

Union Calendar No. 105

109TH CONGRESS
1ST SESSION

H. R. 2601

[Report No. 109-168]

To authorize appropriations for the Department of State for fiscal years 2006 and 2007, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 24, 2005

Mr. SMITH of New Jersey (for himself and Mr. PAYNE) introduced the following bill; which was referred to the Committee on International Relations

JULY 13, 2005

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

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

[For text of introduced bill, see copy of bill as introduced on May 24, 2005]

A BILL

To authorize appropriations for the Department of State for fiscal years 2006 and 2007, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Foreign Relations Au-*
5 *thorization Act, Fiscal Years 2006 and 2007”.*

1 **SEC. 2. TABLE OF CONTENTS.**

2 *The table of contents for this Act is as follows:*

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- Sec. 931. Support for pro-democracy and human rights organizations in certain countries.*
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- Sec. 1001. Trans-Sahara Counter-Terrorism Initiative.*
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Sec. 1017. Diplomatic relations with Israel.
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Sec. 1020. Democracy in Pakistan.
Sec. 1021. Status of the sovereignty of Lebanon.
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TITLE XI—MISCELLANEOUS PROVISIONS

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- Sec. 1101. Statement of policy relating to democracy in Iran.*
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Sec. 1104. Benjamin Gilman International Scholarship program.
Sec. 1105. Prohibition on commemorations relating to leaders of Imperial Japan.
Sec. 1106. United States policy regarding World Bank Group loans to Iran.
Sec. 1107. Statement of policy regarding support for SECI Regional Center for Combating Trans-Border Crime.
Sec. 1108. Statement of policy urging Turkey to respect the rights and religious freedoms of the Ecumenical Patriarch.
Sec. 1109. Statement of policy regarding the murder of United States citizen John M. Alvis.
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- Sec. 1111. Korean Fulbright programs.*
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Sec. 1119. Child labor practices in the cocoa sectors of Cote d'Ivoire and Ghana.
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Sec. 1124. Action against al-Manar television.
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Sec. 1126. Property expropriated by the Government of Ethiopia.

1 **SEC. 3. DEFINITIONS.**

2 *In this Act:*

3 (1) *APPROPRIATE CONGRESSIONAL COMMIT-*
4 *TEES.—Except as otherwise provided, the term “ap-*
5 *propriate congressional committees” means the Com-*
6 *mittee on International Relations of the House of*
7 *Representatives and the Committee on Foreign Rela-*
8 *tions of the Senate.*

9 (2) *DEPARTMENT.—The term “Department”*
10 *means the Department of State.*

11 (3) *SECRETARY.—The term “Secretary” means*
12 *the Secretary of State.*

13 **TITLE I—AUTHORIZATIONS OF**
14 **APPROPRIATIONS**

15 **SEC. 101. ADMINISTRATION OF FOREIGN AFFAIRS.**

16 *The following amounts are authorized to be appro-*
17 *priated for the Department of State under “Administration*
18 *of Foreign Affairs” to carry out the authorities, functions,*
19 *duties, and responsibilities in the conduct of foreign affairs*
20 *of the United States and for other purposes authorized by*
21 *law:*

22 (1) *DIPLOMATIC AND CONSULAR PROGRAMS.—*

23 (A) *AUTHORIZATION OF APPROPRIA-*
24 *TIONS.—For “Diplomatic and Consular Pro-*
25 *grams”, \$3,769,118,000 for fiscal year 2006 and*
26 *\$3,896,611,500 for fiscal year 2007.*

1 (B) *WORLDWIDE SECURITY UPGRADES.*—*In*
2 *addition to amounts authorized to be appro-*
3 *priated under subparagraph (A), \$689,523,000*
4 *for fiscal year 2006 and \$710,208,690 for fiscal*
5 *year 2007 are authorized to be appropriated for*
6 *worldwide security upgrades.*

7 (C) *PUBLIC DIPLOMACY.*—*Of the amounts*
8 *authorized to be appropriated under subpara-*
9 *graph (A), \$333,863,000 for fiscal year 2006 and*
10 *\$343,699,000 for fiscal year 2007 are authorized*
11 *to be appropriated for public diplomacy.*

12 (D) *BUREAU OF DEMOCRACY, HUMAN*
13 *RIGHTS, AND LABOR.*—*Of the amounts author-*
14 *ized to be appropriated under subparagraph (A),*
15 *\$20,000,000 for fiscal year 2006 and \$20,000,000*
16 *for fiscal year 2007 are authorized to be appro-*
17 *priated for salaries and expenses of the Bureau*
18 *of Democracy, Human Rights, and Labor.*

19 (E) *ANTI-SEMITISM.*—*Of the amounts au-*
20 *thorized to be appropriated under subparagraph*
21 *(A), \$225,000 for fiscal year 2006 and \$225,000*
22 *for fiscal year 2007 are authorized to be appro-*
23 *priated for necessary expenses to fund*
24 *secondments, hiring of staff, and support tar-*
25 *geted projects of the Office of Democratic Institu-*

1 *tions and Human Rights (ODIHR) of the Orga-*
2 *nization for Security and Cooperation in Europe*
3 *(OSCE) regarding anti-Semitism and intoler-*
4 *ance and for the OSCE/ODIHR Law Enforce-*
5 *ment Officers Hate Crimes Training Program.*

6 *(F) RELIGIOUS FREEDOM.—*

7 *(i) IN GENERAL.—Of the amounts au-*
8 *thorized to be appropriated under subpara-*
9 *graph (A), \$205,000 for fiscal year 2006*
10 *and \$205,000 for fiscal year 2007 are au-*
11 *thorized to be appropriated for necessary ex-*
12 *penses to fund activities of the Organization*
13 *for Security and Cooperation in Europe re-*
14 *lating to freedom of religion and belief.*

15 *(ii) OSCE PROJECTS, ACTIVITIES, AND*
16 *MISSIONS.—*

17 *(I) PROJECTS AND ACTIVITIES.—*

18 *Of the amounts authorized to be appro-*
19 *priated under subparagraph (A),*
20 *\$125,000 for fiscal year 2006 and*
21 *\$125,000 for fiscal year 2007 are au-*
22 *thorized to be appropriated for nec-*
23 *essary expenses to fund for*
24 *secondments, hiring of staff, and sup-*
25 *port targeted projects of the Office of*

1 *Democratic Institutions and Human*
2 *Rights (ODIHR) of the Organization*
3 *for Security and Cooperation in Eu-*
4 *rope (OSCE) regarding religious free-*
5 *dom and for the OSCE/ODIHR Panel*
6 *of Experts on Freedom of Religion or*
7 *Belief.*

8 (II) MISSIONS.—*Of the amounts*
9 *authorized to be appropriated under*
10 *subparagraph (A), \$80,000 for fiscal*
11 *year 2006 and \$80,000 for fiscal year*
12 *2007 are authorized to be appropriated*
13 *for OSCE Missions in Armenia, Azer-*
14 *baijan, Georgia, Kazakhstan,*
15 *Kyrgyzstan, Tajikistan, Turkmenistan*
16 *and Uzbekistan for activities to address*
17 *issues relating to religious freedom and*
18 *belief and to fund the hiring of new*
19 *staff who are dedicated to religious*
20 *freedom and belief.*

21 (G) CHARLES B. RANGEL INTERNATIONAL
22 AFFAIRS PROGRAM.—*Of the amounts authorized*
23 *to be appropriated under subparagraph (A),*
24 *\$1,500,000 for fiscal year 2006 and \$1,500,000*
25 *for fiscal year 2007 are authorized to be appro-*

1 *priated for the Charles B. Rangel International*
2 *Affairs Program at Howard University.*

3 *(H) MINORITY RECRUITMENT.—Of the*
4 *amounts authorized to be appropriated under*
5 *subparagraph (A), \$3,000,000 for fiscal year*
6 *2006 and \$3,000,000 for fiscal year 2007 are au-*
7 *thorized to be appropriated for the recruitment of*
8 *members of minority groups for careers in the*
9 *Foreign Service and international affairs.*

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

13 *(3) EMBASSY SECURITY, CONSTRUCTION AND*
14 *MAINTENANCE.—For “Embassy Security, Construc-*
15 *tion and Maintenance”, \$1,526,000,000 for fiscal year*
16 *2006 and \$1,550,000,000 for fiscal year 2007.*

17 *(4) EDUCATIONAL AND CULTURAL EXCHANGE*
18 *PROGRAMS.—*

19 *(A) AUTHORIZATION OF APPROPRIA-*
20 *TIONS.—For “Educational and Cultural Ex-*
21 *change Programs”, \$428,900,000 for fiscal year*
22 *2006 and \$438,500,000 for fiscal year 2007.*

23 *(B) SUMMER INSTITUTES FOR KOREAN STU-*
24 *DENT LEADERS.—Of the amounts authorized to*
25 *be appropriated under subparagraph (A),*

1 \$750,000 for fiscal year 2006 and \$750,000 for
2 fiscal year 2007 are authorized to be appro-
3 priated for summer academic study programs in
4 the United States (focusing on United States po-
5 litical systems, government institutions, society,
6 and democratic culture) for college and univer-
7 sity students from the Republic of Korea, to be
8 known as the “United States Summer Institutes
9 for Korean Student Leaders”.

10 (C) *SUDANESE SCHOLARSHIPS.*—Of the
11 amounts authorized to be appropriated under
12 subparagraph (A), \$500,000 for fiscal year 2006
13 and \$500,000 for fiscal year 2007 are authorized
14 to be appropriated for scholarships for students
15 from southern Sudan for secondary or postsec-
16 ondary education in the United States, to be
17 known as “Sudanese Scholarships”.

18 (D) *SCHOLARSHIPS FOR INDIGENOUS PEO-*
19 *PLES OF MEXICO AND CENTRAL AND SOUTH*
20 *AMERICA.*—Of the amounts authorized to be ap-
21 propriated under subparagraph (A), \$250,000
22 for fiscal year 2006 and \$250,000 for fiscal year
23 2007 are authorized to be appropriated for schol-
24 arships for secondary and postsecondary edu-
25 cation in the United States for students from

1 *Mexico and the countries of Central and South*
2 *America who are descended from the indigenous*
3 *peoples of Mexico or such countries.*

4 (E) *SOUTH PACIFIC EXCHANGES.*—Of the
5 *amounts authorized to be appropriated under*
6 *subparagraph (A), \$650,000 for fiscal year 2006*
7 *and \$650,000 for fiscal year 2007 are authorized*
8 *to be appropriated for South Pacific Exchanges.*

9 (F) *TIBETAN SCHOLARSHIP PROGRAM.*—Of
10 *the amounts authorized to be appropriated under*
11 *subparagraph (A), \$750,000 for fiscal year 2006*
12 *and \$800,000 for fiscal year 2007 are authorized*
13 *to be appropriated to carry out the Tibetan*
14 *scholarship program established under section*
15 *103(b)(1) of the Human Rights, Refugee, and*
16 *Other Foreign Relations Provisions Act of 1996*
17 *(Public Law 104–319; 22 U.S.C. 2151 note).*

18 (G) *NGAWANG CHOPEL EXCHANGE PRO-*
19 *GRAMS.*—Of the amounts authorized to be appro-
20 *priated under subparagraph (A), \$500,000 for*
21 *fiscal year 2006 and \$500,000 for fiscal year*
22 *2007 are authorized to be appropriated for the*
23 *“Ngawang Choepel Exchange Programs” (for-*
24 *merly known as “programs of educational and*
25 *cultural exchange between the United States and*

1 the people of Tibet”) under section 103(a) of the
2 Human Rights, Refugee, and Other Foreign Re-
3 lations Provisions Act of 1996 (Public Law 104-
4 319; 22 U.S.C. 2151 note).

5 (H) *HIV/AIDS INITIATIVE.*—Of the
6 amounts authorized to be appropriated under
7 subparagraph (A), \$1,000,000 for fiscal year
8 2006 and \$1,000,000 for fiscal year 2007 are au-
9 thorized to be appropriated for HIV/AIDS re-
10 search and mitigation strategies.

11 (I) *PROJECT CHILDREN AND COOPERATION*
12 *WITH IRELAND.*—Of the amounts authorized to
13 be appropriated under subparagraph (A),
14 \$500,000 for fiscal year 2006 and \$500,000 for
15 fiscal year 2007 are authorized to be appro-
16 priated for people-to-people activities (with a
17 focus on young people) to support the Northern
18 Ireland peace process involving Catholic and
19 Protestant participants from the Republic of Ire-
20 land, the United Kingdom, and the United
21 States, to be known as “Project Children”.

22 (5) *REPRESENTATION ALLOWANCES.*—For “Rep-
23 resentation Allowances”, \$8,281,000 for fiscal year
24 2006 and \$8,281,000 for fiscal year 2007.

1 (6) *PROTECTION OF FOREIGN MISSIONS AND OF-*
2 *FICIALS.—For “Protection of Foreign Missions and*
3 *Officials”, \$9,390,000 for fiscal year 2006 and*
4 *\$9,390,000 for fiscal year 2007.*

5 (7) *EMERGENCIES IN THE DIPLOMATIC AND CON-*
6 *SULAR SERVICE.—For “Emergencies in the Diplo-*
7 *matic and Consular Service”, \$12,143,000 for fiscal*
8 *year 2006 and \$12,143,000 for fiscal year 2007.*

9 (8) *REPATRIATION LOANS.—For “Repatriation*
10 *Loans”, \$1,319,000 for fiscal year 2006 and*
11 *\$1,319,000 for fiscal year 2007.*

12 (9) *PAYMENT TO THE AMERICAN INSTITUTE IN*
13 *TAIWAN.—For “Payment to the American Institute in*
14 *Taiwan”, \$19,751,000 for fiscal year 2006 and*
15 *\$20,146,020 for fiscal year 2007.*

16 (10) *OFFICE OF THE INSPECTOR GENERAL.—For*
17 *“Office of the Inspector General”, \$29,983,000 for fis-*
18 *cal year 2006, and \$29,983,000 for fiscal year 2007.*

19 **SEC. 102. CONTRIBUTIONS TO INTERNATIONAL ORGANIZA-**
20 **TIONS.**

21 (a) *ASSESSED CONTRIBUTIONS TO INTERNATIONAL*
22 *ORGANIZATIONS.—There are authorized to be appropriated*
23 *for “Contributions to International Organizations”,*
24 *\$1,296,500,000 for fiscal year 2006 and \$1,322,430,000 for*
25 *fiscal year 2007, for the Department of State to carry out*

1 *the authorities, functions, duties, and responsibilities in the*
2 *conduct of the foreign affairs of the United States with re-*
3 *spect to international organizations and to carry out other*
4 *authorities in law consistent with such purposes.*

5 **(b) CONTRIBUTIONS FOR INTERNATIONAL PEACE-**
6 *KEEPING ACTIVITIES.*—*There are authorized to be appro-*
7 *priated for “Contributions for International Peacekeeping*
8 *Activities”, \$1,035,500,000 for fiscal year 2006 and such*
9 *sums as may be necessary for fiscal year 2007, for the De-*
10 *partment of State to carry out the authorities, functions,*
11 *duties, and responsibilities of the United States with respect*
12 *to international peacekeeping activities and to carry out*
13 *other authorities in law consistent with such purposes.*
14 *Amounts appropriated pursuant to this subsection are au-*
15 *thorized to remain available until expended.*

16 **(c) FOREIGN CURRENCY EXCHANGE RATES.**—

17 **(1) AUTHORIZATION OF APPROPRIATIONS.**—*In*
18 *addition to amounts authorized to be appropriated*
19 *under subsection (a), there are authorized to be ap-*
20 *propriated such sums as may be necessary for each of*
21 *fiscal years 2006 and 2007 to offset adverse fluctua-*
22 *tions in foreign currency exchange rates.*

23 **(2) AVAILABILITY OF FUNDS.**—*Amounts appro-*
24 *priated under this subsection shall remain available*
25 *for obligation and expenditure only to the extent that*

1 *the Director of the Office of Management and Budget*
2 *determines and certifies to Congress that such*
3 *amounts are necessary due to such fluctuations.*

4 **SEC. 103. INTERNATIONAL COMMISSIONS.**

5 *The following amounts are authorized to be appro-*
6 *priated under “International Commissions” for the Depart-*
7 *ment of State to carry out the authorities, functions, duties,*
8 *and responsibilities in the conduct of the foreign affairs of*
9 *the United States and for other purposes authorized by law:*

10 (1) *INTERNATIONAL BOUNDARY AND WATER COM-*
11 *MISSION, UNITED STATES AND MEXICO.—For “Inter-*
12 *national Boundary and Water Commission, United*
13 *States and Mexico”—*

14 (A) *for “Salaries and Expenses”,*
15 *\$28,200,000 for fiscal year 2006 and \$28,200,000*
16 *for fiscal year 2007; and*

17 (B) *for “Construction”, \$6,100,000 for fiscal*
18 *year 2006 and \$6,100,000 for fiscal year 2007.*

19 (2) *INTERNATIONAL BOUNDARY COMMISSION,*
20 *UNITED STATES AND CANADA.—For “International*
21 *Boundary Commission, United States and Canada”,*
22 *\$1,429,000 for fiscal year 2006 and \$1,429,000 for*
23 *fiscal year 2007.*

1 (3) *INTERNATIONAL JOINT COMMISSION.*—*For*
2 *“International Joint Commission”, \$6,320,000 for fis-*
3 *cal year 2006 and \$6,320,000 for fiscal year 2007.*

4 (4) *INTERNATIONAL FISHERIES COMMISSIONS.*—
5 *For “International Fisheries Commissions”,*
6 *\$25,123,000 for fiscal year 2006 and \$25,123,000 for*
7 *fiscal year 2007.*

8 **SEC. 104. MIGRATION AND REFUGEE ASSISTANCE.**

9 (a) *IN GENERAL.*—*There are authorized to be appro-*
10 *priated for the Department of State for “Migration and*
11 *Refugee Assistance” for authorized activities, \$955,000,000*
12 *for fiscal year 2006 and \$983,650,000 for fiscal year 2007.*

13 (b) *REFUGEES RESETTLING IN ISRAEL.*—*Of the*
14 *amounts authorized to be appropriated under subsection*
15 *(a), there are authorized to be appropriated \$40,000,000 for*
16 *fiscal year 2006 and \$40,000,000 for fiscal year 2007 for*
17 *resettlement of refugees in Israel.*

18 (c) *PILOT PROGRAM FOR LONG-TERM REFUGEE POP-*
19 *ULATIONS.*—

20 (1) *PILOT PROGRAM.*—*Of the amounts author-*
21 *ized to be appropriated under subsection (a), there*
22 *are authorized to be appropriated \$2,500,000 for fis-*
23 *cal year 2006 and \$2,500,000 for fiscal year 2007 for*
24 *the establishment and implementation of a two-year*
25 *pilot program to improve conditions for long-term*

1 *refugee populations that are currently assisted in*
2 *camps or other segregated settlements.*

3 (2) *REQUIREMENTS.—In carrying out the pilot*
4 *program under paragraph (1), the Secretary of State*
5 *shall—*

6 (A) *seek to protect and ensure basic rights*
7 *granted to refugees under the 1951 Convention*
8 *Relating to the Status of Refugees and the 1967*
9 *Protocol Relating to the Status of Refugees;*

10 (B) *seek innovative modules or methods to*
11 *assist long-term refugee populations both within*
12 *and outside traditional camp settings, as appro-*
13 *priate, that support refugees living or working in*
14 *local communities, such as integration of refu-*
15 *gees into local schools and services, resource con-*
16 *servation and livelihood projects designed to di-*
17 *minish conflict between refugee hosting commu-*
18 *nities and refugees, and engagement of civil soci-*
19 *ety components of refugee hosting communities*
20 *in a policy dialogue with the United Nations*
21 *High Commissioner for Refugees (UNHCR) and*
22 *international and nongovernmental refugee as-*
23 *sistance organizations to enhance options to as-*
24 *assist refugees and promote the rights to which ref-*

1 *ugees may be entitled under the 1951 Convention*
2 *and 1967 Protocol;*

3 *(C) provide a United States voluntary con-*
4 *tribution to UNHCR to conduct the pilot pro-*
5 *gram in cooperation with nongovernmental orga-*
6 *nizations with expertise in the protection of ref-*
7 *ugee rights, one or more major operational hu-*
8 *manitarian assistance agencies, and in consulta-*
9 *tion with host countries, the United States, and*
10 *other donor countries; and*

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

14 *(3) REPORT.—Not later than one year after the*
15 *date on which the first pilot program is established*
16 *pursuant to paragraph (2), the Secretary shall submit*
17 *to the appropriate congressional committees a report*
18 *on the implementation of this subsection, the develop-*
19 *ment of innovative models to protect and assist refu-*
20 *gees, and recommendations for ensuring refugee rights*
21 *are respected in countries of temporary asylum.*

22 **SEC. 105. CENTERS AND FOUNDATIONS.**

23 *(a) ASIA FOUNDATION.—There are authorized to be*
24 *appropriated for “The Asia Foundation” for authorized ac-*

1 *tivities, \$18,000,000 for fiscal year 2006 and \$18,000,000*
 2 *for fiscal year 2007.*

3 (b) *NATIONAL ENDOWMENT FOR DEMOCRACY.*—*There*
 4 *are authorized to be appropriated for the “National Endow-*
 5 *ment for Democracy” for authorized activities, \$80,000,000*
 6 *for fiscal year 2006 and \$80,000,000 for fiscal year 2007.*

7 (c) *CENTER FOR CULTURAL AND TECHNICAL INTER-*
 8 *CHANGE BETWEEN EAST AND WEST.*—*There are authorized*
 9 *to be appropriated for the “Center for Cultural and Tech-*
 10 *nical Interchange Between East and West” for authorized*
 11 *activities, \$13,024,000 for fiscal year 2006 and \$13,024,000*
 12 *for fiscal year 2007.*

13 **SEC. 106. UNITED STATES INTERNATIONAL BROADCASTING**
 14 **ACTIVITIES.**

15 *The following amounts are authorized to be appro-*
 16 *priated to carry out United States Government inter-*
 17 *national broadcasting activities under the United States In-*
 18 *formation and Educational Exchange Act of 1948, the*
 19 *Radio Broadcasting to Cuba Act, the Television Broad-*
 20 *casting to Cuba Act, the United States International Broad-*
 21 *casting Act of 1994, and the Foreign Affairs Reform and*
 22 *Restructuring Act of 1998, and to carry out other authori-*
 23 *ties in law consistent with such purposes:*

24 (1) *INTERNATIONAL BROADCASTING OPER-*
 25 *ATIONS.*—*For “International Broadcasting Oper-*

1 *ations*”, \$603,394,000 for fiscal year 2006 and
2 \$621,495,820 for fiscal year 2007. Of the amounts au-
3 thorized to be appropriated under under this para-
4 graph, \$5,000,000 is authorized to be appropriated
5 for fiscal year 2006 and \$5,000,000 is authorized to
6 be appropriated for fiscal year 2007 for increased
7 broadcasting to Belarus.

8 (2) *BROADCASTING CAPITAL IMPROVEMENTS.*—
9 For “Broadcasting Capital Improvements”,
10 \$10,893,000 for fiscal year 2006 and \$10,893,000 for
11 fiscal year 2007.

12 (3) *BROADCASTING TO CUBA.*—For “Broad-
13 casting to Cuba”, \$37,656,000 for fiscal year 2006
14 and \$29,931,000 for fiscal year 2007, to remain
15 available until expended, for necessary expenses to en-
16 able the Broadcasting Board of Governors to carry
17 out broadcasting to Cuba, including the purchase,
18 rent, construction, and improvement of facilities for
19 radio and television transmission and reception, and
20 the purchase, lease, and installation of necessary
21 equipment, including aircraft, for radio and tele-
22 vision transmission and reception.

23 (4) *RADIO FREE ASIA.*—In addition to such
24 amounts as are otherwise authorized to be appro-
25 priated for the Broadcasting Board of Governors,

1 *there are authorized to be appropriated \$9,100,000 for*
2 *fiscal years 2006 and 2007 to overcome the jamming*
3 *of Radio Free Asia by Vietnam.*

4 **TITLE II—DEPARTMENT OF**
5 **STATE AUTHORITIES AND AC-**
6 **TIVITIES**

7 **SEC. 201. CONSOLIDATION OF LAW ENFORCEMENT POW-**
8 **ERS; NEW CRIMINAL OFFENSE.**

9 (a) *IN GENERAL.*—Chapter 203 of title 18, United
10 *States Code, is amended by adding at the end the following*
11 *new section:*

12 **“§ 3064. Powers of special agents in the Department of**
13 **State and the Foreign Service**

14 *“Whoever knowingly and willfully obstructs, resists, or*
15 *interferes with a Federal law enforcement agent engaged in*
16 *the performance of the protective functions authorized by*
17 *section 37 of the State Department Basic Authorities Act*
18 *of 1956 or by section 103 of the Omnibus Diplomatic Secu-*
19 *rity and Antiterrorism Act of 1986 shall be fined under*
20 *this title or imprisoned not more than one year, or both.”.*

21 (b) *TABLE OF SECTIONS AMENDMENT.*—The table of
22 *sections at the beginning of chapter 203 of title 18, United*
23 *States Code, is amended by adding at the end the following*
24 *new item:*

 “3064. Powers of special agents in the Department of State and the Foreign Service.”.

1 **SEC. 202. INTERNATIONAL LITIGATION FUND.**

2 *Section 38(d)(3) of the State Department Basic Au-*
3 *thorities Act of 1956 (22 U.S.C. 2710(d)(3)) is amended—*

4 *(1) by inserting “as a result of a decision of an*
5 *international tribunal,” after “received by the De-*
6 *partment of State”; and*

7 *(2) by inserting a comma after “United States*
8 *Government”.*

9 **SEC. 203. RETENTION OF MEDICAL REIMBURSEMENTS.**

10 *Section 904 of the Foreign Service Act of 1980 (22*
11 *U.S.C. 4084) is amended by adding at the end the following*
12 *new subsection:*

13 *“(g) Reimbursements paid to the Department of State*
14 *for funding the costs of medical care abroad for employees*
15 *and eligible family members shall be credited to the cur-*
16 *rently available applicable appropriation account. Notwith-*
17 *standing any other provision of law, such reimbursements*
18 *shall be available for obligation and expenditure during the*
19 *fiscal year in which they are received or for such longer*
20 *period of time as may be provided in law.”.*

21 **SEC. 204. BUYING POWER MAINTENANCE ACCOUNT.**

22 *Section 24(b)(7) of the State Department Basic Au-*
23 *thorities Act of 1956 (22 U.S.C. 2696(b)(7)) is amended by*
24 *striking subparagraph (D).*

1 **SEC. 205. AUTHORITY TO ADMINISTRATIVELY AMEND SUR-**
2 **CHARGES.**

3 *Beginning in fiscal year 2006 and thereafter, the Sec-*
4 *retary of State is authorized to amend administratively the*
5 *amounts of the surcharges related to consular services in*
6 *support of enhanced border security (provided for in title*
7 *IV of division B of the Consolidated Appropriations Act,*
8 *2005 (Public Law 108–447)) that are in addition to the*
9 *passport and immigrant visa fees in effect on January 1,*
10 *2004.*

11 **SEC. 206. ACCOUNTABILITY REVIEW BOARDS.**

12 *Section 301(a) of the Diplomatic Security Act (22*
13 *U.S.C. 4831(a)) is amended—*

14 *(1) in paragraph (1), by striking “paragraph*
15 *(2)” and inserting “paragraphs (2) and (3)”; and*

16 *(2) by adding at the end the following new para-*
17 *graph:*

18 *“(3) FACILITIES IN AFGHANISTAN AND IRAQ.—*

19 *“(A) LIMITED EXEMPTIONS FROM REQUIRE-*
20 *MENT TO CONVENE BOARD.—The Secretary of*
21 *State is not required to convene a Board in the*
22 *case of an incident that—*

23 *“(i) involves serious injury, loss of life,*
24 *or significant destruction of property at, or*
25 *related to, a United States Government mis-*
26 *sion in Afghanistan or Iraq; and*

1 “(ii) occurs during the period begin-
2 ning on July 1, 2004, and ending on Sep-
3 tember 30, 2009.

4 “(B) *REPORTING REQUIREMENTS.*—In the
5 case of an incident described in subparagraph
6 (A), the Secretary shall—

7 “(i) promptly notify the Committee on
8 International Relations of the House of
9 Representatives and the Committee on For-
10 eign Relations of the Senate of the incident;

11 “(ii) conduct an inquiry of the inci-
12 dent; and

13 “(iii) upon completion of the inquiry
14 required by clause (ii), submit to each such
15 Committee a report on the findings and rec-
16 ommendations related to such inquiry and
17 the actions taken with respect to such rec-
18 ommendations.”.

19 **SEC. 207. DESIGNATION OF COLIN L. POWELL RESIDENTIAL**
20 **PLAZA.**

21 (a) *DESIGNATION.*—The Federal building in Kingston,
22 Jamaica, formerly known as the Crowne Plaza and cur-
23 rently a staff housing facility for the Embassy of the United
24 States in Jamaica, shall be known and designated as the
25 “Colin L. Powell Residential Plaza”.

1 (b) *REFERENCES.*—Any reference in a law, map, regu-
2 lation, document, paper, or other record of the United
3 States to the Federal building referred to in subsection (a)
4 shall be deemed to be a reference to the “Colin L. Powell
5 Residential Plaza”.

6 **SEC. 208. REMOVAL OF CONTRACTING PROHIBITION.**

7 Section 406(c) of the Omnibus Diplomatic Security
8 and Antiterrorism Act of 1986 (Public Law 99–399) (relat-
9 ing to the ineligibility of persons doing business with Libya
10 to be awarded a contract) is repealed.

11 **SEC. 209. TRANSLATION OF REPORTS OF THE DEPARTMENT**
12 **OF STATE.**

13 (a) *TRANSLATION.*—Not later than 30 days after the
14 date of issuance of each of the reports listed in subsection
15 (c), the appropriate United States mission in a foreign
16 country shall translate into the official languages of such
17 country the respective country report from each of such re-
18 ports.

19 (b) *POSTING ON WEBSITE.*—Not later than five days
20 after each of the translations required under subsection (a)
21 are completed, the appropriate United States mission shall
22 post each of such translations on the website of the United
23 States Embassy (or other appropriate United States mis-
24 sion) for such country.

1 (c) *REPORTS.*—*The reports referred to in subsection*
2 *(a) are the following:*

3 (1) *The Country Reports on Human Rights*
4 *Practices, including the Trafficking in Persons Re-*
5 *port, required under sections 116 and 502B of the*
6 *Foreign Assistance Act of 1961 (22 U.S.C. 2151n and*
7 *2304).*

8 (2) *The Annual Report on International Reli-*
9 *gious Freedom, required under section 102b of the*
10 *International Religious Freedom Act of 1998 (22*
11 *U.S.C. 6412).*

12 **SEC. 210. ENTRIES WITHIN PASSPORTS.**

13 (a) *FINDINGS.*—*Congress finds the following:*

14 (1) *The power of the executive branch to issue*
15 *passports or other travel documents to United States*
16 *citizens is derived solely from law.*

17 (2) *The Secretary of State has caused entries to*
18 *be made in passports of United States citizens who*
19 *were born in Jerusalem, Israel, that are inconsistent*
20 *with the usual practice of entering the name of a*
21 *country and not a city as a place of birth.*

22 (b) *SENSE OF CONGRESS.*—*It is the sense of Congress*
23 *that United States citizens who have passports should not*
24 *be required to carry passports which inaccurately or incon-*
25 *sistently represent their personal details.*

1 (c) *AUTHORITY.*—*This section is passed in exercise of*
2 *the power of Congress, pursuant to Article 1, Section 8 of*
3 *the Constitution of the United States “To make all Laws*
4 *which shall be necessary and proper for carrying into Exe-*
5 *cution the foregoing Powers, and all other Powers vested*
6 *by the Constitution in the Government of the United States,*
7 *or in any Department or Officer thereof.”.*

8 (d) *REQUIREMENT THAT ACCURATE ENTRIES BE*
9 *MADE ON REQUEST OF CITIZEN.*—*The first section of “An*
10 *Act to regulate the issue and validity of passports, and for*
11 *other purposes”, approved July 3, 1926, (22 U.S.C. 211a;*
12 *44 Stat. 887), is amended by inserting after the first sen-*
13 *tence the following new sentence: “For purposes of the*
14 *issuance of a passport to a United States citizen born in*
15 *the city of Jerusalem, the Secretary shall, upon the request*
16 *of the citizen or the citizen’s legal guardian, record the place*
17 *of birth as Israel.”.*

18 **SEC. 211. UNITED STATES ACTIONS WITH RESPECT TO JE-**

19 **RUSALEM AS THE CAPITAL OF ISRAEL.**

20 (a) *LIMITATION ON USE OF FUNDS FOR CONSULATE*
21 *IN JERUSALEM.*—*None of the funds authorized to be appro-*
22 *priated by this Act may be expended for the operation of*
23 *a United States consulate or diplomatic facility in Jeru-*
24 *salem unless such consulate or diplomatic facility is under*
25 *the supervision of the United States Ambassador to Israel.*

1 (b) *LIMITATION ON USE OF FUNDS FOR PUBLICA-*
2 *TIONS.*—None of the funds authorized to be appropriated
3 *by this Act may be available for the publication of any offi-*
4 *cial United States Government document that lists coun-*
5 *tries and their capital cities unless such publication identi-*
6 *fies Jerusalem as the capital of the State of Israel.*

7 **SEC. 212. AVAILABILITY OF UNCLASSIFIED TELECOMMUNI-**
8 **CATIONS FACILITIES.**

9 *The Secretary of State shall make available to the ap-*
10 *propriate congressional committees the use of unclassified*
11 *telecommunications facilities of the Department of State*
12 *that are located in an embassy, consulate, or other facility*
13 *of the United States in a foreign country to allow such com-*
14 *mittees to receive testimony or other communication from*
15 *an individual in any such country.*

16 **SEC. 213. REPORTING FORMATS.**

17 (a) *IN GENERAL.*—*The Secretary of State shall, with*
18 *respect to a report that the Secretary is required to submit*
19 *to the appropriate congressional committees, submit each*
20 *such report on suitable media in machine-readable format,*
21 *including in plain text and in hypertext mark-up language*
22 *(commonly referred to as “HTML”), in addition to submis-*
23 *sion in written format.*

24 (b) *EFFECTIVE DATE.*—*The requirement specified*
25 *under subsection (a) shall apply beginning with the first*

1 *report that the Secretary is required to submit to the appro-*
2 *priate congressional committees after the date of the enact-*
3 *ment of this Act.*

4 **SEC. 214. EXTENSION OF REQUIREMENT FOR SCHOLAR-**
5 **SHIPS FOR TIBETANS AND BURMESE.**

6 *Section 103(b)(1) of the Human Rights, Refugee, and*
7 *Other Foreign Relations Provisions Act of 1996 (Public*
8 *Law 104–319; 22 U.S.C. 2151 note) is amended by striking*
9 *“for the fiscal year 2003” and inserting “for each of fiscal*
10 *years 2006 and 2007”.*

11 **SEC. 215. AMERICAN INSTITUTE IN TAIWAN FACILITIES EN-**
12 **HANCEMENT.**

13 *Section 3(a) of the American Institute in Taiwan Fa-*
14 *cilities Enhancement Act (Public Law 106–212) is amend-*
15 *ed by striking “the sum of \$75,000,000” and inserting*
16 *“such sums as may be necessary”.*

17 **SEC. 216. ACTIVITIES RELATED TO CUBA.**

18 *(a) ACTIVITIES.—Of the funds made available for fis-*
19 *cal year 2006 for the Bureau of Educational and Cultural*
20 *Affairs of the Department of State, \$5,000,000 shall be used*
21 *for activities related to Cuba under—*

22 *(1) the J. William Fulbright Educational Ex-*
23 *change Program;*

24 *(2) the Hubert Humphrey Fellowship Program;*

25 *(3) the International Visitors Program;*

1 (4) *the Benjamin A. Gilman International*
2 *Scholarship Program;*

3 (5) *the EducationUSA Program; and*

4 (6) *professional, cultural, and youth programs*
5 *operated by the Office of Citizen Exchanges of the Bu-*
6 *reau.*

7 (b) *PRIORITY.*—*The Secretary of State shall give pri-*
8 *ority to human rights dissidents, pro-democracy activists,*
9 *and independent civil society members for participation in*
10 *the activities described in subsection (a).*

11 (c) *CONGRESSIONAL NOTIFICATION.*—*Not later than*
12 *90 days after the date of the enactment of this Act, the Sec-*
13 *retary shall notify the appropriate congressional commit-*
14 *tees on efforts to identify eligible participants for activities*
15 *described in subsection (a). Not later than 15 days prior*
16 *to a final determination of eligible participants for activi-*
17 *ties described in subsection (a), the Secretary shall notify*
18 *the appropriate congressional committees of such deter-*
19 *mination and provide a list that contains the names of such*
20 *eligible participants.*

1 **TITLE III—ORGANIZATION AND**
2 **PERSONNEL OF THE DEPART-**
3 **MENT OF STATE**

4 **SEC. 301. EDUCATION ALLOWANCES.**

5 *Section 5924(4) of title 5, United States Code, is*
6 *amended—*

7 *(1) in the first sentence of subparagraph (A), by*
8 *inserting “United States” after “nearest”;*

9 *(2) by striking subparagraph (B) and inserting*
10 *the following new subparagraph:*

11 *“(B) The travel expenses of dependents of*
12 *an employee to and from a secondary or post-sec-*
13 *ondary educational institution, not to exceed one*
14 *annual trip each way for each dependent, except*
15 *that an allowance payment under subparagraph*
16 *(A) may not be made for a dependent during the*
17 *12 months following the arrival of the dependent*
18 *at the selected educational institution under au-*
19 *thority contained in this subparagraph.”; and*

20 *(3) by adding at the end the following new sub-*
21 *paragraph:*

22 *“(D) Allowances provided pursuant to sub-*
23 *paragraphs (A) and (B) may include, at the*
24 *election of the employee, payment or reimburse-*
25 *ment of the costs incurred to store baggage for*

1 *the employee’s dependent at or in the vicinity of*
2 *the dependent’s school during the dependent’s an-*
3 *nuual trip between the school and the employee’s*
4 *duty station, except that such payment or reim-*
5 *bursement may not exceed the cost that the Gov-*
6 *ernment would incur to transport the baggage*
7 *with the dependent in connection with the an-*
8 *nuual trip, and such payment or reimbursement*
9 *shall be in lieu of transportation of the bag-*
10 *gage.”.*

11 **SEC. 302. OFFICIAL RESIDENCE EXPENSES.**

12 *Section 5913 of title 5, United States Code, is amended*
13 *by adding at the end the following new subsection:*

14 “(c) *Funds made available under subsection (b) may*
15 *be provided in advance to persons eligible to receive reim-*
16 *bursements.”.*

17 **SEC. 303. INCREASED LIMITS APPLICABLE TO POST DIF-**
18 **FERENTIALS AND DANGER PAY ALLOWANCES.**

19 *(a) REPEAL OF LIMITED-SCOPE EFFECTIVE DATE FOR*
20 *PREVIOUS INCREASE.—Subsection (c) of section 591 of the*
21 *Foreign Operations, Export Financing, and Related Pro-*
22 *grams Appropriations Act, 2004 (division D of Public Law*
23 *108–199) is repealed.*

24 *(b) POST DIFFERENTIALS.—Section 5925(a) of title 5,*
25 *United States Code, is amended in the third sentence by*

1 striking “25 percent of the rate of basic pay or, in the case
2 of an employee of the United States Agency for Inter-
3 national Development,”.

4 (c) *DANGER PAY ALLOWANCES.*—Section 5928 of title
5 5, United States Code, is amended by striking “25 percent
6 of the basic pay of the employee or 35 percent of the basic
7 pay of the employee in the case of an employee of the United
8 States Agency for International Development” both places
9 that it appears and inserting “35 percent of the basic pay
10 of the employee”.

11 (d) *CRITERIA.*—The Secretary of State shall inform
12 the appropriate congressional committees of the criteria to
13 be used in determinations of appropriate adjustments in
14 post differentials under section 5925(a) of title 5, United
15 States Code, as amended by subsection (b), and danger pay
16 allowances under section 5928 of title 5, United States
17 Code, as amended by subsection (c).

18 (e) *STUDY AND REPORT.*—Not later than two years
19 after the date of the enactment of this Act, the Secretary
20 of State shall conduct a study assessing the effect of the in-
21 creases in post differentials and danger pay allowances
22 made by the amendments in subsections (b) and (c), respec-
23 tively, in filling “hard-to-fill” positions and shall submit
24 a report of such study to the appropriate congressional com-
25 mittees.

1 **SEC. 304. HOME LEAVE.**

2 Chapter 9 of title I of the Foreign Service Act of 1980
3 (relating to travel, leave, and other benefits) is amended—

4 (1) in section 901(6) (22 U.S.C. 4081(6)), by
5 striking “unbroken by home leave” both places that it
6 appears; and

7 (2) in section 903(a) (22 U.S.C. 4083), by strik-
8 ing “18 months” and inserting “12 months”.

9 **SEC. 305. OVERSEAS EQUALIZATION AND COMPARABILITY**
10 **PAY ADJUSTMENT.**

11 (a) **OVERSEAS COMPARABILITY PAY ADJUSTMENT.**—

12 (1) **IN GENERAL.**—Chapter 4 of the Foreign
13 Service Act of 1980 (22 U.S.C. 3961 et seq.) (relating
14 to compensation) is amended by adding at the end the
15 following new section:

16 **“SEC. 415. OVERSEAS COMPARABILITY PAY ADJUSTMENT.**

17 “(a) **IN GENERAL.**—In accordance with subsection (c),
18 a member of the Service who is designated class 1 or below
19 and who does not have as an official duty station a location
20 in the continental United States or in a non-foreign area
21 shall receive locality-based comparability payments under
22 section 5304 of title 5, United States Code, that would be
23 paid to such member if such member’s official duty station
24 would have been Washington, D.C.

25 “(b) **TREATMENT AS BASIC PAY.**—The locality-based
26 comparability payment described in subsection (a) shall—

1 “(1) be considered to be part of the basic pay of
2 a member in accordance with section 5304 of title 5,
3 United States Code, for the same purposes for which
4 comparability payments are considered to be part of
5 basic pay under such section; and

6 “(2) be subject to any applicable pay limita-
7 tions.

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

11 “(1) In fiscal year 2006, 33.33 percent of the
12 amount of such adjustment to which such member is
13 entitled.

14 “(2) In fiscal year 2007, 66.66 percent of the
15 amount of such adjustment to which such member is
16 entitled.

17 “(3) In fiscal year 2008 and subsequent fiscal
18 years, 100.00 percent of the amount of such adjust-
19 ment to which such member is entitled.”.

20 (2) CONFORMING AMENDMENT.—The table of sec-
21 tions in section 2 of such Act is amended by inserting
22 after the item relating to section 414 the following
23 new item:

“Sec. 415. Overseas comparability pay adjustment.”.

1 (b) *CONFORMING AMENDMENTS RELATING TO THE*
2 *RETIREMENT AND DISABILITY SYSTEM OF THE FOREIGN*
3 *SERVICE.*—

4 (1) *CONTRIBUTIONS TO THE FUND.*—Section
5 *805(a) of the Foreign Service Act of 1980 (22 U.S.C.*
6 *4045(a)) is amended—*

7 (A) *in paragraph (1)—*

8 (i) *in the first sentence, by striking*
9 *“7.25 percent” and inserting “7.00 per-*
10 *cent”;* and

11 (ii) *in the second sentence, by striking*
12 *“The contribution by the employing agen-*
13 *cy” through “and shall be made” and in-*
14 *serting “An equal amount shall be contrib-*
15 *uted by the employing agency”;*

16 (B) *in paragraph (2)—*

17 (i) *in subparagraph (A), by striking “,*
18 *plus an amount equal to .25 percent of*
19 *basic pay”;* and

20 (ii) *in subparagraph (B), in the first*
21 *sentence, by striking “, plus an amount*
22 *equal to .25 percent of basic pay”;* and

23 (C) *in paragraph (3), by striking “, plus*
24 *.25 percent”.*

1 (2) *COMPUTATION OF ANNUITIES.*—Section
2 806(a)(9) of such Act (22 U.S.C. 4046(a)(9)) is
3 amended—

4 (A) by striking “is outside” and inserting
5 “was outside”; and

6 (B) by inserting after “continental United
7 States” the following: “for any period of time
8 from December 29, 2002, to the first day of the
9 first full pay period beginning after the date of
10 applicability of the overseas comparability pay
11 adjustment under section 415”;

12 (3) *ENTITLEMENT TO ANNUITY.*—Section
13 855(a)(3) of such Act (22 U.S.C. 4071d(a)(3)) is
14 amended—

15 (A) by striking “is outside” and inserting
16 “was outside”; and

17 (B) by inserting after “continental United
18 States” the following: “for any period of time
19 from December 29, 2002, to the first day of the
20 first full pay period beginning after the date of
21 applicability of the overseas comparability pay
22 adjustment under section 415”.

23 (4) *DEDUCTIONS AND WITHHOLDINGS FROM*
24 *PAY.*—Section 856(a)(2) of such Act (22 U.S.C.
25 4071e(a)(2)) is amended to read as follows:

1 “(2) *The applicable percentage under this subsection*
2 *shall be as follows:*

Percentage	Time Period
7.5	<i>Before January 1, 1999.</i>
7.75	<i>January 1, 1999, to December 31, 1999.</i>
7.9	<i>January 1, 2000, to December 31, 2000.</i>
7.55	<i>January 11, 2003, to September 30, 2004.</i>
7.5	<i>After September 30, 2004.”.</i>

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

7 **SEC. 306. FELLOWSHIP OF HOPE PROGRAM.**

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

11 **“SEC. 506. FELLOWSHIP OF HOPE PROGRAM.**

12 “(a) *ESTABLISHMENT.*—*The Secretary is authorized to*
13 *establish a program to be known as the ‘Fellowship of Hope*
14 *Program’.* *Under the Program, the Secretary may assign*
15 *a member of the Service, for not more than one year, to*
16 *a position with any designated country or designated entity*
17 *that permits an employee of such country or entity to be*
18 *assigned to a position with the Department.*

19 “(b) *SALARY AND BENEFITS.*—*The salary and benefits*
20 *of a member of the Service shall be paid as described in*

1 subsection (b) of section 503 during a period in which such
2 member is participating in the Fellowship of Hope Pro-
3 gram. The salary and benefits of an employee of a des-
4 ignated country or designated entity participating in the
5 Program shall be paid by such country or entity during
6 the period in which such employee is participating in the
7 Program.

8 “(c) *DEFINITIONS.*—*In this section:*

9 “(1) The term ‘designated country’ means a
10 member country of—

11 “(A) the North Atlantic Treaty Organiza-
12 tion; or

13 “(B) the European Union.

14 “(2) The term ‘designated entity’ means—

15 “(A) the North Atlantic Treaty Organiza-
16 tion; or

17 “(B) the European Union.

