

Union Calendar No. 105

108TH CONGRESS
1ST SESSION

H. R. 1950

[Report No. 108–105, Parts I, II, III, and IV]

To authorize appropriations for the Department of State for the fiscal years 2004 and 2005, to authorize appropriations under the Arms Export Control Act and the Foreign Assistance Act of 1961 for security assistance for fiscal years 2004 and 2005, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 5, 2003

Mr. HYDE (for himself, Mr. LANTOS, and Mr. BERMAN) introduced the following bill; which was referred to the Committee on International Relations

MAY 16, 2003

Reported with an amendment and referred to the Committees on Armed Services, Energy and Commerce, and the Judiciary for a period ending not later than June 13, 2003, for consideration of such provisions of the bill and amendment as fall within the jurisdiction of those committees pursuant to clause 1 of Rule X

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

JUNE 9, 2003

Referral to the Committees on Armed Services, Energy and Commerce, and the Judiciary extended for a period ending not later than June 16, 2003

JUNE 12, 2003

Supplemental report filed by the Committee on International Relations

JUNE 16, 2003

The Committee on the Judiciary discharged

JUNE 16, 2003

Referral to the Committees on Armed Services and Energy and Commerce extended for a period ending not later than July 11, 2003

JUNE 30, 2003

Reported from the Committee on Armed Services with amendments

[Omit the part struck through in italic and insert the part in boldface roman]

JULY 11, 2003

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

[Omit the part in bold brackets]

[For text of introduced bill, see copy of bill as introduced on May 5, 2003]

A BILL

To authorize appropriations for the Department of State for the fiscal years 2004 and 2005, to authorize appropriations under the Arms Export Control Act and the Foreign Assistance Act of 1961 for security assistance for fiscal years 2004 and 2005, and for other purposes.

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 2004 and 2005”.*

6 **SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF**

7 **CONTENTS.**

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

10 *(1) DIVISION A.—Department of State Author-*
11 *ization Act, Fiscal Years 2004 and 2005.*

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

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

Sec. 1. Short title.

Sec. 2. Organization of act into divisions; table of contents.

Sec. 3. Definitions.

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

Sec. 101. Short title.

TITLE I—AUTHORIZATIONS OF APPROPRIATIONS

Subtitle A—Department of State

Sec. 111. Administration of foreign affairs.

Sec. 112. United States educational and cultural programs.

Sec. 113. Contributions to international organizations.

Sec. 114. International commissions.

Sec. 115. Migration and refugee assistance.

Sec. 116. Voluntary contributions to international organizations.

Sec. 117. Voluntary contributions for international peacekeeping activities.

Sec. 118. Grants to the Asia Foundation.

Subtitle B—United States International Broadcasting Activities

Sec. 121. Authorizations of appropriations.

TITLE II—DEPARTMENT OF STATE AUTHORITIES AND ACTIVITIES

Subtitle A—United States Public Diplomacy

Sec. 201. Findings and purposes.

Sec. 202. Public diplomacy responsibilities of the Department of State.

Sec. 203. Annual plan on public diplomacy strategy.

Sec. 204. Public diplomacy training.

Sec. 205. United States Advisory Commission on Public Diplomacy.

Sec. 206. Library program.

*Sec. 207. Sense of Congress concerning public diplomacy efforts in sub-Saharan
 Africa.*

Subtitle B—Basic Authorities and Activities

Sec. 221. United States policy with respect to Jerusalem as the capital of Israel.

Sec. 222. Modification of reporting requirements.

*Sec. 223. Report concerning efforts to promote Israel's diplomatic relations with
 other countries.*

*Sec. 224. Reimbursement rate for airlift services provided to the Department of
 State.*

Sec. 224. Reimbursement rate for certain airlift services provided by the Department of Defense to the Department of State.

Sec. 225. Sense of Congress regarding additional United States consular posts.

Sec. 226. Validity of United States passports for travel to countries receiving United States foreign assistance.

~~*Sec. 227. Security capital cost sharing.*~~

Sec. 227. GAO assessment of security capital cost sharing.

Sec. 228. Authority to issue administrative subpoenas.

Sec. 229. Enhancing refugee resettlement and maintaining the United States commitment to refugees.

Sec. 230. The Colin Powell Center for American Diplomacy.

Subtitle C—Educational and Cultural Authorities

Sec. 251. Establishment of initiatives for predominantly Muslim countries.

Sec. 252. Database of American and foreign participants in exchange programs.

Sec. 253. Report on inclusion of freedom and democracy advocates in educational and cultural exchange programs.

Sec. 254. Sense of the Congress concerning educational and cultural exchange program for foreign journalists.

Sec. 255. Sense of Congress regarding Korean Fulbright programs.

Sec. 256. Authorizing East Timorese scholarships for graduate study.

Sec. 257. Public safety awareness in study abroad programs.

Subtitle D—Consular Authorities

Sec. 271. Machine readable visas.

Sec. 272. Processing of visa applications.

Sec. 273. Staffing at diplomatic missions.

TITLE III—ORGANIZATION AND PERSONNEL OF THE DEPARTMENT OF STATE

Sec. 301. Fellowship of Hope Program.

Sec. 302. Claims for lost pay.

Sec. 303. Ombudsman for the Department of State.

Sec. 304. Repeal of recertification requirement for senior foreign service.

Sec. 305. Report concerning status of employees of State Department.

Sec. 306. Home leave.

Sec. 307. Increased limits applicable to post differentials and danger pay allowances.

Sec. 308. Regulations regarding retirement credit for government service performed abroad.

Sec. 309. Minority recruitment.

Sec. 310. Meritorious step increases.

TITLE IV—INTERNATIONAL ORGANIZATIONS

Subtitle A—Basic Authorities and Activities

Sec. 401. Raising the cap on peacekeeping contributions.

Sec. 402. Regarding the reentry of the United States in UNESCO.

Sec. 403. UNESCO national commission.

Sec. 404. Organization of American States (OAS) emergency fund.

Sec. 405. United States efforts regarding the status of Israel in the Western European and Others Group at the United Nations.

Subtitle B—United States International Leadership

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

TITLE V—UNITED STATES INTERNATIONAL BROADCASTING ACTIVITIES*Subtitle A—Basic Authorities and Activities*

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

Subtitle B—Global Internet Freedom

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

Subtitle C—Reorganization of United States International Broadcasting

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

TITLE VI—INTERNATIONAL FREE MEDIA ACT OF 2003

- Sec. 601. Short title.*
Sec. 602. Definitions.
Sec. 603. Findings.
Sec. 604. Statements of policy.
Sec. 605. Coordinator for International Free Media.

- Sec. 606. United States Advisory Commission on Public Diplomacy and International Media.*
Sec. 607. International Free Media Fund.
Sec. 608. Free media promotion activity of the Broadcasting Board of Governors.

TITLE VII—MISCELLANEOUS PROVISIONS

Subtitle A—Reporting Requirements

- ~~*Sec. 701. Reports on benchmarks for Bosnia.*~~
Sec. 702 701. Reports to Committee on International Relations.
Sec. 703 702. Reports concerning the capture and prosecution of paramilitary and other terrorist leaders in Colombia.
Sec. 704 703. Reports relating to Magen David Adom Society.
Sec. 705 704. Report concerning the return of portraits of Holocaust victims to the artist Dina Babbitt.
Sec. 706 705. Report to Congress on use of vested assets.
Sec. 707 706. Report concerning the conflict in Uganda.
Sec. 708 707. Requirement for report on United States policy toward Haiti.
Sec. 709 708. Report on the effects of Plan Colombia on Ecuador.
Sec. 710 709. Report on actions taken by Pakistan.
Sec. 711 710. Report on democracy in the Western Hemisphere.
Sec. 712 711. Report concerning internal and intra-regional conflicts in the Great Lakes region of Africa.

Subtitle B—Other Matters

- Sec. 721. Sense of Congress relating to East Timor, justice, and rehabilitation.*
Sec. 722. Sense of Congress concerning human rights and justice in Indonesia.
Sec. 723. Amendment to the International Religious Freedom Act of 1998.
Sec. 724. Sense of Congress with respect to human rights in Central Asia.
Sec. 725. Technical correction to authorization of appropriations for fiscal year 2003 for Center for Cultural and Technical Interchange Between East and West.
Sec. 726. Under Secretary of Commerce for Industry and Security.
Sec. 727. Concerning the spread of weapons of mass destruction.
Sec. 728. International agriculture biotechnology information program.
Sec. 729. Refugee resettlement burdensharing.
【Sec. 730. Sense of Congress on climate change.】
Sec. 731. Sense of Congress regarding migration issues between the United States and Mexico.
Sec. 732. Sense of Congress concerning United States assistance to Palestinian refugees.
Sec. 733. United States policy on World Bank Group loans to Iran.
Sec. 734. Sense of Congress relating to Soviet nuclear tests in Kazakhstan.
Sec. 735. Sense of Congress relating to violence against women.

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

TITLE X—GENERAL PROVISIONS

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

*TITLE XI—TERRORIST-RELATED PROHIBITIONS AND
ENFORCEMENT MEASURES*

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

TITLE XII—STRENGTHENING MUNITIONS EXPORT CONTROLS

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

TITLE XIII—SECURITY ASSISTANCE AND RELATED PROVISIONS

Subtitle A—Foreign Military Sales and Financing Authorities

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

Subtitle B—International Military Education and Training

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

Subtitle C—Assistance for Select Countries

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

Subtitle D—Miscellaneous Provisions

- Sec. 1331. United States War Reserve Stockpiles for Allies.*
Sec. 1332. Transfer to Israel of certain defense articles in the United States War Reserve Stockpiles for Allies.
Sec. 1333. Expansion of authorities for loan of material, supplies, and equipment for research and development purposes.

- Sec. 1334. Assistance for demining and related activities.*
Sec. 1335. Reports relating to Treaty Between the United States and the Russian Federation on Strategic Offensive Reductions.
Sec. 1336. Statement of House of Representatives regarding the Treaty Between the United States and the Russian Federation on Strategic Offensive Reductions.
Sec. 1337. Nonproliferation and Disarmament Fund.
Sec. 1338. Maritime interdiction patrol boats for Mozambique.
Sec. 1339. Report on missile defense cooperation.
Sec. 1340. Iran's program to develop a nuclear explosive device.

