy consumption. That is why I am glad the bill includes my language that makes it clear that Russia needs to stop helping Iran develop nuclear energy plants.

This bill also includes language I offered on the religious freedom and rights of the Ecumenical Patriarch in Turkey. The Ecumenical Patriarch is the spiritual leader of 300 million Orthodox Christians throughout the world. Yet the Government of Turkey has refused to recognize the Ecumenical Patriarch’s international status and its significant status and its significance to Orthodox Christians.

That is why my language states that Turkey must immediately eliminate all forms of discrimination, particularly those based on race or religion.

This bill also provides funds to make sure that the State Department looks like the rest of America. As was mentioned in the report language in the bill, New Jersey runs a model program which is specifically designed to increase the number of minorities in the foreign service.

Finally, I believe the Hyde U.N. amendment will not solve the real problems at the United Nations. Instead, this amendment sets the United Nations up to fail by creating a series of requirements that will be almost impossible to meet and then requiring mandatory withholding of 50 percent of the U.S. dues. This bill is medicine that may kill the patient rather than cure a specific disease. I am particularly concerned that the bill keeps the United States from supporting any new peacekeeping mission until far-reaching reforms have been implemented, even in extreme cases.

That amendment could very well condemn us to lose only American lives, shed only American blood, and spend only American capital instead of having the world share this responsibility with us.

As I said in the beginning, this bill has many positive components, but we should not attach the U.N. amendment to this bill that undermines that world body and undermines our ability to participate and have others participate with us in global security and other initiatives. If we reject that, then we can be on our way to a very good State Department authorization.

Mr. HYDE. Mr. Chairman, I yield 3 minutes to the gentleman from Virginia (Mr. WOLF).

Mr. WOLF asked and was given permission to revise and extend his remarks.

Mr. WOLF. Mr. Chairman, I rise to commend the gentleman from Illinois (Mr. HYDE) and the gentleman from California (Mr. LANTOS) and the gentleman from New Jersey (Mr. SMITH) and the members of the Committee on International Relations for their work in bringing this legislation to the floor today. I want to express my gratitude to the gentleman from Illinois (Chairman HYDE) and the gentleman from California (Mr. LANTOS) and the gentleman from New Jersey (Mr. SMITH) for working with us on an important issue included as a new title, “Advanced Democracy,” in the bill, and I thank all of them.

Mr. SMITH. Mr. Chairman, I am delighted to yield 3½ minutes to the gentleman from Oregon (Mr. BLUMENAUER), a distinguished member...
of the Committee on International Relations and the conscience on environmental issues of both the committee and the Congress.

Mr. BLUMENAUER. Mr. Chairman, I appreciate the gentleman yielding me this time to his leadership and his partnership with our ranking member from Illinois (Mr. HYDE).

There is no more important forum for Members of this Chamber to be focusing on than what is happening in the international arena. I am pleased in these troubled times that our chairman and ranking member have provided a framework for us to deal with things that matter, from human rights to the environment. I join in expressing my appreciation for what you gentlemen have permitted us to move forward.

I like so much of what is in this bill. I like the notion that we are dealing with the welfare of the men and women who serve us in the State Department and the related agencies. Too little attention is given to their welfare, the fact that they are in the line of fire and they are producing activities that are every bit as important as what is happening with the armed services.

This is part in here and the attention that is given to their welfare and for a platform for them to operate is vitally important.

I appreciate the ranking member mentioning the consulate in Istanbul, which happened to be designed by people back home in Portland, who have demonstrated that we can deal with the welfare of our employees, their security, give them a good working environment, and actually save money. It is a little detail, but it is, oh, so important. At a time when we have seen international acts of terrorism triple from 2003 to 2004, we know that this is important.

I also appreciate what is in this bill to try and move the great battleship that deals with our relationship with Egypt. For years we have spent billions of dollars for work in the Middle East to try to promote a partnership with Egypt. This bill starts to move us away from the preponderance of military aid to try to promote a partnership with Egypt. For years we have spent billions of dollars of assistance to help move these people out of harm's way, to help them not degrade their environment that actually makes them more vulnerable to more loss, I think this is an important step forward. I appreciate the linkage there are told we have spent $40 billion in mitigation, we could have prevented $280 billion of disaster relief in the last decade, and countless lives that would have been saved.

I appreciate the notion of what this bill does in the language that talks about dealing with planning our troubled urban areas, and that helps these areas where there is an explosion of population and degradation. I want to appreciate our committee leadership in bringing us to this point. I hope we on the floor will do our job on all of these issues to make it an even better bill before we are done.

Mr. HYDE. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. GARY G. MILLER).

Mr. GARY G. MILLER of California. Mr. Chairman, I rise in strong support of the provisions in this bill that address two concerns. Mexico is home to extraditable violent criminals back to the United States for prosecution.

I want to be sure all of my colleagues are aware that we share our southern border with a country that willingly harbors criminals: rapists, robbers, and murderers.

Since 2001, Mexico has become a fugitive paradise where people accused of heinous crimes in the United States can escape from American justice. I would like to relate to the Members of the bill today.

In 2002, Deputy David March, a 7-year veteran of the Los Angeles Sheriff's Department, was brutally shot while performing a routine traffic stop at 10:30 in the morning. The suspect, Armando Garcia, fled to Mexico to avoid prosecution. Garcia was an illegal alien who disregarded our Nation's immigration laws when coming to California from Mexico. Once in the United States, he continued to disregard our Nation's laws and illegally entered the United States for prosecution.

While he had already been deported three times, Garcia again ignored our Nation's laws and illegally entered the United States a fourth time. This time, he brutally murdered a police officer who was merely stopping him for a routine traffic violation. Garcia killed Deputy March by shooting him execute, impaling the sides of his chest where the bulletproof vest did not cover, and in the head.

Now this monster, who has demonstrated a total disregard for the laws of our country over and over again, walked free in Mexico. Even worse, his blatant contempt for our laws is being implicitly sanctioned by the Mexican Government which is protecting him from prosecution for his heinous crimes. Mexican officials have refused to extradite Garcia because he could face the penalty of life in prison for murdering Deputy David March.

Let us be clear, the Mexican Government is harboring a cop killer. Every day law enforcement officers nobly protect our friends, neighbors, and families from crime. They work to improve the quality of life for all of us. Sometimes they pay the ultimate sacrifice. For that, they and their families deserve our sincere appreciation and utmost respect.

For 7 years, Deputy March dedicated his life to the pursuit of justice and to the protection of our communities. We must honor the sacrifice that he and his family paid for our safety by pursuing justice for his senseless murder. I have met Deputy March's family. To see the pain and anger in their faces, knowing their son's killer is roaming free across our southern border, is heart-breaking.

We cannot sit silently while Mexico becomes a criminal black hole for murderers seeking to escape from justice. We must learn from Deputy March's murderer. If another country is unwilling to respect American laws, its citizens will also disregard our rule of law when they cross over our borders. I commend the gentleman from Illinois (Mr. HYDE) for including a provision in this bill for including a provision in this bill to urge the Mexican Government to reconsider its faulty extradition policy, and I hope my colleagues will support this and other legislative efforts to ensure that Mexico respects the laws of the United States.

Mr. LANTOS. Mr. Chairman, I yield 2½ minutes to the gentleman from California (Mr. SCHIFF), a valued member of the Committee on International Relations.

Mr. SCHIFF. Mr. Chairman, at the outset I want to recognize the superb work of the gentleman from Illinois (Chairman HYDE), and say that I think the gentleman is going to have to endure a number of valedictory speeches over the next year and a half. If one Member spoke for each year that the gentleman has served in this House, that would entitle us to 32 accolade speeches during the next year and a half. So be prepared. We are extremely grateful for all of your efforts. As our ranking member, we could not have two more talented members at the helm of the Committee on International Relations.

I also want to express a personal thanks for the willingness of the chairman and the ranking member to include several of my amendments to this bill in the markup.

Two weeks ago, terrorists struck the heart of one of the world's great cities, London. The weapons they used, simple knapsacks filled with a few pounds of high explosive, caused a devastating loss of life and again highlighted our vulnerability to terrorism.

The amendments I offered in committee addressed three critical areas in the fight to prevent terrorists from acquiring weapons of mass destruction:
security of nuclear weapons and materials, expanding the Proliferation Security Initiative, and redirecting the efforts of scientists formerly employed as part of the Soviet Union’s biological warfare establishment.

While the United States has stringent controls on our nuclear weapons and weapons materials, security in other countries is less exacting.

My first amendment calls upon the President to work with the international community to improve the security of weapons and materials and to urge international support for the IAEA’s proposals to strengthen the security of nuclear materials.

My second amendment urges the President to strengthen the 2-year-old Proliferation Security Initiative by seeking a treaty, UN Security Council resolution, or other agreement expressly authorizing interdiction of illicit WMD technology and materials. While I believe that existing international law justifies the Proliferation Security Initiative, there are states that are reluctant to participate in the program without the expressed sanction.

The third amendment requests a report by the Secretary of State on the feasibility, potential contributions, and desirability of employing former Soviet biological weapons scientists in developing biomedical countermeasures. Diverting the expertise of weapons scientists in the former Soviet Union is crucial to preventing the proliferation of WMD.

And again, I am grateful to the chairman and ranking member for the inclusion of these amendments and all their efforts to curb the spread of weapons of mass destruction.

Mr. LANTOS. Madam Chairman, I yield to the gentleman from California (Ms. LEE), a distinguished member of the Committee on International Relations.

Ms. LEE. Madam Chairman, let me first thank our ranking member for yielding me this time, and I also thank him and the gentleman from Illinois (Chairman HYDE) for their continuing bipartisan efforts reflected not only in this bill but in many of the bills which we work on in the Committee on International Relations.

With regard to this bill, together, and I want to thank them for their efforts on this, we were able to incorporate the provisions which I offered on minority recruiting, hiring, and contracting at the State Department and also helping to support the development of predictive models on famine in sub-Saharan Africa into the text of this bill. So I want to thank the gentleman from California (Mr. LANTOS) and the gentleman from Illinois (Mr. HYDE) for that.

While this bill represents a very diligent effort, a bipartisan effort, I am deeply concerned that the Committee on Rules made in order many ideologically driven amendments. The Republican leadership continues to stifle any debate on the most pressing issues of the day, especially the quagmire in Iraq. Silencing critics of the administration policies in Iraq is really an abuse of power and really is very destructive of the values that many are trying to spread throughout the world.

I offered four critical amendments to this bill, one asking the administration to just present to Congress a plan for withdrawal from Iraq; another one stating that the United States should have a policy stating that we should have no permanent military bases in Iraq. Those amendments, of course, were not ruled in order, again stifling debate. I offered also an amendment that would allow for 40 percent of the funds used for the Colombian Andean Counterdrug Initiative to be used for alternative economic development. Drugs are ravaging our communities in America, and this would provide a way out of that in terms of ensuring that farmers had other types of crops to grow and had this alternative economic development. That amendment was defeated.

I offered another amendment also requiring that only a democratically elected government of Haiti should be eligible for U.S. taxpayer funds. That is not controversial or it should not be controversial. That should be a bipartisan effort. Instead, Madam Chairman, unfortunately, under the dangerous divisive amendments like the ones, with all due respect, offered by the Chair of our committee who wants to withhold funds from the United Nations and also the one by the gentleman from Florida (Ms. ROS-LeHTINEN), which, once again, on Iraq, we have no way to offer an amendment which disagrees with the position of that amendment.

I do not think anyone questions the effort in terms of the chairmen with regard to UN reform. We all believe there is need of UN reform. But I think it is very dangerous, as many have said, to withhold dues toward this end in terms of this provision of this bill.

Mr. LANTOS. Madam Chairman, I yield 2 minutes to the distinguished gentleman from Maryland (Mr. CARDIN), who has done extraordinary work on the Helsinki Commission.

Mr. CARDIN. Madam Chairman, I thank the distinguished gentleman from California (Mr. LANTOS) for yielding me this time.

I want to congratulate the gentleman from Illinois (Mr. HYDE) for his many years of service to this institution, bringing forward a well-balanced bill. I want to thank him and the gentleman from California (Mr. LANTOS) for the Foreign Relations Authorization Act for fiscal years 2006 and 2007.

Madam Chairman, I want to bring up two provisions that are in this authorization bill that refer to the work of our Helsinki Commission. I note that the gentleman from New Jersey (Mr. SMITH) is on the floor, our chairman. I work with him as the ranking Democrat, and over the last several years we have raised priorities for the Organization for Security and Cooperation in Europe through our Helsinki Commission, and I am very pleased that this authorization bill carries out those prior commitments.

First let me point out that the bill authorizes $225,000 annually for the Organization for Security and Cooperation in Europe’s Office of Democratic Institutions and Human Rights and $125,000 annually for nongovernmental religious freedom programs that are administered by the OSCE Office of Democratic Institutions and Human Rights. This carries out a commitment that our commission brought forward in fighting anti-Semitism and developing international meetings to deal with strategies to combat anti-Semitism. This authorization will help us accomplish those goals. These are important initiatives that we point out that, although we have made progress, there is a lot more that needs to be done, and I am confident that by this authorization we will have the tools, at least in our country, to see to the implementation of these commitments that regrettably the lack of implementation by many of the OSCE participating states and their commitments to track and report on anti-Semitic crimes and hate crimes. In the last Congress I was pleased to join with the gentleman from California (Mr. LANTOS) and the gentleman from New Jersey (Mr. SMITH), Helsinki Commission chairman, in working to enact the Global Anti-Semitism Review Act of 2004. So I want to commend the chairman and the ranking member for authorizing resources in this bill to deal with that.

The second point I would just mention very briefly is the fact of expressing concern about restitution of property taken during the Nazi era in Poland. I appreciate that also being included in this legislation.

Ms. JACKSON-LEE of Texas. Madam Chairman, I rise to address H.R. 2601, the Foreign Relations Authorization Act for Fiscal Years 2006 and 2007. This legislation is far reaching and will have a broad impact on the direction of our foreign policy. I hope that this Authorization Act will serve as an instrument for international cooperation, instead of the Administration’s current policy of antagonizing the international community.

This authorization Act funds the Department of State at virtually the same level as the Administration’s request, representing a substantial increase from FY2005. Minor cuts to the request were made to substantially increase funds for refugee protection and to increase funding for the Asia Foundation. This bill funds international broadcasting, international exchanges, U.S. dues for international organizations, U.N. peacekeeping, and the National Endowment for Democracy at the FY2006 request level.

To be specific, this bill authorizes $10.8 billion in 2006 and $10 billion in 2007 for the Department of State, international broadcasting activities, international assistance programs,
and related agencies. The bill includes the following authorization levels: $3.77 billion for FY06 and $3.89 billion for FY07 for Diplomatic and Consular programs; $1.52 billion for FY06 and $1.55 billion for FY07 Embassy Security, Construction and Maintenance, and $689 million in FY06 and $710 million in FY07 for worldwide security upgrades; $1.3 billion in FY06 and FY07 for contributions to international organizations; $955 million in FY06 and $985 million in FY07 for migration and refugee assistance; $661 million in FY06 and FY07 for international broadcasting activities.

I am heartened that this bill contains a number of Democratic initiatives that were either included by Chairman HYDE or were added by amendment in Committee. This bill funds virtually all of the President’s requests for the State Department, including funding for embassy security and expanding the U.S. diplomatic corps. The bill includes provisions to strangle nuclear black markets; to provide an institutional framework for the promotion of democracy; and to provide the State Department with tools to confront the alarming spread of ballistic missiles.

In addition, this legislation includes provisions related to creating a more formal structure for the promotion of democracy at the Department of State. It also requires a report on Administration strategy and efforts to advance democracy worldwide, and it requires annual funding for the State Department’s Human Rights and Democracy Fund, which currently faces a 20 percent decrease in the FY2006 budget request. It is my sincere hope that these provisions will actually take our talk of promoting democracy through peaceful means and make it a reality.

I appreciate the fact that this Authorization includes a sense of Congress that the United States should render assistance to the efforts of the International Criminal Court to bring to justice persons accused of genocide, war crimes, or crimes against humanity in Darfur, Sudan. However, this nation must do more to stop the genocide in Darfur. The genocidal regime in Sudan has left 2.5 million people displaced and at least 380,000 people dead in the Darfur. It is said that 15,000 innocent civilians continue to die each month. Tragically, many of the women and young girls have been raped. In addition, water and food supplies have been completely destroyed making it impossible for many Sudanese to survive. Furthermore, under the U.S., Refugee Admission Program for FY05, up to 20,000 refugees from parts of Africa may be allowed to enter the U.S. As of May 31, 2005 there have been 10,326 persons allowed in the U.S. from Africa and only 1,190 of them have been Sudanese refugees. Truly, we have not gone as far as we can to aid these suffering people and end the genocide in Darfur. We cannot allow the war in Iraq to divert us from this humanitarian crisis. As the world’s most powerful nation we have an obligation to ensure that we do not turn a blind eye to those who are truly suffering.

The war in Iraq continues unabated and yet this Administration finds the need to hide the true cost of this war from the American people. I wrote a letter to President Bush on Memorial Day along with my Congressional colleague to ask him to allow the public to once again view the flag draped coffins of our soldiers who have paid the ultimate sacrifice to their nation. I find it sad that this President has changed a long standing precedent of showing the flag draped coffins when they return to be buried here in the United States. This ceremony is a true sign of honor, which should be shared with the American people, both young and old as a reminder of the bravery of our Armed Forces.

I am disappointed that this Authorization Act does not address the deteriorating situation in Haiti. I am also extremely disturbed by the role our Administration has played in suppressing the voice of the people of Haiti. The Bush Administration has given tacit approval to the current Haitian government in their efforts to impose their regime. It is time for our Administration to play an active role in restoring real representative government in Haiti. We cannot continue to turn a blind eye to the needs and desires of the Haitian people. The Haitian people were already suffering after the illegal overthrow of President Aristide and the new administration was faced with a new challenge of trying to hold their nation together in the face of an illegitimate and collapsing government. The United States must play the lead role in rebuilding the institutions and capabilities of the nation of Haiti.

I am pleased that the bill contains support for famine relief in Ethiopia up to $4,000,000 for fiscal year 2006. Ethiopia is another nation in which we must support democracy and give the people reason to hope. Recently, the first official results from Ethiopia’s elections were released. The ruling party and the opposition won roughly the same number of seats. The National Election Board said it was investigating allegations of fraud in up to 200 seats. The United States must support free and fair elections regardless of who may eventually win. I hope that all cases of election fraud will be properly investigated and that the final results will reflect the will of the Ethiopian people.

It was an honor today to welcome such a distinguished guest as Prime Minister Singh to the United States. He released a statement when he arrived that the two leaders agreed that they would like to see the effort made by Prime Minister Singh and President Musharraf in April, when they met, to continue their bilateral relationship. I am heartened that this bill contains a sense of Congress that the United States and the Secretary of State should engage in an open dialogue with the Government of Pakistan to achieve a final and lasting settlement for individuals and groups who had their private property seized by the Nazis during World War II or by the Communist Polish government after the war.

This clause simply calls on the government of Poland to develop a final and complete settlement for private property that was seized or confiscated by the Nazis during World War II or by the Communist government of Poland after the war.

The President of Poland Alexander Kwasniewski met with congressional leaders from the United States Helsinki Commission and said that he intended to draft a new law intended to provide compensation that would not discriminate based on residency or citizenship of an individual and it would be ready to take effect by the beginning of 2003.

This clause calls on the President of the United States and the Secretary of State to engage in an open dialogue with the government of Poland and work with them to ensure that restitution legislation is implemented.

We acted in June of 2005 and limited action has been taken to resolve this situation. These reparations need to be made immediately if they are to be of any benefit to many of the Holocaust survivors.
Another initiative that was included was regarding language to create a report on what the United States is doing to assist our friends and ally Israel in their efforts to establish diplomatic relations.

As I’m sure many of my colleagues in this committee are aware, there is a number of nations that have not established full diplomatic relations with the State of Israel. Israel currently maintains diplomatic relations with 160 countries. Thirty-three countries do not have any diplomatic relations with Israel at all and one country, has only limited relations.

The violence that has consumed Israel, Gaza and the West Bank has only exacerbated this problem.

In order for Israel to be a full member of the world community, it must establish diplomatic relations. The Israeli Embassy tells me that Israel is actively seeking to establish and upgrade their relations with several countries. This has proven difficult with many of the Islamic nations.

I believe the U.S. should be doing everything possible to help Israel establish these relations and that is why I have authored this language.

Another issue I worked on was the inclusion of a sense of Congress on the need for an additional Consular Post in southern India. With Bangalore and Hyderabad becoming booming high technology centers the need for the United States to have a close center to these areas is imperative.

I have also worked to include an authorization of funding to two well deserving groups, Project Children and Cooperation Ireland.

Many of my colleagues will be familiar with this because you have taken summer interns from this program.

These two organizations have a long history of successfully developing people-to-people exchanges that encourage reconciliation and conflict resolution in Northern Ireland.

For over a decade, there has been a sustained bipartisan national policy to support ongoing efforts to end the civil conflict in the north of Ireland. This policy has included the direct involvement of both President Clinton and President Bush.

While the latest efforts to restore power sharing have fallen short and the political process is at a standstill, I believe that the United States must remain engaged in Northern Ireland at all levels to encourage peace and reconciliation.

With the assistance of the committee, I was able to include language supporting the Asian University for Women.

The goal of this university is to prepare these women for positions of political, financial, cultural and social leadership across the globe.

By convening a new class of 500 women each year in a supportive, non-sectarian, intellectually rich and rigorous academic environment, the University eventually will generate a network of women professionals who will drive the development and enrichment of their countries and the region.

War is not the only way to fight terrorism, the education of women is one way of stopping the breeding of hate in the children around the world.

Finally, on the issue of Iraq, I was able to include by a bipartisan vote language calling on the President to put forth a plan for success in Iraq.

This clause requests a plan from this Administration on how we will be providing for a stable and secure Iraqi government, military and police force that will allow the United States presence to be diminished.

By accomplishing these tasks, the United States would be able to take a more viable approach to longer term success in Iraq.

I would like to thank the Chairman and Ranking members as well as their staffs for drafting a bill we should all be proud to support.

Mr. MANZULLO. Madam Chairman, last week, I rose in opposition to bringing up the East Asia Security Act of 2005 (H.R. 3100) on the suspension calendar because it contained some provisions that created unintended consequences for our exports to China as well as some of our largest export markets in Canada and Europe.

I strongly support the efforts to strengthen our arms embargoes and make them more multilateral, particularly against China. Strengthening the weakest link—Europe—in the arms embargo will help to conserve the cause of peace and freedom in the Pacific Rim region. At the same time, we must act diligently in pursuing this noble goal so we do not weaken our overall global competitiveness and give more reasons to foreign customers to avoid American-made products.

I am pleased that many of my initial concerns have been addressed in a subsequent modification of H.R. 3100 that will now be offered as the Hyde/Lantos/Hunter/Manzullo amendment to the Foreign Relations Authorization Act, Fiscal Years 2006 and 2007 (H.R. 2601). In addition, another similar section that was already incorporated into H.R. 2601—dealing with the comprehensive nature of U.S. arms embargoes (Section 733)—will also be amended as part of the manager’s amendment to address certain unintended consequences of this section.

Some were concerned H.R. 3100 could have terminated U.S. defense cooperative projects with our allies whose policies permit arms transfers to China, regardless of whether such transfers actually occur. At a minimum, H.R. 3100 would have required an export license for every transaction and a notification to Congress regardless of dollar value, adding a costly new regulatory burden on U.S. companies specializing in the defense trade. It no doubt would have persuaded some of our closest allies to withdraw from cooperating with us. The bill as originally drafted threatened to disrupt numerous ongoing U.S. defense projects in Israel, Canada, Australia, and among member nations of the North Atlantic Treaty Organization, NATO. The compromise contained in this amendment permits the Secretary of State, after consultation with the Secretary of Defense, to waive the export license requirement.

H.R. 3100 also would have imposed a new export licensing requirement for “dual use” products (primarily commercial goods that may also be used in a military application that currently do not require an export license) if the item is intended for military end use by the PRC.

Some were concerned that because the language was not specific enough to just target military to China, such as the People’s Liberation Army, PLA, and that there are still many state-owned enterprises in China, including all of their airline companies which can be taken over by their military in case of national emergency, this could have been an incentive for China to purchase non-U.S. products. The compromise contained in this amendment eliminates this new licensing regime and replaces it with a reporting requirement to the Commerce Department by the Secretary of State if an item is exported. Commerce would then provide a report to Congress every quarter on the information provided by affected exporters.

In addition, H.R. 3100 originally contained a list of five possible foreign sanctions the President does not apply to any foreign nation, including foreign governments, who violated the terms of the bill. Included in this list was a prohibition on the approval of “dual use” export licenses. If imposed, the only way around this sanction was to obtain a written presidential waiver. I think this would have been an incentive for China to purchase non-U.S. products.

Finally, I had several concerns about Section 733 of H.R. 2601, which aims to make U.S. arms embargoes more comprehensive. Again, this is a noble goal but must be achieved in a prudent manner. The section as originally written would have required U.S. companies to obtain a “dual use” export license from the State and Defense Departments to sell to any entity or person even remotely connected with a foreign military that is subject to a U.S. arms embargo. Thus, for the first time, Section 733 would have transferred the licensing of these types of commercial “dual use” products from Commerce to the State and Defense Departments.

Also, Section 733 as originally drafted did not recognize the commercial ties the PLA has in enterprises throughout China. For example, the PLAs state-controlled social planning office, which conducts massive initiatives to provide for China’s 2008 Olympics in Beijing. Even many U.S. multinational corporations have joint ventures with Chinese partners in which the PLA has some stake. Thus, the provision would have imposed a new huge licensing burden on U.S. exports selling to China. The Hyde/Manzullo amendment institutes this new licensing procedure only for products that a U.S. exporter knows will be used for military, not commercial, purposes by any entity or person associated with a foreign military subject to a U.S. arms embargo. If the Executive Branch implements this provision, they will look to Section 1237 of the National Defense Authorization Act of FY 1999 for a clear definition of a Chinese military end user. The compromise also retains Commerce as the lead agency to decide on commercial “dual use” export licenses. This compromise will allow our federal export control agencies to focus on what is truly important and will also not impose an undue regulatory burden particularly upon our small business exporters.

Madam Chairman, I urge my colleagues to support the Hyde/Hunter/Lantos/Manzullo amendment and also the Hyde manager’s bloc amendment to H.R. 2601.

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

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

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

Pursuant to the rule, the amendment in the nature of a substitute printed in
the bill, modified by the amendment printed in part A of House Report 109-175, shall be considered as an original bill for the purpose of amendment under the 5-minute rule and shall be considered read.

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

H.R. 3601

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 2006 and 2007”.

SECTION 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short Title.
Sec. 2. Table of contents.
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Sec. 101. Administration of foreign affairs.
Sec. 102. Contributions to international organizations.
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Sec. 106. United States International Broadcasting activities.

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Sec. 201. Consolidation of law enforcement powers; new criminal offense.
Sec. 203. Retention of medical reimbursements.
Sec. 204. Buying power maintenance account.
Sec. 205. Authority to administratively amend surcharges.
Sec. 206. Accountability review boards.
Sec. 207. Designation of Colin L. Powell Residential Plaza.
Sec. 208. Removal of contracting prohibition.
Sec. 209. Translation of reports of the Department of State.
Sec. 211. United States actions with respect to Jerusalem as the capital of Israel.
Sec. 212. Availability of unclassified telecommunications facilities.
Sec. 213. Reporting formats.
Sec. 214. Extension of requirement for scholarships for Tibetans and Burmese.
Sec. 215. American Institute in Taiwan facilities enhancement.
Sec. 216. Activities related to Cuba.

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Sec. 302. Official residence expenses.
Sec. 303. Increased limits applicable to post differentials and danger pay allowances.
Sec. 304. Home leave.
Sec. 305. Overseas equalization and comparability pay adjustment.
Sec. 306. Fellowship Program of Hope Program.
Sec. 307. Regulations regarding retirement credit for government service performed abroad.
Sec. 308. Promoting assignments to international organizations.
Sec. 309. Suspension of Foreign Service members without pay.
Sec. 310. Delegation of authority.
Sec. 311. Clarification of Foreign Service Grievance Board procedures.
Sec. 312. Repeal of recertification requirement for members of the Senior Foreign Service.
Sec. 313. Technical amendments to title 5, United States Code, provisions on recruitment, relocation, and retention bonuses.

Sec. 314. Limited appointments in the Foreign Service.
Sec. 315. Statement of Congress regarding career development program for Senior Foreign Service.
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Sec. 317. Offsets for the Consolidation of Law Enforcement Powers.
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Sec. 404. Property disposition.

TITLED—INTERNATIONAL BROADCASTING

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Sec. 502. Middle East Broadcasting Networks.
Sec. 503. Improving signal delivery to Cuba.
Sec. 504. Establishing permanent authority for Radio Free Asia.
Sec. 505. Personal services contracting program.
Sec. 506. Commonwealth of the Northern Mariana Islands education benefits.

TITLED—ADVANCE DEMOCRACY ACT OF 2005

Sec. 601. Short title.
Sec. 602. Findings.
Sec. 603. Statement of policy.
Sec. 604. Definitions.

Subtitle A—Department of State Activities

Sec. 611. Promotion of democracy in foreign countries.
Sec. 612. Reports.
Sec. 613. Strategies to enhance the promotion of democracy in foreign countries.
Sec. 614. Activities by the United States to promote democracy and human rights in foreign countries.
Sec. 615. Democracy Promotion and Human Rights Advisory Board.
Sec. 616. Establishment and maintenance of Internet site for global democracy and human rights.
Sec. 617. Programs by United States missions in foreign countries and activities of chiefs of mission.
Sec. 618. Training for Foreign Service officers.
Sec. 619. Performance pay; promotions; Foreign Service awards.
Sec. 620. Appointments.

Subtitle B—Alliances With Other Democratic Countries

Sec. 631. Alliances with other democratic countries.
Sec. 632. Sense of Congress regarding the establishment of a Democracy Caucus.
Sec. 633. Annual diplomatic missions on multilateral issues.
Sec. 634. Strengthening of the Community of Democracies.

Subtitle C—Funding for Promotion of Democracy

Sec. 641. Policy.
Sec. 642. Human Rights and Democracy Fund.

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Sec. 701. Short title.
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Sec. 724. License officer staffing and workload.
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Sec. 726. Training and liaison for small businesses.
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Subtitle D—Terrorist-Related Provisions and Enforcement Matters

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Sec. 732. Certification concerning exempt weapons transfers along the northern border of the United States.
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(1) RELIGIOUS FREEDOM—
(1) IN GENERAL.—Of the amounts authorized to be appropriated under subparagraph (A), $225,000 for fiscal year 2006 and $225,000 for fiscal year 2007 are authorized to be appropriated for public diplomacy.

(2) PUBLIC DIPLOMACY.—Of the amounts authorized to be appropriated under this Act, $3,769,118,000 for fiscal year 2006 and $3,896,611,500 for fiscal year 2007.

(3) BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR.—Of the amounts authorized to be appropriated under this Act, $20,000,000 for fiscal year 2006 and $20,000,000 for fiscal year 2007 are authorized to be appropriated for salaries and expenses of the Bureau of Democracy, Human Rights, and Labor.
Europe relating to freedom of religion and belief. 

(ii) OSCE PROJECTS, ACTIVITIES, AND MISIONS—

(A) PROJECTS AND ACTIVITIES.—Of the amounts authorized to be appropriated under subparagraph (A), $125,000 for fiscal year 2006 and $125,000 for fiscal year 2007 are authorized to be appropriated for necessary expenses to fund for secondments, hiring of staff, and support targeted projects of the Office of Democratic Institutions and Human Rights (ODIHR) of the Organization for Security and Cooperation in Europe (OSCE) regarding religious freedom and for the OSCE ODHIR Panel of Experts on Freedom of Religion or Belief and to fund the hiring of new staff who are dedicated to religious freedom and belief. 

(G) CHARLES B. RANGEL INTERNATIONAL AFFAIRS SCHOLARSHIP PROGRAM.—Of the amounts authorized to be appropriated under subparagraph (A), $1,500,000 for fiscal year 2006 and $1,500,000 for fiscal year 2007 are authorized to be appropriated for the Charles B. Rangel International Affairs Program at Howard University. 

(H) MINORITY RECRUITMENT.—Of the amounts authorized to be appropriated under subparagraph (A), $6,000,000 for fiscal year 2006 and $6,000,000 for fiscal year 2007 are authorized to be appropriated for the recruitment of members of minority groups for careers in the Foreign Service and other related affairs. 

(2) CAPITAL INVESTMENT FUND.—For “Capital Investment Fund”, $131,000,000 for fiscal year 2006 and $131,000,000 for fiscal year 2007. 

(3) EMBASSY SECURITY, CONSTRUCTION AND MAINTENANCE.—For “Embassy Security, Construction and Maintenance”, $1,150,000,000 for fiscal year 2006 and $1,150,000,000 for fiscal year 2007. 

(4) EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS—

(A) AUTHORIZATION OF APPROPRIATIONS.—For “Educational and Cultural Exchange Programs”, $428,900,000 for fiscal year 2006 and $458,500,000 for fiscal year 2007. 

(B) KAISER FISHER PROGRAM FOR KOREAN STUDENT LEADERS.—Of the amounts authorized to be appropriated under subparagraph (A), $500,000 for fiscal year 2006 and $500,000 for fiscal year 2007 are authorized to be appropriated for scholarships for students from southern Korea for secondary or post-secondary education in the United States, to be known as “Korean Scholarships.” 

(D) SCHOLARSHIPS FOR INDIGENOUS PEOPLES OF MEXICO AND CENTRAL AND SOUTH AMERICA.—Of the amounts authorized to be appropriated under subparagraph (A), $500,000 for fiscal year 2006 and $500,000 for fiscal year 2007 are authorized to be appropriated for scholarships for students from Mexico and the countries of Central and South America who are descended from the indigenous peoples of Mexico or such countries. 

(E) SCHOLARSHIPS FOR STUDENTS FROM THE REPUBLIC OF KOREA TO BE KNOWN AS “SOUTH KOREAN SCHOLARSHIPS”.—Of the amounts authorized to be appropriated under subparagraph (A), $500,000 for fiscal year 2006 and $500,000 for fiscal year 2007 are authorized to be appropriated for scholarships for students from the Republic of Korea, to be known as the “United States Summer Institutes for Korean Students” Lead Program. 

(C) SUDANESE SCHOLARSHIPS.—Of the amounts authorized to be appropriated under subparagraph (A), $500,000 for fiscal year 2006 and $500,000 for fiscal year 2007 are authorized to be appropriated for scholarships for students from southern Sudan for secondary or post-secondary education in the United States, to be known as “Sudanese Scholarships.” 

(E) SCHOLARSHIPS FOR TAJIKISTAN, TURKMENISTAN AND UZBEKISTAN FOR ACTIVITIES TO SUPPORT REPENTANCE ALLOWANCES.—For “Repatriation Loans”, $3,199,000 for fiscal year 2006 and $3,199,000 for fiscal year 2007. 

(P) PROTECTION OF FOREIGN MISSIONS AND OFFICIALS.—For “Protection of Foreign Missions and Officials”, $3,000,000 for fiscal year 2006 and $3,000,000 for fiscal year 2007. 

(Q) HIV/AIDS INITIATIVE.—Of the amounts authorized to be appropriated under subparagraph (A), $250,000 for fiscal year 2006 and $250,000 for fiscal year 2007 are authorized to be appropriated for HIV/AIDS research and mitigation strategies. 

(1) PROJECT CHILDREN AND COOPERATION WITH IRELAND.—Of the amounts authorized to be appropriated under subparagraph (A), $400,000 for fiscal year 2006 and $400,000 for fiscal year 2007 are authorized to be appropriated for the “Children of Ireland” and “Irish-American” activities. 

(2) REPRESENTATION ALLOWANCES.—For “Representation Allowances”, $1,429,000 for fiscal year 2006 and $1,429,000 for fiscal year 2007. 

(3) INTERNATIONAL JOINT COMMISSION.—For “International Joint Commission”, $6,320,000 for fiscal year 2006 and $6,320,000 for fiscal year 2007. 

(4) INTERNATIONAL FISHERIES COMMISSIONS.—For “International Fisheries Commissions”, $25,123,000 for fiscal year 2006 and $25,123,000 for fiscal year 2007. 

SEC. 104. MIGRATION AND REFUGEE ASSISTANCE. 

(a) IN GENERAL.—There are authorized to be appropriated for the Department of State for “Migration and Refugee Assistance” for authorized activities, $950,000,000 for fiscal year 2006 and $983,650,000 for fiscal year 2007. 

(b) REFUGEES RESettling in israel.—Of the amounts authorized to be appropriated under subsection (a), there are authorized to be appropriated $40,000,000 for fiscal year 2006 and $40,000,000 for fiscal year 2007 for resettlement of refugees in Israel. 

(c) PILOT PROGRAM FOR LONG-TERM REFUGEE POPULATIONS.—

(D) SCHOLARSHIPS FOR STUDENTS FROM THE REPUBLIC OF KOREA TO BE KNOWN AS “SOUTH KOREAN SCHOLARSHIPS”.—Of the amounts authorized to be appropriated under subparagraph (A), $500,000 for fiscal year 2006 and $500,000 for fiscal year 2007 are authorized to be appropriated for scholarships for students from the Republic of Korea, to be known as the “United States Summer Institutes for Korean Students” Lead Program. 

(C) SUDANESE SCHOLARSHIPS.—Of the amounts authorized to be appropriated under subparagraph (A), $500,000 for fiscal year 2006 and $500,000 for fiscal year 2007 are authorized to be appropriated for scholarships for students from southern Sudan for secondary or post-secondary education in the United States, to be known as “Sudanese Scholarships.” 

(E) SCHOLARSHIPS FOR TAJIKISTAN, TURKMENISTAN AND UZBEKISTAN FOR ACTIVITIES TO SUPPORT PEACEKEEPING ACTIVITIES.—There are authorized to be appropriated $650,000 for fiscal year 2006 and $650,000 for fiscal year 2007 that are authorized to be appropriated for South Pacific Exchanges. 

(F) TIBETAN SCHOLARSHIP PROGRAM.—Of the amounts authorized to be appropriated under subparagraph (A), $750,000 for fiscal year 2006 and $750,000 for fiscal year 2007 are authorized to be appropriated under the Tibetan scholarship program, section 103(b)(1) of the Human Rights, Refugee, and Other Foreign Relations Provisions Act of 1996 (Public Law 104–319; 22 U.S.C. 2153 note). 

(G) NGAWANG CHOEPEL EXCHANGE PROGRAM.—Of the amounts authorized to be appropriated under subparagraph (A), $500,000 for fiscal year 2006 and $500,000 for fiscal year 2007 are authorized to be appropriated under the “Ngawang Choepel Exchange Programs” (formerly known as “programs of educational and cultural exchange between the United States and the Republic of Tibet”) under section 103(a) of the Human Rights, Refugee, and Other Foreign Relations Provisions Act of 1996 (Public Law 104–319; 22 U.S.C. 2153 note). 

(H) HIV/AIDS INITIATIVE.—Of the amounts authorized to be appropriated under subparagraph (A), $1,000,000 for fiscal year 2006 and $1,000,000 for fiscal year 2007 are authorized to be appropriated for HIV/AIDS research and mitigation strategies. 

(1) PROJECT CHILDREN AND COOPERATION WITH IRELAND.—Of the amounts authorized to be appropriated under subparagraph (A), $500,000 for fiscal year 2006 and $500,000 for fiscal year 2007 are authorized to be appropriated for the “Children of Ireland” and “Irish-American” activities. 

(2) REPRESENTATION ALLOWANCES.—For “Representation Allowances”, $1,429,000 for fiscal year 2006 and $1,429,000 for fiscal year 2007. 

(3) INTERNATIONAL JOINT COMMISSION.—For “International Joint Commission”, $6,320,000 for fiscal year 2006 and $6,320,000 for fiscal year 2007. 

(4) INTERNATIONAL FISHERIES COMMISSIONS.—For “International Fisheries Commissions”, $25,123,000 for fiscal year 2006 and $25,123,000 for fiscal year 2007. 

SEC. 105. CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS. 

(a) ASSESSED CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS.—There are authorized to be appropriated for “Assessed Contributions to International Organizations”, $1,296,500,000 for fiscal year 2006 and $1,296,500,000 for fiscal year 2007, for the Department of State to carry out the 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 are authorized to be appropriated for “Contributions for International Peace Keeping Activities”, $1,035,500,000 for fiscal year 2006 and such sums as may be necessary for fiscal year 2007, for the Department of State to carry out the 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 amounts authorized to be appropriated under subsection (a), there are authorized to be appropriated for such purposes, such sums as may be necessary for each of fiscal years 2006 and 2007 to offset adverse fluctuations in foreign currency exchange rates.
and international and nongovernmental refugee assistance organizations to enhance options to assist refugees and promote the rights to which refugees may be entitled under the 1951 Convention and 1967 Protocol; and

(C) provide a United States voluntary contribution to UNHCR to conduct the pilot program in cooperation with nongovernmental organizations in the protection of refugee rights, one or more major operational humanitarian assistance agencies, and in consultation with host countries, the United States, and other donor countries; and

(D) urge UNHCR to select not less than three host countries in which to conduct the pilot program.

(3) REPORT.—Not later than one year after the date on which the first pilot program is established pursuant to paragraph (2), the Secretary shall submit to the appropriate congressional committees a report on the implementation of this subsection, the development of innovative models to protect and assist refugees, and recommendations for ensuring refugee rights are respected in countries of temporary asylum.

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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. 311. UNITED STATES ACTIONS 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 PUBLICATION.—None of the funds authorized to be appropriated by this Act may be available for the publication of any official United States Government document that lists countries and their capital cities unless such publication identifies Jerusalem as the capital of the State of Israel.

SEC. 312. AVAILABILITY OF UNCLASSIFIED TELECOMMUNICATIONS FACILITIES.

The Secretary of State shall make available to the appropriate congressional committees the use of unclassified telecommunications facilities of the Department of State that are located in an embassy, consulate, or other facility of the United States in a foreign country to allow such committees to communicate with the Department of State or with any individual in any such country.

SEC. 313. REPORTING FORMATS.

(a) In General.—The Secretary of State shall, with respect to a report that the Secretary is required to submit to the appropriate congressional committees, submit each such report on suitable forms in machine-readable format, including in plain text and in hypertext mark-up language (commonly referred to as ‘‘HTML’’), in addition to submission in written format.

(b) Effective Date.—The requirement specified under subsection (a) shall apply beginning with the first report that the Secretary is required to submit to the appropriate congressional committees after the date of the enactment of this Act.

SEC. 314. EXTENSION OF REQUIREMENT FOR SCHOLARSHIPS FOR TIBETANS AND BURMESE.

Section 103(b)(1) of the Human Rights, Refugee, and Other Foreign Relations Provisions Act of 2003 (Public Law 108–191; 22 U.S.C. 7121 note) is amended by striking ‘‘the sum of $75,000,000’’ and inserting ‘‘such sums as may be necessary’’.

SEC. 315. AMERICAN INSTITUTE IN TAIWAN FACILITIES ENHANCEMENT.

Section 3(a) of the American Institute in Taiwan Enhancement Act (Public Law 106–212) is amended by striking ‘‘the sum of $75,000,000’’ and inserting ‘‘such sums as may be necessary’’.

SEC. 316. ACTIVITIES RELATED TO CUBA.

(a) ACTIVITIES.—The funds made available for fiscal year 2006 for the Bureau of Educational and Cultural Affairs of the Department of State, $5,000,000 shall be used for activities related to Cuba:

(1) the John J. William Fulbright Educational Exchange Program;
(2) the Hubert Humphrey Fellowship Program;
(3) the International Visitors Program;
(4) the Benjamin A. Gilman International Scholarship Program;
(5) the EducationUSA Program; and
(6) professional, cultural, and youth programs operated by the Office of Citizen Exchanges of the Bureau.

(b)振り方.—The Secretary of State shall give priority to human rights dissidents, pro-democracy activists, and independent civil society members for participation in the activities described in paragraph (a).

(c) CONGRESSIONAL NOTIFICATION.—Not later than 90 days 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 (b) and (c), respectively, in filling ‘‘hard-to-fill’’ positions and shall submit a report of such study to the appropriate congressional committees.

SEC. 304. HOME LEAVE.

Section 214 of title 1 of the Foreign Service Act of 1980 (relating to travel, leave, and other benefits) is amended—

(1) in section 901(6) (22 U.S.C. 4011(6)), by striking ‘‘unbroken by home leave’’ both places that it appears; and
(2) in section 903(a) (22 U.S.C. 4083), by striking ‘‘18 months’’ and inserting ‘‘12 months’’.

SEC. 305. OVERSEAS EQUALIZATION AND COMPARABILITY PAY ADJUSTMENT.

(a) OVERSEAS COMPARABILITY PAY ADJUSTMENT.

(b) EFFECTIVE DATE.—The requirement specified in subsection (a) shall—

(1) be considered to be part of the basic pay of a member in accordance with section 5304 of title 5, United States Code, that would be paid to such member if such member’s official duty station would have been Washington, D.C.; and
(2) be considered to be part of basic pay under section 5304 of title 5, United States Code, for the same purposes for which comparability payments are authorized to be part of basic pay under such section; and
(2) be subject to any applicable pay limitations.

(c) PHASE-IN.—The comparability pay adjustment described under this section shall be paid to a member described in subsection (a) in three phases, as follows:

(1) In fiscal year 2006, 33.33 percent of the amount of such adjustment to which such member is entitled.
(2) In fiscal year 2007, 66.66 percent of the amount of such adjustment to which such member is entitled.
(3) In fiscal year 2008 and subsequent fiscal years, 100.00 percent of the amount of such adjustment to which such member is entitled.