18 “(d) *RULE OF CONSTRUCTION.*—*Nothing in this sec-*
19 *tion shall be construed to—*

20 “(1) authorize the appointment as an officer or
21 employee of the United States of—

22 “(A) an individual whose allegiance is to
23 any country, government, or foreign or inter-
24 national entity other than to the United States;

25 or

1 “(B) an individual who has not met the re-
2 quirements of sections 3331, 3332, 3333, and
3 7311 of title 5, United States Code, and any
4 other provision of law concerning eligibility for
5 appointment as, and continuation of employ-
6 ment as, an officer or employee of the United
7 States; or

8 “(2) authorize the Secretary to assign a member
9 of the Service to a position with any foreign country
10 whose law, or to any foreign or international entity
11 whose rules, require such member to give allegiance or
12 loyalty to such country or entity while assigned to
13 such position.”.

14 (b) *TECHNICAL AND CONFORMING AMENDMENTS.*—
15 *Such Act is amended—*

16 (1) *in section 503 (22 U.S.C. 3983)—*

17 (A) *in the section heading, by striking*
18 “AND” *and inserting “FOREIGN GOVERNMENTS,*
19 *OR”;* *and*

20 (B) *in subsection (a)—*

21 (i) *in the matter preceding paragraph*
22 (1), *by inserting “foreign government,”*
23 *after “organization,”; and*

1 (ii) in paragraph (1), by inserting “,
2 or with a foreign government under section
3 506” before the semicolon; and

4 (2) in section 2, in the table of contents—

5 (A) by striking the item relating to section
6 503 and inserting the following new item:

“Sec. 503. Assignments to agencies, international organizations, foreign govern-
ments, or other bodies.”;

7 and

8 (B) by inserting after the item relating to
9 section 505 the following new item:

“Sec. 506. Fellowship of Hope Program.”.

10 **SEC. 307. REGULATIONS REGARDING RETIREMENT CREDIT**
11 **FOR GOVERNMENT SERVICE PERFORMED**
12 **ABROAD.**

13 Section 321(f) of the Foreign Relations Authorization
14 Act, Fiscal Year 2003 (5 U.S.C. 8411 note; Public Law
15 107–228) is amended by inserting “, not later than 60 days
16 after the date of the enactment of the Foreign Relations Au-
17 thorization Act, Fiscal Years 2006 and 2007,” after “regu-
18 lations”.

19 **SEC. 308. PROMOTING ASSIGNMENTS TO INTERNATIONAL**
20 **ORGANIZATIONS.**

21 (a) PROMOTIONS.—Section 603(b) of the Foreign Serv-
22 ice Act of 1980 (22 U.S.C. 4003) is amended by striking
23 the period at the end and inserting the following: “, and

1 *shall consider whether the member of the Service has served*
2 *in a position whose primary responsibility is to formulate*
3 *policy toward or represent the United States at an inter-*
4 *national organization, a multilateral institution, or a*
5 *broad-based multilateral negotiation of an international in-*
6 *strument.”.*

7 **(b) EFFECTIVE DATE.**—*The amendment made by sub-*
8 *section (a) shall take effect and apply beginning on Janu-*
9 *ary 1, 2010.*

10 **SEC. 309. SUSPENSION OF FOREIGN SERVICE MEMBERS**
11 **WITHOUT PAY.**

12 **(a) SUSPENSION.**—*Section 610 of the Foreign Service*
13 *Act of 1980 (22 U.S.C. 4010) is amended by adding at the*
14 *end the following new subsection:*

15 **“(c)(1)** *The Secretary may suspend a member of the*
16 *Service without pay when there is reasonable cause to be-*
17 *lieve that the member has committed a crime for which a*
18 *sentence of imprisonment may be imposed and there is a*
19 *connection between the conduct and the efficiency of the*
20 *Foreign Service.*

21 **“(2)** *Any member of the Service for whom a suspension*
22 *is proposed shall be entitled to—*

23 **“(A)** *written notice stating the specific reasons*
24 *for the proposed suspension;*

1 “(B) a reasonable time to respond orally and in
2 writing to the proposed suspension;

3 “(C) representation by an attorney or other rep-
4 resentative; and

5 “(D) a final written decision, including the spe-
6 cific reasons for such decision, as soon as practicable.

7 “(3) Any member suspended under this section may
8 file a grievance in accordance with the procedures applica-
9 ble to grievances under chapter 11 of this title.

10 “(4) In this subsection:

11 “(A) The term ‘reasonable time’ means—

12 “(i) with respect to a member of the Service
13 assigned to duty in the United States, 15 days
14 after receiving notice of the proposed suspension;
15 and

16 “(ii) with respect to a member of the Serv-
17 ice assigned to duty outside the United States,
18 30 days after receiving notice of the proposed
19 suspension.

20 “(B) The terms ‘suspend’ and ‘suspension’ mean
21 the placing of a member of the Service in a tem-
22 porary status without duties and pay.”.

23 (b) CONFORMING AND CLERICAL AMENDMENTS.—

24 (1) AMENDMENT OF SECTION HEADING.—Such
25 section, as amended by subsection (a), is further

1 *amended in the section heading by inserting “; SUS-*
2 *PENSION” before the period at the end.*

3 (2) *CLERICAL AMENDMENT.—Section 2 of such*
4 *Act is amended, in the table of contents, by striking*
5 *the item relating to section 610 and inserting the fol-*
6 *lowing new item:*

“Sec. 610. Separation for cause; suspension.”.

7 **SEC. 310. DEATH GRATUITY.**

8 *Section 413(a) of the Foreign Service Act of 1980 (22*
9 *U.S.C. 3973(a)) is amended in the first sentence by insert-*
10 *ing before the period at the end the following: “or \$100,000,*
11 *whichever is greater”.*

12 **SEC. 311. CLARIFICATION OF FOREIGN SERVICE GRIEV-**
13 **ANCE BOARD PROCEDURES.**

14 *Section 1106(8) of the Foreign Service Act of 1980 (22*
15 *U.S.C. 4136(8)) is amended in the first sentence—*

16 (1) *by inserting “the involuntary separation of*
17 *the grievant (other than an involuntary separation*
18 *for cause under section 610(a)),” after “considering”;*
19 *and*

20 (2) *by striking “the grievant or” and inserting*
21 *“the grievant, or”.*

1 **SEC. 312. REPEAL OF RECERTIFICATION REQUIREMENT**
2 **FOR MEMBERS OF THE SENIOR FOREIGN**
3 **SERVICE.**

4 *Section 305(d) of the Foreign Service Act of 1980 (22*
5 *U.S.C. 3945(d)) is hereby repealed.*

6 **SEC. 313. TECHNICAL AMENDMENTS TO TITLE 5, UNITED**
7 **STATES CODE, PROVISIONS ON RECRUIT-**
8 **MENT, RELOCATION, AND RETENTION BO-**
9 **NUSES.**

10 *Title 5, United States Code, is amended—*

11 *(1) in section 5753(a)(2)(A), by inserting before*
12 *the semicolon at the end the following: “, but does not*
13 *include members of the Foreign Service other than*
14 *chiefs of mission and ambassadors-at-large”;* and

15 *(2) in section 5754(a)(2)(A), by inserting before*
16 *the semicolon at the end the following: “, but does not*
17 *include members of the Foreign Service other than*
18 *chiefs of mission and ambassadors-at-large”.*

19 **SEC. 314. LIMITED APPOINTMENTS IN THE FOREIGN SERV-**
20 **ICE.**

21 *Section 309 of the Foreign Service Act of 1980 (22*
22 *U.S.C. 3949) is amended—*

23 *(1) in subsection (a), by striking “subsection (b)”*
24 *and inserting “subsections (b) or (c)”;*

25 *(2) in subsection (b)—*

1 (A) by amending paragraph (3) to read as
2 *follows:*

3 “(3) as a career candidate, if—

4 “(A) continued service is determined appropriate
5 to remedy a matter that would be cognizable as a
6 grievance under chapter 11; or

7 “(B) the career candidate is called to military
8 active duty pursuant to the Uniformed Services Em-
9 ployment and Reemployment Rights Act of 1994
10 (Public Law 103–353; codified in chapter 43 of title
11 38, United States Code) and the limited appointment
12 expires in the course of such military active duty;”;

13 (B) in paragraph (4), by striking “and” at
14 the end;

15 (C) in paragraph (5), by striking the period
16 at the end and inserting “; and” ; and

17 (D) by adding at the end the following new
18 paragraph:

19 “(6) in exceptional circumstances where the Secretary
20 determines the needs of the Service require the extension of
21 a limited appointment—

22 “(A) for a period of time not to exceed 12
23 months, provided such period of time does not permit
24 additional review by the boards under section 306; or

1 “(B) for the minimum time needed to settle a
2 grievance, claim, or complaint not otherwise provided
3 for in this section.”; and

4 (3) by adding at the end the following new sub-
5 section:

6 “(c) Noncareer specialist employees who have served
7 five consecutive years under a limited appointment may be
8 reappointed to a subsequent limited appointment provided
9 there is at least a one year break in service before such new
10 appointment. This requirement may be waived by the Di-
11 rector General in cases of special need.”.

12 **SEC. 315. STATEMENT OF CONGRESS REGARDING CAREER**
13 **DEVELOPMENT PROGRAM FOR SENIOR FOR-**
14 **EIGN SERVICE.**

15 Congress declares that the recent changes proposed by
16 the Department of State to the career development program
17 for members of the Senior Foreign Service will help promote
18 well-rounded and effective members of the Senior Foreign
19 Service, and should be implemented as planned in the com-
20 ing years. Congress fully supports the proposed changes that
21 require that in order to be eligible for promotion into the
22 Senior Foreign Service, a member of the Foreign Service
23 must demonstrate over the course of the career of such mem-
24 ber the following:

1 (1) *Operational effectiveness, including a breadth*
2 *of experience in several regions and over several func-*
3 *tions.*

4 (2) *Leadership and management effectiveness.*

5 (3) *Sustained professional language proficiency.*

6 (4) *Responsiveness to Service needs.*

7 **SEC. 316. SENSE OF CONGRESS REGARDING ADDITIONAL**
8 **UNITED STATES CONSULAR POSTS.**

9 *It is the sense of Congress that to help advance United*
10 *States economic, political, and public diplomacy interests,*
11 *the Secretary of State should make best efforts to establish*
12 *United States consulates or other appropriate United States*
13 *diplomatic presence in Pusan, South Korea, Hat Yai, Thai-*
14 *land, and an additional location in India in an under-*
15 *served region.*

16 **SEC. 317. OFFICE OF THE CULTURE OF LAWFULNESS.**

17 (a) *ESTABLISHMENT.*—*There is established in the Bu-*
18 *reau for International Law Enforcement and Narcotics of*
19 *the Department of State an Office of the Culture of Lawful-*
20 *ness.*

21 (b) *DIRECTOR AND STAFF.*—*The Office shall be headed*
22 *by a Director and staffed by not less than two professional*
23 *staff.*

24 (c) *DUTIES.*—*The Director of the Office shall coordi-*
25 *nate and increase the effectiveness of existing culture of law-*

1 *fulness programs in the Department that can directly sup-*
2 *port foreign efforts to develop a culture of lawfulness, in-*
3 *cluding—*

4 (1) *seeking coordination between various pro-*
5 *grams and activities to support international nar-*
6 *cotics and other law enforcement, public diplomacy,*
7 *foreign assistance, and democracy efforts by the per-*
8 *sonnel of the Department in Washington, D.C., and*
9 *in United States embassies in foreign countries;*

10 (2) *developing new initiatives to foster a culture*
11 *of lawfulness through international organizations;*

12 (3) *ensuring that culture of lawfulness education*
13 *is included in the curricula of all law enforcement*
14 *and public security academies and training programs*
15 *that receive assistance from the United States, and in*
16 *democracy, civic education, and rule of law assistance*
17 *programs conducted with foreign governments and*
18 *nongovernmental organizations.*

19 (d) *REPORT.—Section 489(a) of the Foreign Assist-*
20 *ance Act of 1961 (22 U.S.C. 2291h(a)) is amended by in-*
21 *serting after paragraph (7) the following new paragraph:*

22 “(8) *In addition, the efforts of the United States*
23 *to foster the culture of lawfulness in countries around*
24 *the world.”.*

1 **SEC. 318. REVIEW OF HUMAN RESOURCES POLICIES OF THE**
2 **DEPARTMENT OF STATE.**

3 (a) *BOTTOM-UP REVIEW OF ELEMENTS OF THE DE-*
4 *PARTMENT OF STATE.*—*The Secretary of State shall con-*
5 *duct ongoing, thorough reviews of the organizational struc-*
6 *ture and human resource policies of all elements of the De-*
7 *partment of State to determine those organizational struc-*
8 *tures that are most effectively organized and whether per-*
9 *sonnel with the appropriate skill sets are being hired,*
10 *trained, and utilized to meet national security challenges,*
11 *including those posed by international terrorist threats.*

12 (b) *EMPHASIS ON DIVERSITY.*—*The review conducted*
13 *under subsection (a) shall include an emphasis on improv-*
14 *ing the ethnic, racial, cultural, and gender diversity of per-*
15 *sonnel of the Department of State.*

16 (c) *BIENNIAL REPORT.*—*The Secretary shall submit to*
17 *the appropriate congressional committees a biennial report*
18 *on the reviews conducted under this section and efforts to*
19 *improve diversity of the personnel of the Department of*
20 *State.*

21 **TITLE IV—INTERNATIONAL**
22 **ORGANIZATIONS**

23 **SEC. 401. REDI CENTER.**

24 *The Secretary of State is authorized to provide for the*
25 *participation by the United States in the Regional Emerg-*
26 *ing Disease Intervention (“REDI”) Center in Singapore.*

1 **SEC. 402. EXTENSION OF AUTHORIZATION OF APPROPRIA-**
2 **TION FOR THE UNITED STATES COMMISSION**
3 **ON INTERNATIONAL RELIGIOUS FREEDOM.**

4 (a) *IN GENERAL.*—Subsection (a) of section 207 of the
5 *International Religious Freedom Act of 1998* (22 U.S.C.
6 6435) is amended by striking “\$3,000,000 for the fiscal year
7 2003” and inserting “\$3,300,000 for each of fiscal years
8 2006 through 2011”.

9 (b) *TECHNICAL AMENDMENT.*—Subsection (b) of such
10 section is amended by striking “subparagraph” and insert-
11 ing “subsection”.

12 **SEC. 403. REFORM OF THE INTERNATIONAL ATOMIC EN-**
13 **ERGY AGENCY.**

14 (a) *FINDINGS WITH RESPECT TO THE INTERNATIONAL*
15 *ATOMIC ENERGY AGENCY.*—Congress finds the following:

16 (1) *Efforts to prevent the further spread of nu-*
17 *clear weapons capabilities would be enhanced by uni-*
18 *versal membership in the International Atomic En-*
19 *ergy Agency (IAEA).*

20 (2) *The enhanced authorities provided by the Ad-*
21 *ditional Protocol to the Safeguards Agreements be-*
22 *tween the IAEA and Member States of the IAEA are*
23 *indispensable to the ability of the IAEA to conduct*
24 *inspections of nuclear facilities to a high degree of*
25 *confidence.*

1 (3) *The national security interests of the United*
2 *States would be enhanced by the universal ratifica-*
3 *tion and implementation of the Additional Protocol.*

4 (4) *The national security interests of the United*
5 *States would be enhanced by the rapid implementa-*
6 *tion by all Member States of the United Nations of*
7 *United Nations Security Council Resolution 1540,*
8 *which prohibits all Member States from providing*
9 *any form of support to non-state actors that attempt*
10 *to manufacture, acquire, possess, develop, transport,*
11 *transfer, or use nuclear, chemical, or biological weap-*
12 *ons and their means of delivery, and requiring all*
13 *Member States to adopt and enforce appropriate and*
14 *effective domestic laws criminalizing such acts.*

15 (5) *The national security interests of the United*
16 *States require that the IAEA possess sufficient au-*
17 *thorities and resources to comprehensively and effi-*
18 *ciently carry out its responsibilities for inspections*
19 *and safeguards of nuclear facilities.*

20 (6) *Regularly assessed contributions of Member*
21 *States to the regular budget of the IAEA are due in*
22 *the first quarter of each calendar year.*

23 (7) *Currently, the United States does not pay its*
24 *regularly assessed contribution to the regular budget*

1 of the IAEA until the last quarter of each calendar
2 year.

3 (8) *This delayed payment results in recurring*
4 *shortages of funds for the IAEA, thus compromising*
5 *its ability to conduct safeguards inspections and nu-*
6 *clear security activities.*

7 (b) *FINDINGS WITH RESPECT TO THE NUCLEAR NON-*
8 *PROLIFERATION TREATY.*—*Congress finds the following:*

9 (1) *The Treaty on the Non-Proliferation of Nu-*
10 *clear Weapons (21 UST 483) (commonly referred to*
11 *as the “Nuclear Nonproliferation Treaty” or the*
12 *“NPT”) is the foundation for international coopera-*
13 *tion to prevent the further spread of nuclear weapons*
14 *capabilities.*

15 (2) *The NPT was conceived, written, and rati-*
16 *fied by State Parties as a treaty for the specific pur-*
17 *pose of preventing the proliferation of nuclear weap-*
18 *ons and nuclear explosive devices, as stated in the*
19 *Preamble and first three Articles of the NPT.*

20 (3) *The overriding priority of the NPT is pre-*
21 *venting the proliferation of nuclear weapons and nu-*
22 *clear explosive devices.*

23 (4) *Article IV of the NPT conditions the “in-*
24 *alienable right to develop research, production and*
25 *use of nuclear energy for peaceful purposes without*

1 *discrimination” on conformity with Articles I and II,*
2 *which obligate signatories “not to manufacture of oth-*
3 *erwise acquire nuclear weapons or other nuclear ex-*
4 *plosive devices; and not to seek or receive any assist-*
5 *ance in the manufacture of nuclear weapons or other*
6 *nuclear explosive devices”;*

7 *(5) Because the processes used for the enrichment*
8 *of uranium and the reprocessing of plutonium for*
9 *peaceful purposes are virtually identical to those*
10 *needed for military purposes and thereby inherently*
11 *pose an enhanced risk of proliferation, even under*
12 *strict international inspections, Article IV of the NPT*
13 *cannot be interpreted to recognize the inalienable*
14 *right by every country to enrich uranium or reprocess*
15 *plutonium.*

16 *(6) Because the factors needed for the develop-*
17 *ment of nuclear energy for peaceful purposes are vir-*
18 *tually identical to those required for the development*
19 *of nuclear weapons and devices, Article X cannot be*
20 *interpreted to allow a signatory country to develop a*
21 *nuclear weapons program based on materials, facili-*
22 *ties, and equipment it has acquired through its Arti-*
23 *cle IV cooperation.*

24 *(c) STATEMENT OF CONGRESS.—Congress declares*
25 *that—*

1 (1) *all provisions of the NPT must be interpreted*
2 *within the context of preventing the proliferation of*
3 *nuclear weapons and nuclear explosive devices;*

4 (2) *Article IV of the NPT, interpreted in con-*
5 *formity with the NPT's purpose, spirit, and freely*
6 *undertaken obligations by State Parties, does not*
7 *guarantee every country that is a State Party an in-*
8 *alienable right to enrich uranium or reprocess pluto-*
9 *nium; and*

10 (3) *if a State Party chooses to exercise its Article*
11 *X right of withdrawal from the NPT, such State*
12 *Party must surrender all of the materials, facilities,*
13 *and equipment it has acquired through its Article IV*
14 *cooperation, and no State Party will be recognized as*
15 *having legally exercised its Article X right of with-*
16 *drawal from the NPT until it has surrendered all*
17 *such materials, facilities, and equipment.*

18 (d) *SENSE OF CONGRESS.—It is the sense of Congress*
19 *that—*

20 (1) *the Director General of the IAEA should*
21 *strengthen efforts to secure universal ratification and*
22 *implementation of the Additional Protocol; and*

23 (2) *the IAEA possesses statutory authority, in-*
24 *cluding under Articles II, III, VIII, IX, XI, and XII*

1 *of the IAEA Statute, to undertake nuclear security*
2 *activities.*

3 *(e) PROMOTION OF ADDITIONAL PROTOCOL AND*
4 *UNITED NATIONS SECURITY COUNCIL RESOLUTION*
5 *1540.—*

6 *(1) UNIVERSAL RATIFICATION AND IMPLEMENTA-*
7 *TION; FULL COMPLIANCE.—The President shall take*
8 *such steps as the President determines necessary to*
9 *encourage—*

10 *(A) rapid universal ratification and imple-*
11 *mentation by Member States of the IAEA of the*
12 *Additional Protocol to the Safeguards Agree-*
13 *ments between the IAEA and Member States;*
14 *and*

15 *(B) full compliance by all foreign countries*
16 *with United Nations Security Council Resolu-*
17 *tion 1540, which calls for the adoption and en-*
18 *forcement by all foreign countries of “appro-*
19 *priate effective laws which prohibit any non-*
20 *State actor to manufacture, acquire, possess, de-*
21 *velop, transport, transfer or use nuclear, chem-*
22 *ical or biological weapons and their means of de-*
23 *livery, in particular for terrorist purposes, as*
24 *well as attempts to engage in any of the fore-*

1 *going activities, participate in them as an ac-*
2 *complice, assist or finance them”.*

3 (2) *SUSPENSION OF UNITED STATES NON-HU-*
4 *MANITARIAN FOREIGN ASSISTANCE.—The President is*
5 *authorized to suspend United States non-humani-*
6 *tarian foreign assistance to any country that—*

7 (A) *has not signed and ratified the Addi-*
8 *tional Protocol; and*

9 (B) *has not fully complied with United Na-*
10 *tions Security Council Resolution 1540.*

11 (3) *REPORT.—*

12 (A) *IN GENERAL.—Not later than 90 days*
13 *after the date of the enactment of this Act and*
14 *annually thereafter until September 31, 2010,*
15 *the Secretary of State shall submit to the appro-*
16 *priate congressional committees a report on*
17 *United States efforts to promote full compliance*
18 *by all countries with United Nations Security*
19 *Council Resolution 1540, with particular atten-*
20 *tion to the following:*

21 (i) *United States efforts in appropriate*
22 *international organizations or fora to elabo-*
23 *rate and implement international standards*
24 *for such full compliance.*

1 (ii) *Steps taken by the United States*
2 *to assist other countries to meet their obli-*
3 *gations under United Nations Security*
4 *Council Resolution 1540.*

5 (B) *SUBMISSION.*—*The report required*
6 *under this paragraph may be submitted together*
7 *with the report on “Patterns of Global of Ter-*
8 *rorism”.*

9 (f) *PAYMENT AT BEGINNING OF CALENDAR YEAR.*—
10 *The Secretary of State shall take expeditious action to en-*
11 *sure that the United States regularly assessed contribution*
12 *to the IAEA is made at the beginning of each calendar year.*

13 (g) *AUTHORIZATION OF APPROPRIATIONS.*—*In addi-*
14 *tion to amounts otherwise authorized to be appropriated to*
15 *the Secretary of State under this Act, there are authorized*
16 *to be appropriated to the Secretary such sums as may be*
17 *necessary to permit the Secretary to ensure that the United*
18 *States regularly assessed contribution of its annual dues to*
19 *the IAEA is provided to the IAEA at the beginning of each*
20 *calendar year to compensate for the current delayed pay-*
21 *ment described under subsection (b).*

22 **SEC. 404. PROPERTY DISPOSITION.**

23 *Section 633(e) of the Departments of Commerce, Jus-*
24 *tice, and State, the Judiciary, and Related Agencies Appro-*

1 *priations Act, 2004 (division B of Public Law 108–199;*
 2 *22 U.S.C. 2078(e)) is amended—*

3 *(1) by striking “The United States, through the*
 4 *Department of State, shall retain ownership of the*
 5 *Palazzo Corpi building in Istanbul, Turkey, and the”*
 6 *and inserting “The”; and*

7 *(2) by striking “at such location” and inserting*
 8 *“at an appropriate location”.*

9 **TITLE V—INTERNATIONAL**
 10 **BROADCASTING**

11 **SEC. 501. SHORT TITLE.**

12 *This title may be cited as the “International Broad-*
 13 *casting Authorization Act, Fiscal Years 2006 and 2007”.*

14 **SEC. 502. MIDDLE EAST BROADCASTING NETWORKS.**

15 *(a) MIDDLE EAST BROADCASTING NETWORKS.—The*
 16 *United States International Broadcasting Act of 1994 (22*
 17 *U.S.C. 6201 et seq.) is amended by inserting after section*
 18 *309 (22 U.S.C. 6208) the following new section:*

19 **“SEC. 309A. MIDDLE EAST BROADCASTING NETWORKS.**

20 *“(a) AUTHORITY.—Grants authorized under section*
 21 *305 shall be available to make annual grants to the Middle*
 22 *East Broadcasting Networks for the purpose of carrying out*
 23 *radio and television broadcasting to the Middle East region.*

24 *“(b) FUNCTION.—Middle East Broadcasting Networks*
 25 *shall provide radio and television programming consistent*

1 *with the broadcasting standards and broadcasting prin-*
2 *ciples set forth in section 303.*

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

6 “(1) *The Board may not make any grant to the*
7 *non-profit corporation, Middle East Broadcasting*
8 *Networks, unless its certificate of incorporation pro-*
9 *vides that—*

10 “(A) *The Board of Directors of Middle East*
11 *Broadcasting Networks shall consist of the mem-*
12 *bers of the Broadcasting Board of Governors es-*
13 *tablished under section 304 and of no other*
14 *members.*

15 “(B) *Such Board of Directors shall make all*
16 *major policy determinations governing the oper-*
17 *ation of Middle East Broadcasting Networks,*
18 *and shall appoint and fix the compensation of*
19 *such managerial officers and employees of Mid-*
20 *dle East Broadcasting Networks as it considers*
21 *necessary to carry out the purposes of the grant*
22 *provided under this title, except that no officer*
23 *or employee may be paid basic compensation at*
24 *a rate in excess of the rate for level II of the Ex-*

1 *ecutive Schedule as provided under section 5313*
2 *of title 5, United States Code.*

3 “(2) *Any grant agreement under this section*
4 *shall require that any contract entered into by Middle*
5 *East Broadcasting Networks shall specify that all ob-*
6 *ligations are assumed by Middle East Broadcasting*
7 *Networks and not by the United States Government.*

8 “(3) *Any grant agreement shall require that any*
9 *lease agreement entered into by Middle East Broad-*
10 *casting Networks shall be, to the maximum extent*
11 *possible, assignable to the United States Government.*

12 “(4) *Grants awarded under this section shall be*
13 *made pursuant to a grant agreement which requires*
14 *that grant funds be used only for activities consistent*
15 *with this section, and that failure to comply with*
16 *such requirements shall permit the grant to be termi-*
17 *nated without fiscal obligation to the United States.*

18 “(5) *Duplication of language services and tech-*
19 *nical operations between the Middle East Broad-*
20 *casting Networks (including Radio Sawa), RFE/RL,*
21 *and the International Broadcasting Bureau will be*
22 *reduced to the extent appropriate, as determined by*
23 *the Board.*

24 “(d) *NOT A FEDERAL AGENCY OR INSTRUMEN-*
25 *TALITY.—Nothing in this title may be construed to make—*

1 “(1) *the Middle East Broadcasting Networks a*
2 *Federal agency or instrumentality; or*

3 “(2) *the officers or employees of the Middle East*
4 *Broadcasting Networks officers or employees of the*
5 *United States Government.”.*

6 **(b) TECHNICAL AND CONFORMING AMENDMENTS.—**
7 *Such Act is further amended—*

8 (1) *in section 304(g) (22 U.S.C. 6203(g)), by in-*
9 *serting “, the Middle East Broadcasting Networks,”*
10 *after “Incorporated”;*

11 (2) *in section 305 (22 U.S.C. 6204)—*

12 (A) *in subsection (a)—*

13 (i) *in paragraph (5), by striking “308*
14 *and 309” and inserting “308, 309, and*
15 *309A”;* *and*

16 (ii) *in paragraph (6), by striking “308*
17 *and 309” and inserting “308, 309, and*
18 *309A”;* *and*

19 (B) *in subsection (c), by striking “308 and*
20 *309” and inserting “308, 309, and 309A”;* *and*

21 (3) *in section 307 (22 U.S.C. 6206)—*

22 (A) *in subsection (a), by striking “308 and*
23 *309” and inserting “308, 309, and 309A”;* *and*

1 (B) in subsection (c), in the second sentence,
2 by inserting “the Middle East Broadcasting Net-
3 works,” after “Asia,”.

4 (c) *TECHNICAL AND CONFORMING AMENDMENT TO*
5 *TITLE 5.—Section 8332(b)(11) of title 5, United States*
6 *Code, is amended by inserting “the Middle East Broad-*
7 *casting Networks;” after “Radio Free Asia;”.*

8 **SEC. 503. IMPROVING SIGNAL DELIVERY TO CUBA.**

9 Section 3 of the Radio Broadcasting to Cuba Act (22
10 *U.S.C. 1465a; Public Law 98–111) is amended—*

11 (1) by striking subsection (b);

12 (2) by striking subsection (c) and inserting the
13 following new subsection:

14 “(c) To effect radio broadcasting to Cuba, the Board
15 is authorized to utilize the United States International
16 Broadcasting facilities located in Marathon, Florida, and
17 the 1180 AM frequency used at those facilities. In addition
18 to the above facilities, the Board may simultaneously utilize
19 other governmental and nongovernmental broadcasting
20 transmission facilities and other frequencies, including the
21 Amplitude Modulation (AM) band, the Frequency Modula-
22 tion (FM) band, and the Shortwave (SW) band. The Board
23 may lease time on commercial or noncommercial edu-
24 cational AM band, FM band, and SW band radio broad-

1 *casting stations to carry a portion of the service programs*
2 *or to rebroadcast service programs.”;*

3 *(3) by striking subsection (d);*

4 *(4) by striking subsection (e) and inserting the*
5 *following new subsection:*

6 *“(e) Any service program of United States Government*
7 *radio broadcasts to Cuba authorized by this section shall*
8 *be designated ‘Radio Marti program’.”;*

9 *(5) by striking subsection (f); and*

10 *(6) by redesignating subsections (c) and (e) (as*
11 *amended by this section) as subsections (b) and (c),*
12 *respectively.*

13 **SEC. 504. ESTABLISHING PERMANENT AUTHORITY FOR**
14 **RADIO FREE ASIA.**

15 *Section 309 of the United States International Broad-*
16 *casting Act of 1994 (22 U.S.C. 6208) is amended—*

17 *(1) in subsection (c)(2), by striking “, and shall*
18 *further specify that funds to carry out the activities*
19 *of Radio Free Asia may not be available after Sep-*
20 *tember 30, 2009”; and*

21 *(2) by striking subsection (f).*

22 **SEC. 505. PERSONAL SERVICES CONTRACTING PROGRAM.**

23 *Section 504 of the Foreign Relations Authorization*
24 *Act, Fiscal Year 2003 (Public Law 107–228) is amended—*

25 *(1) in the section heading, by striking “PILOT”;*

1 (2) *in subsection (a)—*

2 (A) *by striking “pilot”;*

3 (B) *by striking “(in this section referred to*
4 *as the ‘program’); and*

5 (C) *by striking “producers, and writers”*
6 *and inserting “and other broadcasting special-*
7 *ists”;*

8 (3) *in subsection (b)(4), by striking “60” and in-*
9 *serting “100”; and*

10 (4) *by striking subsection (c).*

11 **SEC. 506. COMMONWEALTH OF THE NORTHERN MARIANA**

12 **ISLANDS EDUCATION BENEFITS.**

13 *Section 305(a) of the United States International*
14 *Broadcasting Act of 1994 (22 U.S.C. 6204(a)) is amended*
15 *by inserting after paragraph (18) the following new para-*
16 *graph:*

17 “(19)(A) *To provide for the payment of primary*
18 *and secondary school expenses for dependents of per-*
19 *sonnel stationed in the Commonwealth of the North-*
20 *ern Mariana Islands (CNMI) at a cost not to exceed*
21 *expenses authorized by the Department of Defense for*
22 *such schooling for dependents of members of the*
23 *Armed Forces stationed in the Commonwealth, if the*
24 *Board determines that schools available in the Com-*

1 *monwealth are unable to provide adequately for the*
2 *education of the dependents of such personnel.*

3 *“(B) To provide transportation for dependents of*
4 *such personnel between their places of residence and*
5 *those schools for which expenses are provided under*
6 *subparagraph (A), if the Board determines that such*
7 *schools are not accessible by public means of transpor-*
8 *tation.”.*

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

11 **SEC. 601. SHORT TITLE.**

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

16 **SEC. 602. FINDINGS.**

17 *Congress finds the following:*

18 *(1) All human beings are created equal and pos-*
19 *sess certain rights and freedoms, including the funda-*
20 *mental right to participate in the political life and*
21 *government of their respective countries. These in-*
22 *alienable rights are recognized in the Declaration of*
23 *Independence of the United States and in the Uni-*
24 *versal Declaration of Human Rights of the United*
25 *Nations.*

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

10 (3) *There is also a correlation between nondemo-*
11 *cratic rule and other threats to international peace*
12 *and security, including threats from war, genocide,*
13 *famine, poverty, drug trafficking, corruption, refugee*
14 *flows, human trafficking, religious persecution, envi-*
15 *ronmental degradation, and discrimination against*
16 *women.*

17 (4) *The transition to democracy must be led*
18 *from within nondemocratic countries, including by*
19 *nongovernmental organizations, movements, and indi-*
20 *viduals, and by nationals of such countries who live*
21 *abroad. Nevertheless, democratic countries have a*
22 *number of instruments available for supporting demo-*
23 *cratic reformers who are committed to promoting ef-*
24 *fective, nonviolent change in nondemocratic countries.*

1 (5) *United States efforts to promote democracy*
2 *and protect human rights in countries where they are*
3 *lacking can be strengthened to improve assistance for*
4 *such reformers. United States ambassadors and dip-*
5 *lomats can play a critical role in such efforts to pro-*
6 *mote democracy by publicly demonstrating support*
7 *for democratic principles and supporting democratic*
8 *reformers. Training and incentives are needed to as-*
9 *ist United States officials in strengthening the tech-*
10 *niques and skills required to promote democracy.*

11 (6) *A full evaluation of United States funds ex-*
12 *pended for the support of democracy is also necessary*
13 *to ensure an efficient and effective use of the resources*
14 *that are dedicated to these efforts.*

15 (7) *The promotion of democracy requires a*
16 *broad-based effort with collaboration between all*
17 *democratic countries, including through the Commu-*
18 *nity of Democracies.*

19 (8) *The promotion of such universal democracy*
20 *constitutes a long-term challenge that does not always*
21 *lead to an immediate transition to full democracy,*
22 *but through a dedicated and integrated approach can*
23 *achieve universal democracy.*

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

25 *It shall be the policy of the United States—*

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

4 (2) to affirm fundamental freedoms and human
5 rights in foreign countries and to condemn offenses
6 against those freedoms and rights as a fundamental
7 component of United States foreign policy;

8 (3) to use all instruments of United States influ-
9 ence to support, promote, and strengthen democratic
10 principles, practices, and values in foreign countries,
11 including the right to free, fair, and open elections,
12 secret balloting, and universal suffrage;

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

17 (5) to protect and promote respect for and adher-
18 ence to the rule of law in foreign countries;

19 (6) to provide appropriate support to organiza-
20 tions, individuals, and movements located in non-
21 democratic countries that aspire to live in freedom
22 and establish full democracy in such countries;

23 (7) to provide, political, economic, and other
24 support to foreign countries that are willingly under-
25 taking a transition to democracy;

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

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

6 **SEC. 604. DEFINITIONS.**

7 *In this title:*

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

11 (2) *COMMUNITY OF DEMOCRACIES AND COMMU-*
12 *NITY.*—The terms “Community of Democracies” and
13 “Community” mean the association of democratic
14 countries committed to the global promotion of demo-
15 cratic principles, practices, and values, which held its
16 First Ministerial Conference in Warsaw, Poland, in
17 June 2000.

18 (3) *ELIGIBLE ENTITY.*—The term “eligible enti-
19 ty” means any nongovernmental organization, inter-
20 national organization, multilateral institution, pri-
21 vate foundation, corporation, partnership, associa-
22 tion, or other entity, organization, or group engaged
23 in (or with plans to engage in) the promotion of de-
24 mocracy and fundamental rights and freedoms in for-
25 eign countries categorized as “democratic transition

1 *countries” or as “nondemocratic” in the most recent*
2 *Annual Report on Democracy.*

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

10 (5) *REGIONAL DEMOCRACY HUB AND HUB.*—*The*
11 *terms “Regional Democracy Hub” and “Hub” mean*
12 *the Regional Democracy Hubs established under sec-*
13 *tion 611(c)(2).*

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

16 (7) *UNDER SECRETARY.*—*The term “Under Sec-*
17 *retary” means the Under Secretary of State for De-*
18 *mocracy and Global Affairs established under section*
19 *1(b) of the State Department Basic Authorities Act of*
20 *1956 (22 U.S.C. 2651a(b)), as amended by section*
21 *611(a)(2) of this Act.*

1 **Subtitle A—Department of State**
2 **Activities**

3 **SEC. 611. PROMOTION OF DEMOCRACY IN FOREIGN COUN-**
4 **TRIES.**

5 (a) *CODIFICATION OF UNDER SECRETARY OF STATE*
6 *FOR DEMOCRACY AND GLOBAL AFFAIRS.*—Section 1(b) of
7 *the State Department Basic Authorities Act of 1956 (22*
8 *U.S.C. 2651a(b)) is amended—*

9 (1) *by redesignating paragraph (4) as para-*
10 *graph (5); and*

11 (2) *by inserting after paragraph (3) the fol-*
12 *lowing new paragraph:*

13 “(4) *UNDER SECRETARY OF STATE FOR DEMOC-*
14 *RACY AND GLOBAL AFFAIRS.*—*There shall be in the*
15 *Department of State, among the Under Secretaries*
16 *authorized by paragraph (1), an Under Secretary of*
17 *State for Democracy and Global Affairs, who shall*
18 *have primary responsibility to assist the Secretary*
19 *and the Deputy Secretary in the formulation and im-*
20 *plementation of United States policies and activities*
21 *relating to the transition to and development of de-*
22 *mocracy in nondemocratic countries and to coordi-*
23 *nate United States policy on global issues, including*
24 *issues related to human rights, women’s rights, free-*
25 *dom of religion, labor standards and relations, the*

1 *preservation of the global environment, the status and*
2 *protection of the oceans, scientific cooperation, nar-*
3 *cotics control, law enforcement, population issues, ref-*
4 *ugees, migration, war crimes, and trafficking in per-*
5 *sons. The Secretary may assign such other respon-*
6 *sibilities to the Under Secretary for Democracy and*
7 *Global Affairs as the Secretary determines appro-*
8 *priate or necessary. In particular, the Under Sec-*
9 *retary shall have the following responsibilities:*

10 “(A) *Coordinating with the Under Sec-*
11 *retary for Public Diplomacy and Public Affairs*
12 *and officers and employees from the regional bu-*
13 *reaus of the Department of State to promote the*
14 *transition to democracy in nondemocratic coun-*
15 *tries and strengthen development of democracy*
16 *in countries that are in transition to democracy.*

17 “(B) *Advising the Secretary regarding any*
18 *recommendation requested by any official of any*
19 *other agency that relates to the human rights sit-*
20 *uation in a foreign country or the effects on*
21 *human rights or democracy in a foreign country*
22 *of an agency program of such official.”.*

23 ***(b) ADDITIONAL DUTIES FOR ASSISTANT SECRETARY***
24 ***OF STATE FOR DEMOCRACY, HUMAN RIGHTS, AND***
25 ***LABOR.—Section 1(c)(2)(A) of the State Department Basic***

1 *Authorities Act of 1956 (22 U.S.C. 2651a(c)(2)) is amended*
2 *by inserting after the first sentence the following new sen-*
3 *tence: “The Assistant Secretary of State for Democracy,*
4 *Human Rights, and Labor shall also be responsible for mat-*
5 *ters relating to the transition to and development of democ-*
6 *racy in nondemocratic countries, including promoting and*
7 *strengthening the development of democracy in foreign*
8 *countries that are in the early stages of a transition to de-*
9 *mocracy and evaluating the effectiveness of United States*
10 *programs that promote democracy.”.*

11 *(c) DEPARTMENT OF STATE AND UNITED STATES MIS-*
12 *SIONS ABROAD.—*

13 *(1) OFFICE RELATED TO DEMOCRATIC MOVE-*
14 *MENTS AND TRANSITIONS.—*

15 *(A) ESTABLISHMENT.—There shall be with-*
16 *in the Bureau of Democracy, Human Rights,*
17 *and Labor of the Department of State an office*
18 *that shall be responsible for working with demo-*
19 *cratic movements and facilitating the transition*
20 *of nondemocratic countries and democratic tran-*
21 *sition countries to full democracy.*

22 *(B) PURPOSE.—In addition to any other*
23 *responsibilities conferred on the office, the office*
24 *shall promote transitions to full democracy in*
25 *countries that have been categorized as nondemo-*

1 *cratic or as democratic transition countries in*
2 *the most recent Annual Report on Democracy re-*
3 *quired under section 612(a).*

4 *(C) RESPONSIBILITIES.—The Deputy As-*
5 *stant Secretary of State for Democracy,*
6 *Human Rights, and Labor described in para-*
7 *graph (4) and employees of the office shall—*

8 *(i) develop relations with, consult with,*
9 *and provide assistance to nongovernmental*
10 *organizations, individuals, and movements*
11 *that are committed to the peaceful pro-*
12 *motion of democracy, democratic principles,*
13 *practices, and values, and fundamental*
14 *rights and freedoms in countries described*
15 *in subparagraph (B), including fostering*
16 *relationships with the United States Gov-*
17 *ernment and the governments of other demo-*
18 *cratic countries;*

19 *(ii) assist officers and employees of re-*
20 *gional bureaus to develop strategies and*
21 *programs to promote peaceful change in*
22 *such countries;*

23 *(iii) foster dialogue, to the extent prac-*
24 *ticable, between the leaders of such non-*
25 *governmental organizations, individuals,*

1 *and movements and the officials of such*
2 *countries;*

3 *(iv) create narratives and histories re-*
4 *quired under section 616 for the Internet*
5 *site for global democracy and human rights*
6 *and assist in the preparation of the report*
7 *required under section 612; and*

8 *(v) facilitate, in coordination with*
9 *public affairs officers and offices of the De-*
10 *partment of State responsible for public di-*
11 *plomacy programs in such countries, de-*
12 *bates and discussions, including among*
13 *young people in other countries, regarding*
14 *the values and benefits of democracy and*
15 *human rights at academic institutions in*
16 *such countries.*

17 (2) *REGIONAL DEMOCRACY HUBS AT UNITED*
18 *STATES MISSIONS ABROAD.—*

19 (A) *PILOT PROGRAM.—*

20 (i) *IN GENERAL.—The Secretary shall*
21 *establish at least one Regional Democracy*
22 *Hub at one United States mission in two of*
23 *the following geographic regions:*

24 (I) *The Western Hemisphere.*

25 (II) *Europe.*

1 (III) *South Asia.*

2 (IV) *The Near East.*

3 (V) *East Asia and the Pacific.*

4 (VI) *Africa.*

5 (ii) *DIRECTOR.*—*Each Regional De-*
6 *mocracy Hub shall be headed by a Director.*
7 *The Director and the associated staff shall*
8 *be selected by the Secretary of State in con-*
9 *sultation with the Assistant Secretary of*
10 *State for Democracy, Human Rights, and*
11 *Labor.*

12 (B) *RESPONSIBILITIES.*—*Each Regional*
13 *Democracy Hub shall support the appropriate*
14 *United States ambassador and United States*
15 *employees assigned to United States missions in*
16 *each such geographic region to carry out the re-*
17 *sponsibilities described in this Act, including as-*
18 *sisting Ambassadors and other United States of-*
19 *ficials in each nondemocratic country or demo-*
20 *cratic transition country in the geographic re-*
21 *gion to design and implement strategies for a*
22 *transition to democracy in such county, includ-*
23 *ing regional strategies as appropriate.*

24 (C) *ACCREDITATION.*—*As appropriate, the*
25 *Department should seek accreditation for the Di-*

1 *rector to all nondemocratic countries in each geo-*
2 *graphic region for which each Hub is respon-*
3 *sible.*

4 *(D) TERMINATION.—The Secretary may ter-*
5 *minate each Hub established under this para-*
6 *graph five years after each is established.*

7 *(E) CONTINUING RESPONSIBILITIES.—Noth-*
8 *ing in this paragraph shall be construed as re-*
9 *moving any responsibility under this or any*
10 *other Act of any chief of mission or other em-*
11 *ployees of United States diplomatic missions, in-*
12 *cluding the development and implementation of*
13 *strategies to promote democracy.*

14 *(F) AUTHORIZATION OF APPROPRIA-*
15 *TIONS.—There are authorized to be appropriated*
16 *to the Secretary such sums as may be necessary*
17 *to carry out the responsibilities described in sub-*
18 *paragraph (B), including hiring additional staff*
19 *to carry out such responsibilities.*

20 *(3) RESPONSIBILITIES OF THE BUREAU OF IN-*
21 *TELLIGENCE AND RESEARCH.—The Assistant Sec-*
22 *retary of State for Intelligence and Research should*
23 *coordinate with the Department of the Treasury, the*
24 *Department of Justice, the Central Intelligence Agen-*

1 *cy, other appropriate intelligence agencies, and, as*
2 *appropriate, with foreign governments to—*

3 *(A) monitor and document financial assets*
4 *inside and outside the United States held by*
5 *leaders of countries determined to be nondemo-*
6 *cratic countries or democratic transition coun-*
7 *tries in the Annual Report on Democracy under*
8 *section 612(a);*

9 *(B) identify close associates of such leaders;*
10 *and*

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

14 *(4) COORDINATION.—*

15 *(A) DEPUTY ASSISTANT SECRETARY OF*
16 *STATE FOR DEMOCRACY, HUMAN RIGHTS, AND*
17 *LABOR.—There should be in the Department of*
18 *State a Deputy Assistant Secretary of State for*
19 *Democracy, Human Rights, and Labor. Any*
20 *such Deputy Assistant Secretary shall be in ad-*
21 *dition to the current number of Deputy Assistant*
22 *Secretaries. In addition to considering qualified*
23 *noncareer candidates, the Secretary of State*
24 *should seek to recruit senior members of the Sen-*
25 *ior Foreign Service to serve in such position.*

1 (B) *RESPONSIBILITIES.*—*In addition to the*
2 *responsibilities described in paragraph (1)(C)*
3 *and such other responsibilities as the Secretary*
4 *or Assistant Secretary of State for Democracy,*
5 *Human Rights, and Labor may from time to*
6 *time designate, the Deputy Assistant Secretary of*
7 *State for Democracy, Human Rights, and Labor*
8 *should—*

9 (i) *coordinate the work of the office de-*
10 *scribed in paragraph (1) with the work of*
11 *other offices and bureaus at the Department*
12 *of State and other United States Govern-*
13 *ment agencies that provide grants and other*
14 *assistance to nongovernmental organiza-*
15 *tions, individuals, and movements; and*

16 (ii) *forge connections between the*
17 *United States and nongovernmental organi-*
18 *zations, individuals, and movements com-*
19 *mitted to the promotion of democracy and*
20 *democratic principles, practices, and values*
21 *and seek to embrace the work of such orga-*
22 *nizations, individuals, and movements.*

23 (5) *RECRUITMENT.*—*The Secretary shall seek to*
24 *ensure that, not later than December 31, 2012, not*
25 *less than 50 percent of the nonadministrative employ-*

1 ees serving in the Bureau of Democracy, Human
2 Rights, and Labor are members of the Foreign Serv-
3 ice.