TITLE XIV—MISSILE THREAT REDUCTION ACT OF 2003

- Sec. 1401. Short title.*

Subtitle A—Strengthening International Missile Nonproliferation Law

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

Subtitle B—Strengthening United States Missile Nonproliferation Law

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

Subtitle C—Incentives for Missile Threat Reduction

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

TITLE XV—EXPORTS OF SATELLITES

- Sec. 1501. Export controls on satellites and related items.*
~~*Sec. 1502. Mandatory review by Department of State.*~~
~~*Sec. 1503. Export restrictions not affected.*~~
~~*Sec. 1504. Definitions.*~~

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

- ~~*Sec. 1601*~~ **1501.** *Assistance to promote democracy and civil society in Belarus.*
~~*Sec. 1602*~~ **1502.** *Radio broadcasting to Belarus.*
~~*Sec. 1603*~~ **1503.** *Sense of Congress relating to sanctions against the Government of Belarus.*
~~*Sec. 1604*~~ **1504.** *Multilateral cooperation.*
~~*Sec. 1605*~~ **1505.** *Report.*
~~*Sec. 1606*~~ **1506.** *Definitions.*

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

- ~~*Sec. 1701*~~ **1601.** *Short title.*
~~*Sec. 1702*~~ **1602.** *Findings.*

- Sec. ~~1703~~ **1603.** *Purposes.*
 Sec. ~~1704~~ **1604.** *Sense of Congress.*
 Sec. ~~1705~~ **1605.** *Recognition of a Palestinian state.*
 Sec. ~~1706~~ **1606.** *Limitation on assistance to a Palestinian state.*
 Sec. ~~1707~~ **1607.** *Authorization of assistance to a Palestinian state.*

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

- Sec. ~~1801~~ **1701.** *Additional authorities relating to international narcotics control assistance.*
 Sec. ~~1802~~ **1702.** *United States opium eradication program in Colombia.*
 Sec. ~~1803~~ **1703.** *Cooperative Development Program.*
 Sec. ~~1804~~ **1704.** *West Bank and Gaza Program.*
 Sec. ~~1805~~ **1705.** *Annual human rights country reports on incitement to acts of discrimination.*
 Sec. ~~1806~~ **1706.** *Assistance to East Timor.*
 Sec. ~~1807~~ **1707.** *Support for democracy-building efforts for Cuba.*
 Sec. ~~1808~~ **1708.** *Amendment to the Afghanistan Freedom Support Act of 2002.*
 Sec. ~~1809~~ **1709.** *Congo Basin Forest Partnership.*
 Sec. ~~1810~~ **1710.** *Combatting the piracy of United States copyrighted materials.*
 Sec. ~~1811~~ **1711.** *Assistance for law enforcement forces in certain foreign countries.*
 Sec. ~~1812~~ **1712.** *Human Rights and Democracy Fund.*
 Sec. ~~1813~~ **1713.** *Enhanced police training.*
 Sec. ~~1814~~ **1714.** *Promoting a secure and democratic Afghanistan.*
 Sec. ~~1815~~ **1715.** *Grants to the Africa Society.*

1 SEC. 3. DEFINITIONS.

2 *In this Act:*

3 (1) *APPROPRIATE CONGRESSIONAL COMMIT-*
4 *TEES.—The term “appropriate congressional commit-*
5 *tees” means the Committee on Foreign Relations of*
6 *the Senate and the Committee on International Rela-*
7 *tions of the House of Representatives.*

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

10 (3) *SECRETARY.—Except as otherwise provided,*
11 *the term “Secretary” means the Secretary of State.*

1 ***DIVISION A—DEPARTMENT OF***
 2 ***STATE AUTHORIZATION ACT,***
 3 ***FISCAL YEARS 2004 AND 2005***

4 ***SEC. 101. SHORT TITLE.***

5 *This division may be cited as the “Department of*
 6 *State Authorization Act, Fiscal Years 2004 and 2005”.*

7 ***TITLE I—AUTHORIZATIONS OF***
 8 ***APPROPRIATIONS***

9 ***Subtitle A—Department of State***

10 ***SEC. 111. ADMINISTRATION OF FOREIGN AFFAIRS.***

11 *(a) IN GENERAL.—The following amounts are author-*
 12 *ized to be appropriated for the Department under “Admin-*
 13 *istration of Foreign Affairs” to carry out the authorities,*
 14 *functions, duties, and responsibilities in the conduct of the*
 15 *foreign affairs of the United States, and for other purposes*
 16 *authorized by law, including public diplomacy activities*
 17 *and the diplomatic security program:*

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

19 *(A) AUTHORIZATION OF APPROPRIA-*
 20 *TIONS.—For “Diplomatic and Consular Pro-*
 21 *grams”, \$4,187,544,000 for the fiscal year 2004*
 22 *and \$4,438,796,000 for the fiscal year 2005.*

23 *(B) PUBLIC DIPLOMACY.—*

24 *(i) IN GENERAL.—Of the amounts au-*
 25 *thorized to be appropriated by subpara-*

1 *graph (A), \$320,930,000 for the fiscal year*
2 *2004 and \$329,838,000 for the fiscal year*
3 *2005 is authorized to be appropriated for*
4 *public diplomacy.*

5 *(ii) IMPROVEMENTS IN PUBLIC DIPLO-*
6 *MACY PROGRAMS.—Of the amounts author-*
7 *ized to be appropriated under clause (i)*
8 *\$20,000,000 for the fiscal year 2004 and*
9 *\$20,000,000 for the fiscal year 2005 is au-*
10 *thorized to be available for improvements*
11 *and modernization of public diplomacy pro-*
12 *grams and activities of the Department of*
13 *State.*

14 *(iii) TRANSLATION SERVICES.—Of the*
15 *amounts authorized to be appropriated*
16 *under clause (i), \$4,000,000 for the fiscal*
17 *year 2004 and \$4,000,000 for the fiscal year*
18 *2005 is authorized to be available for trans-*
19 *lation services available to public affairs of-*
20 *ficers in overseas posts.*

21 *(C) WORLDWIDE SECURITY UPGRADES.—Of*
22 *the amounts authorized to be appropriated by*
23 *subparagraph (A), \$646,701,000 for the fiscal*
24 *year 2004 and \$679,036,000 for the fiscal year*

1 2005 is authorized to be appropriated for world-
2 wide security upgrades.

3 (D) *BUREAU OF DEMOCRACY, HUMAN*
4 *RIGHTS, AND LABOR.*—Of the amounts author-
5 ized to be appropriated by subparagraph (A),
6 \$20,000,000 for the fiscal year 2004 and
7 \$20,000,000 for the fiscal year 2005 is author-
8 ized to be appropriated for salaries and expenses
9 of the Bureau of Democracy, Human Rights,
10 and Labor.

11 (E) *RECRUITMENT OF MINORITY GROUPS.*—
12 Of the amount authorized to be appropriated by
13 subparagraph (A), \$2,000,000 for the fiscal year
14 2004 and \$2,000,000 for the fiscal year 2005 is
15 authorized to be appropriated for the recruitment
16 of members of minority groups for careers in the
17 Foreign Service and international affairs.

18 (2) *CAPITAL INVESTMENT FUND.*—For “Capital
19 Investment Fund”, \$157,000,000 for the fiscal year
20 2004 and \$161,710,000 for the fiscal year 2005.

21 (3) *EMBASSY SECURITY, CONSTRUCTION AND*
22 *MAINTENANCE.*—

23 (A) *IN GENERAL.*—For “Embassy Security,
24 Construction and Maintenance”, \$653,000,000
25 for the fiscal year 2004 and \$784,000,000 for the

1 *fiscal year 2005, in addition to amounts other-*
2 *wise authorized to be appropriated for such pur-*
3 *pose by section 604 of the Admiral James W.*
4 *Nance and Meg Donovan Foreign Relations Au-*
5 *thorization Act, Fiscal Years 2000 and 2001 (as*
6 *enacted into law by section 1000(a)(7) of Public*
7 *Law 106–113 and contained in appendix G of*
8 *that Act; 113 Stat. 1501A–470).*

9 (B) *AMENDMENT OF THE NANCE-DONOVAN*
10 *FOREIGN RELATIONS AUTHORIZATION ACT.—Sec-*
11 *tion 604(a) of the Admiral James W. Nance and*
12 *Meg Donovan Foreign Relations Authorization*
13 *Act, Fiscal Years 2000 and 2001 (113 Stat.*
14 *1501A–453) is amended—*

15 (i) *at the end of paragraph (4) by*
16 *striking “and”;*

17 (ii) *in paragraph (5) by striking*
18 *“\$900,000,000.” and inserting*
19 *“\$1,000,000,000; and”;* and

20 (iii) *by inserting after paragraph (5)*
21 *the following:*

22 *“(6) for fiscal year 2005, \$1,000,000,000.”.*

23 (4) *REPRESENTATION ALLOWANCES.—For “Rep-*
24 *resentation Allowances”, \$9,000,000 for the fiscal year*
25 *2004 and \$9,000,000 for the fiscal year 2005.*

1 (5) *PROTECTION OF FOREIGN MISSIONS AND OF-*
2 *FICIALS.—For “Protection of Foreign Missions and*
3 *Officials”, \$10,000,000 for the fiscal year 2004 and*
4 *\$10,000,000 for the fiscal year 2005.*

5 (6) *EMERGENCIES IN THE DIPLOMATIC AND CON-*
6 *SULAR SERVICE.—For “Emergencies in the Diplo-*
7 *matic and Consular Service”, \$1,000,000 for the fis-*
8 *cal year 2004 and such sums as may be necessary for*
9 *the fiscal year 2005.*

10 (7) *REPATRIATION LOANS.—For “Repatriation*
11 *Loans”, \$1,219,000 for the fiscal year 2004 and*
12 *\$1,219,000 for the fiscal year 2005.*

13 (8) *PAYMENT TO THE AMERICAN INSTITUTE IN*
14 *TAIWAN.—For “Payment to the American Institute in*
15 *Taiwan”, \$19,773,000 for the fiscal year 2004 and*
16 *\$20,761,000 for the fiscal year 2005.*

17 (9) *OFFICE OF THE INSPECTOR GENERAL.—For*
18 *“Office of the Inspector General”, \$31,703,000 for the*
19 *fiscal year 2004 and \$32,654,000 for the fiscal year*
20 *2005.*

21 (b) *AVAILABILITY OF FUNDS FOR PROTECTION OF*
22 *FOREIGN MISSIONS AND OFFICIALS.—The amount appro-*
23 *priated pursuant to subsection (a)(5) is authorized to re-*
24 *main available through September 30, 2006.*

1 **SEC. 112. UNITED STATES EDUCATIONAL AND CULTURAL**
2 **PROGRAMS.**

3 (a) *IN GENERAL.*—Amounts in this section are author-
4 ized to be appropriated for the Department of State to carry
5 out educational and cultural programs of the Department
6 of State under the United States Information and Edu-
7 cational Exchange Act of 1948, the Mutual Educational
8 and Cultural Exchange Act of 1961, Reorganization Plan
9 Number 2 of 1977, the Foreign Affairs Reform and Restruc-
10 turing Act of 1998, the Center for Cultural and Technical
11 Interchange Between East and West Act of 1960, the Dante
12 B. Fascell North-South Center Act of 1991, and the Na-
13 tional Endowment for Democracy Act, and to carry out
14 other authorities in law consistent with such purposes.