(d) CONFORMING AMENDMENT.—The table of sections in section 2 of such Act is amended by inserting after the item relating to section 414 the following new item:

‘‘Sec. 415. Overseas comparability pay adjustment.’’

(b) CONFORMING AMENDMENTS RELATING TO THE RETIREMENT AND DISABILITY SYSTEM OF THE FOREIGN SERVICE.

(1) CONTRIBUTIONS TO THE FUND.—Section 805(a) of the Foreign Service Act of 1980 (22 U.S.C. 4045(a)) is amended—

(A) in paragraph (A), by striking ‘‘7.25 percent’’ and inserting ‘‘7.00 percent’’; and
(B) in paragraph (B), by striking ‘‘The contribution by the employing agency’’ through ‘‘and shall be made’’ and inserting ‘‘An equal amount shall be contributed by the employing agency’’.

(2) CONFORMING AMENDMENTS.—The table of sections of section 2 of such Act is amended by inserting after the item relating to section 414 the following new item:

‘‘Sec. 415. Overseas comparability pay adjustment.’’
(2) COMPUTATION OF ANNUITIES.—Section 806(a)(9) of such Act (22 U.S.C. 4046(a)(9)) is amended—
(A) by striking “outside and inserting “was outside”;
and
(B) by inserting after “continental United States” the following: “for any period of time from December 29, 2002, to the first day of the first full pay period beginning after the date of applicability of the overseas comparability pay adjustment under section 415”;

(2) ELIGIBILITY TO ANNUITY.—Section 855(a)(3) of such Act (22 U.S.C. 4071d(a)(3)) is amended—
(A) by striking “outside and inserting “was outside”;
(B) by inserting after “continental United States” the following: “for any period of time from December 29, 2002, to the first day of the first full pay period beginning after the date of applicability of the overseas comparability pay adjustment under section 415”;
(4) DEDUCTIONS AND WITHHOLDINGS FROM PAY.—Section 856(a)(2) of such Act (22 U.S.C. 4071e(a)(2)) is amended to read as follows: “(2) The applicable percentage under this subsection shall be as follows: 7.5 percent before January 1, 1999; 7.75 percent January 1, 1999, to December 31, 1999; 7.9 percent January 1, 2000, to December 31, 2000; 8.0 percent January 1, 2001, to September 30, 2004. 

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act and apply beginning on the first day of the first full pay period beginning after such date.

SEC. 306. FELLOWSHIP OF HOPE PROGRAM.

(a) FELLOWSHIP AUTHORIZED.—Chapter 5 of title I of the Foreign Service Act of 1980 (22 U.S.C. 3981 et seq.) is amended by adding at the end the following new section:

SEC. 506. FELLOWSHIP OF HOPE PROGRAM.

(a) FELLOWSHIP AUTHORIZED.—Chapter 5 of title I of the Foreign Service Act of 1980 (22 U.S.C. 3981 et seq.) is amended by adding at the end the following new section:

SEC. 506. FELLOWSHIP OF HOPE PROGRAM.

(a) FELLOWSHIP AUTHORIZED.—Chapter 5 of title I of the Foreign Service Act of 1980 (22 U.S.C. 3981 et seq.) is amended by adding at the end the following new section:

SEC. 506. FELLOWSHIP OF HOPE PROGRAM.

(a) FELLOWSHIP AUTHORIZED.—Chapter 5 of title I of the Foreign Service Act of 1980 (22 U.S.C. 3981 et seq.) is amended by adding at the end the following new section:

SEC. 506. FELLOWSHIP OF HOPE PROGRAM.

(a) FELLOWSHIP AUTHORIZED.—Chapter 5 of title I of the Foreign Service Act of 1980 (22 U.S.C. 3981 et seq.) is amended by adding at the end the following new section:

SEC. 506. FELLOWSHIP OF HOPE PROGRAM.

(a) FELLOWSHIP AUTHORIZED.—Chapter 5 of title I of the Foreign Service Act of 1980 (22 U.S.C. 3981 et seq.) is amended by adding at the end the following new section:

SEC. 506. FELLOWSHIP OF HOPE PROGRAM.

(a) FELLOWSHIP AUTHORIZED.—Chapter 5 of title I of the Foreign Service Act of 1980 (22 U.S.C. 3981 et seq.) is amended by adding at the end the following new section:

SEC. 506. FELLOWSHIP OF HOPE PROGRAM.

(a) FELLOWSHIP AUTHORIZED.—Chapter 5 of title I of the Foreign Service Act of 1980 (22 U.S.C. 3981 et seq.) is amended by adding at the end the following new section:

SEC. 506. FELLOWSHIP OF HOPE PROGRAM.
permit additional review by the boards under section 306; or
“(B) for the minimum time needed to settle a grievance, claim, or complaint not otherwise provided for under this subsection;”.

(3) by adding at the end the following new subsection:
“(c) After five consecutive years under a limited appointment may be reappointed to a subsequent limited appointment provided there is at least a one year break in service before such new appointment. This requirement may be waived by the Director General in cases of special need.”.

SEC. 315. STATEMENT OF CONGRESS REGARDING CAREER DEVELOPMENT PROGRAM FOR SENIOR FOREIGN SERVICE.
Congress declares that the recent changes proposed by the Department of State to the career development program for members of the Senior Foreign Service will help promote well-rounded and effective members of the Senior Foreign Service, and should be implemented as planned in the coming years. Congress fully supports the proposed changes that require that in order to be eligible for promotion into the Senior Foreign Service, a member of the Foreign Service must demonstrate over the course of the career of such member the following:
(1) Operational effectiveness, including a breadth of experience in several regions and over several functions.
(2) Leadership and management effectiveness.
(3) Sustained professional language proficiency.
(4) Responsiveness to Service needs.

SEC. 316. SENSE OF CONGRESS REGARDING ADDITIONAL UNITED STATES CONSULAR POSTS.
It is the sense of Congress that to help advance United States economic, political, and public diplomacy interests, the Secretary of State is urged to make every effort to establish United States consulates or other appropriate United States diplomatic presence in Pusan, South Korea, Hat Yai, Thailand, and an additional location in India in an under-served region.

SEC. 317. OFFICE OF THE CULTURE OF LAWFULNESS.
(a) ESTABLISHMENT.—There is established in the Bureau for International Law Enforcement and Narcotics of the Department of State an Office of the Culture of Lawfulness.
(b) DUTIES.—The Office shall be headed by a Director and staffed by not less than two professional staff.

SEC. 318. REVIEW OF HUMAN RESOURCES POLICIES OF THE DEPARTMENT OF STATE.
(a) BOTTOM-UP REVIEW OF ELEMENTS OF THE DEPARTMENT OF STATE.—The Secretary of State shall conduct ongoing, thorough reviews of the organizational structure and human resources policy of the Department of State to determine those organizational structures that are most effectively organized and whether personnel with the appropriate skills and functions are utilized to meet national security challenges, including those posed by international terrorist threats.
(b) EMPHASIS ON DIVERSITY.—The review conducted under subsection (a) shall include an emphasis on improving the ethnic, racial, cultural, and gender diversity of personnel of the Department of State.
(c) BIENNALE REPORT.—The Secretary shall submit to the appropriate congressional committees a biennial report on the reviews conducted under this section and efforts to improve diversity of personnel of the Department of State.

TITLE IV—INTERNATIONAL ORGANIZATIONS

SEC. 401. REDI CENTER.
The Secretary of State is authorized to provide for the participation by the United States in the Regional Emerging Disease Intervention (“REDI”) Center in Singapore.

SEC. 402. EXTENSION OF AUTHORIZATION OF APPROPRIATIONS FOR THE UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM.
(a) IN GENERAL.—Subsection (a) of section 207 of the International Religious Freedom Act of 1998 (22 U.S.C. 6251) is amended by striking "$3,000,000 for each of fiscal years 2006 and 2007" and inserting "$3,300,000 for each of fiscal years 2006 through 2010".
(b) TECHNICAL AMENDMENT.—Subsection (b) of such section is amended by striking "subparagraph " and inserting "subsection (b) of such section is amended by striking "subparagraph " and inserting "subsection (b) of such section is amended by striking ".

SEC. 403. REFORM OF THE INTERNATIONAL ATOMIC ENERGY AGENCY.
(a) FINDINGS WITH RESPECT TO THE INTERNATIONAL ATOMIC ENERGY AGENCY.—Congress finds the following:
(1) Efforts to prevent the further spread of nuclear weapons capabilities would be enhanced by universal membership in the International Atomic Energy Agency (IAEA).
(2) The enhanced authorities provided by the Additional Protocol to the Safeguards Agreement between the IAEA and Member States of the United States would be enhanced by the ability of the IAEA to conduct inspections of nuclear facilities to a high degree of confidence.
(3) The national security interests of the United States would be enhanced by the universal ratification and implementation of the Additional Protocol.
(4) The national security interests of the United States would be enhanced by the rapid implementation by all Member States of the United Nations of United Nations Security Council Resolution 1540, which prohibits all Member States from providing any form of support to non-state actors that attempt to manufacture, acquire, possess, develop, transport, transfer, or use nuclear, chemical, or biological weapons and their means of delivery, and require all Member States to adopt and enforce appropriate and effective domestic laws criminalizing such acts.
(5) The national security interests of the United States require that the IAEA possess sufficient authorities and resources to comprehensively and efficiently carry out its responsibilities for inspections and safeguards of nuclear facilities.
(6) Regularly assessed contributions of Member States to the regular budget of the IAEA are due in the first quarter of each calendar year.
(7) Currently, the United States does not pay its regularly assessed contribution to the regular budget of the IAEA until the last quarter of each calendar year.
(8) These delayed payment results in recurring shortages of funds for the IAEA, thus compromising its ability to conduct international inspections and nuclear security activities.
(b) FINDINGS WITH RESPECT TO THE NUCLEAR NONPROLIFERATION TREATY.—Congress finds the following:
(1) The Treaty on the Non-Proliferation of Nuclear Weapons (21 UST 128; commonly referred to as the “NPT” or the “Nuclear Nonproliferation Treaty” or the “NPT”) is the foundation for international cooperation to prevent the further spread of nuclear weapons capabilities.
(2) The NPT was conceived, written, and ratified by State Parties as a treaty for the specific purpose of preventing the proliferation of nuclear weapons and nuclear explosive devices, as provided for in the Preamble and first three Articles of the NPT.
(3) The overriding priority of the NPT is preventing the proliferation of nuclear weapons and nuclear explosive devices.
(4) Article IV of the NPT conditions the “inalienable right to develop research, production and use of nuclear energy for peaceful purposes without discrimination” on conformity with Articles I and II, which obligate signatories “not to manufacture of otherwise acquire nuclear weapons or other nuclear explosive devices; and, not to seek or receive any assistance in the manufacture of nuclear weapons or other nuclear explosive devices.”
(5) Because the factors needed for the development of nuclear weapons for peaceful purposes are virtually identical to those needed for military purposes and thereby inherently pose an enhanced risk of proliferation, even under strict international inspections, Article IV of the NPT cannot be interpreted to recognize the inalienable right of every country to enrich uranium or reprocess plutonium.
(6) Because the factors needed for the development of nuclear weapons for peaceful purposes are virtually identical to those required for the development of nuclear weapons and devices, Article X cannot be interpreted to allow a signatory country to develop a nuclear weapons program based on materials, facilities, and equipment it has acquired through its Article IV cooperation.
(c) STATEMENT OF CONGRESS.—Congress declares that:
(1) all provisions of the NPT must be interpreted within the context of controlling the proliferation of nuclear weapons and nuclear explosive devices.
(2) Article IV of the NPT, interpreted in conformity with the NPT’s purpose, would not free the United States to undertake obligations by State Parties, does not guarantee every country that is a State Party an inalienable right to enrich uranium or reprocess plutonium; and
(3) if a State Party chooses to exercise its Article X right of withdrawal from the NPT, such State Party must surrender all of the materials, facilities, and equipment it has acquired through its Article IV cooperation, and no State Party will be recognized as having legally exercised its Article X right of withdrawal from the NPT until it has surrendered all such materials, facilities, and equipment.
(d) SENSE OF CONGRESS.—It is the sense of Congress that:
(1) the Director General of the IAEA should strengthen efforts to secure universal ratification and implementation of the Additional Protocol;
(2) the IAEA possesses statutory authority, including under Articles II, III, VIII, IX, XI, and XII of the IAEA Statute, to undertake nuclear security activities;
(e) PROMOTION OF ADDITIONAL PROTOCOL AND UNITED NATIONS SECURITY COUNCIL RESOLUTION 1540.—Congress—
(1) UNIVERSAL RATIFICATION AND IMPLEMENTATION; FULL COMPLIANCE.—The President shall
take such steps as the President determines necessary
to encourage—
(A) rapid universal ratification and implementa-
tion by Member States of the IAEA of the Addi-
tional Protocol to the Safeguards Agreement
between the IAEA and Member States; and
(B) full compliance by all foreign countries
with United Nations Security Council Resolu-
tion 1540 for the adoption and enforce-
ment by all foreign countries of “appropri-
ate effective laws which prohibit any non-
State actor to manufacture, acquire, possess,
develop, transport, transfer or use nuclear, chem-
ical or biological weapons and their means of
delivery, in particular for terrorist purposes, as
well as attempts to engage in any of the fore-
going activities in them as an ac-
complice, assist or finance them”.
(2) SUSPENSION OF UNITED STATES NON-HUMAN-
ITARIAN FOREIGN ASSISTANCE.—The President is
authorized to request the United States non-
humanitarian foreign assistance to any country
that—
(A) has not signed and ratified the Additional Protocol; and
(B) has not fully complied with United Na-
tions Security Council Resolution 1540.
(3) DUTY.—
(A) IN GENERAL.—Not later than 90 days after
the date of the enactment of this Act and an-
nually thereafter until September 30, 2010, the Sec-
tary shall—
(i) provide to the appropriate congressional
committees a report on United
States efforts to promote full compliance by all
countries with United Nations Security Council
Resolution 1540, with particular attention to
the following:
(1) United States efforts in appropriate inter-
national organizations or fora to elaborate and
implement international standards for such full
compliance.
(2) Steps taken by the United States to assist
other countries to meet their obligations under
(B) SUBMISSION.—The report required under
this paragraph shall include, in addition to
the report on “Patterns of Global Terrorism”.
(f) PAYMENT AT BEGINNING OF CALENDAR
YEAR.—The Secretary of State shall take expedi-
tious action to ensure that the United States
regularly assessed contribution to the IAEA
is made at the beginning of each calendar year.
(g) AUTHORIZATION OF APPROPRIATIONS.—In
addition to any sums otherwise authorized
by law to be appropriated to the Secretary of State
under this Act, there are authorized to be appropriated
to the Secretary such sums as may be necessary to
purchase and place in the IAEA inventory United States
regularly assessed contribution of
its annual dues to the IAEA is provided to the
Secretary of State.
(h) GRANTS.—Nothing in this title may be construed
as authorizing the use of funds provided under
this Act for any purpose other than
the activities of Radio Free Asia.
(i) TECHNICAL AND CONFORMING AMEND-
MENTS.—Section 305 of the Foreign Relations
Act, Fiscal Year 2003 (Public Law 107–
309) is amended—
(1) in subsection (a), by striking ‘‘(19)’’;
(2) in subsection (b)(5), by inserting ‘‘308, 309, and 309A’’; and
(3) by redesignating subsections (c) and (e) as
subsection (d) and (f), respectively.
SEC. 505. PERSONAL SERVICES CONTRACTING
PROGRAM.
Section 304 of the Foreign Relations Author-
ization Act, Fiscal Year 2003 (Public Law 107–
228) is amended—
(1) in the section heading, by striking ‘‘PILOT
PROGRAM’’;
(2) in subsection (a)—
(A) by striking ‘‘pilot’’;
(B) by striking ‘‘(in this section referred to as the
program)’’;
(C) by striking ‘‘producers, and writers’’;
and
(D) by inserting ‘‘and other broadcasting specialists’’;
(3) in subsection (b)(4), by striking ‘‘60’’ and
inserting ‘‘100’’; and
(4) in subsection (c).
SEC. 506. COMMONWEALTH OF THE NORTHERN
MARIANA ISLANDS EDUCATION BEN-
EFITS.
Section 506(a) of the United States Inter-
national Broadcasting Act of 1994 (22 U.S.C. 6204(a)) is amended by inserting after paragraph
(18) the following new paragraph:
“(19)(A) To provide for the payment of pri-
mary and secondary school expenses for depend-
ents of personnel stationed in the Com-
mmonwealth of the Northern Mariana Islands (CNMI)
at a cost not to exceed $6,000 annually authorized by
the Department of Defense for such schooling
for dependents of members of the Armed Forces
stationed in the Commonwealth, if the Board
determines that such services is available in the Com-
mmonwealth are unable to provide adequately
for the education of the dependents of such per-
sonnel.
(B) To provide transportation for dependents of
such personnel between their places of resi-
dence and those schools for which expenses are
provided under subparagraph (A), if the Board determines that such schools are not accessible by public means of transportation.”.

**TITLE VI—ADVANCE DEMOCRACY ACT OF 2005**

SEC. 601. SHORT TITLE.

This title may be cited as the “Advance Democratic Values, Address Nondemocratic Countries, and Enhance Democracy Act of 2005” or the “ADVANCE Democracy Act of 2005”.

SEC. 602. FINDINGS.

Congress finds the following:

(1) All human beings are created equal and possess fundamental rights, including the fundamental right to participate in the political life and government of their respective communities and to have equal protection under law, as recognized in the Declaration of Independence of the United States and in the Universal Declaration of Human Rights of the United Nations.

(2) The continued lack of democracy, freedom, and fundamental human rights in some countries is inconsistent with the universal values on which the United States is based and such continued lack of democracy, freedom, and fundamental human rights also poses a national security threat to the United States, its interests, and its friends, as it is in such countries that radicalism, extremism, and terrorism can flourish.

(3) There is also a correlation between nondemocratic rule and other threats to international security, including acts of terrorism, international crime, international drug trafficking, corruption, refugee flows, human trafficking, religious persecution, environmental degradation, and discrimination against women.

(4) The transition to democracy must be led from within nondemocratic countries, including by nondemocratic organizations, movements, and individuals, and by nationals of such countries who live abroad. Nevertheless, democratic countries have a number of instruments available for democratic reformers who are committed to promoting effective, nonviolent change in nondemocratic countries.

(5) United States efforts to promote democracy and protect human rights in countries where they are lacking can be strengthened to improve assistance for such reformers. United States ambassadors and diplomats can play a critical role in such efforts to promote democracy by publicly demonstrating support for democratic principles and supporting democratic reformers. Training and incentives are needed to assist United States embassies in strengthening the techniques and skills required to promote democracy.

(6) A full evaluation of United States funds expended for the support of democracy is also necessary to ensure the efficient and effective use of the resources that are dedicated to these efforts.

(7) The promotion of democracy requires a broad-based effort with collaboration between all democratic countries, including through the Community of Democracies.

(8) Such universal democracy constitutes a long-term challenge that does not always lead to an immediate transition to full democracy, but through a dedicated and integrated approach can achieve universal democracy.

**SEC. 603. STATEMENT OF POLICY.**

It shall be the policy of the United States—

(1) to promote freedom and democracy in foreign countries as a fundamental component of United States foreign policy;

(2) to protect and promote fundamental freedoms and human rights in foreign countries and to condemn offenses against those freedoms and rights as a fundamental component of United States foreign policy;

(3) to use all instruments of United States influence to support, promote, and strengthen democratic principles, practices, and values in foreign countries, including the right to free, fair, and open elections, secret balloting, and universal suffrage;

(4) to protect and promote fundamental freedoms and rights, including the freedoms of association, of expression, of the press, and of religion, and the right to own private property;

(5) to promote respect for and adherence to the rule of law in foreign countries;

(6) to provide appropriate support to organizations, individuals, and movements located in nondemocratic countries, which are seeking to live in freedom and establish full democracy in such countries;

(7) to provide, political, economic, and other support to foreign countries that are willingly undertaking a transition to democracy;

(8) to commit United States foreign policy to the challenge of achieving universal democracy;

(9) to strengthen alliances and relationships with other democratic countries in order to better promote and defend shared values and ideals.

**SEC. 604. DEFINITIONS.**

In this title:

(1) **ANNUAL REPORT ON DEMOCRACY.**—The term “Annual Report on Democracy” means the Annual Report on Democracy required under section 612(a).

(2) **COMMUNITY OF DEMOCRACIES AND COMMUNITY.**—The term “Community of Democracies” and “Community” mean the association of democratic countries committed to the global promotion of democratic principles, practices, and institutions, which held its First Ministerial Conference in Warsaw, Poland, in June 2000.

(3) **ELIGIBLE ENTITY.**—The term “eligible entity” means any nongovernmental organization, international organization, multinational institution, private foundation, corporation, partnership, association, or other entity, organization, or group engaged in (or with plans to engage in) the promotion of democratic rights and freedoms in foreign countries categorized as “democracy transition countries” or as “nondemocratic” in the most recent Annual Report on Democracy.

(4) **ELIGIBLE INDIVIDUAL.**—The term “eligible individual” means any individual engaged in, or who intends to engage in, the promotion of democracy and fundamental rights and freedoms in foreign countries categorized as “democracy transition countries” or as “nondemocratic” in the most recent Annual Report on Democracy.

(5) **REGIONAL DEMOCRACY HUB AND HUB.**—The terms “Regional Democracy Hub” and “Hub” mean the Regional Democracy Hubs established under section 611(c).

(6) **SECRETARY.**—The term “Secretary” means the Secretary of State.

(7) **SUBTITLE A—DEPARTMENT OF STATE ACTIVITIES.**

(a) **CODEV.**—The Under Secretary of State for Democracy and Global Affairs shall also be responsible for matters relating to the transition to and development of democracy in non-democratic countries, including promoting and strengthening the democratic institutions in foreign countries that are in the early stages of a transition to democracy and evaluating the effectiveness of United States programs that promote democracy.

(b) **DEPARTMENT OF STATE AND UNITED STATES MISSIONS ABROAD.**—

(1) OFFICE RELATED TO DEMOCRATIC MOVEMENTS AND TRANSITIONS.—

(A) ESTABLISHMENT.—There shall be within the Bureau of Democracy, Human Rights, and Labor of the Department of State an office that shall be responsible for working with democratic movements and facilitating the transition of nondemocratic countries and democratic transitions to full democracies.

(B) PURPOSE.—In addition to any other responsibilities conferred on the office, the office shall promote transitions to full democracy in countries that have been identified as nondemocratic or as democratic transition countries in the most recent Annual Report on Democracy required under section 612(a).

(2) RESPONSIBILITIES.—The Deputy Assistant Secretary of State for Democracy, Human Rights, and Labor described in paragraph (4) and employees of the office shall—

(i) foster dialogue, to the extent practicable, between the leaders of such nongovernmental organizations, movements, and governments of other democratic countries;

(ii) assist officers and employees of regional bureaus to develop perspectives in persons to promote peaceful change in such countries;

(iii) prepare, to the extent practicable, the United States Government and the governments of other democratic countries and to coordinate United States policy on global issues, including issues related to human rights, women’s rights, freedom of religion, labor standards and relations, press freedom, genocide, chemical weapons, and proliferation.

(iv) create narratives and histories required under section 615 for the Internet site for global stimulation and human rights and assist in the preparation of the report required under section 612(a) and...
(v) facilitate, in coordination with public affairs officers and offices of the Department of State responsible for public diplomacy programs in such countries, debates and discussions, including among young people in other countries, regarding the values and benefits of democracy and human rights at academic institutions in such countries.

(2) Regional Democracy Hubs at United States Missions Abroad.—

(A) PILOT PROGRAM.—

(i) In general.—The Secretary shall establish at least one Regional Democracy Hub at one United States mission in two of the following geographic regions:

(I) The Western Hemisphere.

(ii) Europe.

III) South Asia.

(iv) The Near East.

(V) Eurasia and the Pacific.

(VI) Africa.

(ii) DIRECTOR.—Each Regional Democracy Hub shall be headed by a Director. The Director and the associated staff shall be selected by the Secretary of State in consultation with the Assistant Secretary of State for Democracy, Human Rights, and Labor.

(B) RESPONSIBILITIES.—Each Regional Democracy Hub shall support the appropriate United States ambassador and United States employee assigned to United States missions in each such geographic region to carry out the responsibilities described in this Act, including assisting ambassadors and other United States officials in each nondemocratic country or democratic transition country to carry out their responsibilities under this Act to design and implement strategies for a transition to democracy in such country, including regional strategies as appropriate.

(C) ACCREDITATION.—As appropriate, the Department should seek accreditation for the Director to all nondemocratic countries in each geographic region for which each Hub is responsible.

(D) TERMINATION.—The Secretary may terminate each Hub established under this paragraph five years after each is established.

(E) CONTINUING RESPONSIBILITIES.—Nothing in this paragraph shall be construed as removing any responsibility under this Act or any other Act of any chief of mission or other employees of United States diplomatic missions, including the development and implementation of strategies to promote democracy.

(F) EXPENSES OF APPROPRIATIONS.—

There are authorized to be appropriated to the Secretary such sums as may be necessary to carry out the responsibilities described in subparagraph (B), including hiring additional staff to carry out such responsibilities.

(3) RESPONSIBILITIES OF THE BUREAU OF INTELLIGENCE AND RESEARCH.—The Assistant Secretary of State for Intelligence and Research should coordinate with the Department of the Treasury, the Department of Justice, the Central Intelligence Agency, other appropriate intelligence agencies, as appropriate, with foreign governments to—

(A) monitor and document financial assets inside and outside the United States held by leaders of countries determined to be nondemocratic or democratic transition countries in the Annual Report on Democracy under section 612(a).

(B) identify close associates of such leaders; and

(C) monitor and document financial assets inside and outside the United States held by such close associates.

(4) COORDINATION.—

(A) DEPUTY ASSISTANT SECRETARY OF STATE FOR DEMOCRACY, HUMAN RIGHTS, AND LABOR.—

There should be in the Department of State a Deputy Assistant Secretary of State for Democracy, Human Rights, and Labor. Any such Deputy Assistant Secretary shall be in addition to the current number of Deputy Assistant Secretaries. In addition to considering qualified noncareer candidates, the Secretary of State should seek to recruit senior members of the Senior Foreign Service to serve in such position.

(B) RESPONSIBILITIES.—In addition to the responsibilities described in subparagraph (A) and such other responsibilities as the Secretary or Assistant Secretary of State for Democracy, Human Rights, and Labor may from time to time designate, the Deputy Assistant Secretary of State for Democracy, Human Rights, and Labor should—

(i) coordinate the work of the office described in paragraph (1) with the work of other offices and bureaus at the Department of State and other United States Government agencies that provide general and other assistance to non-governmental organizations, individuals, and movements; and

(ii) forge connections between the United States and other international organizations, individuals, and movements committed to the promotion of democracy and democratic principles, practices, and values and seek to embrace the work of such organizations, individuals, and movements.

(5) RECRUITMENT.—The Secretary shall seek to ensure that, not later than December 31, 2012, not less than 51 percent of the nondiplomatic U.S. government employees serving in the Bureau of Democracy, Human Rights, and Labor are members of the Foreign Service.

SEC. 612. REPORT.

(a) ANNUAL REPORT ON DEMOCRACY.—

(I) PREPARATION AND DEADLINE FOR SUBMISSION.—The Secretary of State shall prepare an Annual Report on Democracy under Section 612 of the Act, the Under Secretary of State for Democracy, Human Rights, and Labor, shall have the principal responsibility of assisting the Secretary in the preparation of the Annual Report. The Under Secretary and Assistant Secretary shall consult with the appropriate United States foreign affairs officers and offices of the Department of State in the preparation of the Annual Report. Not later than July 1 of each year, the Secretary shall submit to the appropriate congressional committees the Annual Report on Democracy.

(ii) CONTENTS.—The Annual Report on Democracy shall contain the following:

(A) EXECUTIVE SUMMARY.—An Executive Summary with a table listing every foreign country that the Secretary determines to be “nondemocratic”, and a list of countries the Secretary determines to be “nondemocratic transition”; and all countries the Secretary determines to be “fully democratic” because they are at the early stages of their transition to democracy. The Executive Summary shall contain a short narrative highlighting the status of democracy in each such country.

(B) DETERMINATION OF NONDEMOCRATIC CATEGORIZATION.—

(i) IN GENERAL.—With respect to a country listed in the Executive Summary, the Secretary shall determine which of the categorizations specified under subparagraph (A) is appropriate by reference to the principles enshrined in the United Nations Charter; the Declaration of Human Rights, the International Covenant on Civil and Political Rights, the United Nations Commission on Human Rights Resolution 778 (entitled “Protection of the Right to Democracy”), the assessments used to determine eligibility for financial assistance disbursed from the Millennium Challenge Account, the assessments of the Department of State of nongovernmental organizations of eligibility to participate in the meetings of the Community of Democracies, and the standards and established and adopted international human rights standards.

(ii) EFFECTS OF DECISIONS.—In addition, the categorization of a country should be informed by the general consensus regarding the status of civil and political rights in such country by major nongovernmental organizations that conduct assessments of such conditions in such countries.

(C) DETERMINATION OF NONDEMOCRATIC CATEGORIZATION.—

(I) IN GENERAL.—The Secretary shall categorize a country as nondemocratic if such country fails to satisfy any of the following requirements:

(aa) All citizens of such country have the right to, and are not restricted in practice from, freely exercising the freedoms of thought, conscience, belief, peaceful assembly and association, speech, opinion, and expression, and such country has a free, independent, and pluralistic media.

(bb) The national legislative body of such country, if directly or indirectly elected, is freely elected by the head of government of such country, are chosen by free, fair, open, and periodic elections, by universal and equal suffrage, and by secret ballot.

(cc) More than one political party in such country has candidates who seek elected office at the national level and such parties are not restricted in their political activities or their processes for selecting the head of government of such country.

(dd) All citizens in such country have a right to, and are not restricted in practice from, freely exercising the freedoms of thought, conscience, belief, peaceful assembly and association, speech, opinion, and expression, and such country is a member of the United Nations, and is a member of the Community of Democracies.

(ee) The current government of such country did not come to power in a manner contrary to the rule of law.

(ff) Such country possesses an independent judiciary and the government of such country generally respects the rule of law.

(II) ADDITIONAL CONSIDERATIONS.—Notwithstanding the satisfaction by a country of the requirements specified under clause (I), the Secretary may categorize a country as nondemocratic if the Secretary determines that such is appropriate after consideration of the principles specified under clause (i) with respect to such country.

(B) STATUS OF DEMOCRACY.—A description of each country on the list described in subparagraph (A), including—

(i) an evaluation of trends over the preceding 12 months towards improvement or deterioration in the commitment to and protection of democratic principles, practices, values, institutions, and processes in each such country; and

(ii) an evaluation of the political rights and freedoms enjoyed by individuals in each such country and an evaluation of the factors that prevent each such country from being categorized as fully democratic; and

(iii) for each country previously categorized as nondemocratic in the Executive Summary from the preceding 12 months, if any such progress made over the previous calendar year towards achieving a categorization of democratic transition country.

(C) STRATEGY FOR NONDEMOCRATIC COUNTRIES.—An in-depth examination of each country categorized as nondemocratic in the Executive Summary, including—

(i) a strategy developed following consultations with nongovernmental organizations, individuals, and movements that promote democratic principles, practices, and values in each such country to promote and achieve transition to full democracy in such country;

(ii) a summary of any actions taken by the President with respect to any such country, the effects of any such actions, and if no such actions have been taken, a statement explaining why not;

(iii) a summary of any actions taken by the chief of mission and officials of the United States in each such country with which the United States maintains diplomatic and consular posts with respect to promoting such in each such country; and

(iv) a summary of efforts taken by officials of the United States to speak directly to the people.
in each such country, and in particular, a description of any visits taken by the chief of mission and other officials of the United States in each such country to the colleges and universities in such country where young people congregate and learn;
(v) a summary of any communications between United States Government officials, including the Secretary of State, and the leader and other high government officials of each such country concerning respect for liberty, democracy, and political, social, and economic freedoms; and
(vi) a description and evaluation of the efforts undertaken by other democratic countries belonging to the Organization of Democracy and Advancement of Democracy in such country, including through relevant bodies of the United Nations, regional organizations and bilateral policies and foreign assistance and the extent to which the United States coordinated United States actions and policies with such efforts.

3. CLASSIFIED ADDENDUM.—If the Secretary determines that it is in the national security interests of the United States, is necessary for the safety of individuals identified in the Annual Report on Democracy, or is necessary to further the promotion of democracy under section 612(a) as required under paragraph (2), including policies adopted or actions taken by the United States, may be summarized in the Annual Report on Democracy required under section 612(a) and any actions taken in the previous year to implement the action plan for such country included in such subsection.

SEC. 613. ACTIVITIES BY THE UNITED STATES TO PROMOTE DEMOCRACY AND HUMAN RIGHTS IN FOREIGN COUNTRIES.

(a) Freedom Investment Act of 2002.—The Freedom Investment Act of 2002 (title VI of Public Law 107–228) is amended—
(1) in section 631(a), (relating to human rights activities), (b) in paragraph (4), by striking “and” and adding “and” at the end;
(b) (as required under section 612(a) of the Advance Democratic Values Act of 2004 (22 U.S.C. 3965(d)); and
(c) by redesigning by inserting paragraphs (10) and (11) after the appointment of five members of the Foreign Service, including chiefs of mission in fully democratic and nondemocratic countries whose job performance could benefit from such training, with respect to methods to promote and achieve transition to full democracy in such country, including nonviolent action. The Secretary shall submit the report together with the first Annual Report on Democracy required under such subsection.

SEC. 614. ACTIVITIES BY THE UNITED STATES TO PROMOTE DEMOCRACY AND HUMAN RIGHTS IN FOREIGN COUNTRIES.

(a) Working Group on Nondemocratic Countries.—Beginning in the year after the second Annual Report on Democracy required under section 612(a) is submitted and not less than once each year thereafter, the Under Secretary of State for Democracy and Global Affairs should convene a working group under subsection (c) focused on each country categorized as nondemocratic in the most recent Annual Report on Democracy required under subsection (a), or chiefs of mission in fully democratic countries whose job performance could benefit from such training, with respect to methods to promote and achieve transition to full democracy in such country, including nonviolent action. The Secretary shall submit the report together with the first Annual Report on Democracy required under such subsection.

(b) Working Group on Democratic Transition Countries.—Beginning in the year after the second Annual Report on Democracy required under section 612(a) is submitted and not less than once each year thereafter, the Under Secretary of State for Democracy and Global Affairs should convene a working group under subsection (c) focused on the progress toward a fully democratic form of governance in each country categorized as a democratic transition country in the most recent Annual Report on Democracy required under section 612(a) that was categorized as nondemocratic in any previous Annual Report.

(c) Members of Working Groups.—The working groups referred to in subsections (a) and (b) should include officers and employees of the Department of State and appropriate representatives of relevant United States Government agencies, including the United States Agency for International Development, the Department of the Treasury, and the Department of Defense.

(d) Consultations With Chiefs of Missions.—The chief of mission for each country categorized as nondemocratic or as democratic transition countries should meet with the Under Secretary of State for Democracy and Global Affairs at least once each year to discuss the transition to full democracy in such country, including any actions the chief of mission has taken to implement the action plan for such country included in such subsection.

SEC. 615. DEMOCRACY PROMOTION AND HUMAN RIGHTS ADVISORY BOARD.

(a) Establishment.—There is established a Democracy Promotion and Human Rights Advisory Board.

(b) Purpose and Duties.—The Board shall advise and provide recommendations to the Secretary of State, the Under Secretary of State for Democracy and Global Affairs, the Assistant Secretary of State for Human Rights, and Labor, and the Assistant Administrator for the Bureau of Democracy, Conflict and Humanitarian Assistance of the United States Agency for International Development on the promotion and implementation of democracy and human rights into United States diplomacy, the use of international organizations to further United States democracy promotion goals, and ways in which the United States can work with other countries and the Community of Democracies to further such purposes.

(2) Recommendations regarding specific strategies to promote democracy in countries categorized as nondemocratic or as democratic transition countries in the most recent Annual Report on Democracy, under section 612(a) and methods for consulting and coordinating with individuals (including expatriates) and non-governmental organizations that promote democratic principles, practices, and values.

(3) Recommendations regarding the use of—
(A) programs related to the promotion of democracy and human rights programs by the United States Agency for International Development; and
(B) the Human Rights and Democracy Fund, established under section 614(d) of the Freedom Investment Act of 2002 (title VI of Public Law 107–228).

(4) Recommendations regarding regulations to be promulgated concerning—
(A) the standards of performance to be met by members of the Foreign Service, including chiefs of mission, under section 405(d) of the Foreign Service Act of 1980 (22 U.S.C. 3965(d)); and
(B) the development of programs to promote democracy in foreign countries under section 614, relating to programs undertaken by United States missions in foreign countries and the activities of chiefs of mission.

(c) General Recommendations.—In general,—
(1) the report indicates that extrajudicial killings, torture, or other serious violations of human rights have occurred in the country, a strategy, including a specific list of priorities and an action plan, to end such practices in the country, and any actions taken in the previous year to end such practices in the country; and
(2) in section 302(b) (22 U.S.C. 2309(b)), by striking the sixth sentence and inserting the following sentence: “The report also include, for each country with respect to which the report indicates that extrajudicial killings, torture, or other serious violations of human rights have occurred in the country, a strategy, including a specific list of priorities and an action plan, to end such practices in the country, and any actions taken in the previous year to end such practices in the country.”.

SEC. 616. DEMOCRACY PROMOTION AND HUMAN RIGHTS ADVISORY BOARD.

(a) Establishment.—There is established a Democracy Promotion and Human Rights Advisory Board.

(b) Purpose and Duties.—The Board shall advise and provide recommendations to the Secretary of State, the Under Secretary of State for Democracy and Global Affairs, the Assistant Secretary of State for Democracy, Human Rights, and Labor, and the Assistant Administrator for the Bureau of Democracy, Conflict and Humanitarian Assistance of the United States Agency for International Development on the promotion and implementation of democracy and human rights into United States diplomacy, the use of international organizations to further United States democracy promotion goals, and ways in which the United States can work with other countries and the Community of Democracies to further such purposes.

(2) Recommendations regarding specific strategies to promote democracy in countries categorized as nondemocratic or as democratic transition countries in the most recent Annual Report on Democracy, under section 612(a) and methods for consulting and coordinating with individuals (including expatriates) and non-governmental organizations that promote democratic principles, practices, and values.

(3) Recommendations regarding the use of—
(A) programs related to the promotion of democracy and human rights programs by the United States Agency for International Development; and
(B) the Human Rights and Democracy Fund, established under section 614(d) of the Freedom Investment Act of 2002 (title VI of Public Law 107–228).

(4) Recommendations regarding regulations to be promulgated concerning—
(A) the standards of performance to be met by members of the Foreign Service, including chiefs of mission, under section 405(d) of the Foreign Service Act of 1980 (22 U.S.C. 3965(d)); and
(B) the development of programs to promote democracy in foreign countries under section 614, relating to programs undertaken by United States missions in foreign countries and the activities of chiefs of mission.

(c) General Recommendations.—In general, the report indicates that extrajudicial killings, torture, or other serious violations of human rights have occurred in the country, a strategy, including a specific list of priorities and an action plan, to end such practices in the country, and any actions taken in the previous year to end such practices in the country; and
away from their homes or regular places of business in the performance of service for the Board.

(C) OFFICE SPACE AND ADMINISTRATIVE ASSISTANCE.—Upon the request of the chairperson of the Board, the Secretary shall provide a reasonable and appropriate office space, supplies, and administrative assistance.

(D) APPLICATION OF CERTAIN OTHER LAWS.—Nothing in this section shall be construed to cause the Board to be considered an agency or establishment of the United States, or to cause members of the Board to be considered officers or employees of the United States. Executive branch agencies may conduct programs and activities and provide services in support of the activities authorized by this section without regard to any other provision of law. The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Board.

Section 8.

(1) EXPERTS AND CONSULTANTS.—The Board may procure temporary and intermittent services under section 3109(b) of title 5, United States Code.

(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Board such sums as may be necessary for each of fiscal years 2006, 2007, and 2008.

SEC. 616. ESTABLISHMENT AND MAINTENANCE OF INTERNET SITE FOR GLOBAL DEMOCRACY AND HUMAN RIGHTS.

(a) ESTABLISHMENT.—To facilitate access by individuals and nongovernmental organizations in foreign countries to documents, streaming video and audio, and other media regarding democratic principles, practices, and values, and the promotion and strengthening of democracy, the Secretary of State, in cooperation with the Under Secretary of State for Democracy and Global Affairs, the Under Secretary for Public Diplomacy and Public Affairs, and the Assistant Secretary for State for Democracy, Human Rights, and Labor, shall establish and maintain an Internet site for global democracy and human rights.

(b) CONTENTS.—The Internet site for global democracy established under subsection (a) shall include the following information:

(1) The Executive Summary prepared under section 612(a)(2)(A), but only to the extent that information contained therein is not classified.

(2) Narratives and histories of significant democratic movements in foreign countries, particularly regarding successful nonviolent campaigns to oust nondemocratic regimes.

(3) Narratives relating to the importance of the establishment of and respect for fundamental freedoms.

(4) Major human rights reports by the United States Government or any other documents, references, or links to external Internet sites the Secretary determines appropriate, including reference to or links to training materials regarding successful movements in the past, including translations of such materials, as appropriate.

SEC. 617. PROGRAMS BY UNITED STATES MISSIONS IN FOREIGN COUNTRIES AND ACTIVITIES OF CHIEFS OF MISSION.

(1) DEVELOPMENT OF PROGRAMS TO PROMOTE DEMOCRACY IN FOREIGN COUNTRIES.—Each chief of mission in each foreign country categorized as nondemocratic in the most recent Annual Report of Democracy, with the assistance of the Director of the relevant Regional Hub, shall:

(I) develop, as part of annual program planning, a narrative of democracy in each such foreign country and to provide visible and material support to individuals and nongovernmental organizations in each such country that are committed to democratic principles, practices, and values, as such:

(A) consulting and coordinating with such individuals and organizations regarding the promotion of democracy;

(B) visiting local landmarks and other local sites associated with nonviolent protest in support of full democracy; and

(C) holding periodic public meetings with such individuals and organizations to discuss democracy and political, social, and economic freedoms.

(D) issuing public condemnation of severe violations of internationally recognized human rights, including such severe violations as described in section 116(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(a)), violations of religious freedom, including particularly severe violations of religious freedom (as defined in paragraphs (11) and (13) of section 3 of the International Religious Freedom Act of 1998 (22 U.S.C. 6402)), political repression, and government-sponsored or -condoned trafficking in persons;

(E) providing technical, financial, and such other support to such individuals and organizations;

(2) hold ongoing discussions with the leaders of each such nondemocratic country regarding a strategy to promote democracy and the development of political, social, and economic freedoms and respect for human rights, including freedom of religion or belief, in such country; and

(3) conduct meetings with civil society, interviews with media that can directly reach citizens of each such country, and discussions with students and young people of each such country regarding a strategy to promote democracy and the development of political, social, and economic freedoms in each such country.

(2) PUBLIC OUTREACH IN FOREIGN COUNTIES.—Each chief of mission or principal officer shall spend time at universities and other institutions of higher learning to—

(A) communicate, promote, and defend such United States values and policies that promote democracy; and

(B) hold ongoing discussions with the leaders of each such nondemocratic country regarding a strategy to promote democracy and the development of political, social, and economic freedoms and respect for human rights, including freedom of religion or belief, in such country; and

(3) conduct meetings with civil society, interviews with media that can directly reach citizens of each such country, and discussions with students and young people of each such country regarding a strategy to promote democracy and the development of political, social, and economic freedoms in each such country.

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(B) hold ongoing discussions with the leaders of each such nondemocratic country regarding a strategy to promote democracy and the development of political, social, and economic freedoms and respect for human rights, including freedom of religion or belief, in such country; and

(3) conduct meetings with civil society, interviews with media that can directly reach citizens of each such country, and discussions with students and young people of each such country regarding a strategy to promote democracy and the development of political, social, and economic freedoms in each such country.
“(2) CONTENTS OF TRAINING.—The training required under paragraph (1) shall include instruction, a training manual, and other materials regarding the following:

(A) International documents and United States policy regarding electoral democracy and respect for human rights.

(B) United States policy regarding the promotion and strengthening of democracy around the world, with particular emphasis on the transition to democracy in nondemocratic countries.

(C) The role of a chief of mission, or deputy chief of mission who is to be assigned to a foreign country that is categorized as nondemocratic in the Annual Report on Democracy, in promoting democracy in that country and providing technical, financial, and other support to individuals (including expatriated citizens) and nongovernmental organizations that support democratic principles, practices, and values.

“(D) The protection of internationally recognized human rights (including the protection of religious freedom) and standards related to such rights, provisions of United States law related to such rights, diplomatic tools to promote respect for such rights, the protection of individuals who have worked in the promotion of such rights (including the role of United States embassies in providing access to the United States Refugee Admissions Program) and the role of civilians in the respect for human rights and democratic development and national security. The Director of the National Foreign Affairs Training Center of the Foreign Service Institute or the Director of State shall consult with nongovernmental organizations involved in the protection and promotion of such rights and the United States Commission on International Religious Freedom (established under section 201(a) of the International Religious Freedom Act of 1998 (22 U.S.C. 6411(a)) in developing the training required by this subparagraph.

“(b) The Secretary of State shall ensure that the training described in subsection (a) is provided to members of the civil service who are assigned in the United States or abroad who have reporting or other responsibilities relating to international political developments and human rights in countries that are categorized as democratic transition countries or nondemocratic in the Annual Report on Democracy required under section 612(a).