4 **SEC. 612. REPORTS.**

5 (a) *ANNUAL REPORT ON DEMOCRACY.*—

6 (1) *PREPARATION AND DEADLINE FOR SUBMIS-*
7 *SION.*—The Secretary of State shall prepare an An-
8 *nual Report on Democracy. The Under Secretary of*
9 *State for Democracy and Global Affairs, with the as-*
10 *stance of the Assistant Secretary of State for Democ-*
11 *racy, Human Rights, and Labor, shall have the prin-*
12 *cipal responsibility of assisting the Secretary in the*
13 *preparation of the Annual Report. The Under Sec-*
14 *retary and Assistant Secretary shall consult with the*
15 *regional bureaus of the Department of State in the*
16 *preparation of the Annual Report. Not later than*
17 *July 1 of each year, the Secretary shall submit to the*
18 *appropriate congressional committees the Annual Re-*
19 *port on Democracy.*

20 (2) *CONTENTS.*—The Annual Report on Democ-
21 *racy shall contain the following:*

22 (A) *EXECUTIVE SUMMARY.*—An Executive
23 *Summary with a table listing every foreign*
24 *country that the Secretary determines to be*
25 *“nondemocratic”, and a list of countries the Sec-*

1 retary determines to be “democratic transition
2 countries” because they are at the early stages of
3 their transition to democracy. The Executive
4 Summary shall contain a short narrative high-
5 lighting the status of democracy in each such
6 country.

7 (i) DETERMINATION OF CATEGORIZA-
8 TION.—With respect to a country listed in
9 the Executive Summary, the Secretary shall
10 determine which of the categorizations spec-
11 ified under subparagraph (A) is appro-
12 priate by reference to the principles en-
13 shrined in the United Nations Charter, the
14 Universal Declaration of Human Rights,
15 the International Covenant on Civil and
16 Political Rights, the United Nations Com-
17 mission on Human Rights Resolution 1499/
18 57 (entitled “Promotion of the Right to De-
19 mocracy”), the assessments used to deter-
20 mine eligibility for financial assistance dis-
21 bursed from the Millennium Challenge Ac-
22 count, the assessments of nongovernmental
23 organizations of eligibility to participate in
24 the meetings of the Community of Democ-
25 racies, and the standards established and

1 *adopted by the Community of Democracies.*
2 *In addition, the categorization of a country*
3 *should be informed by the general consensus*
4 *regarding the status of civil and political*
5 *rights in such country by major nongovern-*
6 *mental organizations that conduct assess-*
7 *ments of such conditions in such countries.*

8 (ii) *DETERMINATION OF NONDEMO-*
9 *CRATIC CATEGORIZATION.—*

10 (I) *IN GENERAL.—The Secretary*
11 *shall categorize a country as nondemo-*
12 *cratic if such country fails to satisfy*
13 *any of the following requirements:*

14 (aa) *All citizens of such*
15 *county have the right to, and are*
16 *not restricted in practice from,*
17 *fully and freely participating in*
18 *the political life of such country*
19 *regardless of gender, race, lan-*
20 *guage, religion, or beliefs.*

21 (bb) *The national legislative*
22 *body of such country and, if di-*
23 *rectly elected, the head of govern-*
24 *ment of such country, are chosen*
25 *by free, fair, open, and periodic*

1 elections, by universal and equal
2 suffrage, and by secret ballot.

3 (cc) More than one political
4 party in such country has can-
5 didates who seek elected office at
6 the national level and such parties
7 are not restricted in their political
8 activities or their process for se-
9 lecting such candidates, except for
10 reasonable administrative require-
11 ments commonly applied in coun-
12 tries categorized as fully demo-
13 cratic.

14 (dd) All citizens in such
15 country have a right to, and are
16 not restricted in practice from,
17 fully exercising the freedoms of
18 thought, conscience, belief, peace-
19 ful assembly and association,
20 speech, opinion, and expression,
21 and such country has a free, inde-
22 pendent, and pluralistic media.

23 (ee) The current government
24 of such country did not come to

1 *power in a manner contrary to*
2 *the rule of law.*

3 *(ff) Such country possesses*
4 *an independent judiciary and the*
5 *government of such country gen-*
6 *erally respects the rule of law.*

7 *(II) ADDITIONAL CONSIDER-*
8 *ATIONS.—Notwithstanding the satisfac-*
9 *tion by a country of the requirements*
10 *specified under subclause (I), the Sec-*
11 *retary may categorize a country as*
12 *nondemocratic if the Secretary deter-*
13 *mines that such is appropriate after*
14 *consideration of the principles specified*
15 *under clause (i) with respect to such*
16 *country.*

17 *(B) STATUS OF DEMOCRACY.—A description*
18 *of each country on the list described in subpara-*
19 *graph (A), including—*

20 *(i) an evaluation of trends over the*
21 *preceding 12 months towards improvement*
22 *or deterioration in the commitment to and*
23 *protection of democratic principles, prac-*
24 *tices, values, institutions, and processes in*
25 *each such country;*

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

7 (iii) for each country previously cat-
8 egorized as nondemocratic in the Executive
9 Summary from the preceding 12 months,
10 an evaluation of any progress made over the
11 previous calendar year towards achieving a
12 categorization of democratic transition
13 country.

14 (C) STRATEGY FOR NONDEMOCRATIC COUN-
15 TRIES.—An in-depth examination of each coun-
16 try categorized as nondemocratic in the Execu-
17 tive Summary, including—

18 (i) a strategy developed following con-
19 sultations with nongovernmental organiza-
20 tions, individuals, and movements that pro-
21 mote democratic principles, practices, and
22 values in each such country to promote and
23 achieve transition to full democracy in each
24 such country;

1 (ii) a summary of any actions taken
2 by the President with respect to any such
3 country, the effects of any such actions, and
4 if no such actions have been taken, a state-
5 ment explaining why not;

6 (iii) a summary of any actions taken
7 by the chief of mission and officials of the
8 United States in each such country with
9 which the United States maintains diplo-
10 matic and consular posts with respect to
11 promoting such a transition within such
12 country and any activities of the embassy
13 or consulate in such country to support in-
14 dividuals and organizations in such coun-
15 try that actively advocate for such a transi-
16 tion;

17 (iv) a summary of efforts taken by offi-
18 cials of the United States to speak directly
19 to the people in each such country, and in
20 particular, a description of any visits taken
21 by the chief of mission and other officials of
22 the United States in each such country to
23 the colleges and universities and other insti-
24 tutions in each such country where young
25 people congregate and learn;

1 (v) a summary of any communications
2 between United States Government officials,
3 including the chief of mission in each such
4 country, and the leader and other high gov-
5 ernment officials of each such country con-
6 cerning respect for liberty, democracy, and
7 political, social, and economic freedoms;
8 and

9 (vi) a description and evaluation of the
10 efforts undertaken by other democratic
11 countries belonging to the Community of
12 Democracies to advance democracy in each
13 such county, including through relevant
14 bodies of the United Nations, regional orga-
15 nizations and bilateral policies and foreign
16 assistance and the extent to which the
17 United States coordinated United States ac-
18 tions and policies with such efforts.

19 (3) *CLASSIFIED ADDENDUM.*—If the Secretary
20 determines that it is in the national security interests
21 of the United States, is necessary for the safety of in-
22 dividuals identified in the Annual Report on Democ-
23 racy, or is necessary to further the purposes of this
24 Act, any information required by paragraph (2), in-
25 cluding policies adopted or actions taken by the

1 *United States, may be summarized in the Annual Re-*
2 *port on Democracy or in the Executive Summary and*
3 *submitted to the appropriate congressional committees*
4 *in more detail in a classified addendum.*

5 *(b) ONE-TIME REPORT ON TRAINING AND GUIDELINES*
6 *FOR FOREIGN SERVICE OFFICERS AND CHIEFS OF MIS-*
7 *SION.—The Secretary of State, in consultation with the*
8 *Under Secretary of State for Democracy and Global Affairs,*
9 *shall submit to the appropriate congressional committees a*
10 *one-time report containing a description of the training*
11 *provided under section 619 for Foreign Service officers, in-*
12 *cluding chiefs of mission serving or preparing to serve in*
13 *countries categorized as democratic transition countries or*
14 *nondemocratic in the Annual Report on Democracy re-*
15 *quired under subsection (a), or chiefs of mission in fully*
16 *democratic countries whose job performance could benefit*
17 *from such training, with respect to methods to promote and*
18 *achieve transition to full democracy in each such country,*
19 *including nonviolent action. The Secretary shall submit the*
20 *report together with the first Annual Report on Democracy*
21 *required under such subsection.*

22 **SEC. 613. STRATEGIES TO ENHANCE THE PROMOTION OF**
23 **DEMOCRACY IN FOREIGN COUNTRIES.**

24 *(a) WORKING GROUP ON NONDEMOCRATIC COUN-*
25 *TRIES.—Beginning in the year after the second Annual Re-*

1 *port on Democracy required under section 612(a) is sub-*
2 *mitted and not less than once each year thereafter, the*
3 *Under Secretary of State for Democracy and Global Affairs*
4 *should convene a working group under subsection (c) fo-*
5 *cused on each country categorized as nondemocratic in the*
6 *most recent such report in order to—*

7 (1) *review progress on the action plan with re-*
8 *spect to each such country to promote and achieve the*
9 *transition to full democracy in such country; and*

10 (2) *receive recommendations regarding further*
11 *action that should be taken with respect to such plan.*

12 (b) *WORKING GROUP ON DEMOCRATIC TRANSITION*
13 *COUNTRIES.—Beginning in the year after the second An-*
14 *nual Report on Democracy required under section 612(a)*
15 *is submitted and not less than once each year thereafter,*
16 *the Under Secretary of State for Democracy and Global Af-*
17 *fairs should also convene a working group under subsection*
18 *(c) focused on the progress towards a fully democratic form*
19 *of governance in each country categorized as a democratic*
20 *transition country in the most recent Annual Report that*
21 *was categorized as nondemocratic in any previous Annual*
22 *Report.*

23 (c) *MEMBERS OF WORKING GROUPS.—The working*
24 *groups referred to in subsections (a) and (b) should include*
25 *officers and employees of the Department of State and ap-*

1 *appropriate representatives from other relevant government*
2 *agencies, including the United States Agency for Inter-*
3 *national Development, the Department of the Treasury, and*
4 *the Department of Defense.*

5 (d) *CONSULTATIONS WITH CHIEFS OF MISSIONS.—*
6 *The chief of mission for each country categorized as non-*
7 *democratic or a democratic transition country in the most*
8 *recent Annual Report on Democracy shall meet with the*
9 *Under Secretary of State for Democracy and Global Affairs*
10 *at least once each year to discuss the transition to full de-*
11 *mocracy in such country, including any actions the chief*
12 *of mission has taken to implement the action plan for such*
13 *country included in such report.*

14 **SEC. 614. ACTIVITIES BY THE UNITED STATES TO PROMOTE**
15 **DEMOCRACY AND HUMAN RIGHTS IN FOR-**
16 **EIGN COUNTRIES.**

17 (a) *FREEDOM INVESTMENT ACT OF 2002.—The Free-*
18 *dom Investment Act of 2002 (subtitle E of title VI of Public*
19 *Law 107–228) is amended—*

20 (1) *in section 663(a), (relating to human rights*
21 *activities at the Department of State)—*

22 (A) *in paragraph (1), by striking “and” at*
23 *the end;*

24 (B) *by redesignating paragraph (2) as*
25 *paragraph (4);*

1 (C) by inserting after paragraph (1) the fol-
2 lowing new paragraphs:

3 “(2) a United States mission abroad in a coun-
4 try that has been categorized as nondemocratic in the
5 most recent Annual Report on Democracy (as re-
6 quired under section 612(a) of the Advance Demo-
7 cratic Values, Address Nondemocratic Countries, and
8 Enhance Democracy Act of 2005) should have at least
9 one political officer who shall have primary responsi-
10 bility for monitoring and promoting democracy and
11 human rights in such country;

12 “(3) the level of seniority of any such political
13 officer should be in direct relationship to the severity
14 of the problems associated with the establishment of
15 full democracy and respect for human rights in such
16 country; and”;

17 (D) in paragraph (4), as so redesignated, by
18 striking “monitoring human rights develop-
19 ments” and all that follows through “rec-
20 ommendation” and inserting the following:
21 “monitoring and promoting democracy and
22 human rights, including a political officer de-
23 scribed in paragraphs (2) and (3), in a foreign
24 country should be made after consultation with
25 and upon the recommendation”; and

1 (2) *in section 665(c) (relating to reports on ac-*
2 *tions taken by the United States to encourage respect*
3 *for human rights), by striking the second sentence and*
4 *adding at the end the following new sentences: “If the*
5 *Secretary elects to submit such information as a sepa-*
6 *rate report, such report may be submitted as part of*
7 *the Annual Report on Democracy required under sec-*
8 *tion 612(a) of the Advance Democratic Values, Ad-*
9 *dress Nondemocratic Countries, and Enhance Democ-*
10 *racy Act of 2005. If the Secretary makes such an elec-*
11 *tion, such report shall be organized so as to contain*
12 *a separate section for each country to which such in-*
13 *formation applies, together with a short narrative de-*
14 *scribing the extrajudicial killing, torture, or other se-*
15 *rious violations of human rights that are indicated to*
16 *have occurred in each such country.”.*

17 **(b) FOREIGN ASSISTANCE ACT OF 1961.**—*The Foreign*
18 *Assistance Act of 1961 (22 U.S.C. 2151 et seq.) is amend-*
19 *ed—*

20 (1) *in section 116(d) (22 U.S.C. 2151n(d)), by*
21 *striking paragraph (10) and inserting the following*
22 *new paragraph:*

23 “(10) *for each country with respect to which the*
24 *report indicates that extrajudicial killings, torture, or*
25 *other serious violations of human rights have occurred*

1 *in the country, a strategy, including a specific list of*
 2 *priorities and an action plan, to end such practices*
 3 *in the country, and any actions taken in the previous*
 4 *year to end such practices in the country; and”;* and
 5 *(2) in section 502B(b) (22 U.S.C. 2304(b)), by*
 6 *striking the sixth sentence and inserting the following*
 7 *new sentence: “Such report shall also include, for each*
 8 *country with respect to which the report indicates*
 9 *that extrajudicial killings, torture, or other serious*
 10 *violations of human rights have occurred in the coun-*
 11 *try, a strategy, including a specific list of priorities*
 12 *and an action plan, to end such practices in the*
 13 *country, and any actions taken in the previous year*
 14 *to end such practices in the country.”.*

15 **SEC. 615. DEMOCRACY PROMOTION AND HUMAN RIGHTS**

16 **ADVISORY BOARD.**

17 *(a) ESTABLISHMENT.—There is established a Democ-*
 18 *racy Promotion and Human Rights Advisory Board.*

19 *(b) PURPOSE AND DUTIES.—The Board shall advise*
 20 *and provide recommendations to the Secretary of State, the*
 21 *Under Secretary of State for Democracy and Global Affairs,*
 22 *the Assistant Secretary of State for Democracy, Human*
 23 *Rights, and Labor, and the Assistant Administrator for the*
 24 *Bureau of Democracy, Conflict and Humanitarian Assist-*
 25 *ance of the United States Agency for International Develop-*

1 *ment concerning United States policies regarding the pro-*
2 *motion of democracy and the establishment of universal de-*
3 *mocracy, including the following:*

4 (1) *Reviewing and making recommendations re-*
5 *garding the overall United States strategy for pro-*
6 *moting democracy and human rights in partly demo-*
7 *cratic and nondemocratic countries, including meth-*
8 *ods for incorporating the promotion of democracy and*
9 *human rights into United States diplomacy, the use*
10 *of international organizations to further United*
11 *States democracy promotion goals, and ways in*
12 *which the United States can work with other coun-*
13 *tries and the Community of Democracies to further*
14 *such purposes.*

15 (2) *Recommendations regarding specific strate-*
16 *gies to promote democracy in countries categorized as*
17 *nondemocratic or as democratic transition countries*
18 *in the most recent Annual Report on Democracy*
19 *under section 612(a) and methods for consulting and*
20 *coordinating with individuals (including expatriates)*
21 *and nongovernmental organizations that promote*
22 *democratic principles, practices, and values.*

23 (3) *Recommendations regarding the use of—*

24 (A) *programs related to the promotion of*
25 *democracy and human rights administered by*

1 *the United States Agency for International De-*
2 *velopment; and*

3 *(B) the Human Rights and Democracy*
4 *Fund, established under section 664 of the Free-*
5 *dom Investment Act of 2002 (subtitle E of title*
6 *VI of Public Law 107–228).*

7 *(4) Recommendations regarding regulations to be*
8 *promulgated concerning—*

9 *(A) the standards of performance to be met*
10 *by members of the Foreign Service, including*
11 *chiefs of mission, under section 405(d) of the*
12 *Foreign Service Act of 1980 (22 U.S.C. 3965(d));*
13 *and*

14 *(B) the development of programs to promote*
15 *democracy in foreign countries under section*
16 *614, relating to programs undertaken by United*
17 *States missions in foreign countries and the ac-*
18 *tivities of chiefs of mission.*

19 *(c) STUDY ON DEMOCRACY ASSISTANCE.—*

20 *(1) IN GENERAL.—Not later than 18 months*
21 *after the appointment of five members of the Board,*
22 *the Board shall submit to the President, appropriate*
23 *congressional committees, and the Secretary a study*
24 *on United States democracy assistance.*

25 *(2) CONTENTS.—The study shall include—*

1 (A) a comprehensive review and an overall
2 evaluation of the efficiency and effectiveness of
3 United States appropriations for the promotion
4 of democracy, including—

5 (i) information regarding the amount
6 of money dedicated to such purpose each fis-
7 cal year;

8 (ii) an identification of the inter-
9 national organizations, nongovernmental
10 organizations, multilateral institutions, in-
11 dividuals, private groups (including cor-
12 porations and other businesses), and govern-
13 ment agencies and departments receiving
14 such funds for such purpose;

15 (iii) information regarding the effi-
16 ciency and effectiveness of the use of such
17 funds to promote a transition to democracy
18 in nondemocratic countries with a special
19 emphasis on activities related to the pro-
20 motion of democracy under subsection
21 (b)(3)(B), relating to the Human Rights
22 and Democracy Fund; and

23 (iv) information regarding the effi-
24 ciency and effectiveness of the use of such
25 funds to promote and sustain democracy in

1 *countries that are already fully democratic*
2 *or democratic transition countries;*

3 *(B) a review of—*

4 *(i) whether United States international*
5 *broadcasts influence citizens of countries*
6 *categorized as nondemocratic in the most*
7 *recent Annual Report on Democracy and*
8 *the impact of increasing such broadcasts to*
9 *such countries relative to the cost of such in-*
10 *creases, including information relating to*
11 *an assessment of programming on the*
12 *means of nonviolent protest and democratic*
13 *change; and*

14 *(ii) the potential contribution that*
15 *supporting private media sources that are*
16 *not controlled or owned by the United*
17 *States to reaching citizens of such countries,*
18 *the situations where such support may be*
19 *appropriate, and the mechanisms that*
20 *should be used to provide such support;*

21 *(C) policy recommendations to the Presi-*
22 *dent and appropriate congressional committees*
23 *regarding ways to improve United States pro-*
24 *grams for the promotion of democracy, including*
25 *coordination of such programs; and*

1 (D) *recommendations for reform of United*
2 *States Government agencies involved in the pro-*
3 *motion of democracy.*

4 (d) *MEMBERSHIP.—*

5 (1) *APPOINTMENT.—The Board shall be com-*
6 *posed of nine members, who shall be citizens of the*
7 *United States and who shall not be officers or em-*
8 *ployees of the United States. The Secretary shall ap-*
9 *point all such members. Not more than five members*
10 *may be affiliated with the same political party.*

11 (2) *SELECTION.—Members of the Board shall be*
12 *selected from among distinguished individuals noted*
13 *for their knowledge and experience in fields relevant*
14 *to the issues to be considered by the Board, including*
15 *issues related to the promotion of democracy, inter-*
16 *national relations, management and organization of*
17 *foreign assistance or comparable programs, methods*
18 *and means of nonviolent protest, academic study and*
19 *debate of democracy, human rights, and international*
20 *law.*

21 (3) *TIME FOR APPOINTMENT.—The appointment*
22 *of members to the Board under paragraph (1) shall*
23 *be made not later than 120 days after the date of the*
24 *enactment of this Act.*

1 (4) *TERM OF SERVICE AND SUNSET.*—Each
2 member shall be appointed to the Board for a term
3 that shall expire on the date that is one year after the
4 date of the submission of the study under subsection
5 (c).

6 (5) *SUNSET.*—The Board shall terminate on the
7 date that is one year after the date of the submission
8 of the study under such subsection unless the Sec-
9 retary determines that it is in the interest of the De-
10 partment to extend the Board for a period of an addi-
11 tional five years.

12 (6) *SECURITY CLEARANCES.*—The Secretary
13 shall ensure that all members of the Board, and ap-
14 propriate experts and consultants under paragraph
15 (7)(E), obtain relevant security clearances in an expe-
16 ditious manner.

17 (7) *OPERATION.*—

18 (A) *CHAIR.*—The Secretary shall appoint
19 one member of the Board to chair the Board. The
20 Board shall meet at the call of the Chair.

21 (B) *TRAVEL EXPENSES.*—Members of the
22 Board shall be allowed travel expenses, including
23 per diem in lieu of subsistence, at rates author-
24 ized for employees of agencies under subchapter
25 I of chapter 57 of title 5, United States Code,

1 *while away from their homes or regular places of*
2 *business in the performance of service for the*
3 *Board.*

4 (C) *OFFICE SPACE AND ADMINISTRATIVE*
5 *ASSISTANCE.—Upon the request of the chair-*
6 *person of the Board, the Secretary shall provide*
7 *reasonable and appropriate office space, supplies,*
8 *and administrative assistance.*

9 (D) *APPLICABILITY OF CERTAIN OTHER*
10 *LAWS.—Nothing in this section shall be con-*
11 *strued to cause the Board to be considered an*
12 *agency or establishment of the United States, or*
13 *to cause members of the Board to be considered*
14 *officers or employees of the United States. Execu-*
15 *tive branch agencies may conduct programs and*
16 *activities and provide services in support of the*
17 *activities duties of the Board, notwithstanding*
18 *any other provision of law. The Federal Advisory*
19 *Committee Act (5 U.S.C. App.) shall not apply*
20 *to the Board.*

21 (E) *EXPERTS AND CONSULTANTS.—The*
22 *Board may procure temporary and intermittent*
23 *services under section 3109(b) of title 5, United*
24 *States Code.*

1 (e) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*
2 *authorized to be appropriated to the Board such sums as*
3 *may be necessary for each of fiscal years 2006, 2007, and*
4 *2008.*

5 **SEC. 616. ESTABLISHMENT AND MAINTENANCE OF INTER-**
6 **NET SITE FOR GLOBAL DEMOCRACY AND**
7 **HUMAN RIGHTS.**

8 (a) *ESTABLISHMENT.*—*In order to facilitate access by*
9 *individuals and nongovernmental organizations in foreign*
10 *countries to documents, streaming video and audio, and*
11 *other media regarding democratic principles, practices, and*
12 *values, and the promotion and strengthening of democracy,*
13 *the Secretary of State, in cooperation with the Under Sec-*
14 *retary of State for Democracy and Global Affairs, the*
15 *Under Secretary for Public Diplomacy and Public Affairs,*
16 *and the Assistant Secretary of State for Democracy,*
17 *Human Rights, and Labor, shall establish and maintain*
18 *an Internet site for global democracy and human rights.*

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

22 (1) *The Executive Summary prepared under sec-*
23 *tion 612(a)(2)(A), but only to the extent that infor-*
24 *mation contained therein is not classified.*

1 (2) *Narratives and histories of significant demo-*
2 *cratic movements in foreign countries, particularly*
3 *regarding successful nonviolent campaigns to oust*
4 *dictatorships.*

5 (3) *Narratives relating to the importance of the*
6 *establishment of and respect for fundamental free-*
7 *doms.*

8 (4) *Major human rights reports by the United*
9 *States Government or any other documents, ref-*
10 *erences, or links to external Internet sites the Sec-*
11 *retary or Under Secretary determines appropriate,*
12 *including reference to or links to training materials*
13 *regarding successful movements in the past, including*
14 *translations of such materials, as appropriate.*

15 **SEC. 617. PROGRAMS BY UNITED STATES MISSIONS IN FOR-**
16 **EIGN COUNTRIES AND ACTIVITIES OF CHIEFS**
17 **OF MISSION.**

18 (a) *DEVELOPMENT OF PROGRAMS TO PROMOTE DE-*
19 *MOCRACY IN FOREIGN COUNTRIES.*—*Each chief of mission*
20 *in each foreign country categorized as nondemocratic in the*
21 *most recent Annual Report on Democracy, with the assist-*
22 *ance of the director of the relevant Regional Hub, shall—*

23 (1) *develop, as part of annual program plan-*
24 *ning, a strategy to promote democracy in each such*
25 *foreign country and to provide visible and material*

1 *support to individuals and nongovernmental organi-*
2 *zations in each such country that are committed to*
3 *democratic principles, practices, and values, such*
4 *as—*

5 *(A) consulting and coordinating with such*
6 *individuals and organizations regarding the pro-*
7 *motion of democracy;*

8 *(B) visiting local landmarks and other local*
9 *sites associated with nonviolent protest in sup-*
10 *port of democracy and freedom from oppression;*

11 *(C) holding periodic public meetings with*
12 *such individuals and organizations to discuss de-*
13 *mocracy and political, social, and economic free-*
14 *doms;*

15 *(D) issuing public condemnation of severe*
16 *violations of internationally recognized human*
17 *rights (as such term is described in section*
18 *116(a) of the Foreign Assistance Act of 1961 (22*
19 *U.S.C. 2151n(a)), violations of religious freedom,*
20 *including particularly severe violations of reli-*
21 *gious freedom (as such terms are defined in*
22 *paragraphs (11) and (13) of section 3 of the*
23 *International Religious Freedom Act of 1998 (22*
24 *U.S.C. 6402)), political repression, and govern-*

1 *ment-tolerated or -condoned trafficking in per-*
2 *sons; and*

3 *(E) providing technical, financial, and such*
4 *other support to such individuals and organiza-*
5 *tions;*

6 *(2) hold ongoing discussions with the leaders of*
7 *each such nondemocratic country regarding a transi-*
8 *tion to full democracy and the development of polit-*
9 *ical, social, and economic freedoms and respect for*
10 *human rights, including freedom of religion or belief,*
11 *in such country; and*

12 *(3) conduct meetings with civil society, inter-*
13 *views with media that can directly reach citizens of*
14 *each such country, and discussions with students and*
15 *young people of each such country regarding a transi-*
16 *tion to democracy and the development of political,*
17 *social, and economic freedoms in each such country.*

18 *(b) PUBLIC OUTREACH IN FOREIGN COUNTRIES.—*
19 *Each chief of mission or principal officer should spend time*
20 *at universities and other institutions of higher learning*
21 *to—*

22 *(1) debate and discuss values and policies that*
23 *promote democracy; and*

24 *(2) communicate, promote, and defend such*
25 *United States values and policies.*

1 (c) *ACCESS TO UNITED STATES MISSIONS.*—*The Sec-*
2 *retary is encouraged to allow access to a United States dip-*
3 *lomatic or consular mission in each foreign country cat-*
4 *egorized as a democratic transition country or as nondemo-*
5 *cratic in the most recent Annual Report on Democracy by*
6 *individuals and representatives of nongovernmental organi-*
7 *zations in each such country who are committed to demo-*
8 *cratic principles, practices, and values in each such coun-*
9 *try.*

10 **SEC. 618. TRAINING FOR FOREIGN SERVICE OFFICERS.**

11 (a) *TRAINING IN DEMOCRACY AND THE PROMOTION OF*
12 *DEMOCRACY AND HUMAN RIGHTS.*—*Section 708 of the For-*
13 *eign Service Act of 1980 (22 U.S.C. 4028) is amended by*
14 *adding at the end the following new subsection:*

15 “(c) *TRAINING ON GLOBAL DEMOCRACY PRO-*
16 *MOTION.*—

17 “(1) *IN GENERAL.*—*In addition to the training*
18 *required under subsections (a) and (b), the Secretary*
19 *of State, in cooperation with other relevant officials,*
20 *including the Under Secretary of State for Democracy*
21 *and Global Affairs, and the Director of the National*
22 *Foreign Affairs Training Center of the Foreign Serv-*
23 *ice Institute of the Department of State, shall estab-*
24 *lish as part of the training provided after December*
25 *31, 2006, for members of the Service, including all*

1 *chiefs of mission and deputy chiefs of mission, in-*
2 *struction in how to strengthen and promote democ-*
3 *racy through peaceful means in consultation with in-*
4 *dividuals and nongovernmental organizations that*
5 *support democratic principles, practices, and values.*
6 *In particular, such instruction shall be mandatory for*
7 *members of the Service having reporting or other re-*
8 *sponsibilities relating to internal political develop-*
9 *ments and human rights, including religious freedom,*
10 *in nondemocratic countries or democratic transition*
11 *countries as categorized in the most recent Annual*
12 *Report on Democracy as required under section*
13 *612(a) of the Advance Democratic Values, Address*
14 *Nondemocratic Countries, and Enhance Democracy*
15 *Act of 2005, including for chiefs of mission and dep-*
16 *uty chiefs of mission, and shall be completed before*
17 *the time that such member or chief of mission as-*
18 *sumes a post (or, if such is not practical, within the*
19 *first year of assuming such post).*

20 *“(2) CONTENTS OF TRAINING.—The training re-*
21 *quired under paragraph (1) shall include instruction,*
22 *a training manual, and other materials regarding the*
23 *following:*

1 “(A) *International documents and United*
2 *States policy regarding electoral democracy and*
3 *respect for human rights.*

4 “(B) *United States policy regarding the*
5 *promotion and strengthening of democracy*
6 *around the world, with particular emphasis on*
7 *the transition to democracy in nondemocratic*
8 *countries.*

9 “(C) *For any member, chief of mission, or*
10 *deputy chief of mission who is to be assigned to*
11 *a foreign country that is categorized as non-*
12 *democratic in the Annual Report on Democracy,*
13 *instruction regarding ways to promote democ-*
14 *racy in such country and providing technical, fi-*
15 *nancial, and other support to individuals (in-*
16 *cluding expatriated citizens) and nongovern-*
17 *mental organizations in such country that sup-*
18 *port democratic principles, practices, and values.*

19 “(D) *The protection of internationally rec-*
20 *ognized human rights (including the protection*
21 *of religious freedom) and standards related to*
22 *such rights, provisions of United States law re-*
23 *lated to such rights, diplomatic tools to promote*
24 *respect for such rights, the protection of individ-*
25 *uals who have fled their countries due to viola-*

1 *tions of such rights (including the role of United*
2 *States embassies in providing access to the*
3 *United States Refugee Admissions Program) and*
4 *the relationship between respect for such rights*
5 *and democratic development and national secu-*
6 *rity. The Director of the National Foreign Af-*
7 *airs Training Center of the Foreign Service In-*
8 *stitute of the Department of State shall consult*
9 *with nongovernmental organizations involved in*
10 *the protection and promotion of such rights and*
11 *the United States Commission on International*
12 *Religious Freedom (established under section*
13 *201(a) of the International Religious Freedom*
14 *Act of 1998 (22 U.S.C. 6431(a)) in developing*
15 *the training required by this subparagraph.”.*

16 *(b) OTHER TRAINING.—The Secretary of State shall*
17 *ensure that the training described in subsection (a) is pro-*
18 *vided to members of the civil service who are assigned in*
19 *the United States or abroad who have reporting or other*
20 *responsibilities relating to internal political developments*
21 *and human rights in countries that are categorized as*
22 *democratic transition countries or nondemocratic in the*
23 *Annual Report on Democracy required under section*
24 *612(a).*

1 (c) *AUTHORIZATION OF APPROPRIATIONS.*—*There are*
 2 *authorized to be appropriated such sums as may be nec-*
 3 *essary to develop appropriate programs and materials to*
 4 *accomplish the training required under subsection (c) of sec-*
 5 *tion 708 of the Foreign Service Act of 1980 (22 U.S.C.*
 6 *4028), as added by subsection (a).*

7 (d) *CLERICAL AMENDMENTS.*—*Section 708 of the For-*
 8 *oreign Service Act of 1980, as amended by subsection (a), is*
 9 *further amended—*

10 (1) *in subsection (a) by striking “(a) The” and*
 11 *inserting “(a) TRAINING ON HUMAN RIGHTS.—The”;*
 12 *and*

13 (2) *in subsection (b) by striking “(b) The” and*
 14 *inserting “(b) TRAINING ON REFUGEE LAW AND RE-*
 15 *LIGIOUS PERSECUTION.—The”.*

16 **SEC. 619. PERFORMANCE PAY; PROMOTIONS; FOREIGN**
 17 **SERVICE AWARDS.**

18 (a) *PERFORMANCE PAY.*—*Section 405(d) of the For-*
 19 *oreign Service Act of 1980 (22 U.S.C. 3965(d)) is amended*
 20 *by inserting after the second sentence the following new sen-*
 21 *tence: “Meritorious or distinguished service in the pro-*
 22 *motion of democracy in foreign countries, including contact*
 23 *with and support of individuals and nongovernmental or-*
 24 *ganizations that promote democracy in a foreign country*
 25 *categorized as nondemocratic in the most recent Annual Re-*

1 *port on Democracy (as required under section 612(a) of the*
2 *Advance Democratic Values, Address Nondemocratic Coun-*
3 *tries, and Enhance Democracy Act of 2005), shall also serve*
4 *as a basis for granting awards under this section.”.*

5 **(b) PROMOTIONS.**—*Section 603(b) of the Foreign Serv-*
6 *ice Act of 1980 (22 U.S.C. 4003(b)) is amended by adding*
7 *at the end the following new sentence: “Precepts for selection*
8 *boards shall also, where applicable, include an evaluation*
9 *of whether members of the Service and members of the Sen-*
10 *ior Foreign Service have met the standards of performance*
11 *established by the Secretary pursuant to section 619(c) of*
12 *the Advance Democratic Values, Address Nondemocratic*
13 *Countries, and Enhance Democracy Act of 2005, or have*
14 *served in a position in which the primary responsibility*
15 *is to monitor or promote democracy or human rights.”.*

16 **(c) REGULATIONS AND EVALUATIONS CONCERNING**
17 **STANDARDS OF PERFORMANCE AND PROGRAMS TO PRO-**
18 **MOTE DEMOCRACY.**—*With respect to members of the For-*
19 *ign Service, including all chiefs of mission, who are as-*
20 *signed to foreign countries categorized as nondemocratic in*
21 *the most recent Annual Report on Democracy, the Secretary*
22 *shall prescribe regulations concerning the standards of per-*
23 *formance to be met under sections 405(d) and 603(b) of the*
24 *Foreign Service Act of 1980 (22 U.S.C. 3965(d) and*
25 *4003(b)), as amended by subsections (a) and (b), respec-*

1 tively, and the development of programs to promote democ-
2 racy in foreign countries under section 617. The require-
3 ments of sections 617 and 618(a) shall serve as one of the
4 bases for performance criteria in evaluating chiefs of mis-
5 sion and those officers at posts so designated by the chief
6 of mission.

7 (d) *FOREIGN SERVICE AWARDS*.—Section 614 of the
8 *Foreign Service Act of 1980* (22 U.S.C. 4013) is amended
9 by adding at the end the following new sentence: “Distin-
10 guished or meritorious service in the promotion of democ-
11 racy in foreign countries, including contact with and sup-
12 port of individuals and nongovernmental organizations
13 that promote democracy in a foreign country categorized
14 as nondemocratic in the most recent *Annual Report on De-*
15 *mocracy* (as required under section 612(a) of the *Advance*
16 *Democratic Values, Address Nondemocratic Countries, and*
17 *Enhance Democracy Act of 2005*), shall also serve as a basis
18 for granting awards under this section.”.

19 **SEC. 620. APPOINTMENTS.**

20 (a) *APPOINTMENTS BY THE PRESIDENT*.—Section 302
21 of the *Foreign Service Act of 1980* (22 U.S.C. 3942) is
22 amended by adding at the end the following new subsection:

23 “(c) If an individual (with respect to subsection (a))
24 or a member of the Service (with respect to subsection (b))
25 is appointed by the President to be a chief of mission in

1 a country at the time such country is categorized as non-
2 democratic in an Annual Report on Democracy (required
3 under section 612(a) of the Advance Democratic Values, Ad-
4 dress Nondemocratic Countries, and Enhance Democracy
5 Act of 2005), and if such individual or such member has
6 previously served as chief of mission in a country that was
7 so categorized, the President shall transmit to the Com-
8 mittee on Foreign Relations of the Senate a written report
9 summarizing the actions that such individual or member
10 took during the period of such prior service to promote de-
11 mocracy and human rights in such country, including ac-
12 tions in furtherance of the strategy contained in such re-
13 port.”.

14 (b) CHIEFS OF MISSION.—Section 304(a)(1) of such
15 Act (22 U.S.C. 3944(a)(1)) is amended by adding at the
16 end the following new sentence: “If the country in which
17 the individual is to serve is categorized as nondemocratic
18 in the most recent Annual Report on Democracy (as re-
19 quired under section 612(a) of the Advance Democratic Val-
20 ues, Address Nondemocratic Countries, and Enhance De-
21 mocracy Act of 2005), the individual should possess clearly
22 demonstrated competence in and commitment to the pro-
23 motion of democracy in such country, including competence
24 in promoting democratic principles, practices, and values
25 through regular interaction with individuals, including stu-

1 *dents and young people within such country, who support*
2 *and advocate such principles, practices, and values.”.*

3 ***Subtitle B—Alliances With Other***
4 ***Democratic Countries***

5 ***SEC. 631. ALLIANCES WITH OTHER DEMOCRATIC COUN-***
6 ***TRIES.***

7 *(a) FINDING.—Congress finds that it is in the national*
8 *interest of the United States, including for humanitarian,*
9 *economic, social, political, and security reasons, to forge al-*
10 *liances with democratic countries to work together to pro-*
11 *mote and protect—*

12 *(1) shared democratic principles, practices, and*
13 *values; and*

14 *(2) political, social, and economic freedoms*
15 *around the world.*

16 *(b) PURPOSES.—The purposes of this subtitle are to*
17 *encourage new ways of forging alliances with democratic*
18 *countries in order to—*

19 *(1) promote and protect democratic principles,*
20 *practices, and values, including the right to free, fair,*
21 *and open elections, secret balloting, and universal suf-*
22 *frage;*

23 *(2) promote and protect fundamental shared po-*
24 *litical, social, and economic freedoms, including the*

1 *freedoms of association, of expression, of the press, of*
2 *religion, and to own private property;*

3 *(3) promote and protect respect for the rule of*
4 *law;*

5 *(4) develop, adopt, and pursue strategies to ad-*
6 *vance common interests in international organiza-*
7 *tions and multilateral institutions to which members*
8 *of the alliance of democratic countries belong; and*

9 *(5) provide political, economic, and other nec-*
10 *essary support to countries that are undergoing a*
11 *transition to democracy.*

12 *(c) SENSE OF CONGRESS REGARDING PARTICIPA-*
13 *TION.—It is the sense of Congress that any foreign country*
14 *that is categorized as nondemocratic in the most recent An-*
15 *nual Report on Democracy under section 612(a) should not*
16 *participate in any alliance of democratic countries aimed*
17 *at working together to promote democracy.*

18 **SEC. 632. SENSE OF CONGRESS REGARDING THE ESTAB-**
19 **LISHMENT OF A DEMOCRACY CAUCUS.**

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

23 *(1) encouraged the establishment of a Democracy*
24 *Caucus within the United Nations, the United Na-*
25 *tions Human Rights Commission, the United Nations*

1 *Conference on Disarmament, and at other broad-*
2 *based international organizations; and*

3 *(2) required increased training in multilateral*
4 *diplomacy for members of the Foreign Service and*
5 *appropriate members of the Civil Service to support*
6 *such an establishment.*

7 *(b) SENSE OF CONGRESS.—It is the sense of Congress*
8 *that the creation of a Democracy Caucus in each inter-*
9 *national organization and multilateral institution of which*
10 *the United States is a member will not only improve the*
11 *internal governance of such organizations but will also*
12 *strengthen the implementation of commitments by such or-*
13 *ganizations and institutions regarding democracy and*
14 *human rights.*

15 **SEC. 633. ANNUAL DIPLOMATIC MISSIONS ON MULTILAT-**
16 **ERAL ISSUES.**

17 *The Secretary of State, acting through the principal*
18 *officers responsible for advising the Secretary on inter-*
19 *national organizations, should ensure that a high level dele-*
20 *gation from the United States is sent on an annual basis*
21 *to consult with key foreign governments in every region to*
22 *promote United States policies, including issues related to*
23 *democracy and human rights, at key international fora, in-*
24 *cluding the United Nations General Assembly, the United*
25 *Nations Human Rights Commission or other multilateral*

1 *human rights body, the Organization for Security and Co-*
2 *operation in Europe, and the United Nations Education,*
3 *Science, and Cultural Organization.*

4 **SEC. 634. STRENGTHENING THE COMMUNITY OF DEMOC-**
5 **RACIES.**

6 (a) *FORMAL MECHANISMS FOR THE COMMUNITY OF*
7 *DEMOCRACIES.—It is the sense of Congress that the Com-*
8 *munity of Democracies should develop a more formal mech-*
9 *anism for carrying out work between ministerial meetings,*
10 *including hiring appropriate staff to carry out such work,*
11 *and should, as appropriate, establish a headquarters.*

12 (b) *DETAIL OF PERSONNEL.—The Secretary is author-*
13 *ized to detail on a nonreimbursable basis any employee of*
14 *the Department of State to any country that is a member*
15 *of the Convening Group of the Community of Democracies.*

16 (c) *REGIONAL GROUP IN THE COMMUNITY OF DEMOC-*
17 *RACIES.—It is the sense of Congress that regional groups*
18 *within the Community of Democracies should be established*
19 *and strengthened in order to facilitate coordination of com-*
20 *mon positions and action on multilateral strategies to pro-*
21 *mote and consolidate democracy.*

22 (d) *INTERNATIONAL CENTER FOR DEMOCRATIC TRAN-*
23 *SITION.—*

24 (1) *SENSE OF CONGRESS.—It is the sense of*
25 *Congress that the United States should, along with*

1 *uals in order to assist such entities and individuals in the*
2 *promotion of democracy in countries categorized as non-*
3 *democratic in the most recent Annual Report on Democracy*
4 *under section 612(a).*

5 **SEC. 642. HUMAN RIGHTS AND DEMOCRACY FUND.**

6 *(a) PURPOSES OF THE HUMAN RIGHTS AND DEMOC-*
7 *RACY FUND.—In addition to uses currently approved for*
8 *the Human Rights and Democracy Fund, the Secretary of*
9 *State, acting through the Assistant Secretary of State for*
10 *Democracy, Human Rights, and Labor shall use amounts*
11 *appropriated to the Human Rights and Democracy Fund*
12 *under subsection (e) to provide assistance to eligible entities*
13 *and eligible individuals to promote democracy in foreign*
14 *countries categorized as nondemocratic in the most recent*
15 *Annual Report on Democracy under section 612(a). The*
16 *promotion of democracy in such countries for which such*
17 *assistance may be provided may include the following ac-*
18 *tivities:*

19 *(1) The publication and distribution of books*
20 *and the creation and distribution of other media re-*
21 *lating to information about current events in such*
22 *country and educational programming designed to*
23 *provide information regarding democracy, the rule of*
24 *law, free, fair and open elections, free market econom-*
25 *ics, fundamental human rights (including the rights*

1 *of freedom of speech and of religion and the rights to*
2 *be free from slavery and bondage), and successful*
3 *democratic movements in history, including edu-*
4 *cational programs for leaders and members of demo-*
5 *cratic movements to convey information to such indi-*
6 *viduals regarding the means of nonviolent force and*
7 *the methods of nonviolent action.*

8 *(2) The translation into languages spoken in*
9 *such countries of relevant programming and existing*
10 *books, videos, and other publications relating to the*
11 *subjects specified in paragraph (1).*

12 *(3) The promotion of political pluralism and the*
13 *rule of law within such countries, including the pro-*
14 *motion of nongovernmental organizations and move-*
15 *ments that promote democratic principles, practices,*
16 *and values.*

17 *(4) The creation of programs for student groups*
18 *to work with citizens of such countries who are com-*
19 *mitted to democratic reforms and to the promotion of*
20 *a transition to democracy.*

21 *(5) The creation of training programs for citi-*
22 *zens of such countries concerning international legal*
23 *obligations to support democracy and human rights,*
24 *including religious freedom.*

1 (6) *Support for nongovernmental organizations*
2 *which have experience with the Community of Democ-*
3 *racies to assist the Community of Democracies and*
4 *its Convening Group.*

5 (b) *FREEDOM INVESTMENT ACT OF 2002.—Section*
6 *664(b) of the Freedom Investment Act of 2002 (subtitle E*
7 *of title VI of Public Law 107–228; relating to the purposes*
8 *of the Human Rights and Democracy Fund) is amended—*

9 (1) *in paragraph (4), by striking “and” at the*
10 *end;*

11 (2) *by redesignating paragraph (5) as para-*
12 *graph (6);*

13 (3) *by inserting after paragraph (4) the fol-*
14 *lowing new paragraph:*

15 *“(5) to support the study of democracy abroad,*
16 *including support for debates and discussions at aca-*
17 *demie institutions, regarding the values and benefits*
18 *of democracy; and”;* and

19 (4) *in paragraph (6), as redesignated by para-*
20 *graph (2) of this subsection, by striking “(4)” and in-*
21 *serting “(5)”.*

22 (c) *ADMINISTRATIVE AUTHORITIES.—Assistance pro-*
23 *vided through the Human Rights and Democracy Fund*
24 *may be provided to eligible entities and eligible individuals*
25 *in foreign countries notwithstanding any provision of law*

1 *that prohibits assistance to a foreign country or to a govern-*
2 *ment of a foreign country.*

3 (d) *ANNUAL REPORT ON THE STATUS OF THE HUMAN*
4 *RIGHTS AND DEMOCRACY FUND.*—*Not later than 60 days*
5 *after the conclusion of each fiscal year, the Assistant Sec-*
6 *retary of State for Democracy, Human Rights, and Labor*
7 *shall submit to the appropriate congressional committees an*
8 *annual report on the status of the Human Rights and De-*
9 *mocracy Fund. Each such annual report shall contain the*
10 *following information:*

11 (1) *An identification of each eligible entity and*
12 *eligible individual who received assistance during the*
13 *previous fiscal year under subsection (b) and a sum-*
14 *mary of the activities of each such recipient.*

15 (2) *An account of projects funded and outside*
16 *contributions received during the previous fiscal year.*

17 (3) *A balance sheet of income and outlays cur-*
18 *rent as of the conclusion of the fiscal year to which*
19 *such report is relevant.*

20 (e) *AUTHORIZATION OF APPROPRIATIONS.*—

21 (1) *IN GENERAL.*—*Of the funds available for*
22 *each of fiscal years 2006 and 2007, there are author-*
23 *ized to be appropriated to the Human Rights and De-*
24 *mocracy Fund to carry out the purposes of this sec-*
25 *tion \$50,000,000 for fiscal year 2006 and \$60,000,000*

1 *for fiscal year 2007. Amounts appropriated under*
2 *this section shall remain available until expended.*

3 (2) *ADMINISTRATIVE EXPENSES.*—*Not more than*
4 *five percent of amounts appropriated to the Human*
5 *Rights and Democracy Fund for each fiscal year may*
6 *be applied toward administrative expenses associated*
7 *with carrying out this section.*

8 (3) *CONTRIBUTIONS.*—*The Secretary may accept*
9 *contributions to the Human Rights and Democracy*
10 *Fund from the governments of other democratic coun-*
11 *tries, private foundations, private citizens, and other*
12 *nongovernmental sources.*

13 ***Subtitle D—Presidential Actions***

14 ***SEC. 651. INVESTIGATION OF VIOLATIONS OF INTER-*** 15 ***NATIONAL HUMANITARIAN LAW.***

16 (a) *IN GENERAL.*—*The President, with the assistance*
17 *of the Secretary of State, the Under Secretary of State for*
18 *Democracy and Global Affairs, and the Ambassador-at-*
19 *Large for War Crimes Issues, shall collect information re-*
20 *garding incidents that may constitute crimes against hu-*
21 *manity, genocide, slavery, or other violations of inter-*
22 *national humanitarian law by leaders or other government*
23 *officials of foreign countries categorized as nondemocratic*
24 *or as democratic transition countries in the most recent An-*
25 *nual Report on Democracy under section 612(a).*

1 (b) *ACCOUNTABILITY.*—*The President shall consider*
2 *what actions can be taken to ensure that such leaders or*
3 *other government officials of foreign countries who are iden-*
4 *tified in accordance with subsection (a) as responsible for*
5 *crimes against humanity, genocide, slavery, or other viola-*
6 *tions of international humanitarian law are brought to ac-*
7 *count for such crimes in an appropriately constituted tri-*
8 *bunal.*

9 **SEC. 652. PRESIDENTIAL COMMUNICATIONS.**

10 (a) *FINDING.*—*Congress finds that direct communica-*
11 *tions from the President to citizens of countries that are*
12 *categorized as nondemocratic in the most recent Annual Re-*
13 *port on Democracy would be extremely beneficial to dem-*
14 *onstrate that the United States supports such citizens and*
15 *the efforts and actions of such citizens to promote and*
16 *achieve transition to democracy in such countries.*

17 (b) *SENSE OF CONGRESS.*—*It is the sense of Congress*
18 *that—*

19 (1) *from time to time as the President shall de-*
20 *termine appropriate, the President should broadcast a*
21 *message to the citizens of countries categorized as*
22 *nondemocratic in the most recent Annual Report on*
23 *Democracy under section 612(a) expressing the sup-*
24 *port of the United States for such citizens, discussing*
25 *democratic principles, practices, and values, and po-*

1 *litical, social, and economic freedoms, and con-*
2 *demning violations of internationally recognized*
3 *human rights (as such term is described in section*
4 *116(a) of the Foreign Assistance Act of 1961 (22*
5 *U.S.C. 2151n(a))), violations of religious freedom, in-*
6 *cluding particularly severe violations of religious free-*
7 *dom (as such terms are defined in paragraphs (11)*
8 *and (13) of section 3 of the International Religious*
9 *Freedom Act of 1998 (22 U.S.C. 6402)), political re-*
10 *pression, and government-tolerated or condoned traf-*
11 *ficking in persons that occur in such country; and*

12 *(2) the President should encourage leaders of*
13 *other democratic countries to make similar broad-*
14 *casts.*

15 **TITLE VII—STRATEGIC EXPORT**
16 **CONTROL AND SECURITY AS-**
17 **SISTANCE ACT OF 2005**

18 **Subtitle A—General Provisions**

19 **SEC. 701. SHORT TITLE.**

20 *This title may be cited as the “Strategic Export Con-*
21 *trol and Security Assistance Act of 2005”.*

22 **SEC. 702. DEFINITIONS.**

23 *In this title:*

1 (1) *APPROPRIATE CONGRESSIONAL COMMIT-*
2 *TEES.*—*The term “appropriate congressional commit-*
3 *tees” means—*

4 (A) *the Committee on International Rela-*
5 *tions and the Committee on Armed Services of*
6 *the House of Representatives; and*

7 (B) *the Committee on Foreign Relations*
8 *and the Committee on Armed Services of the*
9 *Senate.*

10 (2) *DEFENSE ARTICLES AND DEFENSE SERV-*
11 *ICES.*—*The term “defense articles and defense serv-*
12 *ices” has the meaning given the term in section 47(7)*
13 *of the Arms Export Control Act (22 U.S.C. 2794*
14 *note).*

15 (3) *DUAL USE.*—*The term “dual use” means,*
16 *with respect to goods or technology, those goods or*
17 *technology that are specifically designed or developed*
18 *for civil purposes but which also may be used or de-*
19 *ployed in a military or proliferation mode. Such term*
20 *does not include purely commercial items.*

21 (4) *EXPORT.*—*The term “export” has the mean-*
22 *ing given that term in section 120.17 of the Inter-*
23 *national Traffic in Arms Regulations, and includes*
24 *re-exports, transfers, and re-transfers by any means.*

1 (5) *EXPORT ADMINISTRATION REGULATIONS.*—
2 *The term “Export Administration Regulations”*
3 *means those regulations contained in sections 730*
4 *through 774 of title 15, Code of Federal Regulations*
5 *(or successor regulations).*

6 (6) *FOREIGN GOVERNMENT.*—*The term “foreign*
7 *government” has the meaning given the term in sec-*
8 *tion 38(g)(9)(B) of the Arms Export Control Act (22*
9 *U.S.C. 2778(g)(9)(B)).*

10 (7) *FOREIGN PERSON.*—*The term “foreign per-*
11 *son” has the meaning given the term in section*
12 *38(g)(9)(C) of the Arms Export Control Act (22*
13 *U.S.C. 2778(g)(9)(C)).*

14 (8) *GOOD.*—*The term “good” has the meaning*
15 *given the term in section 16(3) of the Export Admin-*
16 *istration Act of 1979 (50 U.S.C. App. 2415(3)).*

17 (9) *INTERNATIONAL TRAFFIC IN ARMS REGULA-*
18 *TIONS.*—*The term “International Traffic in Arms*
19 *Regulations” means those regulations contained in*
20 *sections 120 through 130 of title 22, Code of Federal*
21 *Regulations (or successor regulations).*

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

1 (11) *LICENSE*.—The term “license” means an of-
2 ficial written document of the United States Govern-
3 ment issued pursuant to the *Export Administration*
4 *Regulations* or the *International Traffic in Arms*
5 *Regulations*, as the case may be, authorizing a spe-
6 cific export.