15 (b) *EDUCATIONAL AND CULTURAL EXCHANGE PRO-*
16 *GRAMS.*—

17 (1) *AUTHORIZATION OF APPROPRIATIONS.*—For
18 “Educational and Cultural Exchange Programs”,
19 \$393,000,000 for the fiscal year 2004 and
20 \$405,000,000 for the fiscal year 2005.

21 (2) *PROGRAMS IN EASTERN EUROPE AND*
22 *FORMER SOVIET UNION.*—Of the amounts authorized
23 to be appropriated under paragraph (1),
24 \$150,000,000 for the fiscal year 2004 and
25 \$150,000,000 for the fiscal year 2005 is authorized to

1 *be available for programs in Eastern Europe and*
2 *countries of the former Soviet Union.*

3 (3) *ACADEMIC EXCHANGE PROGRAMS.—*

4 (A) *IN GENERAL.—Of the amounts author-*
5 *ized to be appropriated under paragraph (1),*
6 *\$142,000,000 for the fiscal year 2004 and*
7 *\$142,000,000 for the fiscal year 2005 is author-*
8 *ized to be available for the “Academic Exchange*
9 *Programs” (other than programs described in*
10 *paragraph (4)).*

11 (B) *HIV/AIDS INITIATIVE.—Of the amounts*
12 *authorized to be available under subparagraph*
13 *(A), \$1,000,000 for the fiscal year 2004 and*
14 *\$1,000,000 for the fiscal year 2005 is authorized*
15 *to be available for HIV/AIDS research and miti-*
16 *gation strategies.*

17 (C) *FULBRIGHT ENGLISH TEACHING AS-*
18 *SISTANT PROGRAM IN KOREA.—Of the amounts*
19 *authorized to be available by subparagraph (A),*
20 *\$750,000 for the fiscal year 2004 and \$750,000*
21 *for the fiscal year 2005 is authorized to be avail-*
22 *able for the Fulbright English Teaching Assist-*
23 *ant Program in Korea, which sends United*
24 *States citizen students to serve as English lan-*

1 *guage teaching assistants at Korean colleges and*
2 *high schools.*

3 *(D) DANTE B. FASCELL NORTH-SOUTH CEN-*
4 *TER.—Of the amounts authorized to be available*
5 *by subparagraph (A), \$1,025,000 for the fiscal*
6 *year 2004 and \$1,025,000 for the fiscal year*
7 *2005 is authorized to be available for the “Dante*
8 *B. Fascell North-South Center”.*

9 *(E) GEORGE J. MITCHELL SCHOLARSHIP*
10 *PROGRAM.—Of the amounts authorized to be*
11 *available under subparagraph (A), \$500,000 for*
12 *the fiscal year 2004 and \$500,000 for the fiscal*
13 *year 2005 is authorized to be available for the*
14 *“George J. Mitchell Scholarship Program” which*
15 *provides for one year of postgraduate study for*
16 *American scholars at institutions of higher edu-*
17 *cation in Ireland and Northern Ireland.*

18 *(4) OTHER EDUCATIONAL AND CULTURAL EX-*
19 *CHANGE PROGRAMS.—*

20 *(A) IN GENERAL.—Of the amounts author-*
21 *ized to be appropriated under paragraph (1),*
22 *\$110,000,000 for the fiscal year 2004 and*
23 *\$110,000,000 for the fiscal year 2005 is author-*
24 *ized to be available for other educational and*
25 *cultural exchange programs authorized by law.*

1 (B) *INITIATIVES FOR PREDOMINANTLY MUS-*
2 *LIM COUNTRIES.*—*Of the amounts authorized to*
3 *be available under subparagraph (A),*
4 *\$35,000,000 for the fiscal year 2004 and*
5 *\$35,000,000 for the fiscal year 2005 is author-*
6 *ized to be available for initiatives for predomi-*
7 *nantly Muslim countries established under sec-*
8 *tion 251.*

9 (C) *TIBETAN EXCHANGES.*—*Of the amounts*
10 *authorized to be available under subparagraph*
11 *(A), \$500,000 for the fiscal year 2004 and*
12 *\$500,000 for the fiscal year 2005 is authorized to*
13 *be available for “Ngawang Choephel Exchange*
14 *Programs” (formerly known as “programs of*
15 *educational and cultural exchange between the*
16 *United States and the people of Tibet”) under*
17 *section 103(a) of the Human Rights, Refugee,*
18 *and Other Foreign Relations Provisions Act of*
19 *1996 (Public Law 104–319).*

20 (D) *EAST TIMORESE SCHOLARSHIPS.*—*Of*
21 *the amounts authorized to be available under*
22 *subparagraph (A), \$1,000,000 for the fiscal year*
23 *2004 and \$1,000,000 for the fiscal year 2005 is*
24 *authorized to be available for “East Timorese*
25 *Scholarships”.*

1 (E) *SOUTH PACIFIC EXCHANGES.*—Of the
2 amounts authorized to be available under sub-
3 paragraph (A), \$750,000 for the fiscal year 2004
4 and \$750,000 for the fiscal year 2005 is author-
5 ized to be available for “South Pacific Ex-
6 changes”.

7 (F) *SUDANESE SCHOLARSHIPS.*—Of the
8 amounts authorized to be available under sub-
9 paragraph (A), \$500,000 for the fiscal year 2004
10 and \$500,000 for the fiscal year 2005 is author-
11 ized to be available for scholarships for students
12 from southern Sudan for secondary or postsec-
13 ondary education in the United States, to be
14 known as “Sudanese Scholarships”.

15 (G) *SUMMER INSTITUTES FOR KOREAN STU-*
16 *DENTS.*—Of the amounts authorized to be avail-
17 able under subparagraph (A), \$750,000 for the
18 fiscal year 2004 and \$750,000 for the fiscal year
19 2005 is authorized to be available for summer
20 academic study programs in the United States
21 (focusing on United States political systems, gov-
22 ernment institutions, society, and democratic
23 culture) for college and university students from
24 the Republic of Korea, to be known as the

1 *“United States Summer Institutes for Korean*
2 *Student Leaders”*.

3 *(H) SCHOLARSHIPS FOR INDIGENOUS PEOPLES OF MEXICO AND CENTRAL AND SOUTH AMERICA.—Of the amounts authorized to be*
4 *available under subparagraph (A), \$400,000 for*
5 *the fiscal year 2004 and \$400,000 for the fiscal*
6 *year 2005 is authorized to be available for schol-*
7 *arships for postsecondary education in the*
8 *United States for students from Mexico and the*
9 *countries of Central and South America who are*
10 *from the indigenous peoples of the region.*

11 *(c) NATIONAL ENDOWMENT FOR DEMOCRACY.—*

12 *(1) IN GENERAL.—For the “National Endow-*
13 *ment for Democracy”, \$45,000,000 for the fiscal year*
14 *2004 and \$47,000,000 for the fiscal year 2005.*

15 *(2) INITIATIVES FOR PREDOMINANTLY MUSLIM*
16 *COUNTRIES.—Of the amounts authorized to be appro-*
17 *priated under paragraph (1), \$3,000,000 for the fiscal*
18 *year 2004 and \$3,000,000 for the fiscal year 2005 is*
19 *authorized to be available for the National Endow-*
20 *ment for Democracy to fund programs that promote*
21 *democracy, good governance, the rule of law, inde-*
22 *pendent media, religious tolerance, the rights of*
23 *women, and strengthening of civil society in countries*
24 *and*
25 *strengthening of civil society in countries*

1 of predominantly Muslim population within the ju-
2 risdiction of the Bureau of Near Eastern Affairs of
3 the Department of State.

4 (d) *CENTER FOR CULTURAL AND TECHNICAL INTER-*
5 *CHANGE BETWEEN EAST AND WEST.*—For the “Center for
6 *Cultural and Technical Interchange between East and*
7 *West*”, \$14,280,000 for the fiscal year 2004 and \$14,280,000
8 *for the fiscal year 2005.*

9 (e) *REAGAN-FASCELL DEMOCRACY FELLOWS.*—For the
10 “*Reagan-Fascell Democracy Fellows*”, for fellowships for
11 *democracy activists and scholars from around the world at*
12 *the International Forum for Democratic Studies in Wash-*
13 *ington, D.C., to study, write, and exchange views with other*
14 *activists and scholars and with Americans, \$1,000,000 for*
15 *the fiscal year 2004 and \$1,000,000 for the fiscal year 2005.*

16 (f) *BENJAMIN GILMAN INTERNATIONAL SCHOLARSHIP*
17 *PROGRAM.*—Section 305 of the *Microenterprise for Self-Re-*
18 *liance and International Anti-Corruption Act of 2000* (22
19 *U.S.C. 2462 note)* is amended by striking “\$1,500,000” and
20 *inserting “\$2,500,000”.*

21 **SEC. 113. CONTRIBUTIONS TO INTERNATIONAL ORGANIZA-**
22 **TIONS.**

23 (a) *ASSESSED CONTRIBUTIONS TO INTERNATIONAL*
24 *ORGANIZATIONS.*—There is authorized to be appropriated
25 *under the heading “Contributions to International Organi-*

1 zations” \$1,010,463,000 for the fiscal year 2004 and
2 \$1,040,776,000 for the fiscal year 2005 for the Department
3 to carry out the authorities, functions, duties, and respon-
4 sibilities in the conduct of the foreign affairs of the United
5 States with respect to international organizations and to
6 carry out other authorities in law consistent with such pur-
7 poses.

8 (b) *CONTRIBUTIONS FOR INTERNATIONAL PEACE-*
9 *KEEPING ACTIVITIES.*—There is authorized to be appro-
10 priated under the heading “Contributions for International
11 Peacekeeping Activities” \$550,200,000 for the fiscal year
12 2004 and such sums as may be necessary for the fiscal year
13 2005 for the Department to carry out the authorities, func-
14 tions, duties, and responsibilities in the conduct of the for-
15 eign affairs of the United States with respect to inter-
16 national peacekeeping activities and to carry out other au-
17 thorities in law consistent with such purposes.

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

19 (1) *AUTHORIZATION OF APPROPRIATIONS.*—In
20 addition to the amounts authorized to be appro-
21 priated by subsection (a), there is authorized to be ap-
22 propriated such sums as may be necessary for the fis-
23 cal years 2004 and 2005 to offset adverse fluctuations
24 in foreign currency exchange rates.

1 (2) *AVAILABILITY OF FUNDS.*—Amounts appro-
2 priated under this subsection may be available for ob-
3 ligation and expenditure only to the extent that the
4 Director of the Office of Management and Budget de-
5 termines and certifies to the appropriate congres-
6 sional committees that such amounts are necessary
7 due to such fluctuations.