“(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to develop appropriate programs and materials to accomplish the training required under subsection (c) of section 612 of the Foreign Service Act of 1980 (22 U.S.C. 4028), as amended by subsection (a).

“(d) CLERICAL AMENDMENTS.—Section 708 of the Foreign Service Act of 1980, as amended by subsection (a), is further amended—

“(1) by inserting ‘‘(b) TRAINING ON REFUGEE LAW AND PROCEDURES RELATING TO INTERIOR POLITICAL DEVELOPMENTS REQUIRED UNDER SECTION 612(a).’’ after ‘‘(c) REGULATIONS AND EVALUATIONS CONCERNING STANDARDS OF PERFORMANCE AND PROGRAMS TO PROMOTE DEMOCRACY.––With respect to members of the Foreign Service, including all chiefs of mission, who are assigned to foreign countries categorized as nondemocratic in the most recent Annual Report on Democracy, the Secretary shall prescribe regulations concerning the standards of performance to be met under sections 405(d) and 603(b) of the Foreign Service Act of 1980 (22 U.S.C. 3946(d) and 4003(b)), as amended by subsections (a) and (b), respectively, and the development of programs to promote democracy in foreign countries under section 617. The requirements of sections 617 and 403(a) of such Act (22 U.S.C. 3947 and 3943) shall ensure that the training described in sub- section (a) is provided to members of the civil service who are assigned in the United States or abroad who have reporting or other responsibilities relating to international political developments and human rights in countries that are categorized as nondemocratic in the Annual Report on Democracy required under section 612(a) of the Advance Democracy Act of 1999 (22 U.S.C. 4013), is amended by adding at the end the following new sentence: ‘‘Precepts for selection boards shall also, where applicable, include an evaluation of whether members of the Service and the headquarters staff have met the standards of performance established by the Secretary pursuant to section 619(c) of the Advance Democracy Values, Address Nondemocratic Countries, and Enhance Democracy Act of 2005, or have served in a position in which the primary responsibility is to monitor or promote democracy in foreign countries. This section (a) is provided to members of the civil service who are assigned in the United States or abroad who have reporting or other responsibilities relating to international political developments and human rights, provisions of United States law related to human rights, and the promotion of human rights, including the protection of religious freedom, and standards related to such rights, provisions of United States law related to such rights, diplomatic tools to promote respect for such rights, the protection of individuals who have worked in the promotion of such rights (including the role of United States embassies in providing access to the United States Refugee Admissions Program) and the role of civilians in the respect for human rights and democratic development and national security. The Director of the National Foreign Affairs Training Center of the Foreign Service Institute or the Director of State shall consult with nongovernmental organizations involved in the protection and promotion of such rights and the United States Commission on International Religious Freedom (established under section 201(a) of the International Religious Freedom Act of 1998 (22 U.S.C. 6411(a)) in developing the training required by this subparagraph.’’

“(2) in subsection (b) by striking ‘‘(b) The’’ and inserting ‘‘(b) P R O M O T I O N S . – – – T h e r e a r e a u t h o r i z e d t o b e a p p r o p r i a t e d s u c h s u m s a s m a y b e n e c e s s a r y t o d e v e l o p a p p r o p r i a t e p r o g r a m s a n d m a t e r i a l s t o a c c o m p l i s h t h e t r a i n i n g r e q u i r e d u n d e r s u b s e c t i o n (c) o f s e c t i o n 612 of t h e F o r e i g n S e r v i c e A c t o f 1980 (22 U.S.C. 4028), as amended by subsection (a).’’

“(c) SENSE OF CONGRESS REGARDING PARTICIPATION.—It is the sense of Congress that for any foreign country that is categorized as nondemocratic in the most recent Annual Report on Democracy required under section 612(a) of the Advance Democracy Act of 1999 (22 U.S.C. 4013), is amended by adding at the end the following new sentence: ‘‘If an individual (with respect to subsection (a) or a member of the Service (with respect to subsection (b)) is appointed by the President as a chief of mission in a foreign country at the time such country is categorized as nondemocratic in an Annual Report on Democracy (required under section 612(a) of the Advance Democracy Act of 1999 (22 U.S.C. 4013)) and that country is categorized as nondemocratic in the most recent Annual Report on Democracy as required under section 612(a) of the Advance Democracy Act of 2005, such individual shall serve as a basis for granting awards under this section.’’

“(d) F O R E I G N S E R V I C E A W A R D S . — S e c t i o n 614 of t h e F o r e i g n S e r v i c e A c t o f 1980 (22 U.S.C. 4013) is amended by adding at the end the following new sentence: ‘‘If an individual is appointed as a chief of mission in a country that was so categorized, the President shall transmit to the Committee on Foreign Relations of the Senate a written report summarizing such appointment or nomination and at other broad-based international organizations; and at other broad-based international organizations, including the United Nations Conference on Disarmament, the United Nations General Assembly, the United Nations Education, Science, and Cultural Organization.

“SEC. 612. SENSE OF CONGRESS REGARDING THE ESTABLISHMENT OF A DEMOCRACY CAUCUS.

“(a) FINDINGS.—Congress finds that with the passage of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458, Congress)—

“(1) encouraged the establishment of a Democracy Caucus within the United States, the United Nations Human Rights Commission, the United Nations Conference on Disarmament, and at other broad-based international organizations;

“(2) required increased training in multilateral diplomacy for members of the Foreign Service and appropriate members of the Civil Service to serve in such an establishment;

“(b) SENSE OF CONGRESS.—It is the sense of Congress that the creation of a Democracy Caucus in each international organization and multilateral institution of which the United States is a member will not only improve the internal governance of such organizations but will also strengthen the implementation of commitments by such organizations and institutions regarding democracy and human rights.

“SEC. 613. 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 is sent on an annual basis to consult with key foreign governments in every region to promote United States policies, including issues related to democracy and human rights, at key international fora, including the United Nations General Assembly, the United Nations Human Rights Commission or other multilateral human rights body, the Organization for Security and Cooperation in Europe, and the United Nations Education, Science, and Cultural Organization.”
Hungary and the governments of other Euro-

with contributions from private individuals,

grant to the International Center for Democratic

and eligible individuals in order to assist such

provide financial assistance to eligible entities

authorized to detail on a nonreimbursable basis

values and benefits of democracy; and''; and

funds available for

of the Center.

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SEC. 642. HUMAN RIGHTS AND DEMOCRACY

FUND.—In addition to uses currently

the Assistant Secretary of State for Democracy,

Human Rights, and Labor shall use amounts

appropriated to the Human Rights and

and for programs and activities of the Center.

Subtitle C—Funding for Promotion of

It shall be the policy of the United States to

provide financial assistance to eligible entities

and eligible individuals in order to assist such

entities and individuals in the promotion of de-

mocracy who are committed to democratic reforms and to

the promotion of a transition to democracy,

The creation of programs for student

countries of relevant programming and ex-

books, videos, and other publications re-

ating to information about current events in

countries which have experience with the Commu-

nity of Democracies to assist the Community of

Democracies and its Convening Group.

a balance sheet of income and outlays cur-

in foreign countries a message to the citizens of coun-

tries that are categorized as nondemocratic

munications from the President to citizens of

properly constituted tribunal.

b) ACCOUNTABILITY.—The President shall

consider what actions can be taken to ensure

that such leaders or other government officials

of foreign countries who are identified in ac-

cordance with subsection (a) as responsible for

crimes against humanity, genocide, slavery, or

other violations of international humanitarian

law are brought to account for such crimes in an appropriately constituted tribunal.

SEC. 651. INVESTIGATION OF VIOLATIONS

OF INTERNATIONAL HUMANITARIAN LAW.

(a) IN GENERAL.—The President, with the as-

sistance of the Secretary of State and the Under

Secretary of State for Democracy and Global Af-

airs, and the Ambassador-at-Large for War

Crimes Issues, shall collect information regar-

dng incidents that may constitute crimes against

humanity, genocide, slavery, or other violations

of international humanitarian law by leaders or

other government officials of foreign countries
categorized as nondemocratic transition countries in the most recent Annual Report

on Democracy under section 612(a).

(b) ACCOUNTABILITY.—The President shall

consider what actions can be taken to ensure

that such leaders or other government officials

of foreign countries who are identified in ac-

cordance with subsection (a) as responsible for

crimes against humanity, genocide, slavery, or

other violations of international humanitarian

law are brought to account for such crimes in an appropriately constituted tribunal.

SEC. 652. PRESIDENTIAL COMMUNICATIONS.

(a) FINDING.—Congress finds that direct com-

munications from the President to citizens of
countries that are categorized as nondemocratic in the most recent Annual Report

on Democracy would be extremely beneficial to demonstrate that the United States supports such citizens and the efforts and actions of such citizens to

promote and achieve transition to democracy in such countries.

(b) SENSE OF CONGRESS.—It is the sense of

Congress that—

(1) time to time as the President shall de-

termine appropriate, the President should

broadcast a message to the citizens of countries
categorized as nondemocratic in the most recent Annual Report on Democracy

expressing the support of the United States for such citizens, discussing democratic

principles, practices, and values, and political, social, and economic freedoms, and condemning violations of internationally recognized human rights (as such term is described in section 612(a) of the Foreign Assistance Act of 1961 (22

U.S.C. 2151n(a))), violations of religious free-

dom, including particularly severe violations of religious freedom (as such terms are defined in paragraphs (11) and (13) of section 3 of the

International Religious Freedom Act of 1998 (22

U.S.C. 6402), political repression, and govern-

ment–tolerated or condoned trafficking in

persons that occur in such country; and

(2) the President should encourage leaders of

other democratic countries to make similar broadcasts.

TITLE VII—STRATEGIC EXPORT

CONTROL AND SECURITY ASSISTANCE

ACT OF 2005

Subtitle A—General Provisions

SEC. 701. SHORT TITLE.

This title may be cited as the “Strategic Export

Control and Security Assistance Act of 2005.”

SEC. 702. DEFINITIONS.

In this title:

(1) APPROPRIATE CONGRESSIONAL COMMIT-

TEES.—The term ‘‘appropriate congressional com-

mittees’’ means—

(A) the Committee on International Relations

and the Committee on Armed Services of the

House of Representatives; and

(B) the Committee on Armed Relations

and the Committee on Armed Services of the

Senate.

(2) DEFENSE ARTICLES AND DEFENSE

SERVICES.—The term ‘‘defense articles and
defense services’’ means the meaning given the term in

section 47(7) of the Arms Export Control Act (22

(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 of potential military significance. The term includes multi-use items and technology that may be dual use. The term “dual use” has the meaning given the term in section 3(4) of the International Traffic in Arms Regulations (or successor regulations).

(4) Export.—The term “export” has the meaning given the term in section 120.17 of the International Traffic in Arms Regulations, and includes re-exports, transfers, and re-transfers by any means.

(5) Export Administration Regulations.—The term “Export Administration Regulations” means those regulations contained in sections 730 through 774 of title 15, Code of Federal Regulations (or successor regulations).

(6) Foreign Government.—The term “foreign government” has the meaning given the term in section 703(g)(1) of the Arms Export Control Act (22 U.S.C. 2778(g)(1)(B)).

(7) Foreign person.—The term “foreign person” has the meaning given the term in section 38(g)(9)(C) of the Arms Export Control Act (22 U.S.C. 2778(g)(9)(C)).

(8) Good.—The term “good” has the meaning given the term in section 16(3) of the Export Administration Act of 1969 (50 U.S.C. App. 2415(3)).

(9) International Traffic in Arms Regulations.—The term “International Traffic in Arms Regulations” means those regulations contained in sections 121 through 131 of title 22, Code of Federal Regulations (or successor regulations).

(10) Item.—The term “item” means any good or technology, defense article or defense service subject to the export jurisdiction of the United States under law or regulation.

(11) License.—The term “license” means an official written document of the United States Government issued pursuant to the Export Administration Regulations or the International Traffic in Arms Regulations, as the case may be, authorizing the export of a good or technology.

(12) Missile Technology Control Regime; MTCR.—The term “Missile Technology Control Regime” or “MTCR” has the meaning given the term in section 111B(c)(2) of the Export Administration Act of 1979 (50 U.S.C. App. 2410(c)(2)).

(13) 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 111B(c)(4) of the Export Administration Act of 1979 (50 U.S.C. App. 2410(c)(4)).

(14) Personal.—The term “person” has the meaning given the term in section 38(g)(9)(E) of the Arms Export Control Act (22 U.S.C. 2778(g)(9)(E)).

(15) Strategic Export Control.—The term “strategic export control” means the control of items subject to the export jurisdiction of the United States under the International Traffic in Arms Regulations or the Export Administration Regulations.

(16) Technology.—The term “technology” has the meaning given the term in section 310 of the Export Administration Act of 1979 (50 U.S.C. App. 2415(4)).

(17) United States Munitions List.—The term “United States Munitions List” means the list referred to in section 38(g)(1) of the Arms Export Control Act (22 U.S.C. 2778(g)(1)).

SEC. 703. DECLARATION OF POLICY.

Congress declares that, at a time of evolving threats and changing relationships with other countries, United States strategic export controls are in urgent need of a comprehensive review in order to assure that such controls are achieving their intended purposes of protecting the national security interests of the United States in the Global War on Terrorism and of promoting the foreign policy purposes of the United States, in particular by assuring that—

(1) export license procedures are properly designed to prioritize readily which exports may be appropriate for serving United States friendly alliances and which require greater scrutiny in order to safeguard national interests;

(2) technology related to the military superiority of the United States Armed Forces is safeguarded during and after export to a high level of confidence; and

(3) overlapping and duplicative functions among the responsible departments and agencies of the Government of the United States are consolidated and integrated wherever appropriate in order to minimize sharing, and the consistent execution of United States policy.

Subtitle B—Revising and Strengthening Strategic Export Control Policies


(a) Under Secretary for Arms Control and International Security.—Section 1(b)(2) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(b)(2)) is amended—

(1) in the first sentence, by striking “There” and inserting the following:

“(A) In General.—There”;

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

“(B) Duties.—The Under Secretary for Arms Control and International Security shall be responsible for—

(i) coordinating and executing a United States strategy for strengthening multilateral export controls;

(ii) coordinating the activities of all bureaus and offices of the United States that have responsibility for export control policy, licensing, or assistance; and

(iii) serving as the chairperson of the Strategic Export Control Board established under section 712 of the Strategic Export Control and Security Assistance Act of 2005.”;

(b) Deputy Under Secretary for Strategic Export Control.—Section 1(b)(2) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(b)(2)), as amended by subsection (a), is further amended by adding at the end the following new subparagraph:

“(C) Deputy Under Secretary for Strategic Export Control.—There shall be in the Department of State a Deputy Under Secretary for Strategic Export Control who shall have primary responsibility to assist the Under Secretary for Arms Control and International Security in carrying out the responsibilities of the Under Secretary described in subsection (B)(i).”;

(c) Defense Trade Controls Registration Fees.—Section 45 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2717) is amended—

(1) in paragraph (2), by striking “and” at the end;

(2) in paragraph (2), by striking the period at the end and inserting “; and”;

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

“(4) functions of the Strategic Export Control Board established under section 712 of the Strategic Export Control and Security Assistance Act of 2005.”;

SEC. 712. STRATEGIC EXPORT CONTROL BOARD.

(a) Establishment.—There is established a Strategic Export Control Board (in this section referred to as the “Board”). The Board shall consist of representatives from the Department of Commerce, the Department of State, the Department of Homeland Security, the Department of Justice, the National Security Council, the intelligence community (as defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)), and other appropriate departments and agencies of the Government of the United States, and the Under Secretary for Arms Control and International Security of the Department of State. The Under Secretary for Arms Control and International Security shall serve as the chairperson of the Board.

(b) Functions.—The Board shall—

(1) conduct a comprehensive review of United States strategic export controls in the context of the Global War on Terrorism in order to strengthen controls by regulation, where appropriate, and to formulate legislative proposals for any new authorities that are needed for countering terrorism purposes;

(2) develop a strategy for ensuring a high level of confidence in the export control of any items that are part of the current or future military superiority of the United States Armed Forces, including in particular the security of sensitive software through the use of tamper-resistant security software and other emerging technologies;

(3) design standards and best practices for information assurance and protection for the collection, retention, and dissemination of information, including virtual private networks, already utilized by United States defense firms in the conduct of their export control regulated activities with foreign partners, which can also gain the support of United States friends and allies;

(4) formulate, with the assistance of the Under Secretary for Arms Control and International Security, an automated international delivery confirmation system for commercial shipments of lethal and dual use weapons and related areas;

(5) prepare recommendations for the President and Congress, as appropriate, with respect to—

(A) the consolidation of overlapping or duplicative regulations, inspections, and other activities that have responsibility for export control policy, licensing, or assistance; and

(B) the cost-savings associated with integration of export licensing staffs and the promulgation of integrated export control regulations; and

(6) the resultant rationalization of budgetary resources to be authorized among the responsible departments and agencies of the United States Government;

(7) establish the necessary departmental and inter-agency controls that will ensure legitimate exports by United States business organizations can be readily identified and generally approved within 10 days, but no later than 30 days in more complex cases, except in unusual circumstances, such as those requiring congressional notification or foreign government assurances;

(8) review and revise, where appropriate, plans for modernizing information technology systems of the relevant departments and agencies of the Government of the United States involved in export licensing, export enforcement, and screening of involved private parties to ensure efficient, reliable, and secure inter-governmental networks, at the earliest practicable date among the relevant departments and agencies and United States exporters; and

(9) develop a strategy for strengthening the multilateral control regimes or developing new regimes, as appropriate, to augment or supplement existing international arrangements.

(c) Report by comptroller general.—Not later than one year, two years, and three years after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate congressional committees a report that contains—

(1) an independent assessment of progress made by the Board in carrying out its functions under paragraphs (1) through (8) of subsection (b);

(2) the budgetary impact of each of the recommendations prepared under subsection (b)(5) and any additional recommendations prepared by the Comptroller General of the United States; and

(3) a certification as to whether the Comptroller General had access to sufficient information to make informed judgments on the matters covered by the report.

(4) Foreign Government .—The term ‘‘foreign government’’ means the Government of a country with which the United States has entered into an international agreement for the purpose of achieving national security objectives as described in section 4(a)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2351(a)(1)).
SEC. 713. AUTHORIZATION FOR ADDITIONAL LI- CENSE AND COMPLIANCE OFFICERS.  
(a) FUNDING.—Of the amounts authorized to be appropriated under subsection (b) of this Act, up to $13,000,000 shall be available for each of the fiscal years 2006 and 2007 for salaries and expenses related to the assignment of additional full-time compliance officers to the Directorate of Defense Trade Controls of the Department of State.  
(b) NOTIFICATION.—None of the funds authorized under this section may be made available until 15 days after the date on which the Secretary of State submits a written report to the congressional committees specified in subsection (a) containing information under paragraph (2) in accordance with the procedures applicable to reprogramming notifications under such section, which sets forth the plans and timetable of the Department of State for measurable improvements in the quality and timeliness of the service it provides in support of United States Armed Forces abroad and routine exports by United States business organizations, as well as for the elaboration of enhanced compliance measures appropriate to the heightened security environment for arms exports during the Global War on Terrorism.  

Subtitle C—Procedures Relating to Export Licenses  
SEC. 721. TRANSPARENCY OF JURISDICTIONAL DETERMINATIONS.  
(a) DECLARATION OF POLICY.—Congress declares that the complete confidentiality surrounding several thousand commodity classification determinations made each year by the Department of Commerce pursuant to the Export Administration Regulations and several hundred commodity jurisdiction determinations made each year by the Department of State pursuant to the International Traffic in Arms Regulations is not necessary to protect legitimate proprietary interests of persons or their prices and commercial value, and is not in the best interests of the security and foreign policy interests of the United States, is inconsistent with the need to ensure a level playing field for United States exporters, and detracts from United States efforts to promote greater transparency and responsibility by other countries in their export control systems.  
(b) PUBLICATION REQUIREMENT.—The Secretary of Commerce and the Secretary of State shall—  
(1) upon making a commodity classification determination or a commodity jurisdiction classification, as the case may be, referred to in subsection (a) in response to a request by a private person, publish in the Federal Register, not later than 30 days following receipt of a proposal requiring notification;  
(2) provide informal notice to such Committee within 10 days of receipt of such a proposal, such that such Committee may be addressed wherever feasible in conjunction with the Department’s processing; and  
(3) make each internal in the processing of the proposal available to United States exporters through the Internet website of the Department.  
SEC. 722. CERTIFICATIONS RELATING TO EXPORT OF CERTAIN DEFENSE ARTICLES AND SERVICES.  
(a) REPORTS ON COMMERCIAL AND GOVERNMENTAL MILITARY EXPORTS; CONGRESSIONAL ACTION.—Section 36(c) of the Arms Export Control Act (22 U.S.C. 2753(f)(1)) is amended—  
(1) in the first sentence of paragraph (1), by inserting after “$1,000,000 or more” the following: “, or, notwithstanding section 276(g) of this Act, such information would authorize under sections 120-130 of title 22, Code of Federal Regulations (commonly known as the ‘International Traffic in Arms Regulations’) for an aggregate amount of $100,000,000 or more;”;  
(2) in paragraph (2)—  
(A) in subparagraph (A), by adding “and” at the end;  
(B) by striking subparagraph (B); and  
(C) by redesignating subparagraph (C) as subparagraph (B); and  
(3) in the immediately preceding subparagraph (A) of paragraph (5), by inserting “or paragraph (2) after “paragraph (1)”;  
(b) SENSE OF CONGRESS.—It is the sense of Congress that the Department of State should revise its procedures in order to improve the timeliness and quality of service it is providing to United States exporters concerning matters requiring classification under sections 3 and 36 of the Arms Export Control Act (22 U.S.C. 2753 and 2756) by—  
(1) expediting its internal and interagency processes applicable to the consideration of export license applications, including the availability of personnel to data, as appropriate;  
(2) providing informal notice to such Committee within 10 days of receipt of such a proposal, such that such Committee may be addressed whenever feasible in conjunction with the Department’s processing; and  
(3) making each internal in the processing of the proposal available to United States exporters through the Internet website of the Department.  
SEC. 723. PRIORITY FOR UNITED STATES MILITARY EXPORTS; CONGRESSIONAL REPORTS.  
The Secretary of State may not accord higher priority in the adjudication of munitions export licenses to any measure included within the “Defense Trade Security Initiative” announced by the Department of State in May 2000 over the processing of licenses in support of Operation Enduring Freedom, Operation Iraqi Freedom, or any other military operation involving the United States Armed Forces.  
SEC. 724. LICENSE OFFICER STAFFING AND WORKLOAD.  
Section 38(a) Arms Export Control Act (22 U.S.C. 2771(a)) is amended—  
(1) in paragraph (1), by striking “and” at the end;  
(2) in paragraph (12), by striking the period at the end and inserting “; and”; and  
(3) by adding at the end the following new paragraph:  
“(13) a report on the number of civilian and military officers assigned to munitions export licensing authorities at the Department of State and their average weekly workload for both open and closed cases.”.  
SEC. 725. DATABASE OF UNITED STATES MILITARY EXPORTS.  
Section 655 of the Foreign Assistance Act of 1961 (22 U.S.C. 2415) is amended by—  
(d) REQUIREMENT.—Notwithstanding any other provision of law, beginning 180 days after the date of the enactment of this Act, the Secretary of Commerce may make a commodity classification determination referred to in subsection (a), and the Secretary of State may make a commodity jurisdiction determination referred to in subsection (a), in response to a request by a private person on a timely basis consistent with the requirements of subsection (b).  
SEC. 726. TRAINING AND LIABILITY FOR SMALL BUSINESSES.  
(a) SENSE OF CONGRESS.—It is the sense of Congress that it is increasingly important that the Secretary of State, 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 LIABILITY.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall convene 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. 727. COMMERCIAL COMMUNICATIONS SATELLITE TECHNICAL DATA.  
Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of Defense, shall amend the International Traffic in Arms Regulations to provide for the export without a licensing clearance of technical data, at a level established by the Secretary of Defense, in instances in which—  
(1) the exporter is a person registered under section 36(b) of the Arms Export Control Act (22 U.S.C. 2778(b));  
(2) the purpose of the export is to market a sale of a United States manufactured communications satellite solely for commercial or civil end use;  
(3) no party to the transaction is proscribed under section 129.1 of the Regulations or otherwise restricted from receiving United States defense articles; and  
(4) each end user or recipient has agreed in writing not to reexport or retransfer the United States furnished technical data to any other person without the prior written consent of the United States Government.  
SEC. 728. REPORTING REQUIREMENT FOR UNLICENSABLE EXPORTS.  
Section 655(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2415) is amended—  
(1) in paragraph (2), by striking “or” at the end;  
(2) in paragraph (3), by striking the period at the end and inserting “; or”; and  
(3) by adding at the end the following:  
“(4) were exported without a license under section 38 of the Arms Export Control Act (22 U.S.C. 2778) pursuant to an exemption established under the International Traffic in Arms Regulations, other than defense articles exported under section 38 of the Arms Export Control Act (22 U.S.C. 2778), and is not in the interests of the United States, are consistent with the United Nations sanctions regime in place as of the date of enactment of this Act, and are consistent with the national security interests of the United States.”.
license agreement, including the specific exemption provision in the regulation under which the export was made.”

**Subtitle D—Terrorist-Related Provisions and Enforcement Matters**

**SEC. 731. SENSE OF CONGRESS.—**In the case of any arms embargo established by the United Nations Security Council, is of fundamental importance to the security and foreign policy interests of the United States.

**SEC. 732. CERTIFICATION CONCERNING EXEMPT WEAPONS TRANSFERS ALONG THE NORTHERN BORDER OF THE UNITED STATES.**

Not later than 180 days after the date of enactment of this Act, and annually thereafter, the Secretary of State, in consultation with the Attorney General and the Secretary of Homeland Security, shall submit to the appropriate congressional committees a written report certifying that:

1. All items on the MTCR Annex are subject to appropriate control by the Government of the United States.
2. License procedures prior to transfer to a foreign person do not present a risk to the national security of the United States.
3. The Secretary of State has determined that:
   a. The foreign person has—
      1. Ceased all activity related to the original imposition of sanctions under section 73(a) of the Arms Export Control Act, or under section 11B(b)(1) of the Export Administration Act of 1979, as the case may be; and
      2. Has established a program of transparency measures under which the United States will be able to verify, for a period of at least 5 years, that the foreign person is not engaging in prohibited activities under those provisions of law referred to in paragraph (1); and
   b. The export to that foreign person would not expose the United States to the risk of proliferation.

**SEC. 733. CONTROL OF ITEMS ON MISSILE TECHNOLOGY CONTROL REGIME ANNEX.**

**SEC. 734. UNLAWFUL USE OF UNITED STATES DEFENSE ARTICLES.**

(a) INELIGIBILITY FOR TERRORIST RELATED TRANSACTIONS.—Sections 38(k) of the Arms Export Control Act (22 U.S.C. 2753(e)) is amended—

1. In each of subparagraphs (A) and (B), by striking “and any predecessor Act” and inserting “any predecessor Act, or licensed or approved under section 38 of this Act, or any predecessor Act,” and inserting “any predecessor Act,” 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.

**Subtitle E—Strengthening United States Missile Nonproliferation Law**

**SEC. 741. 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, 2006, of sections against a foreign person imposed under section 73(a) of the Arms Export Control Act (22 U.S.C. 2797)(a) or under section 11B(b)(1) of the Export Administration Act of 1979 (50 U.S.C. App. 2405(b)(1)), the President, in accordance with United States law or regulation, the Secretary of State and the Secretary of Defense, shall require a license for the transfer of any defense article or defense service to, for the export to or the sale of 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 Export Administration Act of 1979, prior to the expiration of the probationary period.

(b) REPORTING REQUIREMENT.—Section 3(c) of the Arms Export Control Act (22 U.S.C. 2753(e)) is amended by striking “or any predecessor Act,” and inserting “any predecessor Act,” and

(c) CERTIFICATION.—Not later than March 1 of each year, the Secretary of State, in coordination with the Department of Commerce and the Secretary of Defense, shall submit to the appropriate congressional committees a report that contains—

1. Certification that the requirement of subsection (a) 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 paragraph (1); and

**Subtitle F—Prohibitions Under the International Emergency Economic Powers Act**

**SEC. 735. PROHIBITIONS UNDER THE INTERNATIONAL EMERGENCY ECONOMIC POWERS ACT.**

(a) IN GENERAL.—Notwithstanding any other provision of law, upon the expiration, or the granting of a waiver, on or after January 1, 2006, of sections against a foreign person imposed under section 73(a) of the Arms Export Control Act (22 U.S.C. 2797)(a) or under section 11B(b)(1) of the Export Administration Act of 1979 (50 U.S.C. App. 2405(b)(1)), the President, in accordance with United States law or regulation, the Secretary of State and the Secretary of Defense, shall require a license for the transfer of any defense article or defense service to, for the export to or the sale of 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 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) CERTIFICATION.—Not later than March 1 of each year, the Secretary of State, in coordination with the Department of Commerce and the Secretary of Defense, shall submit to the appropriate congressional committees a report that contains—

1. Certification that the requirement of subsection (a) 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 paragraph (1); and

(c) WAIVER.—Subsection (a) shall not apply to a foreign person if—

1. The President issues a waiver of sanctions imposed upon that person under section 73(a) of the Arms Export Control Act or under section 11B(b)(1) of the Export Administration Act of 1979, on the basis that the waiver is essential to the national security of the United States;
(2) the President designates the waiver as classified information (as defined in section 606 of the National Security Act of 1947 (50 U.S.C. 426)); and
(3) the President transmits to the committees referred to in subsection (b)—
(A) a justification for designating the waiver as classified information; and
(B) a description of—
(i) any discussions with the foreign person, concerning the activities that were the subject of the sanctions, that have been conducted by United States Government officials, or by officials of the government of the country that has jurisdiction over the foreign person or in which the foreign person conducted such activities; and
(ii) any actions that the foreign person, or the government of the country that has jurisdiction over the foreign person or in which the foreign person conducted the activities that were the subject of the sanctions, has taken to prevent a recurrence of the same or similar activities.

SEC. 742. STRENGTHENING UNITED STATES MIS-SILE PROLIFERATION SANCTIONS ON FOREIGN PERSONS.

(a) ARMS EXPORT CONTROL ACT.—Section 73(a)(1) of the Arms Export Control Act (22 U.S.C. 2797a(a)(2)) is amended by striking “2 years” each place it appears and inserting “4 years”.

(b) PUBLIC INFORMATION.—Section 73(e)(2) of the Arms Export Control Act (22 U.S.C. 2797e(2)) is amended by adding at the end the following new sentences: “Such report may be classified 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.—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 four years beginning on the date on which the sanctions were 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 (50 U.S.C. App. 2410b(b)(1)), as continued in effect under the International Emergency Economic Powers Act, on or after January 1, 2004.

SEC. 743. COMPREHENSIVE UNITED STATES MIS-SILE PROLIFERATION SANCTIONS ON RESPONSIBLE FOREIGN PERSONS.

(a) ARMS EXPORT CONTROL ACT.—Section 73(a) of the Arms Export Control Act (22 U.S.C. 2797a(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 person or 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 has acquired prohibited items with the intent to transfer to that foreign person, or provide to that foreign person access to such items, including prohibited items that are items that may not be exported to that foreign person on account of the dual use sanction imposed on that foreign person.

(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 dual use sanctions have been imposed.

(4) REPORT.—The President shall submit 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 dual use sanctions have been imposed that either—

(i) would be the basis for imposing sanctions under subparagraph (B) but for which sanctions have not been imposed; or
(ii) has not been imposed; or

(iii) any successor of any business enterprise or other organization or entity listed in subclause (II) or (III); and

(iv) any successor of any business enterprise or other organization or entity listed in clause (ii) (or (iii)); and


Subtitle F—Security Assistance and Related Provisions

SEC. 751. AUTHORITY TO TRANSFER NAVAL VES-SELS TO CERTAIN FOREIGN COUNTRIES.

(a) AUTHORITY TO TRANSFER BY GRANT.—The President is authorized to transfer vessels to foreign countries on a grant basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321), as follows:

(1) To the Government of Greece, the OSPREY class minehunter coastal ship PELICAN (MHC–53).

(2) To the Government of Egypt, the OSPREY class minehunter coastal ships CAR-DINAL (MHC–60) and RAYEN (MHC–61).

(3) To the Government of Pakistan, the SPRUANCE class destroyer ship FORBETHER (DD–992).

(4) To the Government of Turkey, the SPRUANCE class destroyer ship CUSHING (DD–985).

(b) AUTHORITY TO TRANSFER BY SALE.—The President is authorized to transfer vessels to foreign countries on a sale basis under section 21 of the Arms Export Control Act (22 U.S.C. 2761), as follows:

(1) To the Government of India, the AUSTIN class amphibious transport dock ship TRENTO (LPD–14).

(2) To the Government of Greece, the OSPREY class minehunter coastal ship HERON (MHC–52).

(3) To the Government of Turkey, the SPRUANCE class destroyer ship O’BANNON (DD–987).

(c) GRANTS NOT COUNTED IN ANNUAL TOTAL OF TRANSFERRED EXCESS DEFENSE ARTICLES.—The transfer of such a vessel to any other country on a grant basis pursuant to authority provided by subsection (a) shall not be counted
against the aggregate value of excess defense articles transferred to countries in any fiscal year under section 519(g) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(g)).

(d) CONSEQUENCES.—Any expense incurred by the United States in connection with a transfer authorized under subsection (a) or (b) shall be charged to the recipient.

(4) EXCLUSION OF UNITED STATES SHIPYARDS.—To the maximum extent practicable, the President shall require, as a condition of a transfer of a vessel under this section, that the country to which the vessel is transferred have such repair or refurbishment of the vessel as is needed, before the vessel joins the navy of the country, performed at a shipyard located in the United States, including a United States Navy shipyard.

(f) EXPEDIATION OF AUTHORITY.—The authority to transfer under this section shall expire at the end of the two-year period beginning on the date of the enactment of this Act.

SEC. 752. TRANSFER OF OBSOLETE AND SURPLUS ITEMS FROM KOREAN SHIPYARD SERVICE STOCKPILE AND REMOVAL OR DISPOSAL OF REMAINING ITEMS.

(a) TRANSFER OF ITEMS IN KOREAN STOCKPILE.—

(1) AUTHORITY.—Notwithstanding section 514 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h), the President is authorized to transfer to the Republic of Korea, in return for concessions to be negotiated by the Secretary of Defense, any or all of the items described in paragraph (2).

(2) COVERED ITEMS.—The items referred to in paragraph (1) are munitions, equipment, and materials necessary for the repair, refurbishment, or maintenance of any vehicle, offensive or defensive weapon, artillery, mortars, general purpose bombs, repair parts, barter material, and ancillary equipment, if such items are:

(A) obsolete or surplus items;

(B) in the inventory of the Department of Defense; or

(C) intended for use as reserve stocks for the Republic of Korea; and

(D) as of the date of the enactment of this Act, located in a stockpile in the Republic of Korea.

(3) VALUATION OF CONCESSIONS.—(A) The value of concessions negotiated pursuant to paragraph (1) shall be at least equal to—

(i) the fair market value of the items transferred; minus

(ii) the savings to the Department of Defense of the aggregate value of the items from a source of public and disposal of the items that would have been incurred by the Department but for the transfer of the items pursuant to paragraph (1), expressed as the fair market value of the items transferred.

(B) The concessions may include cash compensation, service, waiver of charges otherwise payable by the United States, such as charges for demobilization of United States-owned equipment, and other items of value.

(4) PRIOR NOTIFICATIONS OF PROPOSED TRANSFERS.—Not less than 30 days before making a transfer under the authority of this subsection, the President shall transmit to the Committees on Armed Services and International Relations of the House of Representatives and Senate a detailed notification of the proposed transfer, which shall contain a description of the items to be transferred and the concessions to be received.

(5) PRIORITY OF AUTHORITY.—No transfer may be made under the authority of this subsection more than three years after the date of the enactment of this Act.

(6) REMOVAL OR DISPOSAL OF REMAINING ITEMS IN KOREAN STOCKPILE.—The President shall provide for the removal or disposal of all items described in subsection (a)(2) that are not transferred under the authority of this subsection (a) by not later than four years after the date of the enactment of this Act.

SEC. 753. EXTENSION OF PAKISTAN WAIVERS.

The Act entitled "An Act to authorize the President to exercise waivers of foreign assistance restrictions with respect to Pakistan through September 30, 2003, and for other purposes", approved October 27, 2001 (Public Law 107–57; 115 Stat. 403), is amended—

(1) in section 106—

(A) by striking "Fiscal Years 2005 and 2006" and inserting "Fiscal Years 2006 and 2007"; and

(B) in paragraph (1), by striking "2005 or 2006" and inserting "2006 and 2007"; and

(2) in section 2, by striking "and insert "2006 and 2007".

SEC. 754. REPORTING REQUIREMENT FOR FOREIGN MILITARY TRAINING.

Subsection (a)(1) of section 658 of the Foreign Assistance Act of 1961 (22 U.S.C. 2316h) 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".

SEC. 755. CERTAIN SERVICES PROVIDED BY THE UNITED STATES IN CONNECTION WITH FOREIGN MILITARY SALES.

(a) QUALITY ASSURANCE, INSPECTION, CONTRACT ADMINISTRATION, AND CONTRACT AUDIT DEFENSE SERVICES provided by 21(h)(1)(A) of the Arms Export Control Act (22 U.S.C. 2761(h)(1)(A)) is amended by inserting after "North Atlantic Treaty Organization" the following: "or the Governments of Australia, New Zealand, Japan, or Israel".

(b) CATALOGING DATA AND SERVICES.—Section 21(h)(2) of the Arms Export Control Act (22 U.S.C. 2761(h)(2)) is amended by striking "any member government of that Organization if that Organization or member government" and inserting ", to any member of that Organization or member government of the Governments of Australia, New Zealand, Japan, or Israel if that Organization, member government, or the Governments of Australia, New Zealand, Japan, or Israel".

SEC. 756. MARITIME INTERDICT 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 2006, 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 Mozambique for maritime patrol and interdiction activities.

(b) AVAILABILITY.—Amounts appropriated pursuant to this subsection shall remain available until September 30, 2007.

SEC. 757. REIMBURSEMENT FOR INTERNATIONAL MILITARY EDUCATION AND TRAINING.

Section 541 of the Foreign Assistance Act of 1961 (22 U.S.C. 2347) is amended—

(1) in the heading, by striking "The President" and inserting "(a) The President"; and

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

"(b) The President shall seek reimbursement for military education and training furnished under any foreign military education and training program by the foreign person under the Foreign Assistance Act of 1961 or the Arms Export Control Act, and for any contract to sell such items or services, under either such Act, that is in effect on the date on which the sanction under this paragraph is imposed, shall be terminated as of such date.

(2) The United States Government may not sell any defense articles, defense services, or design or construction services to the foreign person under the Foreign Assistance Act of 1961 or the Arms Export Control Act, and any contract to sell such items or services, under either such Act, that is in effect on the date on which the sanction under this paragraph is imposed, shall be terminated as of such date.

(3) Licenses or other approval may be issued to the foreign person under the Foreign Assistance Act of 1961 or the Arms Export Control Act, and for any contract to sell such items or services, under either such Act, that is in effect on the date on which the sanction under this paragraph is imposed, shall be terminated as of such date.

(4) Licenses or other approval may not be issued to the foreign person for the export of any goods or technology subject to the jurisdiction of the Export Administration Regulations under title 15, Code of Federal Regulations (or successor regulations), other than food and other agricultural commodities, medicines and medical equipment. Any such license or approval that is in effect on the date on which the sanction under this paragraph is imposed, shall be terminated as of such date.

TITLE VIII—NUCLEAR BLACK MARKET ELIMINATION ACT

SEC. 801. SHORT TITLE.

This title may be cited as the "Nuclear Black Market Elimination Act of 2005".

Subtitle A—Sanctions for Transfers of Nuclear Enrichment, Reprocessing, and Weapons Technology, Equipment and Materials Involving Foreign Persons and Terrorists

SEC. 811. AUTHORITY TO IMPOSE SANCTIONS ON FOREIGN PERSONS.

(a) DETERMINATION OF NUCLEAR ACTIVITIES BY FOREIGN PERSONS.—Notwithstanding any other provision of law, the President is authorized to impose any or all of the sanctions described in subsection (b) whenever the President determines that a foreign person participated, or after the date of enactment of this Act, in the export, transfer or trade of—

(1) nuclear enrichment or reprocessing equipment, materials, or technology; or

(2) a non-nuclear-weapon state (as defined in section 102(c) of the Arms Export Control Act) that—

(A) does not possess functioning nuclear enrichment or reprocessing plants as of January 1, 2004; and

(B) does not have in force an additional protocol with the International Atomic Energy Agency for the application of safeguards (as derived from IAEA document INFCIRC/540 and related corrections and additions); or

(ii) is developing, manufacturing, or acquiring a nuclear explosive device; or

(ii) nuclear explosive device, or design information or component, equipment, materials, or technology or transfers any of these items or technology to such a foreign person.

(2) Sanctions.—The sanctions referred to in subsection (a)(1) that are to be imposed on a foreign person are the following:

(1) No assistance may be provided to the foreign person under the Foreign Assistance Act of 1961, and the foreign person may not participate in any assistance program of the United States Government. Any such assistance being provided under any foreign assistance program in such assistance program by the foreign person, on the date on which the sanction under this paragraph is imposed, shall be terminated as of such date.

(2) The United States Government may not sell any defense articles, defense services, or design or construction services to the foreign person under the Foreign Assistance Act of 1961 or the Arms Export Control Act, and any contract to sell such items or services, under either such Act, that is in effect on the date on which the sanction under this paragraph is imposed, shall be terminated as of such date.

(3) Licenses or other approval may be issued to the foreign person under the Foreign Assistance Act of 1961 or the Arms Export Control Act, and for any contract to sell such items or services, under either such Act, that is in effect on the date on which the sanction under this paragraph is imposed, shall be terminated as of such date.

(4) Licenses or other approval may not be issued to the foreign person for the export of any goods or technology subject to the jurisdiction of the Export Administration Regulations under chapter VII of title 15, Code of Federal Regulations (or successor regulations), other than food and other agricultural commodities, medicines and medical equipment. Any such license or approval that is in effect on the date on which the sanctions under this paragraph are imposed, shall be terminated as of such date.
of any sanctions that have been imposed and 811. This report shall also include a description 811, in- governments and relevant corporations not to fort in their interactions with foreign govern- 41s. CAMPAIGN BY UNITED STATES GOVERN- loss for associated corporate entities for the pro- ficiencies of their associated entities. (5) If a corporation perceives that the United States Government to make every effort 42activity amongst them is important to the national security of the United States and other appropriate inter- national organizations in investigating and eliminating the nuclear proliferation network, any successor networks operating within its ter- ritory, or other illicit proliferation and acquisi- tion activities; and (2) has been or is fully cooperating with the United States and other appropriate international organizations in investigations and the President, fully cooperating with the United States in its efforts to eliminate the nuclear prolif- eration network described in paragraph (1)(A) or other nuclear proliferation networks or activities. The President shall base the deter- mination regarding a country’s cooperation with the United States in part on the degree to which the country has satisfied United States requests for assistance and information, including whether the United States has asked and been granted direct investigative access to key persons involved in a nuclear proliferation net- work. (b) CLASSIFICATION.—Reports under this sec- tion shall be unclassified to the maximum extent possible.

SEC. 842. SUSPENSION OF ARMS SALES LICENSES AND DELIVERIES TO NUCLEAR PROLIFERATION NETWORK HOST COUNTRIES. (a) SUSPENSION.—Upon submission of the re- port under subsection (b) and any additional information, the President shall suspend all licenses issued under the Arms Export Control Act, and shall identify any country described in the report that Act, to any country described in the report or additional information, until such time as the President certifies to the appropriate congres- sional committees that such country— (1)(A) has fully investigated or is fully investi- gating the activities of any person or entity within its territory that has participated in the nuclear proliferation network; and (B) has taken or is taking effective steps to permanently halt similar illicit nuclear prolif- eration or acquisition activities; or (2) has been or is fully cooperating with the United States and other appropriate international organizations in investigations and eliminating the nuclear proliferation network, any successor networks operating within its ter- ritory, or other illicit proliferation and acquisition activities; and (3) has enacted or is enacting new laws, pro- mulgated decrees or regulations, or established practices designed to prevent such activities occurring within its territory.

(b) Waiver.—The President may waive the re- quirements of subsection (a) in a fiscal year if— (1) the President has certified to the appro- priate congressional committees that such 811. The Congress finds the following: (1) Foreign persons and corporations engaging in nuclear black-market activities are motivated by reasons of commercial gain and profit. (2) Sanctions targeted solely against the busi- ness concern may be unsuccessful in halting these proliferation activities, as the sanctions may be seen merely as the cost of doing business, especially if the business interests of the parent or subsidiary corporate entities are unaffected by the sanctions. (3) Sanctions targeted at the business interests of the sanctioned person or busi- ness concern may be unsuccessful in halting these proliferation activities, as the sanctions may be seen merely as the cost of doing business, especially if the business interests of the parent or subsidiary corporate entities are unaffected by the sanctions. (4) To dissuade corporations from allowing their commercial entities or persons from engaging in proliferation black-market activities, they must also be made to suffer financial loss and commercial disadvantage, and parent and subsidiary commercial enterprises must be held responsible for the proliferation activi- ties of their associated entities. (5) If a corporation perceives that the United States Government to make every effort 42activity amongst them is important to the national security of the United States and other appropriate inter- national organizations in investigations and the President, fully cooperating with the United States in its efforts to eliminate the nuclear prolif- eration network described in paragraph (1)(A) or other nuclear proliferation networks or activities. The President shall base the deter- mination regarding a country’s cooperation with the United States in part on the degree to which the country has satisfied United States requests for assistance and information, including whether the United States has asked and been granted direct investigative access to key persons involved in a nuclear proliferation net- work. (b) CLASSIFICATION.—Reports under this sec- tion shall be unclassified to the maximum extent possible.