7 (12) *MISSILE TECHNOLOGY CONTROL REGIME*;
8 *MTCR*.—The term “Missile Technology Control Re-
9 gime” or “MTCR” has the meaning given the term in
10 section 11B(c)(2) of the *Export Administration Act of*
11 1979 (50 U.S.C. App. 2401b(c)(2)).

12 (13) *MISSILE TECHNOLOGY CONTROL REGIME*
13 *ANNEX*; *MTCR ANNEX*.—The term “Missile Technology
14 Control Regime Annex” or “MTCR Annex” has the
15 meaning given the term in section 11B(c)(4) of the
16 *Export Administration Act of 1979* (50 U.S.C. App.
17 2401b(c)(4)).

18 (14) *PERSON*.—The term “person” has the mean-
19 ing given the term in section 38(g)(9)(E) of the *Arms*
20 *Export Control Act* (22 U.S.C. 2778(g)(9)(E)).

21 (15) *STRATEGIC EXPORT CONTROL*.—The term
22 “strategic export control” means the control of items
23 subject to the export jurisdiction of the United States
24 pursuant to the *International Traffic in Arms Regu-*
25 *lations* or the *Export Administration Regulations*.

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

5 (17) *UNITED STATES MUNITIONS LIST*.—The
6 term “United States Munitions List” means the list
7 referred to in section 38(a)(1) of the *Arms Export*
8 *Control Act (22 U.S.C. 2778(a)(1))*.

9 **SEC. 703. DECLARATION OF POLICY.**

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

18 (1) export license procedures are properly de-
19 signed to prioritize readily which exports may be ap-
20 proved quickly for United States friends and allies
21 and which require greater scrutiny in order to safe-
22 guard national interests;

23 (2) technology related to the military superiority
24 of the United States Armed Forces is safeguarded

1 *during and after export to a high level of confidence;*
 2 *and*

3 *(3) overlapping and duplicative functions among*
 4 *the responsible departments and agencies of the Gov-*
 5 *ernment of the United States are consolidated and in-*
 6 *tegrated wherever appropriate in order to enhance ef-*
 7 *iciency, information sharing, and the consistent exe-*
 8 *cution of United States policy.*

9 ***Subtitle B—Revising and Strength-***
 10 ***ening Strategic Export Control***
 11 ***Policies***

12 ***SEC. 711. AMENDMENTS TO THE STATE DEPARTMENT BASIC***
 13 ***AUTHORITIES ACT OF 1956.***

14 *(a) UNDER SECRETARY FOR ARMS CONTROL AND*
 15 *INTERNATIONAL SECURITY.—Section 1(b)(2) of the State*
 16 *Department Basic Authorities Act of 1956 (22 U.S.C.*
 17 *2651a(b)(2)) is amended—*

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

20 *“(A) IN GENERAL.—There”; and*

21 *(2) by adding at the end the following new sub-*
 22 *paragraph:*

23 *“(B) DUTIES.—The Under Secretary for*
 24 *Arms Control and International Security shall*
 25 *be responsible for—*

1 “(i) *coordinating and executing a*
2 *United States strategy for strengthening*
3 *multilateral export controls;*

4 “(ii) *coordinating the activities of all*
5 *bureaus and offices of the Department of*
6 *State that have responsibility for export*
7 *control policy, licensing, or assistance; and*

8 “(iii) *serving as the chairperson of the*
9 *Strategic Export Control Board established*
10 *under section 712 of the Strategic Export*
11 *Control and Security Assistance Act of*
12 *2005.”.*

13 **(b) DEPUTY UNDER SECRETARY FOR STRATEGIC EX-**
14 **PORT CONTROL .—Section 1(b)(2) of the State Department**
15 **Basic Authorities Act of 1956 (22 U.S.C. 2651a(b)(2)), as**
16 **amended by subsection (a), is further amended by adding**
17 **at the end the following new subparagraph:**

18 “(C) **DEPUTY UNDER SECRETARY FOR**
19 **STRATEGIC EXPORT CONTROL.—There shall be in**
20 **the Department of State a Deputy Under Sec-**
21 **retary for Strategic Export Control who shall**
22 **have primary responsibility to assist the Under**
23 **Secretary for Arms Control and International**
24 **Security in carrying out the responsibility of the**

1 Under Secretary described in subparagraph
2 (B)(iii).”.

3 (c) *DEFENSE TRADE CONTROLS REGISTRATION*
4 *FEES.*—Section 45 of the State Department Basic Authori-
5 ties Act of 1956 (22 U.S.C. 2717) is amended—

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

8 (2) in paragraph (3), by striking the period at
9 the end and inserting “; and”; and

10 (3) by adding at the end the following new para-
11 graph:

12 “(4) functions of the Strategic Export Control
13 Board established under section 712 of the Strategic
14 Export Control and Security Assistance Act of
15 2005.”.

16 **SEC. 712. STRATEGIC EXPORT CONTROL BOARD.**

17 (a) *ESTABLISHMENT.*—There is established a Strategic
18 *Export Control Board* (in this section referred to as the
19 “Board”). The Board shall consist of representatives from
20 the Department of Commerce, the Department of Defense,
21 the Department of Homeland Security, the Department of
22 Justice, the National Security Council, the intelligence com-
23 munity (as defined in section 3(4) of the National Security
24 Act of 1947 (50 U.S.C. 401a(4)), and other appropriate de-
25 partments and agencies of the Government of the United

1 *States, and the Under Secretary for Arms Control and*
2 *International Security of the Department of State. The*
3 *Under Secretary for Arms Control and International Secu-*
4 *rity shall serve as the chairperson of the Board.*

5 *(b) FUNCTIONS.—The Board shall—*

6 *(1) conduct a comprehensive review of United*
7 *States strategic export controls in the context of the*
8 *Global War on Terrorism in order to strengthen con-*
9 *trols by regulation, where appropriate, and to formu-*
10 *late legislative proposals for any new authorities that*
11 *are needed for counter-terrorism purposes;*

12 *(2) develop a strategy for ensuring a high level*
13 *of confidence in the export control of any items im-*
14 *portant to the current and future military superiority*
15 *of the United States Armed Forces, including in par-*
16 *ticular the security of sensitive software through the*
17 *use of tamper-resistant security software and other*
18 *emerging technologies;*

19 *(3) design standards and best practices for infor-*
20 *mation assurance and protection for the robust infor-*
21 *mation technology systems, such as virtual private*
22 *networks, already utilized by United States defense*
23 *firms in the conduct of their export control regulated*
24 *activities with foreign partners, which can also gain*
25 *the support of United States friends and allies;*

1 (4) *formulate, with the assistance of the United*
2 *States defense industry and the support of United*
3 *States friends and allies, an automated international*
4 *delivery confirmation system for commercial ship-*
5 *ments of lethal and other high risk items in order to*
6 *afford improved protection against attempts to dis-*
7 *rupt international supply chains or to divert sensitive*
8 *items to gray arms markets;*

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

11 (A) *the consolidation of overlapping or du-*
12 *plicative functions among the responsible depart-*
13 *ments and agencies of the Government of the*
14 *United States in such areas as enforcement, end*
15 *use monitoring, export licensing, watch lists, and*
16 *related areas;*

17 (B) *the cost-savings associated with integra-*
18 *tion of export licensing staffs and the promulga-*
19 *tion of integrated export control regulations; and*

20 (C) *the resultant rationalization of budg-*
21 *etary resources to be authorized among the re-*
22 *sponsible departments and agencies of the United*
23 *States Government;*

24 (6) *establish the necessary departmental and*
25 *inter-agency controls that will ensure legitimate ex-*

1 ports by United States business organizations can be
2 readily identified and generally approved within 10
3 days, but no later than 30 days in more complex
4 cases, except in unusual circumstances, such as those
5 requiring congressional notification or foreign govern-
6 ment assurances;

7 (7) review and revise, where appropriate, plans
8 for modernizing information technology systems of the
9 relevant departments and agencies of the Government
10 of the United States involved in export licensing, ex-
11 port enforcement, and screening of involved private
12 parties to ensure efficient, reliable, and secure intra-
13 governmental networks, at the earliest practicable
14 date among the relevant departments and agencies
15 and United States exporters; and

16 (8) develop a strategy for strengthening the mul-
17 tilateral control regimes or developing new regimes,
18 as appropriate, to augment or supplement existing
19 international arrangements.

20 (c) *REPORT BY COMPTROLLER GENERAL.*—Not later
21 than one year, two years, and three years after the date
22 of the enactment of this Act, the Comptroller General of the
23 United States shall submit to the appropriate congressional
24 committees a report that contains—

1 *U.S.C.2394–1(a)) in accordance with the procedures appli-*
2 *cable to reprogramming notifications under such section,*
3 *which sets forth the plans and timetable of the Department*
4 *of State for measurable improvements in the quality and*
5 *timeliness of the service it provides in support of United*
6 *States Armed Forces abroad and routine exports by United*
7 *States business organizations, as well as for the elaboration*
8 *of enhanced compliance measures appropriate to the height-*
9 *ened security environment for arms exports during the*
10 *Global War on Terrorism.*

11 ***Subtitle C—Procedures Relating to***
12 ***Export Licenses***

13 ***SEC. 721. TRANSPARENCY OF JURISDICTIONAL DETER-***
14 ***MINATIONS.***

15 *(a) DECLARATION OF POLICY.—Congress declares that*
16 *the complete confidentiality surrounding several thousand*
17 *commodity classification determinations made each year by*
18 *the Department of Commerce pursuant to the Export Ad-*
19 *ministration Regulations and several hundred commodity*
20 *jurisdiction determinations made each year by the Depart-*
21 *ment of State pursuant to the International Traffic in*
22 *Arms Regulations is not necessary to protect legitimate pro-*
23 *prietary interests of persons or their prices and customers,*
24 *is not in the best interests of the security and foreign policy*
25 *interests of the United States, is inconsistent with the need*

1 *to ensure a level playing field for United States exporters,*
2 *and detracts from United States efforts to promote greater*
3 *transparency and responsibility by other countries in their*
4 *export control systems.*

5 (b) *PUBLICATION REQUIREMENT.—The Secretary of*
6 *Commerce and the Secretary of State shall—*

7 (1) *upon making a commodity classification de-*
8 *termination or a commodity jurisdiction classifica-*
9 *tion, as the case may be, referred to in subsection (a)*
10 *in response to a request by a private person, publish*
11 *in the Federal Register, not later than 30 days after*
12 *the date of the determination—*

13 (A) *a description of the item, including per-*
14 *formance levels or other technical characteristics*
15 *where appropriate,*

16 (B) *an explanation of whether the item is*
17 *controlled under the International Traffic in*
18 *Arms Regulations or the Export Administration*
19 *Regulations, and*

20 (C) *the United States Munitions List des-*
21 *ignation or export control classification number*
22 *under which the item has been designated or*
23 *classified, as the case may be,*

1 *except that the name of the person, the*
2 *person's business organization, customers, or prices*
3 *are not required to be published; and*

4 (2) *maintain on their respective Internet*
5 *websites an archive, that is accessible to the general*
6 *public and other departments and agencies of the*
7 *United States, of the determinations published in the*
8 *Federal Register under paragraph (1).*

9 (c) *REPORT.*—*Not later than 120 days after the date*
10 *of the enactment of this Act, the Secretary of State and the*
11 *Secretary of Commerce shall submit to the appropriate con-*
12 *gressional committees a joint report that contains a descrip-*
13 *tion of the plans to implement the requirements of this sec-*
14 *tion.*

15 (d) *REQUIREMENT.*—*Notwithstanding any other pro-*
16 *vision of law, beginning 180 days after the date of the enact-*
17 *ment of this Act, the Secretary of Commerce may make a*
18 *commodity classification determination referred to in sub-*
19 *section (a), and the Secretary of State may make a com-*
20 *modity jurisdiction determination referred to in subsection*
21 *(a), in response to a request by a private person only in*
22 *in accordance with the requirements of subsection (b).*

1 **SEC. 722. CERTIFICATIONS RELATING TO EXPORT OF CER-**
2 **TAIN DEFENSE ARTICLES AND DEFENSE**
3 **SERVICES.**

4 (a) *REPORTS ON COMMERCIAL AND GOVERNMENTAL*
5 *MILITARY EXPORTS; CONGRESSIONAL ACTION.*—Section
6 *36(c) of the Arms Export Control Act (22 U.S.C. 2776(c))*
7 *is amended—*

8 (1) *in the first sentence of paragraph (1), by in-*
9 *serting after “\$1,000,000 or more” the following: “,*
10 *or, notwithstanding section 27(g) of this Act, for any*
11 *special comprehensive authorization under sections*
12 *120–130 of title 22, Code of Federal Regulations*
13 *(commonly known as the ‘International Traffic in*
14 *Arms Regulations’)* *for the export of defense articles*
15 *or defense services in an aggregate amount of*
16 *\$100,000,000 or more”;*

17 (2) *in paragraph (2)—*

18 (A) *in subparagraph (A), by adding “and”*
19 *at the end;*

20 (B) *by striking subparagraph (B); and*

21 (C) *by redesignating subparagraph (C) as*
22 *subparagraph (B); and*

23 (3) *in the matter preceding subparagraph (A) of*
24 *paragraph (5), by inserting “or paragraph (2)” after*
25 *“paragraph (1)”.*

1 (b) *SENSE OF CONGRESS.*—*It is the sense of Congress*
2 *that the Department of State should revise its procedures*
3 *in order to improve the timeliness and quality of service*
4 *it is providing to United States exporters concerning mat-*
5 *ters requiring notification to Congress under sections 3 and*
6 *36 of the Arms Export Control Act (22 U.S.C. 2753 and*
7 *2776) by—*

8 (1) *expediting its internal and interagency proc-*
9 *esses such that consultations with the Committee on*
10 *International Relations of the House of Representa-*
11 *tives and the Committee on Foreign Relations of the*
12 *Senate commence not later than 30 days following re-*
13 *ceipt of a proposal requiring notification;*

14 (2) *providing informal notice to such Commit-*
15 *tees within 10 days of receipt of such a proposal, such*
16 *that questions by the Committees may be addressed*
17 *wherever feasible in conjunction with the Depart-*
18 *ment's processing; and*

19 (3) *making each interval in the processing of the*
20 *proposal transparent to United States exporters*
21 *through the Internet website of the Department.*

22 **SEC. 723. PRIORITY FOR UNITED STATES MILITARY OPER-**
23 **ATIONS.**

24 *The Secretary of State may not accord higher priority*
25 *in the adjudication of munitions export licenses to any*

1 *measure included within the “Defense Trade Security Ini-*
2 *tiative” announced by the Department of State in May*
3 *2000 over the processing of licenses in support of Operation*
4 *Enduring Freedom, Operation Iraqi Freedom, or any other*
5 *military operation involving the United States Armed*
6 *Forces.*

7 **SEC. 724. LICENSE OFFICER STAFFING AND WORKLOAD.**

8 *Section 36(a) Arms Export Control Act (22 U.S.C.*
9 *2776(a)) is amended—*

10 *(1) in paragraph (11), by striking “and” at the*
11 *end;*

12 *(2) in paragraph (12), by striking the period at*
13 *the end and inserting “; and”; and*

14 *(3) by adding at the end the following new para-*
15 *graph:*

16 *“(13) a report on the number of civilian and*
17 *military officers assigned to munitions export licens-*
18 *ing at the Department of State and their average*
19 *weekly workload for both open and closed cases.”.*

20 **SEC. 725. DATABASE OF UNITED STATES MILITARY ASSIST-**
21 **ANCE.**

22 *Section 655 of the Foreign Assistance Act of 1961 (22*
23 *U.S.C. 2415) is amended by striking subsection (c) and in-*
24 *serting the following new subsection:*

1 “(c) *AVAILABILITY OF REPORT INFORMATION ON THE*
2 *INTERNET.*—

3 “(1) *REQUIREMENT FOR DATABASE.*—*The Sec-*
4 *retary of State, in consultation with the Secretary of*
5 *Defense, shall make available to the public the unclas-*
6 *sified portion of each such report in the form of a*
7 *database that is available via the Internet and that*
8 *may be searched by various criteria.*

9 “(2) *SCHEDULE FOR UPDATING.*—*Not later than*
10 *April 1 of each year, the Secretary of State shall*
11 *make available in the database the information con-*
12 *tained in the annual report for the fiscal year ending*
13 *the previous September 30.”.*

14 **SEC. 726. TRAINING AND LIAISON FOR SMALL BUSINESSES.**

15 (a) *SENSE OF CONGRESS.*—*It is the sense of Congress*
16 *that it is increasingly important that the Secretary of*
17 *State, in administering the licensing, registration, compli-*
18 *ance, and other authorities contained in section 38 of the*
19 *Arms Export Control Act (22 U.S.C. 2778), should provide*
20 *up-to-date training and other educational assistance to*
21 *small businesses in the United States aerospace and defense*
22 *industrial sector.*

23 (b) *SMALL BUSINESS LIAISON.*—*Not later than 180*
24 *days after the date of the enactment of this Act, the Sec-*
25 *retary shall designate, within the Office of Defense Trade*

1 *Controls of the Department of State, a coordinator for small*
2 *business affairs. The coordinator shall serve as a liaison for*
3 *small businesses in the United States aerospace and defense*
4 *industrial sector with respect to licensing and registration*
5 *requirements in order to facilitate the compliance and other*
6 *forms of participation by such small businesses in the*
7 *United States munitions control system, including by pro-*
8 *viding training, technical assistance, and through other ef-*
9 *forts as may be appropriate.*

10 **SEC. 727. COMMERCIAL COMMUNICATIONS SATELLITE**
11 **TECHNICAL DATA.**

12 *Not later than 180 days after the date of the enactment*
13 *of this Act, the Secretary of State, in consultation with the*
14 *Secretary of Defense, shall amend the International Traffic*
15 *in Arms Regulations to provide for the export without a*
16 *license of communications satellite technical data, at a level*
17 *established by the Secretary of Defense, in instances in*
18 *which—*

19 *(1) the exporter is a person registered under sec-*
20 *tion 38(b) of the Arms Export Control Act (22 U.S.C.*
21 *2778(b));*

22 *(2) the purpose of the export is to market a sale*
23 *of a United States manufactured communications sat-*
24 *ellite solely for commercial or civil end use;*

1 (3) no party to the transaction is proscribed
2 under section 126.1 of the Regulations or otherwise
3 restricted from receiving United States defense arti-
4 cles; and

5 (4) each end user or recipient has agreed in
6 writing not to reexport or retransfer the United
7 States furnished technical data to any other person
8 without the prior written consent of the United States
9 Government.

10 **SEC. 728. REPORTING REQUIREMENT FOR UNLICENSED EX-**
11 **PORTS.**

12 Section 655(b) of the Foreign Assistance Act of 1961
13 (22 U.S.C. 2415(b)) is amended—

14 (1) in paragraph (2), by striking “or” at the
15 end;

16 (2) in paragraph (3), by striking the period at
17 the end and inserting “; or”; and

18 (3) by adding at the end the following:

19 “(4) were exported without a license under sec-
20 tion 38 of the Arms Export Control Act (22 U.S.C.
21 2778) pursuant to an exemption established under the
22 International Traffic in Arms Regulations, other than
23 defense articles exported in furtherance of a letter of
24 offer and acceptance under the Foreign Military Sales
25 program or a technical assistance or manufacturing

1 *license agreement, including the specific exemption*
2 *provision in the regulation under which the export*
3 *was made.”.*

4 ***Subtitle D—Terrorist-Related Provi-***
5 ***sions and Enforcement Matters***

6 ***SEC. 731. SENSITIVE TECHNOLOGY TRANSFERS TO FOR-***
7 ***EIGN PERSONS LOCATED WITHIN THE***
8 ***UNITED STATES.***

9 *(a) WEAPONS TRANSFERS.—Pursuant to regulations*
10 *issued under section 38(g)(6) of the Arms Export Control*
11 *(22 U.S.C. 2778(g)(6)), the President shall require a license*
12 *for the transfer of any defense articles and defense services,*
13 *other than a firearm for personal use, specified in a report*
14 *required under subsection (c) to a foreign person located*
15 *within the United States (other than to a foreign govern-*
16 *ment, unless such government is proscribed under section*
17 *126.1 of the International Traffic in Arms Regulations or*
18 *otherwise restricted from receiving defense articles and de-*
19 *fense services).*

20 *(b) DUAL USE TRANSFERS.—Notwithstanding any*
21 *other provision of law, the President may require a license*
22 *under the Export Administration Regulations for the trans-*
23 *fer of any dual use goods and technology, other than a fire-*
24 *arm for personal use, specified in a report required under*

1 subsection (c) to a foreign person located within the United
2 States.

3 (c) *REPORT.*—Not later than 180 days after the date
4 of the enactment of this Act, and annually thereafter, the
5 Secretary of State, in consultation with the Attorney Gen-
6 eral and the Secretary of Homeland Security, shall submit
7 to the appropriate congressional committees a report that
8 specifies those items which warrant scrutiny and enforce-
9 ment by the Government of the United States through li-
10 cense procedures prior to a transfer to a foreign person lo-
11 cated within the United States in order to deter efforts on
12 the part of such person to acquire such items for terrorist
13 or other unlawful purposes

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

17 Not later than 180 days after the date of the enactment
18 of this Act, and annually thereafter, the Secretary of State,
19 in consultation with the Secretary of Homeland Security,
20 shall submit to the appropriate congressional committees a
21 written report certifying that—

22 (1) provisions of the *International Traffic in*
23 *Arms Regulations* permitting unlicensed temporary
24 imports into the United States from Canada by any
25 person of any unclassified defense article on the

1 *United States Munitions List do not present a risk to*
2 *the national security of the United States; and*

3 *(2) personnel of the Bureau of Customs and Bor-*
4 *der Protection of the Department of Homeland Secu-*
5 *rity located along the northern border of the United*
6 *States have adequate written guidance from the De-*
7 *partment of State which permits them to effectively*
8 *enforce provisions of the International Traffic in*
9 *Arms Regulations permitting unlicensed exports to*
10 *Canada of certain items on the United States Muni-*
11 *tions List.*

12 **SEC. 733. COMPREHENSIVE NATURE OF UNITED STATES**

13 **ARMS EMBARGOES.**

14 *(a) FINDINGS; SENSE OF CONGRESS.—*

15 *(1) FINDINGS.—Congress finds that—*

16 *(A) governments to which the Government*
17 *of the United States prohibits by law or policy*
18 *the transfer of implements of war, including ma-*
19 *terial, components, parts, and other defense arti-*
20 *cles and defense services (as defined in para-*
21 *graphs (3) and (4) of section 47 of the Arms Ex-*
22 *port Control Act (22 U.S.C. 2794(3) and (4)),*
23 *respectively) continue to seek to evade these em-*
24 *bargoes through increasingly sophisticated illegal*
25 *acquisitions via the “international gray arms*

1 *market” and by seeking to exploit weaknesses in*
2 *the export control system of the United States*
3 *and its friends and allies; and*

4 *(B) the strict and comprehensive applica-*
5 *tion of arms embargoes referred to in subpara-*
6 *graph (A), including those embargoes established*
7 *by the United Nations Security Council, is of*
8 *fundamental importance to the security and for-*
9 *foreign policy interests of the United States.*

10 (2) *SENSE OF CONGRESS.—It is the sense of*
11 *Congress that the United States Government should*
12 *continue to provide a leadership role internationally*
13 *in ensuring the effectiveness of arms embargoes re-*
14 *ferred to in paragraph (1).*

15 (b) *SCOPE OF EMBARGOES.—Section 38 of the Arms*
16 *Export Control Act (22 U.S.C. 2778) is amended by adding*
17 *at the end the following:*

18 *“(k) Whenever the United States maintains an arms*
19 *embargo pursuant to United States law, or through public*
20 *notice by the President or Secretary of State pursuant to*
21 *the authorities of this Act, no defense article or defense serv-*
22 *ice subject to sections 120–130 of title 22, Code of Federal*
23 *Regulations (commonly known as the ‘International Traffic*
24 *in Arms Regulations’) and no dual use good or technology*
25 *subject to sections 730–774 of title 15, Code of Federal Reg-*

1 *ulations (commonly known as the ‘Export Administration*
2 *Regulations’)* shall be sold or transferred to the military,
3 *intelligence or other security forces of the embargoed govern-*
4 *ment, including any associated governmental agency, sub-*
5 *division, entity, or other person acting on their behalf, un-*
6 *less, at a minimum and without prejudice to any addi-*
7 *tional requirements established in United States law or reg-*
8 *ulation, the Secretary of State and the Secretary of Defense*
9 *have concurred in the sale or transfer through issuance of*
10 *a license.”.*

11 *(c) ESTABLISHMENT OF CONTROLS.—The Secretary of*
12 *State shall consult with the Secretary of Commerce to en-*
13 *sure the establishment of appropriate foreign policy and na-*
14 *tional security controls and license requirements under the*
15 *Export Administration Regulations in order to ensure the*
16 *effective implementation of section 38(k) of the Arms Export*
17 *Control Act, as added by subsection (b).*

18 *(d) REPORT.—Not later than 120 days after the date*
19 *of the enactment of this Act, the Secretary of State shall*
20 *submit to the appropriate congressional committees a report*
21 *that describes the actions taken to implement the require-*
22 *ments of subsection (c).*

1 **SEC. 734. CONTROL OF ITEMS ON MISSILE TECHNOLOGY**

2 **CONTROL REGIME ANNEX.**

3 (a) *SENSE OF CONGRESS.*—*It is the sense of Congress*
4 *that all proposals to export or transfer to foreign persons*
5 *by other means, whether in the United States or abroad,*
6 *and any other activities subject to regulation under section*
7 *38, 39, or 40 of the Arms Export Control Act (22 U.S.C.*
8 *2778, 2779, or 2780), relating to items on the Missile Tech-*
9 *nology Control Regime Annex, should be accorded stringent*
10 *control and scrutiny consistent with the purposes of section*
11 *71 of the Arms Export Control Act (22 U.S.C. 2797).*

12 (b) *CONTROL OF ITEMS ON MTCR ANNEX.*—*The Sec-*
13 *retary of State, in coordination with the Secretary of Com-*
14 *merce, the Attorney General, and the Secretary of Defense,*
15 *shall ensure that all items on the MTCR Annex are subject*
16 *to stringent control by the Government of the United States*
17 *pursuant to the International Traffic in Arms Regulations*
18 *and the Export Administration Regulations.*

19 (c) *CERTIFICATION.*—*Not later than March 1 of each*
20 *year, the Secretary of State, in coordination with the Sec-*
21 *retary of Commerce, the Attorney General and the Secretary*
22 *of Defense, shall submit to the appropriate congressional*
23 *committees a report that contains—*

24 (1) *a certification that the requirement of sub-*
25 *section (b) has been met for the prior year, or if the*

1 *requirement has not been met, the reasons therefor;*
2 *and*

3 *(2) a description of the updated coverage, if any,*
4 *of the regulations referred to in subsection (b) with re-*
5 *spect to all items on the MTCR Annex and an expla-*
6 *nation of any areas of overlap or omissions, if any,*
7 *among the regulations.*

8 **SEC. 735. UNLAWFUL USE OF UNITED STATES DEFENSE AR-**
9 **TICLES.**

10 *(a) INELIGIBILITY FOR TERRORIST RELATED TRANS-*
11 *ACTIONS.—Section 3(c)(1) of the Arms Export Control Act*
12 *(22 U.S.C. 2753(c)(1)) is amended—*

13 *(1) in each of subparagraphs (A) and (B), by*
14 *striking “or any predecessor Act,” and inserting “any*
15 *predecessor Act, or licensed or approved under section*
16 *38 of this Act, to carry out a transaction with a*
17 *country, the government of which the Secretary of*
18 *State has determined is a state sponsor of inter-*
19 *national terrorism for purposes of section 6(j)(1) of*
20 *the Export Administration Act of 1979 (50 U.S.C.*
21 *App. 2405(j)(1)), or otherwise uses such defense arti-*
22 *cles or defense services”; and*

23 *(2) by adding at the end the following:*

24 *“(C) In this section, the term ‘transaction’ means the*
25 *taking of any action, directly or indirectly, by a foreign*

1 *country that would be a transaction prohibited by section*
2 *40 of this Act with respect to the United States Government*
3 *and United States persons.”.*

4 (b) *REPORTING REQUIREMENT.*—Section 3(e) of the
5 *Arms Export Control Act (22 U.S.C. 2753(e)) is amended*
6 *by inserting after “the Foreign Assistance Act of 1961,” the*
7 *following: “regardless of whether the article or service has*
8 *been sold or otherwise furnished by the United States Gov-*
9 *ernment or licensed under section 38 of this Act,”.*

10 ***Subtitle E—Strengthening United***
11 ***States Missile Nonproliferation***
12 ***Law***

13 ***SEC. 741. PROBATIONARY PERIOD FOR FOREIGN PERSONS.***

14 (a) *IN GENERAL.*—Notwithstanding any other provi-
15 *sion of law, upon the expiration, or the granting of a waiv-*
16 *er, on or after January 1, 2003, of sanctions against a for-*
17 *ign person imposed under section 73(a) of the Arms Export*
18 *Control Act (22 U.S.C. 2797b(a)) or under section*
19 *11B(b)(1) of the Export Administration Act of 1979 (50*
20 *U.S.C. App. 2410b(b)(1)), as continued in effect under the*
21 *International Emergency Economic Powers Act, a license*
22 *shall be required, for a period of not less than three years,*
23 *for the export to that foreign person of all items controlled*
24 *for export under section 5 or 6 of the Export Administra-*
25 *tion Act of 1979 (50 U.S.C. App. 2404, 2405), as continued*

1 *in effect under the International Emergency Economic*
2 *Powers Act, in accordance with the Export Administration*
3 *Regulations.*

4 (b) *TERMINATION.*—*Subsection (a) shall not apply to*
5 *a foreign person 30 days after the President notifies the*
6 *Committee on International Relations of the House of Rep-*
7 *resentatives and the Committee on Banking, Housing and*
8 *Urban Affairs and the Committee on Foreign Relations of*
9 *the Senate that the President has determined that—*

10 (1) *the foreign person has—*

11 (A) *ceased all activity related to the origi-*
12 *nal imposition of sanctions under section 73(a)*
13 *of the Arms Export Control Act or section*
14 *11B(b)(1) of the Export Administration Act of*
15 *1979, as the case may be; and*

16 (B) *has instituted a program of trans-*
17 *parency measures under which the United States*
18 *will be able to verify, for a period of at least 3*
19 *years, that the foreign person is not engaging in*
20 *prohibited activities under those provisions of*
21 *law referred to in paragraph (1); and*

22 (2) *there has been an appropriate resolution of*
23 *the original violation or violations, such as financial*
24 *penalties, incarceration, destruction of prohibited*

1 *items, or other appropriate measures taken to prevent*
2 *a recurrence of the violation or violations.*

3 *(c) WAIVER.—Subsection (a) shall not apply to a for-*
4 *ign person if—*

5 *(1) the President issues a waiver of sanctions*
6 *imposed upon that person under section 73(a) of the*
7 *Arms Export Control Act or under section 11B(b)(1)*
8 *of the Export Administration Act of 1979, on the*
9 *basis that the waiver is essential to the national secu-*
10 *rity of the United States;*

11 *(2) the President designates the waiver as classi-*
12 *fied information (as defined in section 606 of the Na-*
13 *tional Security Act of 1947 (50 U.S.C. 426)); and*

14 *(3) the President transmits to the committees re-*
15 *ferred to in subsection (b)—*

16 *(A) a justification for designating the waiv-*
17 *er as classified information; and*

18 *(B) a description of—*

19 *(i) any discussions with the foreign*
20 *person, concerning the activities that were*
21 *the subject of the sanctions, that have been*
22 *conducted by United States Government of-*
23 *ficials, or by officials of the government of*
24 *the country that has jurisdiction over the*

1 *foreign person or in which the foreign per-*
2 *son conducted such activities; and*

3 *(ii) any actions that the foreign per-*
4 *son, or the government of the country that*
5 *has jurisdiction over the foreign person or*
6 *in which the foreign person conducted the*
7 *activities that were the subject of the sanc-*
8 *tions, has taken to prevent a recurrence of*
9 *the same or similar activities.*

10 **SEC. 742. STRENGTHENING UNITED STATES MISSILE PRO-**
11 **LIFERATION SANCTIONS ON FOREIGN PER-**
12 **SONS.**

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

17 *(b) PUBLIC INFORMATION.—Section 73(e)(2) of the*
18 *Arms Export Control Act (22 U.S.C. 2797b(e)(2)) is amend-*
19 *ed by adding at the end the following new sentences: “Such*
20 *report may be classified only to the extent necessary to pro-*
21 *tect intelligence sources and methods. If the report is so clas-*
22 *sified, the President shall make every effort to acquire suffi-*
23 *cient alternative information that would allow a subsequent*
24 *unclassified version of the report to be issued.”.*

1 (c) *EXPORT ADMINISTRATION ACT OF 1979.*—Any
2 *sanction imposed on a foreign person under section*
3 *11B(b)(1) of the Export Administration Act of 1979 (50*
4 *U.S.C. App. 2410b(b)(1)), as continued in effect under the*
5 *International Emergency Economic Powers Act, shall be in*
6 *effect for a period of four years beginning on the date on*
7 *which the sanction was imposed.*

8 (d) *APPLICABILITY.*—The amendments made by sub-
9 *sections (a) and (b) and the provisions of subsection (c)*
10 *shall apply to all sanctions imposed under section 73(a)*
11 *of the Arms Export Control Act or section 11B(b)(1) of the*
12 *Export Administration Act of 1979, as continued in effect*
13 *under the International Emergency Economic Powers Act,*
14 *by reason of acts giving rise to such sanctions that were*
15 *committed by foreign persons on or after January 1, 2004.*

16 **SEC. 743. COMPREHENSIVE UNITED STATES MISSILE PRO-**
17 **LIFERATION SANCTIONS ON ALL RESPON-**
18 **SIBLE FOREIGN PERSONS.**

19 (a) *ARMS EXPORT CONTROL ACT.*—Section 73(a) of
20 *the Arms Export Control Act (22 U.S.C. 2797b(a)) is*
21 *amended by adding at the end the following new paragraph:*

22 “(3)(A) *Sanctions imposed upon a foreign person*
23 *under paragraph (2) shall also be imposed on any govern-*
24 *mental entity that the President determines exercises effec-*

1 *tive control over, benefits from, or directly or indirectly fa-*
2 *cilitates the activities of that foreign person.*

3 “(B) *When a sanction is imposed on a foreign person*
4 *under paragraph (2), the President may also impose that*
5 *sanction on any other person or entity that the President*
6 *has reason to believe has or may acquire prohibited items*
7 *with the intent to transfer to that foreign person, or provide*
8 *to that foreign person access to, such items. In this subpara-*
9 *graph, ‘prohibited items’ are items that may not be exported*
10 *to that foreign person on account of the sanction imposed*
11 *on that foreign person.*

12 “(C) *The President may also prohibit, for such period*
13 *of time as the President may determine, any transaction*
14 *or dealing, by a United States person or within the United*
15 *States, with any foreign person on whom sanctions have*
16 *been imposed under this subsection.*

17 “(D) *The President shall report on an annual basis*
18 *to the Committee on International Relations of the House*
19 *of Representatives and the Committee on Foreign Relations*
20 *of the Senate the identity of any foreign person that engages*
21 *in any transaction or activity with a foreign person on*
22 *whom sanctions have been imposed under this subsection*
23 *that either—*

1 “(i) would be the basis for imposing sanctions
2 under subparagraph (B) but for which sanctions have
3 not been imposed; or

4 “(ii) would be the basis for imposing sanctions
5 under subparagraph (C) if the transaction or activity
6 had been carried out by a United States person or by
7 a person in the United States.

8 Such report shall be unclassified to the maximum extent
9 feasible, but may include a classified annex.”.

10 (b) *DEFINITION OF PERSON.*—Section 74(a)(8)(A) of
11 the Arms Export Control Act (22 U.S.C. 2797c(a)(8)(A))
12 is amended to read as follows:

13 “(8)(A) The term ‘person’ means—

14 “(i) a natural person;

15 “(ii) a corporation, business associa-
16 tion, partnership, society, trust,
17 transnational corporation, or transnational
18 joint venture, any other nongovernmental
19 entity, organization, or group, and any gov-
20 ernmental entity;

21 “(iii) any subsidiary, subunit, or par-
22 ent entity of any business enterprise or
23 other organization or entity listed in clause
24 (ii); and

1 “(iv) any successor of any business en-
2 terprise or other organization or entity list-
3 ed in clause (ii) or (iii); and”.

4 (c) *EXPORT ADMINISTRATION ACT OF 1979.*—

5 (1) *SANCTIONS IMPOSED ON GOVERNMENTAL EN-*
6 *TITIES.*—Any sanction imposed on a foreign person
7 under section 11B(b)(1)(B) of the *Export Administra-*
8 *tion Act of 1979 (50 U.S.C. App. 2410b(b)(1)(B))*, as
9 continued in effect under the *International Emer-*
10 *gency Economic Powers Act* (in this subsection re-
11 ferred to as a “dual use sanction”), shall also be im-
12 posed on any governmental entity that the President
13 determines exercises effective control over, benefits
14 from, or directly or indirectly facilitates the activities
15 of that foreign person.

16 (2) *OTHER ENTITIES.*—When a dual use sanc-
17 tion is imposed on a foreign person, the President
18 may also impose that sanction on any other person
19 or entity that the President has reason to believe has
20 or may acquire prohibited items with the intent to
21 transfer to that foreign person, or provide to that for-
22 eign person access to, such items. In this paragraph,
23 “prohibited items” are items that may not be ex-
24 ported to that foreign person on account of the dual
25 use sanction imposed on that foreign person.