8 (d) *REFUND OF EXCESS CONTRIBUTIONS.*—The
9 United States shall continue to insist that the United Na-
10 tions and its specialized and affiliated agencies shall credit
11 or refund to each member of the organization or agency con-
12 cerned its proportionate share of the amount by which the
13 total contributions to the organization or agency exceed the
14 expenditures of the regular assessed budget of the organiza-
15 tion or agency.

16 **SEC. 114. INTERNATIONAL COMMISSIONS.**

17 The following amounts are authorized to be appro-
18 priated under “International Commissions” for the Depart-
19 ment to carry out the authorities, functions, duties, and re-
20 sponsibilities in the conduct of the foreign affairs of the
21 United States with respect to international commissions,
22 and for other purposes authorized by law:

23 (1) *INTERNATIONAL BOUNDARY AND WATER COM-*
24 *MISSION, UNITED STATES AND MEXICO.*—For “Inter-

1 *national Boundary and Water Commission, United*
2 *States and Mexico”—*

3 (A) for “Salaries and Expenses”,
4 \$31,562,000 for the fiscal year 2004 and
5 \$31,562,000 for the fiscal year 2005; and

6 (B) for “Construction”, \$8,901,000 for the
7 fiscal year 2004 and \$8,901,000 for the fiscal
8 year 2005.

9 (2) *INTERNATIONAL BOUNDARY COMMISSION,*
10 *UNITED STATES AND CANADA.—For “International*
11 *Boundary Commission, United States and Canada”,*
12 *\$1,261,000 for the fiscal year 2004 and \$1,261,000 for*
13 *the fiscal year 2005.*

14 (3) *INTERNATIONAL JOINT COMMISSION.—For*
15 *“International Joint Commission”, \$7,810,000 for the*
16 *fiscal year 2004 and \$7,810,000 for the fiscal year*
17 *2005.*

18 (4) *INTERNATIONAL FISHERIES COMMISSIONS.—*
19 *For “International Fisheries Commissions”,*
20 *\$20,043,000 for the fiscal year 2004 and \$20,043,000*
21 *for the fiscal year 2005.*

22 **SEC. 115. MIGRATION AND REFUGEE ASSISTANCE.**

23 (a) *IN GENERAL.—There is authorized to be appro-*
24 *riated for the Department for “Migration and Refugee As-*

1 *sistance*” for authorized activities, \$927,000,000 for the fis-
2 cal year 2004 and \$957,000,000 for the fiscal year 2005.

3 (b) *REFUGEES RESETTLING IN ISRAEL.*—Of the
4 amount authorized to be appropriated by subsection (a),
5 \$50,000,000 for the fiscal year 2004 and \$50,000,000 for
6 the fiscal year 2005 is authorized to be available for the
7 resettlement of refugees in Israel.

8 (c) *TIBETAN REFUGEES IN INDIA AND NEPAL.*—Of the
9 amount authorized to be appropriated by subsection (a),
10 \$2,000,000 for the fiscal year 2004 and \$2,000,000 for the
11 fiscal year 2005 is authorized to be available for humani-
12 tarian assistance, including food, medicine, clothing, and
13 medical and vocational training, to Tibetan refugees in
14 India and Nepal who have fled Chinese-occupied Tibet.

15 (d) *HUMANITARIAN ASSISTANCE FOR DISPLACED*
16 *BURMESE.*—Of the amount authorized to be appropriated
17 by subsection (a), \$2,000,000 for the fiscal year 2004 and
18 \$2,000,000 for the fiscal year 2005 is authorized to be avail-
19 able for humanitarian assistance (including food, medicine,
20 clothing, and medical and vocational training) to persons
21 displaced as a result of civil conflict in Burma, including
22 persons still within Burma.

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

1 **SEC. 116. VOLUNTARY CONTRIBUTIONS TO INTERNATIONAL**
2 **ORGANIZATIONS.**

3 (a) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*
4 *authorized to be appropriated for the Department of State*
5 *for “Voluntary Contributions to International Organiza-*
6 *tions”, \$342,555,000 for the fiscal year 2004 and*
7 *\$345,000,000 for the fiscal year 2005.*

8 (b) *UNITED NATIONS VOLUNTARY FUND FOR VICTIMS*
9 *OF TORTURE.*—*Of the amounts authorized to be appro-*
10 *priated under subsection (a), \$6,000,000 for the fiscal year*
11 *2004 and \$7,000,000 for the fiscal year 2005 is authorized*
12 *to be available for a United States voluntary contribution*
13 *to the United Nations Voluntary Fund for Victims of Tor-*
14 *ture.*

15 (c) *ORGANIZATION OF AMERICAN STATES.*—*Of the*
16 *amounts authorized to be appropriated under subsection (a)*
17 *\$2,000,000 for fiscal years 2004 and 2005 is authorized to*
18 *be available for a United States voluntary contribution to*
19 *the Organization of American States for the Inter-American*
20 *Committee Against Terrorism (CICTE) to identify and de-*
21 *velop a port in the Latin American and Caribbean region*
22 *into a model of best security practices and appropriate tech-*
23 *nologies for improving port security in the Western Hemi-*
24 *sphere. Amounts authorized to be available by the preceding*
25 *sentence are authorized to remain available until expended*
26 *and are in addition to amounts otherwise available to carry*

1 *out section 301 of the Foreign Assistance Act of 1961 (22*
2 *U.S.C. 2221).*

3 *(d) RESTRICTIONS ON UNITED STATES CONTRIBU-*
4 *TIONS TO UNITED NATIONS DEVELOPMENT PROGRAM.—*

5 *(1) LIMITATION.—Of the amounts made avail-*
6 *able under subsection (a) for each of the fiscal years*
7 *2004 and 2005 for United States contributions to the*
8 *United Nations Development Program an amount*
9 *equal to the amount the United Nations Development*
10 *Program will spend in Burma during each fiscal*
11 *year shall be withheld unless during such fiscal year*
12 *the Secretary of State submits to the appropriate con-*
13 *gressional committees the certification described in*
14 *paragraph (2).*

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

21 *(A) are focused on eliminating human suf-*
22 *fering and addressing the needs of the poor;*

23 *(B) are undertaken only through inter-*
24 *national or private voluntary organizations that*
25 *have been deemed independent of the State Peace*

1 *and Development Council (SPDC) (formerly*
2 *known as the State Law and Order Restoration*
3 *Council (SLORC)), after consultation with the*
4 *leadership of the National League for Democracy*
5 *and the leadership of the National Coalition*
6 *Government of the Union of Burma;*

7 *(C) provide no financial, political, or mili-*
8 *tary benefit to the SPDC; and*

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

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

14 *(1) AUTHORIZATION OF APPROPRIATIONS.—Of*
15 *the amounts authorized to be appropriated under sub-*
16 *section (a), \$50,000,000 for each of the fiscal years*
17 *2004 and 2005 is authorized only to be available for*
18 *a United States voluntary contribution to the United*
19 *Nations Population Fund (UNFPA).*

20 *(2) PERMANENT GUIDELINES FOR VOLUNTARY*
21 *CONTRIBUTIONS TO UNFPA.—Section 301 of the For-*
22 *foreign Assistance Act of 1961 (22 U.S.C. 2221) is*
23 *amended by inserting after subsection (a) the fol-*
24 *lowing new subsection:*

1 “(b)(1) For fiscal year 2004 and each subsequent fiscal
2 year, funds appropriated to the President or the Depart-
3 ment of State under any law for a voluntary contribution
4 to the United Nations Population Fund (UNFPA) may be
5 obligated and expended for such purpose beginning 30 days
6 after such funds become available and only if the President
7 certifies to the Congress that the United Nations Population
8 Fund (UNFPA) does not directly support or participate in
9 coercive abortion or involuntary sterilization. The certifi-
10 cation authority of the President under the preceding sen-
11 tence may not be delegated.

12 “(2) In paragraph (1), the term ‘directly supports or
13 participates in coercive abortion or involuntary steriliza-
14 tion’ means knowingly and intentionally working with a
15 purpose to continue, advance, or expand the practice of co-
16 ercive abortion or involuntary sterilization, or playing a
17 primary and essential role in a coercive or involuntary as-
18 pect of a country’s family planning program.”.

19 **SEC. 117. VOLUNTARY CONTRIBUTIONS FOR INTER-**
20 **NATIONAL PEACEKEEPING ACTIVITIES.**

21 (a) *AUTHORIZATION OF APPROPRIATIONS.*—There is
22 authorized to be appropriated for the Department of State
23 for “Voluntary Contributions for International Peace-
24 keeping”, \$110,000,000 for the fiscal year 2004 and
25 \$110,000,000 for the fiscal year 2005.

1 (b) *PEACEKEEPING IN AFRICA.*—Of the amounts au-
2 thorized to be appropriated under subsection (a),
3 \$40,000,000 for the fiscal year 2004 and such sums as may
4 be necessary for the fiscal year 2005 is authorized to be ap-
5 propriated for peacekeeping activities in Africa.

6 **SEC. 118. GRANTS TO THE ASIA FOUNDATION.**

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

10 “SEC. 404. There is authorized to be appropriated to
11 the Secretary of State \$18,000,000 for the fiscal year 2004
12 and \$18,000,000 for the fiscal year 2005 for grants to The
13 Asia Foundation pursuant to this title.”.

14 **Subtitle B—United States Inter-**
15 **national Broadcasting Activities**

16 **SEC. 121. AUTHORIZATIONS OF APPROPRIATIONS.**

17 The following amounts are authorized to be appro-
18 priated to carry out United States Government broad-
19 casting activities under the United States Information and
20 Educational Exchange Act of 1948, the United States Inter-
21 national Broadcasting Act of 1994, the Radio Broadcasting
22 to Cuba Act, the Television Broadcasting to Cuba Act, and
23 the Foreign Affairs Reform and Restructuring Act of 1998,
24 and to carry out other authorities in law consistent with
25 such purposes:

1 (1) *INTERNATIONAL BROADCASTING OPER-*
2 *ATIONS.—*

3 (A) *IN GENERAL.—For “International*
4 *Broadcasting Operations”, \$600,354,000 for the*
5 *fiscal year 2004 and \$612,146,000 for the fiscal*
6 *year 2005.*

7 (B) *ALLOCATION OF FUNDS.—Of the*
8 *amounts authorized to be appropriated by sub-*
9 *paragraph (A), there is authorized to be avail-*
10 *able for Radio Free Asia \$30,000,000 for the fis-*
11 *cal year 2004 and \$30,000,000 for the fiscal year*
12 *2005.*

13 (C) *OFFICE OF GLOBAL INTERNET FREE-*
14 *DOM.—Of the amounts authorized to be appro-*
15 *priated by subparagraph (A), there is authorized*
16 *to be available for the Broadcasting Board of*
17 *Governors for the establishment and operations*
18 *of the Office of Global Internet Freedom under*
19 *section 524(a) \$8,000,000 for the fiscal year*
20 *2004 and \$8,000,000 for the fiscal year 2005.*

21 (2) *BROADCASTING CAPITAL IMPROVEMENTS.—*
22 *For “Broadcasting Capital Improvements”,*
23 *\$29,895,000 for the fiscal year 2004 and \$11,395,000*
24 *for the fiscal year 2005.*

1 (3) *BROADCASTING TO CUBA.*—For “Broad-
2 casting to Cuba”, \$26,901,000 for the fiscal year 2004
3 and \$27,439,000 for the fiscal year 2005.