SEC. 842. SUSPENSION OF ARMS SALES LICENSES AND DELIVERIES TO NUCLEAR PROLIFERATION NETWORK HOST COUNTRIES. (a) SUSPENSION.—Upon submission of the re- port under subsection (b) and any additional information, the President shall suspend all licenses issued under the Arms Export Control Act, and shall identify any country described in the report that Act, to any country described in the report or additional information, until such time as the President certifies to the appropriate congres- sional committees that such country— (1)(A) has fully investigated or is fully investi- gating the activities of any person or entity within its territory that has participated in the nuclear proliferation network; and (B) has taken or is taking effective steps to permanently halt similar illicit nuclear prolif- eration or acquisition activities; or (2) has been or is fully cooperating with the United States and other appropriate international organizations in investigations and eliminating the nuclear proliferation network, any successor networks operating within its ter- ritory, or other illicit proliferation and acquisition activities; and (3) has enacted or is enacting new laws, pro- mulgated decrees or regulations, or established practices designed to prevent such activities occurring within its territory.

(b) Waiver.—The President may waive the re- quirements of subsection (a) in a fiscal year if— (1) the President has certified to the appro- priate congressional committees that such 811. The Congress finds the following: (1) Foreign persons and corporations engaging in nuclear black-market activities are motivated by reasons of commercial gain and profit. (2) Sanctions targeted solely against the busi- ness concern may be unsuccessful in halting these proliferation activities, as the sanctions may be seen merely as the cost of doing business, especially if the business interests of the parent or subsidiary corporate entities are unaffected by the sanctions. (3) Sanctions targeted at the business interests of the sanctioned person or busi- ness concern may be unsuccessful in halting these proliferation activities, as the sanctions may be seen merely as the cost of doing business, especially if the business interests of the parent or subsidiary corporate entities are unaffected by the sanctions. (4) To dissuade corporations from allowing their commercial entities or persons from engaging in proliferation black-market activities, they must also be made to suffer financial loss and commercial disadvantage, and parent and subsidiary commercial enterprises must be held responsible for the proliferation activi- ties of their associated entities. (5) If a corporation perceives that the United States Government to make every effort 42activity amongst them is important to the national security of the United States and other appropriate inter- national organizations in investigations and the President, fully cooperating with the United States in its efforts to eliminate the nuclear prolif- eration network described in paragraph (1)(A) or other nuclear proliferation networks or activities. The President shall base the deter- mination regarding a country’s cooperation with the United States in part on the degree to which the country has satisfied United States requests for assistance and information, including whether the United States has asked and been granted direct investigative access to key persons involved in a nuclear proliferation net- work. (b) CLASSIFICATION.—Reports under this sec- tion shall be unclassified to the maximum extent possible.

SEC. 842. SUSPENSION OF ARMS SALES LICENSES AND DELIVERIES TO NUCLEAR PROLIFERATION NETWORK HOST COUNTRIES. (a) SUSPENSION.—Upon submission of the re- port under subsection (b) and any additional information, the President shall suspend all licenses issued under the Arms Export Control Act, and shall identify any country described in the report that Act, to any country described in the report or additional information, until such time as the President certifies to the appropriate congres- sional committees that such country— (1)(A) has fully investigated or is fully investi- gating the activities of any person or entity within its territory that has participated in the nuclear proliferation network; and (B) has taken or is taking effective steps to permanently halt similar illicit nuclear prolif- eration or acquisition activities; or (2) has been or is fully cooperating with the United States and other appropriate international organizations in investigations and eliminating the nuclear proliferation network, any successor networks operating within its ter- ritory, or other illicit proliferation and acquisition activities; and (3) has enacted or is enacting new laws, pro- mulgated decrees or regulations, or established practices designed to prevent such activities occurring within its territory.

(b) Waiver.—The President may waive the re- quirements of subsection (a) in a fiscal year if— (1) the President has certified to the appro- priate congressional committees that such 811. The Congress finds the following: (1) Foreign persons and corporations engaging in nuclear black-market activities are motivated by reasons of commercial gain and profit. (2) Sanctions targeted solely against the busi- ness concern may be unsuccessful in halting these proliferation activities, as the sanctions may be seen merely as the cost of doing business, especially if the business interests of the parent or subsidiary corporate entities are unaffected by the sanctions. (3) Sanctions targeted at the business interests of the sanctioned person or busi- ness concern may be unsuccessful in halting these proliferation activities, as the sanctions may be seen merely as the cost of doing business, especially if the business interests of the parent or subsidiary corporate entities are unaffected by the sanctions. (4) To dissuade corporations from allowing their commercial entities or persons from engaging in proliferation black-market activities, they must also be made to suffer financial loss and commercial disadvantage, and parent and subsidiary commercial enterprises must be held responsible for the proliferation activi- ties of their associated entities. (5) If a corporation perceives that the United States Government to make every effort 42activity amongst them is important to the national security of the United States and other appropriate inter- national organizations in investigations and the President, fully cooperating with the United States in its efforts to eliminate the nuclear prolif- eration network described in paragraph (1)(A) or other nuclear proliferation networks or activities. The President shall base the deter- mination regarding a country’s cooperation with the United States in part on the degree to which the country has satisfied United States requests for assistance and information, including whether the United States has asked and been granted direct investigative access to key persons involved in a nuclear proliferation net- work. (b) CLASSIFICATION.—Reports under this sec- tion shall be unclassified to the maximum extent possible.

SEC. 842. SUSPENSION OF ARMS SALES LICENSES AND DELIVERIES TO NUCLEAR PROLIFERATION NETWORK HOST COUNTRIES. (a) SUSPENSION.—Upon submission of the re- port under subsection (b) and any additional information, the President shall suspend all licenses issued under the Arms Export Control Act, and shall identify any country described in the report that Act, to any country described in the report or additional information, until such time as the President certifies to the appropriate congres- sional committees that such country— (1)(A) has fully investigated or is fully investi- gating the activities of any person or entity within its territory that has participated in the nuclear proliferation network; and (B) has taken or is taking effective steps to permanently halt similar illicit nuclear prolif- eration or acquisition activities; or (2) has been or is fully cooperating with the United States and other appropriate international organizations in investigations and eliminating the nuclear proliferation network, any successor networks operating within its ter- ritory, or other illicit proliferation and acquisition activities; and (3) has enacted or is enacting new laws, pro- mulgated decrees or regulations, or established practices designed to prevent such activities occurring within its territory.

(b) Waiver.—The President may waive the re- quirements of subsection (a) in a fiscal year if— (1) the President has certified to the appro- priate congressional committees that such 811. The Congress finds the following: (1) Foreign persons and corporations engaging in nuclear black-market activities are motivated by reasons of commercial gain and profit. (2) Sanctions targeted solely against the busi- ness concern may be unsuccessful in halting these proliferation activities, as the sanctions may be seen merely as the cost of doing business, especially if the business interests of the parent or subsidiary corporate entities are unaffected by the sanctions. (3) Sanctions targeted at the business interests of the sanctioned person or busi- ness concern may be unsuccessful in halting these proliferation activities, as the sanctions may be seen merely as the cost of doing business, especially if the business interests of the parent or subsidiary corporate entities are unaffected by the sanctions. (4) To dissuade corporations from allowing their commercial entities or persons from engaging in proliferation black-market activities, they must also be made to suffer financial loss and commercial disadvantage, and parent and subsidiary commercial enterprises must be held responsible for the proliferation activi-
“(C) Each center established pursuant to subparagraph (A) shall, to the maximum extent practicable, carry out the following activities:

(i) The provision of surgery to repair obstetric fistula, as well as facilitation of such activities provided or received, and includes any conspiracy or attempt to facilitate any of the preceding activities, as well as facilitating such activities by any other person.

(2) FOREIGN PERSON.—The term ‘foreign person’ means a person who is not a citizen or national of the United States.

(3) PERSON.—The term ‘person’—

(A) means a natural person as well as a corporation, business association, partnership, society, trust, any other nongovernmental entity, organization, or group, and any governmental entity, or subsidiary, subunit, or parent entity thereof, and any successor of any such entity; and

(B) in the case of a country where it may be impossible to identify a specific governmental entity that—

(i) is responsible for the decision to provide financial or technical assistance to the extent that the purpose of such assistance is to expand investment and lending opportunities in financial institutions that are duly incorporated in sub-Saharan African countries;

(ii) is responsible for the decision to provide financial or technical assistance to the extent that the purpose of such assistance is to expand investment and lending opportunities to small and medium enterprises in sub-Saharan Africa;

(iii) is responsible for the decision to provide financial or technical assistance to the extent that the purpose of such assistance is the expansion of access to contracep tion services for the prevention of pregnancies among women whose age or health status place them at high risk of prolonged or obstructed childbirth.

(‘‘(C)) Each center established pursuant to subparagraph (A) shall, to the maximum extent practicable, carry out the following activities:

(i) The provision of surgery to repair obstetric fistula as a result of sexual abuse during conflicts or as a result of official abuse; and

(ii) Assistance related to surgery and post-surgery care and support described in clause (i), including the provision of transportation to and from the center for women in need of such transportation and the provision of necessary temporary shelter and food assistance to women in need of such shelter and food assistance.

(4) ITEMS OF PROLIFERATION CONCERN.—The term ‘items of proliferation concern’ means any equipment, materials, or technology that could materially contribute to nuclear explosive development or production of any nuclear explosive device, a chemical or biological weapon, or missile with a payload of 500 kilograms or greater and with a range of 300 kilometers or greater.

(5) PERSON.—The term ‘person’—

(A) means a natural person as well as a corporation, business association, partnership, society, trust, any other nongovernmental entity, organization, or group, and any governmental entity, or subsidiary, subunit, or parent entity thereof, and any successor of any such entity; and

(B) in the case of a country where it may be impossible to identify a specific governmental entity that—

(i) is responsible for the decision to provide financial or technical assistance to the extent that the purpose of such assistance is to expand investment and lending opportunities in financial institutions that are duly incorporated in sub-Saharan African countries;

(ii) is responsible for the decision to provide financial or technical assistance to the extent that the purpose of such assistance is to expand investment and lending opportunities to small and medium enterprises in sub-Saharan Africa;

(iii) is responsible for the decision to provide financial or technical assistance to the extent that the purpose of such assistance is the expansion of access to contracep tion services for the prevention of pregnancies among women whose age or health status place them at high risk of prolonged or obstructed childbirth.

(C) Each center established pursuant to subparagraph (A) shall, to the maximum extent practicable, carry out the following activities:

(i) The provision of surgery to repair obstetric fistula, as well as facilitating such activities provided or received, and includes any conspiracy or attempt to facilitate any of the preceding activities, as well as facilitating such activities by any other person.

(2) FOREIGN PERSON.—The term ‘foreign person’ means a person who is not a citizen or national of the United States.

(3) PERSON.—The term ‘person’—

(A) means a natural person as well as a corporation, business association, partnership, society, trust, any other nongovernmental entity, organization, or group, and any governmental entity, or subsidiary, subunit, or parent entity thereof, and any successor of any such entity; and

(B) in the case of a country where it may be impossible to identify a specific governmental entity that—

(i) is responsible for the decision to provide financial or technical assistance to the extent that the purpose of such assistance is to expand investment and lending opportunities in financial institutions that are duly incorporated in sub-Saharan African countries;

(ii) is responsible for the decision to provide financial or technical assistance to the extent that the purpose of such assistance is to expand investment and lending opportunities to small and medium enterprises in sub-Saharan Africa;

(iii) is responsible for the decision to provide financial or technical assistance to the extent that the purpose of such assistance is the expansion of access to contracep tion services for the prevention of pregnancies among women whose age or health status place them at high risk of prolonged or obstructed childbirth.

(D) Each center established pursuant to subparagraph (A) shall, to the maximum extent practicable, carry out the following activities:

(i) The provision of surgery to repair obstetric fistula as a result of sexual abuse during conflicts or as a result of official abuse; and

(ii) Assistance related to surgery and post-surgery care and support described in clause (i), including the provision of transportation to and from the center for women in need of such transportation and the provision of necessary temporary shelter and food assistance to women in need of such shelter and food assistance.

(4) ITEMS OF PROLIFERATION CONCERN.—The term ‘items of proliferation concern’ means any equipment, materials, or technology that could materially contribute to nuclear explosive development or production of any nuclear explosive device, a chemical or biological weapon, or missile with a payload of 500 kilograms or greater and with a range of 300 kilometers or greater.

(5) PERSON.—The term ‘person’—

(A) means a natural person as well as a corporation, business association, partnership, society, trust, any other nongovernmental entity, organization, or group, and any governmental entity, or subsidiary, subunit, or parent entity thereof, and any successor of any such entity; and

(B) in the case of a country where it may be impossible to identify a specific governmental entity that—

(i) is responsible for the decision to provide financial or technical assistance to the extent that the purpose of such assistance is to expand investment and lending opportunities in financial institutions that are duly incorporated in sub-Saharan African countries;
and the Union of Solidarity Development Association (USDA); and

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

(5) REPORT.—Not later than 180 days after the date of the enactment of this Act and every 180 days thereafter during fiscal years 2006 and 2007, the Secretary shall submit to the appropriate congressional committees a report on

(A) the activities of the United Nations Development Program (including all programs and activities administered by the United Nations Development Program) in Burma;

(B) all recipients and subrecipients of funds provided under such programs and activities.

SEC. 905. ASSISTANCE FOR THE OFFICE OF THE POLICE OMBUDSMAN FOR NORTHERN IRELAND.

Of the amounts made available for each of the fiscal years 2006 and 2007 to carry out section 481 of the Foreign Assistance Act of 1961 (22 U.S.C. 2291), $100,000 for each such fiscal year is authorized to be available for—

(1) specialized investigative training, including training in the United States, of personnel of the Office of the Police Ombudsmans for Northern Ireland; and

(2) the United States to the Office of the Police Ombudsmen for Northern Ireland for the development and strengthening of its investigative capacity in order to ensure that policing in Northern Ireland is carried out in accordance with internationally recognized human rights standards.

SEC. 906. REPORT ON FOREIGN LAW ENFORCEMENT TRAINING AND ASSISTANCE.

Section 489(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291(h)(a)), as amended by section 317(d) of this Act, is further amended by adding at the end the following new sentence:

"(9)(A) A separate section on all foreign law enforcement training and assistance that is provided to foreign law enforcement personnel and other related governmental authorities by the Department of State, the Department of Defense, the Department of Justice, and the United States Agency for International Development during the previous fiscal year and all such training proposed for the current fiscal year.

(B) The section on foreign law enforcement training and assistance shall include the following:

"(i) For each law enforcement training activity—

"(I) the purpose of the activity and the foreign policy justification for the activity;

"(II) the number of foreign law enforcement personnel who are provided training, their units of operation, and countries of origin;

"(III) the type of training activity;

"(IV) the location of the training activity;

"(V) the department or agency of the United States Government which is conducting the training, by unit or office; and

"(VI) the cost of the training activity and the specific budgetary account from which the cost is paid.

"(ii) For other law enforcement assistance—

"(I) the assistance provided to the foreign law enforcement assistance for the assistance;

"(II) the type of assistance;

"(III) the department or agency of the United States Government which is providing the assistance, by unit or office, where applicable; and

"(IV) the cost of the assistance and the specific budgetary account from which the cost is paid.

"(iii) for each country—

"(I) the aggregate number of students trained;

"(II) the detail of the law enforcement training and other law enforcement assistance; and

"(III) a plan describing the law enforcement assistance rule of law programs of the relevant departments and agencies of the United States Government.

"(C) FORM.—The report required by this paragraph shall be in unclassified form but may include a classified annex.".

SEC. 907. ASSISTANCE FOR DISASTER MITIGATION.

(a) FINDINGS.—Congress finds the following:

(1) The devastating impacts of natural disasters can be mitigated by assisting communities to build in safe locations, sturdy dwellings, enforce sound building codes and practices, and protect natural ecosystems.

(2) By 2050, two billion people are expected to be dependent on agriculture, due to growing populations, indiscriminate logging, rapid urbanization, and increasing development along coasts and in other hazardous regions.

(3) According to the World Bank and the United States Geological Survey during the 1990s, $40 billion invested in preventive measures could have saved $280 billion in disaster relief funds and saved countless lives.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of State, in consultation with the heads of other appropriate departments and agencies of the Government of the United States, should develop an initiative to encourage the use of disaster mitigation techniques, including the practices described in this section, by foreign governments in regions considered especially vulnerable to natural disasters.

(c) AMENDMENT TO THE FOREIGN ASSISTANCE ACT OF 1961.—Section 491(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2292(b)) is amended by adding at the end the following new sentence:

"(IV) the cost of the assistance and the specific budgetary account from which the cost is paid.

SEC. 908. ASSISTANCE TO PROMOTE DEMOCRACY IN THE CHRONOBILY DISASTER.

Of the amounts made available for each of the fiscal years 2006 and 2007 to carry out chapters 11 and 12 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2295 et seq., and 2296 et seq.) and the FREEDOM Support Act (22 U.S.C. 5801 et seq.), $12,000,000 for each such fiscal year is authorized to be available for assistance for the promotion of democracy in the Republic of Belarus, including free and fair electoral processes, the development of political parties and nongovernmental organizations, promoting democracy, human rights and the rule of law, independent media, and international exchanges and training programs for leaders and members of the democratic forces that foster civic engagement.

SEC. 909. ASSISTANCE FOR MATERNAL AND PRENATAL CARE FOR CERTAIN INDIVIDUALS OF BELARUS AND UKRAINE IN THE CLEANUP OF THE CHRONOBLI DISASTER.

Of the amounts made available for each of the fiscal years 2006 and 2007 to carry out chapters 11 and 12 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2295 et seq., and 2296 et seq.) and the FREEDOM Support Act (22 U.S.C. 5801 et seq., and 5802 et seq.), such sums as may be necessary for each fiscal year to provide assistance for the promotion of democracy in the Republic of Belarus, including free and fair electoral processes, the development of political parties and nongovernmental organizations, promoting democracy, human rights and the rule of law, independent media, and international exchanges and training programs for leaders and members of the democratic forces that foster civic engagement.

SEC. 910. ASSISTANCE TO ADDRESS NON-INFECTIOUS DISEASES IN FOREIGN COUNTRIES.

(a) STATEMENT OF POLICY.—Congress declares the following:

(1) Medical evidence indicates that non-infectious diseases, like heart disease and obesity, are on the rise worldwide.

(2) In response to these statistics, the current allocation of funds appropriated to the United States Agency for International Development for Child Survival and Maternal Health, Vulnerable Children, HIV/AIDS, Infectious Diseases, Reproductive Health and Family Planning, and the Global Fund to Fight Tuberculosis and Malaria does not address noninfectious diseases.

(b) AUTHORIZATION OF ASSISTANCE.—The President acting through the Secretary of the United States Agency for International Development, is authorized to provide assistance, on such terms and conditions as the President determines, to address non-infectious diseases in foreign countries.

CHAPTER 2—PART II OF THE FOREIGN ASSISTANCE ACT OF 1961

SEC. 921. ECONOMIC SUPPORT FUND ASSISTANCE FOR EGYPT.

(a) FINDINGS.—Congress finds the following:

(1) Despite more than $28 billion in economic assistance provided by the United States to Egypt since 1979, Egypt’s economy and educational systems are underdeveloped and democratic development remains extremely limited. Egypt remains near the bottom of many indices of growth and human development.

(2) Egypt’s economic troubles, if not addressed through programs to develop Egypt’s private sector, could destabilize the country.

(3) The United States proposals to promote growth in Egypt, including traditional development assistance as well as programs that attempt to link disbursement of cash assistance to the adoption of policies in areas of human development, of the Millennium Challenge program that emphasizes performance and outcomes, would be a way to reinvigorate a program for the development of the Egyptian economy that has languished for years, and would give Egypt a stake in the proper planning and execution of programs to assist in their country’s development.

(4) The United States has provided more than $32 billion in military assistance to Egypt since 1979.

(5) Egypt is currently at peace with all its neighbors.

(6) Egypt and the United States entered into an agreement in March 2005, whereby Egypt undertook to accomplish certain regional-oriented policies primarily related to its financial sector, and the United States undertook, subject to its constitutional processes, to provide Egypt with cash assistance. This program of financial reform is important and should continue, supported by assistance in the form of cash transferred from the United States, but not in amounts in excess of amounts already agreed to and not for lesser policy reforms than have already been agreed to.

(7) The model of an agreement for policy change between the United States and Egypt, similar but not identical to, the concept of a “Millennium Challenge” compact that emphasizes performance and outcomes, would be a way to reinvigorate a program for the development of the Egyptian economy that has languished for years, and would give Egypt a stake in the proper planning and execution of programs to assist in their country’s development.

(b) STATEMENT OF POLICY.—It shall be the policy of the United States—

(1) to acknowledge that—

(a) threats to Egypt’s stability derive far more from domestic problems, such as economic growth, inefficient healthcare systems, and lack of political freedom, than from external dangers; and

(b) external threats to Egyptian stability are, in fact, minimal;

(2) to provide non-military assistance to Egypt which results in actual, sustainable, and, to the extent possible, measurable outcomes in terms of economic growth, poverty reduction, humanitarian conditions, education, and political reform;

(3) to ensure that this restructuring is done in such a manner that ensures that maintenance...
and spare parts for existing Egyptian military equipment is not jeopardized and that Egyptian military purchases and projects to which the United States has already committed itself be funded (22 U.S.C. 2346 et seq.; relating to the ‘‘Economic Support Fund’’) are disbursed—

(1) shall be transferred to and consolidated with amounts available for assistance for the Middle East Partnership Initiative under chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.; relating to the ‘‘Economic Support Fund’’); and

(2) shall be allocated for democracy and governance programs for Egypt, including direct support, such as freedom of the press, the rule of law, and human rights.

SEC. 922. INTER-ARAB DEMOCRATIC CHARTER.

(a) STRATEGY.—The Secretary of State, acting through the Assistant Secretary for Democracy, Human Rights, and Labor, and in consultation with the Assistant Secretary for Near East Affairs and the Assistant Secretary for Western Hemisphere Affairs, shall develop and implement a strategy—

(1) support, including through the provision of technical assistance, efforts to establish an Inter-Arab Democratic Charter to promote human rights and democracy in the Near East region; and

(2) support and promote coordination among human rights organizations, pro-democracy advocates, and civil society members from both the Near East region and the Western Hemisphere to assist in efforts to establish the Inter-Arab Democratic Charter referred to in paragraph (1).

(b) REPORT.—Section 614(a)(2) of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107–228; 22 U.S.C. 2151n note) as amended by section 614(a)(2) of this Act, is further amended by inserting after the following sentence—(As part of such separate report, the Secretary shall include information on efforts by the Department of State to develop and implement the strategy to support efforts to establish an Inter-Arab Democratic Charter pursuant to section 708(a) of the Foreign Relations Authorization Act, Fiscal Year 2006 and 2007.)

(c) FUNDING.—Of the amounts made available for each of the fiscal years 2006 and 2007 to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.; relating to the ‘‘Economic Support Fund’’), including any modification to the memorandum of understanding specified in this paragraph, is the memorandum of understanding agreed to by the President has provided notice thereof to the Committee on Foreign Relations and the Committee on Appropriations of the House of Representatives, and the Congress shall evaluate the performance by Egypt of obligations that it has undertaken under the memorandum of understanding.

(1) Congressional Notification.—Assistance may not be obligated for Egypt under this chapter until 30 days after the date on which the President has provided notice thereof 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 614(a)(2) of this Act.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply with respect to assistance for Egypt under chapter 4 of part II of the Foreign Assistance Act of 1961 for fiscal year 2006 and each subsequent fiscal year.

(3) REQUIREMENT FOR ASSISTANCE.—The President shall approve assistance for Egypt under chapter 4 of part II of the Foreign Assistance Act of 1961 for fiscal year 2006 and each subsequent fiscal year only if Egypt provides—

(b) the Secretary of State, may suspend or terminate assistance agreed to be provided under the memorandum of understanding; and

(c) a modification to the memorandum of understanding to which the proposal meets the requirements of subparagraph (A) through (F) of subsection (b) of the Foreign Assistance Act of 1961 for fiscal year 2006 and each subsequent fiscal year.

(b) REQUIREMENT.—Not less than 50 percent of the amounts made available for each of the fiscal years 2006 and 2007 to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 shall be used to respond to the human rights situation in Egypt.

(1) REQUIREMENT.—Of the amounts made available for each of the fiscal years 2006 and 2007 to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 shall be used to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 for fiscal year 2006 and each subsequent fiscal year.

(2) RULE OF CONSTRUCTION.—The provisions of this section shall not be superseded except by a provision of law enacted after the date of the enactment of the Foreign Relations Authorization Act, Fiscal Years 2006 and 2007, which specifically repeals, modifies, or supersedes the provisions of this section.

(3) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to projects for fiscal year 2006 and each subsequent fiscal year.

(4) REQUIREMENT.—Not less than 50 percent of the amounts made available for each of the fiscal years 2006 and 2007 to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 shall be used to respond to the human rights situation in Egypt.

(a) FUNDING.—Of the amounts made available for each of the fiscal years 2006 and 2007 to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 shall be used to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 for fiscal year 2006 and each subsequent fiscal year.

(b) REQUIREMENT.—Not less than 50 percent of the amounts made available for each of the fiscal years 2006 and 2007 to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 shall be used to respond to the human rights situation in Egypt.

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(2) RULE OF CONSTRUCTION.—The provisions of this section shall not be superseded except by a provision of law enacted after the date of the enactment of the Foreign Relations Authorization Act, Fiscal Years 2006 and 2007, which specifically repeals, modifies, or supersedes the provisions of this section.

(3) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to projects for fiscal year 2006 and each subsequent fiscal year.

(4) REQUIREMENT.—Not less than 50 percent of the amounts made available for each of the fiscal years 2006 and 2007 to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 shall be used to respond to the human rights situation in Egypt.

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(2) RULE OF CONSTRUCTION.—The provisions of this section shall not be superseded except by a provision of law enacted after the date of the enactment of the Foreign Relations Authorization Act, Fiscal Years 2006 and 2007, which specifically repeals, modifies, or supersedes the provisions of this section.

(3) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to projects for fiscal year 2006 and each subsequent fiscal year.

(4) REQUIREMENT.—Not less than 50 percent of the amounts made available for each of the fiscal years 2006 and 2007 to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 shall be used to respond to the human rights situation in Egypt.
not later than 30 days prior to the initial obliga-
tion of funds for the West Bank and Gaza that
procedures have been established to ensure that
the Comptroller General of the United States
will have access to appropriate United States fi-
nancial 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 (22 U.S.C. 2346 et
seq.; relating to the “Economic Support Fund”).

(b) VETOING.—Prior to any obligation of funds
for each of the fiscal years 2006 and 2007 to carry
out chapter 4 of part II of the Foreign As-
sistance Act of 1961 for assistance for the West
Bank and Gaza, the Secretary of State shall take
described in such sentence, if, at least 30 days before obligating funds
for such assistance, the Secretary of State noti-
ifies (61 Stat. 1436) the congressional committees specified in section
634(a) of this Act in accordance with the pro-
cedures applicable to reprogramming notifica-
tions under that section that the pro-democracy
or human rights organization opposes the use of
terrorism, supports democracy and respect for
human rights, including the equality of women
and girls, the promotion and support of the Pale-
stinian Authority under the foreign assistance and
human rights, including the equality of women
and girls, the promotion and support of the Pale-
stinian Authority under the foreign assistance
and human rights organizations located or act-
ing in a country described in such sentence,
therefor.

SEC. 953. ECONOMIC SUPPORT FUND ASSISTANCE
FOR VENEZUELA.

There are authorized to be appropriated to the President $9,000,000 for each of the fiscal years 2006 and 2007 to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.; relating to the “Economic Support Fund”) to fund activities which support
pro-democracy and human rights organizations in
Venezuela.

CHAPTER 3—PART III OF THE FOREIGN
ASSISTANCE ACT OF 1961

SEC. 931. SUPPORT FOR PRO-DEMOCRACY
AND HUMAN RIGHTS ORGANIZATIONS
IN CERTAIN COUNTRIES.

Section 634(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2371(a)) is amended by adding at the end the following new sentence: “The prohibition contained in the preceding sentence shall not apply with respect to assistance under part I (including chapter 4 of part II) of this Act provided in support of programs of a pro-democ-

racy or human rights organization located or operating in a country described in such sentence, if, at least 30 days before obligating funds for such assistance, the Secretary of State noti-

fies (61 Stat. 1436) the congressional committees specified in section
634(a) of this Act in accordance with the pro-
cedures applicable to reprogramming notifica-
tions under that section that the pro-democracy
or human rights organization opposes the use of
terrorism, supports democracy and respect for
human rights, including the equality of women
and girls, the promotion and support of the Pale-
stinian Authority under the foreign assistance
and human rights organizations located or act-
ing in a country described in such sentence,
therefor.

The prohibition contained in the preceding sentence shall not apply with respect to assistance under part I (including chapter 4 of part II) of this Act provided in support of programs of a pro-democ-

racy or human rights organization located or operating in a country described in such sentence, if, at least 30 days before obligating funds for such assistance, the Secretary of State noti-

fies (61 Stat. 1436) the congressional committees specified in section
634(a) of this Act in accordance with the pro-
cedures applicable to reprogramming notifica-
tions under that section that the pro-democracy
or human rights organization opposes the use of
terrorism, supports democracy and respect for
human rights, including the equality of women
and girls, the promotion and support of the Pale-
stinian Authority under the foreign assistance
and human rights organizations located or act-
ing in a country described in such sentence,
therefor.

The prohibition contained in the preceding sentence shall not apply with respect to assistance under part I (including chapter 4 of part II) of this Act provided in support of programs of a pro-democ-

racy or human rights organization located or operating in a country described in such sentence, if, at least 30 days before obligating funds for such assistance, the Secretary of State noti-

fies (61 Stat. 1436) the congressional committees specified in section
634(a) of this Act in accordance with the pro-
cedures applicable to reprogramming notifica-
tions under that section that the pro-democracy
or human rights organization opposes the use of
terrorism, supports democracy and respect for
human rights, including the equality of women
and girls, the promotion and support of the Pale-
stinian Authority under the foreign assistance
and human rights organizations located or act-
ing in a country described in such sentence,
therefor.

The prohibition contained in the preceding sentence shall not apply with respect to assistance under part I (including chapter 4 of part II) of this Act provided in support of programs of a pro-democ-

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terrorism, supports democracy and respect for
human rights, including the equality of women
and girls, the promotion and support of the Pale-
stinian Authority under the foreign assistance
and human rights organizations located or act-
ing in a country described in such sentence,
therefor.

The prohibition contained in the preceding sentence shall not apply with respect to assistance under part I (including chapter 4 of part II) of this Act provided in support of programs of a pro-democ-

racy or human rights organization located or operating in a country described in such sentence, if, at least 30 days before obligating funds for such assistance, the Secretary of State noti-

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634(a) of this Act in accordance with the pro-
cedures applicable to reprogramming notifica-
tions under that section that the pro-democracy
or human rights organization opposes the use of
terrorism, supports democracy and respect for
human rights, including the equality of women
and girls, the promotion and support of the Pale-
stinian Authority under the foreign assistance
and human rights organizations located or act-
ing in a country described in such sentence,
therefor.

The prohibition contained in the preceding sentence shall not apply with respect to assistance under part I (including chapter 4 of part II) of this Act provided in support of programs of a pro-democ-

racy or human rights organization located or operating in a country described in such sentence, if, at least 30 days before obligating funds for such assistance, the Secretary of State noti-

fies (61 Stat. 1436) the congressional committees specified in section
634(a) of this Act in accordance with the pro-
cedures applicable to reprogramming notifica-
tions under that section that the pro-democracy
or human rights organization opposes the use of
terrorism, supports democracy and respect for
human rights, including the equality of women
and girls, the promotion and support of the Pale-
stinian Authority under the foreign assistance
and human rights organizations located or act-
ing in a country described in such sentence,
therefor.

The prohibition contained in the preceding sentence shall not apply with respect to assistance under part I (including chapter 4 of part II) of this Act provided in support of programs of a pro-democ-

racy or human rights organization located or operating in a country described in such sentence, if, at least 30 days before obligating funds for such assistance, the Secretary of State noti-

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or human rights organization opposes the use of
terrorism, supports democracy and respect for
human rights, including the equality of women
and girls, the promotion and support of the Pale-
stinian Authority under the foreign assistance
and human rights organizations located or act-
ing in a country described in such sentence,
therefor.
the United Nations Assistance Mission in Afghanistan (UNAMA) in carrying out such parliamentary elections;

(3) assist legitimate and recognized parliamentary candidates and future elected parliamentary officials in carrying out the responsibilities and duties of their elected offices; and

(4) provide all Afghans who want to make certain that all Afghans who want to vote may do so and may be educated about their choices in an environment in which small percentages of women voted in the October 2004 presidential elections;

(ii) programs to promote comprehensive public information campaigns, including nationwide voter and civic education, for the public, candidates, and political parties, and special efforts that will result in international observers for the upcoming parliamentary elections and future presidential and parliamentary elections.

2. The Secretary shall ensure at least one foreign language training program to enhance the new district partnerships for the police and the people they serve.

3. (a) The Secretary shall ensure that the police and the people they serve.

(b) Assistance.—The President shall provide grants to nongovernmental organizations to support sustainable economic development, cultural integration, health care, education, and environmental sustainability projects for Tibetans inside Tibet that are designed in accordance with the principles contained in the subsequent fiscal year for United States contributions to the International Fund. Amounts appropriated pursuant to the authorization of appropriations under the preceding sentence are authorized to remain available until expended. Of the amounts made available for fiscal years 2006 and 2007 to carry out chapter 4 of part II of the Anglo-Irish Agreement Support Act of 1986 (22 U.S.C. 6681 note) are amended by adding at the end the following new sentence: "Furthermore, the International Fund is encouraged to support programs that enhance relations between communities, and between the police and the communities they serve, promote human rights training for police, enhance peaceful mediation in neighborhoods of conflict, and promote training programs to enhance the new district partnerships for the police and the people they serve."

(c) Fiscal Years 2006 and 2007.—Of the amounts made available for fiscal years 2006 and 2007 to carry out chapter 4 of part II of the Anglo-Irish Agreement Support Act of 1986 (22 U.S.C. 6681 note) are amended by adding at the end the following new sentence: "Furthermore, the International Fund is encouraged to support programs that enhance relations between communities, and between the police and the communities they serve, promote human rights training for police, enhance peaceful mediation in neighborhoods of conflict, and promote training programs to enhance the new district partnerships for the police and the people they serve."

3. Annual Reports.—Section 619 of the Tibetan Policy Act of 2002 (Public Law 107–228; 22 U.S.C. 6901 note) is amended by adding at the end the following new subsection:

"(c) Assistance.—The President shall provide grants to nongovernmental organizations to support sustainable economic development, cultural integration, health care, education, and environmental sustainability projects for Tibetans inside Tibet that are designed in accordance with the principles contained in the subsequent fiscal year for United States contributions to the International Fund. Amounts appropriated pursuant to the authorization of appropriations under the preceding sentence are authorized to remain available until expended. Of the amounts made available for fiscal years 2006 and 2007 to carry out chapter 4 of part II of the Anglo-Irish Agreement Support Act of 1986 (22 U.S.C. 6681 note) are amended by adding at the end the following new sentence: "Furthermore, the International Fund is encouraged to support programs that enhance relations between communities, and between the police and the communities they serve, promote human rights training for police, enhance peaceful mediation in neighborhoods of conflict, and promote training programs to enhance the new district partnerships for the police and the people they serve."

4. Annual Reports.—Section 619 of the Tibetan Policy Act of 2002 (Public Law 107–228; 22 U.S.C. 6901 note) is amended by adding at the end the following new subsection:

"(c) Authorization.—Amounts made available for the fiscal year 2006 and the fiscal year 2007 for assistance for the Republic of Colombia under this Act or any other provision of law
may be made available for assistance for the de-
mobilization and disarmament of former mem-
bers of foreign terrorist organizations in Colum-
bia, specifically the United Self-Defense Forces of 
Columbia (FARC), the Revolutionary Armed Forces of Columbia (FARC) and the National 
Liberation Army (ELN), if the Secretary of State 
makes a certification described in subsection (b) to 
the appropriate congressional committees prior 
to the initial obligation of amounts for such 
assistance for the fiscal year involved.

(b) CERTIFICATION.—A certification described 
in this subsection is a certification that—

(1) assistance for the fiscal year will be pro-
vided only for individuals who have verifiably 
renounced and terminated any affiliation or in-
volved in terrorist organizations;

(2) the Government of Colombia is continuing 
to provide full cooperation with the Government 
of the United States relating to extradition re-
quests involving leaders and members of the for-
eign terrorist organizations involved in murder, 
kidnapping, narcotics trafficking, and other vio-
lations of United States law; and

(3) the Government of Colombia has estab-
lished a concrete and workable framework for 
dismantling the organizational structures of for-
eign terrorist organizations that adequately bal-
ances efforts to bring about reconciliation and prac-
tice with concerns for fundamental human 
rights.

(c) DEFINITIONS.—In this section, 

(1) APPROPRIATE CONGRESSIONAL COMMIT-
TEES.—The term “appropriate congressional com-
mittes” means—

(A) the Committee on Appropriations and the 
Committee on International Relations of the 
House of Representatives; and

(B) the Committee on Appropriations and the 
Committee on Foreign Relations of the Senate.

(2) FOREIGN ORGANIZATION.—The term “for-
eign terrorist organization” means an organiza-
tion designated as a terrorist organiz-
a under section 219 of the Immigration and 
Nationality Act.

SEC. 945. SUPPORT FOR FAMINE RELIEF IN ETHI-
OPIA.

(a) DEMONSTRATION INSURANCE PROJECT.— 

The Secretary of State is authorized to make 
a United States voluntary contribution to the 
United Nations World Food Program to estab-
lish and carry out a demonstration insurance 
project for covering catastrophic losses in 
Ethiopia using weather derivatives to transfer 
the risk of catastrophic drought resulting in 
famine from vulnerable subsistence farmers to 
international financial markets for the purpose 
of protecting vulnerable subsistence farmers 
against income and asset losses during natural 
disasters.

(b) REPORT.—Not later than one year and two 
years after the date of the enactment of this 
Act, the Secretary shall submit to the appro-
priate congressional committees a report on the 
implementation of the project referred to in sub-
section (a).

(c) AUTHORIZATION OF APPROPRIATIONS.— 

There is authorized to be appropriated to the 
Secretary of State, out of any appropriated 
funds, as needed, to support projects to create 
and develop agriculture, education, and health 
systems that can support providers and contain 
the cost of treatment.

SEC. 946. ASSISTANCE TO PROMOTE DEMOCRACY 
AND HUMAN RIGHTS IN VIETNAM.

(a) FINDINGS.—The Congress finds that the Socialis-

tic Republic of Vietnam is a one-party state, ruled 
and controlled by the Communist Party of Viet-
am, which continues to deny the right of citi-
zans to change their government, prohibits inde-
pendent political, labor, and social organiza-
tions, and continues to commit serious human 
rights violations, including the detention and 
imprisonment of persons for the peaceful expres-
sion of dissenting religious and political views.

(b) POLICY.—It is the policy of the United 
States to—

(1) support the Vietnamese people in their 
efforts to achieve a future in which citizens 
are free to exercise the right to self-deter-
mation and to enjoy their inherent human 
and fundamental freedoms; and

(2) against those who undermine the 
civil liberties and democratic processes, 
whether in the private or public sector, within 
the Vietnamese Government or elsewhere.

SEC. 952. SENSE OF CONGRESS REGARDING AS-
SISTANCE FOR REGIONAL HEALTH EDUCATION AND 
TRAINING PROGRAMS.

(a) STATEMENT OF POLICY.—The Congress recog-
nizes that many health problems are not coun-
try specific. Instead many health issues can be 
categorized and treated more effectively on a re-

tional basis.

(b) SENSE OF CONGRESS.—It is the sense of 
Congress that the United States Agency for 
International Development should use up to five 
percent of country-specific health program 

SEC. 953. SENSE OF CONGRESS REGARDING AS-
SISTANCE FOR REGIONAL HEALTH CARE DELIVERY.

(a) STATEMENT OF POLICY.—The Congress 
declares the following:

(1) Health systems in developing countries for 
allocating and managing health resources are 
dysfunctional and incapable of addressing 
evolving epidemiological and demographical 
changes.

(2) Neither regional nor countrywide health 
problems can be adequately addressed without 
the infrastructure for health care delivery.

(3) The areas in Africa, Europe, Eurasia, the 
Middle East, and Asia with the greatest health 
problems all lack the infrastructure for health 
systems that can support providers and contain 
the cost of treatment.

SEC. 954. SENSE OF CONGRESS REGARDING ELIMINATION OF EXTREME POVERTY IN DEVELOPING COUNTRIES.

It is the sense of Congress that—

(1) the elimination of extreme poverty in de-
veloping countries should be a major priority 
of United States foreign policy;

(2) the United States should further 
reduce its leadership and commitment to elimi-

nating extreme poverty by working with 
intergovernmental and international insti-
tutions committed to the necessary re-
forms, policies, and practices that reduce ex-
tractive and predatory behavior in developing 
countries and by pursuing greater cooperation with 
key allies and international partners; and

(3) the President, acting through the Adminis-
trator of the United States Agency for 
International Development, and in consultation with 
the heads of other appropriate departments and 
agencies of the Government of the United States, 
and international organizations, inter-
national financial institutions, recipient govern-
ments, civil society organizations, and other ap-
propriate entities, should develop a comprehen-
sive strategy to eliminate extreme poverty in de-
veloping countries that involves foreign assist-
ance, foreign and local private investment, tech-
nical assistance, private-public partnerships, 
and other appropriate means.

SEC. 955. SENSE OF CONGRESS REGARDING UNITED STATES FOREIGN ASSIST-
ANCE.

It is the sense of Congress that—

(1) United States foreign assistance should be 
supported to use local capacity-building in de-
veloping countries and should focus on improving 
the capacities of developing countries in order to 
embrace long-term development; and

(2) the Department of State, the United States 
Agency for International Development, and the 
Millennium Challenge Corporation should in-
crease their efforts to enhance recipient country
participation in the planning of development programs, promote recipient country ownership of the programs, and build local capacity within the recipient country.

TITLE IV. INCLUDING REQUIREMENTS

SEC. 1001. TRANS-SAHARA COUNTER-TERRORISM INITIATIVE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Government of the United States to expand the Pan Sahel Initiative into a robust counter-terrorism program in the Saharan region of Africa, to be known as the "Trans-Saharan Counter Terrorism Initiative", should be strongly supported.

(b) REPORT.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a detailed strategy, in classified form, regarding the plan of the Government of the United States to expand the Pan Sahel Initiative into a robust counter-terrorism program in the Saharan region of Africa, to be known as the "Trans-Saharan Counter Terrorism Initiative".

(2) CONTENTS.—The report shall include the following:

(A) The names of the countries that will participate in the Initiative.

(B) A description of the types of security assistance and rapid reaction security forces in order to bolster the capacity of the countries referred to in subparagraph (A) to govern their borders.

(C) A description of training to ensure respect for human rights and civilian authority by rapid reaction security forces referred to in subparagraph (B) and other appropriate individuals and entities of the countries referred to in subparagraph (A).

(D) A description of public diplomacy and related assistance that will be provided to promote development and counter radical Islamist elements that may be gaining a foothold in the region.

(E) A report by the Secretary shall submit to the appropriate congressional committees an update of the report required by this subsection not later than one year after the date of the initial submission of the report under this subsection.

(F) COOPERATION OF OTHER DEPARTMENTS AND AGENCIES.—The head of each appropriate department and agency of the Government of the United States shall cooperate fully with, and assist in the implementation of, the strategy described in subsection (b)(1) and shall make such information available as is necessary to ensure the success of the Initiative described in such subsection.

SEC. 1002. ANNEXES: PATTERNS OF GLOBAL TERRORISM REPORT.

(a) REQUIREMENT OF REPORT.—Section 140(a) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f(a)) is amended—

(1) in the heading, by striking "COUNTRY REPORTS ON TERRORISM" and inserting "PATTERNS OF GLOBAL TERRORISM REPORT"; and

(2) in the matter preceding paragraph (1), by inserting ", the Committee on International Relations of the House of Representatives," after "Special Committee on Armaments and International Security".

(b) ASSESSMENTS WITH RESPECT TO FOREIGN COUNTRIES IN WHICH ACTS OF TERRORISM OCCUR.—Section 140(e)(1)(A)(i) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f(a)(1)(A)(i)) is amended—

(1) by striking "which were, in the opinion of the Secretary, of major significance;" and inserting "including;" and

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

"(i) the number of such acts of terrorism or attempted acts of terrorism;" and

"(ii) the number of individuals, including United States citizens, who were killed or injured as a result of such acts of terrorism;" and

"(iii) the methods, and relative frequency of methods, utilized in such acts of terrorism; and

"(iv) assessments of individuals who were responsible for such acts of terrorism and the relationships of such individuals to terrorist groups;".

(c) INFORMATION WITH RESPECT TO TERRORIST GROUPS.—Section 140(e)(4) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f(a)(4)) is amended by inserting after "and any other known international terrorist group" the following "or emerging terrorist groups:".