1 (3) *TRANSACTIONS BY THIRD PARTIES.*—The
2 *President may also prohibit, for such period of time*
3 *as he may determine, any transaction or dealing, by*
4 *a United States person or within the United States,*
5 *with any foreign person on whom dual use sanctions*
6 *have been imposed.*

7 (4) *REPORT.*—The President shall submit on an
8 *annual basis to the Committee on International Rela-*
9 *tions of the House of Representatives and the Com-*
10 *mittee on Banking, Housing and Urban Affairs and*
11 *the Committee on Foreign Relations of the Senate a*
12 *report that contains the identity of any foreign person*
13 *that engages in any transaction or activity with a*
14 *foreign person on whom dual use sanctions have been*
15 *imposed that either—*

16 (A) *would be the basis for imposing dual*
17 *use sanctions under paragraph (2) but for which*
18 *such sanctions have not been imposed; or*

19 (B) *would be the basis for imposing dual*
20 *use sanctions under paragraph (3) if the trans-*
21 *action or activity had been carried out by a*
22 *United States person or by a person in the*
23 *United States.*

24 *Such report shall be unclassified to the maximum ex-*
25 *tent feasible, but may include a classified annex.*

1 (5) *DEFINITIONS.—In this subsection:*

2 (A) *MISSILE EQUIPMENT OR TECH-*
3 *NOLOGY.—The term “missile equipment or tech-*
4 *nology” has the meaning given that term in sec-*
5 *tion 11B(c) of the Export Administration Act of*
6 *1979 (50 U.S.C. App. 2410b(c)).*

7 (B) *PERSON.—*

8 (i) *The term “person” means—*

9 (I) *a natural person;*

10 (II) *a corporation, business asso-*
11 *ciation, partnership, society, trust,*
12 *transnational corporation, or*
13 *transnational joint venture, any other*
14 *nongovernmental entity, organization,*
15 *or group, and any governmental enti-*
16 *ty;*

17 (III) *any subsidiary, subunit, or*
18 *parent entity of any business enter-*
19 *prise or other organization or entity*
20 *listed in subclause (II); and*

21 (IV) *any successor of any business*
22 *enterprise or other organization or en-*
23 *tity listed in subclause (II) or (III).*

24 (ii) *In the case of countries where it*
25 *may be impossible to identify a specific gov-*

1 *ernmental entity referred to in clause (i),*
2 *the term “person” means—*

3 *(I) all activities of that govern-*
4 *ment relating to the development or*
5 *production of any missile equipment or*
6 *technology; and*

7 *(II) all activities of that govern-*
8 *ment affecting the development or pro-*
9 *duction of aircraft, electronics, and*
10 *space systems or equipment.*

11 *(C) UNITED STATES PERSON.—The term*
12 *“United States person” has the meaning given*
13 *that term in section 16(2) of the Export Admin-*
14 *istration Act of 1979 (50 U.S.C. App. 2415(2)).*

15 *(d) EFFECTIVE DATE.—The amendments made by*
16 *subsections (a) and (b) shall apply with respect to sanctions*
17 *imposed on or after January 1, 2004, on foreign persons*
18 *under section 73(a)(2) of the Arms Export Control Act, and*
19 *the provisions of subsection (c) shall apply with respect to*
20 *sanctions imposed on or after January 1, 2004, on foreign*
21 *persons under section 11B(b)(1) of the Export Administra-*
22 *tion Act of 1979 (50 U.S.C. App. 2410b(b)(1)), as continued*
23 *in effect under the International Emergency Economic*
24 *Powers Act.*

1 ***Subtitle F—Security Assistance and***
2 ***Related Provisions***

3 ***SEC. 751. AUTHORITY TO TRANSFER NAVAL VESSELS TO***
4 ***CERTAIN FOREIGN COUNTRIES.***

5 *(a) AUTHORITY TO TRANSFER BY GRANT.—The Presi-*
6 *dent is authorized to transfer vessels to foreign countries*
7 *on a grant basis under section 516 of the Foreign Assistance*
8 *Act of 1961 (22 U.S.C. 2321j), as follows:*

9 *(1) GREECE.—To the Government of Greece, the*
10 *OSPREY class minehunter coastal ship PELICAN*
11 *(MHC-53).*

12 *(2) EGYPT.—To the Government of Egypt, the*
13 *OSPREY class minehunter coastal ships CARDINAL*
14 *(MHC-60) and RAVEN (MHC-61).*

15 *(3) PAKISTAN.—To the Government of Pakistan,*
16 *the SPRUANCE class destroyer ship FLETCHER*
17 *(DD-992).*

18 *(4) TURKEY.—To the Government of Turkey, the*
19 *SPRUANCE class destroyer ship CUSHING (DD-*
20 *985).*

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

1 (1) *INDIA*.—*To the Government of India, the*
2 *AUSTIN class amphibious transport dock ship*
3 *TRENTON (LPD-14).*

4 (2) *GREECE*.—*To the Government of Greece, the*
5 *OSPREY class minehunter coastal ship HERON*
6 *(MHC-52).*

7 (3) *TURKEY*.—*To the Government of Turkey, the*
8 *SPRUANCE class destroyer ship O'BANNON (DD-*
9 *987).*

10 (c) *GRANTS NOT COUNTED IN ANNUAL TOTAL OF*
11 *TRANSFERRED EXCESS DEFENSE ARTICLES*.—*The value of*
12 *a vessel transferred to another country on a grant basis pur-*
13 *suant to authority provided by subsection (a) shall not be*
14 *counted against the aggregate value of excess defense articles*
15 *transferred to countries in any fiscal year under section*
16 *516(g) of the Foreign Assistance Act of 1961 (22 U.S.C.*
17 *2321j(g)).*

18 (d) *COSTS OF TRANSFERS*.—*Any expense incurred by*
19 *the United States in connection with a transfer authorized*
20 *under subsection (a) or (b) shall be charged to the recipient.*

21 (e) *REPAIR AND REFURBISHMENT IN UNITED STATES*
22 *SHIPYARDS*.—*To the maximum extent practicable, the*
23 *President shall require, as a condition of the transfer of a*
24 *vessel under this section, that the country to which the vessel*
25 *is transferred have such repair or refurbishment of the vessel*

1 *as is needed, before the vessel joins the naval forces of that*
2 *country, performed at a shipyard located in the United*
3 *States, including a United States Navy shipyard.*

4 (f) *EXPIRATION OF AUTHORITY.—The authority to*
5 *transfer a vessel under this section shall expire at the end*
6 *of the two-year period beginning on the date of the enact-*
7 *ment of this Act.*

8 **SEC. 752. TRANSFER OF OBSOLETE AND SURPLUS ITEMS**
9 **FROM KOREAN WAR RESERVES STOCKPILE**
10 **AND REMOVAL OR DISPOSAL OF REMAINING**
11 **ITEMS.**

12 (a) *TRANSFER OF ITEMS IN KOREAN STOCKPILE.—*

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

19 (2) *COVERED ITEMS.—The items referred to in*
20 *paragraph (1) are munitions, equipment, and mate-*
21 *riel such as tanks, trucks, artillery, mortars, general*
22 *purpose bombs, repair parts, barrier material, and*
23 *ancillary equipment, if such items are—*

24 (A) *obsolete or surplus items;*

1 (B) in the inventory of the Department of
2 *Defense;*

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

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

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

11 (i) *the fair market value of the items trans-*
12 *ferred; minus*

13 (ii) *the savings to the Department of De-*
14 *fense of the cost of removal of the items from the*
15 *Republic of Korea and disposal of the items that*
16 *would have been incurred by the Department but*
17 *for the transfer of the items pursuant to para-*
18 *graph (1), not to exceed the fair market value of*
19 *the items transferred.*

20 (B) *The concessions may include cash compensa-*
21 *tion, service, waiver of charges otherwise payable by*
22 *the United States, such as charges for demolition of*
23 *United States-owned or United States-intended muni-*
24 *tions, and other items of value.*

1 (4) *PRIOR NOTIFICATIONS OF PROPOSED TRANS-*
2 *FERS.*—Not less than 30 days before making a trans-
3 *fer under the authority of this subsection, the Presi-*
4 *dent shall transmit to the Committees on Armed Serv-*
5 *ices and International Relations of the House of Rep-*
6 *resentatives and the Committees on Armed Services*
7 *and Foreign Relations of the Senate a detailed notifi-*
8 *cation of the proposed transfer, which shall include*
9 *an identification of the items to be transferred and*
10 *the concessions to be received.*

11 (5) *TERMINATION OF AUTHORITY.*—No transfer
12 *may be made under the authority of this subsection*
13 *more than three years after the date of the enactment*
14 *of this Act.*

15 (b) *REMOVAL OR DISPOSAL OF REMAINING ITEMS IN*
16 *KOREAN STOCKPILE.*—The President shall provide for the
17 *removal or disposal of all items described in subsection*
18 *(a)(2) that are not transferred pursuant to the authority*
19 *of subsection (a) by not later than four years after the date*
20 *of the enactment of this Act.*

21 **SEC. 753. EXTENSION OF PAKISTAN WAIVERS.**

22 *The Act entitled “An Act to authorize the President*
23 *to exercise waivers of foreign assistance restrictions with re-*
24 *spect to Pakistan through September 30, 2003, and for other*

1 purposes”, approved October 27, 2001 (Public Law 107–
2 57; 115 Stat. 403), is amended—

3 (1) in section 1(b)—

4 (A) in the heading, by striking “FISCAL
5 YEARS 2005 AND 2006” and inserting “FISCAL
6 YEARS 2006 AND 2007”; and

7 (B) in paragraph (1), by striking “2005 or
8 2006” and inserting “2006 or 2007”;

9 (2) in section 3(2), by striking “and 2006” and
10 inserting “2006, and 2007”; and

11 (3) in section 6, by striking “2006” and insert-
12 ing “2007”.

13 **SEC. 754. REPORTING REQUIREMENT FOR FOREIGN MILI-**
14 **TARY TRAINING.**

15 Subsection (a)(1) of section 656 of the Foreign Assist-
16 ance Act of 1961 (22 U.S.C. 2416) is amended—

17 (1) by striking “January 31” and inserting
18 “March 1”; and

19 (2) by striking “and all such training proposed
20 for the current fiscal year”.

21 **SEC. 755. CERTAIN SERVICES PROVIDED BY THE UNITED**
22 **STATES IN CONNECTION WITH FOREIGN MILI-**
23 **TARY SALES.**

24 (a) QUALITY ASSURANCE, INSPECTION, CONTRACT AD-
25 MINISTRATION, AND CONTRACT AUDIT DEFENSE SERV-

1 *ICES.—Section 21(h)(1)(A) of the Arms Export Control Act*
2 *(22 U.S.C. 2761(h)(1)(A)) is amended by inserting after*
3 *“North Atlantic Treaty Organization” the following: “or the*
4 *Governments of Australia, New Zealand, Japan, or Israel”.*

5 *(b) CATALOGING DATA AND SERVICES.—Section*
6 *21(h)(2) of the Arms Export Control Act (22 U.S.C.*
7 *2761(h)(2)) is amended by striking “or to any member gov-*
8 *ernment of that Organization if that Organization or mem-*
9 *ber government” and inserting “, to any member of that*
10 *Organization, or to the Governments of Australia, New Zea-*
11 *land, Japan, or Israel if that Organization, member govern-*
12 *ment, or the Governments of Australia, New Zealand,*
13 *Japan, or Israel”.*

14 **SEC. 756. MARITIME INTERDICTION PATROL BOATS FOR**
15 **MOZAMBIQUE.**

16 *(a) IN GENERAL.—Of the amounts made available to*
17 *carry out section 23 of the Arms Export Control Act for*
18 *fiscal year 2006, there is authorized to be appropriated*
19 *\$1,000,000 for refurbishment, delivery, operational train-*
20 *ing, and related costs associated with the provision of not*
21 *more than four excess coastal patrol boats to the Govern-*
22 *ment of Mozambique for maritime patrol and interdiction*
23 *activities.*

24 *(b) AVAILABILITY.—Amounts appropriated pursuant*
25 *to the authorization of appropriations under subsection (a)*

1 *are authorized to remain available until September 30,*
2 *2007.*

3 **SEC. 757. REIMBURSEMENT FOR INTERNATIONAL MILITARY**
4 **EDUCATION AND TRAINING.**

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

7 *(1) in the first sentence, by striking “The Presi-*
8 *dent” and inserting “(a) The President”; and*

9 *(2) by adding at the end the following new sub-*
10 *section:*

11 *“(b) The President shall seek reimbursement for mili-*
12 *tary education and training furnished under this chapter*
13 *from countries using assistance under section 23 of the*
14 *Arms Export Control Act (22 U.S.C. 2763; relating to the*
15 *the Foreign Military Financing Program) to purchase such*
16 *military education and training at a rate comparable to*
17 *the rate charged to countries receiving grant assistance for*
18 *military education and training under this chapter.”.*

19 **TITLE VIII—NUCLEAR BLACK**
20 **MARKET ELIMINATION ACT**

21 **SEC. 801. SHORT TITLE.**

22 *This title may be cited as the “Nuclear Black Market*
23 *Elimination Act of 2005”.*

1 ***Subtitle A—Sanctions for Transfers***
2 ***of Nuclear Enrichment, Reproc-***
3 ***essing, and Weapons Technology,***
4 ***Equipment and Materials In-***
5 ***volving Foreign Persons and***
6 ***Terrorists***

7 ***SEC. 811. AUTHORITY TO IMPOSE SANCTIONS ON FOREIGN***
8 ***PERSONS.***

9 *(a) DETERMINATION OF NUCLEAR ACTIVITIES BY FOR-*
10 *EIGN PERSONS.—Notwithstanding any other provision of*
11 *law, the President is authorized to impose any or all of*
12 *the sanctions described in subsection (b) whenever the Presi-*
13 *dent determines that a foreign person participated, on or*
14 *after the date of the enactment of this Act, in the export,*
15 *transfer or trade of—*

16 *(1) nuclear enrichment or reprocessing equip-*
17 *ment, materials, or technology to any nonnuclear-*
18 *weapon state (as defined in section 102(c) of the Arms*
19 *Export Control Act) that—*

20 *(A) does not possess functioning nuclear en-*
21 *richment or reprocessing plants as of January 1,*
22 *2004; and*

23 *(B)(i) does not have in force an additional*
24 *protocol with the International Atomic Energy*
25 *Agency for the application of safeguards (as de-*

1 *rived from IAEA document INFCIRC/540 and*
2 *related corrections and additions); or*

3 *(ii) is developing, manufacturing, or ac-*
4 *quiring a nuclear explosive device; or*

5 *(2) any nuclear explosive device, or design infor-*
6 *mation or component, equipment, materials, or other*
7 *items or technology that—*

8 *(A) is designated for national export con-*
9 *trols under the Nuclear Supplier Group Guide-*
10 *lines for the Export of Nuclear Material, Equip-*
11 *ment and Technology (published by the Inter-*
12 *national Atomic Energy Agency as IAEA docu-*
13 *ment INFCIRC/254/Rev. 6/Part 1 and subse-*
14 *quent revisions) and the Guidelines for Transfers*
15 *of Nuclear-Related Dual-Use Equipment, Mate-*
16 *rial, and Related Technology (published as IAEA*
17 *document INFCIRC/254/Rev. 5/ Part 2 and sub-*
18 *sequent revisions); and*

19 *(B) contributes to the development, manu-*
20 *facture, or acquisition of a nuclear explosive de-*
21 *vice by—*

22 *(i) a nonnuclear weapon state; or*

23 *(ii) a foreign person.*

1 (b) *SANCTIONS.*—*The sanctions referred to in sub-*
2 *section (a) that are to be imposed on a foreign person are*
3 *the following:*

4 (1) *No assistance may be provided to the foreign*
5 *person under the Foreign Assistance Act of 1961, and*
6 *the foreign person may not participate in any assist-*
7 *ance program of the United States Government. Any*
8 *such assistance being provided to the foreign person,*
9 *and any participation in such assistance program by*
10 *the foreign person, on the date on which the sanction*
11 *under this paragraph is imposed, shall be terminated*
12 *as of such date.*

13 (2) *The United States Government may not sell*
14 *any defense articles, defense services, or design or con-*
15 *struction services to the foreign person under the For-*
16 *foreign Assistance Act of 1961 or the Arms Export Con-*
17 *trol Act, and any contract to sell such articles or serv-*
18 *ices, under either such Act, that is in effect on the*
19 *date on which the sanction under this paragraph is*
20 *imposed, shall be terminated as of such date.*

21 (3) *Licenses or any other approval may not be*
22 *issued to the foreign person for the export or import*
23 *of any defense articles or defense services under the*
24 *Arms Export Control Act or its implementing regula-*
25 *tions. Any such license or approval that is in effect*

1 *on the on the date on which the sanction under this*
2 *paragraph is imposed, shall be terminated as of such*
3 *date.*

4 (4) *Licenses or any other approval may not be*
5 *issued to the foreign person for the export of any*
6 *goods or technology subject to the jurisdiction of the*
7 *Export Administration Regulations under chapter*
8 *VII of title 15, Code of Federal Regulations (or suc-*
9 *cessor regulations), other than food and other agricul-*
10 *tural commodities, medicines and medical equipment.*
11 *Any such license or approval that is in effect on the*
12 *on the date on which the sanction under this para-*
13 *graph is imposed, shall be terminated as of such date.*

14 (c) *PERIOD SANCTIONS IN EFFECT.—The sanctions re-*
15 *ferred to in subsection (b) should be imposed for not less*
16 *than two years, but may be imposed for longer periods. The*
17 *President may suspend after one year any sanction imposed*
18 *pursuant to this section 15 days after submitting to the ap-*
19 *propriate congressional committees a report explaining—*

20 (1) *the reasons for modifying or terminating the*
21 *sanction;*

22 (2) *how the purposes of this Act and United*
23 *States national security are furthered by such modi-*
24 *fication or termination; and*

1 (3) *what measures the United States will take or*
2 *is taking to ensure that the foreign person will not en-*
3 *gage in similar activities in the future.*

4 **SEC. 812. PRESIDENTIAL NOTIFICATION ON ACTIVITIES OF**
5 **FOREIGN PERSONS.**

6 (a) *REPORTS TO CONGRESS.*—*Not later than 180 days*
7 *after enactment of this Act and no later than January 31*
8 *of each year thereafter, the President shall submit to the*
9 *appropriate congressional committees a report detailing*
10 *any activity by any foreign person described in section 811.*
11 *This report shall also include a description of any sanctions*
12 *that have been imposed and their duration.*

13 (b) *PUBLICATION.*—*When the President imposes sanc-*
14 *tions under section 811, the President shall, to the max-*
15 *imum extent unclassified, publish in the Federal Register,*
16 *not later than 15 days after reporting such sanctions to the*
17 *appropriate congressional committees under subsection (a),*
18 *the identity of each sanctioned foreign person, the period*
19 *for which sanctions will be in effect, and the reasons for*
20 *the sanctions.*

1 **Subtitle B—Further Actions**
2 **Against Corporations Associated**
3 **With Sanctioned Foreign Per-**
4 **sons**

5 **SEC. 821. FINDINGS.**

6 *The Congress finds the following:*

7 (1) *Foreign persons and corporations engaging*
8 *in nuclear black-market activities are motivated by*
9 *reasons of commercial gain and profit.*

10 (2) *Sanctions targeted solely against the business*
11 *interests of the sanctioned person or business concern*
12 *may be unsuccessful in halting these proliferation ac-*
13 *tivities, as the sanctions may be seen merely as the*
14 *cost of doing business, especially if the business inter-*
15 *ests of the parent or subsidiary corporate entities are*
16 *unaffected by the sanctions.*

17 (3) *Such narrow targeting of sanctions creates*
18 *the incentive to create shell and “carve-out” corporate*
19 *entities to perform the proliferation activities and at-*
20 *tract sanctions, leaving all other aspects of the larger*
21 *corporation unaffected.*

22 (4) *To dissuade corporations from allowing their*
23 *associated commercial entities or persons from engag-*
24 *ing in proliferation black-market activities, they must*
25 *also be made to suffer financial loss and commercial*

1 **SEC. 823. COORDINATION.**

2 *The Secretary of State shall coordinate the actions of*
3 *the United States Government under section 822.*

4 **SEC. 824. REPORT.**

5 *Not later than one year after the date of the enactment*
6 *of this Act and annually thereafter, the Secretary of State*
7 *shall report to the appropriate congressional committees on*
8 *the actions taken by the United States to carry out section*
9 *822.*

10 ***Subtitle C—Incentives for Prolifera-***
11 ***tion Interdiction Cooperation***

12 **SEC. 831. AUTHORITY TO PROVIDE ASSISTANCE TO COOP-**
13 **ERATIVE COUNTRIES.**

14 *The President is authorized to provide, on such terms*
15 *as the President considers appropriate, assistance under*
16 *section 832 to any country that cooperates with the United*
17 *States and with other countries allied with the United*
18 *States to prevent the transport and transshipment of items*
19 *of proliferation concern in its national territory or airspace*
20 *or in vessels under its control or registry.*

21 **SEC. 832. TYPES OF ASSISTANCE.**

22 *The assistance authorized under section 831 is the fol-*
23 *lowing:*

24 *(1) Assistance under section 23 of the Arms Ex-*
25 *port Control Act.*

1 (2) *Assistance under chapters 4 and 5 of part II*
2 *of the Foreign Assistance Act of 1961.*

3 (3) *Drawdown of defense equipment and services*
4 *under section 516 of the Foreign Assistance Act of*
5 *1961.*

6 **SEC. 833. CONGRESSIONAL NOTIFICATION.**

7 *Assistance authorized under this subtitle may not be*
8 *provided until at least 30 days after the date on which the*
9 *President has provided notice thereof to the appropriate*
10 *congressional committees, in accordance with the procedures*
11 *applicable to reprogramming notifications under section*
12 *634A(a) of the Foreign Assistance Act of 1961.*

13 **SEC. 834. LIMITATION.**

14 *Assistance may be provided to a country under section*
15 *831 in no more than three fiscal years.*

16 **SEC. 835. USE OF ASSISTANCE.**

17 *To the extent practicable, assistance provided under*
18 *this subtitle shall be used to enhance the capability of the*
19 *recipient country to prevent the transport and trans-*
20 *shipment of items of proliferation concern in its national*
21 *territory or airspace, or in vessels under its control or reg-*
22 *istry, including through the development of a legal frame-*
23 *work in that country to enhance such capability by crim-*
24 *inalizing proliferation, enacting strict export controls, and*
25 *securing sensitive materials within its borders.*

1 **SEC. 836. LIMITATION ON SHIP OR AIRCRAFT TRANSFERS**
2 **TO UNCOOPERATIVE COUNTRIES.**

3 *Notwithstanding any other provision of law, the*
4 *United States may not transfer any excess defense article*
5 *that is a vessel or an aircraft to a country that has not*
6 *agreed that it will support and assist efforts by the United*
7 *States to interdict items of proliferation concern until thir-*
8 *ty days after the date on which the President has provided*
9 *notice of the proposed transfer to the appropriate congres-*
10 *sional committees in accordance with the procedures appli-*
11 *cable to reprogramming notifications under section 634A(a)*
12 *of the Foreign Assistance Act of 1961, in addition to any*
13 *other requirement of law.*

14 ***Subtitle D—Rollback of Nuclear***
15 ***Proliferation Networks***

16 **SEC. 841. NONPROLIFERATION AS A CONDITION OF UNITED**
17 **STATES ASSISTANCE.**

18 *United States foreign assistance should only be pro-*
19 *vided to countries that—*

20 *(1) are not cooperating with any non-nuclear*
21 *weapon state or any foreign group or individual who*
22 *may be engaged in, planning, or assisting inter-*
23 *national terrorism in the development of a nuclear ex-*
24 *plosive device or its means of delivery and are taking*
25 *all necessary measures to prevent their nationals and*

1 *other persons and entities subject to their jurisdiction*
2 *from participating in such cooperation; and*

3 *(2) are fully and completely cooperating with the*
4 *United States in its efforts to eliminate nuclear black-*
5 *market networks or activities.*

6 **SEC. 842. REPORT ON IDENTIFICATION OF NUCLEAR PRO-**
7 **LIFERATION NETWORK HOST COUNTRIES.**

8 *(a) REPORT.—*

9 *(1) IN GENERAL.—Not later than 90 days after*
10 *the date of the enactment of this Act and annually*
11 *thereafter, the President shall submit a report to the*
12 *appropriate congressional committees that—*

13 *(A) identifies any country in which manu-*
14 *facturing, brokering, shipment, transshipment,*
15 *or other activity occurred in connection with the*
16 *transactions of the nuclear proliferation network*
17 *that supplied Libya, Iran, North Korea, and*
18 *possibly other countries or entities, and*

19 *(B) includes any additional information*
20 *with respect to any country and any other nu-*
21 *clear proliferation networks or activities and the*
22 *foreign persons believed to be participating there-*
23 *in, including any information relating to the*
24 *participation of any foreign person in the ex-*
25 *port, transfer, or trade described in section 811.*

1 (2) *ADDITIONAL INFORMATION.*—*The report*
2 *under paragraph (1) shall also include a description*
3 *of the extent to which each country described in the*
4 *report is, in the opinion of the President, fully cooper-*
5 *ating with the United States in its efforts to elimi-*
6 *nate the nuclear proliferation network described in*
7 *paragraph (1)(A) and any other nuclear proliferation*
8 *networks or activities. The President shall base the de-*
9 *termination regarding a country’s cooperation with*
10 *the United States in part on the degree to which the*
11 *country has satisfied United States requests for assist-*
12 *ance and information, including whether the United*
13 *States has asked and been granted direct investiga-*
14 *tory access to key persons involved in a nuclear pro-*
15 *liferation network.*

16 (b) *CLASSIFICATION.*—*Reports under this section shall*
17 *be unclassified to the maximum extent possible.*

18 **SEC. 843. SUSPENSION OF ARMS SALES LICENSES AND DE-**
19 **LIVERIES TO NUCLEAR PROLIFERATION NET-**
20 **WORK HOST COUNTRIES.**

21 (a) *SUSPENSION.*—*Upon submission of the report and*
22 *any additional information under section 842 to the appro-*
23 *priate congressional committees, the President shall suspend*
24 *all licenses issued under the Arms Export Control Act, and*
25 *shall prohibit any licenses to be issued under that Act, to*

1 *any country described in the report or additional informa-*
2 *tion, until such time as the President certifies to the appro-*
3 *priate congressional committees that such country—*

4 (1)(A) *has fully investigated or is fully inves-*
5 *tigating the activities of any person or entity within*
6 *its territory that has participated in the nuclear pro-*
7 *liferation network or activities; and*

8 (B) *has taken or is taking effective steps to per-*
9 *manently halt similar illicit nuclear proliferation or*
10 *acquisition activities;*

11 (2) *has been or is fully cooperating with the*
12 *United States and other appropriate international or-*
13 *ganizations in investigating and eliminating the nu-*
14 *clear proliferation network, any successor networks*
15 *operating within its territory, or other illicit pro-*
16 *liferation and acquisition activities; and*

17 (3) *has enacted or is enacting new laws, promul-*
18 *gated decrees or regulations, or established practices*
19 *designed to prevent future such activities from occur-*
20 *ring within its territory.*

21 (b) *WAIVER.—The President may waive the require-*
22 *ments of subsection (a) in a fiscal year if—*

23 (1) *the President has certified to the appropriate*
24 *congressional committees that the waiver is important*
25 *to the national security of the United States; and*

1 (2) *five days have elapsed since making the cer-*
2 *tification under paragraph (1).*

3 ***Subtitle E—General Provisions***

4 ***SEC. 851. DEFINITIONS.***

5 *In this title:*

6 (1) *PARTICIPATED.*—*The term “participated”*
7 *means to have sold, transferred, brokered, financed,*
8 *assisted, delivered or otherwise provided or received,*
9 *and includes any conspiracy or attempt to partici-*
10 *pate in any of the preceding activities, as well as fa-*
11 *cilitating such activities by any other person.*

12 (2) *FOREIGN PERSON.*—*The term “foreign per-*
13 *son” has the meaning provided in section 38(g)(9)(C)*
14 *of the Arms Export Control Act (22 U.S.C.*
15 *2778(g)(9)(C)) and includes, for purposes of sub-*
16 *sections (a) and (b) of section 811, successors, assigns,*
17 *subsidiaries, and subunits and other business organi-*
18 *zations or associations in which that person may be*
19 *deemed to have a controlling interest.*

20 (3) *EXCESS DEFENSE ARTICLE.*—*The term “ex-*
21 *cess defense article” has the meaning given that term*
22 *in section 644(g) of the Foreign Assistance Act of*
23 *1961 (22 U.S.C. 2403(g)).*

24 (4) *ITEMS OF PROLIFERATION CONCERN.*—*The*
25 *term “items of proliferation concern” means any*

1 *equipment, materials, or technology that could mate-*
2 *rially support the research, development, manufac-*
3 *turing, or acquisition by any means of a nuclear ex-*
4 *plosive device, a chemical or biological weapon, or*
5 *missile with a payload of 500 kilograms or greater*
6 *and with a range of 300 kilometers or greater.*

7 (5) *PERSON.*—*The term “person”—*

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

15 (B) *in the case of a country where it may*
16 *be impossible to identify a specific governmental*
17 *entity referred to in subparagraph (A), means*
18 *all activities of that government relating to the*
19 *development or production of any nuclear equip-*
20 *ment or technology.*

21 (6) *UNITED STATES FOREIGN ASSISTANCE.*—*The*
22 *term “United States foreign assistance” means assist-*
23 *ance under the foreign operations, export financing,*
24 *and related programs appropriations Act for a fiscal*

1 *the consultation and advice of United States embassy offi-*
2 *cial, appropriate nongovernmental organizations, and*
3 *local government officials in developing countries with high*
4 *rates of obstetric fistula, with particular emphasis on coun-*
5 *tries in Africa.*

6 “(C) *Each center established pursuant to subpara-*
7 *graph (A) shall, to the maximum extent practicable, carry*
8 *out the following activities:*

9 “(i) *The provision of surgery to repair obstetric*
10 *fistula in women who do not otherwise have the re-*
11 *sources to pay for such surgery and the provision of*
12 *necessary post-surgery care and support for such*
13 *women.*

14 “(ii) *Assistance related to surgery and post-sur-*
15 *gery care and support described in clause (i), includ-*
16 *ing the provision of transportation to and from the*
17 *center for women in need of such transportation and*
18 *the provision of necessary temporary shelter and food*
19 *assistance to women in need of such shelter and food*
20 *assistance.*

21 “(iii) *Activities to reduce the incidence of obstet-*
22 *ric fistula, including the conduct of appropriate semi-*
23 *nars and the dissemination of appropriate edu-*
24 *cational materials, such as brochures, pamphlets, and*
25 *posters.*

1 “(iv) *Activities to expand access to contraception*
2 *services for the prevention of pregnancies among*
3 *women whose age or health status place them at high*
4 *risk of prolonged or obstructed childbirth.*

5 “(D) *Each center established pursuant to subpara-*
6 *graph (A) shall, to the maximum extent practicable, ensure*
7 *that women who suffer from obstetric fistula as a result of*
8 *sexual abuse during conflicts or as a result of official abuse*
9 *receive preference in receiving services described in clauses*
10 *(i) and (ii) of subparagraph (C).*

11 “(E) *Not later than January 31, 2008, the President*
12 *shall prepare and transmit to Congress a report on the im-*
13 *plementation of this paragraph for fiscal years 2006 and*
14 *2007.*

15 “(F) *In this paragraph, the term ‘obstetric fistula’*
16 *means a rupture or hole in tissues surrounding a woman’s*
17 *vagina, bladder, or rectum that occurs when the woman is*
18 *in obstructed childbirth for a prolonged period of time with-*
19 *out adequate medical attention.”.*

20 (b) *FUNDING.—Of the amounts made available for*
21 *each of the fiscal years 2006 and 2007 to carry out sections*
22 *104 and 496 of the Foreign Assistance Act of 1961 (22*
23 *U.S.C. 2151b and 2293), \$5,000,000 for each such fiscal*
24 *year is authorized to be available to carry out section*
25 *104(c)(4) of such Act (as added by subsection (a)).*

1 **SEC. 902. SUPPORT FOR SMALL AND MEDIUM ENTERPRISES**
2 **IN SUB-SAHARAN AFRICA.**

3 *Section 240 of the Foreign Assistance Act of 1961 (22*
4 *U.S.C. 2200) is amended by adding at the end the following:*

5 *“(c) SUPPORT FOR SMALL AND MEDIUM ENTERPRISES*
6 *IN SUB-SAHARAN AFRICA.—*

7 *“(1) SUPPORT.—The Corporation is commended*
8 *for its activities in support of the development of*
9 *small and medium enterprises, and is encouraged to*
10 *exercise its authorities to promote investments in fi-*
11 *nancial institutions that are duly incorporated in*
12 *sub-Saharan African countries, to the extent that the*
13 *purpose of such investments is to expand investment*
14 *and lending opportunities to small and medium en-*
15 *terprises that—*

16 *“(A) are substantially owned by nationals*
17 *of sub-Saharan African countries; and*

18 *“(B) are engaged in domestic commerce or*
19 *international trade in sectors such as housing,*
20 *agriculture, fishing, textiles and apparel, tour-*
21 *ism, electronics, technology, manufacturing, and*
22 *services.*

23 *“(2) CONSIDERATION.—In making a determina-*
24 *tion to provide insurance and financing to financial*
25 *institutions referred to in paragraph (1), the Cor-*
26 *poration should take into consideration the extent to*

1 *which a project establishes and implements a non-*
2 *discrimination in lending policy to prohibit discrimi-*
3 *nation based on ethnicity, sex, color, race, religion,*
4 *physical disability, marital status, or age.*

5 “(3) *TECHNICAL ASSISTANCE.—In supporting a*
6 *project referred to in paragraph (1), the Corporation*
7 *may provide technical assistance to—*

8 “(A) *improve the quality of management of*
9 *financial institutions referred to in paragraph*
10 *(1) to ensure the safety and stability of such in-*
11 *stitutions;*

12 “(B) *create in such financial institutions ef-*
13 *fective credit risk management systems to im-*
14 *prove the quality of the assets of such institu-*
15 *tions and the ability of such institutions to re-*
16 *search and assess the overall credit risk of crit-*
17 *ical industries in the domestic economy; and*

18 “(C) *support effective credit risk manage-*
19 *ment by developing internal credit rating sys-*
20 *tems and credit assessment tools that improve the*
21 *ability of such financial institutions to evaluate*
22 *individual credit worthiness and measure the*
23 *overall amount of risk posed by the total number*
24 *of borrowers.”.*

1 **SEC. 903. ASSISTANCE TO SUPPORT DEMOCRACY IN**
2 **ZIMBABWE.**

3 *Of the amounts made available for each of the fiscal*
4 *years 2006 and 2007 to carry out chapters 1 and 10 of*
5 *part I of the Foreign Assistance Act of 1961 and chapter*
6 *4 of part II of such Act, \$12,000,000 for each such fiscal*
7 *year is authorized to be available, consistent with the provi-*
8 *sions of the Zimbabwe Democracy and Economic Recovery*
9 *Act of 2001 (Public Law 107–99; 22 U.S.C. 2151 note),*
10 *to support—*

11 *(1) the restoration of democratic legitimacy and*
12 *foster a free and fair electoral process in Zimbabwe,*
13 *particularly through legislative process training for*
14 *members of Parliament;*

15 *(2) capacity building for civil society organiza-*
16 *tions to effectively provide information on the polit-*
17 *ical process to citizens, defend the legal rights of mi-*
18 *norities, women and youth, document the level of ad-*
19 *herence by the Government of Zimbabwe to national*
20 *and international civil and human rights standards,*
21 *and monitor and report on the entire electoral process*
22 *in Zimbabwe;*

23 *(3) organizational capacity-building training for*
24 *political parties in Zimbabwe;*

25 *(4) poll watcher training for party and civil so-*
26 *ciet election observers in Zimbabwe; and*

1 (5) *the reestablishment of independent media*
2 *through overseas broadcasts and Internet sites.*

3 **SEC. 904. RESTRICTIONS ON UNITED STATES VOLUNTARY**
4 **CONTRIBUTIONS TO THE UNITED NATIONS**
5 **DEVELOPMENT PROGRAM.**

6 (a) *LIMITATION.*—*Of the amounts made available for*
7 *each of fiscal years 2006 and 2007 for United States vol-*
8 *untary contributions to the United Nations Development*
9 *Program, an amount equal to the amount the United Na-*
10 *tions Development Program will spend in Burma during*
11 *each fiscal year (including all funds administered by the*
12 *United Nations Development Program in Burma) shall be*
13 *withheld unless during such fiscal year the Secretary of*
14 *State submits to the appropriate congressional committees*
15 *the certification described in subsection (b).*

16 (b) *CERTIFICATION.*—*The certification referred to in*
17 *subsection (a) is a certification by the Secretary that all*
18 *programs and activities of the United Nations Development*
19 *Program (including all programs and activities adminis-*
20 *tered by the United Nations Development Program) in*
21 *Burma—*

22 (1) *are focused on eliminating human suffering*
23 *and addressing the needs of the poor;*

24 (2) *are undertaken only through international or*
25 *private voluntary organizations that are independent*

1 *of the State Peace and Development Council (SPDC)*
2 *(formerly the State Law and Order Restoration Coun-*
3 *cil or SLORC);*

4 *(3) provide no financial, political, or military*
5 *benefit, including the provision of goods, services, or*
6 *per diems, to the SPDC or any agency or entity of,*
7 *or affiliated with, the SPDC, including any entity*
8 *whose members are ineligible for admission to the*
9 *United States by reason of such membership under*
10 *any provision of section 212(a) of the Immigration*
11 *and Nationality Act (8 U.S.C. 1182(a)) (including*
12 *the Myanmar Maternal and Child Welfare Associa-*
13 *tion (MMCWA), the Myanmar Council of Churches*
14 *(MCC), the Myanmar Medical Association (MMA),*
15 *the Myanmar Women Affairs Federation (MWAF),*
16 *and the Union of Solidarity Development Association*
17 *(USDA)); and*

18 *(4) are carried out only after consultation with*
19 *the leadership of the National League for Democracy*
20 *and the leadership of the National Coalition Govern-*
21 *ment of the Union of Burma.*

22 *(5) REPORT.—Not later than 180 days after the*
23 *date of the enactment of this Act and every 180 days*
24 *thereafter during fiscal years 2006 and 2007, the Sec-*

1 *retary shall submit to the appropriate congressional*
2 *committees a report on—*

3 *(A) all programs and activities of the*
4 *United Nations Development Program (includ-*
5 *ing all programs and activities administered by*
6 *the United Nations Development Program) in*
7 *Burma; and*

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

10 **SEC. 905. ASSISTANCE FOR THE OFFICE OF THE POLICE OM-**
11 **BUDSMAN FOR NORTHERN IRELAND.**

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

16 *(1) specialized investigative training, including*
17 *training in the United States, of personnel of the Of-*
18 *fice of the Police Ombudsman for Northern Ireland;*
19 *and*

20 *(2) advisory support to the Office of the Police*
21 *Ombudsman for Northern Ireland for the development*
22 *and strengthening of its investigative capacity in*
23 *order to ensure that policing in Northern Ireland is*
24 *carried out in compliance with internationally recog-*
25 *nized human rights standards.*

1 **SEC. 906. REPORT ON FOREIGN LAW ENFORCEMENT TRAIN-**
2 **ING AND ASSISTANCE.**

3 *Section 489(a) of the Foreign Assistance Act of 1961*
4 *(22 U.S.C. 2291h(a)), as amended by section 317(d) of this*
5 *Act, is further amended by adding at the end the following*
6 *new paragraph:*

7 *“(9)(A) A separate section on all foreign law en-*
8 *forcement training and assistance that is provided to*
9 *foreign law enforcement personnel and other related*
10 *governmental authorities by the Department of State,*
11 *the Department of Defense, the Department of Justice,*
12 *and the United States Agency for International De-*
13 *velopment during the previous fiscal year and all*
14 *such training proposed for the current fiscal year.*

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

17 *“(i) For each law enforcement training ac-*
18 *tivity—*

19 *“(I) the purpose of the activity and the*
20 *foreign policy justification for the activity;*

21 *“(II) the number of foreign law en-*
22 *forcement personnel who are provided train-*
23 *ing, their units of operation, and countries*
24 *of origin;*

25 *“(III) the type of training activity;*

1 “(IV) the location of the training activ-
2 ity;

3 “(V) the department or agency of the
4 United States Government which is con-
5 ducting the training, by unit or office; and

6 “(VI) the cost of the training activity
7 and the specific budgetary account from
8 which the cost is paid.

9 “(ii) For other law enforcement assist-
10 ance—

11 “(I) the purpose of the assistance and
12 the foreign policy justification for the assist-
13 ance;

14 “(II) the type of assistance;

15 “(III) the department or agency of the
16 United States Government which is pro-
17 viding the assistance, by unit or office,
18 where applicable; and

19 “(IV) the cost of the assistance and the
20 specific budgetary account from which the
21 cost is paid.

22 “(iii) For each country—

23 “(I) the aggregate number of students
24 trained;

1 “(II) the aggregate cost of the law en-
2 forcement training and other law enforce-
3 ment assistance; and

4 “(III) a plan describing the law en-
5 forcement assistance and rule of law pro-
6 grams of the relevant departments and
7 agencies of the United States Government.

8 “(C) FORM.—The report required by this para-
9 graph shall be in unclassified form but may include
10 a classified annex.”.

11 **SEC. 907. ASSISTANCE FOR DISASTER MITIGATION EF-**
12 **FORTS.**

13 (a) *FINDINGS.*—Congress finds the following:

14 (1) *The devastating impacts of natural disasters*
15 *can be mitigated by assisting communities to build in*
16 *safer locations, construct sturdier dwellings, enforce*
17 *sound building codes and practices, and protect nat-*
18 *ural ecosystems.*

19 (2) *By 2050, two billion people are expected to*
20 *be especially vulnerable to floods due to growing pop-*
21 *ulations, indiscriminate logging, rapid urbanization,*
22 *and increasing development along coasts and in other*
23 *hazardous regions.*

24 (3) *According to a study by the World Bank and*
25 *the United States Geological Survey during the 1990s,*

1 \$40 billion invested in preventive measures could
2 have saved \$280 billion in disaster relief funds and
3 saved countless lives.

4 **(b) SENSE OF CONGRESS.**—*It is the sense of Congress*
5 *that the Secretary of State, in consultation with the heads*
6 *of other appropriate departments and agencies of the Gov-*
7 *ernment of the United States, should develop an initiative*
8 *to encourage the use of disaster mitigation techniques, in-*
9 *cluding techniques described in subsection (a)(1), by foreign*
10 *governments in regions considered especially vulnerable to*
11 *natural disasters.*

12 **(c) AMENDMENT TO THE FOREIGN ASSISTANCE ACT**
13 *OF 1961.*—*Section 491(b) of the Foreign Assistance Act of*
14 *1961 (22 U.S.C. 2292(b)) is amended by adding at the end*
15 *the following new sentence: “Assistance relating to disaster*
16 *preparedness under the preceding sentence shall include as-*
17 *sistance to encourage the use of disaster mitigation tech-*
18 *niques, including to assist communities to build in safer*
19 *locations, construct sturdier dwellings, enforce sound build-*
20 *ing codes and practices, and protect natural ecosystems.”.*

21 **SEC. 908. ASSISTANCE TO PROMOTE DEMOCRACY IN**
22 **BELARUS.**

23 *Of the amounts made available for each of the fiscal*
24 *years 2006 and 2007 to carry out chapters 11 and 12 of*
25 *part I of the Foreign Assistance Act of 1961 (22 U.S.C.*

1 2295 et seq. and 2296 et seq.) and the *FREEDOM Support*
2 *Act* (22 U.S.C. 5801 et seq.), \$12,000,000 for each such fis-
3 cal year is authorized to be available for assistance for the
4 promotion of democracy in the Republic of Belarus, includ-
5 ing free and fair electoral processes, the development of po-
6 litical parties and nongovernmental organizations, pro-
7 moting democracy and respect for human rights and the
8 rule of law, independent media, and international ex-
9 changes and training programs for leaders and members
10 of the democratic forces that foster civil society.

11 **SEC. 909. ASSISTANCE FOR MATERNAL AND PRENATAL**
12 **CARE FOR CERTAIN INDIVIDUALS OF**
13 **BELARUS AND UKRAINE INVOLVED IN THE**
14 **CLEANUP OF THE CHORNOBYL DISASTER.**

15 *Of the amounts made available for each of the fiscal*
16 *years 2006 and 2007 to carry out chapters 11 and 12 of*
17 *part I of the Foreign Assistance Act of 1961 (22 U.S.C.*
18 *2295 et seq. and 2296 et seq.) and the FREEDOM Support*
19 *Act (22 U.S.C. 5801 et seq.), such sums as may be necessary*
20 *for each such fiscal year are authorized to be available for*
21 *assistance to improve maternal and prenatal care, espe-*
22 *cially for the purpose of helping prevent birth defects and*
23 *pregnancy complications, for individuals in the Republic*
24 *of Belarus and Ukraine involved in the cleanup of the re-*
25 *gion affected by the Chornobyl disaster.*

1 **SEC. 910. ASSISTANCE TO ADDRESS NON-INFECTIOUS DIS-**
2 **EASES IN FOREIGN COUNTRIES.**

3 (a) *STATEMENT OF POLICY.*—Congress declares the fol-
4 *lowing:*

5 (1) *Medical evidence indicates that non-infec-*
6 *tious diseases, like heart disease and obesity, are on*
7 *the rise worldwide.*

8 (2) *In response to these statistics, the current al-*
9 *location of funds appropriated to the United States*
10 *Agency for International Development for Child Sur-*
11 *vival and Maternal Health, Vulnerable Children,*
12 *HIV/AIDS, Infectious Diseases, Reproductive Health*
13 *and Family Planning, and the Global Fund to Fight*
14 *AIDS, Tuberculosis and Malaria does not address*
15 *noninfectious diseases.*

16 (b) *AUTHORIZATION OF ASSISTANCE.*—*The President,*
17 *acting through the Administrator of the United States*
18 *Agency for International Development, is authorized to pro-*
19 *vide assistance, on such terms and conditions as the Presi-*
20 *dent may determine, to address non-infectious diseases in*
21 *foreign countries.*

22 **CHAPTER 2—PART II OF THE FOREIGN**
23 **ASSISTANCE ACT OF 1961**

24 **SEC. 921. ECONOMIC SUPPORT FUND ASSISTANCE FOR**
25 **EGYPT.**

26 (a) *FINDINGS.*—Congress finds the following:

1 (1) *Despite more than \$28 billion in economic*
2 *assistance provided by the United States to Egypt*
3 *since 1975, Egypt's economy and educational systems*
4 *are underdeveloped and democratic development re-*
5 *mains extremely limited. Egypt remains near the bot-*
6 *tom of many indices of growth and human develop-*
7 *ment.*

8 (2) *Egypt's economic troubles, if not addressed*
9 *through programs to develop Egypt's private sector,*
10 *could destabilize the country.*

11 (3) *United States programs to promote growth*
12 *in Egypt, including traditional development assist-*
13 *ance as well as programs that attempt to link dis-*
14 *bursement of cash assistance to the adoption of eco-*
15 *nomie reforms by the Government of Egypt, have had,*
16 *at best, mixed success.*

17 (4) *The United States has provided more than*
18 *\$32 billion in military assistance to Egypt since*
19 *1979.*

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

22 (6) *Egypt and the United States entered into an*
23 *agreement in March 2005, whereby Egypt undertook*
24 *to accomplish certain reform-oriented policies pri-*
25 *marily related to its financial sector, and the United*

1 *States undertook, subject to its constitutional proc-*
2 *esses, to provide Egypt with cash assistance. This pro-*
3 *gram of financial reform is important and should*
4 *continue, supported by assistance in the form of cash*
5 *transferred from the United States, but not in*
6 *amounts in excess of amounts already agreed to and*
7 *not for lesser policy reforms than have already been*
8 *agreed to.*

9 *(7) The model of an agreement for policy change*
10 *between the United States and Egypt, similar but not*
11 *identical to, the concept of a “Millennium Challenge”*
12 *compact that emphasizes performance and outcomes,*
13 *would be a way to reinvigorate a program for the de-*
14 *velopment of the Egyptian economy that has lan-*
15 *guished for years, and would give more Egyptians a*
16 *stake in the proper planning and execution of pro-*
17 *grams to assist in their country’s development.*

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

20 *(1) to acknowledge that—*

21 *(A) threats to Egypt’s stability derive far*
22 *more from domestic problems, such as inadequate*
23 *economic growth, deficient educational and*
24 *health-care systems, and lack of political free-*
25 *dom, than from external dangers; and*

1 (B) *external threats to Egyptian stability*
2 *are, in fact, minimal;*

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

8 (3) *to restructure Egypt's assistance package*
9 *over time so as to diminish military assistance and*
10 *end the reduction of economic assistance and to begin*
11 *the process of this restructuring without delay; and*

12 (4) *to ensure that this restructuring is done in*
13 *such a manner that ensures that maintenance and*
14 *spare parts for existing Egyptian military equipment*
15 *is not jeopardized and that Egyptian military pur-*
16 *chases and projects to which the United States has al-*
17 *ready committed itself be funded fully in accordance*
18 *with previous understandings.*

19 (c) *AMENDMENT TO THE FOREIGN ASSISTANCE ACT*
20 *OF 1961.—*

21 (1) *IN GENERAL.—Chapter 4 of part II of the*
22 *Foreign Assistance Act of 1961 (22 U.S.C. 2346 et*
23 *seq; relating to the “Economic Support Fund”) is*
24 *amended by inserting after section 534 the following*
25 *new section:*

1 **“SEC. 535. REQUIREMENTS RELATING TO ASSISTANCE FOR**
2 **EGYPT.**

3 “(a) *REQUIREMENT FOR ASSISTANCE.*—Assistance
4 may be provided for Egypt under this chapter for a fiscal
5 year only if Egypt provides to the United States for the
6 fiscal year a proposal described in subsection (b) that is
7 evaluated and approved in accordance with subsection (c).