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

7 **Subtitle A—United States Public**
8 **Diplomacy**

9 **SEC. 201. FINDINGS AND PURPOSES.**

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

12 (1) *The United States possesses strong and deep*
13 *connections with the peoples of the world separate*
14 *from its relations with their governments. These con-*
15 *nections can be a major asset in the promotion of*
16 *United States interests and foreign policy.*

17 (2) *Misinformation and hostile propaganda in*
18 *these countries regarding the United States and its*
19 *foreign policy endanger the interests of the United*
20 *States. Existing efforts to counter such misinforma-*
21 *tion and propaganda are inadequate and must be*
22 *greatly enhanced in both scope and substance.*

23 (3) *United States foreign policy has been ham-*
24 *pered by an insufficient consideration of the impor-*
25 *tance of public diplomacy in the formulation and im-*

1 *and execution of United States foreign policy. The Depart-*
2 *ment of State, in coordination with the United States Inter-*
3 *national Broadcasting Agency, shall develop a comprehen-*
4 *sive strategy for the use of public diplomacy resources and*
5 *assume a prominent role in coordinating the efforts of all*
6 *Federal agencies involved in public diplomacy. Public di-*
7 *plomacy efforts shall be addressed to developed and devel-*
8 *oping countries, to select and general audiences, and shall*
9 *utilize all available media to ensure that the foreign policy*
10 *of the United States is properly explained and understood*
11 *not only by the governments of countries but also by their*
12 *peoples, with the objective of enhancing support for United*
13 *States foreign policy. The Secretary shall ensure that the*
14 *public diplomacy strategy of the United States is cohesive*
15 *and coherent and shall aggressively and through the most*
16 *effective mechanisms counter misinformation and propa-*
17 *ganda concerning the United States. The Secretary shall*
18 *endeavor to articulate the importance in American foreign*
19 *policy of the guiding principles and doctrines of the United*
20 *States, particularly freedom and democracy. The Secretary,*
21 *in coordination with the Board of Governors of the United*
22 *States International Broadcasting Agency, shall develop*
23 *and articulate long-term measurable objectives for United*
24 *States public diplomacy. The Secretary is authorized to*
25 *produce and distribute public diplomacy programming for*

1 *distribution abroad in order to achieve public diplomacy*
2 *objectives, including through satellite communication, the*
3 *Internet, and other established and emerging communica-*
4 *tions technologies.*

5 “(b) *INFORMATION CONCERNING UNITED STATES AS-*
6 *SISTANCE.*—

7 “(1) *IDENTIFICATION OF ASSISTANCE.*—*In co-*
8 *operation with the United States Agency for Inter-*
9 *national Development (USAID) and other public and*
10 *private assistance organizations and agencies, the*
11 *Secretary shall ensure that information concerning*
12 *foreign assistance provided by the United States Gov-*
13 *ernment, United States nongovernmental organiza-*
14 *tions and private entities, and the American people*
15 *is disseminated widely and prominently, particu-*
16 *larly, to the extent practicable, within countries and*
17 *regions that receive such assistance. The Secretary*
18 *shall ensure that, to the extent practicable, projects*
19 *funded by the United States Agency for International*
20 *Development (USAID) that do not involve commod-*
21 *ities, including projects implemented by private vol-*
22 *untary organizations, are identified as being sup-*
23 *ported by the United States of America, as American*
24 *Aid or provided by the American people.*

1 “(2) *REPORT TO CONGRESS.*—Not later than 120
2 *days after the end of each fiscal year, the Secretary*
3 *shall submit a report to the Committee on Inter-*
4 *national Relations of the House of Representatives*
5 *and the Committee on Foreign Relations of the Senate*
6 *on efforts to disseminate information concerning as-*
7 *sistance described in paragraph (1) during the pre-*
8 *ceding fiscal year. Each such report shall include spe-*
9 *specific information concerning all instances in which*
10 *the United States Agency for International Develop-*
11 *ment has not identified projects in the manner pre-*
12 *scribed in paragraph (1) because such identification*
13 *was not practicable. Any such report shall be sub-*
14 *mitted in unclassified form, but may include a classi-*
15 *fied appendix.*

16 “(c) *AUTHORITY.*—Subject to the availability of ap-
17 *propriations, the Secretary may contract with and com-*
18 *pensate government and private agencies or persons for*
19 *property and services to carry out this section.”.*

20 (b) *ESTABLISHMENT OF PUBLIC DIPLOMACY RESERVE*
21 *CORPS.*—

22 (1) *The Secretary of State shall establish a pub-*
23 *lic diplomacy reserve corps to augment the public di-*
24 *plomacy capacity and capabilities of the Department*
25 *in emergency and critical circumstances worldwide.*

1 *The Secretary shall develop a contingency plan for*
2 *the use of the corps to bolster public diplomacy re-*
3 *sources and expertise. To the extent necessary and ap-*
4 *propriate, the Secretary may recruit experts in public*
5 *diplomacy and related fields from the private sector.*

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

12 *(c) FUNCTIONS OF THE UNDER SECRETARY FOR PUB-*
13 *LIC DIPLOMACY.—*

14 *(1) Section 1(b)(3) of the State Department*
15 *Basic Authorities Act of 1956 (22 U.S.C. 2651a(b)(3))*
16 *is amended by striking “formation” and all that fol-*
17 *lows through the period at the end and inserting “for-*
18 *mation, supervision, and implementation of United*
19 *States public diplomacy policies, programs, and ac-*
20 *tivities, including the provision of guidance to De-*
21 *partment personnel in the United States and overseas*
22 *who conduct or implement such policies, programs,*
23 *and activities. The Under Secretary for Public Diplo-*
24 *macy shall assist the United States Agency for Inter-*
25 *national Broadcasting in presenting the policies of*

1 *the United States clearly and effectively, shall submit*
2 *statements of United States policy and editorial ma-*
3 *terial to the Agency for broadcast consideration in*
4 *addition to material prepared by the Agency, and*
5 *shall ensure that editorial material created by the*
6 *Agency for broadcast is reviewed expeditiously by the*
7 *Department.”.*

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

15 **SEC. 203. ANNUAL PLAN ON PUBLIC DIPLOMACY STRATEGY.**

16 *The Secretary of State, in coordination with all appro-*
17 *priate Federal agencies, shall prepare an annual review*
18 *and analysis of the impact of public diplomacy efforts on*
19 *target audiences. Each review shall assess the United States*
20 *public diplomacy strategy worldwide and by region, includ-*
21 *ing the allocation of resources and an evaluation and assess-*
22 *ment of the progress in, and barriers to, achieving the goals*
23 *set forth under previous plans submitted under this section.*
24 *On the basis of such review, the Secretary of State, in co-*
25 *ordination with all appropriate Federal agencies shall de-*

1 *velop and submit, as part of the annual budget submission,*
2 *a public diplomacy strategy which specifies goals, agency*
3 *responsibilities, and necessary resources and mechanisms*
4 *for achieving such goals during the next fiscal year. The*
5 *plan may be submitted in classified form.*

6 **SEC. 204. PUBLIC DIPLOMACY TRAINING.**

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

9 *(1) The Foreign Service should recruit individ-*
10 *uals with expertise and professional experience in*
11 *public diplomacy.*

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

17 *(3) Initial and subsequent training of Foreign*
18 *Service officers should be enhanced to include infor-*
19 *mation and training on public diplomacy and the*
20 *tools and technology of mass communication.*

21 *(b) PERSONNEL.—*

22 *(1) In the recruitment, training, and assignment*
23 *of members of the Foreign Service, the Secretary shall*
24 *emphasize the importance of public diplomacy and of*
25 *applicable skills and techniques. The Secretary shall*

1 *consider the priority recruitment into the Foreign*
2 *Service, at middle-level entry, of individuals with ex-*
3 *pertise and professional experience in public diplo-*
4 *macy, mass communications, or journalism, espe-*
5 *cially individuals with language facility and experi-*
6 *ence in particular countries and regions.*

7 *(2) The Secretary of State shall seek to increase*
8 *the number of Foreign Service officers proficient in*
9 *languages spoken in predominantly Muslim countries.*
10 *Such increase shall be accomplished through the re-*
11 *ruitment of new officers and incentives for officers in*
12 *service.*

13 **SEC. 205. UNITED STATES ADVISORY COMMISSION ON PUB-**
14 **LIC DIPLOMACY.**

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

20 *“(2)(A) Not less often than every two years, the Com-*
21 *mission shall undertake an in-depth review of United States*
22 *public diplomacy programs, policies, and activities. Each*
23 *study shall assess the effectiveness of the various mecha-*
24 *nisms of United States public diplomacy, in light of factors*
25 *including public and media attitudes around the world to-*

1 *ward the United States, Americans, United States foreign*
2 *policy, and the role of the American private-sector commu-*
3 *nity abroad, and make appropriate recommendations.*

4 “(B) *A comprehensive report of each study under sub-*
5 *paragraph (A) shall be submitted to the Secretary of State*
6 *and the appropriate congressional committees. At the dis-*
7 *cretion of the Commission, any report under this subsection*
8 *may be submitted in classified or unclassified form, as ap-*
9 *propriate.”.*

10 **(b) INFORMATION AND SUPPORT FROM OTHER AGEN-**
11 **CIES.—***Upon request of the United States Advisory Com-*
12 *mission on Public Diplomacy, the Secretary of State, the*
13 *Director of the United States International Broadcasting*
14 *Agency, and the head of any other Federal agency that con-*
15 *ducts public diplomacy programs and activities shall pro-*
16 *vide information to the Advisory Commission to assist in*
17 *carrying out the responsibilities under section 604(c)(2) of*
18 *the United States Information and Educational Exchange*
19 *Act of 1948 (as amended by subsection (a)).*

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

22 **(1) QUALIFICATIONS OF MEMBERS.—***Section*
23 *604(a)(2) of the United States Information and Edu-*
24 *cational Exchange Act of 1948 (22 U.S.C. 1469(a)(2))*
25 *is amended by adding at the end the following: “At*

1 *least 4 members shall have substantial experience in*
2 *the conduct of public diplomacy or comparable activi-*
3 *ties in the private sector. At least 1 member shall be*
4 *an American residing abroad. No member may be an*
5 *officer or employee of the United States.”.*