(d) INFORMATION WITH RESPECT TO ALL FOREIGN COUNTRIES.—Section 140(a) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f(a)) is amended—

(1) in paragraph (2), by adding "and at the end of the semicolon;

(2) in paragraph (3)—

(A) in the matter preceding subparagraph (A), by striking "from which the United States Government and all that follows through "United States who are responsible for collecting and analyzing counterterrorism intelligence; and

(B) by adding at the end the following new subparagraph:

"(C) the extent to which the government of the foreign country is not cooperating with respect to the matters described in subparagraphs (A) and (B) and other matters relating to counterterrorism efforts."; and

(3) by striking paragraph (4).

(4) EXISTING REQUIREMENTS TO BE INCLUDED IN REPORT.—Section 140(b) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f(b)) is amended—

(1) in the matter preceding paragraph (1), by striking "should to the extent feasible" and inserting "shall;"

(2) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by inserting "and (a)(3)" after "subsection (a)(1)(A);"

(B) by redesignating subparagraphs (A), (B), and (C) as subparagraphs (B), (C), and (D), respectively; and

(C) by inserting before subparagraph (B) (as redesignated) the following new subparagraph:

"(A) a separate list, in chronological order, of all acts of international terrorism described in subsection (a)(1)(A);"

(D) in subparagraph (C) (as redesignated), by striking "American citizens or facilities;" and

(E) in subparagraph (D) (as redesignated)—

(1) in clause (i), by adding at the end before the semicolon the following: "by the government of the country, government officials, nongovernmental organizations, quasi-governmental organizations, or nationalities of the country;"

(2) in clause (v), by adding "and at the end of the semicolon; and

(3) by adding at the end the following new clause:

"(C) the extent to which the government of the country, government officials, nongovernmental organizations, quasi-governmental organizations, or nationalities of the country is cooperating with respect to the matters described in subparagraphs (A) and (B) and other matters relating to counterterrorism efforts;"

"(D) by adding at the end the following new subparagraph:

"(i) the methods, utilized in such acts of terrorism; and

"(ii) assessments of individuals who were responsible for such acts of terrorism and the relationships of such individuals to terrorist groups;"

"(iii) the extent to which the government of the country, government officials, nongovernmental organizations, or nationalities of the country is cooperating with respect to the matters described in subparagraphs (A) and (B) and other matters relating to counterterrorism efforts;";

(f) CLASSIFICATION OF REPORT.—Section 140(b) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f(b)) is amended to read as follows:

"(a) CLASSIFICATION OF REPORT.—The report required by subsection (a) shall be submitted in unclassified form and shall contain a classified annex when necessary.

(b) INTER-AGENCY PROCESS FOR COMPILATION OF REPORT.—Section 140 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f(c)) is amended—

(1) by redesigning subsections (d) and (e) as subsections (e) and (f), respectively; and

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

"(d) INTER-AGENCY PROCESS FOR COMPILATION OF REPORT.—The Secretary of State shall, in preparing the report required by subsection (a), establish an inter-agency process to—

"(1) consult and coordinate with other appropriate officials of the Government of the United States who are responsible for collecting and analyzing counterterrorism intelligence; and

"(2) utilize, to the maximum extent practicable, such counterterrorism intelligence and analyses.

(i) COMPARABILITY STANDARD WITH PRIOR REPORT.—Section 140(a) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f) is amended by subsection (b), as further amended—

(1) by redesigning subsections (e) and (f) (as redesignated) as subsections (f) and (g), respectively; and

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

"(e) COMPARABILITY STANDARD WITH PRIOR REPORT.—The Secretary of State shall, in preparing the report required by subsection (a), use standards, criteria, and methodologies in a consistent manner so that statistical comparisons shall be made among different reports. If significant changes are made to any such standards, criteria, or methodology, the Secretary shall, in consultation with other appropriate officials of the Government of the United States, make appropriate adjustments, using the best available methods, so that the data provided in each report is comparable to the data provided in prior reports.

(f) DEFINITIONS.—Section 140(f)(1) of the Foreign Relations Authorization Act, Fiscal Years 1988
and 1989 (as redesignated) is amended to read as follows:

“(1) the term ‘international terrorism’ means—

(A) terrorism involving citizens or the territory of more than one country; or

(B) terrorism involving citizens and the territory of one country which is intended to intimidate or coerce, either directly or indirectly, only the civilian population or government of such country but also other civilian populations or governments;”

(k) REPORTING PERIOD.—Section 140(g) of Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (as redesignated) is amended to read as follows:

“(g) REPORTING PERIOD.—The report required under subsection (a) shall cover the events of the calendar year preceding the calendar year in which the report is transmitted.”

(1) APPEARANCE OF SECRETARY OF STATE BEFORE CONGRESS.—Section 140 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656) is amended by adding at the end the following new subsection:

“(b) APPEARANCE OF SECRETARY OF STATE BEFORE CONGRESS.—

(1) IN GENERAL.—The Secretary of State shall appear at annual hearings before the Committee on International Relations of the House of Representatives and before the Senate Committee on Foreign Relations on or about May 20 of even numbered calendar years; and

(2) CONFORMING AMENDMENTS.—

(1) SECTION HEADING.—The heading of section 140 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656) is amended to read as follows:

“SEC. 140. ANNUAL PATTERNS OF GLOBAL TERRORISM REPORT.”

(2) TABLE OF CONTENTS.—The table of contents of such Act (as contained in section 1(b) of such Act) is amended in the item relating to section 140 to read as follows:

“Sec. 140. Annual patterns of global terrorism report.”

(n) EFFECTIVE DATE.—The amendments made by this section apply with respect to the report required to be transmitted under section 140 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656) on April 30, 2007, and by April 30 of each subsequent year.

SEC. 1003. DUAL GATEWAY POLICY OF THE GOVERNMENT OF IRELAND.

(a) IN GENERAL.—The Secretary of State shall review the dual gateway policy and determine the effects of the discontinuation of such policy might have on the economy of the United States and the economy of western Ireland before the United States takes any action that could lead to the discontinuation of such policy.

(b) ECONOMIC IMPACT STUDY.—In determining the effects that the discontinuation of such policy might have on the economy of the United States, the Secretary of State shall consult with the heads of other appropriate departments and agencies, shall consider the effects the discontinuation of such policy might have on United States interests in western Ireland, Irish businesses operating in and around Shannon Airport, and United States air carriers serving Ireland.

(c) 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 describing the determinations made under subsection (a), together with any recommendations for United States action.

(d) DEFINITION.—In this section, the term “dual gateway policy” means the practice of the Government of Ireland requiring certain air carriers serving Dublin Airport to undertake an equal number of flights to Shannon Airport and Dublin Airport for each calendar year.

SEC. 1004. STABILIZATION IN HAITI.

Not later than one year after the date of the enactment of this Act and one year thereafter, the Secretary of State shall submit to the appropriate congressional committees a report on United States efforts to—

(1) assist in the disarmament of illegally armed forces by including through a program of gun exchanges;

(2) assist in the reform of the Haitian National Police; and

(3) report stabilization in Haiti.

SEC. 1005. VERIFICATION REPORTS TO CONGRESS.

Section 403(a) of the Arms Control and Disarmament Act (22 U.S.C. 2593a(a)) is amended to read as follows:

“(a) S TUDY.—With respect to countries in which the United States engages in military operations, the Secretary of Defense shall submit to the Committee on Armed Services of each House of Congress, not later than 120 days after the end of each calendar year, a report describing the security situation in each country included in the report required under subsection (a); and

(1) (A) terrorism involving citizens or the territory of multiple countries, or a combination of citizens and, or the territory of multiple countries; or

(B) terrorism involving citizens and the territory of one country which is intended to intimidate or coerce, either directly or indirectly, only the civilian population or government of such country but also other civilian populations or governments;”

SEC. 1006. PROTECTION OF REFUGEES FROM INTERNET JAMMING.

Section 305(a) of the North Korean Human Rights Act of 2004 (Public Law 108–333; 22 U.S.C. 7845) is amended—

(1) in paragraph (1), by striking “and” at the end;

(2) in paragraph (2), by striking the period at the end and inserting “; and”;

and

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

“(d) a detailed description of the measures undertaken by the Secretary of State to carry out section 303, including country-specific information with respect to United States efforts to secure the cooperation and permission of the governments of countries in East and Southeast Asia to facilitate United States processing of North Koreans seeking protection as refugees. The information required by this paragraph may be provided in a classified format, if necessary.”

SEC. 1007. ACQUISITION AND MAJOR SECURITY UPGRADES.


(1) in the heading, by striking “SEMIANNUAL”;

(2) in the preceding paragraph (1), by striking “June 1” and inserting “May 31”;

and

(3) in paragraph (1)(A), by striking “two fiscal quarters” and inserting “year”.

SEC. 1008. SERVICES FOR CHILDREN WITH AUTISM AT SEA AND OVERSEAS MISSIONS.

(a) STUDY.—With respect to countries in which there is at least one mission of the United States, the Secretary of State shall conduct a study of the availability of programs that address the special needs of children with autism, including the availability of speech therapists and pediatric occupational therapists at Department of Defense sponsored schools. Such study shall include the estimated incidence of autism among children of civilian and DOD dependents. Such study shall also include an analysis of the possibility of establishing “Educational Centers of Excellence” for such children.

(b) REPORT.—Not later than 30 days after the completion of the study required under subsection (a), the Secretary shall submit to the appropriate congressional committees a report containing the findings of the study together with any recommendations for related action.

SEC. 1009. INCIDENCE AND PREVALENCE OF AUTISM WORLDWIDE.

(a) STUDY.—

(1) IN GENERAL.—The Secretary of State shall direct the United States representative to the Executive Board of the United Nations Children’s Fund (UNICEF) to use the voice and vote of the United States to urge UNICEF to provide a voluntary contribution to UNICEF to—

(A) evaluate the incidence and prevalence of autism in all countries worldwide; and

(B) evaluate the feasibility of establishing a method for the collection of information relating to the incidence and prevalence of autism in all countries worldwide.

(2) CONDUCT OF STUDY.—The Secretary of State shall direct the United States representative to the Executive Board of UNICEF to—

(A) evaluate the incidence and prevalence of autism in all countries worldwide and compare such incidence and prevalence to the incidence and prevalence of autism in the United States; and

(B) evaluate the reliability of the information obtained from each country in carrying out this subparagraph,

and

(C) provide for the preparation of a report that contains the results of the study described in subsection (a) and

(D) provide for the availability of the report on the Internet website of UNICEF.

(b) FUNDING.—Of the amounts made available for fiscal year 2006 to carry out section 301 of the Foreign Assistance Act of 1961 (22 U.S.C. 2221), $1,500,000 is authorized to be available for a voluntary contribution to UNICEF to conduct the study described in subsection (a) and prepare the report described in subsection (b).

SEC. 1010. INTERNET JAMMING.

(a) REPORT.—Not later than March 1 of the year following the date of the enactment of this Act, the Chairman of the Broadcasting Board of Governors shall submit to the appropriate congressional committees a report on the status of state-sponsored and state-directed Internet jamming by repressive foreign governments and a description of efforts by the United States to counter such jamming. Each report shall list the countries the governments of which pursue Internet censorship or jamming and provide information concerning the government agencies or quasi-governmental organizations of such governments that engage in Internet jamming.

(b) FORM.—If the Chairman determines that such is appropriate, the Chairman may submit such report together with a classified annex.

SEC. 1011. DEPARTMENT OF STATE EMPLOYMENT COMPOSITION.

(a) STATEMENT OF POLICY.—In order for the Department of State to accurately reflect the needs of the United States, the Department must accurately reflect the diversity of the United States.

(b) REPORT ON MINORITY RECRUITMENT.—Section 324 of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107–228) is amended—

(1) in the matter preceding paragraph (1), by striking “April 1, 2003, and April 1, 2004,” and inserting “April 1, 2003, April 1, 2004, April 1, 2006, and April 1, 2007;”;

and

(2) in paragraphs (1) and (2), by striking “minority” and inserting “minority groups” each place it appears.

(c) ACQUISITION.—Section 324 of such Act is further amended by adding at the end the following new paragraph:

“(2) for the immediately preceding 12-month period for which such information is available—

“(A) the numbers and percentages of small, minority-owned businesses that provide goods and services to the Department as a result of contracts with the Department during such period;
“(B) the total number of such contracts;  
“(C) the total dollar value of such contracts;  
and  
“(D) and the percentage value represented by  
such contract proportionate to the total value  
of all contracts held by the Department.”.  
(d) USE OF FUNDS.—The provisions of section  
325 of such Act shall apply to funds authorized  
to be appropriated under section 101(3)(G) of  
this Act.  

SEC. 1012. INCITEMENT TO ACTS OF DISCRIMINA-  
TION.—(a) INCLUSION OF INFORMATION RELATING  
to INCITEMENT TO ACTS OF DISCRIMINATION  
in ANNUAL COUNTRY REPORTS.—(1) COUNTRIES RECEIVING ECONOMIC ASSIST-  
ANCE.—Section 116(d) of the Foreign Assistance  
Act of 1961 (22 U.S.C. 2151n(d)), as amended  
by section 614(1)(D) of this Act, is further amend-  
ed—  
(A) in paragraph (10), by striking “and” at the end;  
(B) in paragraph (11)(C), by striking the pe-  
riod at the end and inserting “: and”; and  
(C) by adding at the end the following new  
paragraph:  
“(12) wherever applicable, a description of the  
nature and extent of —  
“(A) propaganda in foreign government and  
foreign government-controlled media and other  
sources, including foreign government-produced  
educational materials and textbooks, that at-  
tempt to justify or promote racial hatred or in-  
cite violence against any race or people;  
“(B) complicity or involvement by the foreign  
government in the creation of such propaganda  
or incitement of acts of violence against any  
race or people; and  
“(C) a description of the actions, if any, taken  
by the foreign government to eliminate such  
propaganda or incitement.”.  
(2) COUNTRIES RECEIVING SECURITY ASSIST-  
ANCE.—Section 502B(b) of the Foreign Assist- 
ance Act of 1961 (22 U.S.C. 2304(b)), as amended  
by section 614(2)(D) of this Act, is further amended  
by inserting after the tenth sentence the follow- 
ing new sentence: “Each report under this section  
shall also include, wherever applica- 
ble, a description of the nature and extent of  
propaganda in foreign government and foreign  
government-controlled media and other sources,  
including foreign government-produced educa- 
tional materials and textbooks, that attempt  
to justify or promote racial hatred or incite acts  
of violence against any race or people, com-  
plicity or involvement by the foreign government  
in the creation of such propaganda, or incite- 
ment of acts of violence against any race or peo- 
ple, and a description of the actions, if any,  
taken by the foreign government to eliminate  
such propaganda or incitement.”.  
(b) EFFECTIVE DATE OF AMENDMENT.—The  
amendment made by subsection (a) shall take ef- 
fecf on the date of the enactment of this Act  
and apply to reports required under the first report  
submitted by the Secretary of State under sections 116(d)  
and 502B(c) of the Foreign Assistance Act of 1961  
(22 U.S.C. 2151n(d) and 2304(b)) after such date.  

SEC. 1013. CHILD MARRIAGE.  
(a) ONE TIME REPORT.—Not later than 180  
days after the date of the enactment of this Act,  
the Secretary of State shall submit to the appro- 
priate congressional committees a one time re- 
port on the practice of the custom of child mar- 
rriage in countries around the world. The report  
shall include the following information:  
(1) A separate section for each country, as ap- 
licable, describing the nature and extent of  
child marriage in such country.  
(2) A separate section for each country, if any,  
taken by the government of such country, where-  
applicable, to revise the laws of such country  
and institutionalize comprehensive procedures  
and practices to eliminate child marriage;  
(3) A description of the actions taken by the  
Department of State and other Federal depart-
prominent human rights activist Munir in September 2004; and
(7) urges the Government of Indonesia and the Indonesian military to continue to provide full, active, and unfettered cooperation to the Federal Bureau of Investigation of the Department of Justice in its investigation of the August 31, 2002, attack near Tomika, Papua, which killed three American civilians (two Americans, fork Spier and Ted Burgon) and injured 12 others, and to pursue the indictment, apprehension, and prosecution of all parties responsible for that attack.

(b) FINDINGS RELATING TO PAPUA.—Congress finds the following:
(1) Papua a resource-rich province whose indigenous inhabitants are predominantly Melanesian, was formerly a colony of the Netherlands.
(2) While Indonesia has claimed Papua as part of its territory since its independence in the late 1940s, Papua remained under Dutch administrative control until 1962.
(3) On August 15, 1962, Indonesia and the Netherlands signed an agreement at the United Nations in New York (commonly referred to as the “New York Agreement”) which transferred administration first to a United Nations Temporary Executive Authority (UNTEA), and then to Indonesia in 1963, pending an “act of free choice . . . to permit the inhabitants to decide whether they wish to remain with Indonesia”.
(4) In the New York Agreement, Indonesia formally recognized “the eligibility of all adults in Papua and West Irian to participate in an act of determination to be carried out in accordance with international practice”, and pledged “to give the people of the territory the opportunity to exercise freedom of choice . . . before the end of 1969”.
(5) In July and August 1969, Indonesia conducted an “Act of Free Choice”, in which 1,025 selected Papuan elders voted unanimously to join Indonesia, in circumstances that were subject to both overt and covert forms of manipulation.
(6) In the intervening years, indigenous Papuans have suffered extensive human rights abuses, natural resource exploitation, environmental degradation, and commercial dominance by immigrant communities, and some individuals and groups estimate that more than 100,000 Papuans have been killed during Indonesian rule, predominantly by the Sukarno and Sukardo administrations.
(7) While the United States supports the territorial integrity of Indonesia, Indonesia’s historical commitment to the maintenance of control has been counterproductive, and long-standing abuses by security forces have galvanized independence sentiments among many Papuans.
(8) While the Indonesian parliament passed a Special Autonomy Law for Papua in October 2001 that was intended to allocate greater revenue and decision-making authority to the Papuan provincial government, the promise of special autonomy has not been effectively realized and has been undermined in its implementation, such as by opposing legal directives further subdividing the province in apparent contravention of the law and without the consent of appropriate provincial authorities.
(9) Rather than democratizing its approach, Indonesia has reportedly sent thousands of additional troops to Papua, and military operations in the central highlands since the fall of 2004 have displaced thousands of civilians into very vulnerable circumstances, contributing further to mistrust of the central government by many Papuans.
(10) According to the 2004 Annual Country Report on Human Rights Practices of the Department of State, in Indonesia “security force members are killed, raped, arbitrarily detained persons and members of separatist movements” and “police frequently and arbitrarily detained persons without warrants, charges, or court proceedings” in Papua.

(c) REPORTING REQUIREMENTS.—
(1) REPORT ON SPECIAL AUTONOMY.—Not later than 180 days after the date of the enactment of this Act and one year thereafter, the Secretary of State shall submit to the appropriate congressional committees a report detailing implementation of speeches by President Bush and divers. Such reports shall include—
(A) an assessment of the extent to which each province has enjoyed an increase in revenue allotments and decision making authority.
(B) a description of access by international press and non-governmental organizations to each province.
(C) an assessment of the role played by local civil society in governance and decision making;
(D) a description of force levels and conduct of Indonesian security forces in each province; and
(E) a description of United States efforts to promote respect for human rights in each province.
(2) REPORT ON THE 1969 ACT OF FREE CHOICE.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit a report analyzing the 1969 Act of Free Choice.

SEC. 1016. MURDERS OF UNITED STATES CITIZENS JOHN BRANCHIZIO, MARK PARSON, AND JOHN MARIN LINDE.
(a) FINDINGS.—Congress makes the following findings:
(1) On October 15, 2003, a convoy of clearly identified United States diplomatic vehicles was attacked by Palestinian terrorists in Gaza resulting in the death of United States citizens John Branchizio, Mark Parson, and John Marin Linde, and the injury of a fourth United States citizen.
(2) John Branchizio, Mark Parson, and John Marin Linde were contract employees providing security to United States diplomatic personnel who were visiting Gaza in order to identify potential Palestinian candidates for Fulbright Scholarships.
(3) A senior official of the Palestinian Authority was reported to have stated on September 22, 2004, that “Palestinian security forces know who was behind the killing” of John Branchizio, Mark Parson, and John Marin Linde.
(4) Following her visit to Israel and the West Bank on February 7, 2005, Secretary of State Condoleezza Rice announced that she had been “assured by President Abbas of the Palestinian Authority that the murder of three American personnel is a top priority”.
(5) Since the attack on October 15, 2002, United States Government personnel have been prohibited from all travel in Gaza.
(6) The United States Rewards for Justice program is offering a reward of up to $5,000,000 for information leading to the arrest or conviction of any persons involved in the murder of John Branchizio, Mark Parson, and John Marin Linde.
(b) SENSE OF CONGRESS.—It is the sense of Congress that—
(1) the continued inability or unwillingness of the Palestinian Authority to actively and aggressively pursue the murderers of United States citizens John Branchizio, Mark Parson, and John Marin Linde and bring them to justice calls into question the Palestinian Authority’s viability as a partner for the United States in resolving the Palestinian-Israeli conflict;
(2) future United States assistance to the Palestinian Authority should be contingent upon the continued operation of the PLO Representative Office in Washington may be jeopardized, if the Palestinian Authority does not fully and effectively cooperate in apprehending and bringing to justice the murderers of John Branchizio, Mark Parson, and John Marin Linde; and
(3) it is in the vital national security interest of the United States to safeguard, to the greatest extent possible consistent with their mission, United States diplomats and all embassy personnel, and the very existence of the United States to bring to justice any individual or entity that threatens, jeopardizes, or harms them.
(c) REPORT.—Not later than 30 days after the date of the enactment of this Act, and every 120 days 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 bring to justice the murderers of United States citizens John Branchizio, Mark Parson, and John Marin Linde;
(2) a detailed assessment of efforts by the Palestinian Authority to bring to justice the murderers of John Branchizio, Mark Parson, and John Marin Linde, including—
(A) the number of arrests, interrogations, and interviews by Palestinian Authority officials related to the case;
(B) the number of Palestinian security personnel and man-hours assigned to the case;
(C) the amount of personal supervision or involvement by the President and Ministers of the Palestinian Authority; and
(D) the degree of cooperation between the United States and the Palestinian Authority in regards to this case;
(3) a specific assessment by the Secretary of United States to encourage other countries to establish full diplomatic relations with Israel.
(d) CERTIFICATION.—The requirement to submit a report under sub-paragraph (2) shall no longer apply if the Secretary of State certifies to the appropriate congressional committees that the murderers of United States citizens John Branchizio, Mark Parson, and John Marin Linde have been identified, arrested, and brought to justice.
(e) DEFINITION.—In this section, the term “appropriate congressional committees” means—
(1) the Committee on International Relations and the Committee on Appropriations of the House of Representatives; and
(2) the Committee on Foreign Relations and the Committee on Appropriations of the Senate.

SEC. 1017. DIPLOMATIC RELATIONS WITH ISRAEL.
(a) FINDINGS.—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 160 countries, 33 countries do not have any diplomatic relations with Israel, and one country has partial relations with Israel.
(3) The Government of Israel is actively seeking to establish formal relations with a number of countries.
(4) After 57 years of existence, Israel deserves to be treated as an equal country by its neighbors and the world community.
(b) SENSE OF CONGRESS.—It is the sense of Congress that the United States should assist Israel in its efforts to establish diplomatic relations with.
respect to their attitudes toward and plans for entering 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.

(d) DEFINITION.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on International Relations and the Committee on Appropriations of the House of Representatives, and

(2) the Committee on Foreign Relations and the Committee on Appropriations of the Senate.

SEC. 1018. TAX ENFORCEMENT IN COLOMBIA.

Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit to the Committee on International Relations of the House of Representatives, the Committee on Foreign Relations of the Senate, the Committee on Appropriations of the House of Representatives, and the Committee on Appropriations of the Senate a report detailing challenges to tax code enforcement in Colombia. This report shall include, as a percentage of Colombia’s gross domestic product, an estimate of current tax revenue, an estimate of potential additional tax revenue if Colombia’s existing tax laws were applied, and a discussion of how much additional revenue could be used to achieve the objectives of Plan Colombia, including supporting and expanding Colombia’s security forces, increasing the availability of alternative livelihoods for illicit crop growers and former combatants.

SEC. 1019. PROVISION OF CONSULAR AND VISA SERVICES IN PRISTINA, KOSOVO.

(a) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report describing the capability of providing consular and visa services at the United States Office Pristina, Kosovo (USOP) to residents of Kosovo.

(b) Contents of report required under subsection (a) shall contain the following information:

(1) The reasons why consular and visa services are not currently offered at the USOP, even though the Office has been in operation for more than five years.

(2) Plans for providing consular and visa services and the operating conditions required before such services would be provided and the planned timing for providing such services.

(3) An explanation of why consular and visa services are not offered at the USOP by February 1, 2007, if such services are not planned to be offered by such date.

(4) The number of residents of Kosovo who apply for the consular visa services of Kosovo for each calendar year from 2000-2005.

SEC. 1020. DEMOCRACY IN PAKISTAN.

Not later than December 31 in each of fiscal years 2006 and 2007, the President shall submit to the appropriate congressional committees a report that contains a description of the extent to which, over the preceding 12-month period, the Government of Pakistan has restored a fully functional democracy in Pakistan in which free, fair, and transparent elections are held.

SEC. 1021. STATUS OF THE SOVEREIGNTY OF LIBANON.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) all parties in the Middle East and internationally shall exert every effort to implement in its entirety the provisions of United Nations Security Council Resolution 1559 (2004), which, among other things—

(A) calls upon the Lebanese Government to respect the sovereignty, territorial integrity, unity, and political independence “under the sole and exclusive authority of the Government of Lebanon through the Lebanese Government”;

(B) calls upon all remaining foreign forces to withdraw from Lebanon;

(c) calls for the “disbanding and disarmament of all Lebanese and non-Lebanese militias”; and

(D) supports the extension of the control of the Government of Lebanon over all Lebanese territory and borders.

(2) in accordance with United Nations Security Council Resolution 1559, all militias in Lebanon, including all external-based militias, have been disbanded and disarmed at the earliest possible opportunity, and the armed forces of Lebanon should take full control of all of Lebanon’s territory and borders.

(3) the Government of Lebanon is responsible for the disbanding and disarming of the militias, including Hizballah, and preventing the flow of arms, and any other military equipment to the militias, including Hizballah, from Syria, Iran, and other external sources;

(4) the Government of the United States should closely monitor progress toward full implementation of all aspects of United Nations Security Council Resolution 1559, particularly the matters described in subparagraphs (A) through (D) of paragraph (1);

(5) the Government of the United States should coordinate closely with Lebanon and Lebanon’s efforts to stanch the flow of arms and other military equipment to Hizballah and other militias from external sources, such as Syria and Iran;

(6) the United States and its allies should consider providing training and other assistance to the armed forces of Lebanon to enhance their ability to disarm and, stanch the flow of arms to Hizballah and other militias; and

(7) United States assistance provided to Lebanon should be stopped after the date of the enactment of this Act if Lebanon does not make every effort to disarm militias, including Hizballah, and to deny them access and stanch the flow of arms to Hizballah and other militias; and

(b) FORM.—The report required by subsection (a) any recommendations of each for appropriate legislation to address the issues analyzed in the report.

(1) in the diagnosis, cure, mitigation, treatment, or prevention of harm from a condition that may result in adverse health consequences or death.

(1) activities in Latin America and the Caribbean by international terrorist organizations and their affiliates and supporters represent a direct threat to the national security of the United States and hemispheric stability; and

(2) international terrorist organizations, such as Hezbollah and Hamas, have profitied and taken advantage of the dearth or weakened state of the rule of law in some Latin American and Caribbean countries to further their own aims;

(c) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States should work cooperatively with countries of Latin America and the Caribbean to expose and prevent such activities.

(2) the United States and its allies should provide training and other assistance to countries that scientists formerly employed in the former Soviet Union in the field of biological warfare could make to the research and development of biomedical countermeasures;

(3) the practical alternative methods through which the services of such scientists could be employed to facilitate the application of the knowledge and experience of such scientists to such research and development;

(4) the cost-effectiveness of those methods of employing the services of such scientists to such research and development;

(5) the extent to which armed militias continue to operate in Lebanon and the progress of the Government of Lebanon to disband and disarm such militias;

(6) the extent to which the Government of Lebanon has committed to Lebanon and Lebanon’s efforts to stanch the flow of arms to Hizballah and other militias and stanch the flow of arms to Hizballah and other militias; and

(7) the progress of the armed forces of Lebanon to deploy to and take full control of all of Lebanon’s borders.

(c) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the scientific and technological contributions that scientists formerly employed in the former Soviet Union in the field of biological warfare could make to the research and development of biomedical countermeasures; and

(2) the practical alternative methods through which the services of such scientists could be employed to facilitate the application of the knowledge and experience of such scientists to such research and development;

(3) the cost-effectiveness of those methods of employing the services of such scientists to such research and development;

(4) the desirability and national security implications of providing employment opportunities for such scientists in the field of research and development of biomedical countermeasures for purposes of biological weapons nonproliferation; and

(5) the extent to which countries in the region attempt to directly arms to Lebanon-based militias or allow their territory to be traversed for this purpose and the extent to which these arms have been deployed to and in full control of Lebanon’s borders.

(b) FORM.—The report required by subsection (a) any recommendations of each for appropriate legislation to address the issues analyzed in the report.

(c) DEFINITION.—In this section, the term “biomedical countermeasures” means a drug (as such term is defined in section 201(g)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(g)(1)), biological product (as such term is defined in section 351(i) of the Public Health Service Act (42 U.S.C. 262(i))), or device (as such term is defined in section 351(i) of the Public Health Service Act (42 U.S.C. 262(i)))); or device (as such term is defined in section 201(g)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(g)(1))), or device (as such term is defined in section 201(g)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(g)(1))) that is used—

(1) in the diagnosis, cure, mitigation, treatment, or prevention of harm from any biological, chemical, or radiological weapon that may cause a public health emergency affecting national security; or

(2) in the diagnosis, cure, mitigation, treatment, or prevention of harm from any biological, chemical, or radiological weapon that may result in adverse health consequences or death.
increased cooperation on extraditions.

have asked the Government of the United States
pects wanted for violent crimes committed in the
Supreme Court.
who face life sentences without the possibility of
5059), including the names of such nationals,
dix, between the United States and Mexico,
annually thereafter, the Secretary of State shall
visit its October 2001 ruling so that the possi-
bility of life imprisonment without parole will
advantage and the timely extradition of
criminals suspects from Mexico to the United
States.

(c) REPORTS.—
(1) ANNUAL NUMBER AND STATUS OF FORMAL EXTRADITION REQUESTS MADE TO MEXICO BY THE UNITED STATES.—Not later than six months after the date of the enactment of this Act and annu-
ally thereafter, the Secretary of State shall submit to the appropriate congressional committees a report that includes—
(A) the number of formal requests made to the
Government of Mexico for the extradition of Mexican na-
tionals suspected of or convicted in absentia for
the United States in the preceding fiscal year, the names of such nation-
als, the crimes of which each such national is
suspected or has been convicted in absentia, a de-
tailed disposition of the status of each such
extradition request, and the progress that has
been made with respect to each such extradition
request in the preceding fiscal year; and
(B) the number of such nationals who Mexico
has extradited to the United States in response
to formal extradition requests for such nationals in
the preceding fiscal year.

(2) ACCURATE NUMBER AND STATUS OF FORMAL EXTRADITION REQUESTS MADE FROM MEXICO TO THE UNITED STATES.—Not later than six months after the date of the enactment of this Act and annu-
ally thereafter, the Secretary of State shall submit to the appropriate congressional committees a report that includes—
(A) the number of formal requests made by the
Government of Mexico for the extradition of United States nationals
suspected of or convicted in absentia for
crimes committed in the United States in the preceding fiscal year, the names of such nation-
als, the crimes of which each such national is
suspected or has been convicted in absentia, a de-
tailed disposition of the status of each such
extradition request, and the progress that has
been made with respect to each such extradition
request since such signing; and
(B) the number of such nationals who Mexico
has extradited to the United States in response
to formal extradition requests for such nationals
since the signing of the Extradition treaty, with
appendix between the United States and Mex-
ico.

(3) COOPERATION BY THE UNITED STATES WITH EXTRADITION REQUESTS FROM MEXICO.—Not later than six months after the date of the en-
actment of this Act and annually thereafter, the Secretary of State shall submit to the appro-
priate congressional committees a report that in-
cludes—
(A) the number of United States nationals who the United States has extradited to Mexico in response to formal extradition requests for
such nationals by Mexico in the preceding fiscal year;

(b) INCLUSION OF SUPPORTING DOCUMENTS.—
The report required under subsection (a) shall contain all supporting documents with respect to the decisions of the United States; and

(c) FORMAT.—If the Secretary determines that
such is appropriate, the Secretary may submit the report required under subsection (a) with a classified annex.

(d) DEFINITION.—In this section, the term “661 Committee” means the committee within the United Nations that was tasked with admin-
istering the United Nations oil for food program.

SEC. 1026. ELIMINATION OF REPORT ON REAL ES-
TATE TRANSACTIONS.

Section 12 of the Foreign Service Buildings Act, 1926 (22 U.S.C. 203) is hereby repealed.

TITLE XI—MISCELLANEOUS PROVISIONS

Subtitle A—General Provisions

SEC. 1101. STATEMENT OF CONGRESS RELATING TO DEMOCRACY IN IRAN.

(a) FINDINGS.—Congress finds the following:

(1) Iran is neither free nor democratic. Men
and women are not treated equally in Iran,

women are legally deprived of internationally
recognized human rights, and religious freedom
is not respected under the laws of Iran. Un-
democratic institutions, such as the Guardians
Council, thwart the decisions of elected leaders.

(2) The April 2005 report of the Department of
State states that Iran is the most active state
sponsor of terrorism in 2004.

(3) That report also states that Iran continues
to provide funding, safe-haven, training, and
weapons to terrorists, and that includes
Hizballah, Hamas, the Palestine Islamic Jihad,
al-Aqsa Martyrs Brigade, and the Popular
Front for the Liberation of Palestine, and has
harbored senior terrorists.

(b) POLICY.—It is the policy of the United States that—

(1) currently, there is not a free and fully
democratic government in Iran;

(2) the United States supports transparent,
freedom in Iran;

(3) the United States supports the rights of the
Iranian people to choose their system of govern-
ment; and

(4) the United States condemns the brutal

(a) FINDINGS.—Congress finds the following:

(1) Mexico is unable to extradite criminals who face life sentences without the possibility of parole because of a 2001 decision of the Mexican Supreme
Court.

(2) As a result of this ruling, Mexico is unable to extradite to the United States numerous sus-
pects wanted for violent crimes committed in the United States unless the United States assures Mexico that these criminals will not face life im-
prisonment without the possibility of parole.

(3) The attorneys general from all 50 States have expressed concern to the administration of the United States to continue to address this extradition issue with the Government of Mexico.

(4) The United States and the Government of Mexico have experienced positive cooperation on numerous matters re-
levant to their bilateral relationship, including
increased cooperation on extraditions.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Government of the United States should encourage the Government of Mexico to continue to work closely with the Mexican Supreme Court to urge the Court to re-
visit its October 2001 ruling so that the possi-
bility of life imprisonment without parole will
not affect the timely extradition of criminal suspects from Mexico to the United States.

SEC. 1102. IRANIAN NUCLEAR ACTIVITIES.

(a) FINDINGS.—Congress finds the following:

(1) Iran remains the world’s leading sponsors
of international terrorism and is on the Depart-
ment of State’s list of countries that provide
support for acts of international terrorism.

(2) Iran has repeatedly called for the destruc-
tion of Israel, and Iran supports organizations,
such as Hizballah, Hamas, and the Palestine Is-
lamic Jihad, that deny Israel’s right to exist and
are responsible for terrorist attacks against Israel.

(3) The Ministry of Defense of the Government
of Iran confirmed in July 2003 that it had suc-
cessfully conducted the final test of the Shabab-
3 missile, giving Iran an operational inter-
mediate-range ballistic missile capable of strike-
ning Israel and United States forces throughout
the Middle East and Afghanistan.

(4) Inspections by the International Atomic
Energy Agency (IAEA) in Iran have revealed
significant undeclared activities, including plu-
tonium reprocessing efforts.

(5) Plutonium reprocessing is a necessary step in
constructing a nuclear weapon program that uses pluto-
nium created in a reactor.

(6) Iran continues to assert its right to pursue
nuclear power and related technology, con-
trary to its 1955 promise to the United Nations that was tasked with admin-
istering the completion of reactors at the Bushehr nuclear power plant because the transfer of civilian nu-
clear technology and training could help to ad-
vance Iran’s nuclear weapons program.

(7) The United States has publicly opposed the
completion of the Bushehr nuclear power plant.

(8) Russia, in spite of strong international
concern that Iran intended to use civilian nu-
clear energy plants to develop nuclear weapons,
has worked with Iran to complete the Bushehr nuclear facility.

(9) Russia intends to begin supplying the
Bushehr nuclear facility with fuel in June 2005, and

(10) The Iranian parliament has ratified a bill
supporting the construction of 20 new nuclear
power plants.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) Russia’s provision of assistance to Iran on the
Bushehr nuclear reactor is inconsistent with the
nuclear-related goals of the United States;

(2) Iran’s stated plans to construct 20 new nu-
clear reactors and its ongoing activities with nuclear technologies, coupled with acknowledged and acknowledged ties to terrorist groups, con-
stitute a threat to global peace and security;

(3) the national security interests of the
United States will best be served if the United
States develops and implements a long-term strategy to halt all foreign nuclear cooperation with Iran.

(c) STATEMENT OF CONGRESS.—Congress calls
upon the leaders of the governments of the G-8 to—

(1) insist that the Government of Russia termi-
nate all assistance, including fuel shipments, to
the Bushehr nuclear facility in Iran, and

(2) condition Russia’s continued membership in
the G-8 on Russia’s termination of all assist-
ance, including fuel shipments, to the Bushehr facility and to any other nuclear plants in Iran.

SEC. 1103. LOCATION OF INTERNATIONAL INSTI-
TUTIONS IN AFRICA.

(a) STATEMENT OF CONGRESS.—Congress de-
clares its strong support for the purposing of
regional balances with respect to the location
of international organizations and institutions in Africa, such organizations or institutions, such as the African Development Bank, that move their headquarters offices from their original loca-
tions for reasons of security should return

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and institutions to the regions in which they operate.

Section 305 of the International Academic Opportunity Act of 2000, (title III of the Micro-Enterprise for Self-Reliance and International Anti-Corruption Act of 2000) (Public Law 106-309; 23 U.S.C. 2462 note) is amended by striking "$1,500,000" and inserting "$4,000,000".

Prohibition on Commemorations Relating to Leaders of Imperial Japan.
The Department of State, both in Washington and at United States diplomatic missions and offices in foreign countries, shall not engage in any activity, including the celebration of the recently enacted Shoa holiday, which may, in any manner, serve to commemorate or be construed as serving to commemorate leaders of Imperial Japan who were connected to the attack on the United States Fleet at Pearl Harbor, Oahu, Hawaii, on December 7, 1941.


(a) UNITED STATES POLICY.—The Secretary of State, in consultation with the Secretary of the Treasury, shall work to secure the support of the governments of countries represented on the decision-making boards and councils of the international financial institutions of the World Bank Group to oppose any further activity in Iran by the international financial institutions of the Group until Iran abandons its program to develop nuclear weapons.

(b) NOTIFICATION.—Not later than 30 days after the Secretary initiates efforts to carry out subsection (a), the Secretary shall notify the appropriate congressional committees of such efforts.

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 Guarantee Agency.


(a) FINDINGS.—Congress finds the following:

(1) The Southeast European Cooperative Initiative (SECI) Regional Center for Combating Trans-Border Crime, located in Bucharest, Romania, is composed of police and customs officials from each of the 12 member states of SECI: Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Greece, Hungary, Macedonia, Moldova, Romania, Slovenia, Serbia and Montenegro, and Turkey.

(2) The SECI Regional Center supports joint trans-border crime fighting efforts through the establishment of regional task forces, including expert task forces relating to trafficking in human beings, anti-drugs, financial and computer crimes, stolen vehicles, anti-smuggling and anti-terror, and terrorism.

(b) STATEMENT OF POLICY.—It is the policy of the United States to continue to support the activities of the SECI Regional Center for Combating Trans-Border Crime.


(a) FINDINGS.—Congress finds the following:

(1) In 1993 the European Union defined the membership criteria for accession to the European Union at the Copenhagen European Council, obligating candidate countries to have achieved and committed to maintaining stability of institutions guaranteeing democracy, the rule of law, and human rights, and respect for and protection of minorities.

(2) In 1993 the European Union defined the membership criteria for accession to the European Union at the Copenhagen European Council, obligating candidate countries to have achieved and committed to maintaining stability of institutions guaranteeing democracy, the rule of law, and human rights, and respect for and protection of minorities.

(3) The El Salvador government refuses to recognize the Ecumenical Patriarch's international status.

(4) The Government of Turkey has limited to Turkish nationals the candidates available to the Holy Synod for selection as the Ecumenical Patriarch and has refused to reopen the Theological School at Halki, thus impeding training for the clergy.

(b) STATEMENT OF POLICY.—Congress—

(1) calls on Turkey to continue to demonstrate its willingness to meet World European standards for the protection of human rights;

(2) based on the ideals associated with the European Union and its member states, calls on Turkey to eliminate all forms of discrimination, particularly those based on race or religion, and immediately—

(A) grant the Ecumenical Patriarch appropriate international recognition and ecclesiastic succession;

(B) grant the Ecumenical Patriarchate the right to train clergy of all nationalities, not just Turkish nationals;

(C) respect property rights and human rights of the Ecumenical Patriarchate; and

(3) calls on Turkey to pledge to uphold and safeguard religious and human rights without compromise.


(a) FINDINGS.—Congress finds the following:

(1) On November 30, 2000, United States citizen John M. Alvis was brutally murdered in Baku, Azerbaijan.

(2) John M. Alvis was serving his final two weeks of a two year full-time commitment to the International Republican Institute, a United States nongovernmental organization carrying out assistance projects for the Government of the United States to help promote democracy and strengthens the rule of law in Azerbaijan.

(3) The United States is committed to ensuring that the truth of the murder of John M. Alvis is determined and the individual or individuals who are responsible for this heinous act are brought to justice.

(b) STATEMENT OF POLICY.—Congress—

(1) appreciates the efforts of the Government of Azerbaijan to identify natural or individuals who are responsible for the murder of United States citizen John M. Alvis and urges the Government of Azerbaijan to continue to make efforts a high priority; and

(2) urges the Secretary of State to continue to raise the issue of the murder of United States citizen John M. Alvis with the Government of Azerbaijan and a priority in relations between the Government of the United States and the Government of Azerbaijan.


(a) FINDINGS.—Congress finds the following:

(1) Following the May 16, 2005, decision of the Kuwaiti parliament to enfranchise its female citizens, Saudi Arabia is now the only country in the world that restricts the franchise and the right to hold elected office to men only.

(2) Only men were allowed to vote and run for office in Saudi Arabia's municipal elections held earlier this year, the first elections of any kind that Saudi Arabia has ever held.

(b) STATEMENTS OF CONGRESS.—Congress—

(1) strongly condemns the disenfranchisement of women, including restrictions that prevent women from voting and standing for office;

(2) calls on the Government of Saudi Arabia to, at the earliest possible time, promulgate a law that grants women the right to vote and to run for office in all future Saudi elections, whether local, provincial, or national.

(c) POLICY.—The President is encouraged to take steps to ensure that the actions of the Saudis are appropriate, including a downgrading of diplomatic relations, to encourage countries that disenfranchise only women to grant women the right to vote and hold office.

Subtitle B—Sense of Congress Provisions

Section 1111. KOREAN FULLERIG PROGRAMS.

It is the sense of Congress that Fullerig program activities for the Republic of Korea (comm. referred to as "South Korea")—

(1) include participation by students from throughout South Korea, including proportional representation from the countries of origin of military veterans;

(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 colleges and universities by pre-doctoral Korean students; and

(4) include a significant number of Korean students planning to work or practice in areas other than advanced research and university teaching, such as in government service, media, law, and business.

United States Relations with Taiwan.

It is the sense of Congress that—

(1) it is in the national interests of the United States to communicate directly with democratically elected and appointed officials of Taiwan, including the President of Taiwan, the Vice-President of Taiwan, the Foreign Minister of Taiwan, and the Defense Minister of Taiwan;

(2) the Department of State should, in accordance with Public Law 102-416, admit such high level officials of Taiwan to the United States to discuss issues of mutual concern with United States officials; and

(3) the Department of State should, in cooperation with the Ministry of Foreign Affairs of Taiwan, facilitate high level meetings between such high level officials of Taiwan and their counterparts in the United States.

Nuclear Proliferation and A. Q. Khan.

(a) FINDINGS.—Congress finds the following:

(1) Dr. Abdul Qadeer Khan, former director of the A.Q. Khan Research Laboratory in Pakistan and Special Adviser to the Prime Minister on Nuclear Energy, is a graduate of a federal minister and established and operated an illegal international network which sold nuclear-related technologies to a variety of countries;

(2) China provided Khan with nuclear weapons designs, and the illegal international nuclear proliferation network established by Dr. Khan may have provided other countries with these designs;

(3) The illegal international nuclear proliferation network established by Khan and his network was assisted Iran with its nuclear program by supplying Iran with uranium-enrichment technology, including centrifuge equipment and designs;

(4) The illegal international nuclear proliferation network established by Dr. Khan assisted Libya with its nuclear program by providing designs and complete centrifuges;

(5) The illegal international nuclear proliferation network established by Dr. Khan assisted North Korea with its nuclear weapons program by providing centrifuge technology, including designs and complete centrifuges;

(6) There is concern that the illegal international nuclear proliferation network established by Dr. Khan may be in existence and its work still on-going;

(7) Defense cooperation and technology transfers between China and Pakistan have recently strengthened, including the codesvelopment and manufacturing of a minimum of 400 J—
17 “Thunder” fighter aircraft, with a minimum of 250 going to China. This and other Chinese-Pakistani technology sharing provides an expanded basis for further Pakistani proliferation of advanced nuclear technology that violates national norms, the United Nations General Assembly adopted Resolution 56/168 (December 19, 2001) which established an ad hoc committee to consider proposals for a comprehensive and integrally related][$n] international convention that affirms the human rights and dignity of persons with disabilities.