8 “(b) *PROPOSAL.*—

9 “(1) *IN GENERAL.*—A proposal described in this
10 subsection is a proposal that reflects Egyptian prior-
11 ities to use assistance provided under this chapter to
12 meet the requirements of paragraph (2).

13 “(2) *REQUIREMENTS.*—The requirements de-
14 scribed in this paragraph are—

15 “(A) *promoting economic growth (including*
16 *economic freedom);*

17 “(B) *reducing poverty;*

18 “(C) *improving humanitarian conditions*
19 *among the poorest individuals in Egypt;*

20 “(D) *improving education and health sys-*
21 *tems for the people of Egypt;*

22 “(E) *reducing corruption in the public and*
23 *private sectors; and*

24 “(F) *strengthening democratic institutions*
25 *and individual freedoms.*

26 “(c) *EVALUATION AND APPROVAL OF PROPOSAL.*—

1 “(1) *EVALUATION.*—*The President, acting*
2 *through the Secretary of State, and in consultation*
3 *with the Secretary of the Treasury, the United States*
4 *Trade Representative, and the Administrator of the*
5 *United States Agency for International Development,*
6 *shall evaluate the proposal provided to the United*
7 *States pursuant to subsection (a) to determine the ex-*
8 *tent to which the proposal meets the requirements of*
9 *subparagraphs (A) through (F) of subsection (b)(2).*

10 “(2) *APPROVAL.*—*The President shall approve*
11 *the proposal only if the President determines that—*

12 “(A) *the proposal sufficiently meets the re-*
13 *quirements of subparagraphs (A) through (F) of*
14 *subsection (b)(2) in a manner that achieves, in*
15 *particular, lasting economic growth and poverty*
16 *reduction and substantially strengthened demo-*
17 *cratic institutions and individual freedoms; and*

18 “(B) *the Government of Egypt—*

19 “(i) *has adopted and implemented re-*
20 *forms necessary to implement the proposal;*

21 “(ii) *has implemented the proposal*
22 *provided to the United States and approved*
23 *for the prior fiscal year in accordance with*
24 *the requirements of subparagraphs (A)*
25 *through (F) of subsection (b)(2); and*

1 “(iii) has demonstrated high standards
2 of fiduciary controls and accountability
3 with respect to assistance provided for
4 Egypt under this chapter.

5 “(d) *SUSPENSION AND TERMINATION OF ASSIST-*
6 *ANCE.—The President, acting through the Secretary of*
7 *State, may suspend or terminate assistance in whole or in*
8 *part for Egypt under this chapter if the President deter-*
9 *mines that the Government of Egypt is not implementing*
10 *the proposal in accordance with the requirements of sub-*
11 *paragraphs (A) through (F) of subsection (b)(2).*

12 “(e) *CASH ASSISTANCE.—*

13 “(1) *REQUIREMENT.—Notwithstanding any*
14 *other provision of this section, cash assistance may be*
15 *provided to Egypt under this chapter for a fiscal year*
16 *pursuant to the memorandum of understanding speci-*
17 *fied in paragraph (2) only if a proposal provided to*
18 *the United States pursuant to subsection (a) for the*
19 *fiscal year has been evaluated and approved in ac-*
20 *cordance with subsection (c).*

21 “(2) *MEMORANDUM OF UNDERSTANDING.—The*
22 *memorandum of understanding specified in this*
23 *paragraph is the memorandum of understanding*
24 *agreed to by the Government of the United States and*
25 *the Government of Egypt in March 2005, including*

1 *any modification to the memorandum of under-*
2 *standing, except—*

3 “(A) *a modification to increase the amounts*
4 *of assistance agreed to be provided under the*
5 *memorandum of understanding; or*

6 “(B) *a modification to reduce significantly*
7 *the scope of, or to extend significantly the time*
8 *for, the performance by Egypt of obligations that*
9 *it has undertaken under the memorandum of un-*
10 *derstanding.*

11 “(f) *CONGRESSIONAL NOTIFICATION.—Assistance may*
12 *not be obligated for Egypt under this chapter until 30 days*
13 *after the date on which the President has provided notice*
14 *thereof to the Committee on International Relations and the*
15 *Committee on Appropriations of the House of Representa-*
16 *tives and to the Committee on Foreign Relations and the*
17 *Committee on Appropriations of the Senate in accordance*
18 *with the procedures applicable to reprogramming notifica-*
19 *tions under section 634A(a) of this Act.*

20 “(g) *REPORT.—The President, acting through the Sec-*
21 *retary of State, shall prepare and transmit to the Com-*
22 *mittee on International Relations of the House of Rep-*
23 *resentatives and the Committee on Foreign Relations of the*
24 *Senate a report for each fiscal year that contains—*

1 “(1) the proposal provided to the United States
2 pursuant to subsection (a) for the fiscal year; and

3 “(2) the evaluation of the proposal carried out
4 pursuant to subsection (c)(1).

5 “(h) *RULE OF CONSTRUCTION.*—The provisions of this
6 section shall not be superseded except by a provision of law
7 enacted after the date of the enactment of the Foreign Rela-
8 tions Authorization Act, Fiscal Years 2006 and 2007, which
9 specifically repeals, modifies, or supersedes the provisions
10 of this section.”.

11 (2) *EFFECTIVE DATE.*—The amendment made by
12 paragraph (1) shall apply with respect to assistance
13 for Egypt under chapter 4 of part II of the Foreign
14 Assistance Act of 1961 for fiscal year 2007 and each
15 subsequent fiscal year.

16 (d) *MILITARY ASSISTANCE LEVELS FOR EGYPT;*
17 *TRANSFER REQUIREMENT.*—The following amounts avail-
18 able for assistance for Egypt under section 23 of Arms Ex-
19 port Control Act (22 U.S.C. 2763; relating to the “Foreign
20 Military Financing” program) shall be transferred to and
21 consolidated with amounts available for assistance for
22 Egypt under chapter 4 of part II of the Foreign Assistance
23 Act of 1961 (22 U.S.C. 2346 et seq.; relating to the “Eco-
24 nomic Support Fund”):

1 (1) *For fiscal year 2006, the amount that exceeds*
2 \$1,260,000,000.

3 (2) *For fiscal year 2007, the amount that exceeds*
4 \$1,220,000,000.

5 (3) *For fiscal year 2008, the amount that exceeds*
6 \$1,180,000,000.

7 (e) *CASH-FLOW FINANCING FOR EGYPT.—As soon as*
8 *practicable after the date of the enactment of this Act, the*
9 *President shall modify the program of cash-flow financing*
10 *for Egypt under section 23 of the Arms Export Control Act*
11 *(22 U.S.C. 2763; relating to the “Foreign Military Financ-*
12 *ing” program) so as to accomplish the purposes of the pol-*
13 *icy set forth in paragraphs (3) and (4) of subsection (b)*
14 *of this section.*

15 (f) *TRANSFER OF CERTAIN INTEREST FOR EGYPT.—*
16 *For fiscal year 2006 and subsequent fiscal years, any inter-*
17 *est earned from amounts in an interest bearing account for*
18 *Egypt to which funds made available under section 23 of*
19 *the Arms Export Control Act (22 U.S.C. 2763; relating to*
20 *the “Foreign Military Financing” program) are dis-*
21 *bursed—*

22 (1) *shall be transferred to and consolidated with*
23 *amounts available for assistance for the Middle East*
24 *Partnership Initiative under chapter 4 of part II of*
25 *the Foreign Assistance Act of 1961 (22 U.S.C. 2346*

1 *et seq.; relating to the “Economic Support Fund”);*
2 *and*

3 *(2) shall be allocated for democracy and govern-*
4 *ance programs for Egypt, including direct support for*
5 *nongovernmental organizations.*

6 **SEC. 922. INTER-ARAB DEMOCRATIC CHARTER.**

7 *(a) STRATEGY.—The Secretary of State, acting*
8 *through the Assistant Secretary for Democracy, Human*
9 *Rights, and Labor, and in consultation with the Assistant*
10 *Secretary for Near East Affairs and the Assistant Secretary*
11 *for Western Hemisphere Affairs, shall develop and imple-*
12 *ment a strategy to—*

13 *(1) support, including through the provision of*
14 *technical assistance, efforts to establish an Inter-Arab*
15 *Democratic Charter to promote human rights and de-*
16 *mocracy in the Near East region; and*

17 *(2) support and promote coordination among*
18 *human rights organizations, pro-democracy advo-*
19 *cates, and civil society members from both the Near*
20 *East region and the Western Hemisphere to assist in*
21 *efforts to establish the Inter-Arab Democratic Charter*
22 *referred to in paragraph (1).*

23 *(b) REPORT.—Section 665(c) of the Foreign Relations*
24 *Authorization Act, Fiscal Year 2003 (Public Law 107–228;*
25 *22 U.S.C. 2151n note) as amended by section 614(a)(2) of*

1 *this Act, is further amended by inserting after the first sen-*
2 *tence the following new sentence: “As part of such separate*
3 *report, the Secretary shall include information on efforts*
4 *by the Department of State to develop and implement the*
5 *strategy to support efforts to establish an Inter-Arab Demo-*
6 *cratic Charter pursuant to section 708(a) of the Foreign*
7 *Relations Authorization Act, Fiscal Years 2006 and 2007.”.*

8 (c) *FUNDING.—Of the amounts made available for*
9 *each of the fiscal years 2006 and 2007 to carry out chapter*
10 *4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C.*
11 *2346 et seq.; relating to the “Economic Support Fund”),*
12 *including amounts made available to carry out the Human*
13 *Rights and Democracy Fund and the Middle East Partner-*
14 *ship Initiative, such sums as may be necessary for each such*
15 *fiscal year is authorized to be available to the Secretary*
16 *to carry out this section and the amendments made by this*
17 *section.*

18 **SEC. 923. MIDDLE EAST PARTNERSHIP INITIATIVE.**

19 (a) *FUNDING.—Of the amounts made available for*
20 *each of the fiscal years 2006 and 2007 to carry out chapter*
21 *4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C.*
22 *2346 et seq.; relating to the “Economic Support Fund”),*
23 *such sums as may be necessary for each such fiscal year*
24 *is authorized to be available to the Secretary of State to*

1 *carry out programs and activities of the Middle East Part-*
2 *nership Initiative.*

3 (b) *REQUIREMENT.*—*Not less than 50 percent of*
4 *amounts made available for each of the fiscal years 2006*
5 *and 2007 to carry out the Middle East Partnership Initia-*
6 *tive shall be used to—*

7 (1) *strengthen civil society, particularly non-*
8 *governmental organizations, and expand female and*
9 *minority participation in the political, economic, and*
10 *educational sectors of countries participating in the*
11 *Initiative; and*

12 (2) *strengthen the rule of law and promote demo-*
13 *cratic values and institutions, particularly through—*

14 (A) *developing and implementing standards*
15 *for free and fair election in countries partici-*
16 *pating in the Initiative; and*

17 (B) *supporting inter-regional efforts to pro-*
18 *mote democracy in countries under authori-*
19 *tarian rule, including through the Community of*
20 *Democracies and Forum for the Future.*

21 **SEC. 924. WEST BANK AND GAZA PROGRAM.**

22 (a) *OVERSIGHT.*—*For each of the fiscal years 2006 and*
23 *2007, the Secretary of State shall certify to the appropriate*
24 *congressional committees not later than 30 days prior to*
25 *the initial obligation of funds for the West Bank and Gaza*

1 *that procedures have been established to ensure that the*
2 *Comptroller General of the United States will have access*
3 *to appropriate United States financial information in*
4 *order to review the use of United States assistance for the*
5 *West Bank and Gaza funded under chapter 4 of part II*
6 *of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et*
7 *seq.; relating to the “Economic Support Fund”).*

8 **(b) VETTING.**—*Prior to any obligation of funds for*
9 *each of the fiscal years 2006 and 2007 to carry out chapter*
10 *4 of part II of the Foreign Assistance Act of 1961 for assist-*
11 *ance for the West Bank and Gaza, the Secretary of State*
12 *shall take all appropriate steps to ensure that such assist-*
13 *ance is not provided to or through any individual or entity*
14 *that the Secretary knows, or has reason to believe, advo-*
15 *cates, plans, sponsors, engages in, or has engaged in, ter-*
16 *rorist activity. The Secretary of State shall, as appropriate,*
17 *establish procedures specifying the steps to be taken in car-*
18 *rying out this subsection and shall terminate assistance to*
19 *any individual or entity which the Secretary has deter-*
20 *mined advocates, plans, sponsors, or engages in terrorist ac-*
21 *tivity.*

22 **(c) PROHIBITION.**—*None of the funds made available*
23 *for each of the fiscal years 2006 and 2007 to carry out chap-*
24 *ter 4 of part II of the Foreign Assistance Act of 1961 for*
25 *the West Bank and Gaza program may be made available*

1 *for the purpose of recognizing or otherwise honoring indi-*
2 *viduals who commit, or have committed, acts of terrorism.*

3 *(d) AUDITS.—*

4 *(1) IN GENERAL.—The Administrator of the*
5 *United States Agency for International Development*
6 *shall ensure that independent audits of all contractors*
7 *and grantees, and significant subcontractors and sub-*
8 *grantees, under the West Bank and Gaza Program,*
9 *are conducted for each of the fiscal years 2006 and*
10 *2007 to ensure, among other things, compliance with*
11 *this section.*

12 *(2) AUDITS BY INSPECTOR GENERAL OF*
13 *USAID.—Of the funds available for each of the fiscal*
14 *years 2006 and 2007 to carry out chapter 4 of part*
15 *II of the Foreign Assistance Act of 1961 that are*
16 *made available for assistance for the West Bank and*
17 *Gaza, up to \$1,000,000 for each such fiscal year may*
18 *be used by the Office of the Inspector General of the*
19 *United States Agency for International Development*
20 *for audits, inspections, and other activities in further-*
21 *ance of the requirements of paragraph (1). Such funds*
22 *are in addition to funds otherwise available for such*
23 *purposes.*

24 *(e) DEFINITION.—In this subsection, the term “appro-*
25 *priate congressional committees” means—*

1 (1) *the Committee on Appropriations and the*
2 *Committee on International Relations of the House of*
3 *Representatives; and*

4 (2) *the Committee on Appropriations and the*
5 *Committee on Foreign Relations of the Senate.*

6 **SEC. 925. ECONOMIC SUPPORT FUND ASSISTANCE FOR VEN-**
7 **EZUELA.**

8 *There are authorized to be appropriated to the Presi-*
9 *dent \$9,000,000 for each of the fiscal years 2006 and 2007*
10 *for assistance under chapter 4 of part II of the Foreign As-*
11 *istance Act of 1961 (22 U.S.C. 2346 et seq.; relating to*
12 *the “Economic Support Fund”) to fund activities which*
13 *support political parties, the rule of law, civil society, an*
14 *independent media, and otherwise promote democratic, ac-*
15 *countable governance in Venezuela.*

16 **CHAPTER 3—PART III OF THE FOREIGN**
17 **ASSISTANCE ACT OF 1961**

18 **SEC. 931. SUPPORT FOR PRO-DEMOCRACY AND HUMAN**
19 **RIGHTS ORGANIZATIONS IN CERTAIN COUN-**
20 **TRIES.**

21 *Section 620A(a) of the Foreign Assistance Act of 1961*
22 *(22 U.S.C. 2371(a)) is amended by adding at the end the*
23 *following new sentence: “The prohibition contained in the*
24 *preceding sentence shall not apply with respect to assistance*
25 *under part I (including chapter 4 of part II) of this Act*

1 *provided in support of programs of a pro-democracy or*
2 *human rights organization located or operating in a coun-*
3 *try described in such sentence, if, at least 30 days before*
4 *obligating funds for such assistance, the Secretary of State*
5 *notifies (in classified or unclassified form) the congressional*
6 *committees specified in section 634A(a) of this Act in ac-*
7 *cordance with the procedures applicable to reprogramming*
8 *notifications under that section that the pro-democracy or*
9 *human rights organization opposes the use of terrorism,*
10 *supports democracy and respect for human rights, includ-*
11 *ing the equality of women and ethnic and religious minori-*
12 *ties, and supports freedoms of the press, speech, association,*
13 *and religion.”.*

14 **SEC. 932. LIMITATION ON ASSISTANCE TO THE PALES-**
15 **TINIAN AUTHORITY.**

16 (a) *AMENDMENT.*—Chapter 1 of part III of the For-
17 *ign Assistance Act of 1961 (22 U.S.C. 2351 et seq.) is*
18 *amended—*

19 (1) *by redesignating the second section 620G (as*
20 *added by section 149 of Public Law 104–164 (110*
21 *Stat. 1436)) as section 620J; and*

22 (2) *by adding at the end the following new sec-*
23 *tion:*

1 **“SEC. 620K. LIMITATION ON ASSISTANCE TO THE PALES-**
2 **TINIAN AUTHORITY.**

3 *“(a) LIMITATION.—Assistance may be provided under*
4 *this Act or any other provision of law to the Palestinian*
5 *Authority only during a period for which a certification*
6 *described in subsection (b) is in effect.*

7 *“(b) CERTIFICATION.—A certification described in this*
8 *subsection is a certification transmitted by the President*
9 *to Congress that contains a determination of the President*
10 *that—*

11 *“(1) providing direct assistance to the Pales-*
12 *tinian Authority is important to the national secu-*
13 *rity interests of the United States; and*

14 *“(2) the Palestinian Authority—*

15 *“(A) is committed to and has initiated the*
16 *process of purging from its security services indi-*
17 *viduals with ties to terrorism;*

18 *“(B) has made demonstrable progress to-*
19 *ward dismantling the terrorist infrastructure,*
20 *confiscating unauthorized weapons, arresting*
21 *and bringing terrorists to justice, destroying un-*
22 *authorized arms factories, thwarting and pre-*
23 *empting terrorist attacks, and is fully cooper-*
24 *ating with Israel’s security services;*

25 *“(C) has made demonstrable progress to-*
26 *ward halting all anti-Israel incitement in Pales-*

1 *tinian Authority-controlled electronic and print*
2 *media and in schools, mosques, and other insti-*
3 *tutions it controls, and is replacing these mate-*
4 *rials, including textbooks, with materials that*
5 *promote tolerance, peace, and coexistence with*
6 *Israel;*

7 *“(D) has taken effective steps to ensure de-*
8 *mocracy, the rule of law, and an independent ju-*
9 *diary, and has adopted other reforms such as*
10 *ensuring transparent and accountable govern-*
11 *ance;*

12 *“(E) is committed to ensuring that all elec-*
13 *tions within areas it administers to be free, fair,*
14 *and transparent; and*

15 *“(F) is undertaking verifiable efforts to en-*
16 *sure the financial transparency and account-*
17 *ability of all government ministries and oper-*
18 *ations.*

19 *“(c) RECERTIFICATIONS.—Not later than 90 days after*
20 *the date on which the President transmits to Congress an*
21 *initial certification under subsection (b), and every 6*
22 *months thereafter—*

23 *“(1) the President shall transmit to Congress a*
24 *recertification that the requirements contained in sub-*
25 *section (b) are continuing to be met; or*

1 “(2) if the President is unable to make such a
2 recertification, the President shall transmit to Con-
3 gress a report that contains the reasons therefor.

4 “(d) CONGRESSIONAL NOTIFICATION.—Assistance
5 made available under this Act or any other provision of
6 law to the Palestinian Authority may not be provided until
7 15 days after the date on which the President has provided
8 notice thereof to the Committee on International Relations
9 and the Committee on Appropriations of the House of Rep-
10 resentatives and to the Committee on Foreign Relations and
11 the Committee on Appropriations of the Senate in accord-
12 ance with the procedures applicable to reprogramming noti-
13 fications under section 634A(a) of this Act.”.

14 (b) REPORT BY COMPTROLLER GENERAL.—Not later
15 than 180 days after the date of the enactment of this Act,
16 the Comptroller General of the United States shall submit
17 to the appropriate congressional committees a report that
18 contains a review of the extent to which United States as-
19 sistance to the Palestinian Authority under the Foreign As-
20 sistance Act of 1961 or any other provision of law is prop-
21 erly audited by the Department of State, the United States
22 Agency for International Development, and all other rel-
23 evant departments and agencies of the Government of the
24 United States.

1 **SEC. 933. ASSISTANCE FOR LAW ENFORCEMENT FORCES.**

2 (a) *IN GENERAL.*—Section 660(b) of the Foreign As-
3 sistance Act of 1961 (22 U.S.C. 2420(b)) is amended—

4 (1) *in paragraph (6)*—

5 (A) *by inserting “to any national, regional,*
6 *district, municipal, or other sub-national govern-*
7 *mental entity of a foreign country” after “with*
8 *respect to assistance”;* and

9 (B) *by striking “, and the provision of pro-*
10 *fessional” and all that follows through “democ-*
11 *racy”;*

12 (2) *in paragraph (7), by striking the period at*
13 *the end and inserting a semicolon; and*

14 (3) *by adding at the end the following new para-*
15 *graphs:*

16 “(8) *with respect to assistance to combat corrup-*
17 *tion in furtherance of the objectives for which pro-*
18 *grams are authorized to be established under section*
19 *133 of this Act;*

20 “(9) *with respect to the provision of professional*
21 *public safety training to any national, regional, dis-*
22 *trict, municipal, or other sub-national governmental*
23 *entity of a foreign country, particularly training in*
24 *international recognized standards of human rights,*
25 *the rule of law, conflict prevention, and the promotion*
26 *of civilian police roles that support democratic gov-*

1 *ernance and foster improved police relations between*
2 *law enforcement forces and the communities in which*
3 *they serve;*

4 *“(10) with respect to assistance to combat traf-*
5 *ficking in persons, particularly trafficking in persons*
6 *by organized crime; or*

7 *“(11) with respect to assistance in direct support*
8 *of developing capabilities for and deployment to im-*
9 *pending or ongoing peace operations of the United*
10 *Nations or comparable regional organizations.”.*

11 *(b) TECHNICAL AMENDMENTS.—Section 660 of the*
12 *Foreign Assistance Act of 1961 (22 U.S.C. 2420) is amend-*
13 *ed—*

14 *(1) in subsection (b) (as amended by subsection*
15 *(a) of this section)—*

16 *(A) by striking paragraph (2);*

17 *(B) in paragraph (4), by striking “or” at*
18 *the end;*

19 *(C) in paragraph (7), by moving the mar-*
20 *gin 2 ems to the left; and*

21 *(D) by redesignating paragraphs (3)*
22 *through (11) as paragraphs (2) through (10), re-*
23 *spectively; and*

24 *(2) by striking subsection (d).*

1 (2) by inserting after paragraph (4) the fol-
2 lowing new paragraphs:

3 “(5) to ensure that parliamentary and presi-
4 dential elections in Afghanistan are carried out in a
5 free, fair, and transparent manner;

6 “(6) to provide assistance to legitimate and rec-
7 ognized parliamentary candidates and future elected
8 parliamentary officials in Afghanistan to better edu-
9 cate such candidates and officials on parliamentary
10 procedures, anticorruption, transparency, and good
11 governance;”.

12 (c) *ACTIVITIES SUPPORTED*.—Section 103(a)(5)(C) of
13 the *Afghanistan Freedom Support Act of 2002* (22 U.S.C.
14 7513(a)(5)(C)) is amended—

15 (1) by striking clauses (iii) and (iv);

16 (2) by redesignating clauses (v) through (vii) as
17 clauses (xi) through (xiii), respectively;

18 (3) by inserting after clause (ii) the following
19 new clauses:

20 “(iii) programs to promote comprehen-
21 sive public information campaigns, includ-
22 ing nationwide voter and civic education,
23 for the public, candidates, and political
24 parties, and special efforts with respect to
25 provinces in which small percentages of

1 *women voted in the October 2004 presi-*
2 *dential elections;*

3 “(iv) *programs to accelerate disar-*
4 *mament, demobilization, and reintegration*
5 *processes to ensure that candidates and po-*
6 *litical groups are not influenced or sup-*
7 *ported by armed militias;*

8 “(v) *programs to support the registra-*
9 *tion of new voters and the preparation of*
10 *voter rolls;*

11 “(vi) *programs to support the vetting*
12 *process of candidates for the parliamentary*
13 *elections to ensure that such candidates are*
14 *eligible under the relevant Afghan election*
15 *requirements;*

16 “(vii) *programs to educate legitimate*
17 *and recognized parliamentary candidates*
18 *on campaign procedures and processes;*

19 “(viii) *capacity-building programs and*
20 *advanced professional training programs*
21 *for senior Afghan Government officials and*
22 *future elected parliamentary officials in*
23 *matters related to parliamentary proce-*
24 *dures, anti-corruption, accountability to*
25 *constituencies, transparency, good govern-*

1 *ance, and other matters related to demo-*
2 *cratic development;*

3 *“(ix) exchange programs to bring to*
4 *the United States future elected parliamen-*
5 *tary officials and senior officials of legiti-*
6 *mate and recognized political parties for*
7 *educational activities regarding legislative*
8 *procedures, debate, and general campaign*
9 *and legislative instruction;*

10 *“(x) programs to support nongovern-*
11 *mental organizations and other civil society*
12 *organizations that will assist in civil and*
13 *voter education programs and overall de-*
14 *mocracy development programs; ”;*

15 *(4) in clause (xii) (as redesignated), by striking*
16 *“and” at the end;*

17 *(5) in clause (xiii) (as redesignated), by striking*
18 *the period at the end and inserting “; and”; and*

19 *(6) by adding at the end the following new*
20 *clause:*

21 *“(xiv) other similar activities con-*
22 *sistent with the purposes set forth in sub-*
23 *section (a).”.*

24 *(d) AUTHORIZATION OF APPROPRIATIONS.—Section*
25 *103(a)(5)(C) of the Afghanistan Freedom Support Act of*

1 2002 (22 U.S.C. 7513(a)(5)(C)), as amended by subsection
2 (c), is further amended—

3 (1) in the matter preceding clause (i), by strik-
4 ing “To support” and inserting “(i) To support”;

5 (2) by redesignating clauses (i) through (xiv) as
6 subclauses (I) through (XIV), respectively; and

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

9 “(i) Of the amounts made available for
10 each of the fiscal years 2006 and 2007 to carry
11 out chapter 1 of part I of the Foreign Assistance
12 Act of 1961 and chapter 4 of part II of such Act,
13 \$50,000,000 for each such fiscal year is author-
14 ized to be available to the President to carry out
15 subclauses (III) through (X) of clause (i). ”.

16 (e) SENSE OF CONGRESS.—It is the sense of Congress
17 that the President should take all necessary and appro-
18 priate steps to encourage all donor governments and insti-
19 tutions to provide full financial and logistical support to
20 the United Nations Assistance Mission in Afghanistan
21 (UNAMA) to carry out the parliamentary elections in Af-
22 ghanistan, which are currently scheduled to take place on
23 September 18, 2005, so as to—

24 (1) ensure the parliamentary elections are legiti-
25 mate and free from influence, intimidation, and vio-

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

3 “(d) *UNITED STATES ASSISTANCE.—*

4 “(1) *ASSISTANCE.—The President shall provide*
5 *grants to nongovernmental organizations to support*
6 *sustainable economic development, cultural and his-*
7 *torical preservation, health care, education, and envi-*
8 *ronmental sustainability projects for Tibetans inside*
9 *Tibet that are designed in accordance with the prin-*
10 *ciples contained in subsection (e).*

11 “(2) *ROLE OF SPECIAL COORDINATOR.—The*
12 *United States Special Coordinator for Tibetan Issues*
13 *(established under section 621(a)) shall review and*
14 *approve all projects carried out pursuant to para-*
15 *graph (1).*

16 “(3) *AUTHORIZATION OF APPROPRIATIONS.—*
17 *There are authorized to be appropriated to the Presi-*
18 *dent to carry out this subsection \$6,000,000 for fiscal*
19 *year 2006 and \$8,000,000 for fiscal year 2007.”.*

20 (b) *LANGUAGE TRAINING.—Section 619 of the Tibetan*
21 *Policy Act of 2002 (Public Law 107–228; 22 U.S.C. 6901*
22 *note) is amended to read as follows:*

1 **“SEC. 619. REQUIREMENT FOR TIBETAN LANGUAGE TRAIN-**
 2 **ING.**

3 *“The Secretary shall ensure at least one Foreign Serv-*
 4 *ice officer assigned to a United States post in the People’s*
 5 *Republic of China responsible for monitoring developments*
 6 *in Tibet has at least six months of Tibetan language train-*
 7 *ing prior to taking up such assignment at such post, unless*
 8 *such officer possesses equivalent fluency. If the Secretary de-*
 9 *termines that training resources and timing permit, such*
 10 *officer shall receive one year of such training.”.*

11 *(c) SPECIAL COORDINATOR FOR TIBETAN ISSUES.—*
 12 *Section 621 of the Tibetan Policy Act of 2002 (Public Law*
 13 *107–228; 22 U.S.C. 6901 note) is amended by adding at*
 14 *the end the following new subsection:*

15 *“(e) PERSONNEL.—The Secretary shall assign dedi-*
 16 *cated personnel to the Office of the Special Coordinator for*
 17 *Tibetan Issues sufficient to assist in the management of the*
 18 *responsibilities of this section and section 616(d)(2).”.*

19 **SEC. 943. AMENDMENTS TO THE ANGLO-IRISH AGREEMENT**
 20 **SUPPORT ACT OF 1986.**

21 *(a) SENSE OF CONGRESS.—It is the sense of Congress*
 22 *that—*

23 *(1) United States assistance for the Inter-*
 24 *national Fund for Ireland (“International Fund”)*
 25 *has contributed greatly to the economic development*
 26 *of Northern Ireland and that both objectives of the*

1 *Anglo-Irish Agreement Support Act of 1986 (Public*
2 *Law 99–415), economic development and reconcili-*
3 *ation, remain critical to achieving a just and lasting*
4 *peace in the region, especially in the economically-de-*
5 *pressed areas; and*

6 (2) *since policing reform is a significant part of*
7 *winning public confidence and acceptance in the new*
8 *form of government in Northern Ireland, the Inter-*
9 *national Fund is encouraged to support programs*
10 *that enhance relations between communities, and be-*
11 *tween the police and the communities they serve, pro-*
12 *mote human rights training for police, and enhance*
13 *peaceful mediation in neighborhoods of continued con-*
14 *flict.*

15 (b) *AMENDMENTS.—*

16 (1) *FINDINGS AND PURPOSES.—Section 2(b) of*
17 *the Anglo-Irish Agreement Support Act of 1986 (Pub-*
18 *lic Law 99–415) is amended by adding at the end the*
19 *following new sentence: “Furthermore, the Inter-*
20 *national Fund is encouraged to support programs*
21 *that enhance relations between communities, and be-*
22 *tween the police and the communities they serve, pro-*
23 *mote human rights training for police, enhance peace-*
24 *ful mediation in neighborhoods of continued conflict,*
25 *promote training programs to enhance the new dis-*

1 *strict partnership police boards recommended by the*
2 *Patten Commission, and assist in the transition of*
3 *former British military installations and prisons into*
4 *sites for peaceful, community-supported activities,*
5 *such as housing, retail, and commercial develop-*
6 *ment.”.*

7 (2) *UNITED STATES CONTRIBUTIONS TO THE*
8 *INTERNATIONAL FUNDS.—Section 3 of the Anglo-Irish*
9 *Agreement Support Act of 1986 is amended by add-*
10 *ing at the end the following new subsection:*

11 *“(c) FISCAL YEARS 2006 AND 2007.—Of the amounts*
12 *made available for fiscal years 2006 and 2007 to carry out*
13 *chapter 4 of part II of the Foreign Assistance Act of 1961*
14 *(22 U.S.C. 2346 et seq.; relating to the economic support*
15 *fund), there are authorized to be appropriated \$20,000,000*
16 *for each such fiscal year for United States contributions to*
17 *the International Fund. Amounts appropriated pursuant to*
18 *the authorization of appropriations under the preceding*
19 *sentence are authorized to remain available until expended.*
20 *Of the amount authorized to be appropriated for fiscal years*
21 *2006 and 2007 under this subsection, it is the sense of Con-*
22 *gress that not less than 35 percent of such amount for each*
23 *such fiscal year should be used to carry out the last sentence*
24 *of section 2(b).”.*

1 (3) *ANNUAL REPORTS.*—Section 6(1) of the
2 *Anglo-Irish Agreement Support Act of 1986* is amend-
3 ed by adding at the end before the semicolon the fol-
4 lowing: “, specifically through improving local com-
5 munity relations and relations between the police and
6 the people they serve”.

7 **SEC. 944. ASSISTANCE FOR DEMOBILIZATION AND DISAR-**
8 **MAMENT OF FORMER IRREGULAR COMBAT-**
9 **ANTS IN COLOMBIA.**

10 (a) *AUTHORIZATION.*—Amounts made available for
11 *fiscal year 2006 and each subsequent fiscal year for assist-*
12 *ance for the Republic of Colombia under this Act or any*
13 *other provision of law may be made available for assistance*
14 *for the demobilization and disarmament of former members*
15 *of foreign terrorist organizations in Colombia, specifically*
16 *the United Self-Defense Forces of Colombia (AUC), the Rev-*
17 *olutionary Armed Forces of Colombia (FARC) and the Na-*
18 *tional Liberation Army (ELN), if the Secretary of State*
19 *makes a certification described in subsection (b) to the ap-*
20 *propriate congressional committees prior to the initial obli-*
21 *gation of amounts for such assistance for the fiscal year*
22 *involved.*

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

1 (1) *assistance for the fiscal year will be provided*
2 *only for individuals who have verifiably renounced*
3 *and terminated any affiliation or involvement with*
4 *foreign terrorist organizations;*

5 (2) *the Government of Colombia is continuing to*
6 *provide full cooperation with the Government of the*
7 *United States relating to extradition requests involv-*
8 *ing leaders and members of the foreign terrorist orga-*
9 *nizations involved in murder, kidnapping, narcotics*
10 *trafficking, and other violations of United States law;*
11 *and*

12 (3) *the Government of Colombia has established*
13 *a concrete and workable framework for dismantling*
14 *the organizational structures of foreign terrorist orga-*
15 *nizations that adequately balances the need for both*
16 *reconciliation and justice with concerns for funda-*
17 *mental human rights.*

18 (c) *DEFINITIONS.—In this section:*

19 (1) *APPROPRIATE CONGRESSIONAL COMMIT-*
20 *TEES.—The term “appropriate congressional commit-*
21 *tees” means—*

22 (A) *the Committee on Appropriations and*
23 *the Committee on International Relations of the*
24 *House of Representatives; and*

1 (B) *the Committee on Appropriations and*
2 *the Committee on Foreign Relations of the Sen-*
3 *ate.*

4 (2) *FOREIGN TERRORIST ORGANIZATION.*—*The*
5 *term “foreign terrorist organization” means an orga-*
6 *nization designated as a terrorist organization under*
7 *section 219 of the Immigration and Nationality Act.*

8 **SEC. 945. SUPPORT FOR FAMINE RELIEF IN ETHIOPIA.**

9 (a) *DEMONSTRATION INSURANCE PROJECT.*—*The Sec-*
10 *retary of State is authorized to make a United States vol-*
11 *untary contribution to the United Nations World Food Pro-*
12 *gram to establish and carry out a demonstration insurance*
13 *project in the Federal Democratic Republic of Ethiopia*
14 *using weather derivatives to transfer the risk of catastrophic*
15 *drought resulting in famine from vulnerable subsistence*
16 *farmers to international capital markets for the purpose of*
17 *protecting vulnerable subsistence farmers against income*
18 *and asset losses during natural disasters.*

19 (b) *REPORT.*—*Not later than one year and two years*
20 *after the date of the enactment of this Act, the Secretary*
21 *shall submit to the appropriate congressional committees a*
22 *report on the implementation of the project referred to in*
23 *subsection (a).*

1 (c) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*
2 *authorized to be appropriated to the Secretary to carry out*
3 *this section up to \$4,000,000 for fiscal year 2006.*

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

6 (a) *FINDING.*—*Congress finds that the Socialist Re-*
7 *public of Vietnam is a one-party state, ruled and controlled*
8 *by the Communist Party of Vietnam, which continues to*
9 *deny the right of citizens to change their government, pro-*
10 *hibits independent political, labor, and social organiza-*
11 *tions, and continues to commit serious human rights viola-*
12 *tions, including the detention and imprisonment of persons*
13 *for the peaceful expression of dissenting religious and polit-*
14 *ical views.*

15 (b) *POLICY.*—*It is the policy of the United States—*
16 (1) *to limit United States nonhumanitarian as-*
17 *sistance provided to the Government of Vietnam, not*
18 *to exceed the amount so provided for fiscal year 2005,*
19 *unless the President certifies to Congress not later*
20 *than 30 days after the date of the enactment of this*
21 *Act that, during the 12-month period preceding such*
22 *certification, Vietnam has made substantial progress*
23 *toward—*

24 (A) *releasing political and religious pris-*
25 *oners;*

1 (B) respecting religious freedom and other
2 universally recognized human rights;

3 (C) allowing open access to the United
4 States for its refugee program;

5 (D) cooperating fully toward providing in-
6 formation concerning the locations of members of
7 the United States Armed Forces who continue to
8 be officially listed as missing in action as a re-
9 sult of the Vietnam conflict;

10 (E) respecting the rights of ethnic minori-
11 ties in the Central Highlands; and

12 (F) ensuring that it is not acting in com-
13 plicity with organizations engaged in the traf-
14 ficking of human persons; and

15 (2) to ensure that programs of educational and
16 cultural exchange with Vietnam actively promote
17 progress towards freedom and democracy in Vietnam
18 by ensuring that Vietnamese nationals who have al-
19 ready demonstrated a commitment to these values are
20 included in such programs.

21 (c) *DEFINITION.*—In this section, the term “United
22 States nonhumanitarian assistance” means—

23 (1) any assistance under the Foreign Assistance
24 Act of 1961 (including programs under title IV of

1 *chapter 2 of part I of such Act, relating to the Over-*
2 *seas Private Investment Corporation), other than—*

3 *(A) disaster relief assistance, including any*
4 *assistance under chapter 9 of part I of such Act;*

5 *(B) assistance which involves the provision*
6 *of food (including monetization of food) or medi-*
7 *cine;*

8 *(C) assistance for refugees; and*

9 *(D) assistance to combat HIV/AIDS, in-*
10 *cluding any assistance under section 104A of*
11 *such Act; and*

12 *(2) sales, or financing on any terms, under the*
13 *Arms Export Control Act.*

14 *(d) AUTHORIZATION.—*

15 *(1) IN GENERAL.—The President is authorized to*
16 *provide assistance to nongovernmental organizations*
17 *and organizations to promote democracy and inter-*
18 *nationally recognized human rights in Vietnam.*

19 *(2) AUTHORIZATION OF APPROPRIATIONS.—*

20 *There are authorized to be appropriated to the Presi-*
21 *dent \$2,000,000 to carry out paragraph (1).*

1 **Subtitle C—Miscellaneous**
2 **Provisions**

3 **SEC. 951. REPORT ON UNITED STATES WEAPONS TRANS-**
4 **FERS, SALES, AND LICENSING TO HAITI.**

5 (a) *REPORT.*—Not later than 180 days after the date
6 of the enactment of this Act, the Secretary of State shall
7 submit to the appropriate congressional committees a report
8 on all United States weapons transfers, sales, and licensing
9 to the Government of the Republic of Haiti for the period
10 beginning on October 4, 1991, and ending on the date of
11 the enactment of this Act.

12 (b) *CONTENTS.*—The report required by subsection (a)
13 shall include a detailed description of each of the following:

14 (1) *The names of the individuals or govern-*
15 *mental entities to which weapons were transferred,*
16 *sold, or licensed.*

17 (2) *The number and types of weapons trans-*
18 *ferred, sold, or licensed.*

19 (3) *The safeguards, if any, that were required*
20 *prior to the transfer, sale, or license of the weapons.*

21 (c) *DEFINITION.*—In this section, the term “United
22 States weapons transfers, sales, and licensing” means trans-
23 fers, sales, and licensing of weapons under—

24 (1) *section 38 of the Arms Export Control Act*
25 *(22 U.S.C. 2778); or*

1 (2) *chapter 8 of part I of the Foreign Assistance*
2 *Act of 1961 (22 U.S.C. 2291 et seq.).*

3 **SEC. 952. SENSE OF CONGRESS REGARDING ASSISTANCE**
4 **FOR REGIONAL HEALTH EDUCATION AND**
5 **TRAINING PROGRAMS.**

6 (a) *STATEMENT OF POLICY.*—*Congress recognizes that*
7 *many health problems are not country specific. Instead*
8 *many health issues can be categorized and treated more ef-*
9 *fectively on a regional basis.*

10 (b) *SENSE OF CONGRESS.*—*It is the sense of Congress*
11 *that the United States Agency for International Develop-*
12 *ment should use up to five percent of country-specific health*
13 *program funds, as needed, to address regional health edu-*
14 *cation and training needs in instances in which it would*
15 *be more cost effective to implement health education and*
16 *training programs on a regional basis.*

17 **SEC. 953. SENSE OF CONGRESS REGARDING ASSISTANCE**
18 **FOR REGIONAL HEALTH CARE DELIVERY.**

19 (a) *STATEMENT OF POLICY.*—*Congress declares the fol-*
20 *lowing:*

21 (1) *Health systems in developing countries for*
22 *allocating and managing health resources are dys-*
23 *functional and incapable of addressing evolving epi-*
24 *demiological and demographical changes.*

1 *mitted to the necessary reforms, policies, and prac-*
2 *tices that reduce extreme poverty in developing coun-*
3 *tries and by pursuing greater coordination with key*
4 *allies and international partners; and*

5 *(3) the President, acting through the Adminis-*
6 *trator of the United States Agency for International*
7 *Development, and in consultation with the heads of*
8 *other appropriate departments and agencies of the*
9 *Government of the United States, international orga-*
10 *nizations, international financial institutions, recipi-*
11 *ent governments, civil society organizations, and*
12 *other appropriate entities, should develop a com-*
13 *prehensive strategy to eliminate extreme poverty in*
14 *developing countries that involves foreign assistance,*
15 *foreign and local private investment, technical assist-*
16 *ance, private-public partnerships, and debt relief.*

17 **SEC. 955. SENSE OF CONGRESS REGARDING UNITED**
18 **STATES FOREIGN ASSISTANCE.**

19 *It is the sense of Congress that—*

20 *(1) United States foreign assistance should be*
21 *used to support local capacity-building in developing*
22 *countries and should focus on improving the institu-*
23 *tional capacities of developing countries in order to*
24 *promote long-term development; and*

1 (2) *the Department of State, the United States*
2 *Agency for International Development, and the Mil-*
3 *lennium Challenge Corporation should increase their*
4 *efforts to enhance recipient country participation in*
5 *the planning of development programs, promote re-*
6 *ipient country ownership of the programs, and build*
7 *local capacity within the recipient country.*

8 **TITLE X—REPORTING**
9 **REQUIREMENTS**

10 **SEC. 1001. TRANS-SAHARA COUNTER-TERRORISM INITIA-**
11 **TIVE.**

12 (a) *SENSE OF CONGRESS.—It is the sense of Congress*
13 *that efforts by the Government of the United States to ex-*
14 *pand the Pan Sahel Initiative into a robust counter-ter-*
15 *rorism program in the Saharan region of Africa, to be*
16 *known as the “Trans-Sahara Counter Terrorism Initia-*
17 *tive”, should be strongly supported.*

18 (b) *REPORT.—*

19 (1) *IN GENERAL.—Not later than 120 days after*
20 *the date of the enactment of this Act, the Secretary of*
21 *State shall submit to the appropriate congressional*
22 *committees a detailed strategy, in classified form, re-*
23 *garding the plan of the Government of the United*
24 *States to expand the Pan Sahel Initiative into a ro-*
25 *bust counter-terrorism program in the Saharan re-*

1 *gion of Africa, to be known as the “Trans-Sahara*
2 *Counter Terrorism Initiative”.*

3 (2) *CONTENTS.—The report shall include the fol-*
4 *lowing:*

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

7 (B) *A description of the types of security*
8 *assistance necessary to create rapid reaction se-*
9 *curity forces in order to bolster the capacity of*
10 *the countries referred to in subparagraph (A) to*
11 *govern their borders.*

12 (C) *A description of training to ensure re-*
13 *spect for human rights and civilian authority by*
14 *rapid reaction security forces referred to in sub-*
15 *paragraph (B) and other appropriate individ-*
16 *uals and entities of the countries referred to in*
17 *subparagraph (A).*

18 (D) *A description of the types of public di-*
19 *plomacy and related assistance that will be pro-*
20 *vided to promote development and counter rad-*
21 *ical Islamist elements that may be gaining a*
22 *foothold in the region.*

23 (3) *UPDATE.—The Secretary shall submit to the*
24 *appropriate congressional committees an update of*
25 *the report required by this subsection not later than*

1 *one year after the date of the initial submission of the*
2 *report under this subsection.*

3 (c) *COOPERATION OF OTHER DEPARTMENTS AND*
4 *AGENCIES.—The head of each appropriate department and*
5 *agency of the Government of the United States shall cooper-*
6 *ate fully with, and assist in the implementation of, the*
7 *strategy described in subsection (b)(1) and shall make such*
8 *resources and information available as is necessary to en-*
9 *sure the success of the Initiative described in such sub-*
10 *section.*

11 **SEC. 1002. ANNUAL PATTERNS OF GLOBAL TERRORISM RE-**
12 **PORT.**

13 (a) *REQUIREMENT OF REPORT.—Section 140(a) For-*
14 *eign Relations Authorization Act, Fiscal Years 1988 and*
15 *1989 (22 U.S.C. 2656f(a)) is amended—*

16 (1) *in the heading, by striking “COUNTRY RE-*
17 *PORTS ON TERRORISM” and inserting “PATTERNS OF*
18 *GLOBAL TERRORISM REPORT”; and*

19 (2) *in the matter preceding paragraph (1), by*
20 *inserting “, the Committee on International Relations*
21 *of the House of Representatives,” after “Speaker of the*
22 *House of Representatives”.*

23 (b) *ASSESSMENTS WITH RESPECT TO FOREIGN COUN-*
24 *TRIES IN WHICH ACTS OF TERRORISM OCCURRED.—Sec-*
25 *tion 140(a)(1)(A)(i) of the Foreign Relations Authorization*

1 *Act, Fiscal Years 1988 and 1989 (22 U.S.C.*
2 *2656f(a)(1)(A)(i)) is amended—*

3 *(1) by striking “which were, in the opinion of*
4 *the Secretary, of major significance;” and inserting “,*
5 *including—”; and*

6 *(2) by adding at the end the following new sub-*
7 *clauses:*

8 *“(I) the number of such acts of ter-*
9 *rorism or attempted acts of terrorism;*

10 *“(II) the number of individuals, in-*
11 *cluding United States citizens, who were*
12 *killed or injured in such acts of terrorism;*

13 *“(III) the methods, and relative fre-*
14 *quency of methods, utilized in such acts of*
15 *terrorism; and*

16 *“(IV) assessments of individuals who*
17 *were responsible for such acts of terrorism*
18 *and the relationships of such individuals to*
19 *terrorist groups;”.*

20 *(c) INFORMATION WITH RESPECT TO TERRORIST*
21 *GROUPS.—Section 140(a)(2) of the Foreign Relations Au-*
22 *thorization Act, Fiscal Years 1988 and 1989 (22 U.S.C.*
23 *2656f(a)(2)) is amended by inserting after “and any other*
24 *known international terrorist group” the following “or*
25 *emerging terrorist group”.*

1 (d) *INFORMATION WITH RESPECT TO ALL FOREIGN*
2 *COUNTRIES.*—*Section 140(a) of the Foreign Relations Au-*
3 *thorization Act, Fiscal Years 1988 and 1989 (22 U.S.C.*
4 *2656f(a)) is amended—*

5 (1) *in paragraph (2), by adding “and” at the*
6 *end after the semicolon;*

7 (2) *in paragraph (3)—*

8 (A) *in the matter preceding subparagraph*
9 *(A), by striking “from which the United States*
10 *Government” and all that follows through*
11 *“United States citizens or interests” and insert-*
12 *ing “worldwide”;*

13 (B) *in subparagraph (A)—*

14 (i) *by striking “the individual or”;*

15 (ii) *by striking “the act” and inserting*
16 *“acts of terrorism”; and*

17 (iii) *by striking “and” at the end;*

18 (C) *in subparagraph (B) by striking*
19 *“against United States citizens in the foreign*
20 *country”; and*

21 (D) *by adding at the end the following new*
22 *subparagraph:*

23 “(C) *the extent to which the government of*
24 *the foreign country is not cooperating with re-*
25 *spect to the matters described in subparagraphs*

1 (A) and (B) and other matters relating to
2 counterterrorism efforts.”; and
3 (3) by striking paragraph (4).