6 (2) *APPLICATION OF AMENDMENT.—The amend-*
7 *ments made by paragraph (1) shall not apply to indi-*
8 *viduals who are members of the United States Advi-*
9 *sory Commission on Public Diplomacy on the date of*
10 *the enactment of this Act.*

11 **SEC. 206. LIBRARY PROGRAM.**

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

19 **SEC. 207. SENSE OF CONGRESS CONCERNING PUBLIC DI-**
20 **PLOMACY EFFORTS IN SUB-SAHARAN AFRICA.**

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

23 (1) *A significant number of sub-Saharan African*
24 *countries have predominantly Muslim populations,*

1 “(b) *ACTIVITIES.*—

2 “(1) *SUPPORT AUTHORIZED.*—*The Secretary of*
3 *State is authorized to provide by contract, grant, or*
4 *otherwise, for the performance of appropriate museum*
5 *visitor and educational outreach services, including*
6 *organizing conference activities, museum shop serv-*
7 *ices, and food services, in the public exhibit and re-*
8 *lated space utilized by the Center.*

9 “(2) *PAYMENT OF EXPENSES.*—*The Secretary*
10 *may pay all reasonable expenses of conference activi-*
11 *ties conducted by the Center, including refreshments*
12 *and reimbursement of travel expenses incurred by*
13 *participants.*

14 “(3) *RECOVERY OF COSTS.*—*Any revenues gen-*
15 *erated under the authority of paragraph (1) for vis-*
16 *itor services may be retained, as a recovery of the*
17 *costs of operating the Center, and credited to any De-*
18 *partment of State appropriation.*

19 “(c) *DISPOSITION OF CENTER ARTIFACTS AND MATE-*
20 *RIALS.*—

21 “(1) *PROPERTY OF SECRETARY.*—*All historic*
22 *documents, artifacts, or other articles permanently ac-*
23 *quired by the Department of State and determined by*
24 *the Secretary to be suitable for display in the Center*
25 *shall be considered to be the property of the Secretary*

1 *in the Secretary's official capacity and shall be sub-*
2 *ject to disposition solely in accordance with this sub-*
3 *section.*

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

13 “(3) *DETERMINATIONS PRIOR TO SALE OR*
14 *TRADE.*—The determination referred to in paragraph
15 (2), with respect to an item, is a determination
16 that—

17 “(A) *the item no longer serves to further the*
18 *purposes of the Center established in the collec-*
19 *tions management policy of the Center; or*

20 “(B) *in order to maintain the standards of*
21 *the collections of the Center, the sale or exchange*
22 *of the item would be a better use of the item.*

23 “(4) *LOANS.*—The Secretary may also lend items
24 covered by paragraph (1), when not needed for use or
25 display in the Center, to the Smithsonian Institution

1 *or a similar institution for repair, study, or exhi-*
 2 *bition.”.*

3 ***Subtitle B—Basic Authorities and***
 4 ***Activities***

5 ***SEC. 221. UNITED STATES POLICY WITH RESPECT TO JERU-***
 6 ***SALEM AS THE CAPITAL OF ISRAEL.***

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

13 *(b) LIMITATION ON USE OF FUNDS FOR PUBLICA-*
 14 *TIONS.—None of the funds authorized to be appropriated*
 15 *by this Act may be available for the publication of any offi-*
 16 *cial government document which lists countries and their*
 17 *capital cities unless the publication identifies Jerusalem as*
 18 *the capital of Israel.*

19 *(c) RECORD OF PLACE OF BIRTH AS ISRAEL FOR*
 20 *PASSPORT PURPOSES.—The first section of “An Act to reg-*
 21 *ulate the issue and validity of passports, and for other pur-*
 22 *poses”, approved July 3, 1926 (22 U.S.C. 211a; 44 Stat.*
 23 *887) is amended by inserting after the first sentence the*
 24 *following: “For purposes of the issuance of a passport of*
 25 *a United States citizen born in the city of Jerusalem, the*

1 *Secretary shall, upon the request of the citizen or the citi-*
2 *zen's legal guardian, record the place of birth as Israel.”.*

3 **SEC. 222. MODIFICATION OF REPORTING REQUIREMENTS.**

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

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

16 (1) *in subparagraph (D), by striking “and” at*
17 *the end;*

18 (2) *in subparagraph (E), by striking the period*
19 *at the end and inserting “; and”; and*

20 (3) *by adding at the end the following:*

21 “(F) *for the reports due through May 1,*
22 *2005, information concerning terrorist attacks in*
23 *Israel, territory administered by Israel, and ter-*
24 *ritory administered by the Palestinian Author-*
25 *ity, including—*

1 “(i) a list of all citizens of the United
2 States killed or injured in such attacks dur-
3 ing the previous year;

4 “(ii) the date of each attack and the
5 total number of people killed or injured in
6 each attack;

7 “(iii) the person or group claiming re-
8 sponsibility for the attack and where such
9 person or group has found refuge or sup-
10 port;

11 “(iv) to the extent possible, a list of
12 suspects implicated in each attack and the
13 nationality of each suspect, including infor-
14 mation on their whereabouts (or suspected
15 whereabouts);

16 “(v) a list of any terrorist suspects in
17 these cases who are members of Palestinian
18 police or security forces, the Palestine Lib-
19 eration Organization, or any Palestinian
20 governing body;

21 “(vi) the status of each case pending
22 against a suspect, including information on
23 whether the suspect has been arrested, de-
24 tained, indicted, prosecuted, or convicted by
25 the Palestinian Authority or Israel, and if

1 *detained and then released, the date of such*
2 *release, and whether any released suspect*
3 *was implicated in subsequent acts of ter-*
4 *rorism;*

5 *“(vii) available information on convic-*
6 *tions, releases or changes in the situation of*
7 *suspects involved in attacks committed*
8 *prior to December 31, 2003, and not covered*
9 *in previous reports submitted under section*
10 *805(a) of the Admiral James W. Nance and*
11 *Meg Donovan Foreign Relations Authoriza-*
12 *tion Act, Fiscal Years 2000 and 2001; and*

13 *“(viii) the policy of the Department of*
14 *State with respect to offering rewards for*
15 *information on terrorist suspects, including*
16 *any information on whether a reward has*
17 *been posted for suspects involved in terrorist*
18 *attacks listed in the report.”.*

19 *(c) CONSULTATION.—The Secretary of State shall, in*
20 *preparing the portion of the annual country reports on ter-*
21 *rorism required by subparagraph (F) of section 140(b)(2)*
22 *of the Foreign Relations Authorization Act, Fiscal Years*
23 *1988 and 1989 (Public Law 100–204; 22 U.S.C.*
24 *2656f(b)(2)), as added by subsection (b), consult and coordi-*
25 *nate with all other Government officials who have informa-*

1 *tion necessary to complete that portion of the report. Noth-*
2 *ing contained in this subsection shall require the disclosure,*
3 *on a classified or unclassified basis, of information that*
4 *would jeopardize sensitive sources and methods or other*
5 *vital national security interests or jeopardize ongoing*
6 *criminal investigations or proceedings.*

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

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

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

15 (2) *Israel currently maintains diplomatic rela-*
16 *tions with approximately 160 countries. Approxi-*
17 *mately 30 countries do not have any diplomatic rela-*
18 *tions with Israel.*

19 (3) *The State of Israel has been actively seeking*
20 *to establish formal relations with a number of coun-*
21 *tries.*

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

1 (5) *After more than 50 years of existence, Israel*
2 *deserves to be treated as an equal nation by its neigh-*
3 *bors and the world community.*

4 (b) *REPORT CONCERNING UNITED STATES EFFORTS*
5 *TO PROMOTE ISRAEL'S DIPLOMATIC RELATIONS WITH*
6 *OTHER COUNTRIES.—Not later than 60 days after the date*
7 *of the enactment of this Act, the Secretary shall submit a*
8 *report to the appropriate congressional committees that in-*
9 *cludes the following information (in classified or unclassi-*
10 *fied form, as appropriate):*

11 (1) *Actions taken by the United States to encour-*
12 *age other countries to establish full diplomatic rela-*
13 *tions with Israel.*

14 (2) *Specific responses solicited and received by*
15 *the Secretary from countries that do not maintain*
16 *full diplomatic relations with Israel with respect to*
17 *the status of negotiations to enter into diplomatic re-*
18 *lations with Israel.*

19 (3) *Other measures being undertaken, and meas-*
20 *ures that will be undertaken, by the United States to*
21 *ensure and promote Israel's full participation in the*
22 *world diplomatic community.*

1 **SEC. 224. REIMBURSEMENT RATE FOR AIRLIFT SERVICES**
 2 **PROVIDED TO THE DEPARTMENT OF STATE.**

3 *Section 2642 of title 10, United States Code, is amend-*
 4 *ed—*

5 *(1) in the heading by inserting “and Depart-*
 6 *ment of State” after “Central Intelligence Agency”;*
 7 *and*

8 *(2) in subsection (a) by striking “Agency,” and*
 9 *inserting “Agency or the Department of State,”.*

10 **SEC. 224. REIMBURSEMENT RATE FOR CERTAIN AIRLIFT**
 11 **SERVICES PROVIDED BY THE DEPARTMENT**
 12 **OF DEFENSE TO THE DEPARTMENT OF**
 13 **STATE.**

14 **(a) AUTHORITY.—Subsection (a) of section**
 15 **2642 of title 10, United States Code, is amend-**
 16 **ed—**

17 **(1) by striking “provided by a compo-**
 18 **nent of the Department of Defense to the”**
 19 **and inserting “provided by a component**
 20 **of the Department of Defense as follows:**

21 **“(1) To the”; and**

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

24 **“(2) To the Department of State for**
 25 **the transportation of armored motor ve-**
 26 **hicles to a foreign country to meet**

1 **SEC. 226. VALIDITY OF UNITED STATES PASSPORTS FOR**
2 **TRAVEL TO COUNTRIES RECEIVING UNITED**
3 **STATES FOREIGN ASSISTANCE.**

4 *The first section of the Act entitled “An Act to regulate*
5 *the issue and validity of passports, and for other purposes”,*
6 *approved July 3, 1926 (22 U.S.C. 211a) is amended by*
7 *striking “travellers.” and inserting “travellers, and no such*
8 *restriction may apply to a country in which the United*
9 *States is providing assistance authorized by the Foreign As-*
10 *sistance Act of 1961.”.*

11 **SEC. 227. SECURITY CAPITAL COST SHARING.**

12 *(a) AUTHORIZATION.—The first section of the Foreign*
13 *Service Buildings Act, 1926 (22 U.S.C. 292) is amended*
14 *by adding at the end the following new subsection:*

15 *“(e) SECURITY CAPITAL COST-SHARING PROGRAM.—*
16 *(1) The Secretary of State, as the single manager of all*
17 *buildings and grounds acquired under this Act or otherwise*
18 *acquired or authorized for the use of the diplomatic and*
19 *consular establishments in foreign countries, is authorized*
20 *to establish and implement a Security Capital Cost-Shar-*
21 *ing Program to collect funds from each agency on the basis*
22 *of its total overseas presence in a manner that encourages*
23 *rightsizing of its overseas presence, and expend those funds*
24 *to accelerate the provision of safe, secure, functional build-*
25 *ings for United States Government personnel overseas.*

1 “(2) The Secretary is authorized to determine annu-
2 ally and charge each Federal agency the amount to be col-
3 lected under paragraph (1) from the agency. To determine
4 such amount, the Secretary may prescribe and use a for-
5 mula that takes into account the number of authorized posi-
6 tions of each agency, including contractors and locally hired
7 personnel, who are assigned to United States diplomatic fa-
8 cilities and are under the authority of a chief of mission
9 pursuant to section 207 of the Foreign Service Act of 1980
10 (22 U.S.C. 3927).