(6) With the strong commitment and leadership of the President and his Secretary, the world community can benefit from United States participation in the drafting of an international convention that affirms the human rights and dignity of persons with disabilities.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States should play a leading role in the drafting of an international convention that affirms the human rights and dignity of persons with disabilities and which is consistent with the Constitution of the United States, the Americans with Disabilities Act of 1990, and other rights enjoyed by United States citizens with disabilities;

(2) for this purpose, the President should authorize the Secretary of State to send to the Sixth Session of the United Nations Ad Hoc Committee on the Rights of Persons with Disabilities in August 2003 and to subsequent sessions of the Ad Hoc Committee a United States delegation which includes individuals with disabilities who are recognized leaders in the United States disability rights movement;

(3) the United States delegation referred to in paragraph (2) should seek the input and advice of the Department of State’s Advisory Committee on International Action on Disability and the State Department’s Disability Resource Center when matters considered at the Sixth Session of the United Nations Ad Hoc Committee and subsequent sessions.

SEC. 1116. FULLBRIGTH SCHOLARSHIPS FOR EAST ASIA AND THE PACIFIC.

(a) FINDINGS.—Congress finds the following:

(1) From 1949–2003, the Department of State awarded 13,176 Fulbright Scholarships to students from East Asia and the Pacific, but only 31 went to Pacific Island students.

(2) In 2003–2004, the Department of State awarded 313 scholarships to students from East Asia and the Pacific, but none were awarded to Pacific Island students.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the governments and peoples of Turkey and the newly independent states of the Caspian Sea region should be reaffirmed; and

(1) should continue efforts to—

(a) FINDINGS.—Congress finds the following:

(1) Since 1993, the United States has provided more than $1,400,000,000 to assist the Palestinian people in their struggle for self-determination and their right to return to the Bushehr region to world markets.

(2) Since 1950, the United States has provided more than $3,200,000,000 in assistance to United Nations Relief and Works Agency (UNRWA), which operates schools in camps housing Palestinian refugees.

(3) The Palestinian Authority has undertaken a reform of its textbooks, a process which will be completed in 2006.

(4) These new textbooks, while an improvement over past texts, fail in many respects to foster attitudes amongst the Palestinian people conducive to peace with Israel, including references to the infamous Protocols of the Elders of Zion, failure to acknowledge the State of Israel, and failure to discuss Jews in sections dealing with religious tolerance.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of State should express in the strongest possible terms United States disapproval with the process of strengthening the Palestinian education system.

(1) Since 1990, the United States has provided more than $3,200,000,000 in assistance to United Nations Relief and Works Agency (UNRWA), which operates schools in camps housing Palestinian refugees.

(2) The governments and peoples of Turkey and the newly independent states of the Caspian Sea region should be reaffirmed; and

(1) the independence, security, and economic development of the newly independent states of the Caspian Sea region.

(2) the President and the Secretary of State

(a) FINDINGS.—Congress finds the following:

(1) The protection of and respect for property rights is a basic tenet for all democratic governments that operate according to the rule of law.

(2) Private properties were seized and confiscated by the Nazis in occupied Poland or by the Communist Polish government after World War II.

(3) Some post-Communist countries in Europe have taken steps toward compensating individuals whose property was seized and confiscated by the Nazis during World War II and by Communist governments after World War II.

(4) Poland has continuously failed to enact legislation that requires realistically achievable restitution or compensation for those individuals who had their private property seized and confiscated.

(a) FINDINGS.—Congress finds the following:

(1) There are more than 600,000,000 people who have disabilities; more than two-thirds of all persons with disabilities live in developing countries.

(2) Only two percent of children with disabilities in developing countries receive any education or rehabilitation.

(3) A substantial shift has occurred globally from an approach of charity toward a perspective with the recognition of the inherent human rights of persons with disabilities.

(4) A clearly defined international standard addressing the rights of persons with disabilities would assist developing countries in the creation and implementation of national laws protecting the rights of persons with disabilities.

(5) To better protect and promote the rights of persons with disabilities and to establish inter-
for private property that was seized and confiscated; and
(B) in follow-up discussions with the Government of Poland regarding the status and implementation of such legislation to address the situation of child labor in the cocoa sector;
(2) the Government of Cote d'Ivoire and the Government of Ghana should consider child labor issues as a key component of the reform of their derivative products in a manner that complies with ILO Convention 182 Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor should meet the sixth and final pillar of the Protocol, to "develop and implement credible, mutually-acceptable, voluntary, industry-wide standards of public certification, consistent with applicable law, that cocoa and their derivative products have been grown and/or processed without any of the worst forms of child labor by July 1, 2005, to develop and implement a system to monitor child labor in the cocoa industry of Cote d'Ivoire and Ghana;
(5) the Office to Monitor and Combat Trafficking in Persons of the Department of State should include information on the association between trafficking in persons and the cocoa industry of Cote d'Ivoire, Ghana, and other cocoa producing regions in the annual trafficking in persons report to Congress; and
(6) the Department of State should assist the Government of Cote d'Ivoire and the Government of Ghana in preventing the trafficking of persons into the cocoa fields and other industries in West Africa.
SEC. 1120. CONTRIBUTIONS OF IRAQI KURDS.
(a) FINDINGS.—Congress finds the following:
(1) Iraqi Kurdish forces played a unique and significant role in the fight to liberate Iraq for all Iraqis in 2003.
(2) Since Iraq's liberation, Iraqi Kurdish leaders have played prominent and constructive roles in the drafting and passage of the Transitional Administrative Law and, more generally, in seeking to achieve a free, stable, and democratic Iraq.
(b) SENSE OF CONGRESS.—It is the sense of Congress that—
(1) the United States should commend for their many contributions and sacrifices made in the cause of creating a free, stable, and democratic Iraq;
(2) the Iraqi Transitional Government and the Kurdistan Regional Government are expected to adhere to the highest standards of democratic governance, including upholding full and equal rights for all religious and ethnic minorities, such as Assyrians and Turcomans.

SEC. 1121. PROLIFERATION SECURITY INITIATIVE.
It is the sense of Congress that—
(1) the Secretary of State should strive to expand and strengthen the Proliferation Security Initiative, announced on May 31, 2003, by President George W. Bush, placing particular emphasis on including countries outside of the North Atlantic Treaty Organization (NATO); and
(2) the United States should seek an international agreement in the form of a United Nations Security Council resolution, multilateral treaty, or other agreement, to enhance international cooperation with the Proliferation Security Initiative regarding the interdiction, seizure, and impoundment in international waters and airspace of illicit shipments of weapons and related materials and delivery systems and of related materials, equipment, and technology.

SEC. 1122. SECURITY OF NUCLEAR WEAPONS AND MATERIALS.
It is the sense of Congress that the President should seek to devise and implement standards to improve the security of nuclear weapons and materials by—
(1) establishing with other willing nations a set of guidelines containing performance-based standards for the security of nuclear weapons and materials;
(2) negotiating with those nations agreements to adopt guidelines containing performance-based standards and implement appropriate verification measures to assure ongoing compliance;
(3) coordinating with those nations and the International Atomic Energy Agency to strongly encourage other nations to adopt and verify implementation of the standards; and
(4) encouraging all nations to work with the International Atomic Energy Agency to complete the negotiation, adoption, and implementation of its proposed series of documents related to the security of nuclear materials.

SEC. 1123. INTERNATIONAL CRIMINAL COURT AND GENOCIDE IN DARFUR, SUDAN.
Based upon the adoption of resolutions on July 22, 2004, by both the House of Representatives and the Senate on July 29, 2004, by both the House of Representatives and the Senate on September 9, 2004, by former Secretary of State Colin Powell that the atrocities unfolding in Darfur, Sudan, are genocide, it is the sense of Congress that—
(1) the United States Government is working with the International Criminal Court to bring to justice persons accused of genocide, war crimes, or crimes against humanity in Darfur, Sudan, provided that legally binding assurances have been received from the International Criminal Court to bring to justice persons accused of genocide, war crimes, or crimes against humanity in Darfur, Sudan, provided that legally binding assurances have been received from the United Nations Security Council or the International Criminal Court that no current or former United States Government official, employee (including any contractor), member of Congress, the United States national will be subject to prosecution by the International Criminal Court in connection with those
SEC. 1124. ACTION AGAINST AL-MANAR TELEVISION.
(a) FINDINGS.—Congress finds that—
(1) in 1996, the Secretary of State designated Hezbollah as a foreign terrorist organization (FTO) under section 219 of the Immigration and Nationality Act;
(2) al-Manar television is owned and controlled by the Government of Lebanon, on behalf of Hezbollah, as openly acknowledged by Hezbollah leader Hassan Nasrallah;
(3) al-Manar's programming, in accordance with Hezbollah's mission, promotes hatred of and graphically glorifies and incites violence, including suicide bombings, against Americans, Israelis, and Americans and international forces in the region;
(4) in December 2004, the Secretary of State placed al-Manar on its Terrorist Exclusion List, immediately after which the sole satellite company that broadcast al-Manar in North America pulled al-Manar off the air;
(5) in recent months, several European Union (EU) countries and EU-based satellite companies have limited al-Manar's broadcasting reach in Europe; and
(6) al-Manar continues to broadcast to all of the Arab world, much of non-Arab Asia, most of Central and Eastern Europe, and most of Europe, with the cooperation of companies headquartered in Europe and the Arab world.
(b) SENSE OF CONGRESS.—It is the sense of Congress that—
(1) all countries that host satellite companies that broadcast al-Manar, on whose territory al-Manar is broadcast, be viewed as long-term subject to government regulation, or where advertising or other financial support for al-Manar originates, should take action, by the strongest and most comprehensive appropriate means, to suppress al-Manar's terrorist programming; and
(2) the Arab States Broadcasting Union, which is part of the Arab League, should revoke al-Manar's membership status because of al-Manar's promotion of hatred and incitement to violence, including suicide bombings, directed toward Americans, Israelis, and Jews.

SEC. 1125. STABILITY AND SECURITY IN IRAQ.
It is the sense of Congress that the President should transmit to the appropriate congressional committees as soon as possible after the date of the enactment of this Act the plan for a stable and secure government of Iraq and an Iraqi military and police force that will allow the United States military presence in Iraq to be diminished.

SEC. 1126. PROPERTY EXPROPRIATED BY THE GOVERNMENT OF ETHIOPIA.
It is the sense of the Congress that the Government of Ethiopia should account for, compensate for, or return to United States citizens, or their assigns, property not less than $200,000,000 in value, acquired by the Government of Ethiopia before the date of the enactment of this Act in contravention of international law.

The Acting CHAIRMAN. No amendment to that amendment is in order except for an amendment made in order under the provisions of the amendment. Each amendment may be offered only in the order specified, by a Member designated, shall be considered, shall be debatable for the time specified, equally divided and controlled by the proponent and an opponent of the amendment, shall not be subject to amendment and shall not be subject to a demand for division of the question.

It is now in order to consider amendment reported in part B of House Report 109–175.

AMENDMENT NO. 1 OFFERED BY MR. HYDE
Mr. HYDE. Madam Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:
Amendment No. 1 offered by Mr. Hyde:
Page 9, strike line 19 through page 11, line 20.
Page 9, beginning line 19, insert the following new subparagraph:
Organization for Security and Co-operation in Europe.—Of the amounts authorized to be appropriated under subparagraph (A), the following amounts are authorized:
(1) Anti-Semitism.—For necessary expenses to fund secondments, hiring of staff, and support targeted projects of the Office of Democratic Institutions and Human Rights (ODIHR) regarding anti-Semitism and intolerance for the General Enforcement Officers Hate Crimes Training Program, $225,000 for fiscal year 2006 and $225,000 for fiscal year 2007.
(2) OSCE projects and activities regarding religious freedom.—For necessary expenses to fund secondments, hiring of staff,
and support targeted projects of ODIHR regarding religious freedom and for the OSCE/ODIHR Panel of Experts on Freedom of Religion or Belief, $125,000 for fiscal year 2006 and $250,000 for fiscal year 2007.

(III) OSCE MISSIONS RELATED TO RELIGIOUS FREEDOM.—For OSCE Missions in Armenia, Azerbaijan, Georgia, Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan for activities to address issues relating to religious freedom and belief and to fund the hiring of new staff who are dedicated to religious freedom and belief, $80,000 for fiscal year 2006 and $80,000 for fiscal year 2007.

Page 11, line 21, strike “(G)” and insert “(F)”.

Page 12, line 3, strike “(H)” and insert “(G)”.

Page 26, line 3, strike “Beginning” and insert “(a) In General.—Beginning.”.

Page 6, before “title” insert “the last paragraph under the heading "Diplomatic and Consular Programs" under.”.

Page 26, after line 10, insert the following new subsection:

(b) REQUIREMENTS.—In carrying out subsection (a) and the provision of law described in such subsection, the Secretary shall meet the following requirements:

(1) The amounts of the surcharges shall be reasonably related to the costs of providing services in connection with the activity or item for which the surcharges are charged.

(2) The amounts of surcharges collected may not exceed the aggregate amount obligated and expended for the costs related to consular services in support of enhanced border security incurred in connection with the activity or item for which the surcharges are charged.

(3) A surcharge shall be available for obligation and expenditure only to pay the costs related to consular services in support of enhanced border security incurred in providing services in connection with the activity or item for which the surcharge is charged.

(4) A surcharge shall be available for obligation and expenditure only to pay the costs related to consular services in support of enhanced border security incurred in providing services in connection with the activity or item for which the surcharge is charged.

Page 29, beginning line 12, insert the following new paragraphs:


(4) The annual Trafficking in Persons Report prepared by the Office to Monitor and Combat Trafficking in Persons of the Department of State, required under section 110(b) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)).

Page 32, line 2, insert “that is not later than 15 days after the date” after “after the date”.

Page 46, line 10, redesignate paragraph (4) as paragraph (5).

Page 46, beginning line 10, insert the following new paragraph:

(d) In the case of a grievance filed under paragraph (3), the Foreign Service Grievance Board may not exercise the authority provided under section 1106(b).”.

Page 46, strike lines 11 through 19 and insert the following new subparagraph:

(A) The term “reasonable time” means 30 days after receiving notice of the proposed suspension.

Page 79, line 21, strike “at least one” and insert “a”.

Page 79, line 22, strike “one” and insert “a”.

Page 83, line 15, strike “and”.

Page 83, line 22, strike the period at the end and insert “the following new clause:”.

Page 83, beginning line 23, insert the following new clause:

(iii) evaluate the effectiveness of United States programs that promote democracy.

Page 97, beginning line 22, insert “the Director of the Office for Reconstruction and Stabilization of Iraq” after Assistant Secretary of State for Democracy, Human Rights, and Labor,”.

Page 98, line 2, strike “democracy and” and insert “potential contribution that.”

Page 101, line 17, strike “reaching” and insert “reach”.

Page 101, beginning line 17, strike “countries, the situations where such support may be appropriate, and”.

Page 103, line 5, insert before the period at the end the following: “for any additional period determined by the Secretary pursuant to paragraph (3)”.

Page 115, beginning line 5, strike “at posts so designated by the chief of mission and” and insert “serving in a position in which the primary responsibility is to monitor or promote democracy or human rights”.

Page 115, strike line 20 through page 116, line 13.

Page 116, beginning line 14, strike “(b) CHIEFS OF MISSION.—Section 304(a)(1) of such Act” and insert “(c) CHIEFS OF MISSION.—Section 304(a)(1) of the Foreign Service Act of 1880.”

Page 117, after line 2, insert the following new subsection:

(b) REPORT TO CONGRESS.—Section 304(b) of such Act (22 U.S.C. 3944(b)) is amended by adding at the end the following new paragraph:

“(3) If an individual (with respect to section 302(a)) or a member of the Service (with respect to section 302(b)) is nominated by the President to be a chief of mission in a country categorized as nondemocratic in an Annual Report on Democracy (required under section 612a of the Advancing Democratic Values, Addressing Nondemocratic Countries, and Enhance Democracy Act of 2005), and if such individual or such member has previously served as chief of mission in a country that was so categorized, the President shall, at the time of nomination, submit to the Committee on Foreign Relations of the Senate a written report summarizing the actions that such individual or member took during their prior service to monitor or promote democracy and human rights in such country, including actions in furtherance of the strategy contained in such report.”

Page 125, line 21, after “available” insert the following: “to carry out chapter 4 of Part II of the Foreign Assistance Act of 1961.”

Page 153, line 11, strike “shall be sold or transferred” and insert “shall be knowingly sold or transferred for military end use”.

Page 153, beginning on line 8, strike the Secretary of State or the Secretary of Commerce only that follows through “license” on line 10 and insert the following: “the sale or transfer is approved through issuance of a license by the Secretary of State or the Secretary of Commerce, as the case may be.”

Page 153, line 11 and all that follows through line 11.

Page 153, line 18, strike “(d)” and insert “(e)”.

Page 153, line 19, after “Secretary of State” insert the following: “the Secretary of Commerce and the Secretary of Defense.”.

Page 153, beginning on line 21, strike “to implement subsection (c)” and insert “to ensure the effective implementation of section 38(k) of the Arms Export Control Act as added by subsection (b).”.

Page 156, after line 9, insert the following new section:

 SECTION 4. PURPOSES OF ARMS SALES.

 For fiscal year 2006 and $80,000 for fiscal year 2007.

Page 212, beginning on line 7, strike “the Foreign Relations Authorization Act, Fiscal Years 2006 and 2007,” and insert “such Act”.

Page 212, line 10, strike “this section” and insert “this section or subsections (d) or (f) of section 921 of the Foreign Relations Authorization Act, Fiscal Years 2006 and 2007,” and insert “such Act”.

Page 222, beginning on line 7, strike “the Foreign Relations Authorization Act, Fiscal Years 2006 and 2007,” and insert “such Act”.

Page 296, line 24, insert “or disadvantaged after "minority-owned".”

Page 299, beginning line 11, insert the following new paragraphs (and redesignate subsequent paragraphs accordingly):

(5) The Government of Lebanon should take steps to address the threat posed by al-Manar, including by revoking its license;

Page 301, line 10, strike “at the end”.

Page 301, line 13, strike the period at the end and insert “; and”.

Page 301, beginning line 14, insert the following new paragraph:

(6) The Department of State, the Government of Lebanon and the United States and its allies to end broadcasts by al-Manar.

Page 316, line 19, strike “educations” and insert “education”.

The Acting CHAIRMAN. Pursuant to House Resolution 365, the gentleman from Illinois (Mr. HYDE) and a Member of the Committee will control 5 minutes.

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

This en bloc amendment has been prepared in conference with the gentleman from California (Mr. LANTOS), ranking member, and all the changes it contains are noncontroversial and make either technical, clarifying, or minor changes. The changes are, therefore, the sound recommendation of the Committee on Ways and Means. We appreciate the contributions the Committee on Ways and Means made to further refine the purpose of section 921 of the basic policy, it is important that fees that are collected and retained by the State Department are collected and used for a specific purpose.

This amendment also makes some useful additions to lines 10 through 11, by adding to the sense of Congress that the al-Manar TV station in Lebanon poses a threat because Hezbollah uses the station to recruit terrorists and adds
to the report section efforts taken to end broadcasts by al-Manar.

The en bloc also includes a clarification that licenses shall be required under an arms embargo when dual-use goods or technology are knowingly sold or transferred for military end use to the military intelligence or other security forces of the embargomed government.

Mr. LANTOS. Madam Chairman, will the gentleman yield? Mr. HYDE. I yield to the gentleman from California.

Mr. LANTOS. Madam Chairman, I thank the gentleman for yielding to me.

The changes entailed in this amendment are technical, noncontroversial, and fully acceptable to our side.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. HYDE).

The amendment was agreed to.

The Acting CHAIRMAN. It is now in order to consider amendment No. 2 printed in part B of House Report 109–175.

AMENDMENT NO. 2 OFFERED BY MR. HYDE
Mr. HYDE. Madam Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. HYDE: Redesignate title XI as title XII and redesignate sections 1101 through 1226, respectively (and conform the table of contents accordingly).

Insert after title X the following new title (and conform the table of contents accordingly):

TITLE XI--HENRY J. HYDE UNITED NATIONS REFORM ACT OF 2005

SECTION 1101. SHORT TITLE.
This title may be cited as the “Henry J. Hyde United Nations Reform Act of 2005”.

SEC. 1111. MISSION AND BUDGET OF THE UNITED NATIONS.

(a) Statements of Policy.—

(1) In general.—It shall be the policy of the United States to use its voice, vote, and influence at the United Nations to—

(A) pursue a streamlined, efficient, and accountable regular assessed budget of the United Nations; and

(B) shift funding mechanisms of certain organizational programs of the United Nations specified under paragraph (4) from the regular assessed budget to voluntarily funded programs.

(2) United States contributions.—It shall be the policy of the United States to—

(A) redirect United States contributions to the United Nations to achieve the policy objectives described in paragraph (1)(B); and

(B) redirect a portion of funds from the following organizational programs to pursue the policy objectives described in paragraph (1)(A):

(i) Public Information.

(ii) General Assembly affairs and conference services.

(3) Future biennium budgets.—It shall be the policy of the United States to use its voice, vote, and influence at the United Nations to ensure that the shifting of funding mechanisms to ensure that future biennial budgets of the United Nations, as agreed to by the General Assembly, reflect the shift in funding mechanisms described in paragraph (1)(B) and the redirection of funds described in paragraph (2).

(c) Certain organizational programs.—The organizational programs referred to in paragraph (1)(B) are the following:

(A) Economic and social affairs.

(B) Least-developed countries, landlocked developing countries, and small island developing States.

(C) United Nations support for the New Partnership for Africa’s Development.

(D) Trade and development.

(E) International Trade Center UNCTAD/WTO.

(F) Environment.

(G) Human settlements.

(H) Crime prevention and criminal justice.

(I) International drug control.

(J) Economic and social development in Africa.

(K) Economic and social development in Asia and the Pacific.

(L) Economic development in Europe.

(M) Economic and social development in Latin America and the Caribbean.

(2) 22 PERCENT LIMITATION.—In accordance with section 1171 of the Henry J. Hyde United Nations Reform Act of 2005, the Secretary may not make a contribution to a regularly assessed biennial budget of the United Nations in an amount greater than 22 percent of the amount calculable under subsection (c).

(c) Annual Dues.—

(1) In general.—For annual dues paid by the United States to the United Nations each fiscal year, the percentage specified in subsection (b) shall be multiplied by one-half of the amount of the regularly assessed budget of the United Nations for the fiscal year, as agreed to by resolution of the General Assembly.
“(2) Calculation with respect to certain organizational programs for redirection.—The percentage specified in subsection (b) shall be multiplied by one-half of the sum of amounts budgeted by resolution of the General Assembly for a current biennial period for the following certain organizational programs:

(A) Economic and social affairs.

(B) Least-developed countries, landlocked developing countries and small island developing States.

(C) United Nations Support for the New Partnership for Africa’s Development.

(D) Trade and development.

(E) International Trade Center UNCTAD/WT.

(F) Environment.

(G) Human settlements.

(H) Crime prevention and criminal justice.

(I) International drug control.

(J) Economic and social development in Africa.

(K) Economic and social development in Asia and the Pacific.

(L) Economic development in Europe.

(M) Social development in Latin America and the Caribbean.

(N) Economic and social development in Western Asia.

(O) Regular program of technical cooperation.

(P) Development account.

(Q) Protection of and assistance to refugees.

(R) Palestine refugees.

(3) Redirection of funds.—Of amounts appropriated for contributions towards payment of regular assessed dues to the United Nations for 2008 and each subsequent year, if the funding mechanisms of one or more of the organizational programs of the United Nations specified in paragraph (4) have not been shifted from the regular assessed budget to voluntarily funded programs in accordance with subsection (a)(1), the Secretary shall ensure that such amounts in each such fiscal year that are specified for each such organizational program pursuant to the resolution agreed to by the General Assembly for the regular assessed budget of the United Nations for the period of a current biennium are redirected from payment of the assessed amounts for the regular assessed budget as follows:

(A) Subject to not less than 30 days prior notification to Congress, the Secretary shall expend an amount, not to exceed 40 percent of the amount specified for each such organizational program pursuant to the resolution agreed to by the General Assembly for the regular assessed budget of the United Nations for the period of a current biennium, as a contribution to an eligible organizational program specified in paragraph (4).

(B) Subject to not less than 30 days prior notification to Congress, the Secretary shall expend the remaining amounts under this paragraph as determined by resolution of the United Nations specialized agencies, funds, or programs.

(4) Eligible organizational programs.—The percentage specified in paragraph (3) for redirection of funds under such paragraph are the following:

(A) Internal oversight.

(B) Human rights.

(C) humanitarian assistance.

(D) An organizational program specified in subparagraph (A) through (P) of paragraph (2), subject to paragraph (5).

(5) Expenditure of remaining amounts to certain organizational programs.—The Secretary shall use amounts subject to not less than 30 days prior notification to Congress and the limitation specified under subparagraph (b) in accordance with section 1171 of the Henry J. Hyde United Nations Reform Act of 2005, a certification shall be required that certifies that the reduction in budgets described in subparagraph (a) has been implemented.”.

(e) Limitation on United States contributions to UNRWA.—The Secretary of the State may not make a contribution to the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) in an amount greater than the United States annual contributions to the regular budget of the Arab country, but may not exceed 22 percent of the total budget of UNRWA. For purposes of this subsection, an Arab country includes the following: Algeria, Egypt, Djibouti, Egypt, Jordan, Kuwait, Lebanon, Libya, Mauritania, Morocco, Oman, Qatar, Saudi Arabia, Somalia, Sudan, Syria, Tunisia, the United Arab Emirates, Iraq, and Yemen.

(f) Policy relating to zero nominal growth.—It shall be the policy of the United States to use the voice, vote, and influence of the United States at the United Nations to make every effort to enforce zero nominal growth in all assessed dues to the regular budget of the United Nations, its specialized agencies, and its funds and programs.

(g) 5.6 Rule.—It shall be the policy of the United States to use the voice, vote, and influence of the United States at the United Nations to actively enforce the 5.6 rule at the United Nations, requiring the Secretariat to identify low-priority activities in the budget proposal. The United States should strengthen the 5.6 rule by requiring that managers identify the lowest priority activities equivalent to at least 10 percent of their budget request or face an across the board reduction of such amount.

(h) Annual publication.—It shall be the policy of the United States to use the voice, vote, and influence of the United States at the United Nations to annually publish a list of all subsidiary bodies and their functions, budgets, and staff.

(i) Scale of assessments.—It shall be the policy of the United States to use the voice, vote, and influence of the United States at the United Nations to make every effort to ensure that the difference in scale of assessments for the five permanent members of the Security Council is not greater than five times that of any other permanent member of the Security Council.

(2) Denial of use of veto.—If the Secretary of State determines that a permanent member of the Security Council with veto power is not in compliance with the requirement described in paragraph (1), the President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to make every effort to deny to such permanent member the use of the veto power of such permanent member until such time as such permanent member satisfies the requirements of such paragraph.

SECTION 1112. Weighted Voting.

It shall be the policy of the United States to use its weighted voting with respect to all budgetary and financial matters in the Administrative and Budgetary Committee and in the General Assembly in accordance with the level of the financial contribution of a Member State to the regular assessed budget of the United Nations.
that certifies that the conditions described in subsection (b) have been satisfied.  

(b) CONDITIONS.—The conditions under this subsection are the following:  

(1) UNITED NATIONS.—The United Nations is implementing budget practices that—  

(A) require the maintenance of a budget not in excess of the level agreed to by the United Nations budgetary and personnel resources, and shall not be dependent upon any other entity, bureau, division, department, or specialized agency of the United Nations for such funding.  

(2) PROGRAM EVALUATION.—  

(A) EXISTING AUTHORITY.—The Secretary General and the Director General of each specialized agency have existing authorities to conduct evaluations in accordance with the standardized methodology referred to in subparagraph (B) of—  

(i) United Nations programs approved by the General Assembly; and  

(ii) programs of the specialized agencies.  

(B) DEVELOPMENT OF EVALUATION CRITERIA.—  

(1) UNITED NATIONS.—The Office of Internal Oversight Services has developed a standardized methodology for the evaluation of United Nations programs approved by the General Assembly, including specific criteria for determining the continuing relevance and effectiveness of the programs.  

(ii) SPECIALIZED AGENCIES.—Patterned on the work of the OIOS, specialized agencies have used their existing evaluation programs that have satisfied the criteria for continuing relevance and effectiveness, and an identification of programs that have not satisfied such criteria and should be terminated.  

(C) REPORT.—The Secretary General is assessing budget requests and, on the basis of evaluations conducted under subparagraph (B) for the relevant preceding year, submits to the General Assembly a report containing the results of Internal Oversight Services and the Board of External Auditors.  

(D) SUNSET OF PROGRAMS.—Consistent with the July 15, 1995, recommendations of the Independent Oversight Board, including specific criteria for determining the continuing relevance and effectiveness of the programs, the United Nations is implementing procedures to require all new programs approved by the General Assembly to have a specific sunset date.  

SEC. 1114. ACCOUNTABILITY.  

(a) CREATION OF INDEPENDENT OVERSIGHT BOARD.—In accordance with section 1171, a certification shall be required that certifies that the following reforms related to the establishment of an Independent Oversight Board (IOB) have been adopted by the United Nations:  

(1) An IOB is established from existing United Nations budgetary and personnel resources. Except as provided in this subsection, the IOB shall be an independent entity within the United Nations and which shall not be subordinate to the authority of any entity within the United Nations.  

(2) The head of the IOB shall be a Director, who shall be nominated by the Secretary General and who shall be subject to Security Council approval by a majority vote. The IOB shall also consist of four other board members who shall be nominated by the Secretary General and subject to Security Council approval by a majority vote. The IOB shall be responsible to the Security Council and the Director and board members shall each serve terms of six years, except that the terms of the initial board shall be staggered so that no more than five of the board members will expire in any one year. No board member may serve more than two terms. An IOB board member may be removed for cause by a majority vote of the Security Council. The Director shall appoint a professional staff headed by a Chief of Staff and may employ contract personnel.  

(3) The IOB shall receive operational and budgetary funding through appropriations by the General Assembly from existing levels of United Nations budgetary and personnel resources, and shall not be dependent upon any other entity, bureau, division, department, or specialized agency of the United Nations for such funding.  

(4) While the IOB shall have the authority to evaluate all operations of the United Nations, the primary mission of the IOB is to evaluate the Office of Internal Oversight Services and the Board of External Auditors. The IOB may direct the Office of Internal Oversight Services or the Board of External Auditors to initiate an investigation of any aspect of the United Nations; or  

(b) CONDITIONS.—The conditions under this subsection are the following:  

(C) REPORT.—The Secretary General is assessing budget requests and, on the basis of evaluations conducted under subparagraph (B) for the relevant preceding year, submits to the General Assembly a report containing the results of Internal Oversight Services and the Board of External Auditors.  

(D) SUNSET OF PROGRAMS.—Consistent with the July 15, 1995, recommendations of the Independent Oversight Board, including specific criteria for determining the continuing relevance and effectiveness of the programs, the United Nations is implementing procedures to require all new programs approved by the General Assembly to have a specific sunset date.  

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(1) An IOB is established from existing United Nations budgetary and personnel resources. Except as provided in this subsection, the IOB shall be an independent entity within the United Nations and which shall not be subordinate to the authority of any entity within the United Nations.  

(2) The head of the IOB shall be a Director, who shall be nominated by the Secretary General and who shall be subject to Security Council approval by a majority vote. The IOB shall also consist of four other board members who shall be nominated by the Secretary General and subject to Security Council approval by a majority vote. The IOB shall be responsible to the Security Council and the Director and board members shall each serve terms of six years, except that the terms of the initial board shall be staggered so that no more than five of the board members will expire in any one year. No board member may serve more than two terms. An IOB board member may be removed for cause by a majority vote of the Security Council. The Director shall appoint a professional staff headed by a Chief of Staff and may employ contract personnel.  

(3) The IOB shall receive operational and budgetary funding through appropriations by the General Assembly from existing levels of United Nations budgetary and personnel resources, and shall not be dependent upon any other entity, bureau, division, department, or specialized agency of the United Nations for such funding.  

(4) While the IOB shall have the authority to evaluate all operations of the United Nations, the primary mission of the IOB is to evaluate the Office of Internal Oversight Services and the Board of External Auditors. The IOB may direct the Office of Internal Oversight Services or the Board of External Auditors to initiate an investigation of any aspect of the United Nations; or  

(b) CONDITIONS.—The conditions under this subsection are the following:  

(C) REPORT.—The Secretary General is assessing budget requests and, on the basis of evaluations conducted under subparagraph (B) for the relevant preceding year, submits to the General Assembly a report containing the results of Internal Oversight Services and the Board of External Auditors.  

(D) SUNSET OF PROGRAMS.—Consistent with the July 15, 1995, recommendations of the Independent Oversight Board, including specific criteria for determining the continuing relevance and effectiveness of the programs, the United Nations is implementing procedures to require all new programs approved by the General Assembly to have a specific sunset date.
throughout the contract cycle from the bid process to contract performance.

(8) Not later than six months after the date of the enactment of this Act, the Director shall establish the position of Associate Director of OIOS for Specialized Agencies and Funds and Programs who shall be responsible for supervising the OIOS liaison or oversight officers of the specialized agencies and funds and programs of the United Nations. With the concurrence of the Director, the Associate Director of OIOS for Specialized Agencies and Funds and Programs may, from existing levels of United Nations budgetary and personnel resources, hire and appoint necessary OIOS staff, including administrative and legal personnel, that specialized agencies and funds and programs permanently or as needed to liaison with existing audit functions within each specialized agency and fund and program.

(9) Not later than six months after the date of the enactment of this Act, the Director shall establish a position of Associate Director of OIOS for Peacekeeping Operations, who shall be responsible for the oversight and auditing of the field offices attached to United Nations peacekeeping operations. The Associate Director of OIOS for Peacekeeping Operations shall be responsible for initiating, conducting, and overseeing investigations within peacekeeping operations. The Associate Director of OIOS for Peacekeeping Operations shall be responsible for for hire an individual convicted in a generally recognized court of a democratically-elected government with an independent judiciary and an extradition treaty with the United States and the European Union for any crime or crimes involving financial misfeasance, malfeasance, fraud, or perjury.

(10) Not later than six months after the date of the enactment of this Act, the Director shall establish a position of Associate Director of OIOS for Procurement and Contract Integrity, who shall be responsible for auditing and procurement and contracting activities. The Associate Director of OIOS for Procurement and Contract Integrity shall be responsible for investigating, conducting, and overseeing investigations of procurement and contract activities. Not later than 12 months after the establishment of the position of Associate Director of OIOS for Procurement and Contract Integrity, the Director, with the assistance of the Associate Director of OIOS for Procurement and Contract Integrity, shall undertake a review of contract procedures to ensure that practices and policies are in place to ensure that:

(A) the United Nations has ceased issuing single bid contracts except for such contracts issued during an emergency situation that is justified by the Under Secretary General for Political Affairs;

(B) the United Nations has established effective controls to prevent conflicts of interest in the award of contracts; and

(C) the United Nations has established effective procedures and policies to ensure effective and comprehensive oversight and monitoring of United Nations contract performance.

(e) CERTIFICATION OF ESTABLISHMENT OF UNITED NATIONS OFFICE OF ETHICS.—In accordance with section 1171, a certification shall be required that certifies that the following reforms related to the establishment of the United Nations Office of Ethics have been adopted by the United Nations:

(1) A United Nations Office of Ethics (UNOE) is established. The UNEO shall be an independent entity within the United Nations and shall not be subject to budget allocations or the control of any entity within the United Nations. The UNEO shall be responsible for establishing, managing, and enforcing a code of ethics for all employees of the United Nations and its specialized agencies. The UNEO shall also be responsible for providing such employees with annual training related to such code. The Secretary General shall appoint the Director of the UNEO who shall be nominated by the Secretary General and who shall be subject to Security Council approval by majority vote. The UNEO shall promulgate ethics rules, including the following:

(A) No employee of any United Nations entity, bureau, division, department, or specialized agency may be compensated while participating in the domestic politics of the country of such employee, except for voting or acting as part of a Security Council, General Assembly, or legitimately authorized United Nations mission or assignment.

(B) No United Nations entity, bureau, division, department, or specialized agency that is convicted in a generally recognized court of a democratically-elected government with an independent judiciary and an extradition treaty with the United States and the European Union for any crime or crimes involving financial misfeasance, malfeasance, fraud, or perjury may contract with the United Nations.

(C) The employment of any United Nations entity, bureau, division, department, or specialized agency who is convicted of any crime or crimes involving financial misfeasance, malfeasance, fraud, or perjury shall be subject to termination.

(D) If an employee of any United Nations entity, bureau, division, department, or specialized agency has contact with a convicted individual, such contact shall be supervised by such employee and, upon request, be made available to Member States.

(2) The UNEO shall receive operational and budgetary funding through appropriations by the General Assembly from existing levels of United Nations budgetary and personnel resources, and may exercise such other powers as from time to time may be assigned to the UNEO by the Secretary General.

(f) WAIVER OF IMMUNITY.—The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to ensure that the Secretary General exercises the right and duty of the Secretary General under section 20 of the Convention on the Privileges and Immunities of the United Nations to waive the immunity of any official in any case in which such immunity would impede the course of justice. In exercising such waiver, the Secretary General is urged to interpret the provisions of the United Nations as favoring the investigation or prosecution of a United Nations official who is credibly charged with a serious criminal offense.

(g) C E RTIFICATION OF UNITED NATIONS CO-OPERATION RELATING TO OIL-FOR-FOOD PROGRAM.
(1) ACTIONS.—In accordance with section 1171, a certification shall be required that certifies that the following actions relating to the oil-for-food program have been taken by the United States:

(a) The United Nations Secretary General has authorized the release to a law enforcement authority of any Member State (upon request of a law enforcement authority to the United Nations of such Member State on behalf of such law enforcement authority) or to a national legislative authority any document in the possession of the United Nations, including any document in the possession of a person who was engaged to provide services to the United Nations, that in the judgment of such requesting law enforcement authority or national legislative authority, directly concerns the oil-for-food program or a sanction imposed on Iraq related to the oil-for-food program.

(b) The United Nations has waived any immunity enjoyed by any United Nations official from the judicial process in the United States for any civil or criminal acts or omissions under Federal or State law that may have occurred within the jurisdiction of the United States in connection with the oil-for-food program.

(2) DEFINITION.—As used in this subsection, the term ‘oil-for-food program’ means the program established and administered pursuant to United Nations Security Council Resolution 688 (April 14, 1993) and subsequent United Nations resolutions to permit the sale of petroleum products exported from Iraq and to use the revenue generated from such sale for humanitarian assistance.

SEC. 1115. TERRORISM AND THE UNITED NATIONS.

The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to work toward adoption by the General Assembly of:

(1) a definition of terrorism that builds upon the recommendations of the Secretary General’s High-Level Panel on Threats, Challenges, and Change, and includes as an essential component of such definition any action that is intended to cause death or serious bodily harm to civilians with the purpose of intimidating or compelling a government or an international organization to do, or abstain from doing, any act; and

(2) a comprehensive convention on terrorism that includes the definition described in paragraph (1).

SEC. 1116. UNITED NATIONS TREATY BODIES.

The United States shall withhold from United States contributions to the regular assessed budget of the United Nations for a biennial period amounts that are proportional to the percentage of such budget that are expended with respect to a United Nations human rights treaty monitoring body or committee that was established by:

(1) resolutions without any protocols or an international covenant (without any protocols) to which the United States is not party; or

(2) a convention, with a subsequent protocol, if the United States is a party to neither.

SEC. 1117. EQUALITY AT THE UNITED NATIONS.

(a) INCLUSION OF ISRAEL IN WEOG.—

(1) IN GENERAL.—The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to seek the implementation of the recommendations contained in the report required under subsection (b)(1).

(2) WITHHOLDING OF FUNDS.—Until such recommendations have been implemented, the United States shall withhold from United States contributions to the regular assessed budget of the United Nations, for the biennial period amounts that are proportional to the percentage of such budget that are expended for such entities.

(b) REPORT TO CONGRESS.—Not later than 180 days after the date of the enactment of this Act, and one year thereafter, the Secretary shall submit to the appropriate congressional committees a report on United Nations reform since 1990.

(c) CONTENTS.—The report required under paragraph (1) shall include:

(1) the status of the implementation of the recommendations contained in the report required under subsection (b)(1); and

(2) United States actions and achievements under subsection (c).

SEC. 1118. REPORT ON UNITED NATIONS REFORM.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and one year thereafter, the Secretary shall submit to the appropriate congressional committees a report on United Nations reform since 1990.

(b) CONTENTS.—The report required under paragraph (1) shall include:

(1) the status of the implementation of management reforms within the United Nations and its specialized agencies; and

(2) the number of outputs, reports, or other items generated by General Assembly resolutions that have been eliminated;

(3) the progress of the General Assembly to modernize and streamline the committee structure and its specific recommendations on oversight and committee outputs, consistent with the March 2005 report of the Secretary General entitled “In larger freedom: towards development, security and human rights for all”;

(4) an audit of the functions of the United Nations Secretariat that is compensated at the P–5 level and above;

(5) the implementation of a code of conduct and ethics training;

(6) an evaluation of the recommendations relating to the establishment of a rotation requirement for nonadministrative positions; and

(7) an evaluation of the recommendations relating to the establishment of a merit-based hiring system and enhanced regulations concerning termination of employment of employees;

(8) policy recommendations relating to the reduction in travel allowances and attendant oversight with respect to accommodations and airline flights; and

(9) an evaluation of the recommendations of the Secretary General relating to greater flexibility for the Secretary General in staffing decisions to accommodate changing priorities.

SEC. 1120. REPORT ON UNITED STATES CONTRIBUTIONS TO THE UNITED NATIONS.

Not later than one year after the date of the enactment of this Act, the Director of the Office of Management and Budget shall submit to the Committee on International Relations of the House of Representatives, the Committee on Foreign Relations of the Senate, the Committee on Appropriations of the House of Representatives, and the Committee on Appropriations of the Senate a report on United States contributions to the United Nations that examine assessed, voluntary, in-kind, and all other United States contributions.
SEC. 1121. UNITED NATIONS SECURITY COUNCIL AND LEBANON.

(a) RESOLUTION 1559.—The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to make every effort to ensure that the Security Council is undertaking the necessary steps to secure the implementation of Security Council Resolution 1559, including—

(1) deploying United Nations inspectors to verify and certify to the Security Council that—

(A) all foreign forces, including intelligence, security, and policing forces, have been withdrawn; and

(B) all militias in Lebanon have been permanently disarmed and dismantled and their weapons have been demobilized; and

(2) continuing the presence of United Nations elections monitoring teams in Lebanon to verify and certify to the Security Council that—

(A) citizens of Lebanon are not being targeted for assassination by foreign forces, in particular by foreign forces of Syria, or by their proxies, in the implementation of intimidation and coercion in an effort to manipulate the political process in Lebanon;

(B) elections in Lebanon are being conducted in an transparent manner and are free of foreign interference; and

(C) that such foreign forces, or their proxies, are not seeking to infringe upon the territorial integrity or political sovereignty of Lebanon.

(b) UNITED STATES ACTION.—If the steps described in paragraphs (1) and (2) of subsection (a) have not been verified and certified to the Security Council by July 31, 2005, or by the date that is not later than 30 days after the date of the enactment of this Act, without the vote of the President, the President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to secure the adoption of a resolution in the Security Council imposing punitive measures on the governments of countries whose forces remain in Lebanon in violation of Security Council Resolution 1559 and who directly, or through proxies, are infringing upon the territorial integrity or political sovereignty of Lebanon.

SEC. 1122. POLICY WITH RESPECT TO EXPANSION OF THE SECURITY COUNCIL.

It shall be the policy of the United States to use its voice, vote, and influence at the United Nations to oppose any proposals on expansion of the Security Council if such expansion would—

(1) diminish the influence of the United States on the Security Council;

(2) include veto rights for any new members of the Security Council; or

(3) undermine the effectiveness of the Security Council.

SEC. 1123. GENOCIDE AND THE UNITED NATIONS.

(a) UNITED STATES ACTION.—The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to make every effort to ensure the formal adoption and implementation of resolutions to—

(1) suspend the membership of a Member State if it is determined that the government of such Member State is engaged in or complicity commission of, genocide, ethnic cleansing, or crimes against humanity;

(2) impose an arms and trade embargo and travel restrictions on, and freeze the assets of, all groups and individuals responsible for committing or allowing such acts of genocide, ethnic cleansing, or crimes against humanity; or

(c) state policy of the United States to use the voice, vote, and influence at the United Nations to—

(1) abolish secret voting in the Economic and Social Council; and

(2) ensure that, until such time as the Commission on Human Rights of the United Nations is abolished, only countries that are not ineligible for membership on a human rights body make such anti-Semitic statements or references in any forum of the United Nations and its specialized agencies, or Member States, that make such anti-Semitic statements or references in any forum of the United Nations or its specialized agencies; and

(d) implement specific education awareness programs on the Holocaust and anti-Semitism throughout the world, as part of an effort to combat intolerance and hatred;

(e) continue working toward further reduction of anti-Semitic language and anti-Israel resolutions in the United Nations and its specialized agencies; and

(f) certifies that the mechanisms described in subsection (a) have been satisfied.