4 (e) *EXISTING PROVISIONS TO BE INCLUDED IN RE-*
5 *PORT.—Section 140(b) of the Foreign Relations Authoriza-*
6 *tion Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f(b))*
7 *is amended—*

8 (1) in the matter preceding paragraph (1), by
9 striking “should to the extent feasible” and inserting
10 “shall”;

11 (2) in paragraph (1)—

12 (A) in the matter preceding subparagraph
13 (A), by inserting “and (a)(3)” after “subsection
14 (a)(1)(A)”;

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

18 (C) by inserting before subparagraph (B)
19 (as redesignated) the following new subpara-
20 graph:

21 “(A) a separate list, in chronological order,
22 of all acts of international terrorism described in
23 subsection (a)(1)(A);”;

1 (D) in subparagraph (C) (as redesignated),
2 by striking “affecting American citizens or fa-
3 cilities”; and

4 (E) in subparagraph (D) (as redesi-
5 gnated)—

6 (i) in clause (i), by adding at the end
7 before the semicolon the following: “by the
8 government of the country, government offi-
9 cials, nongovernmental organizations,
10 quasi-governmental organizations, or na-
11 tionals of the country”;

12 (ii) in clause (v), by adding “and” at
13 the end after the semicolon; and

14 (iii) by adding at the end the following
15 new clause:

16 “(vi) other types of indirect support for
17 international terrorism, such as inciting
18 acts of terrorism or countenance of acts of
19 terrorism by the government of the country,
20 government officials, nongovernmental orga-
21 nizations, quasi-governmental organiza-
22 tions, or nationals of the country;”;

23 (3) in paragraph (3)—

24 (A) in subparagraph (E), by striking “and”
25 at the end;

1 (B) in subparagraph (F), by adding “and”
2 at the end; and

3 (C) by adding at the end the following new
4 subparagraph:

5 “(G) information on the stated intentions
6 and patterns of activities of terrorist groups de-
7 scribed in subsection (a)(2), capabilities and
8 membership of such groups, recruitment and
9 fundraising activities of such groups, and the re-
10 lationships of such groups to criminal organiza-
11 tions, including organizations involved in illicit
12 narcotics trafficking;” and

13 (4) by redesignating paragraphs (3) and (4) (as
14 added by section 701(a)(2)(C) of the Intelligence Au-
15 thorization Act for Fiscal Year 2005 (Public Law
16 108–487; 118 Stat. 3961)) as paragraphs (6) and (7),
17 respectively.

18 (f) *NEW PROVISIONS TO BE INCLUDED IN REPORT.*—
19 Section 140(b) of the Foreign Relations Authorization Act,
20 Fiscal Years 1988 and 1989 (22 U.S.C. 2656f(b)), as
21 amended by subsection (e), is further amended—

22 (1) in paragraph (6) (as redesignated), by strik-
23 ing “and” at the end;

1 (2) *in paragraph (7) (as redesignated), by strik-*
2 *ing the period at the end and inserting a semicolon;*
3 *and*

4 (3) *by adding at the end the following new para-*
5 *graphs:*

6 “(8) *an analysis of the efforts of multilateral or-*
7 *ganizations (excluding international financial insti-*
8 *tutions) to combat international terrorism, including*
9 *efforts of the United Nations and its affiliated organi-*
10 *zations, regional multilateral organizations, and non-*
11 *governmental organizations;*

12 “(9) *a list of countries of concern with respect to*
13 *the financing of terrorism; and*

14 “(10) *an analysis of policy goals of the United*
15 *States for counterterrorism efforts in the subsequent*
16 *calendar year.”.*

17 (g) *CLASSIFICATION OF REPORT.—Section 140(c) of*
18 *the Foreign Relations Authorization Act, Fiscal Years 1988*
19 *and 1989 (22 U.S.C. 2656f(c)) is amended to read as fol-*
20 *lows:*

21 “(c) *CLASSIFICATION OF REPORT.—The report re-*
22 *quired by subsection (a) shall be submitted in unclassified*
23 *form and shall contain a classified annex as necessary.”.*

24 (h) *INTER-AGENCY PROCESS FOR COMPILATION OF*
25 *REPORT.—Section 140 of Foreign Relations Authorization*

1 *Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f) is*
2 *amended—*

3 (1) *by redesignating subsections (d) and (e) as*
4 *subsections (e) and (f), respectively; and*

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

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

11 “(1) *consult and coordinate with other appro-*
12 *priate officials of the Government of the United States*
13 *who are responsible for collecting and analyzing*
14 *counterterrorism intelligence; and*

15 “(2) *utilize, to the maximum extent practicable,*
16 *such counterterrorism intelligence and analyses.”.*

17 (i) *COMPARABILITY STANDARD WITH PRIOR RE-*
18 *PORT.—Section 140 of Foreign Relations Authorization*
19 *Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f), as*
20 *amended by subsection (h), is further amended—*

21 (1) *by redesignating subsections (e) and (f) (as*
22 *redesignated) as subsections (f) and (g), respectively;*
23 *and*

24 (2) *by inserting after subsection (d) (as added by*
25 *subsection (h)) the following new subsection:*

1 “(e) *COMPARABILITY STANDARD WITH PRIOR RE-*
2 *PORT.*—*The Secretary of State shall, in preparing the re-*
3 *port required by subsection (a), use standards, criteria, and*
4 *methodologies in a consistent manner so that statistical*
5 *comparisons may be made among different reports. If sig-*
6 *nificant changes are made to any such standards, criteria,*
7 *or methodology, the Secretary shall, in consultation with*
8 *other appropriate officials of the Government of the United*
9 *States, make appropriate adjustments, using the best avail-*
10 *able methods, so that the data provided in each report is*
11 *comparable to the data provided in prior reports.”.*

12 (j) *DEFINITIONS.*—*Section 140(f)(1) of Foreign Rela-*
13 *tions Authorization Act, Fiscal Years 1988 and 1989 (as*
14 *redesignated) is amended to read as follows:*

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

16 “(A) terrorism involving citizens or the ter-

17 ritory of more than one country; or

18 “(B) terrorism involving citizens and the

19 territory of one country which is intended to in-

20 timidate or coerce not only the civilian popu-

21 lation or government of such country but also

22 other civilian populations or governments;”.

23 (k) *REPORTING PERIOD.*—*Section 140(g) Foreign Re-*
24 *lations Authorization Act, Fiscal Years 1988 and 1989 (as*
25 *redesignated) is amended to read as follows:*

1 “(g) *REPORTING PERIOD.*—*The report required under*
2 *subsection (a) shall cover the events of the calendar year*
3 *preceding the calendar year in which the report is trans-*
4 *mitted.*”.

5 “(l) *APPEARANCE OF SECRETARY OF STATE BEFORE*
6 *CONGRESS.*—*Section 140 of the Foreign Relations Author-*
7 *ization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f)*
8 *is amended by adding at the end the following new sub-*
9 *section:*

10 “(h) *APPEARANCE OF SECRETARY OF STATE BEFORE*
11 *CONGRESS.*—

12 “(1) *IN GENERAL.*—*The Secretary of State shall*
13 *appear before Congress at annual hearings, as speci-*
14 *fied in paragraph (2), regarding the provisions in-*
15 *cluded in the report required under subsection (a).*

16 “(2) *SCHEDULE.*—*The Secretary of State shall*
17 *appear before—*

18 “(A) *the Committee on International Rela-*
19 *tions of the House of Representatives on or about*
20 *May 20 of even numbered calendar years;*

21 “(B) *the Committee on Foreign Relations of*
22 *the Senate on or about May 20 of odd numbered*
23 *calendar years; and*

24 “(C) *either Committee referred to in sub-*
25 *paragraph (A) or (B), upon request, following*

1 *the scheduled appearance of the Secretary before*
2 *the other Committee under subparagraph (A) or*
3 *(B).”.*

4 *(m) CONFORMING AMENDMENTS.—*

5 *(1) SECTION HEADING.—The heading of section*
6 *140 of the Foreign Relations Authorization Act, Fis-*
7 *cal Years 1988 and 1989 (22 U.S.C. 2656f) is amend-*
8 *ed to read as follows:*

9 **“SEC. 140. ANNUAL PATTERNS OF GLOBAL TERRORISM RE-**
10 **PORT.”.**

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

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

15 *(n) EFFECTIVE DATE.—The amendments made by this*
16 *section apply with respect to the report required to be trans-*
17 *mitted under section 140 of the Foreign Relations Author-*
18 *ization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f),*
19 *by April 30, 2007, and by April 30 of each subsequent year.*

20 **SEC. 1003. DUAL GATEWAY POLICY OF THE GOVERNMENT**
21 **OF IRELAND.**

22 *(a) IN GENERAL.—The Secretary of State shall review*
23 *the dual gateway policy and determine the effects the dis-*
24 *continuation of such policy might have on the economy of*
25 *the United States and the economy of western Ireland before*

1 *the United States takes any action that could lead to the*
2 *discontinuation of such policy.*

3 **(b) ECONOMIC IMPACT STUDY.**—*In determining the ef-*
4 *fects that the discontinuation of such policy might have on*
5 *the economy of the United States, the Secretary, in con-*
6 *sultation with the heads of other appropriate departments*
7 *and agencies, shall consider the effects the discontinuation*
8 *of such policy might have on United States businesses oper-*
9 *ating in western Ireland, Irish businesses operating in and*
10 *around Shannon Airport, and United States air carriers*
11 *serving Ireland.*

12 **(c) REPORT.**—*Not later than 180 days after the date*
13 *of the enactment of this Act, the Secretary shall submit to*
14 *the appropriate congressional committees a report describ-*
15 *ing the determinations made under subsection (a), together*
16 *with any recommendations for United States action.*

17 **(d) DEFINITION.**—*In this section, the term “dual gate-*
18 *way policy” means the policy of the Government of Ireland*
19 *requiring certain air carriers serving Dublin Airport to un-*
20 *dertake an equal numbers of flights to Shannon Airport and*
21 *Dublin Airport during each calendar year.*

22 **SEC. 1004. STABILIZATION IN HAITI.**

23 *Not later than one year after the date of the enactment*
24 *of this Act and one year thereafter, the Secretary of State*

1 *shall submit to the appropriate congressional committees a*
2 *report on United States efforts to—*

3 *(1) assist in the disarmament of illegally armed*
4 *forces in Haiti, including through a program of gun*
5 *exchanges;*

6 *(2) assist in the reform of the Haitian National*
7 *Police; and*

8 *(3) support stabilization in Haiti.*

9 **SEC. 1005. VERIFICATION REPORTS TO CONGRESS.**

10 *Section 403(a) of the Arms Control and Disarmament*
11 *Act (22 U.S.C. 2593a(a)) is amended in the matter pre-*
12 *ceding paragraph (1)—*

13 *(1) by striking “prepared by the Secretary of*
14 *State with the concurrence of the Director of Central*
15 *Intelligence and in consultation with the Secretary of*
16 *Defense, the Secretary of Energy, and the Chairman*
17 *of the Joint Chiefs of Staff;”;* and

18 *(2) by inserting “, as the President considers ap-*
19 *propriate” after “include”.*

20 **SEC. 1006. PROTECTION OF REFUGEES FROM NORTH**
21 **KOREA.**

22 *Section 305(a) of the North Korean Human Rights Act*
23 *of 2004 (Public Law 108–333; 22 U.S.C. 7845) is amend-*
24 *ed—*

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

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

5 (3) *by adding at the end the following new para-*
6 *graph:*

7 “(3) *a detailed description of the measures un-*
8 *dertaken by the Secretary of State to carry out section*
9 *303, including country-specific information with re-*
10 *spect to United States efforts to secure the cooperation*
11 *and permission of the governments of countries in*
12 *East and Southeast Asia to facilitate United States*
13 *processing of North Koreans seeking protection as ref-*
14 *ugees. The information required by this paragraph*
15 *may be provided in a classified format, if necessary.”.*

16 **SEC. 1007. ACQUISITION AND MAJOR SECURITY UPGRADES.**

17 *Section 605(c) of the Secure Embassy Construction*
18 *and Counterterrorism Act of 1999 (title VI of the Admiral*
19 *James W. Nance and Meg Donovan Foreign Relations Au-*
20 *thorization Act, Fiscal Years 2000 and 2001; Public Law*
21 *106–113–Appendix G) is amended—*

22 (1) *in the heading, by striking “SEMIANNUAL”;*

23 (2) *in the matter preceding paragraph (1), by*
24 *striking “June 1 and”; and*

1 (1) *IN GENERAL.*—*The Secretary of State shall*
2 *direct the United States representative to the Execu-*
3 *tive Board of the United Nations Children’s Fund*
4 *(UNICEF) to use the voice and vote of the United*
5 *States to urge UNICEF to provide for the conduct of*
6 *a study of the incidence and prevalence of autism*
7 *spectrum disorders (in this section referred to as “au-*
8 *tism”)* worldwide.

9 (2) *CONDUCT OF STUDY.*—*The study should—*

10 (A) *evaluate the incidence and prevalence of*
11 *autism in all countries worldwide and compare*
12 *such incidence and prevalence to the incidence*
13 *and prevalence of autism in the United States*
14 *and evaluate the reliability of the information*
15 *obtained from each country in carrying out this*
16 *subparagraph; and*

17 (B) *evaluate the feasibility of establishing a*
18 *method for the collection of information relating*
19 *to the incidence and prevalence of autism in all*
20 *countries worldwide.*

21 (b) *REPORT.*—*The Secretary of State shall direct the*
22 *United States representative to the Executive Board of*
23 *UNICEF to use the voice and vote of the United States to*
24 *urge UNICEF to—*

1 (1) *provide for the preparation of a report that*
2 *contains the results of the study described in sub-*
3 *section (a); and*

4 (2) *provide for the availability of the report on*
5 *the Internet website of UNICEF.*

6 (c) *FUNDING.—Of the amounts made available for fis-*
7 *cal year 2006 to carry out section 301 of the Foreign Assist-*
8 *ance Act of 1961 (22 U.S.C. 2221), \$1,500,000 is authorized*
9 *to be available for a voluntary contribution to UNICEF to*
10 *conduct the study described in subsection (a) and prepare*
11 *the report described in subsection (b).*

12 **SEC. 1010. INTERNET JAMMING.**

13 (a) *REPORT.—Not later than March 1 of the year fol-*
14 *lowing the date of the enactment of this Act, the Chairman*
15 *of the Broadcasting Board of Governors shall submit to the*
16 *appropriate congressional committees a report on the status*
17 *of state-sponsored and state-directed Internet jamming by*
18 *repressive foreign governments and a description of efforts*
19 *by the United States to counter such jamming. Each report*
20 *shall list the countries the governments of which pursue*
21 *Internet censorship or jamming and provide information*
22 *concerning the government agencies or quasi-governmental*
23 *organizations of such governments that engage in Internet*
24 *jamming.*

1 *contracts with the Department during such pe-*
 2 *riod;*

3 *“(B) the total number of such contracts;*

4 *“(C) the total dollar value of such contracts;*

5 *and*

6 *“(D) and the percentage value represented*
 7 *by such contract proportionate to the total value*
 8 *of all contracts held by the Department.”.*

9 *(d) USE OF FUNDS.—The provisions of section 325 of*
 10 *such Act shall apply to funds authorized to be appropriated*
 11 *under section 101(1)(G) of this Act.*

12 **SEC. 1012. INCITEMENT TO ACTS OF DISCRIMINATION.**

13 *(a) INCLUSION OF INFORMATION RELATING TO INCITE-*
 14 *MENT TO ACTS OF DISCRIMINATION IN ANNUAL COUNTRY*
 15 *REPORTS ON HUMAN RIGHT PRACTICES.—*

16 *(1) COUNTRIES RECEIVING ECONOMIC ASSIST-*
 17 *ANCE.—Section 116(d) of the Foreign Assistance Act*
 18 *of 1961 (22 U.S.C. 2151n(d)), as amended by section*
 19 *614(b)(1) of this Act, is further amended—*

20 *(A) in paragraph (10), by striking “and”*
 21 *at the end;*

22 *(B) in paragraph (11)(C), by striking the*
 23 *period at the end and inserting “; and”; and*

24 *(C) by adding at the end the following new*
 25 *paragraph:*

1 “(12) wherever applicable, a description of the
2 nature and extent of—

3 “(A) propaganda in foreign government
4 and foreign government-controlled media and
5 other sources, including foreign government-pro-
6 duced educational materials and textbooks, that
7 attempt to justify or promote racial hatred or
8 incite acts of violence against any race or people;

9 “(B) complicity or involvement by the for-
10 eign government in the creation of such propa-
11 ganda or incitement of acts of violence against
12 any race or people; and

13 “(C) a description of the actions, if any,
14 taken by the foreign government to eliminate
15 such propaganda or incitement.”.

16 (2) COUNTRIES RECEIVING SECURITY ASSIST-
17 ANCE.—Section 502B(b) of the Foreign Assistance Act
18 of 1961 (22 U.S.C. 2304(b)), as amended by section
19 614(b)(2) of this Act, is further amended by inserting
20 after the ninth sentence the following new sentence:
21 “Each report under this section shall also include,
22 wherever applicable, a description of the nature and
23 extent of propaganda in foreign government and for-
24 eign government-controlled media and other sources,
25 including foreign government-produced educational

1 *materials and textbooks, that attempt to justify or*
2 *promote racial hatred or incite acts of violence*
3 *against any race or people, complicity or involvement*
4 *by the foreign government in the creation of such*
5 *propaganda or incitement of acts of violence against*
6 *any race or people, and a description of the actions,*
7 *if any, taken by the foreign government to eliminate*
8 *such propaganda or incitement.”.*

9 *(b) EFFECTIVE DATE OF AMENDMENT.—The amend-*
10 *ment made by subsection (a) shall take effect on the date*
11 *of the enactment of this Act and apply beginning with the*
12 *first report submitted by the Secretary of State under sec-*
13 *tions 116(d) and 502B(b) of the Foreign Assistance Act of*
14 *1961 (22 U.S.C. 2151n(d) and 2304(b)) after such date.*

15 **SEC. 1013. CHILD MARRIAGE.**

16 *(a) ONE TIME REPORT.—Not later than 180 days*
17 *after the date of the enactment of this Act, the Secretary*
18 *of State shall submit to the appropriate congressional com-*
19 *mittees a one time report on the practice of the custom of*
20 *child marriage in countries around the world. The report*
21 *shall include the following information:*

22 *(1) A separate section for each country, as appli-*
23 *cable, describing the nature and extent of child mar-*
24 *riage in such country.*

1 (2) *A description of the actions, if any, taken by*
2 *the government of each such country, where applica-*
3 *ble, to revise the laws of such country and institu-*
4 *tionalize comprehensive procedures and practices to*
5 *eliminate child marriage.*

6 (3) *A description of the actions taken by the De-*
7 *partment of State and other Federal departments and*
8 *agencies to encourage foreign governments to elimi-*
9 *nate child marriage and to support the activities of*
10 *non-governmental organizations dedicated to elimi-*
11 *nating child marriage and supporting its victims.*

12 **(b) INCLUSION OF INFORMATION RELATING TO CHILD**
13 **MARRIAGE IN ANNUAL COUNTRY REPORTS ON HUMAN**
14 **RIGHTS PRACTICES.—**

15 **(1) COUNTRIES RECEIVING ECONOMIC ASSIST-**
16 **ANCE.—***Section 116(d) of the Foreign Assistance Act*
17 *of 1961 (22 U.S.C. 2151n(d)), as amended by sections*
18 *614(b)(1) and 1013(a)(1) of this Act, is further*
19 *amended—*

20 **(A) in paragraph (11)(C), by striking**
21 **“and” at the end;**

22 **(B) in paragraph (12)(C), by striking the**
23 **period at the end and inserting “; and”; and**

24 **(C) by adding at the end the following new**
25 **paragraph:**

1 “(13)(A) wherever applicable, a description of
2 the nature and extent of laws and traditions in each
3 country that enable or encourage the practice of child
4 marriage; and

5 “(B) a description of the actions, if any, taken
6 by the government of each such country to revise the
7 laws of such country and institutionalize comprehen-
8 sive procedures and practices to eliminate child mar-
9 riage.”.

10 (2) COUNTRIES RECEIVING SECURITY ASSIST-
11 ANCE.—Section 502B(b) of the Foreign Assistance Act
12 of 1961 (22 U.S.C. 2304(b)), as amended by sections
13 614(b)(2) and 1013(a)(2) of this Act, is further
14 amended by inserting after the tenth sentence the fol-
15 lowing new sentence: “Each report under this section
16 shall also include, wherever applicable, a description
17 of the nature and extent of laws and traditions in
18 each country that enable or encourage the practice of
19 child marriage and a description of the actions, if
20 any, taken by the government of each such country to
21 revise the laws of such country and institutionalize
22 comprehensive procedures and practices to eliminate
23 child marriage.”.

24 (c) EFFECTIVE DATE OF AMENDMENT.—The amend-
25 ment made by subsection (b) shall take effect on the date

1 of the enactment of this Act and apply beginning with the
2 first report submitted by the Secretary of State under sec-
3 tions 116(d) and 502B(b) of the Foreign Assistance Act of
4 1961 (22 U.S.C. 2151n(d) and 2304(b)) after the report re-
5 quired under subsection (a).

6 **SEC. 1014. MAGEN DAVID ADOM SOCIETY.**

7 (a) *FINDINGS.*—Section 690(a) of the Foreign Rela-
8 tions Authorization Act, Fiscal Year 2003 (Public Law
9 107–228), is amended by adding at the end the following:

10 “(5) Since the founding of the Magen David
11 Adom Society in 1930, the American Red Cross has
12 regarded it as a sister national society forging close
13 working ties between the two societies and has consist-
14 ently advocated recognition and membership of the
15 Magen David Adom Society in the International Red
16 Cross and Red Crescent Movement.

17 “(6) The American Red Cross and the Magen
18 David Adom Society signed an important memo-
19 randum of understanding in November 2002, out-
20 lining areas for strategic collaboration, and the Amer-
21 ican Red Cross will encourage other societies to estab-
22 lish similar agreements with the Magen David Adom
23 Society.”.

24 (b) *SENSE OF CONGRESS.*—Section 690(b) of such Act
25 is amended—

1 (1) *in paragraph (3), by striking “and” at the*
2 *end;*

3 (2) *by redesignating paragraph (4) as para-*
4 *graph (5); and*

5 (3) *by inserting after paragraph (3) the fol-*
6 *lowing new paragraph:*

7 “(4) *the High Contracting Parties to the Geneva*
8 *Conventions of August 12, 1949, should adopt the Oc-*
9 *tober 12, 2000, draft additional protocol which would*
10 *accord international recognition to an additional dis-*
11 *tinctive emblem; and”.*

12 (c) *REPORT.—Section 690 of such Act is further*
13 *amended by adding at the end the following new subsection:*

14 “(c) *REPORT.—Not later than 60 days after the date*
15 *of the enactment of the Foreign Relations Authorization*
16 *Act, Fiscal Years 2006 and 2007, and one year thereafter,*
17 *the Secretary of State shall submit a report, on a classified*
18 *basis if necessary, to the appropriate congressional commit-*
19 *tees describing—*

20 “(1) *efforts by the United States to obtain full*
21 *membership for the Magen David Adom Society in*
22 *the International Red Cross and Red Crescent Move-*
23 *ment;*

24 “(2) *efforts by the International Committee of*
25 *the Red Cross to obtain full membership for the*

1 *Magen David Adom Society in the International Red*
2 *Cross and Red Crescent Movement;*

3 “(3) efforts of the High Contracting Parties to
4 *the Geneva Conventions of August 12, 1949, to adopt*
5 *the October 12, 2000, draft additional protocol to the*
6 *Geneva Conventions;*

7 “(4) the extent to which the Magen David Adom
8 *Society is participating in the activities of the Inter-*
9 *national Red Cross and Red Crescent Movement; and*

10 “(5) efforts by any state, member, or official of
11 *the International Red Cross and Red Crescent Move-*
12 *ment to prevent, obstruct, or place conditions upon—*

13 “(A) adoption by the High Contracting
14 *Parties to the Geneva Conventions of August 12,*
15 *1949, of the October 12, 2000, draft additional*
16 *protocol to the Geneva Conventions; and*

17 “(B) full participation of the Magen David
18 *Adom Society in the activities of the Inter-*
19 *national Red Cross and Red Crescent Move-*
20 *ment.”.*

21 **SEC. 1015. DEVELOPMENTS IN AND POLICY TOWARD INDO-**

22 **NESIA.**

23 (a) *STATEMENT OF CONGRESS RELATING TO RECENT*
24 *DEVELOPMENTS, HUMAN RIGHTS, AND REFORM.—Con-*
25 *gress—*

1 (1) *recognizes the remarkable progress in democ-*
2 *ratization and decentralization made by Indonesia in*
3 *recent years and commends the people of Indonesia on*
4 *the pace and scale of those continuing reforms;*

5 (2) *reaffirms—*

6 (A) *its deep condolences to the people of In-*
7 *donesia for the profound losses inflicted by the*
8 *December 26, 2004, earthquake and tsunami;*
9 *and*

10 (B) *its commitment to generous United*
11 *States support for relief and long term recon-*
12 *struction efforts in affected areas;*

13 (3) *expresses its hope that in the aftermath of the*
14 *tsunami tragedy the Government of Indonesia and*
15 *other parties will succeed in reaching and imple-*
16 *menting a peaceful, negotiated settlement of the long-*
17 *standing conflict in Aceh;*

18 (4) *commends the Government of Indonesia for*
19 *allowing broad international access to Aceh after the*
20 *December 2004 tsunami, and urges that international*
21 *nongovernmental organizations and media be allowed*
22 *unfettered access throughout Indonesia, including in*
23 *Papua and Aceh;*

24 (5) *notes with grave concern that—*

1 (A) reform of the Indonesian security forces
2 has not kept pace with democratic political re-
3 form, and that the Indonesian military is subject
4 to inadequate civilian control and oversight,
5 lacks budgetary transparency, and continues to
6 emphasize an internal security role within Indo-
7 nesia;

8 (B) members of the Indonesian security
9 forces continue to commit many serious human
10 rights violations, including killings, torture,
11 rape, and arbitrary detention, particularly in
12 areas of communal and separatist conflict; and

13 (C) the Government of Indonesia largely
14 fails to hold soldiers and police accountable for
15 extrajudicial killings and other serious human
16 rights abuses, both past and present, including
17 atrocities committed in East Timor prior to its
18 independence from Indonesia;

19 (6) condemns the intimidation and harassment
20 of human rights and civil society organizations by
21 members of the Indonesian security forces and mili-
22 tary-backed militia groups, and urges a complete in-
23 vestigation of the fatal poisoning of prominent human
24 rights activist Munir in September 2004; and

1 (7) *urges the Government of Indonesia and the*
2 *Indonesian military to continue to provide full, ac-*
3 *tive, and unfettered cooperation to the Federal Bu-*
4 *reau of Investigation of the Department of Justice in*
5 *its investigation of the August 31, 2002, attack near*
6 *Timika, Papua, which killed three people (including*
7 *two Americans, Rick Spier and Ted Burgon) and in-*
8 *jured 12 others, and to pursue the indictment, appre-*
9 *hension, and prosecution of all parties responsible for*
10 *that attack.*

11 (b) *FINDINGS RELATING TO PAPUA.—Congress finds*
12 *the following:*

13 (1) *Papua, a resource-rich province whose indig-*
14 *enous inhabitants are predominantly Melanesian, was*
15 *formerly a colony of the Netherlands.*

16 (2) *While Indonesia has claimed Papua as part*
17 *of its territory since its independence in the late*
18 *1940s, Papua remained under Dutch administrative*
19 *control until 1962.*

20 (3) *On August 15, 1962, Indonesia and the Neth-*
21 *erlands signed an agreement at the United Nations in*
22 *New York (commonly referred to as the “New York*
23 *Agreement”)* *which transferred administration of*
24 *Papua first to a United Nations Temporary Execu-*
25 *tive Authority (UNTEA), and then to Indonesia in*

1 1963, pending an “act of free choice . . . to permit
2 the inhabitants to decide whether they wish to remain
3 with Indonesia”.

4 (4) In the New York Agreement, Indonesia for-
5 mally recognized “the eligibility of all adults [in
6 Papua] . . . to participate in [an] act of self-deter-
7 mination to be carried out in accordance with inter-
8 national practice”, and pledged “to give the people of
9 the territory the opportunity to exercise freedom of
10 choice . . . before the end of 1969”.

11 (5) In July and August 1969, Indonesia con-
12 ducted an “Act of Free Choice”, in which 1,025 se-
13 lected Papuan elders voted unanimously to join Indo-
14 nesia, in circumstances that were subject to both overt
15 and covert forms of manipulation.

16 (6) In the intervening years, indigenous
17 Papuan have suffered extensive human rights abuses,
18 natural resource exploitation, environmental degrada-
19 tion, and commercial dominance by immigrant com-
20 munities, and some individuals and groups estimate
21 that more than 100,000 Papuans have been killed
22 during Indonesian rule, primarily during the Su-
23 karno and Suharto administrations.

24 (7) While the United States supports the terri-
25 torial integrity of Indonesia, Indonesia’s historical re-

1 *liance on force for the maintenance of control has*
2 *been counterproductive, and long-standing abuses by*
3 *security forces have galvanized independence senti-*
4 *ments among many Papuans.*

5 *(8) While the Indonesian parliament passed a*
6 *Special Autonomy Law for Papua in October 2001*
7 *that was intended to allocate greater revenue and de-*
8 *cision making authority to the Papuan provincial*
9 *government, the promise of special autonomy has not*
10 *been effectively realized and has been undermined in*
11 *its implementation, such as by conflicting legal direc-*
12 *tives further subdividing the province in apparent*
13 *contravention of the law and without the consent of*
14 *appropriate provincial authorities.*

15 *(9) Rather than demilitarizing its approach, In-*
16 *donesia has reportedly sent thousands of additional*
17 *troops to Papua, and military operations in the cen-*
18 *tral highlands since the fall of 2004 have displaced*
19 *thousands of civilians into very vulnerable cir-*
20 *cumstances, contributing further to mistrust of the*
21 *central government by many indigenous Papuans.*

22 *(10) According to the 2004 Annual Country Re-*
23 *port on Human Rights Practices of the Department*
24 *of State, in Indonesia “security force members mur-*
25 *dered, tortured, raped, beat, and arbitrarily detained*

1 *civilians and members of separatist movements” and*
2 *“police frequently and arbitrarily detained persons*
3 *without warrants, charges, or court proceedings” in*
4 *Papua.*

5 *(c) REPORTING REQUIREMENTS.—*

6 *(1) REPORT ON SPECIAL AUTONOMY.—Not later*
7 *than 180 days after the date of the enactment of this*
8 *Act and one year thereafter, the Secretary of State*
9 *shall submit to the appropriate congressional commit-*
10 *tees a report detailing implementation of special au-*
11 *tonomy for Papua and Aceh. Such reports shall in-*
12 *clude—*

13 *(A) an assessment of the extent to which*
14 *each province has enjoyed an increase in revenue*
15 *allocations and decision making authority;*

16 *(B) a description of access by international*
17 *press and non-governmental organizations to*
18 *each province;*

19 *(C) an assessment of the role played by local*
20 *civil society in governance and decision making;*

21 *(D) a description of force levels and conduct*
22 *of Indonesian security forces in each province;*
23 *and*

1 (E) a description of United States efforts to
2 promote respect for human rights in each prov-
3 ince.

4 (2) *REPORT ON THE 1969 ACT OF FREE*
5 *CHOICE.*—Not later than 180 days after the date of
6 the enactment of this Act, the Secretary of State shall
7 submit to the appropriate congressional committees a
8 report analyzing the 1969 Act of Free Choice.

9 **SEC. 1016. MURDERS OF UNITED STATES CITIZENS JOHN**
10 **BRANCHIZIO, MARK PARSON, AND JOHN**
11 **MARIN LINDE.**

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

13 (1) *On October 15, 2003, a convoy of clearly*
14 *identified United States diplomatic vehicles was at-*
15 *tacked by Palestinian terrorists in Gaza resulting in*
16 *the death of United States citizens John Branchizio,*
17 *Mark Parson, and John Marin Linde, and the injury*
18 *of a fourth United States citizen.*

19 (2) *John Branchizio, Mark Parson, and John*
20 *Marin Linde were contract employees providing secu-*
21 *rity to United States diplomatic personnel who were*
22 *visiting Gaza in order to identify potential Pales-*
23 *tinian candidates for Fulbright Scholarships.*

24 (3) *A senior official of the Palestinian Authority*
25 *was reported to have stated on September 22, 2004,*

1 that “Palestinian security forces know who was be-
2 hind the killing” of John Branchizio, Mark Parson,
3 and John Marin Linde.

4 (4) Following her visit to Israel and the West
5 Bank on February 7, 2005, Secretary of State
6 Condoleezza Rice announced that she had been “as-
7 sured by President Abbas of the Palestinian
8 Authority’s intention to bring justice to those who
9 murdered three American personnel in the Gaza in
10 2003”.

11 (5) Since the attack on October 15, 2003, United
12 States Government personnel have been prohibited
13 from all travel in Gaza.

14 (6) The United States Rewards for Justice pro-
15 gram is offering a reward of up to \$5,000,000 for in-
16 formation leading to the arrest or conviction of any
17 persons involved in the murder of John Branchizio,
18 Mark Parson, and John Marin Linde.

19 (b) *SENSE OF CONGRESS.*—It is the sense of Congress
20 that—

21 (1) the continued inability or unwillingness of
22 the Palestinian Authority to actively and aggressively
23 pursue the murderers of United States citizens John
24 Branchizio, Mark Parson, and John Marin Linde
25 and bring them to justice calls into question the Pal-

1 *estinian Authority's viability as a partner for the*
2 *United States in resolving the Palestinian-Israeli con-*
3 *flict;*

4 (2) *future United States assistance to the Pales-*
5 *tinian Authority may be affected, and the continued*
6 *operation of the PLO Representative Office in Wash-*
7 *ington may be jeopardized, if the Palestinian Author-*
8 *ity does not fully and effectively cooperate in bringing*
9 *to justice the murderers of John Branchizio, Mark*
10 *Parson, and John Marin Linde; and*

11 (3) *it is in the vital national security interest of*
12 *the United States to safeguard, to the greatest extent*
13 *possible consistent with their mission, United States*
14 *diplomats and all embassy and consulate personnel,*
15 *and to use the full power of the United States to bring*
16 *to justice any individual or entity that threatens,*
17 *jeopardizes, or harms them.*

18 (c) *REPORT.*—*Not later than 30 days after the date*
19 *of the enactment of this Act, and every 120 days thereafter,*
20 *the Secretary of State shall submit a report, on a classified*
21 *basis if necessary, to the appropriate congressional commit-*
22 *tees describing—*

23 (1) *efforts by the United States to bring to jus-*
24 *tice the murderers of United States citizens John*
25 *Branchizio, Mark Parson, and John Marin Linde;*

1 (2) *a detailed assessment of efforts by the Pales-*
2 *tinian Authority to bring to justice the murderers of*
3 *John Branchizio, Mark Parson, and John Marin*
4 *Linde, including—*

5 (A) *the number of arrests, interrogations,*
6 *and interviews by Palestinian Authority officials*
7 *related to the case;*

8 (B) *the number of Palestinian security per-*
9 *sonnel and man-hours assigned to the case;*

10 (C) *the extent of personal supervision or in-*
11 *volvement by the President and Ministers of the*
12 *Palestinian Authority; and*

13 (D) *the degree of cooperation between the*
14 *United States and the Palestinian Authority in*
15 *regards to this case;*

16 (3) *a specific assessment by the Secretary of*
17 *whether the Palestinian efforts described in para-*
18 *graph (2) constitute the best possible effort by the Pal-*
19 *estinian Authority; and*

20 (4) *any additional steps or initiatives requested*
21 *or recommended by the United States that were not*
22 *pursued by the Palestinian Authority.*

23 (d) *CERTIFICATION.—The requirement to submit a re-*
24 *port under subsection (c) shall no longer apply if the Sec-*
25 *retary of State certifies to the appropriate congressional*

1 *committees that the murderers of United States citizens*
2 *John Branchizio, Mark Parson, and John Marin Linde*
3 *have been identified, arrested, and brought to justice.*

4 (e) *DEFINITION.—In this section, the term “appropri-*
5 *ate congressional committees” means—*

6 (1) *the Committee on International Relations*
7 *and the Committee on Appropriations of the House of*
8 *Representatives; and*

9 (2) *the Committee on Foreign Relations and the*
10 *Committee on Appropriations of the Senate.*

11 **SEC. 1017. DIPLOMATIC RELATIONS WITH ISRAEL.**

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

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

16 (2) *Israel currently maintains diplomatic rela-*
17 *tions with 160 countries, 33 countries do not have*
18 *any diplomatic relations with Israel, and one country*
19 *has partial relations with Israel.*

20 (3) *The Government of Israel has been actively*
21 *seeking to establish formal relations with a number of*
22 *countries.*

23 (4) *After 57 years of existence, Israel deserves to*
24 *be treated as an equal country by its neighbors and*
25 *the world community.*

1 (b) *SENSE OF CONGRESS.*—*It is the sense of Congress*
2 *that the United States should assist Israel in its efforts to*
3 *establish diplomatic relations.*

4 (c) *REPORT.*—*Not later than 90 days after the date*
5 *of the enactment of this Act and annually thereafter, the*
6 *Secretary of State shall submit to the appropriate congress-*
7 *sional committees a report that includes the following infor-*
8 *mation (in classified or unclassified form, as appropriate):*

9 (1) *Actions taken by representatives of the*
10 *United States to encourage other countries to establish*
11 *full diplomatic relations with Israel.*

12 (2) *Specific responses solicited and received by*
13 *the Secretary from countries that do not maintain*
14 *full diplomatic relations with Israel with respect to*
15 *their attitudes toward and plans for entering into*
16 *diplomatic relations with Israel.*

17 (3) *Other measures being undertaken, and meas-*
18 *ures that will be undertaken, by the United States to*
19 *ensure and promote Israel's full participation in the*
20 *world diplomatic community.*

21 (d) *DEFINITION.*—*In this section, the term “appro-*
22 *priate congressional committees” means—*

23 (1) *the Committee on International Relations*
24 *and the Committee on Appropriations of the House of*
25 *Representatives; and*

1 (2) *the Committee on Foreign Relations and the*
2 *Committee on Appropriations of the Senate.*

3 **SEC. 1018. TAX ENFORCEMENT IN COLOMBIA.**

4 *Not later than 90 days after the date of the enactment*
5 *of this Act, the Secretary of State shall submit to the Com-*
6 *mittee on International Relations of the House of Rep-*
7 *resentatives, the Committee on Foreign Relations of the*
8 *Senate, the Committee on Appropriations of the House of*
9 *Representatives, and the Committee on Appropriations of*
10 *the Senate a report detailing challenges to tax code enforce-*
11 *ment in Colombia. This report shall include, as a percent-*
12 *age of Colombia's gross domestic product, an estimate of*
13 *current tax revenue, an estimate of potential additional tax*
14 *revenue if Colombia's existing tax laws were fully enforced,*
15 *and a discussion of how such additional revenue could be*
16 *used to achieve the objectives of Plan Colombia, including*
17 *supporting and expanding Colombia's security forces and*
18 *increasing the availability of alternative livelihoods for il-*
19 *licit crop growers and former combatants.*

20 **SEC. 1019. PROVISION OF CONSULAR AND VISA SERVICES**
21 **IN PRISTINA, KOSOVA.**

22 (a) *REPORT.*—*Not later than 90 days after the date*
23 *of the enactment of this Act, the Secretary of State shall*
24 *submit to the appropriate congressional committees a report*
25 *describing the possibility of providing consular and visa*

1 *services at the United States Office Pristina, Kosovo*
2 *(USOP) to residents of Kosova.*

3 (b) *CONTENTS.*—*The report required under subsection*
4 *(a) shall contain the following information:*

5 (1) *The reasons why consular and visa services*
6 *are not currently offered at the USOP, even though*
7 *the Office has been in operation for more than five*
8 *years.*

9 (2) *Plans for providing consular and visa serv-*
10 *ices at the USOP, including conditions required be-*
11 *fore such services would be provided and the planned*
12 *timing for providing such services.*

13 (3) *An explanation of why consular and visa*
14 *services will not be offered at the USOP by January*
15 *1, 2007, if such services are not planned to be offered*
16 *by such date.*

17 (4) *The number of residents of Kosova who apply*
18 *for their visas outside of Kosova for each calendar*
19 *year from 2000–2005.*

20 **SEC. 1020. DEMOCRACY IN PAKISTAN.**

21 *Not later than December 31 in each of fiscal years*
22 *2006 and 2007, the President shall submit to the appro-*
23 *priate congressional committees a report that contains a de-*
24 *scription of the extent to which, over the preceding 12-*
25 *month period, the Government of Pakistan has restored a*

1 *fully functional democracy in Pakistan in which free, fair,*
2 *and transparent elections are held.*

3 **SEC. 1021. STATUS OF THE SOVEREIGNTY OF LEBANON.**

4 (a) *SENSE OF CONGRESS.—It is the sense of Congress*
5 *that—*

6 (1) *all parties in the Middle East and inter-*
7 *nationally should exert every effort to implement in*
8 *its entirety the provisions of United Nations Security*
9 *Council Resolution 1559 (2004), which, among other*
10 *things—*

11 (A) *calls for “strict respect” for Lebanon’s*
12 *sovereignty, territorial integrity, unity, and po-*
13 *litical independence “under the sole and exclu-*
14 *sive authority of the Government of Lebanon*
15 *throughout Lebanon”;*

16 (B) *calls upon all remaining foreign forces*
17 *to withdraw from Lebanon;*

18 (C) *calls for the “disbanding and disar-*
19 *mament of all Lebanese and non-Lebanese mili-*
20 *tias”; and*

21 (D) *supports the extension of the control of*
22 *the Government of Lebanon over all Lebanese*
23 *territory;*

24 (2) *in accordance with United Nations Security*
25 *Council Resolution 1559, all militias in Lebanon, in-*

1 *cluding Hizballah, should be disbanded and disarmed*
2 *at the earliest possible opportunity, and the armed*
3 *forces of Lebanon should take full control of all of*
4 *Lebanon's territory and borders;*

5 *(3) the Government of Lebanon is responsible for*
6 *the disbanding and disarming of the militias, includ-*
7 *ing Hizballah, and preventing the flow of armaments*
8 *and other military equipment to the militias, includ-*
9 *ing Hizballah, from Syria, Iran, and other external*
10 *sources;*

11 *(4) the Government of the United States should*
12 *closely monitor progress toward full implementation*
13 *of all aspects of United Nations Security Council Res-*
14 *olution 1559, particularly the matters described in*
15 *subparagraphs (A) through (D) of paragraph (1);*

16 *(5) the Government of the United States should*
17 *closely monitor the Government of Lebanon's efforts to*
18 *stanch the flow of armaments and other military*
19 *equipment to Hizballah and other militias from exter-*
20 *nal sources, such as Syria and Iran;*

21 *(6) the United States and its allies should con-*
22 *sider providing training and other assistance to the*
23 *armed forces of Lebanon to enhance their ability to*
24 *disarm Hizballah and other militias and stanch the*
25 *flow of arms to Hizballah and other militias; and*

1 (7) *United States assistance provided to Lebanon*
2 *after the date of the enactment of this Act may be af-*
3 *ected if Lebanon does not make every effort to disarm*
4 *militias, including Hizballah, and to deny them re-*
5 *armament.*

6 (b) *REPORT.*—*Not later than 120 days after the date*
7 *of the enactment of this Act, and every 180 days thereafter,*
8 *the Secretary of State shall submit to the appropriate con-*
9 *gressional committees a report that describes and evalu-*
10 *ates—*

11 (1) *the extent to which armed militias continue*
12 *to operate in Lebanon and the progress of the Govern-*
13 *ment of Lebanon to disband and disarm such mili-*
14 *tias;*

15 (2) *the extent to which the Government of Leb-*
16 *anon is committed to disbanding and disarming*
17 *Hizballah and other militias and stanching the flow*
18 *of arms to Hizballah and other militias;*

19 (3) *the progress of the armed forces of Lebanon*
20 *to deploy to and take full control of all of Lebanon's*
21 *borders;*

22 (4) *the extent to which countries in the region*
23 *attempt to direct arms to Lebanon-based militias or*
24 *allow their territory to be traversed for this purpose*

1 *and the extent to which these armament efforts suc-*
2 *ceed;*

3 (5) *the routes and means used by external*
4 *sources attempting to supply arms to the Lebanon-*
5 *based militias the countries that are involved in these*
6 *efforts;*

7 (6) *the efforts of the United States and its allies*
8 *to facilitate the process of disbanding and disarming*
9 *Lebanon-based militias and stanching the flow of*
10 *weapons to such militias; and*

11 (7) *any recommendations for legislation to sup-*
12 *port the disbanding and disarming of Lebanon-based*
13 *militias.*

14 (c) *FORM.—The report required by subsection (b) shall*
15 *be submitted in unclassified form and may contain a classi-*
16 *fied annex if necessary.*

17 (d) *CERTIFICATION.—The requirement to submit a re-*
18 *port under subsection (b) shall no longer apply if the Sec-*
19 *retary certifies to the appropriate congressional committees*
20 *that all Lebanon-based militias have been disbanded and*
21 *disarmed and the armed forces of Lebanon are deployed to*
22 *and in full control of Lebanon's borders.*

1 **SEC. 1022. ACTIVITIES OF INTERNATIONAL TERRORIST OR-**
2 **GANIZATIONS IN LATIN AMERICA AND THE**
3 **CARIBBEAN.**

4 (a) *SENSE OF CONGRESS.*—*It is the sense of Congress*
5 *that—*

6 (1) *activities in Latin America and the Carib-*
7 *bean by international terrorist organizations and*
8 *their affiliates and supporters represent a direct*
9 *threat to the national security of the United States*
10 *and hemispheric stability;*

11 (2) *international terrorist organizations, such as*
12 *Hezbollah and Hamas, have profited and taken ad-*
13 *vantage of the dearth or weakened state of the rule of*
14 *law in many Latin American and Caribbean coun-*
15 *tries to further their own aims; and*

16 (3) *the United States should work cooperatively*
17 *with countries of Latin America and the Caribbean*
18 *to expose and prevent such activities.*

19 (b) *REPORT.*—*Not later than 180 days after the date*
20 *of the enactment of this Act, and not later than June 30*
21 *of the year thereafter, the Secretary of State shall submit*
22 *to the appropriate congressional committees a report on the*
23 *activities of international terrorist organizations in Latin*
24 *America and the Caribbean. The report shall include the*
25 *following:*

1 to the research and development of biomedical coun-
2 termeasures;

3 (2) the practical alternative methods through
4 which the services of such scientists could be employed
5 so as to facilitate the application of the knowledge
6 and experience of such scientists to such research and
7 development;

8 (3) the cost-effectiveness of those methods of em-
9 ploying the services of such scientists; and

10 (4) the desirability and national security impli-
11 cations of providing employment opportunities for
12 such scientists in the field of research and develop-
13 ment of biomedical countermeasures for purposes of
14 biological weapons nonproliferation.