11 “(3) The head of an agency charged a fee under this
12 section shall remit the amount of the fee to the Secretary
13 of State through the Intra-Governmental Payment and Col-
14 lection System or other appropriate means.

15 “(4) There shall be established on the books of the
16 Treasury an account to be known as the ‘Security Capital
17 Cost-Sharing Program Fund’, which shall be administered
18 by the Secretary. There shall be deposited into the account
19 all amounts collected by the Secretary pursuant to the au-
20 thority under paragraph (1), and such funds shall remain
21 available until expended. Such funds shall be used solely
22 for the provision of new safe, secure, functional diplomatic
23 facilities that comply with all applicable legal standards,
24 including those standards established under the authority
25 of the Secure Embassy Construction and Counterterrorism

1 *Act of 1999. The Secretary shall include in the Department*
2 *of State's Congressional Presentation Document an ac-*
3 *counting of the sources and uses of the amounts deposited*
4 *into the account.*

5 ~~“(5) The Secretary shall not collect a fee for an author-~~
6 ~~ized position of an agency of the Federal Government that~~
7 ~~has been or would be granted a waiver pursuant to section~~
8 ~~606(a)(2)(B)(i) of the Secure Embassy Construction and~~
9 ~~Counterterrorism Act of 1999 (22 U.S.C. 4865(a)(2)(B)(i)).~~

10 ~~“(6) In this subsection—~~

11 ~~“(A) the term ‘agency of the Federal Govern-~~
12 ~~ment’—~~

13 ~~“(i) includes the Interagency Cooperative~~
14 ~~Administrative Support Service; and~~

15 ~~“(ii) does not include the Marine Security~~
16 ~~Guard; and~~

17 ~~“(B) the term ‘United States diplomatic facility’~~
18 ~~has the meaning given that term in section 603 of the~~
19 ~~Secure Embassy Construction and Counterterrorism~~
20 ~~Act of 1999 (22 U.S.C. 4865 note).”.~~

21 ~~(b) EFFECTIVE DATE.—The amendment made by sub-~~
22 ~~section (a) shall take effect on October 1, 2004.~~

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

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

13 (b) **REPORT ELEMENTS.**—In addition to
14 such other information as the Comptroller
15 General considers appropriate, the report de-
16 scribed in subsection (a) shall address and
17 make recommendations regarding the fol-
18 lowing:

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

23 (2) The mechanism the Department of
24 State proposes to use in allocating assess-
25 ments under such a program and any al-

1 **ternatives the General Accounting Office**
2 **suggests be considered.**

3 **(3) Factors that should be incor-**
4 **porated into any process for imple-**
5 **menting such a program and a financial**
6 **assessment of such factors, including the**
7 **cost of services provided to the Depart-**
8 **ment of State by other Federal agencies.**

9 **(4) The means of ensuring trans-**
10 **parency in the cost assessment process of**
11 **such a program.**

12 **(5) Mechanisms for adjudicating dis-**
13 **agreements among Federal agencies re-**
14 **garding assessed fees under such a pro-**
15 **gram.**

16 *SEC. 228. AUTHORITY TO ISSUE ADMINISTRATIVE SUB-*
17 *POENAS.*

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

21 “(d) *ADMINISTRATIVE SUBPOENAS.*—

22 “(1) *IN GENERAL.*—*If the Secretary determines*
23 *that there is an imminent threat against a person,*
24 *foreign mission, or international organization pro-*
25 *tected under the authority of subsection (a)(3), the*

1 *Secretary may issue in writing, and cause to be*
2 *served, a subpoena requiring—*

3 *“(A) the production of any records or other*
4 *items relevant to the threat; and*

5 *“(B) testimony by the custodian of the*
6 *items required to be produced concerning the*
7 *production and authenticity of those items.*

8 *“(2) REQUIREMENTS.—*

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

16 *“(B) NOTIFICATION TO ATTORNEY GEN-*
17 *ERAL.—As soon as practicable following the*
18 *issuance of a subpoena under this subsection, the*
19 *Secretary shall notify the Attorney General of its*
20 *issuance.*

21 *“(C) OTHER REQUIREMENTS.—The fol-*
22 *lowing provisions of section 3486 of title 18,*
23 *United States Code, shall apply to the exercise of*
24 *the authority of paragraph (1):*

1 “(i) Paragraphs (4) through (8) of sub-
2 section (a).

3 “(ii) Subsections (b), (c), and (d).

4 “(3) *DELEGATION OF AUTHORITY.*—The author-
5 ity under this subsection may be delegated only to the
6 Deputy Secretary of State.

7 “(4) *ANNUAL REPORT.*—Not later than February
8 1 of each year, the Secretary shall submit to the Com-
9 mittee on Foreign Relations of the Senate and the
10 Committee on International Relations of the House of
11 Representatives a report regarding the exercise of the
12 authority under this subsection during the previous
13 calendar year.”.

14 **SEC. 229. ENHANCING REFUGEE RESETTLEMENT AND**
15 **MAINTAINING THE UNITED STATES COMMIT-**
16 **MENT TO REFUGEES.**

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

19 (1) *The United States has a longstanding tradi-*
20 *tion of providing refugee assistance and relief through*
21 *the Department of State’s migration and refugee as-*
22 *stance account for refugees throughout the world*
23 *who have been subjected to religious and other forms*
24 *of persecution.*

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

4 (3) *The United States refugee admissions pro-*
5 *gram has been in decline for much of the last five*
6 *years, resulting in a chronic inability of the United*
7 *States to meet the ceiling on refugee admissions that*
8 *has been set by the President each year.*

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

15 (5) *Private voluntary organizations and non-*
16 *governmental organizations (NGOs) have and con-*
17 *tinue to provide valuable information to State De-*
18 *partment officials for refugee processing, and along*
19 *with Embassy personnel, can be utilized to assist in*
20 *the preliminary screening of refugees so that State*
21 *Department officials can focus to a greater extent on*
22 *security.*

23 (6) *Currently there are 15 million refugees*
24 *worldwide. In order to meet the ceiling set by the Ad-*
25 *ministration, which has been 70,000 in recent years,*

1 *a broader cross-section could be considered for resettlement in the United States if the Department of State were to expand existing refugee processing priority categories in a reasonable and responsible manner. Expansion of refugee selection should include the expanded use of both the existing category reserved for refugees of special interest to the United States as well as the existing categories reserved for family reunification.*

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

14 *(c) ENHANCEMENT OF REFUGEE IDENTIFICATION AND PROCESSING.—*

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

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

1 *domestic constituencies in the overseas processing of*
2 *refugees.*

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

7 *(A) ESTABLISHMENT OF REFUGEE RE-*
8 *SPONSE TEAMS.—In order to make the proc-*
9 *essing of refugees more efficient and effective, en-*
10 *hance the quality of refugee resettlement pro-*
11 *grams, and to augment the capacity of the*
12 *United States government to identify, process,*
13 *assist, and counsel individuals for eventual adju-*
14 *dications by the Department of Homeland Secu-*
15 *rity as refugees, where applicable, the Secretary*
16 *shall establish and utilize the services of Refugee*
17 *Response Teams, (in this section referred to as*
18 *“RRTs”). RRTs shall be coordinated by the As-*
19 *stant Secretary of State for Population, Refu-*
20 *gees, and Migration, or the Assistant Secretary’s*
21 *designee.*

22 *(B) COMPOSITION OF THE RRTS.—RRTs*
23 *shall be comprised of representatives of non-*
24 *governmental organizations and private vol-*

1 *untary organizations that have experience in ref-*
2 *ugee law, policy and programs.*

3 (C) *RESPONSIBILITIES OF THE RRTS.—*

4 *RRTs shall be responsible for—*

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

9 (ii) *preparing profiles and documenta-*
10 *tion for resettlement consideration by the*
11 *United States Government;*

12 (iii) *augmenting or establishing an*
13 *overseas operation, especially in response to*
14 *urgent developments requiring quick re-*
15 *sponses or more staff resources than are*
16 *available in the existing processing entities;*

17 (iv) *assisting with training and tech-*
18 *nical assistance to existing international or-*
19 *ganizations and other processing entities;*
20 *and*

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

23 (D) *RESPONSIBILITIES OF THE SEC-*
24 *RETARY.—The Secretary shall establish appro-*
25 *priate training seminars for RRT personnel and*

1 *make use of RRTs in situations where existing*
2 *mechanisms are unable to identify and process*
3 *refugees in a timely manner.*

4 *(d) PERFORMANCE STANDARDS.—In consultation with*
5 *private voluntary organizations and NGOs, the Secretary*
6 *shall establish performance standards to ensure account-*
7 *ability and effectiveness in the tasks carried out in sub-*
8 *section (c).*

9 *(e) CONSIDERATION OF VARIOUS GROUPS.—To ensure*
10 *that there is adequate planning across fiscal years and that*
11 *both the Department of State's planning and processing op-*
12 *erations result in adequate numbers of travel-ready refugees*
13 *to fulfill the admissions goals set forth in the determinations*
14 *on refugee admissions required by sections 207(a) and*
15 *207(b) of the Immigration and Nationality Act (8 U.S.C.*
16 *1157(a) and (b)), the Secretary of State shall work to ensure*
17 *that—*

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

23 *(2) attempts are made to expand processing of*
24 *those refugees of all nationalities who have close fam-*
25 *ily ties to citizens and residents in the United States,*

1 *including spouses, unmarried children, or parents of*
2 *persons lawfully admitted to the United States, re-*
3 *gardless of their country of nationality, country of*
4 *habitual residence, or first country of asylum, as well*
5 *as grandparents, grandchildren, married sons or*
6 *daughters, or siblings of United States citizens or*
7 *other persons lawfully admitted to the United States;*

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

11 *(4) expanded access is provided to broader cat-*
12 *egories of refugees seeking admission to the United*
13 *States, thus reducing instances of relationship-based*
14 *misrepresentation by persons who are bona fide refu-*
15 *gees but who resort to such misrepresentation merely*
16 *as a way to be interviewed for refugee status.*