(b) CERTIFICATION.—In accordance with section 1171, a certification shall be required that certifies that the human rights reforms described under subsection (b) have been adopted by the United Nations.

(c) STATEMENT OF POLICY.—It shall be the policy of the United States to continue to strongly support the Office of the United Nations High Commissioner for Human Rights.

(d) PREVENTION OF ABUSE OF “NO ACTION” MOTIONS.—The United States Permanent Representative shall work to prevent abuse of “no action” motions, particularly as such motions relate to country specific resolutions.

(e) OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS.—An office of the United States shall be the principal body in the United Nations for the promotion and protection of human rights.

SEC. 1124. ANTI-SEMITISM AND THE UNITED NATIONS.

(a) IN GENERAL.—The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to make every effort to—

(1) ensure the adoption and implementation of a directive by the Secretary General or the Secretariat, as appropriate, that—

(A) requires all employees of the United Nations High Commissioner for Human Rights and its specialized agencies to officially and publicly condemn anti-Semitic statements made at any session of the United Nations or its specialized agencies, or at any other session sponsored by the United Nations;

(B) requires employees of the United Nations and its specialized agencies to be subject to punitive measures, including immediate dismissal, for making anti-Semitic statements or references;

(C) proposes specific recommendations to the General Assembly for the establishment of mechanisms to hold accountable employees and officials of the United Nations and its specialized agencies, or Member States, that make such anti-Semitic statements or references in any forum of the United Nations or its specialized agencies; and

(D) develops and implements education awareness programs on the Holocaust and anti-Semitism throughout the world, as part of an effort to combat intolerance and hatred;

(2) work to secure the adoption of a resolution by the General Assembly that establishes the mechanisms described in paragraph (1); and

(3) continue toward further reduction of anti-Semitic language and anti-Israel resolutions in the United Nations and its specialized agencies.

(b) CERTIFICATION.—In accordance with section 1171, a certification shall be required that certifies that the Office of the United Nations High Commissioner for Human Rights has been given greater authority in field operation activities, such as in the Darfur region of Sudan and in the Democratic Republic of Congo, in furtherance of the purpose and mission of the United Nations.

(c) PROHIBITION ON CONTACT WITH MEMBER STATES SUBJUGATED BY AN EMPLOYER FROM ANY UNITED NATIONS ENTITY, BUREAU, DIVISION, DEPARTMENT, OR SPECIALIZED AGENCY, INCLUDING BUSINESS CONTACT, WITH A MEMBER STATE THAT IS SUBJECT TO UNITED NATIONS SANCTIONS.

SEC. 1132. ECONOMIC AND SOCIAL COUNCIL (ECOSOC).

(a) STATEMENT OF POLICY.—It shall be the policy of the United States to use its voice, vote, and influence at the United Nations to—

(1) abolish secret voting in the Economic and Social Council (ECOSOC); and

(2) ensure that, until such time as the Commission on Human Rights of the United Nations is abolished, only countries that are not ineligible for membership on a human rights body
rights body in accordance with paragraphs (1) through (4) of section 1131(b) shall be considered for membership on the Commission on Human Rights; and

(3) No nuclear candidate country is nominated for membership on the Commission on Human Rights, the Economic and Social Council conducts a recorded vote to determine such membership.

(b) CERTIFICATION.—In accordance with section 1171, a certification shall be required that certifies that the policies described in subsection (a) have been implemented by the Economic and Social Council.

SEC. 1133. UNITED NATIONS DEMOCRACY FUND.

(a) IN GENERAL.—The President shall direct the United States Permanent Representative to the IAEA to use the voice, vote, and influence of the United States at the United Nations to make every effort to—

(1) establish a Democracy Fund at the United Nations to be administered by Member States of the United Nations Democracy Caucus;

(2) secure political and financial support for the Democracy Fund from Member States of the United Nations Democracy Caucus; and

(3) establish criteria that limits recipients of assistance from the Democracy Fund to Member States that—

(A) are not ineligible for membership on any United Nations body that right body, in accordance with paragraphs (1) through (4) of section 1131(b); and

(B) are determined by the Secretary of State to be emerging democracies or democracies in transition.

(b) POLICY RELATING TO FUNDING FOR THE DEMOCRACY FUND.—It shall be the policy of the United States Government to use the voice, vote, and influence of the United States at the United Nations to secure, as part of the regular budgetary process of the United Nations, a detailed breakdown by country of expenditures of the IAEA for safeguards inspections and nuclear security activities.

(c) MEMBERSHIP.—The President shall direct the United States Permanent Representative to the IAEA to use the voice, vote, and influence of the United States at the IAEA to make every effort to ensure that the IAEA changes the policy regarding the United Nations Democracy Caucus to reflect the principles described in subsection (a).

Subtitle C—International Atomic Energy Agency

SEC. 1141. INTERNATIONAL ATOMIC ENERGY AGENCY.

(a) ENFORCEMENT AND COMPLIANCE.—

(1) OFFICE OF COMPLIANCE.—

(A) ESTABLISHMENT.—The President shall direct the United States Permanent Representative to the IAEA to use the voice, vote, and influence of the United States at the IAEA to establish an Office of Compliance in the Secretariat of the IAEA.

(B) OPERATION.—The Office of Compliance shall—

(i) function as an independent body composed of technical experts who shall work in consultation with IAEA inspectors to assess compliance by IAEA Member States and provide advice to the IAEA concerning safeguards of the IAEA or the Department of Nuclear Safety and Security of the IAEA;

(ii) base its assessments and recommendations on IAEA inspection reports; and

(iii) shall take into consideration information provided by IAEA Board Members that are one of the five nuclear weapons states as recognized by the Treaty on the Non-Proliferation of Nuclear Weapons (21 UST 483 (commonly referred to as the “NPT”)).

(C) STAFFING.—The Office of Compliance shall be staffed from existing personnel in the Department of State or another United States government agency.

(2) SPECIAL COMMITTEE ON SAFEGUARDS AND VERIFICATION.—

(A) ESTABLISHMENT.—The President shall direct the United States Permanent Representative to the IAEA to use the voice, vote, and influence of the United States at the IAEA to establish a Special Committee on Safeguards and Verification.

(B) RESPONSIBILITIES.—The Special Committee shall—

(i) improve the ability of the IAEA to monitor and enforce compliance by Member States of the IAEA with the Nuclear Nonproliferation Treaty and the Statute of the International Atomic Energy Agency; and

(ii) consider any measures necessary to enhance the ability of the IAEA, beyond the verification mechanisms and authorities contained in the Additional Protocol, to safeguard that the IAEA and Member States of the IAEA, to detect with a high degree of confidence undeclared nuclear activities by a Member State.

(3) PENALTIES WITH RESPECT TO THE IAEA.—

(A) IN GENERAL.—The President shall direct the United States Permanent Representative to the IAEA to use the voice, vote, and influence of the United States at the IAEA to ensure that a Member State of the IAEA that is under investigation for a breach of or noncompliance with its IAEA obligations or the purposes and principles of the Charter of the United Nations has its privileges and immunities—

(i) limiting its ability to vote on its case; and

(ii) being prevented from receiving any technical assistance; and

(iii) being prevented from hosting meetings.

(B) TERMINATION OF PENALTIES.—The penalties specified under subparagraph (A) shall be terminated when investigation is concluded and such Member State is no longer in such breach or noncompliance.

(4) PENALTIES WITH RESPECT TO THE NUCLEAR NONPROLIFERATION TREATY.—The President shall direct the United States Permanent Representative to the IAEA to use the voice, vote, and influence of the United States at the IAEA to ensure that a Member State of the IAEA that is found to be in breach of, in noncompliance with, or has withdrawn from the Nuclear Nonproliferation Treaty shall withdraw all nuclear materials and technology received from the IAEA, any Member State of the IAEA, or any Member State of the Nuclear Nonproliferation Treaty.

(b) UNITED STATES CONTRIBUTIONS.—

(1) VOLUNTARY CONTRIBUTIONS.—Voluntary contributions from United States to the IAEA should primarily be used to fund activities relating to Nuclear Safety and Security or activities relating to Nuclear Verification.

(2) LIMITATION OF USE OF FUNDS.—The President shall direct the United States Permanent Representative to the IAEA to use the voice, vote, and influence of the United States at the IAEA to—

(A) ensure that funds for safeguards inspections are prioritized for countries that have newly established nuclear programs or are initiating nuclear programs; and

(B) block the allocation of funds for any other IAEA development, environmental, or other nuclear assistance or activity to a country—

(i) the government of which the Secretary of State has determined, for purposes of section 602 of the Export Administration Act of 1979, section 620A of the Foreign Assistance Act of 1961, section 40 of the Arms Export Control Act, or other provision of law, is a proliferator of, or is providing support for, acts of international terrorism and the government of which the Secretary has determined has not dismantled and surrendered its weapons of mass destruction programs under international verification; or

(ii) that is under investigation for a breach of or noncompliance with its IAEA obligations or the purposes and principles of the Charter of the United Nations; or

(iii) that is in violation of its IAEA obligations or the purposes and principles of the Charter of the United Nations.

(3) DETAIL OF EXPENDITURES.—The President shall direct the United States Permanent Representative to the IAEA to use the voice, vote, and influence of the United States at the IAEA to secure, as part of the regular budgetary process of the United Nations, a detailed breakdown by country of expenditures of the IAEA for safeguards inspections and nuclear security activities.

(c) MEMBERSHIP.—The President shall direct the United States Permanent Representative to the IAEA to use the voice, vote, and influence of the United States at the IAEA to make every effort to modify the criteria for Board membership to reflect the principles described in paragraph (1).

(d) SMALL QUANTITIES PROTOCOL.—The President shall direct the United States Permanent Representative to the IAEA to use the voice, vote, and influence of the United States at the IAEA to—

(1) rescind and eliminate the Small Quantities Protocol; and

(2) require that any IAEA Member State that has previously signed a Small Quantities Protocol to sign, ratify, and implement the Additional Protocol and—

(A) provide full access to IAEA inspectors to its nuclear-related facilities, and agree to the strongest inspections regime of its nuclear effects; and

(B) require that any IAEA Member State that does not comply with paragraph (2) to be ineligible to receive nuclear material, technology, equipment, or assistance from any IAEA Member State and subject to the penalties described in subsection (a)(3).

(e) NUCLEAR PROGRAM OF IRAN.—

(1) UNITED STATES ACTION.—The President shall direct the United States Permanent Representative to the IAEA to use the voice, vote, and influence of the United States at the IAEA to—

(A) ensure that funds for safeguards inspections are prioritized for countries that have newly established nuclear programs or are initiating nuclear programs; and

(B) block the allocation of funds for any other IAEA development, environmental, or other nuclear assistance or activity to a country—

(i) the government of which the Secretary of State has determined, for purposes of section 602 of the Export Administration Act of 1979, section 620A of the Foreign Assistance Act of 1961, section 40 of the Arms Export Control Act, or other provision of law, is a proliferator of, or is providing support for, acts of international terrorism and the government of which the Secretary
(2) PENALTIES.—If an IAEA Member State is determined to have violated the prohibition on assistance to Iran described in paragraph (1) before the IAEA Board of Governors determines that Iran has satisfied the conditions described in subparagraph (A), the Board of Governors shall be unable to receive any IAEA assistance not related to safeguards inspections or nuclear security until such time as the IAEA Board of Governors makes such determination with respect to Iran.

(f) REPORT.—Not later than six months after the date of enactment of this Act and annually for two years thereafter, the President shall submit to the appropriate congressional committees a report on the implementation of this section.

SEC. 1142. SENSE OF CONGRESS REGARDING THE NUCLEAR SECURITY ACTION PLAN OF THE IAEA

It is the sense of Congress that the national security interests of the United States are enhanced by the Nuclear Security Action Plan of the IAEA and the Board of Governors should recommend, and the General Conference of the IAEA should adopt, a minimum standard of qualifications for senior leaders and managers, with particular emphasis on specific skills and experience, and, as appropriate, on individuals who do not meet those standards should be removed or reassigned.

SEC. 1151. SENSE OF CONGRESS REGARDING REFORM OF UNITED NATIONS PEACEKEEPING OPERATIONS

It is the sense of Congress that—

(1) although United Nations peacekeeping operations have provided critical, greatly increased stability for the past 57 years and the majority of peacekeeping personnel who have served under the United Nations have done so with honor and courage, the record of United Nations peacekeeping has been severely tarnished by operational failures and unconscionable acts of misconduct; and

(2) if the reputation of and confidence in United Nations peacekeeping operations is to be restored, fundamental and far-reaching reforms in the areas of training, management, training, conduct, and discipline, must be implemented without delay.

SEC. 1152. STATEMENT OF POLICY RELATING TO REFORM OF UNITED NATIONS PEACEKEEPING OPERATIONS

It shall be the policy of the United States to pursue United Nations peacekeeping operations in the following areas:

(1) PLANNING AND MANAGEMENT.—

(A) GLOBAL AUDIT.—As the size, cost, and number of United Nations peacekeeping operations have increased substantially over the past decade, an independent audit of each such operation, with a view toward "right sizing" and eliminating cost ineffective, such operations are cost effective, should be conducted and its findings reported to the Security Council.

(B) REVIEW OF MANDATES AND CLOSING OPERATIONS.—In conjunction with the audit described in subparagraph (A), the United Nations Department of Peacekeeping Operations should conduct a comprehensive review of all United Nations peacekeeping operation mandates, with a view toward identifying objectives that are practical and achievable, and report its findings to the Security Council. In particular, the review should consider the following:

(i) Activities that fall beyond the scope of traditional peacekeeping activities and are now delegated to a new Peacebuilding Commission, described in paragraph (3).

(ii) Long-standing operations that are static and cannot fulfill their mandate should be downsized or closed.

(iii) Where there is legitimate concern that the withdrawal from a country of another static United Nations peacekeeping operation would result in the resumption of major conflict, a burden-sharing arrangement between contributing countries, and cannot fulfill their mandate should be downsized or closed.

(C) LEADERSHIP.—As peacekeeping operations have increased in complexity, there should be adopted a minimum standard of qualifications for senior leaders and managers, with particular emphasis on specific skills and experience, and, as appropriate, on individuals who do not meet those standards should be removed or reassigned.

(D) PRE-DEPLOYMENT TRAINING.—Pre-deployment training on interpretation of the mandate of the operation, specifically in the areas of use of force, civilian protection and field conditions, the Code of Conduct, HIV/AIDS, and the Code of Ethics and, and, all personnel, regardless of category or rank, should be trained in a code of conduct, including immediate termination if the operation. The Code of Conduct shall be included in training to the extent that each has received and understands the Code of Conduct as a condition of participation in the operation.

(E) GRATIS MILITARY PERSONNEL.—The General Assembly should lift restrictions on the use of military personnel by the Department so that the Department may accept secondments from Member States of military personnel with expertise in mission planning, logistics, and other operations.

(F) CONDUCT AND DISCIPLINE.—

(i) the investigative body should include a military prosecutor who will participate in any investigation into an allegation of misconduct, and

(ii) the investigative body should be regionally based to ensure rapid deployment and should include military, legal, and investigative personnel.

(G) LEADERSHIP.—As peacekeeping operations have increased in complexity, there should be adopted a minimum standard of qualifications for senior leaders and managers, with particular emphasis on specific skills and experience, and, as appropriate, on individuals who do not meet those standards should be removed or reassigned.

(H) PRE-DEPLOYMENT TRAINING.—Pre-deployment training on interpretation of the mandate of the operation, specifically in the areas of use of force, civilian protection and field conditions, the Code of Conduct, HIV/AIDS, and the Code of Ethics and, and, all personnel, regardless of category or rank, should be trained in a code of conduct, including immediate termination if the operation.

(i) the investigative body should include a military prosecutor who will participate in any investigation into an allegation of misconduct, and

(ii) the investigative body should be regionally based to ensure rapid deployment and should include military, legal, and investigative personnel.

SEC. 1153. SENSE OF CONGRESS REGARDING THE NUCLEAR SECURITY ACTION PLAN OF THE IAEA

It is the sense of Congress that the national security interests of the United States are enhanced by the Nuclear Security Action Plan of the IAEA and the Board of Governors should recommend, and the General Conference of the IAEA should adopt, a minimum standard of qualifications for senior leaders and managers, with particular emphasis on specific skills and experience, and, as appropriate, on individuals who do not meet those standards should be removed or reassigned.

SEC. 1154. SENSE OF CONGRESS REGARDING THE NUCLEAR SECURITY ACTION PLAN OF THE IAEA

It is the sense of Congress that the national security interests of the United States are enhanced by the Nuclear Security Action Plan of the IAEA and the Board of Governors should recommend, and the General Conference of the IAEA should adopt, a minimum standard of qualifications for senior leaders and managers, with particular emphasis on specific skills and experience, and, as appropriate, on individuals who do not meet those standards should be removed or reassigned.
personal liability and reinforcing an atmosphere of impunity.

(ii) If an individual responsible for misconduct has been repatriated, reinstalled, or deployed to another nation, or is unable to provide assistance, responsibility for providing assistance to a victim should be assigned to the Member State that contributed to the troop contributing country concerned.

(iii) In the case of misconduct by a member of a military contingent, appropriate funds shall be credited to the troop contributing country concerned.

(iv) In the case of misconduct by a civilian employed or contractor of the United Nations, appropriate wages shall be garnished from such individual or fines shall be imposed against such individual, consistent with existing United Nations Staff Regulations.

(G) MANAGERS AND COMMANDERS.—The manner in which managers and commanders handle cases of misconduct by those serving under them should be included in their individual performance evaluations, so that managers and commanders who take decisive action to deter and address misconduct are rewarded, while those who create a permissive environment or impede investigations are penalized or relieved of duty, as appropriate.

(H) DATA BASE.—A centralized data base should be created and maintained within the United Nations Department of Peacekeeping Operations to track cases of misconduct, including the outcome of investigations and subsequent prosecutions, to ensure that personnel who have engaged in misconduct or other criminal activities, regardless of category or rank, are permanently barred from participation in future peacekeeping operations.

(I) WELFARE.—Peacekeeping operations should assume responsibility for maintaining a minimum standard of welfare for mission personnel to ameliorate conditions of service, while adjustments are made to the discretionary welfare payments currently provided to Member States that contribute troops to offset the cost of operation-provided recreational facilities.

(3) PEACEKEEPING COLLEGE.—

(A) ESTABLISHMENT.—Consistent with the recommendations of the High Level Panel Report on Peacebuilding, the Commission should establish a Peacebuilding Commission, supported by a Peacebuilding Support Office, to marshal the efforts of the United Nations and other existing international financial institutions, donors, and nongovernmental organizations to assist countries in transition from war to peace.

(B) FUNDING AND MEMBERSHIP.—The Commission should—

(1) be a subsidiary body of the United Nations Security Council, limited in size to ensure cost-effectiveness.

(2) include members of the United Nations Security Council, major donors, major troop contributing countries, appropriate United Nations agencies, the World Bank, and the International Monetary Fund; and

(3) invite the President of ECOSOC, regional actors, Member States that contribute troops, regional development banks, and other concerned parties that are not already members, as determined appropriate, to consult or participate in meetings as observers.

(C) RESPONSIBILITIES.—The Commission should seek to ease the demands currently placed upon the Department of Peacekeeping Operations by more clearly defining the scope of traditional peacekeeping, by—

(i) developing and integrating country-specific and sectoral strategies; post-conflict prevention, and long-term development policies and strategies; and

(ii) serving as the key coordinating body for the design and implementation of military, humanitarian, and civil administration aspects of complex missions.

(D) RIGHT TO CONSULT.—Establishment of the Peacebuilding Commission and the related Peacebuilding Support Office, should be staffed within existing resources.

SEC. 1151. CERTIFICATION.

(A) NEW OR EXPANDED PEACEKEEPING OPERATIONS CONTINGENT UPON PRESIDENTIAL CERTIFICATION OF PEACEKEEPING OPERATIONS REFORMS.—

(1) NO NEW OR EXPANDED PEACEKEEPING OPERATIONS.—

(A) CERTIFICATION.—Except as provided in subparagraph (B), until the Secretary of Defense certifies to the appropriate congressional committees that the following reforms, or an equivalent set of reforms, related to peacekeeping operations have been adopted by the United Nations Department of Peacekeeping Operations or the General Assembly, as appropriate:

(i) A single, uniform Code of Conduct that has the status of a binding rule and applies equally to all personnel serving in United Nations peacekeeping operations, regardless of category or rank, has been adopted by the appropriate congressional committees that the following reforms, or an equivalent set of reforms, related to peacekeeping operations have been adopted by the United Nations Department of Peacekeeping Operations or the General Assembly, as appropriate:

(ii) include members of the United Nations Security Council, the World Bank, and the International Monetary Fund; and

(iii) invite the President of ECOSOC, regional actors, Member States that contribute troops, regional development banks, and other concerned parties that are not already members, as determined appropriate, to consult or participate in meetings as observers.

(C) RESPONSIBILITIES.—The Commission should seek to ease the demands currently placed upon the Department of Peacekeeping Operations by more clearly defining the scope of traditional peacekeeping, by—

(i) developing and integrating country-specific and sectoral strategies; post-conflict prevention, and long-term development policies and strategies; and

(ii) serving as the key coordinating body for the design and implementation of military, humanitarian, and civil administration aspects of complex missions.

(D) RIGHT TO CONSULT.—Establishment of the Peacebuilding Commission and the related Peacebuilding Support Office, should be staffed within existing resources.

SEC. 1152. BUDGET JUSTIFICATION FOR REGULARLY ASSESSED BUDGET OF THE UNITED NATIONS.

(A) DETAILED ITEMIZATION.—

(i) contain information relating to the amounts requested in support of each of the various sections and titles of the regular assessed budget of the United Nations; and
(2) compare the amounts requested for the current year with the actual or estimated amounts contributed by the United States in previous fiscal years for the same sections and titles.

(c) Adjustments and Notification.—If the United Nations proposes an adjustment to its regular assessed budget, the Secretary of State shall conduct a review of the programs of the United Nations that are funded through assessed contributions and submit to the appropriate congressional committees a report containing—

(i) the findings of such review; and

(ii) a recommendation relating to the following:

(A) the continuation of such programs; and

(B) which of such programs should be voluntarily funded, other than those specified in subsection (a) of section 1113, paragraphs (2)(I) through (2)(XV) of section 11 of the United Nations Participation Act of 1945, as amended by section 1111(c) of this title.

SEC. 1163. REVIEW AND REPORT.

Not later than six months after the date of the enactment of this Act, the Secretary of State shall conduct a review of programs of the United Nations that are funded through assessed contributions and submit to the appropriate congressional committees a report containing—

(i) the findings of such review; and

(ii) a recommendation relating to the following:

(A) the continuation of such programs; and

(B) which of such programs should be voluntarily funded, other than those specified in subsection (a) of section 1113, paragraphs (2)(I) through (2)(XV) of section 11 of the United Nations Participation Act of 1945, as amended by section 1111(c) of this title.

(b) Withholding of United States Contributions to Regular Assessed Budget of the United Nations.—

(1) General.—Except as provided in paragraph (4), in accordance with paragraph (1), the Secretary shall submit to the appropriate congressional committees a report containing—

(i) the findings of such review; and

(ii) a recommendation relating to the following:

(A) the continuation of such programs; and

(B) which of such programs should be voluntarily funded, other than those specified in subsection (a) of section 1113, paragraphs (2)(I) through (2)(XV) of section 11 of the United Nations Participation Act of 1945, as amended by section 1111(c) of this title.

(2) Alternate Certification Mechanism.—

(A) General.—Except as provided in paragraph (3), in accordance with paragraph (1), the Secretary shall submit to the appropriate congressional committees a written certification that the requirements of the section to which the original certification applies have been implemented through reforms that are substantially similar to the requirements of such section or accomplish the same purposes as the requirements of such section.

(B) Equivalency.—Reforms are substantially similar or accomplish the same purposes if—

(i) such reforms are formally adopted in written form by the entity or committee of the United Nations or of its specialized agency that has authority to enact or implement such reforms or are issued by the Secretary or the appropriate entity or committee in written form; and

(ii) such reforms are not identical to the reforms required by a particular certification but in the determination of the Secretary will have the same, or nearly the same effect, as such reforms.

(C) Written Justification and Consultation.—

(1) Written justification.—Not later than 12 months after the date of the enactment of this Act and 12 months thereafter and on a biennial basis thereafter, the Comptroller General shall submit to the appropriate congressional committees a report on the status of the 1997, 2002, and 2005 managed-reform initiatives initiated by the Secretary General and on the reforms mandated by title XVI.

(2) Report on Department of State Certifications.—Not later than six months after each certification submitted by the Secretary of State to the appropriate congressional committees under this title and subsection (d)(3) of section 11 of the United Nations Participation Act of 1945 (as amended by section 1111(c) of this title), the Comptroller General shall submit to the appropriate congressional committees a report on such certification. The Secretary shall provide the Comptroller General with any information that the Comptroller General believes is necessary to determine the effect of the certification.

(c) United Nations Construction and Contracting.—Not later than six months after the date of the enactment of this Act and 12 months thereafter, the Comptroller General shall submit to the Committee on International Relations of the House of Representatives, the Committee on Foreign Relations of the Senate, the Committee on Appropriations of the House of Representatives, and the Committee on Appropriations of the Senate a report describing the policies of the United States with respect to the contracting for and construction of the Geneva, Switzerland, buildings of the World Meteorological Organization (WMO) and the World Intellectual Property Organization (WIPO). The report shall include analyses of the procurement procedures for such building and shall specifically address issues of any corrupt contracting practices that are identified, such as rigged bids and kickbacks, as well as other improprieties. The report shall also include an identification of other credible allegations of corrupt contracting at United Nations construction projects that involve major construction on a scale comparable to the WMO and WIPO construction projects, an investigation into each such credible allegation, and a conclusion as to whether the Secretary shall submit to the appropriate congressional committees a report containing—

(i) the findings of such review; and

(ii) a recommendation relating to the following:

(A) the continuation of such programs; and

(B) which of such programs should be voluntarily funded, other than those specified in subsection (a) of section 1113, paragraphs (2)(I) through (2)(XV) of section 11 of the United Nations Participation Act of 1945, as amended by section 1111(c) of this title.

(2) Application with Respect to Section 11 of the United Nations Participation Act of 1945.—Until such time as all certifications (or alternate certifications) are submitted in accordance with subsection (a), the United States shall appropriate, but withhold from expenditure, 50 percent of the contributions made by the United States to the regular assessed budget of the United Nations for a biennial period.

(3) Special Rule.—A certification under subsection (d)(3) of section 11 of the United Nations Participation Act of 1945 (as amended by section 1111(c) of this title) shall be administered as though such section reads as follows: "The Secretary may not make a contribution to a regularly assessed biennial budget of the United Nations in an amount greater than 11 percent of the amount calculated under subsection (c)."

(4) Application with Respect to Section 11(B) of the United Nations Participation Act of 1945.—Until such time as all certifications (or alternate certifications) are submitted in accordance with subsection (a), subsection (b) of section 11 of the United Nations Participation Act of 1945 (as amended by section 1111(c) of this title) shall be administered as though such section reads as follows: "The Secretary may not make a contribution to a regularly assessed biennial budget of the United Nations in an amount greater than 11 percent of the amount calculated under subsection (c)."

(5) Application with Respect to Section 11(D)(3) of United Nations Participation Act of 1945.—Until such time as all certifications (or alternate certifications) are submitted in accordance with subsection (a), subsection (b) of section 11 of the United Nations Participation Act of 1945 (as amended by section 1111(c) of this title) shall be administered as though such section reads as follows: "The Secretary may not make a contribution to a regularly assessed biennial budget of the United Nations in an amount greater than 11 percent of the amount calculated under subsection (c)."

(d) Annual Reviews.—

(1) In General.—The Secretary shall conduct annual reviews, beginning one year after the date of enactment of this Act, and each year thereafter, of the implementation of the provisions of this section, to determine if the United Nations continues to remain in compliance with all such certifications (or alternate certifications). Not later than 30 days after the completion of each such review, the Secretary shall submit to the appropriate congressional committees a report containing the findings of each such review.
(2) ACTION.—If during the course of any such review the Secretary determines that the United Nations has failed to remain in compliance with a certification (or an alternate certification) specified under subsection (a), the 50 percent withholding described under subsection (b) shall re-apply with respect to United States contributions towards payment of regular assessed dues of the United Nations for 2007 and subsequent years.

(e) EFFECTIVE DATE.—The certifications (or alternate certifications) specified under subsection (a) shall be required with respect to United States contributions towards payment of regular assessed dues of the United Nations for 2007 and subsequent years.

The Acting CHAIRMAN. Pursuant to House Resolution 365, the gentleman from Illinois (Mr. HYDE) and the gentleman from California (Mr. LANTOS) each atop 10 minutes.

Madam Chairman, I reserve the balance of my time.

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

The amendment attaches the Hyde United Nations Reform Act of 2005, passed by this Chamber on June 17 to H.R. 2601. The Hyde United Nations Reform Act addresses key areas such as streamlining the budget, strengthening accountability and oversight, restoring credibility and integrity to the United Nations human rights bodies, strengthening IAEA monitoring and compliance apparatus, addressing sexual abuse and exploitation scandals with U.N. peacekeepers and injuries towards Israel, areas that no one denies must be reformed.

From the debate that took place 4 weeks ago, there is no question that Members of this body agree the U.N. is in desperate need of reform. As discussed, corruption is rampant. Look no further than the ever-expanding Oil-For-Food scandal. U.N. peacekeepers have sexually abused children in Bosnia, Congo, Haiti, and Sierra Leone.

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A culture of concealment makes rudimentary oversight virtually impossible. A casual attitude toward conflict of interest rules undermines trust in the U.N.'s basic governance. If you recall, the debate focused very little on what the U.N. needs to do to reform itself and instead very much on how. We shall see whether these reforms are actually implemented.

There was a lengthy exchange on the issue of withholding of dues, and I want to make it clear that Congress must take action to withhold dues if we truly want to see the U.N. reformed. To do less, to set forth aspirational suggestions or to cede total congressional authority of the power of the purse to the executive branch would send a clear message that Congress does not think the U.N. is doing too bad a job, that Congress not only would give the U.N. pays taxpayer money, and the U.N. can continue operating under the status quo.

Let me also be clear: the withholdings called for are not immediate. The United Nations has 2 years to get its act together before certification kicks in; and then, if the U.N. implements 32 of the reforms, no funds are withheld. The U.N. has another year to do the remaining 14 reforms before any withholdings would occur. That is a total of 3 years. A reasonable person would have to ask, is this not enough time? When is enough enough? Are we serious about U.N. reform, or not?

History shows that when Congress stands tough, when it says if you do not reform, we are not going to pay, then change occurs. Look at the Kassebaum-Solomon amendment in the mid-90s. That amendment eventually led to the implementation of consensus-based budgeting, a reform that no one said could be achieved.

What about UNESCO? We withdrew in protest. We stopped paying our assessed dues. We stopped paying our assessed dues. Reform of that agency were made, and we rejoined.

Does anyone remember the genesis of the Office of Internal Oversight Services? The U.S. threatened to withhold funding. Lo and behold, the U.N. created an oversight function.

Even with Helms-Biden, Congress leveraged the fact that in order for us to pay arrears the U.N. had to undertake certain reforms.

All of these requirements were legislated and directed actions which resulted in reforms that were actually implemented. Let the lesson be lost on no one: Congress taking action to withhold dues equals reform of the U.N.

Madam Chairman, I reserve the balance of my time.

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

Madam Chairman, I rise in strong opposition to this amendment. I deeply regret that the majority has chosen to offer this amendment. If adopted, this amendment, which barely passed along partisan lines last month, will blight a reasonable reform that no one said of would be paralyzed and would be incapable of acting.

Madam Chairman, this amendment will cause our Nation to go back into arrears at the United Nations without achieving its desired outcome. Given the important role the United Nations is currently playing in Afghanistan, in Darfur and elsewhere, I fail to see how our going into arrears will promote American national security interests. It will only force the United States to take on global responsibilities on a unilateral basis at a moment when our troops and our diplomats are already spread thin.

For these reasons, and because it would significantly undermine the underlying authorization act, which does reflect a unique bipartisan consensus for Nation's priorities, I strongly urge all of my colleagues to reject this amendment.

I particularly appeal to my Republican colleagues. During an earlier debate on this very issue, practically every single Democrat voted to approve a more flexible measure that would put the punitive power into the hands of our distinguished Secretary of State, not leave it on automatic pilot. I hope we will find a dozen Republicans who will put the national interests of the United States on the table. Certainly the administration has done so. The administration is on record opposing this amendment. Practically the
entire Democratic side of this body is opposed to this amendment. We trust that there will be a dozen Republicans who will listen to reason and will see the virtue of providing our distinguished Secretary of State with the discretion that she needs and will be fully supported by us.

Madam Chairman, I reserve the balance of my time.

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

Madam Chairman, I just want to briefly respond to the comments of my dear friend, the gentleman from California (Mr. LANTOS), on the U.N. amendment. If you are serious about reforming the U.N., and we all say that we are, then you have to have some leverage over them.

More resolutions, we have endured a blizzard of resolutions and rhetoric about reform, but nothing ever happens. It just gets worse and worse. Look at Oil-For-Food. But the way to get reforms is to threaten them with cutting off the money pipeline. It has worked in the past; it will work again.

Now, this does not mean that it is going to happen. This bill, if it goes anywhere, has to go through the other body, then through a conference. You go into those things with as much strength as you can, and it seems to me that we ought to do that with U.N. reform.

But if we do not cut off the money if they fail to get certifications on 46 points that we all agree are essentially reforms, we do not dispute, the Democrats and Republicans, the need for reform or the items of reform. The dispute is how to implement.

The gentleman from California (Mr. LANTOS) suggests to leave it up to the Secretary of State to have a waiver or not. My suggestion is, legislate the withholding if they do not live up to reform. What is more likely to get reform, we do not dispute, the Democrats and Republicans, the need for reform, or ECOSOC, abolish secret voting, or CEDAW and others, without absolutely talking about toothless resolutions. We are not talking about resolutions. Our legislation is as binding as the Republican legislation is. We just do not talk about resolutions. Our legislation is as binding as the Republican legislation is. We just do not put it on autopilot. The guillotine does not fall automatically; it is put in the hands of a singularly intelligent Secretary of State.

Madam Chairman, I reserve the balance of my time.

Mr. HYDE. Madam Chairman, I just want to say to my good friend that it is not on automatic pilot. There are 3 years over which there is time to comply, the U.N. can comply. So that is a pretty slow automatic.

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

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

I urge all of my colleagues on both sides of the aisle to reject this amendment. This amendment serves only to divide this House, which is ready to pass an important State Department authorization bill practically on a unanimous basis. There is no earthly reason to have a divisive provision which we have debated and on which we have voted.

I urge all of my colleagues on both sides to reject this amendment and move on with the bipartisan authorization measure.

Ms. JACKSON-LEE of Texas. Madam Chairman, I rise to oppose the Hyde Amendment to add the text of H.R. 2745, the U.N. Reform Act of 2005 to the underlying bill. This legislation sends the signal to the world that our Nation has a disdain for the United Nations and I for one can not support that idea. There are many instances in which the U.N. has been instrumental in furthering U.S. foreign policy objectives. In the past year alone, the U.N. helped organize parliamentary elections and the Indian Ocean tsunami, and helped mediate the withdrawal of Syrian armed forces from Lebanon. A reformed U.N. could be even
more complementary to U.S. interests abroad, but only if the U.S. does not alienate other Member States and create animosity in the process. The inflexibility of the Hyde legislation would create resentment among Member States, and the automatic withholding of dues would further alienate them.

Chairman HYDE’s unilateral approach to U.N. reform promises to thwart the growing international consensus for reform, which will be addressed by at least 174 nations at the September Summit in New York. We need a more flexible approach which does not preclude unrealistic deadlines for changes or threaten automatic withholding of dues, will achieve U.S. goals without causing widespread resentment among Member States whose support we depend on.

The Hyde bill on U.N. reform contains many serious flaws which if implemented would not be welcome by the international community. Peacekeeping is one such area where this bill contains deeply flawed logic. The Hyde bill points to peacekeeping reforms that everyone agrees are needed. These reforms are in fact endorsed by the U.N. Department of Peacekeeping Operations and in most cases, these reforms are already underway to address recent concerns raised about sexual exploitation and abuse in peacekeeping missions. However, in an attempt that starting this fall, the U.S. must prevent the expansion of existing missions or the creation of any new U.N. peacekeeping missions until all specified reforms are completed and certified by the Secretary of State. The truth is that some of these reforms cannot be met by the fall, true reform takes time. Reforms will require careful implementation at the U.N. as well as by the 100-plus troop contributing countries, and in some cases will require additional U.N. staff and funding which of course is not provided by this legislation. And yet, the Hyde bill will likely prevent Security Council resolutions to enable the creation or expansion of important U.N. missions in places like Darfur in Sudan, Haiti, Congo, and Afghanistan. We as the United States of America have always prided ourselves on helping those who can not help themselves, or on helping those who are being massacred simply because of who they are, but now this bill seeks for our nation to turn a blind eye to these people. We, as the 109th Congress can not allow ourselves to be the ones who cut off assistance to these desperate people.

Not only does the Hyde bill take a wrong approach to peacekeeping, but it will also create great problems with the budget at the United Nations. The Hyde bill claims to “pursue a streamlined, efficient, and accountable budget resolution for the United Nations,” yet in reality the approach taken by the bill will wreak havoc on the U.N. budget process and will result in the automatic withholding of U.S. financial obligations to the U.N. regular budget. This flawed bill attempts to shift funding for 18 earmarked programs from U.S. assessed contributions to voluntary contributions. To achieve these goals, the bill mandates the withholding of up to $100 million in U.S. dues to the U.N. regular budget. While this idea may have merit, the U.S. should work with its allies to achieve it through the Budget Committee and the U.S. President instead of starting from the point of withholding dues, which should be our nation’s last resort. Furthermore, the Hyde proposal links 50 percent of U.S. dues to a list of 38 conditions, not only at the U.N. Secretariat, but also at various U.N. specialized agencies over which the U.N. has no direct control. All of this will create a new U.S. debt at the U.N., since many of the conditions are so rigid and specific that they are not achievable. In the end, all that any of this will do is create resentment among United States Members in the international community. As the Washington Post editorialized, “This is like using a sledgehammer to drive a nail into an antique table: Even if you’re aiming at the right nail, you’re going to cause damage.”

The Hyde bill calls for certain steps supported by the U.N. and the U.S., such as the strengthening of the U.N.’s oversight functions, the creation of a Peacebuilding Commission, and reforms in U.N. peacekeeping. However, it calls for these reforms to be funded solely within existing resources. If the U.S. withholds dues as this bill calls for, even less funding will be available to support these reforms. This bill also calls for the creation of new positions in several departments, including the Office of Internal Oversight Services and the Department of Peacekeeping Operations, well allowing resources to fund these positions.

Clearly, too many of the provisions of the Hyde U.N. reform bill will only cause resentment against the United States in the international community. Achieving reform by consensus in a body with 191 members is difficult, but this is not in itself a reason by pass the consensus building process. The more Member States that are engaged in achieving reform, the more legitimate and effective the changes will be. The U.S. should lead the way by actively promoting a tough reform agenda and retaining the threat of withholding dues as a last resort. Reform should not, however, be a crusade led by the U.S. against the institution and its Member States. Unfortunately, this bill on U.N. reform will not lead to reform, but only to the weakening of the United Nations. I urge support against the Hyde amendment.

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

The Acting CHAIRMAN (Mrs. CAPITO). The question is on the amendment offered by the gentleman from Illinois (Mr. HYDE).

The question was taken; and the Acting Chairman announced that the ayes appeared to have it.

Mr. LANTOS, Madam Chairman, I demand a recorded vote.

A recorded vote was ordered.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Illinois (Mr. HYDE) will be postponed.

It is now in order to consider amendment No. 3A made in order under the rule.

AMENDMENT NO. 3A OFFERED BY MR. DREIER

Mr. DREIER. Madam Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3A offered by Mr. DREIER:

At the end of title II, add the following new section:

SEC. 217. ESTABLISHMENT OF THE ACTIVE RESPONSE CORPS.

(a) Establishment.—The Secretary of State, in consultation with the Administrator of the United States Agency for International Development, is authorized to establish an Active Response Corps (referred to in this section as the “Corps”) to provide assistance in support of stabilization and reconstruction activities in foreign countries or regions that are in, are in transition from, or are likely to enter into, conflict or civil strife.

(b) Composition.—If the Corps is established in accordance with subsection (a), the Secretary and Administrator shall coordinate in the identification and training, and if necessary, in the recruitment and hiring, of necessary personnel. Such personnel shall be composed of employees of United States agencies or non-Federal employees.

(c) Use of Active Response Corps.—The members of the Active Response Corps shall be available—

(1) if the President determines that it is in the national security interests of the United States to engage in stabilization and reconstruction activities in a foreign region that is in, is in transition from, or is likely to enter into, conflict or civil strife; and

(2) if the President determines that it is in the national security interests of the United States to engage in stabilization and reconstruction activities in a foreign region that is in, is in transition from, or is likely to enter into, conflict or civil strife.

(d) Training and Education Programs.—

(1) In General.—The Coordinator for Stabilization and Reconstruction is authorized to conduct and arrange for training and education of the Active Response Corps.

(2) Emphasis.—Training and education shall emphasize acquisition of general skills needed to operate in a post-conflict environment and training specific to the job skill set for which the member has been identified to participate in the Active Response Corps.

(3) Contents.—Training and education may consist of—

(A) conducting inter-agency training, including training related to inter-agency decisionmaking, operational planning, and execution simulations, for mid-level government officials and managers to prepare such officials and managers to address stabilization and reconstruction operations;

(B) conducting advanced training related to stabilization and reconstruction operations for members of the Active Response Corps;

(C) conducting pre-deployment training related to stabilization and reconstruction operations for civilians and military-civil affairs personnel;

(D) conducting exercises related to stabilization and reconstruction operations for United States and international emergency response teams;

(E) developing a uniform set of operating procedures for stabilization and reconstruction operations; and

(F) conducting ongoing evaluations and after-action reviews of stabilization and reconstruction operations.

(e) Facilities.—Training and education programs should be coordinated with and utilize to the extent possible existing programs and facilities such as the George P. Shultz National Foreign Affairs Training Center (commonly referred to as the “Foreign Service Institute”), the National Defense University, the Center for Stabilization and Reconstruction as the Corps, the Naval Postgraduate School, and the United States Institute for Peace.

(f) Additional Authorities.—

(1) Establishment of Purpose of Reserve Component of Active Response Corps.—The Secretary, in consultation with
the heads of other relevant Executive agencies, is authorized to establish and maintain a roster of personnel who are trained and available as needed to perform services necessary to carry out the purposes of this section. The personnel listed on the roster shall constitute a reserve component of the Active Response Corps.

(2) The reserve component may include employees of the Department of State, including Foreign Service Nationals, employees of the United States Agency for International Development, employees of any other Executive agency (as such term is defined in section 105 of title 5, United States Code), and employees from the legislative and judicial branches who—

(A) have the training and skills necessary to enable them to contribute to stabilization and reconstruction activities under this section; and

(B) have volunteered for deployment to carry out such stabilization and reconstruction activities.

(g) Use of Reserve Component.—The Secretary may deploy members of the reserve component in support of stabilization and reconstruction activities in a foreign country or region, if the President makes a determination regarding a stabilization and reconstruction crisis. The Secretary is authorized to employ contractor personnel, non-governmental organization personnel, and State and local government employees, who—

(1) have the training and skills necessary to enable them to contribute to stabilization and reconstruction activities under this section; and

(2) have volunteered to carry out such stabilization and reconstruction activities.

(h) Report.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report on the status of efforts to establish the Active Response Corps. The report shall include recommendations that—

(1) for any legislation necessary to implement subsection (a); and

(2) concerning the regulation and structure of the Active Response Corps, including recommendations related to pay and employment security for, and benefit and retirement matters related to, members of the Corps.

The Acting CHAIRMAN. Pursuant to House Resolution 365, the gentleman from California (Mr. DREIER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California (Mr. DREIER).

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

Let me begin by extending my hearty congratulations to the distinguished chairman of the committee, the gentleman from Illinois (Mr. HYDE), and my very dear friend and neighbor, the gentleman from California (Mr. LANTOS), not only for their fine work on this legislation, but for their support of the amendment that I am offering here.

I rise, Madam Chairman, to ask for my colleagues' support for this amendment which I have authored to improve our government's response to complex international conflict, and this amendment I hope will ultimately improve our ability to prevent the conflicts before they erupt.

The events of September 11 of 2001 have obviously taught all of us that we no longer have the luxury of ignoring state failure. At the turn of the millennium, the government of Afghanistan all too quickly collapsed, was replaced by the ruthless Taliban, and became a safe haven for al-Qaeda. The attacks that our country suffered were a tragic wake-up call to the dangers that failed states pose to our national security.

Nearly 4 years later, too many countries remain in conflict, violence, resource scarcity, and literally no leadership. Scores of these governments could collapse at a moment's notice and be replaced by anarchy. These failing states represent a grave danger to the United States. Our government must be prepared to stabilize where we can and reconstruct what we must in order to prevent a devastating vacuum of lawlessness from developing, which allows terrorists and rogue leaders to flourish.

The President and Congress have already taken a strong first step in addressing this challenge. The establishment of the Office for the Coordinator for Reconstruction and Stabilization created a central interagency coordination point for international stabilization and reconstruction operations. The office, headed by Ambassador Carlos Pascual, will monitor political and economic stability worldwide and prepare plans for stabilization missions for the most urgent cases.