15 (b) *RECOMMENDATIONS*.—Each Secretary shall also
16 include in the report required under subsection (a) any rec-
17 ommendations of each for appropriate legislation to address
18 the issues analyzed in the report.

19 (c) *DEFINITION*.—In this section, the term “biomedical
20 countermeasures” means a drug (as such term is defined
21 in section 201(g)(1) of the Federal Food, Drug, and Cos-
22 metic Act (21 U.S.C. 321(g)(1))), biological product (as
23 such term is defined in section 351(i) of the Public Health
24 Service Act (42 U.S.C. 262(i))), or device (as such term is

1 *defined in section 201(h) of the Federal Food, Drug, and*
2 *Cosmetic Act (21 U.S.C. 321(h)) that is used—*

3 *(1) in the diagnosis, cure, mitigation, treatment,*
4 *or prevention of harm from any biological, chemical,*
5 *radiological, or nuclear agent that may cause a pub-*
6 *lic health emergency affecting national security; or*

7 *(2) in diagnosis, cure, mitigation, treatment, or*
8 *prevention of harm from a condition that may result*
9 *in adverse health consequences or death.*

10 **SEC. 1024. EXTRADITION OF VIOLENT CRIMINALS FROM**
11 **MEXICO TO THE UNITED STATES.**

12 *(a) FINDINGS.—Congress finds the following:*

13 *(1) Mexico is unable to extradite criminals who*
14 *face life sentences without the possibility of parole be-*
15 *cause of a 2001 decision of the Mexican Supreme*
16 *Court.*

17 *(2) As a result of this ruling, Mexico is unable*
18 *to extradite to the United States numerous suspects*
19 *wanted for violent crimes committed in the United*
20 *States unless the United States assures Mexico that*
21 *these criminals will not face life imprisonment with-*
22 *out the possibility of parole.*

23 *(3) The attorneys general from all 50 States have*
24 *asked the Government of the United States to con-*

1 *tinue to address this extradition issue with the Gov-*
2 *ernment of Mexico.*

3 *(4) The Government of the United States and the*
4 *Government of Mexico have experienced positive co-*
5 *operation on numerous matters relevant to their bilat-*
6 *eral relationship, including increased cooperation on*
7 *extraditions.*

8 *(b) SENSE OF CONGRESS.—It is the sense of Congress*
9 *that the Government of the United States should encourage*
10 *the Government of Mexico to continue to work closely with*
11 *the Mexican Supreme Court to urge the Court to re-visit*
12 *its October 2001 ruling so that the possibility of life impris-*
13 *onment without parole will not have an effect on the timely*
14 *extradition of criminal suspects from Mexico to the United*
15 *States.*

16 *(c) REPORTS.—*

17 *(1) ANNUAL NUMBER AND STATUS OF FORMAL*
18 *EXTRADITION REQUESTS MADE TO MEXICO BY THE*
19 *UNITED STATES.—Not later than six months after the*
20 *date of the enactment of this Act and annually there-*
21 *after, the Secretary of State shall submit to the ap-*
22 *propriate congressional committees a report that in-*
23 *cludes—*

24 *(A) the number of formal requests made to*
25 *the Government of Mexico by the Government of*

1 *the United States for the extradition of Mexican*
2 *nationals suspected of or convicted in absentia*
3 *for crimes committed in the United States in the*
4 *preceding fiscal year, the names of such nation-*
5 *als, the crimes of which each such national is*
6 *suspected or has been convicted in absentia, a*
7 *detailed disposition of the status of each such ex-*
8 *tradition request, and the progress that has been*
9 *made with respect to each such extradition re-*
10 *quest in the preceding fiscal year; and*

11 *(B) the number of such nationals who Mex-*
12 *ico has extradited to the United States in re-*
13 *sponse to formal extradition requests for such na-*
14 *tionals in the preceding fiscal year.*

15 (2) *AGGREGATE NUMBER AND STATUS OF FOR-*
16 *MAL EXTRADITION REQUESTS MADE TO MEXICO BY*
17 *THE UNITED STATES.—Not later than six months*
18 *after the date of the enactment of this Act and annu-*
19 *ally thereafter, the Secretary of State shall submit to*
20 *the appropriate congressional committees a report*
21 *that includes—*

22 *(A) the number of formal requests made to*
23 *the Government of Mexico by the Government of*
24 *the United States for the extradition of Mexican*
25 *nationals suspected of or convicted in absentia*

1 *for crimes committed in the United States since*
2 *the signing of the Extradition treaty, with ap-*
3 *pendix, between the United States and Mexico,*
4 *signed at Mexico City on May 4, 1978 (31 UST*
5 *5059), including the names of such nationals, the*
6 *crimes of which each such national is suspected*
7 *or has been convicted in absentia, a detailed*
8 *disposition of the status of each such extradition*
9 *request, and the progress that has been made*
10 *with respect to each such extradition request*
11 *since such signing; and*

12 *(B) the number of such nationals who Mex-*
13 *ico has extradited to the United States in re-*
14 *sponse to formal extradition requests for such na-*
15 *tionals since the signing of the Extradition trea-*
16 *ty, with appendix between the United States and*
17 *Mexico.*

18 *(3) COOPERATION BY THE UNITED STATES WITH*
19 *EXTRADITION REQUESTS FROM MEXICO.—Not later*
20 *than six months after the date of the enactment of this*
21 *Act and annually thereafter, the Secretary of State*
22 *shall submit to the appropriate congressional commit-*
23 *tees a report that includes—*

24 *(A) the number of United States nationals*
25 *who the United States has extradited to Mexico*

1 *in response to formal extradition requests for*
2 *such nationals by Mexico in the preceding fiscal*
3 *year; and*

4 *(B) the number of United States nationals*
5 *who the United States has extradited to Mexico*
6 *in response to formal extradition requests for*
7 *such nationals by Mexico since the signing of the*
8 *Extradition treaty, with appendix between the*
9 *United States and Mexico.*

10 *(d) FORM.—If the Secretary of State determines that*
11 *such is appropriate, the Secretary may submit a report re-*
12 *quired under subsection (c) with a classified annex.*

13 **SEC. 1025. ACTIONS OF THE 661 COMMITTEE.**

14 *(a) REPORT.—Not later than 120 days after the date*
15 *of the enactment of this Act, the Secretary of State shall*
16 *submit to the appropriate congressional committees a report*
17 *on United States decisions, actions, communications, and*
18 *deliberations in the 661 Committee of the United Nations*
19 *regarding the issues of overpricing of contracts, kickbacks*
20 *from sales of humanitarian goods, efforts to correct and re-*
21 *value the remaining contracts in the post-Saddam Hussein*
22 *regime era, oil smuggling, and trade protocols. The report*
23 *shall examine the process by which the United States made*
24 *its decisions in the 661 Committee, the officials in the*
25 *United States Government involved in these decisions, and*

1 *the names of the officials who made the final decisions. The*
2 *report shall also include information detailing the positions*
3 *of the other members states of the 661 Committee with re-*
4 *spect to the issues described in this subsection.*

5 **(b) INCLUSION OF SUPPORTING DOCUMENTS.**—*The re-*
6 *port required under subsection (a) shall contain all sup-*
7 *porting documents with respect to the decisions, actions,*
8 *communications, and deliberations referred in such sub-*
9 *section.*

10 **(c) FORMAT.**—*If the Secretary determines that such is*
11 *appropriate, the Secretary may submit the report required*
12 *under subsection (a) with a classified annex.*

13 **(d) DEFINITION.**—*In this section, the term “661 Com-*
14 *mittee” means the committee within the United Nations*
15 *that was tasked with administering the United Nations oil*
16 *for food program.*

17 **SEC. 1026. ELIMINATION OF REPORT ON REAL ESTATE**
18 **TRANSACTIONS.**

19 *Section 12 of the Foreign Service Buildings Act, 1926*
20 *(22 U.S.C. 303) is hereby repealed.*

1 **TITLE XI—MISCELLANEOUS**
2 **PROVISIONS**

3 **Subtitle A—General Provisions**

4 **SEC. 1101. STATEMENT OF POLICY RELATING TO DEMOC-**
5 **RACY IN IRAN.**

6 (a) *FINDINGS.*—Congress finds the following:

7 (1) *Iran is neither free nor democratic. Men and*
8 *women are not treated equally in Iran, women are le-*
9 *gally deprived of internationally recognized human*
10 *rights, and religious freedom is not respected under*
11 *the laws of Iran. Undemocratic institutions, such as*
12 *the Guardians Council, thwart the decisions of elected*
13 *leaders.*

14 (2) *The April 2005 report of the Department of*
15 *State states that Iran remained the most active state*
16 *sponsor of terrorism in 2004.*

17 (3) *That report also states that Iran continues to*
18 *provide funding, safe-haven, training, and weapons to*
19 *known terrorist groups, including Hizballah, Hamas,*
20 *the Palestine Islamic Jihad, al-Aqsa Martyrs Bri-*
21 *gade, and the Popular Front for the Liberation of*
22 *Palestine, and has harbored senior members of al-*
23 *Qaeda.*

24 (b) *POLICY.*—*It is the policy of the United States*
25 *that—*

1 (1) *currently, there is not a free and fully demo-*
2 *cratic government in Iran;*

3 (2) *the United States supports transparent, full*
4 *democracy in Iran;*

5 (3) *the United States supports the rights of the*
6 *Iranian people to choose their system of government;*
7 *and*

8 (4) *the United States condemns the brutal treat-*
9 *ment, imprisonment, and torture of Iranian civilians*
10 *who express political dissent.*

11 **SEC. 1102. IRANIAN NUCLEAR ACTIVITIES.**

12 (a) *FINDINGS.—Congress finds the following:*

13 (1) *Iran remains the world's leading sponsors of*
14 *international terrorism and is on the Department of*
15 *State's list of countries that provide support for acts*
16 *of international terrorism.*

17 (2) *Iran has repeatedly called for the destruction*
18 *of Israel, and Iran supports organizations, such as*
19 *Hizballah, Hamas, and the Palestine Islamic Jihad,*
20 *that deny Israel's right to exist and are responsible*
21 *for terrorist attacks against Israel.*

22 (3) *The Ministry of Defense of the Government*
23 *of Iran confirmed in July 2003 that it had success-*
24 *fully conducted the final test of the Shahab-3 missile,*
25 *giving Iran an operational intermediate-range bal-*

1 *listic missile capable of striking both Israel and*
2 *United States troops throughout the Middle East and*
3 *Afghanistan.*

4 *(4) Inspections by the International Atomic En-*
5 *ergy Agency (IAEA) in Iran have revealed significant*
6 *undeclared activities, including plutonium reprocess-*
7 *ing efforts.*

8 *(5) Plutonium reprocessing is a necessary step in*
9 *a nuclear weapons program that uses plutonium cre-*
10 *ated in a reactor.*

11 *(6) Iran continues to assert its right to pursue*
12 *nuclear power and related technology, continues con-*
13 *structing a heavy water reactor that is ideal for mak-*
14 *ing plutonium for weapons, and has not fully cooper-*
15 *ated with the ongoing investigation by the IAEA of*
16 *its nuclear activities.*

17 *(7) The United States has publicly opposed the*
18 *completion of reactors at the Bushehr nuclear power*
19 *plant because the transfer of civilian nuclear tech-*
20 *nology and training could help to advance Iran's nu-*
21 *clear weapons program.*

22 *(8) Russia, in spite of strong international con-*
23 *cern that Iran intended to use civilian nuclear energy*
24 *plants to develop nuclear weapons, provided Iran*
25 *with support to complete the Bushehr nuclear facility.*

1 (9) *Russia intends to begin supplying the*
2 *Bushehr nuclear facility with fuel in June 2005, and*
3 *the Bushehr nuclear plant is expected to begin oper-*
4 *ation at the beginning of 2006.*

5 (10) *The Iranian parliament has ratified a bill*
6 *supporting the construction of 20 new nuclear power*
7 *plants.*

8 (b) *SENSE OF CONGRESS.—It is the sense of Congress*
9 *that—*

10 (1) *Russia’s provision of assistance to Iran on*
11 *the Bushehr nuclear reactor is inconsistent with the*
12 *nonproliferation goals of the United States;*

13 (2) *Iran’s stated plans to construct 20 new nu-*
14 *clear facilities and its development of nuclear tech-*
15 *nologies, coupled with acknowledged and*
16 *unacknowledged ties to terrorist groups, constitute a*
17 *threat to global peace and security; and*

18 (3) *the national security interests of the United*
19 *States will best be served if the United States develops*
20 *and implements a long-term strategy to halt all for-*
21 *foreign nuclear cooperation with Iran.*

22 (c) *STATEMENT OF CONGRESS.—Congress calls upon*
23 *the leaders of the governments of the G–8 to—*

1 (1) *insist that the Government of Russia termi-*
2 *nate all assistance, including fuel shipments, to the*
3 *Bushehr nuclear facility in Iran; and*

4 (2) *condition Russia's continued membership in*
5 *the G-8 on Russia's termination of all assistance, in-*
6 *cluding fuel shipments, to the Bushehr facility and to*
7 *any other nuclear plants in Iran.*

8 **SEC. 1103. LOCATION OF INTERNATIONAL INSTITUTIONS IN**
9 **AFRICA.**

10 (a) *STATEMENT OF CONGRESS.*—Congress declares
11 *that, for the purpose of maintaining regional balances with*
12 *respect to the location of international organizations and*
13 *institutions in Africa, such organizations or institutions,*
14 *such as the African Development Bank, that move their*
15 *headquarters offices from their original locations for reasons*
16 *of security should return once those security issues have been*
17 *resolved or should relocate to another country in the region*
18 *in which the organization or institution was originally*
19 *headquartered.*

20 (b) *CONSULTATIONS REGARDING RETURN.*—The Sec-
21 *retary of State is authorized to begin consultations with ap-*
22 *propriate parties to determine the feasibility of returning*
23 *such organizations and institutions to the regions in which*
24 *they were originally headquartered.*

1 **SEC. 1104. BENJAMIN GILMAN INTERNATIONAL SCHOLAR-**
2 **SHIP PROGRAM.**

3 *Section 305 of the International Academic Oppor-*
4 *tunity Act of 2000, (title III of the Microenterprise for Self-*
5 *Reliance and International Anti-Corruption Act of 2000)*
6 *(Public Law 106–309; 22 U.S.C. 2462 note) is amended by*
7 *striking “\$1,500,000” and inserting “\$4,000,000”.*

8 **SEC. 1105. PROHIBITION ON COMMEMORATIONS RELATING**
9 **TO LEADERS OF IMPERIAL JAPAN.**

10 *The Department of State, both in Washington and at*
11 *United States diplomatic missions and facilities in foreign*
12 *countries, shall not engage in any activity, including the*
13 *celebration of the recently enacted Showa holiday, which*
14 *may, in any manner, serve to commemorate or be construed*
15 *as serving to commemorate leaders of Imperial Japan who*
16 *were connected to the attack on the United States Fleet at*
17 *Pearl Harbor, Oahu, Hawaii, on December 7, 1941.*

18 **SEC. 1106. UNITED STATES POLICY REGARDING WORLD**
19 **BANK GROUP LOANS TO IRAN.**

20 *(a) UNITED STATES POLICY.—The Secretary of State,*
21 *in consultation with the Secretary of the Treasury, shall*
22 *work to secure the support of the governments of countries*
23 *represented on the decisionmaking boards and councils of*
24 *the international financial institutions of the World Bank*
25 *Group to oppose any further activity in Iran by the inter-*
26 *national financial institutions of the World Bank Group*

1 *until Iran abandons its program to develop nuclear weap-*
2 *ons.*

3 (b) *NOTIFICATION.*—*Not later than 30 days after the*
4 *Secretary initiates efforts to carry out subsection (a), the*
5 *Secretary shall notify the appropriate congressional com-*
6 *mittees of such efforts.*

7 (c) *WORLD BANK GROUP DEFINED.*—*As used in this*
8 *section, the term “World Bank Group” means the Inter-*
9 *national Bank for Reconstruction and Development, the*
10 *International Development Association, the International*
11 *Financial Corporation, and the Multilateral Investment*
12 *Guaranty Agency.*

13 **SEC. 1107. STATEMENT OF POLICY REGARDING SUPPORT**
14 **FOR SECI REGIONAL CENTER FOR COM-**
15 **BATING TRANS-BORDER CRIME.**

16 (a) *FINDINGS.*—*Congress finds the following:*

17 (1) *The Southeast European Cooperative Initia-*
18 *tive (SECI) Regional Center for Combating Trans-*
19 *Border Crime, located in Bucharest, Romania, is*
20 *composed of police and customs officers from each of*
21 *the 12 member states of SECI: Albania, Bosnia and*
22 *Herzegovina, Bulgaria, Croatia, Greece, Hungary,*
23 *Macedonia, Moldova, Romania, Slovenia, Serbia and*
24 *Montenegro and Turkey.*

1 (2) *The SECI Regional Center supports joint*
2 *trans-border crime fighting efforts through the estab-*
3 *lishment of task forces, including task forces relating*
4 *to trafficking in human beings, anti-drugs, financial*
5 *and computer crimes, stolen vehicles, anti-smuggling*
6 *and anti-fraud, and terrorism.*

7 (b) *STATEMENT OF POLICY.—It is the policy of the*
8 *United States to continue to support the activities of the*
9 *SECI Regional Center for Combating Trans-border Crime.*

10 **SEC. 1108. STATEMENT OF POLICY URGING TURKEY TO RE-**

11 **SPECT THE RIGHTS AND RELIGIOUS FREE-**
12 **DOMS OF THE ECUMENICAL PATRIARCH.**

13 (a) *FINDINGS.—Congress finds the following:*

14 (1) *Turkey is scheduled to begin accession nego-*
15 *tiations with the European Union on October 3,*
16 *2005.*

17 (2) *In 1993 the European Union defined the*
18 *membership criteria for accession to the European*
19 *Union at the Copenhagen European Council, obli-*
20 *gating candidate countries to have achieved certain*
21 *levels of reform, including stability of institutions*
22 *guaranteeing democracy, the rule of law, and human*
23 *rights, and respect for and protection of minorities.*

24 (3) *The Government of Turkey refuses to recog-*
25 *nize the Ecumenical Patriarch's international status.*

1 (4) *The Government of Turkey has limited to*
2 *Turkish nationals the candidates available to the*
3 *Holy Synod for selection as the Ecumenical Patriarch*
4 *and has refused to reopen the Theological School at*
5 *Halki, thus impeding training for the clergy.*

6 **(b) STATEMENT OF POLICY.—Congress—**

7 (1) *calls on Turkey to continue to demonstrate*
8 *its willingness to adopt and uphold European stand-*
9 *ards for the protection of human rights;*

10 (2) *based on the ideals associated with the Euro-*
11 *pean Union and its member states, calls on Turkey*
12 *to eliminate all forms of discrimination, particularly*
13 *those based on race or religion, and immediately—*

14 (A) *grant the Ecumenical Patriarch appro-*
15 *priate international recognition and ecclesiastic*
16 *succession;*

17 (B) *grant the Ecumenical Patriarchate the*
18 *right to train clergy of all nationalities, not just*
19 *Turkish nationals; and*

20 (C) *respect property rights and human*
21 *rights of the Ecumenical Patriarchate; and*

22 (3) *calls on Turkey to pledge to uphold and safe-*
23 *guard religious and human rights without com-*
24 *promise.*

1 **SEC. 1109. STATEMENT OF POLICY REGARDING THE MUR-**
2 **DER OF UNITED STATES CITIZEN JOHN M.**
3 **ALVIS.**

4 *(a) FINDINGS.—Congress finds the following:*

5 *(1) On November 30, 2000, United States citizen*
6 *John M. Alvis was brutally murdered in Baku, Azer-*
7 *baijan.*

8 *(2) John M. Alvis was serving his final two*
9 *weeks of a two year full-time commitment to the*
10 *International Republican Institute, a United States*
11 *nongovernmental organization carrying out assistance*
12 *projects for the Government of the United States to*
13 *help promote democracy and strengthen the rule of*
14 *law in Azerbaijan.*

15 *(3) The United States is committed to ensuring*
16 *that the truth of the murder of John M. Alvis is deter-*
17 *mined and the individual or individuals who are re-*
18 *sponsible for this heinous act are brought to justice.*

19 *(b) STATEMENT OF POLICY.—Congress—*

20 *(1) appreciates the efforts of the Government of*
21 *Azerbaijan to find the individual or individuals who*
22 *are responsible for the murder of United States citizen*
23 *John M. Alvis and urges the Government of Azer-*
24 *baijan to continue to make these efforts a high pri-*
25 *ority; and*

1 (2) *urges the Secretary of State to continue to*
2 *raise the issue of the murder of United States citizen*
3 *John M. Alvis with the Government of Azerbaijan*
4 *and to make this issue a priority in relations between*
5 *the Government of the United States and the Govern-*
6 *ment of Azerbaijan.*

7 **SEC. 1110. STATEMENT OF CONGRESS AND POLICY WITH**
8 **RESPECT TO THE DISENFRANCHISEMENT OF**
9 **WOMEN.**

10 (a) *FINDINGS.—Congress finds the following:*

11 (1) *Following the May 16, 2005, decision of the*
12 *Kuwaiti parliament to enfranchise its female citizens,*
13 *Saudi Arabia is now the only country in world that*
14 *restricts the franchise and the right to hold elected of-*
15 *fice to men only.*

16 (2) *Only men were allowed to vote and run for*
17 *office in Saudi Arabia’s municipal elections held ear-*
18 *lier this year, the first elections of any kind that*
19 *Saudi Arabia has held since 1963.*

20 (b) *STATEMENTS OF CONGRESS.—Congress—*

21 (1) *strongly condemns the disenfranchisement of*
22 *women, including restrictions that prevent women*
23 *from holding office; and*

24 (2) *calls on the Government of Saudi Arabia to,*
25 *at the earliest possible time, promulgate a law that*

1 *grants women the right to vote and to run for office*
2 *in all future Saudi elections, whether local, provin-*
3 *cial, or national.*

4 *(c) POLICY.—The President is encouraged to take such*
5 *action as the President considers appropriate, including a*
6 *downgrading of diplomatic relations, to encourage countries*
7 *that disenfranchise only women to grant women the rights*
8 *to vote and hold office.*

9 ***Subtitle B—Sense of Congress***
10 ***Provisions***

11 ***SEC. 1111. KOREAN FULBRIGHT PROGRAMS.***

12 *It is the sense of Congress that Fulbright program ac-*
13 *tivities for the Republic of Korea (commonly referred to as*
14 *“South Korea”) should—*

15 *(1) include participation by students from*
16 *throughout South Korea, including proportional rep-*
17 *resentation from areas outside of Seoul;*

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

21 *(3) broaden the Korean student emphasis beyond*
22 *degree-seeking graduate students to include opportuni-*
23 *ties for one-year nondegree study at United States*
24 *colleges and universities by pre-doctoral Korean stu-*
25 *dents; and*

1 (4) *include a significant number of Korean stu-*
2 *dents planning to work or practice in areas other*
3 *than advanced research and university teaching, such*
4 *as in government service, media, law, and business.*

5 **SEC. 1112. UNITED STATES RELATIONS WITH TAIWAN.**

6 *It is the sense of Congress that—*

7 (1) *it is in the national interests of the United*
8 *States to communicate directly with democratically*
9 *elected and appointed officials of Taiwan, including*
10 *the President of Taiwan, the Vice-President of Tai-*
11 *wan, the Foreign Minister of Taiwan, and the De-*
12 *fense Minister of Taiwan;*

13 (2) *the Department of State should, in accord-*
14 *ance with Public Law 103–416, admit such high level*
15 *officials of Taiwan to the United States to discuss*
16 *issues of mutual concern with United States officials;*
17 *and*

18 (3) *the Department of State should, in coopera-*
19 *tion with the Ministry of Foreign Affairs of Taiwan,*
20 *facilitate high level meetings between such high level*
21 *officials of Taiwan and their counterparts in the*
22 *United States.*

23 **SEC. 1113. NUCLEAR PROLIFERATION AND A. Q. KHAN.**

24 (a) *FINDINGS.—Congress finds the following:*

1 (1) *Dr. Abdul Qadeer Khan, former director of*
2 *the A.Q. Khan Research Laboratory in Pakistan and*
3 *Special Adviser to the Prime Minister on the Stra-*
4 *tegic Programme, had the status of a federal minister*
5 *and established and operated an illegal international*
6 *network which sold nuclear weapons and related tech-*
7 *nologies to a variety of countries.*

8 (2) *China provided Dr. Khan with nuclear*
9 *weapons designs, and the illegal international nuclear*
10 *proliferation network established by Dr. Khan may*
11 *have provided other countries with these designs.*

12 (3) *The illegal international nuclear prolifera-*
13 *tion network established by Dr. Khan assisted Iran*
14 *with its nuclear program by supplying Iran with*
15 *uranium-enrichment technology, including centrifuge*
16 *equipment and designs.*

17 (4) *The illegal international nuclear prolifera-*
18 *tion network established by Dr. Khan assisted North*
19 *Korea with its nuclear weapons program by pro-*
20 *viding centrifuge technology, including designs and*
21 *complete centrifuges.*

22 (5) *The illegal international nuclear prolifera-*
23 *tion network established by Dr. Khan assisted Libya*
24 *with its nuclear program by providing blueprints of*

1 *centrifuge parts and thousands of assembled cen-*
2 *trifuge parts.*

3 (6) *There is concern that the illegal international*
4 *nuclear proliferation network created by Dr. Khan*
5 *may be still in existence and its work still on-going.*

6 (7) *Defense cooperation and technology transfer*
7 *between China and Pakistan have been recently*
8 *strengthened, including the codevelopment and manu-*
9 *facturing of a minimum of 400 J-17 “Thunder”*
10 *fighter aircraft, with a minimum of 250 going to*
11 *China. This and other Chinese-Pakistani technology*
12 *sharing provides an expanded basis for further Paki-*
13 *stani proliferation of advanced military technology.*

14 (8) *The illegal international nuclear prolifera-*
15 *tion network established by Dr. Khan is a threat to*
16 *United States national security.*

17 (b) *SENSE OF CONGRESS.—It is the sense of Congress*
18 *that the United States—*

19 (1) *should continue efforts to—*

20 (A) *dismantle the illegal international nu-*
21 *clear proliferation network created by Dr. Abdul*
22 *Qadeer Khan; and*

23 (B) *counter, through diplomacy and nego-*
24 *tiation, the proliferation of weapons of mass de-*
25 *struction from Pakistan to other countries;*

1 (2) *should request and Pakistan should grant ac-*
2 *cess to interview Dr. Khan and his top associates to*
3 *determine in greater detail what technology his net-*
4 *work provided or received from Iran, North Korea,*
5 *Libya, and China; and*

6 (3) *should take the steps necessary to ensure that*
7 *Pakistan has verifiably halted any cooperation with*
8 *any country in the development of nuclear or missile*
9 *technology, material, or equipment, or any other tech-*
10 *nology, material, or equipment that is useful for the*
11 *development of weapons of mass destruction, includ-*
12 *ing exports of such technology, material, or equip-*
13 *ment.*

14 **SEC. 1114. PALESTINIAN TEXTBOOKS.**

15 (a) *FINDINGS.—Congress finds the following:*

16 (1) *Since 1993, the United States has provided*
17 *more than \$1,400,000,000 to assist the Palestinian*
18 *people, including to assist with the process of*
19 *strengthening the Palestinian educations system.*

20 (2) *Since 1950, the United States has provided*
21 *more than \$3,200,000,000 in assistance to United Na-*
22 *tions Relief and Works Agency (UNRWA), which op-*
23 *erates schools in camps housing Palestinians.*

1 (1) *There are more than 600,000,000 people who*
2 *have a disability and more than two-thirds of all per-*
3 *sons with disabilities live in developing countries.*

4 (2) *Only two percent of children with disabilities*
5 *in developing countries receive any education or reha-*
6 *ilitation.*

7 (3) *A substantial shift has occurred globally from*
8 *an approach of charity toward persons with disabil-*
9 *ities to the recognition of the inherent universal*
10 *human rights of persons with disabilities.*

11 (4) *A clearly defined international standard ad-*
12 *ressing the rights of persons with disabilities would*
13 *assist developing countries in the creation and imple-*
14 *mentation of national laws protecting those rights.*

15 (5) *To better protect and promote the rights of*
16 *persons with disabilities and to establish inter-*
17 *national norms, the United Nations General Assembly*
18 *adopted Resolution 56/168 (December 19, 2001) which*
19 *established an ad hoc committee to consider proposals*
20 *for a comprehensive and integral international con-*
21 *vention that affirms the human rights and dignity of*
22 *persons with disabilities.*

23 (6) *With the strong commitment and leadership*
24 *of the United States and the vast domestic experience*
25 *of the United States in the advancement of disability*

1 *rights, the world community can benefit from United*
2 *States participation in the drafting of an inter-*
3 *national convention that affirms the human rights*
4 *and dignity of persons with disabilities.*

5 *(b) SENSE OF CONGRESS.—It is the sense of Congress*
6 *that—*

7 *(1) the United States should play a leading role*
8 *in the drafting of an international convention that*
9 *affirms the human rights and dignity of persons with*
10 *disabilities and which is consistent with the Constitu-*
11 *tion of the United States, the Americans with Disabil-*
12 *ities Act of 1990, and other rights enjoyed by United*
13 *States citizens with disabilities;*

14 *(2) for this purpose, the President should author-*
15 *ize the Secretary of State to send to the Sixth Session*
16 *of the United Nations Ad Hoc Committee on a Com-*
17 *prehensive and Integral International Convention on*
18 *the Protection and Promotion of the Rights and Dig-*
19 *nity of Persons with Disabilities to be held in August*
20 *2005 and to subsequent sessions of the Ad Hoc Com-*
21 *mittee a United States delegation which includes in-*
22 *dividuals with disabilities who are recognized leaders*
23 *in the United States disability rights movement; and*

24 *(3) the United States delegation referred to in*
25 *paragraph (2) should seek the input and advice of the*

1 *Department of State's Advisory Committee on Per-*
2 *sons with Disabilities with respect to matters consid-*
3 *ered at the Sixth Session of the United Nations Ad*
4 *Hoc Committee and subsequent sessions.*

5 **SEC. 1116. FULBRIGHT SCHOLARSHIPS FOR EAST ASIA AND**
6 **THE PACIFIC.**

7 *(a) FINDINGS.—Congress finds the following:*

8 *(1) From 1949–2003, the Department of State*
9 *awarded 13,176 Fulbright Scholarships to students*
10 *from East Asia and the Pacific, but only 31 went to*
11 *Pacific Island students.*

12 *(2) In 2003–2004, the Department of State*
13 *awarded 315 scholarships to students from East Asia*
14 *and the Pacific, but none were awarded to Pacific Is-*
15 *land students.*

16 *(b) SENSE OF CONGRESS.—It is the sense of Congress*
17 *that the Department of State should conduct a review and*
18 *submit to the appropriate congressional committees a report*
19 *regarding the marginalization of Pacific Islands students*
20 *in the awarding of Fulbright Scholarships.*

21 **SEC. 1117. BAKU-TBILISI-CEYHAN ENERGY PIPELINE.**

22 *(a) FINDINGS.—Congress finds the following:*

23 *(1) It has been the long-standing policy of the*
24 *United States to support the independence, security,*

1 *and economic development of the newly independent*
2 *states of the Caspian Sea region.*

3 *(2) The growth and stability of the newly inde-*
4 *pendent states of the Caspian Sea region will be*
5 *greatly enhanced by the development of their extensive*
6 *oil and natural gas resources and the export of these*
7 *resources unhindered along an east-west energy trans-*
8 *portation corridor.*

9 *(3) The establishment of an east-west energy*
10 *transportation corridor would enhance the energy se-*
11 *curity of the United States, Turkey, and other United*
12 *States allies by ensuring an unhindered flow of en-*
13 *ergy from the Caspian Sea region to world markets.*

14 *(4) The centerpiece of the proposed east-west en-*
15 *ergy transportation corridor is the Baku-Tbilisi-*
16 *Ceyhan (BTC) pipeline, which was first endorsed by*
17 *the relevant regional governments in 1998 and which*
18 *will carry one million barrels of Caspian Sea oil per*
19 *day from Baku, Azerbaijan, to Ceyhan, Turkey, via*
20 *a route that passes through Tbilisi, Georgia.*

21 *(5) The BTC pipeline was inaugurated on May*
22 *25, 2005, and Caspian Sea oil exports from the port*
23 *of Ceyhan, Turkey, will begin later this year.*

1 (6) *The BTC pipeline project has received strong*
2 *bipartisan support during the administrations of both*
3 *Presidents Bill Clinton and George W. Bush.*

4 (b) *SENSE OF CONGRESS.—It is the sense of Congress*
5 *that—*

6 (1) *the governments and peoples of Turkey and*
7 *the newly independent states of the Caspian Sea re-*
8 *gion should be congratulated for the successful comple-*
9 *tion of the Baku-Tbilisi-Ceyhan pipeline;*

10 (2) *the policy of the United States to support the*
11 *independence, security, and economic development of*
12 *the newly independent states of the Caspian Sea re-*
13 *gion should be reaffirmed; and*

14 (3) *projects should be encouraged that would fur-*
15 *ther develop the east-west energy transportation cor-*
16 *ridor between the newly independent states of the Cas-*
17 *pian Sea region and Europe and that advance the*
18 *strategic goals of the United States, especially the*
19 *promotion of appropriate multiple routes for the*
20 *transportation to world markets of oil and gas from*
21 *the Caspian Sea region.*

1 **SEC. 1118. LEGISLATION REQUIRING THE FAIR, COM-**
2 **PREHENSIVE, AND NONDISCRIMINATORY**
3 **RESTITUTION OF PRIVATE PROPERTY CON-**
4 **FISCATED IN POLAND.**

5 (a) *FINDINGS.*—Congress find the following:

6 (1) *The protection of and respect for property*
7 *rights is a basic tenet for all democratic governments*
8 *that operate according to the rule of law.*

9 (2) *Private properties were seized and con-*
10 *fiscated by the Nazis in occupied Poland or by the*
11 *Communist Polish government after World War II.*

12 (3) *Some post-Communist countries in Europe*
13 *have taken steps toward compensating individuals*
14 *whose property was seized and confiscated by the*
15 *Nazis during World War II and by Communist gov-*
16 *ernments after World War II.*

17 (4) *Poland has continuously failed to enact legis-*
18 *lation that requires realistically achievable restitution*
19 *or compensation for those individuals who had their*
20 *private property seized and confiscated.*

21 (5) *Although President Aleksander Kwasniewski*
22 *of Poland later exercised his veto power, in March*
23 *2001 the Polish Parliament passed a bill that would*
24 *have provided compensation for seized and confiscated*
25 *property, but only to individuals who were registered*
26 *as Polish citizens as of December 31, 1999, thereby ex-*

1 *cluding all those individuals who emigrated from Po-*
2 *land during and after World War II.*

3 *(6) President Kwasniewski met in 2002 with*
4 *congressional leaders of the United States Helsinki*
5 *Commission and stated that he intended to draft a*
6 *new law requiring the restitution of previously seized*
7 *and confiscated private property that would not dis-*
8 *criminate based on the residency or citizenship of an*
9 *individual, and which would be ready to take effect*
10 *by the beginning of 2003.*

11 *(b) SENSE OF CONGRESS.—It is the sense of Congress*
12 *that—*

13 *(1) Poland should develop a final and complete*
14 *settlement for those individuals who had their private*
15 *property seized and confiscated by the Nazis during*
16 *World War II or by the Communist Polish govern-*
17 *ment after the war;*

18 *(2) restitution should be made in a timely man-*
19 *ner if they are to be of any benefit to the many Holo-*
20 *caust survivors who are in their eighties or older; and*

21 *(3) the President and the Secretary of State*
22 *should engage, as appropriate—*

23 *(A) in an open dialogue with the Govern-*
24 *ment of Poland supporting the adoption of legis-*
25 *lation requiring the fair, comprehensive, and*

1 *nondiscriminatory restitution of or compensa-*
2 *tion for private property that was seized and*
3 *confiscated; and*

4 *(B) in follow-up discussions with the Gov-*
5 *ernment of Poland regarding the status and im-*
6 *plementation of such legislation.*

7 **SEC. 1119. CHILD LABOR PRACTICES IN THE COCOA SEC-**
8 **TORS OF COTE D’IVOIRE AND GHANA.**

9 *It is the sense of Congress that—*

10 *(1) the Government of the Republic of Cote*
11 *d’Ivoire and the Government of the Republic of*
12 *Ghana should be commended for the tangible steps*
13 *they have taken to address the situation of child labor*
14 *in the cocoa sector;*

15 *(2) the Government of Cote d’Ivoire and the Gov-*
16 *ernment of Ghana should consider child labor and*
17 *forced labor issues top priorities;*

18 *(3) the chocolate industry signatories to the Sep-*
19 *tember 19, 2001, voluntary Protocol for the Growing*
20 *and Processing of Cocoa Beans and their Derivative*
21 *Products in a Manner that Complies with ILO Con-*
22 *vention 182 Concerning the Prohibition and Imme-*
23 *diata Action for the Elimination of the Worst Forms*
24 *of Child Labor should meet the sixth and final pillar*
25 *of the Protocol, to “develop and implement credible,*

1 *mutually-acceptable, voluntary, industry-wide stand-*
2 *ards of public certification, consistent with applicable*
3 *federal law, that cocoa beans and their derivative*
4 *products have been grown and/or processed without*
5 *any of the worst forms of child labor” by July 1,*
6 *2005;*

7 *(4) the chocolate industry, nongovernmental or-*
8 *ganizations, and the Government of Cote d’Ivoire and*
9 *the Government of Ghana should continue their efforts*
10 *in full force beyond July 1, 2005, to develop and im-*
11 *plement a system to monitor child labor in the cocoa*
12 *industry of Cote d’Ivoire and Ghana;*

13 *(5) the Office to Monitor and Combat Trafficking*
14 *in Persons of the Department of State should include*
15 *information on the association between trafficking in*
16 *persons and the cocoa industries of Cote d’Ivoire,*
17 *Ghana, and other cocoa producing regions in the an-*
18 *nuual trafficking in persons report to Congress; and*

19 *(6) the Department of State should assist the*
20 *Government of Cote d’Ivoire and the Government of*
21 *Ghana in preventing the trafficking of persons into*
22 *the cocoa fields and other industries in West Africa.*

23 **SEC. 1120. CONTRIBUTIONS OF IRAQI KURDS.**

24 *(a) FINDINGS.—Congress finds the following:*

1 (1) *Iraqi Kurdish forces played a unique and*
2 *significant role in the fight to liberate Iraq for all*
3 *Iraqis in 2003.*

4 (2) *Since Iraq's liberation, Iraqi Kurdish leaders*
5 *have played prominent and constructive roles in the*
6 *drafting and passage of the Transitional Administra-*
7 *tive Law and, more generally, in seeking to achieve*
8 *a free, stable, and democratic Iraq.*

9 (b) *SENSE OF CONGRESS.—It is the sense of Congress*
10 *that—*

11 (1) *Iraqi Kurds should be commended for their*
12 *many contributions and sacrifices made in the cause*
13 *of creating a free, stable, and democratic Iraq; and*

14 (2) *the Iraqi Transitional Government and the*
15 *Kurdistan Regional Government are expected to ad-*
16 *here to the highest standards of democratic govern-*
17 *ance, including through enforcement of full equality*
18 *and rights for all religious and ethnic minorities,*
19 *such as Assyrians and Turcomans.*

20 **SEC. 1121. PROLIFERATION SECURITY INITIATIVE.**

21 *It is the sense of Congress that—*

22 (1) *the Secretary of State should strive to expand*
23 *and strengthen the Proliferation Security Initiative*
24 *announced on May 31, 2003, by President George W.*
25 *Bush, placing particular emphasis on including coun-*

1 *tries outside of the North Atlantic Treaty Organiza-*
2 *tion (NATO); and*

3 *(2) the United States should seek an inter-*
4 *national instrument, in the form of a United Nations*
5 *Security Council resolution, multilateral treaty, or*
6 *other agreement, to enhance international cooperation*
7 *with the Proliferation Security Initiative regarding*
8 *the interdiction, seizure, and impoundment in inter-*
9 *national waters and airspace of illicit shipments of*
10 *weapons of mass destruction and their delivery sys-*
11 *tems and of related materials, equipment, and tech-*
12 *nology.*

13 **SEC. 1122. SECURITY OF NUCLEAR WEAPONS AND MATE-**
14 **RIALS.**

15 *It is the sense of Congress that the President should*
16 *seek to devise and implement standards to improve the secu-*
17 *rity of nuclear weapons and materials by—*

18 *(1) establishing with other willing nations a set*
19 *of guidelines containing performance-based standards*
20 *for the security of nuclear weapons and materials;*

21 *(2) negotiating with those nations agreements to*
22 *adopt guidelines containing performance-based stand-*
23 *ards and implement appropriate verification meas-*
24 *ures to assure ongoing compliance;*

1 (3) *coordinating with those nations and the*
2 *International Atomic Energy Agency to strongly en-*
3 *courage other nations to adopt and verifiably imple-*
4 *ment the standards; and*

5 (4) *encouraging all nations to work with the*
6 *International Atomic Energy Agency to complete the*
7 *negotiation, adoption, and implementation of its pro-*
8 *posed series of documents related to the security of*
9 *nuclear materials.*

10 **SEC. 1123. INTERNATIONAL CRIMINAL COURT AND GENO-**
11 **CIDE IN DARFUR, SUDAN.**

12 *Based upon the adoption of resolutions on July 22,*
13 *2004, by both the House of Representatives and the Senate*
14 *and the declaration on September 9, 2004, by former Sec-*
15 *retary of State Colin Powell that the atrocities unfolding*
16 *in Darfur, Sudan, are genocide, it is the sense of Congress*
17 *that, notwithstanding the American Servicemembers' Pro-*
18 *tection Act of 2002 (title II of the 2002 Supplemental Ap-*
19 *propriations Act for Further Recovery From and Response*
20 *To Terrorist Attacks on the United States; Public Law 107-*
21 *206), the United States should render assistance to the ef-*
22 *forts of the International Criminal Court to bring to justice*
23 *persons accused of genocide, war crimes, or crimes against*
24 *humanity in Darfur, Sudan, provided that legally binding*
25 *assurances have been received from the United Nations Se-*

1 *curity Council or the International Criminal Court that no*
2 *current or former United States Government official, em-*
3 *ployee (including any contractor), member of the United*
4 *States Armed Forces, or United States national will be sub-*
5 *ject to prosecution by the International Criminal Court in*
6 *connection with those efforts.*

7 **SEC. 1124. ACTION AGAINST AL-MANAR TELEVISION.**

8 *(a) FINDINGS.—Congress finds that—*

9 *(1) in 1996, the Secretary of State designated*
10 *Hizballah as a foreign terrorist organization (FTO)*
11 *under section 219 of the Immigration and Nation-*
12 *ality Act;*

13 *(2) al-Manar television is owned and controlled*
14 *by Hizballah and acts on behalf of Hizballah, as*
15 *openly acknowledged by Hizballah leader Hasan*
16 *Nasrallah;*

17 *(3) al-Manar’s programming, in accordance with*
18 *Hizballah’s policy, openly promotes hatred of and*
19 *graphically glorifies and incites violence, including*
20 *suicide bombings, against Americans, Israelis, and*
21 *Jews;*

22 *(4) in December 2004, the Secretary of State*
23 *placed al-Manar on its Terrorist Exclusion List, im-*
24 *mediately after which the sole satellite company that*

1 *broadcast al-Manar in North America pulled al-*
2 *Manar off the air;*

3 *(5) in recent months, several European Union*
4 *(EU) countries and EU-based satellite companies*
5 *have taken actions that severely limit al-Manar's*
6 *broadcasting reach in Europe; and*

7 *(6) al-Manar continues to broadcast to all of the*
8 *Arab world, much of non-Arab Asia, most of Central*
9 *and South America, and parts of Europe, with the co-*
10 *operation of companies headquartered in Europe and*
11 *the Arab world.*

12 *(b) SENSE OF CONGRESS.—It is the sense of Congress*
13 *that—*

14 *(1) all countries that host satellite companies*
15 *that broadcast al-Manar, on whose territory al-Manar*
16 *may be viewed over media subject to government regu-*
17 *lation, or where advertising or other financial sup-*
18 *port for al-Manar originates, should take action, by*
19 *the strongest and most comprehensive appropriate*
20 *means available, to suppress al-Manar's terrorist*
21 *programming; and*

22 *(2) the Arab States Broadcasting Union, which*
23 *is part of the Arab League, should revoke al-Manar's*
24 *membership status because of al-Manar's promotion of*
25 *hatred and incitement to violence, including suicide*

1 *bombings, directed toward Americans, Israelis, and*
2 *Jews.*

3 **SEC. 1125. STABILITY AND SECURITY IN IRAQ.**

4 *It is the sense of Congress that the President should*
5 *transmit to the appropriate congressional committees as*
6 *soon as possible after the date of the enactment of this Act*
7 *the plan to provide for a stable and secure government of*
8 *Iraq and an Iraqi military and police force that will allow*
9 *the United States military presence in Iraq to be dimin-*
10 *ished.*

11 **SEC. 1126. PROPERTY EXPROPRIATED BY THE GOVERN-**
12 **MENT OF ETHIOPIA.**

13 *It is the sense of the Congress that the Government of*
14 *Ethiopia should account for, compensate for, or return to*
15 *United States citizens, and entities not less than 50 percent*
16 *beneficially owned by United States citizens, property of*
17 *such citizens and entities that has been nationalized, expro-*
18 *priated, or otherwise seized by the Government of Ethiopia*
19 *before the date of the enactment of this Act in contravention*
20 *of international law.*

Union Calendar No. 105

109TH CONGRESS
1ST Session

H. R. 2601

[Report No. 109-168]

A BILL

To authorize appropriations for the Department of State for fiscal years 2006 and 2007, and for other purposes.

JULY 13, 2005

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed