

“(A) the commercial exploration, extraction, importation, exportation, or sale of columbite-tantalite, cassiterite, or wolframite; or

“(B) the use of such minerals, derivatives of such minerals, components that include such minerals, or components that include derivatives of such minerals in the manufacture of a product for sale.

“(4) REVISIONS AND WAIVERS.—The Commission may revise or temporarily waive the requirements described in paragraph (1) if the Commission determines that such revision or waiver is—

“(A) necessary for the protection of investors; and

“(B) in the public interest.

“(5) TERMINATION OF DISCLOSURE REQUIREMENTS.—The disclosure requirements of this subsection shall terminate if the President—

“(A) determines that—

“(i) no armed party to any ongoing armed conflict in the Democratic Republic of Congo or any other country—

“(I) is involved in an activity described in paragraph (3)(A) with respect to columbite-tantalite, cassiterite, or wolframite; or

“(II) derives benefits from such activity; or

“(i) a regional framework has been established and effectively implemented to monitor and regulate the activities described in paragraph (3)(A) with respect to columbite-tantalite, cassiterite, or wolframite in the Democratic Republic of Congo so that such activities do not finance or benefit illegal armed groups; and

“(B) notifies the Commission of the determination under subparagraph (A).

“(6) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Commission for fiscal year 2010 such sums as may be necessary for the Commission to carry out the provisions of this subsection.

“(7) DEFINITIONS.—In this subsection, the following definitions shall apply:

“(A) ADJOINING COUNTRY.—The term ‘adjoining country’, with respect to the Democratic Republic of Congo, means a country that shares an internationally recognized border with the Democratic Republic of Congo.

“(B) CONTROL.—The term ‘control’ means—

“(i) in the case of a corporation, ownership of at least 50 percent of the voting stock of the corporation; and

“(ii) in the case of any other entity, ownership of interests representing at least 50 percent of the voting capital of the entity.

“(C) FOREIGN PERSON.—The term ‘foreign person’ means a person—

“(i) in the case of an individual, who is an alien as such term is defined in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)); or

“(ii) in the case of a partnership, corporation, or other entity, that is organized under the laws of a foreign country or that has its principal place of business in a foreign country.

“(D) PERSON.—The term ‘person’ has the meaning given the term in section 3(a) but does not include—

“(i) any foreign nongovernmental organization that—

“(I) has consultative status with the United Nations Economic and Social Council; or

“(II) has been accredited by a department or specialized agency of the United Nations; or

“(ii) a foreign person whose business activities are strictly limited to providing goods and services that are—

“(I) intended to relieve human suffering;

“(II) intended to promote welfare, health, religious, or spiritual activities;

“(III) used for educational or humanitarian purposes;

“(IV) used for journalistic activities; or

“(V) used for such other purposes as the Secretary of State may determine serve the foreign policy interests of the United States.”.

**SEC. 605. SENSE OF CONGRESS ON ASSISTANCE FOR AFFECTED COMMUNITIES AND SUSTAINABLE LIVELIHOODS.**

(a) SENSE OF CONGRESS ON ASSISTANCE FOR AFFECTED COMMUNITIES.—It is the sense of Congress that the Administrator of the United States Agency for International Development should expand and better coordinate programs to assist and empower communities in the eastern Democratic Republic of Congo whose livelihoods depend on the mineral trade, particularly—

(1) communities affected by sexual and gender-based violence; and

(2) individuals displaced by violence.

(b) SENSE OF CONGRESS ON FUTURE YEAR FUNDING.—It is the sense of Congress that the Secretary of State and the Administrator should work with the appropriate congressional committees to increase assistance in fiscal years beginning after fiscal year 2009 for communities affected by violence in the Democratic Republic of Congo, specifically—

(1) to provide medical treatment, psychological support, and rehabilitation assistance for survivors of sexual and gender-based violence;

(2) to provide humanitarian relief and basic services to people displaced by violence;

(3) to improve living conditions and livelihood prospects for artisanal miners and mine workers; and

(4) to alleviate poverty by reconstructing infrastructure and revitalizing agricultural production.

(c) SENSE OF CONGRESS ON COORDINATION OF ASSISTANCE.—It is the sense of Congress that the United States should work with other countries, on a bilateral and multilateral basis—

(1) to increase protection and services for communities in the eastern Democratic Republic of Congo at risk of human rights violations associated with the mineral trade, particularly women and girls;

(2) to strengthen the management and trade of natural resources in the Democratic Republic of Congo; and

(3) to improve the conditions and livelihood prospects of artisanal miners and mine workers.

**SEC. 606. REPORT.**

Not later than 2 years after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report that includes the following:

(1) An assessment of the effectiveness of the provisions of this Act and section 13(m) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(m)), as added by section 5, in promoting peace and security in accordance with section 3.

(2) A description of the problems, if any, encountered by the President, officials described in section 4(a), the Securities and Exchange Commission, and the Administrator of the United States Agency for International Development in carrying out the provisions of this Act and such section 13(m).

(3) A description of the adverse impacts of carrying out the provisions of this Act and such section 13(m), if any, on communities in the eastern Democratic Republic of Congo.

(4) Recommendations for legislative or regulatory actions that can be taken—

(A) to improve the effectiveness of the provisions of this Act and such section 13(m) to promote peace and security in accordance with section 3;

(B) to resolve the problems described pursuant to paragraph (2), if any; and

(C) to mitigate the adverse impacts described pursuant paragraph (3), if any.

**AUTHORITY FOR COMMITTEES TO MEET**

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on October 27, 2009, at 2:30 p.m. in room 253 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on October 27, 2009, at 2:15 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on October 27, 2009, at 9:30 a.m. in Room 406 of the Dirksen Senate Office Building to hold a hearing entitled, “Legislative Hearing on S. 1733, Clean Energy Jobs and American Power Act.”

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. CARDIN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on October 27, 2009, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON DOMESTIC AND FOREIGN MARKETING, INSPECTION AND PLANT AND ANIMAL HEALTH AND THE SUBCOMMITTEE ON PRODUCTION, INCOME PROTECTION, AND PRICE SUPPORT

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition and Forestry, Subcommittee on Domestic and Foreign Marketing, Inspection and Plant and Animal Health and the Subcommittee on Production, Income Protection, and Price Support, be authorized to meet during the session of the Senate on October 27, 2009, at 2:30 p.m. in room 216 of the Hart Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

**PRIVILEGES OF THE FLOOR**

Mr. CARDIN. Mr. President, I ask unanimous consent that privileges of the floor be granted to the following member of my staff during the pendency of this nomination: Troy Ware.