But more must be done. Madam Chairman, one of the President's top priorities for this new office is to create a civilian "rapid response" unit to deploy on short notice to sites of international instability. The goal is to mitigate any potential conflict and, if possible, prevent it.

The amendment that I am offering today would authorize the creation of an Active Response Corps comprised of U.S. citizens who will have the skills necessary for such missions. The amendment also will expand the use of civilian volunteers from outside the government who have the right talents and are willing to serve in stabilization reconstruction missions overseas. There are many Americans who have the skills and desire to serve the country by preventing conflict and expanding democracy, as we heard today from Prime Minister Singh. The United States should employ these experts, civil administrators, constitutional experts, engineers, linguists, and many other individuals are needed to address the challenges posed by failing states. This amendment will expand the use of civilian volunteers who have the skills necessary for such missions.

The amendment also will expand the use of civilian volunteers from outside the government who have the right talents and are willing to serve in stabilization reconstruction missions overseas. There are many Americans who have the skills and desire to serve the country by preventing conflict and expanding democracy, as we heard today from Prime Minister Singh. The United States should employ these experts, civil administrators, constitutional experts, engineers, linguists, and many other individuals are needed to address the challenges posed by failing states. This amendment will expand the use of civilian volunteers who have the skills necessary for such missions.

Madam Chairman, it is the top priority of every Member of this body to protect the national security of the United States of America. Fortress America is a. part of the past, and we can no longer comfortably ignore weak and failing states just because they sit halfway across the globe. When our government deems it necessary to initiate a stabilization or reconstruction operation, it must have the tools to do the job.

This amendment provides the President with those tools. By deploying early with the most appropriate personnel, the Active Response Corps will save lives by stabilizing countries and preventing the spread of conflict and civil strife, thereby reducing the need for later military intervention.

For too many years, the United States has lacked the institutional civilian capacity to rapidly respond to failing states. We ignore the dangers of such states at our own peril. I am gratified to have the support, as I said, of the chairman and ranking minority member of the committee, and I ask my colleagues to join with us in support of this effort.

Madam Chairman, I reserve the balance of my time.

Mr. LANTOS. Madam Chairman, I am not opposed to the amendment, but I ask unanimous consent to claim the time in opposition.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from California? There was no objection.

Mr. LANTOS. Madam Chairman, I yield myself such time as I may consume. I want to commend my good friend, the gentleman from California (Mr. DREIER), for offering this very valuable, and important amendment today.

Since the end of the Cold War, the United States has undertaken numerous post-conflict reconstruction and stabilization operations in Bosnia, Kosovo, East Timor, Haiti, and now Afghanistan and Iraq. Given the dangerous and ever-changing world we live in, we will most surely have to undertake many more similar operations. Today, we witness numerous international crises that, if left ignored, will most certainly threaten not only the security of the United States, but the entire world.

We need to look no further than September 11, 2001, to understand why the failure to respond adequately to weak and failed states can have catastrophic consequences for our country. In 2004, in response to the threat of failing and post-conflict states and our national and international security interests, the administration established the Office for Reconstruction and Stabilization to enhance our Nation's institutional capability to respond to crises involving failing, failed, post-conflict countries, and complex emergencies.

The DREIER amendment will enhance our capacity to support reconstruction and stabilization activities in conflict and post-conflict countries by establishing an Active Response Corps. This will consist of United States Government personnel with the training and expertise to conduct stabilization and reconstruction activities, thereby improving our capacity to assist countries in recovering from conflict. It
Mr. FARR. Madam Chairman, I thank the gentleman for yielding me this time. I too rise, Madam Chairman, in strong support of the Dreier amendment.

I, as many of my colleagues know, was a Peace Corps volunteer in South America; and as a returned Peace Corps volunteer elected to Congress, I realized that what we needed was some activity in this country that would start educating people somewhere between the Peace Corps and the Work Corps. As the ranking member just mentioned, we have countries where we have been in with the military, but it is the ability to respond to the post-conflict issues that we need, a FEMA-type, a Peace Corps type of people who are linguistically capable of speaking that language, that know the country culture, can work with the nongovernmental organizations that are abroad, with military personnel that are still in the country, with the host country governments, with our United States USAID, with our United States Department of State. And where do you bring all of those people together to train them and educate them? That is what the Active Response Corps is: taking people with those skills and putting them together so that they can be rapidly deployable, U.S. citizens who are civilians, who are educated and trained in fostering the stability in a post-conflict situation.

I am very pleased that the first one of these activities is going to take place at the Naval Postgraduate School on August 1 with Ambassador Pascual coming out to California where, for the first time, the military, the civilians, the host country and so on will all be together in developing this.

I look forward to this as one of the great new initiatives of this Congress and of this country to really give us the ability to respond to stabilization and respond to conflict reconstruction.

Mr. DREIER. Madam Chairman, will the gentleman yield?

Mr. FARR. I yield to the gentleman from California.

Mr. DREIER. Madam Chairman, I am very happy to yield the balance of my time to the gentleman from Illinois (Mr. HYDE), the very distinguished chairman of the Committee on International Relations.

Mr. HYDE. Madam Chairman, some-one once said brevity is the soul of eloquence. I am found to emulate that by saying we are happy to accept this excellent amendment.

Mr. DREIER. Madam Chairman, following the example of brevity, I urge my colleagues to support the amendment.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. DREIER).

The amendment was agreed to.

The Acting CHAIRMAN. The amendment No. 4 offered by Mr. POE:

Amendment No. 4 offered by Mr. POE

Mr. POE. Madam Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. POE: Page 21, after line 21, insert the following new subsection:

(d) INTERNALLY DISPLACED PERSONS IN EASTERN BURMA.—Of the amounts authorized to be appropriated under subsection (a), there are authorized to be appropriated $3,000,000 for fiscal year 2006 and $3,000,000 for fiscal year 2007 for assistance to Thailand-based nongovernmental organizations operating along the border between Thailand and Burma to provide food, medical, and other humanitarian assistance to internally displaced persons in eastern Burma.

The Acting CHAIRMAN. Pursuant to House Resolution 365, the gentleman from Texas (Mr. POE) and a Member opposed each will control 5 minutes.

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

First of all, I want to say as one of the new Members of Congress and serving on the International Relations Committee, I appreciate the example that the chairman of the committee and ranking member set for all members of the International Relations Committee on how both sides of the committee can work together to achieve goals that are best for the United States. It would be my hope that other committees would work so well in getting the job done.

A brutal campaign of village burnings, looting, rape, and killing by Burma’s military regime has resulted in the forcible displacement of between 500,000 and 1 million innocent civilians in Eastern Burma.

Hundreds of thousands of internally displaced peoples, or IDPs, are being persecuted for their strong commitment to democracy and their fervent belief in human rights. Regardless of what their religion may be, all of the IDP victims are being systematically hunted down by the evil military regime.

The Burmese Freedom and Democracy Act of 2003, which passed the United States Congress overwhelmingly, found that these acts add up to ethnic cleansing. Secretary of State Rice has rightfully called Burma one of the six outposts of tyranny in the world.

My fellow colleagues on both sides of the aisle have echoed this sentiment.

With all this said, virtually no humanitarian aid reaches those who have been driven from their homes in Eastern Burma. The Burmese military regime blocks all assistance. Shockingly, as a result of attacks and blocking this aid, child mortality and malnutrition rates are comparable to those recorded among the internally displaced population in the Horn of Africa.

Even worse, maternal mortality rates are well above emergency levels. Acute respiratory infections, diarrhea, malaria, anemia are serious problems in this region. This is a bona fide humanitarian crisis which we in the United States need to address.

I would like to yield my time to the chairman and the ranking member of the International Relations Committee for their strong and bipartisan support of this amendment.

Madam Chairman, I reserve the balance of my time.

Mr. LANTOS. Madam Chairman, I am not opposed to the amendment, but I ask unanimous consent to claim the time in opposition.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LANTOS. Madam Chairman, I yield myself such time as I may consume. I strongly support the amendment of the gentleman from Texas (Mr. POE). I urge all of my colleagues to do so as well.

Over half a million ethnic minorities have been forced from their homes in Eastern Burma. These minorities have left their homes because they have no other option. Burma’s military forces are committing horrendous human rights abuses which give families living in Eastern Burma no option.
Ethnic minorities which remain in their homes in Eastern Burma face forced relocation, rape, village destruction and forced labor.

The half a million ethnic minorities who live off the run in the jungles of Eastern Burma, have fought against the inhuman abuses, they lack protection from both the government and the international humanitarian community. The Poe amendment would provide $3 million per year to established reputable NGOs working within the Thai-Burma border to provide direct humanitarian assistance to internally displaced persons inside Burma. It will be extremely difficult work, but it is imperative that the international community support these ethnic minorities in Burma as soon as possible.

Again, Madam Chairman, I want to commend my friend from Texas, and I strongly urge all of my colleagues to vote for this amendment.

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

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

I rise today to offer an amendment which would clarify congressional intent regarding the medical clearance process for people wishing to work in the Foreign Service as a Foreign Service officer at one of our 263 embassies posts throughout the world.

If someone wants to work in one of our embassies, they must have worldwide availability. This means that someone must be able to work in any region of the world without having medical conditions that would put them at risk.

Many of the areas where these Foreign Service officers are placed do not have hospitals or medical facilities to treat many types of conditions that are treated here in the United States, including Type I diabetes, severe hypertension, cancer and various psychiatric disorders. These people would have to have several emergency medical evacuations per year from the region in which they are located back to the States. Each evacuation would cost an average of about $6,000.

Hiring people that do not meet this worldwide availability requirement is irresponsible. It puts that person’s life at risk and it costs several tens of thousands of dollars extra to facilitate emergency treatments.

This amendment then would clarify the conditions for worldwide availability, create a new appeals process to ensure that every applicant is given fair consideration.

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

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

Mr. POE. I yield to the gentleman from Texas.

Mr. SMITH of New Jersey. I thank the gentleman for yielding. I want to commend my friend from Texas for a very constructive amendment which the committee supports. This provision seeks to alleviate the plight of hundreds of thousands of Burmese who have been forced to flee from their native villages by the repressive policies of the dictatorship in Rangoon, the same dictatorship that represses Nobel Peace Prize winner Aung San Suu Kyi. This amendment would facilitate the provision of much needed food, medical and other humanitarian relief, and I thank the gentleman for offering it today.

Mr. POE. Madam Chairman, following the encouragement and example of the chairman of the committee to be brief, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. POE).

The amendment was agreed to.

It is now in order to consider amendment No. 5, printed in part B of House Report 109-175.

Amendment No. 5 offered by Mr. POE

Mr. POE. Madam Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will now report the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. POE:

At the end of title III (relating to the organization of the Department of State), add the following new section (and conform the table of contents accordingly):

SEC. 219. WORLDWIDE AVAILABILITY.

Section 301(b) of the Foreign Service Act of 1980 (22 U.S.C. 3491(b)) is amended by adding at the end the following new sentence: “At the time of Service, each member of the Service must be worldwide available, as determined by the Secretary of State through appropriate medical examinations, unless the Secretary determines that a waiver of the worldwide availability requirement is required to fulfill a compelling Service need. The Secretary shall establish an internal administrative review process for medical ineligibility determinations.”.

The Acting CHAIRMAN. Pursuant to House Resolution 365, the gentleman from Texas (Mr. POE) and a Member opposed each will control 5 minutes.

The Acting CHAIRMAN designates the gentleman from Texas (Mr. POE).

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

I rise today to offer an amendment which would clarify congressional intent regarding the medical clearance process for people wishing to work in the Foreign Service as a Foreign Service officer at one of our 263 embassies posts throughout the world.

If someone wants to work in one of our embassies, they must have worldwide availability. This means that someone must be able to work in any region of the world without having medical conditions that would put them at risk.

Many of the areas where these Foreign Service officers are placed do not have hospitals or medical facilities to treat many types of conditions that are treated here in the United States, including Type I diabetes, severe hypertension, cancer and various psychiatric disorders. These people would have to have several emergency medical evacuations per year from the region in which they are located back to the States. Each evacuation would cost an average of about $6,000.

Hiring people that do not meet this worldwide availability requirement is irresponsible. It puts that person’s life at risk and it costs several tens of thousands of dollars extra to facilitate emergency treatments.

This amendment then would clarify the conditions for worldwide availability, create a new appeals process to ensure that every applicant is given fair consideration.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. POE).

The amendment was agreed to.

It is now in order to consider amendment No. 7, printed in part B of House Report 109-175.

Amendment No. 7 offered by Mr. BURTON of Indiana

Mr. BURTON of Indiana. Madam Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will now report the amendment.

The text of the amendment is as follows:

Amendment No. 7 offered by Mr. BURTON of Indiana:

SEC. 947. TRANSFER OF MARINE PATROL AIRCRAFT TO THE GOVERNMENT OF COLOMBIA.

(a) Transfer Authority.—The Secretary of State, acting through the Assistant Secretary for International Narcotics and Law Enforcement Affairs, is authorized to procure for transfer to the Government of Colombia two tactical, unpressurized DC-9 maritime patrol aircraft to carry out drug interdiction operations in or near the coastal waters of Colombia.

(b) Authorization of Appropriations.—There is authorized to be appropriated to the Secretary to carry out this section $25,000,000 for fiscal year 2006.

The Acting CHAIRMAN. Pursuant to House Resolution 365, the gentleman from Indiana (Mr. BURTON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Indiana (Mr. BURTON).

Mr. BURTON of Indiana. Madam Chairman, I yield myself such time as I may consume.

I want to thank Chairman HYDE and Ranking Member LANTOS for their exceptional work on this bill. I think they have done a great job and I think it is something that every Member of the House should support. This amendment is the first of two that I am going to offer today and we brought this up because it was a recommendation made by the House International Relations Committee itself. It would authorize the State Department’s Bureau of International Narcotics and Law Enforcement to acquire and transfer to the Colombian Navy two tactical unpressurized DC-9 maritime patrol aircraft to carry out drug interdiction operations in or near the coastal waters of Colombia.

We were down in Colombia not too long ago and when we were done there our ambassador and the people who were working for the military and the Colombian national police indicated to us that they needed additional aircraft to be able to interdict drug trafficking that is starting in Colombia and ending in the United States of America. These two aircraft I think will help in the fight against drug interdiction. We have been successful the last couple of years doing a pretty good job of interdicting drugs. We picked up a couple of hundred tons more of cocaine last year than we did before that than we did before that. And with these two additional aircraft I think we will be able to do an even better job.

So this is something I think that is not that controversial. It is an authorization. The cost would be between 10 and $20 million. It is something that is needed if we are going to continue the war against drugs. I urge my colleagues to support this amendment.

Madam Chairman, I reserve the balance of my time.

Mr. LANTOS. Madam Chairman, I am not opposed to the amendment, but...
The current situation in regions where these groups reside is unacceptable. Chocó, a province consisting of approximately 75 percent...
Afro-Colombian inhabitants, is perhaps the most adversely affected region of Colombia as a result of the armed conflict. In 2003 the region had the highest number of internally displaced persons in the country. As the only province with access to both the Atlantic and the Pacific oceans it has been a highly desirable location for drug traffickers. With little or no government presence in the region, its inhabitants have had virtually no means to halt this invasion of drug traffickers.

I recently met with Mr. Julio Ibaraguen, Governor of Choco, and he could not emphasize enough the necessity of more assistance to the Afro-Colombian population. The Afro-Colombian population was already impoverished, marginalized, and discriminated against. Governor Ibaraguen illustrated how the conflict worsened this already horrible situation. The Afro-Colombian community has literally been decimated by the armed conflict and has been forcibly dispersed through Colombia. Those who have remained in Choco are faced with extreme poverty, with little or no access to healthcare, education, or law enforcement. Approximately 80 percent of Afro-Colombians live in extreme poverty.

In the war on drugs, Afro-Colombians have become the forgotten victims of the conflict. We must strive to ensure that their plight is not overshadowed by our efforts to eradicate drug trafficking. We must insist that the U.S. government provide more aid to Afro-Colombian regions. American resources must be used to help alleviate the pain and suffering on the part of Afro-Colombians and provide them access to a better, more stable, livelihood. Members of Congress should take an active role in working with their Colombian counterparts and must insist that the Colombian government that the United States is interested in the well-being of Colombia’s minority populations. During this time of conflict and distress for Afro-Colombians, the United States must be vigilant in providing support and assistance.

I support the Burton amendment because it assists the Colombian government in fighting the war on drugs. We must take our commitment to fight this war, and match it with a commitment to support the victims of the Colombian conflict. This amendment must be extended to Afro-Colombian populations so that they receive the aid they deserve. We must use our resources to fight drugs and poverty, corruption and racism, and insurgency and bigotry.

Mr. BURTON of Indiana. Mr. Chairman, how much time remains?

The Acting CHAIRMAN. The gentleman from Indiana (Mr. BURTON) has 2½ minutes remaining.

Mr. BURTON of Indiana. Mr. Chairman, I yield myself the balance of my time.

First of all, let me say there are a multitude of problems in Colombia. We have had the drug cartels. We have had the terrorist organizations down there, the ELN, the FARC, the ELN. These are all problems that must be addressed. My colleagues on both sides of the aisle are well aware of that. And the poverty issue that was just raised by the gentlewoman from Texas (Ms. JACKSON-LEE) is also a very real issue. But when you go to Colombia and you address whether or not we are going to put these two additional aircraft down there to be able to track drug cartels in the distribution of cocaine and other narcotics that reach the shores of the United States that kill and maim young Americans. It is extremely important that we do whatever is necessary right now. These two planes are a modest step in that direction. This additional equipment is asked for by our ambassador down there, by the Colombian National Police, by the Colombian military, our drug interdiction agencies, and everybody else who realizes how important this is.

I would urge my colleagues to take all of that into consideration and vote for this amendment. It is a modest step, but it is something that is very necessary in the war against drugs.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana (Mr. BURTON).

The amendment was agreed to.

The Acting CHAIRMAN. It is now in order to consider amendment No. 8 printed in House Report 109-175.

Amendment No. 8 offered by Mr. KENNEDY of Minnesota (Mr. KENNEDY of Minnesota). Mr. KENNEDY of Minnesota, Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 8 offered by Mr. KENNEDY of Minnesota:

Page 201, after line 10, insert the following new section:

SEC. 907. REQUIREMENTS RELATING TO THE LGHEST EXPORTING AND IMPORTING COUNTRIES OF CERTAIN PRECURSOR CHEMICALS.

(a) REPORTING REQUIREMENTS.—Section 489(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291a(h)), as amended by sections 317(d) and 906 of this Act, is further amended by adding at the end the following new paragraph:

(10)(A) A separate section that contains the following:

(i) An identification of the five countries that exported the largest amount of pseudoephedrine, ephedrine, and phenylpropanolamine during the preceding calendar year.

(ii) An identification of the five countries that imported the largest amount of precursor chemicals described in clause (i) during the preceding calendar year and have the highest rate of diversion of such precursor chemicals for use in the illicit production of methamphetamine.

(iii) An economic analysis of the total worldwide production of the precursor chemicals described in clause (i) as compared to the legitimate demand for such precursor chemicals worldwide.

(b) THE IDENTIFICATION OF COUNTRIES THAT IMPORTED THE LARGEST AMOUNT OF PRECURSOR CHEMICALS UNDER SUBPARAGRAPH (A)(III) SHALL BE BASED ON THE FOLLOWING:

(i) An economic analysis that estimates the legitimate demand for such precursor chemicals in the countries as compared to the actual or estimated amount of such chemicals that is imported into such countries.

(ii) The best available data and other information regarding the production of methamphetamine in such countries and the diversion of such precursor chemicals for use in the production of methamphetamine.

(c) ANNUAL CERTIFICATION PROCEDURES.—Section 489(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291a(h)), as amended by sections 317(d) and 906 of this Act, is further amended by adding at the end the following new paragraph:

(10)(A) A separate section that contains the following:

(i) An identification of the five countries that exported the largest amount of pseudoeephedrine, ephedrine, and phenylpropanolamine during the preceding calendar year.

(ii) An identification of the five countries that imported the largest amount of precursor chemicals described in clause (i) during the preceding calendar year and have the highest rate of diversion of such precursor chemicals for use in the illicit production of methamphetamine.

(iii) An economic analysis of the total worldwide production of the precursor chemicals described in clause (i) as compared to the legitimate demand for such precursor chemicals worldwide.

(iv) The identification of countries that imported the largest amount of precursor chemicals under subparagraph (A)(ii) shall be based on the following:

(A) An economic analysis that estimates the legitimate demand for such precursor chemicals in the countries as compared to the actual or estimated amount of such chemicals that is imported into such countries.

(B) The best available data and other information regarding the production of methamphetamine in such countries and the diversion of such precursor chemicals for use in the production of methamphetamine.

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

Mr. Chairman, if we understand the meth problem, we understand that it has caught a trail of destruction and misery across the country, from San Diego to the Shenandoah Valley.

My colleagues have heard me talk on this floor before about the tragic story of a young girl named Megan from a beautiful town in Minnesota. She was 13 in the seventh grade when she got started in meth. One of her friends offered her the drug, and in her words she said she liked it so much she knew she would do it over and over again. But what she could not overcome was the addiction, she, like too many others, turned to prostitution to pay for the meth she craved so much.

After hitting rock bottom at age 18, she is now managing to pull her life back together after the 5 years that meth stole from her.

Mr. Chairman, I rise today because we want to make sure there are no more Megan’s in our communities that have gone through this by cutting off the international flow of meth precursors like pseudoephedrine.

In Minnesota and so many other States dealing with the meth problems, law enforcement spends roughly 80 percent of their time with small meth labs that produce 20 percent or so of meth on our streets. However, they lack the tools and resources to go after the source of the other 80 percent of meth, international superlabs.

Today we can give law enforcement a big helping hand by adopting this amendment to fully engage the State Department and our diplomats in this fight. Under our amendment, the State Department will have to report and certify that the five largest exporters and the five largest importers of pseudoephedrine are fully cooperating with U.S. law enforcement to prevent its misuse and diversion. If the State Department cannot certify their fully cooperation with U.S. law enforcement, there may be more severe consequences for their eligibility for U.S. bilateral and multilateral assistance under this act.
The amendment would put meth on the same footing as heroin and cocaine, which are regulated in a similar way. Such treatment is precisely what the State Department and the United Nations Drug and Crime Control Bureau agreed to in Vienna.

Mr. Chairman, this amendment is trying for a true multinational approach towards fighting the spread of harmful drugs like methamphetamine. Our amendment will demonstrate to our friends and allies that we are serious about the flow of the flow of meth into our country. It will also show law enforcement officers that we stand with them in the fight against drugs and will work to give them every tool they need to be successful.

I urge my colleagues to support the Kennedy-Hooley-Osborne-Souder amendment.

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

Mr. LANTOS. Mr. Chairman, I am not opposed to the amendment, and I ask unanimous consent to claim the time in opposition.

The Acting CHAIRMAN. Without objection, the gentleman from California is recognized for 5 minutes.

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

Mr. Chairman, I rise in strong support of the amendment offered by the gentleman from Minnesota (Mr. KENNEDY) and my good friend, the gentlewoman from Oregon (Ms. HOOLEY).

The scourge of methamphetamine addiction is overtaking our streets and ruining the lives of thousands of Americans. This amendment will identify the top five countries which export the precursor chemicals for methamphetamine as well as the top five importers. The amendment also threatens to with import large quantities of meth precursors must take steps within their own countries to ensure these chemicals do not fall into the hands of meth producers and drug traffickers.

The Department of State could then declare and use the medicinal names of meth producers. This amendment attempts to keep the amendment attempts to keep meth on the same footing as heroin and cocaine, which are regulated in a similar way. Such treatment is precisely what the State Department and the United Nations Drug and Crime Control Bureau agreed to in Vienna.

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I urge my colleagues support the Kennedy-Hooley-Osborne-Souder amendment.

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

Mr. LANTOS. Mr. Chairman, I am not opposed to the amendment, and I

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

Mr. LANTOS. Mr. Chairman, I yield 1 minute to the gentleman from Indiana (Mr. SOUDER).

Mr. SOUDER. Mr. Chairman, I want to thank the gentleman from Minnesota (Mr. KENNEDY), the gentlewoman from Oregon (Ms. HOOLEY), the gentleman from Nebraska (Mr. OSBORNE), and the others who have been working on this amendment and many others over the last few weeks on methamphetamine, which is sweeping our country, starting to hamper some of our major cities, and is going to be something that we have not seen for a long time in America unless we can get control of this.

Starting in Oklahoma, many States, including my home State of Indiana, have tried to regulate pseudoephedrine through drug stores and grocery stores by putting it behind the counter. But unless we control it internationally, it is irrelevant because what they will do is they will go to the Internet. These large trafficking organizations will bring it in. We have to get at it at the manufacturing level and the wholesale level.

Laws like these at the State level may work for a year, but they are not a long-term solution. We have to address it from an international perspective.

In Mexico alone, the Mexican imports of pseudoephedrine, and these are coming from just a few countries in the world, with India having most of the plants. China, and one in Europe, they are estimating imports have risen from 100 tons to 224 tons and their demand is 70 tons. That means we have 150 new tons of pseudoephedrine pouring across the border from Mexico. We must get control of this issue on a national and international perspective.

Ms. HOOLEY. Mr. Chairman, I yield such time as he may consume to the gentleman from Nebraska (Mr. OSBORNE).

Mr. OSBORNE. Mr. Chairman, methamphetamine abuse has become the Nation's leading drug problem, according to a survey of 500 sheriff's departments in 45 States. Meth is cheap to buy, it is easy to make, it is available everywhere. It is highly addictive, and often causes addiction after just one use. It is sweeping across the Nation replacing cocaine and heroin as the drug of choice for so many people.

This is where we were in 1990 in terms of drug labs, and this is where we are currently in this country in 2004, where at least 20 or more clandestine drug labs have been shown in those counties. But, of course, those small drug labs are not the main problem, it is mostly drugs coming out of Mexico through the superlabs, which have been replacing cocaine and heroin.

This drug has led to an increase in crime, child abuse, and prison and jail populations are soaring. Sixty to 85 percent of the meth used in this country comes from the superlabs in Mexico. Pseudoephedrine or ephedrine is the one ingredient necessary for the manufacture of meth. It is manufactured, as said earlier, in six or seven locations around the world.

The Kennedy-Hooley-Osborne-Souder amendment attempts to keep pseudoephedrine from meth manufacturers. It identifies and publicizes the five export countries and the five import countries which have the highest rate of diversion of pseudoephedrine to manufacturers of methamphetamine. The Department of State could then use its existing authority to reduce or eliminate U.S. foreign aid to those countries which are most contributing to the meth problem.

It is a good amendment. It gets to the source of the problem, and I urge support of the amendment because this is something that is critical to the welfare of our Nation.
SEC. 1110A. PREVENTION OF SMUGGLING OF METHAMPHETAMINE INTO THE UNITED STATES FROM MEXICO.

(a) In General.—The Secretary of State, acting through the Assistant Secretary of the Bureau for International Narcotics and Law Enforcement Affairs, shall take such actions as are necessary to prevent the smuggling of methamphetamine into the United States from Mexico.

(b) Specific Actions.—In carrying out subsection (a), the Secretary shall—

(1) improve bilateral efforts at the United States-Mexico border to prevent the smuggling of methamphetamine into the United States from Mexico;

(2) seek to work with Mexican law enforcement authorities to improve the ability of such authorities to combat the production and trafficking of methamphetamine, including by providing equipment and technical assistance, as appropriate; and

(3) urge the Mexican government of Mexico to take immediate action to reduce the diversion of pseudoephedrine by drug trafficking organizations for the production and trafficking of methamphetamine.

(c) Report.—Not later than one year after the date of the enactment of this Act, and annually thereafter, the Secretary shall submit to the appropriate congressional committees a report on the implementation of this section for the prior year.

(d) Authorization of Appropriations.—There are authorized to be appropriated to the Secretary to carry out this section not less than $4,000,000 for each of the fiscal years 2006 and 2007.

The Acting CHAIRMAN. Pursuant to House Resolution 365, the gentleman from Oregon (Ms. HOOLEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oregon (Ms. HOOLEY). Ms. HOOLEY. Mr. Chairman, I yield myself 1½ minutes.

(Ms. HOOLEY asked and was given permission to revise and extend her remarks.)

Ms. HOOLEY. Mr. Chairman, my amendment represents a crucial step in the ongoing effort to stop the flow of methamphetamine into the United States. A cheap, easily manufactured drug that produced an intense long-lasting high, meth has emerged as the drug of choice for users across this country. This amendment offers a solution to stopping this scourge by directing the State Department, through its Bureau of International Narcotics and Law Enforcement Affairs, to engage in bilateral efforts with our friends and ally, Mexico, to cut down on the importation of methamphetamine precursor chemicals into Mexico and cut down on the smuggling of methamphetamines into the United States.

This amendment directs the Bureau of International Narcotics and Law Enforcement Affairs to work with the Mexican government to take immediate action to reduce the amount of pseudoephedrine in the hands of drug cartels, to work with Mexican law enforcement to improve their abilities to fight the production and trafficking of meth, and to improve efforts at the U.S.-Mexican border to prevent the smuggling of methamphetamines into the United States.

I believe that this amendment will in fact help prevent the export of meth into the United States. By engaging our allies to stop the mass production of meth rather than solely focusing on its limited domestic manufacturing, we can create a broad-based strategy that will not only keep meth away from our communities and families, but limit production and use of this deadly drug worldwide.

I call on my colleagues to support the Hooley-Souder-Kennedy-Baird amendment.

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

Mr. SOUDER. Mr. Chairman, I ask unanimous consent to claim the time in opposition, though I am not opposed to the amendment.

The Acting CHAIRMAN. Is there objection to the gentleman’s claiming the time in opposition?

There was no objection.

Mr. SOUDER. Mr. Chairman, I yield myself such time as I may consume, and I also rise in support of the amendment offered by the gentleman from Oregon (Ms. HOOLEY), together with the gentleman from Washington (Mr. BAIRD), myself, the gentleman from Minnesota (Mr. KENNEDY), and many others, to H.R. 2601.

This amendment addresses the growing problem of meth production as we have talked about, in particular in Mexico. Like the amendment just offered by the gentleman from Minnesota (Mr. KENNEDY), this bill is targeted at the superlabs in Mexico that produce most of the meth. Cooperative efforts with Mexico can work if they are vigorously pursued by the State Department and other Federal agencies.

For example, until only recently, Canada was the primary conduit for illegal pseudoephedrine tracking, largely because Canada has no internal regulation for the chemical, which obviously poses a problem for the Internet and start to move this. But under pressure from the United States, Canada adopted controls on the chemical. And that, combined with better joint law enforcement, helped dry up the U.S.-Canadian smuggling.

The gentleman from Oregon recently introduced and the House adopted, an amendment to the fiscal year 2006 foreign operations appropriations bill that added $5 million to the State Department’s Bureau for International Narcotics Control and Law Enforcement Affairs. This amendment was intended to help INL work much more closely with Mexican law enforcement officials to stem the tide of illegal diversion and superlab meth production.

This amendment would build on that approach by requiring INL to provide assistance to Mexico to prevent the production of methamphetamine in that country and to encourage Mexico to stop the illegal diversion of meth precursor chemicals. The amendment would authorize the use of $4 million of the funds made available by the amendment to do that, with $2 million remaining that would be available to help the State Department implement the amendment of the gentleman from Minnesota (Mr. KENNEDY).

Mr. Chairman, I want to again thank the gentleman from Oregon (Ms. HOOLEY) for her leadership, the gentleman from Minnesota (Mr. KENNEDY) for his leadership, and continuing to work with those of us who are committed to trying to tackle the scourge of methamphetamine before it overwhelms the United States.

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

Ms. HOOLEY. Mr. Chairman, I yield 1 minute to the gentleman from Minnesota (Mr. KENNEDY).

Mr. KENNEDY of Minnesota. Mr. Chairman, I thank the gentleman from Oregon for yielding me this time, and for her leadership on this very important issue. This is a very important step to deal with what is said to be up to 80 percent of the source of methamphetamines in our country.
If you look at law enforcement, they are doing a wonderful job fighting the crime in their local communities. But this is something where they cannot reach beyond the borders. It is only us in the Federal Government that can do that. We have the State Department fully supportive, having the resources they need to go after the methamphetamines coming in from other countries.

This amendment will do that. It is an important step forward. I urge my colleagues to support this amendment. I thank again the gentlewoman for her leadership on this.

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

Ms. HOOLEY. Mr. Chairman, how much times remains on this side?

The Acting CHAIRMAN. The gentlewoman from Oregon has 3 minutes remaining.

Ms. HOOLEY. Mr. Chairman, I yield 1 minute to the gentleman from Washington (Mr. BAIRD).

Mr. BAIRD. Mr. Chairman, I thank my dear friend from Oregon for yielding me this time, and commend her for her leadership on this, along with the gentleman from Indiana (Mr. SOUDER) and the gentleman from Minnesota (Mr. KENNEDY).

My colleagues have defined for us what this amendment is about. Essentially, we are desperately trying to stem the tide of precursors from Mexico that are leading to the increase in methamphetamine on the streets. But let me put a human face on this. If I might, in the brief time I have.

Mr. Chairman, I try to visit every high school in my district every 2 years. Last fall, I spoke to a small rural high school about the dangers of meth. Having treated meth addicts as a psychologist before, I know a little about what I am speaking about. After talking to them for about 15 minutes, a young man turned to his classmates, you really need to listen to what he is saying. And I turned to her and kind of gently said, you must have some experience with this. And she said, I do. My mother died of methamphetamine 3 months ago.

A 16-year-old had lost her mother to this terrible drug. We must do everything in our power to stop this. The Hooley amendment we have all joined together with will help do that, and the others offered today, yield the gentleman from Minnesota (Mr. KENNEDY) and others. I applaud their leadership on this and join wholeheartedly and urge passage of this important amendment.

Ms. HOOLEY. Mr. Chairman, I yield 1 minute to the gentlewoman from Minnesota (Ms. MCCOLLUM).

Ms. MCCOLLUM of Minnesota. Mr. Chairman, I stand to offer my strong support for the Hooley-Souder-Baird amendment. The meth crisis is taken very seriously in Minnesota, and I am proud of the work our local law enforcement officials are doing. They know very well how difficult this problem is, both the local production of methamphetamine and the explosion in trafficking.

While I support efforts to attack local labs and local meth production, we all know it is not enough. The meth epidemic, as I said, is poisoning and polluting Minnesota, where as much as 80 percent of the methamphetamine is produced in superlabs trafficked by Mexican narcoterrorist gangs.

The Bush administration and Congress must work with Mexico and apply real pressure to the Mexican government to attack meth production and the trafficking on their side of the border. This amendment is a good start. While States like Minnesota continue to limit and ban pseudoephedrine, these superlabs operating outside of our borders are continuing to put the chemicals that are destroying families on our streets. Banning pseudoephedrine will not stop the problem, but banning meth in Mexico could.

Ms. HOOLEY. Mr. Chairman, I yield myself the balance of my time, and urge passage of this Hooley-Souder amendment, and I would like to thank my friends, the gentleman from Minnesota (Mr. KENNEDY) and the gentleman from Washington (Mr. BAIRD), for all their hard work. They have been tremendous working on this methamphetamine legislation.

This is like a great big huge pipeline with one end in Mexico and the other in the United States, and we are committed to making sure that every single valve is turned off.

Mr. TERRY. Mr. Chairman, I rise in support of the Kennedy-Hooley Amendment to H.R. 2601.

The U.S. Department of Justice estimates that 90 percent of the meth available in Nebraska is trafficked from superlabs operated by drug cartels in Mexico, California, and the southwestern states. Local law enforcement officers are confronted with the choice between dismantling home-based meth labs while combating the flow of meth from international drug trafficking. The Kennedy-Hooley amendment will help give local law enforcement officers the tools they need to combat meth. It requires the U.S. State Department to report and certify that countries heavily involved in the import or export of pseudoephedrine—a key meth ingredient—are cooperating with local law enforcement agencies to prevent its misuse and diversion. Countries that do not comply will be subject to sanctions under the Foreign Assistance Act.

In Omaha, Nebraska, seven of nine law enforcement jurisdictions identify meth as the drug that most contributes to violent crime. Omaha policemen tell me that meth is now the drug of choice for gangs in North Omaha, replacing crack cocaine andoin. Sixty percent of inmates in Nebraska jails have problems with meth, and the toll on families in Nebraska is incalculable.

I urge my colleagues to join me in voting for the Kennedy-Hooley amendment to help stop meth smuggling for Mexican drug cartels, and support our law enforcement officers.

Ms. HOOLEY. Mr. Chairman, I yield back the balance of my time.
The U.S. will not be able to take effective action against the heroin trade if the Afghan government refuses to apprehend and extradite major opium traffickers.

Mr. Chairman, extradition is one of the most important tools in the struggle against international narcoterrorism. We need to be very sure that tool is functioning properly in Afghanistan, the epicenter of the world’s heroin trade. As we vote to keep our troops still in Afghanistan, they are not being shot at by missiles and bullets and guns bought by making microcomputers or by sales from their local Wal-Mart. It is coming from the heroin trade.

The men and women dying in Afghanistan are dying because of illegal narcotics and the heroin trade, which funded al-Qaeda and the Taliban when they were in charge of Afghanistan and continues to fund those who are shooting at us. We have to understand, and the Afghan Government has to understand, the necessity of going after these traffickers aggressively. To do that, we need extradition here in Congress. Because of that, although I know that the committee supports this, I am going to ask for a rollocall vote because I believe it is important that we in a bipartisan way go on record and say we must pursue in Afghanistan, for the protection of our soldiers and families, and workers all over the world, as heroin pours out of Afghanistan at three times the level of anything that ever happened under the Taliban. The greatest flow of heroin in world history is occurring now, and we have to get to the traffickers behind this.

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

Mr. LANTOS. Mr. Chairman, I ask unanimous consent to claim the time in opposition, although I do not oppose the amendment.

Mr. CHAIRMAN. Pursuant to clause 19 of rule XVIII, further proceedings on the amendment offered by the gentleman from Indiana (Mr. SOUDER), as amended, are now in order. It is now in order to consider amendments by the gentleman from Indiana (Mr. SOUDER), as amended.

The CHAIRMAN. Mr. Chairman, I yield back the balance of my time.

Mr. SOUDER. Mr. Chairman, I yield back the balance of my time. The Hooley-Souder amendment is critical to support our police officers on the front lines in the battle against meth. Reducing the amount of meth smuggled into the U.S. from Mexican super-labs will help our law enforcement officers protect families and children from this insidious drug that destroys lives and ruins communities. I urge my colleagues to join me in voting for the Hooley-Souder amendment today.

Mr. SOUDER. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Indiana (Mr. SOUDER), as amended, are now in order. It is now in order to consider amendment No. 11 printed in part B of House Report 109–175.

AMENDMENT NO. 11 OFFERED BY MR. SOUDER

Mr. SOUDER. Mr. Chairman, I offer an amendment. The CHAIRMAN. The Clerk will designate the amendment. The text of the amendment is as follows:

Amendment No. 11 offered by Mr. SOUDER:

In subtitle B of title XI, redesignate sections 1111 through 1130 as sections 1101 through 1136, respectively.

In subtitle A of title XI, add at the end the following new section:

SEC. 1111. ACQUISITION OF MARITIME REFUELING SUPPORT VESSEL FOR UNITED STATES DRUG INTERDICTI盘 EF- FORIS IN THE EASTERN PACIFIC MARITIME TRANSIT ZONE.

(a) FINDINGS.—Congress finds the following:

(1) The Department of Defense and Department of Homeland Security report that narco-traffickers smuggling methamphetamine continue to avoid United States drug interdiction efforts by transiting deep into the Eastern Pacific, well beyond the capabilities of United States ships at sea.

(2) Drug trafficking organizations have already adapted to these long transit routes by smuggling records, reefs, and the like.
employing logistical support vessels (LSVs) to refuel drug laden boats on the high seas.

(3) United States drug interdiction forces currently do not have this at-sea refueling capability.

(4) On June 29, 2005, the Subcommittee on Criminal Justice, Drug Policy and Human Resources of the Committee on Government Reform of the House of Representatives held a hearing entitled “Interrupting Narco-Terrorist Threats on the High Seas: Do We Have Enough Wind in Our Sails?”

(5) Under the hearing, the acting United States Interdiction Coordinator (USIC), Ralph Utley, spoke of the substantial benefits to be gained if a maritime “oiler” ship were able to support interdiction activities in the Eastern Pacific maritime transit zone.

(6) The Subcommittee was very interested to see that all witnesses representing the Department of Defense, the Office of National Drug Control Policy (ONDCP), the United States Coast Guard, Customs and Border Protection, and the Drug Enforcement Administration testified that they believe the employment of a maritime oiler vessel would be an immediate improvement to United States interdiction operations in the transit zone.

(7) On any given day, United States and Allied forces seize an average of 100 kilograms of cocaine per ship when patrolling in the Eastern Pacific maritime transit zone.

(8) Each year, the United States Coast Guard estimates it loses 100 “ship-days” due to lengthy refueling trips to Central and South American countries. The United States Navy also faces similar refueling challenges.

(9) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $25,000,000 for fiscal year 2006 and $25,000,000 for fiscal year 2007 for the Bureau for International Narcotics and Law Enforcement Affairs (INL) of the Department of State to purchase or lease a maritime refueling support vessel or to refuel United States and allied warships and vessels employed in support of United States drug interdiction duties in the Eastern Pacific maritime transit zone.

The CHAIRMAN. Pursuant to House Resolution 365, the gentleman from Indiana (Mr. SOUDER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Indiana (Mr. SOUDER), Mr. SOUDER. Mr. Chairman, I yield myself such time as I may consume.

I ask my colleagues for their support on this amendment which would authorize new resources for our drug interdiction efforts. I again want to commend the gentleman from Illinois (Mr. HYDE) for his assistance in getting this much-needed help for drug interdiction throughout the world.

That I propose seeks to build on the efforts of the gentleman from Illinois (Chairman HYDE) by authorizing the State Department’s Bureau for International Narcotics and Law Enforcement Affairs, INL, to acquire a vessel for the benefit of the U.S. and allied drug interdiction activities, such as the U.S. Coast Guard and Navy, operating in the eastern Pacific region. That would be the area on the west side of Mexico and as you come down through Central America.

According to testimony provided by the Coast Guard, Department of Defense, Office of National Drug Control Policy, and other agencies to the Government Reform Subcommittee on Criminal Justice, Drug Policy and Human Resources, which I chair, drug traffickers have increasingly pushed their routes into that area further and further west from landfall. U.S. vessels have no refueling capability in that area, often coming from San Diego, and thus cannot operate for any significant length of time.

The traffickers, by contrast, have developed their own sophisticated refueling system and can now simply bypass our interdiction forces. Today we face an almost unique situation in drug interdiction history. We now have more intelligence about drug trafficking than assets to act on it, meaning that we have to watch helplessly while some shipments of poisonous narcotics are brought to the U.S.

The testimony provided to the subcommittee by Federal agencies has indicated that a refueling vessel would be of significant benefit in stopping this gaping hole. By allowing Coast Guard and other ships to carry out longer patrols in the eastern Pacific region, we will no longer be at such a major logistical disadvantage vis-à-vis the drug kingpins.

Moreover, although the amendment authorizes up to $25 million for the refueling vessel, it also authorizes INL to purchase or lease the vessel, thus allowing INL to obtain this vital asset at the lowest cost.

Again, I thank the gentleman from Illinois (Mr. HYDE) for his support and in the fight against drug trafficking, and I urge my colleagues to support this amendment.

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

Mr. LANTOS. Mr. Chairman, I ask unanimous consent to claim the time in opposition, although I do not oppose the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

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

Mr. Chairman, I rise in support of the amendment. It is of critical importance that the United States not be outgunned or outmaneuvered by narcotics traffickers either in the streets of our towns or on the high seas.

It is very disturbing to learn that drug traffickers are in fact developing their own navies with at-sea refueling capabilities for their drug cargo vessels, yet our own Coast Guard is not similarly equipped when it hunts and pursues these deep water vessels in the eastern Pacific.

This amendment will authorize $50 million for the next two fiscal years to the Department of State International Narcotics and Law Enforcement Bureau for the acquisition of a maritime refueling support vessel to refuel U.S. Coast Guard and other drug interdiction vessels in the eastern Pacific. In the drug war, unilateral disarmament is the worst position to be in. I urge all of my colleagues to support this amendment.

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

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

Mr. Chairman, I would like to seek the support of the chairman in acquiring three cables from the State Department: one cable from the U.S. Embassy in Bogota regarding the lack of assistance from the Afghan government on heroin trade, and two cables from the U.S. Embassy in Bogota regarding lack of U.S. support thus far for the demobilization program.

Mr. SMITH of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. SOUDER. I yield to the gentleman from New Jersey.

Mr. SMITH of New Jersey. Mr. Chairman, I want to assure the gentleman that the committee stands ready to work with the gentleman from Indiana (Mr. SMITH), and the gentleman from California (Mr. LANTOS) for their support on these amendments. It is important that we have a bipartisan effort to send a message, whether it is to methamphetamine traffickers, pseudoephedrine, cocaine traffickers around the world, or heroin traffickers in Afghan. The fact is we lose 20,000 to 30,000 Americans every year to drug deaths. Because they do not happen on the same day at the same place, it is not as dramatic as what happened on 9/11, but they are still dead.

I thank the leadership of the committee for their support on these important amendments so we can, in a bipartisan way, make a dent in this terrible scourge, drug use.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana (Mr. SOUDER).

The amendment was agreed to.

The CHAIRMAN. The Committee will rise informally to receive a message.

The SPEAKER pro tempore (Mr. MANZULLO) assumed the Chair.

MESSAGES FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.