17 *(f) REPORT.—Not later than 180 days after the date*
18 *of the enactment of this Act, the Secretary of State shall*
19 *submit a report to Congress that includes information con-*
20 *cerning the following:*

21 *(1) Efforts of the Secretary to utilize NGO's in*
22 *refugee identification, utilize private voluntary orga-*
23 *nizations in processing refugees, establish and utilize*
24 *RRTs, and an explanation of the rationale for not*
25 *using such organizations and agencies in situations*

1 *where the Secretary has made such a determination,*
2 *as described in subsection (c).*

3 *(2) Efforts of the Secretary to implement per-*
4 *formance standards and measures as described in sub-*
5 *section (d) and the success of NGO's and private vol-*
6 *untary organizations in meeting such standards.*

7 *(3) Efforts of the Secretary to expand consider-*
8 *ation of various groups for refugee processing as de-*
9 *scribed in subsection (e).*

10 *(4) Efforts to ensure that there is planning*
11 *across fiscal years so as to fulfill the refugee admis-*
12 *sions goals set forth by the President in his annual*
13 *presidential determinations on refugee admissions.*

14 **SEC. 230. THE COLIN POWELL CENTER FOR AMERICAN DI-**
15 **PLOMACY.**

16 *Title I of the State Department Basic Authorities Act*
17 *of 1956 is amended by adding after section 59 (22 U.S.C.*
18 *2730) the following new section:*

19 **“SEC. 60. COLIN POWELL CENTER FOR AMERICAN DIPLO-**
20 **MACY.**

21 *“(a) DESIGNATION.—The diplomacy center of the De-*
22 *partment of State, located in the Harry S Truman build-*
23 *ing, is hereby designated as the ‘Colin Powell Center for*
24 *American Diplomacy’ (hereinafter in this section referred*
25 *to as the ‘Center’).*

1 “(b) *ACTIVITIES.*—

2 “(1) *SUPPORT AUTHORIZED.*—*The Secretary of*
3 *State is authorized to provide by contract, grant, or*
4 *otherwise, for the performance of appropriate museum*
5 *visitor and educational outreach services, including*
6 *organizing conference activities, museum shop serv-*
7 *ices, and food services, in the public exhibit and re-*
8 *lated space utilized by the Center.*

9 “(2) *PAYMENT OF EXPENSES.*—*The Secretary*
10 *may pay all reasonable expenses of conference activi-*
11 *ties conducted by the Center, including refreshments*
12 *and reimbursement of travel expenses incurred by*
13 *participants.*

14 “(3) *RECOVERY OF COSTS.*—*Any revenues gen-*
15 *erated under the authority of paragraph (1) for vis-*
16 *itor services may be retained, as a recovery of the*
17 *costs of operating the Center, and credited to any De-*
18 *partment of State appropriation.*

19 “(c) *DISPOSITION OF CENTER ARTIFACTS AND MATE-*
20 *RIALS.*—

21 “(1) *PROPERTY OF SECRETARY.*—*All historic*
22 *documents, artifacts, or other articles permanently ac-*
23 *quired by the Department of State and determined by*
24 *the Secretary to be suitable for display in the Center*
25 *shall be considered to be the property of the Secretary*

1 *in the Secretary's official capacity and shall be sub-*
2 *ject to disposition solely in accordance with this sub-*
3 *section.*

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

13 “(3) *DETERMINATIONS PRIOR TO SALE OR*
14 *TRADE.*—The determination referred to in paragraph
15 (2), with respect to an item, is a determination
16 that—

17 “(A) *the item no longer serves to further the*
18 *purposes of the Center established in the collec-*
19 *tions management policy of the Center; or*

20 “(B) *in order to maintain the standards of*
21 *the collections of the Center, the sale or exchange*
22 *of the item would be a better use of the item.*

23 “(4) *LOANS.*—The Secretary may also lend items
24 covered by paragraph (1), when not needed for use or
25 display in the Center, to the Smithsonian Institution

1 *or a similar institution for repair, study, or exhi-*
2 *bition.”.*

3 ***Subtitle C—Educational and***
4 ***Cultural Authorities***

5 ***SEC. 251. ESTABLISHMENT OF INITIATIVES FOR PREDOMI-***
6 ***NANTLY MUSLIM COUNTRIES.***

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

9 *(1) Surveys indicate that, in countries of pre-*
10 *dominantly Muslim population, opinions of the*
11 *United States and American foreign policy among the*
12 *general public and select audiences are significantly*
13 *distorted by highly negative and hostile beliefs and*
14 *images and that many of these beliefs and images are*
15 *the result of misinformation and propaganda by indi-*
16 *viduals and organizations hostile to the United*
17 *States.*

18 *(2) These negative opinions and images are high-*
19 *ly prejudicial to the interests of the United States and*
20 *to its foreign policy.*

21 *(3) As part of a broad and long-term effort to*
22 *enhance a positive image of the United States in the*
23 *Muslim world, a key element should be the establish-*
24 *ment of programs to promote a greater familiarity*
25 *with American society and values among the general*

1 *public and select audiences in countries of predomi-*
2 *nantly Muslim population.*

3 (b) *ESTABLISHMENT OF INITIATIVES.*—*The Secretary*
4 *of State shall establish the following programs with coun-*
5 *tries with predominantly Muslim populations as part of the*
6 *educational and cultural exchange programs of the Depart-*
7 *ment of State for the fiscal years 2004 and 2005:*

8 (1) *JOURNALISM PROGRAM.*—*A program for for-*
9 *foreign journalists, editors, media managers, and post-*
10 *secondary students of journalism which, in coopera-*
11 *tion with private sector sponsors to include univer-*
12 *sities, shall sponsor workshops and professional train-*
13 *ing in techniques, standards, and practices in the*
14 *field of journalism to assist the participants to*
15 *achieve the highest standards of professionalism.*

16 (2) *ENGLISH LANGUAGE TEACHING.*—*The Sec-*
17 *retary shall provide grants to United States citizens*
18 *to work in middle and secondary schools as English*
19 *language teaching assistants for not less than an aca-*
20 *demie year. If feasible, the host government or local*
21 *educational agency shall share the salary costs of the*
22 *assistants.*

23 (3) *SISTER CITY PARTNERSHIPS.*—*The Secretary*
24 *shall expand and enhance sister-city partnerships be-*
25 *tween United States and international municipalities*

1 *in an effort to increase global cooperation at the com-*
2 *munity level. Such partnerships shall encourage eco-*
3 *nomic development, municipal cooperation, health*
4 *care initiatives, youth and educational programs, dis-*
5 *ability advocacy, emergency preparedness, and hu-*
6 *manitarian assistance.*

7 (4) *CIVICS EDUCATION.*—*The Secretary shall es-*
8 *tablish a civics education program which shall de-*
9 *velop civics education teaching curricula and mate-*
10 *rials, provide training for teachers of civics, and pro-*
11 *vide English language teaching materials that are de-*
12 *signed to promote civics education. Civics education*
13 *programs under this paragraph shall place particular*
14 *emphasis on the on-site training of educators and the*
15 *function of the mass media within that society.*

16 (5) *YOUTH AMBASSADORS.*—*The Secretary shall*
17 *establish a program for visits by middle school stu-*
18 *dents (to the extent feasible) and secondary school stu-*
19 *dents to the United States during school holidays in*
20 *their home country for periods not to exceed 4 weeks*
21 *and a program for academic year study in the United*
22 *States for secondary school students. Participating*
23 *students shall reflect the economic, geographic, and*
24 *ethnic diversity of their countries. Activities shall in-*
25 *clude cultural and educational activities designed to*

1 *familiarize participating students with American so-*
2 *ciety and values. To the extent practicable, the pro-*
3 *gram involving school holiday visits shall be coordi-*
4 *nated with middle and secondary schools in the*
5 *United States to provide for school-based activities*
6 *and interactions. The Secretary shall encourage the*
7 *establishment of direct school-to-school linkages under*
8 *the programs.*

9 (6) *FULBRIGHT EXCHANGE PROGRAM.*—*The Sec-*
10 *retary shall seek to substantially increase the number*
11 *of awards under the J. William Fulbright Edu-*
12 *cational Exchange Program to graduate students,*
13 *scholars, professionals, teachers, and administrators*
14 *from the United States who are applying for such*
15 *awards to study, teach, conduct research, or pursue*
16 *scholarship in predominantly Muslim countries. Part*
17 *of such increase shall include awards for scholars and*
18 *teachers who plan to teach subjects relating to Amer-*
19 *ican studies.*

20 (7) *HUBERT H. HUMPHREY FELLOWSHIPS.*—*The*
21 *Secretary shall seek to substantially increase the num-*
22 *ber of Hubert H. Humphrey Fellowships awarded to*
23 *candidates from predominantly Muslim countries.*

24 (8) *LIBRARY TRAINING EXCHANGE PROGRAM.*—
25 *The Secretary shall develop an exchange program for*

1 *postgraduate students seeking additional training in*
2 *the library sciences and related fields.*

3 (c) **GENERAL PROVISION.**—*Programs established*
4 *under this section shall be carried out under the provisions*
5 *of the United States Information and Educational Ex-*
6 *change Act of 1948 and the Mutual Educational and Cul-*
7 *tural Exchange Act of 1961.*

8 **SEC. 252. DATABASE OF AMERICAN AND FOREIGN PARTICI-**
9 **PANTS IN EXCHANGE PROGRAMS.**

10 *To the extent practicable, the Secretary of State, in*
11 *coordination with the heads of other agencies that conduct*
12 *international exchange and training programs, shall estab-*
13 *lish and maintain a database listing all American and for-*
14 *ign alumni of such programs in order to encourage net-*
15 *working, interaction, and communication with alumni.*

16 **SEC. 253. REPORT ON INCLUSION OF FREEDOM AND DE-**
17 **MOCRACY ADVOCATES IN EDUCATIONAL AND**
18 **CULTURAL EXCHANGE PROGRAMS.**

19 *Not later than 90 days after the date of the enactment*
20 *of this Act, the Secretary of State shall submit to the Con-*
21 *gress a report concerning the implementation of section 102*
22 *of the Human Rights, Refugee, and Other Foreign Relations*
23 *Provisions Act of 1996. The report shall include informa-*
24 *tion concerning the number of grants to conduct exchange*
25 *programs to countries described in such section that have*

1 *been submitted for competitive bidding, what measures have*
2 *been taken to ensure that willingness to include supporters*
3 *of freedom and democracy in such programs is given appro-*
4 *prate weight in the selection of grantees, and an evaluation*
5 *of whether United States exchange programs in the coun-*
6 *tries described in such section are fully open to supporters*
7 *of freedom and democracy, and, if not, what obstacles re-*
8 *main and what measures are being taken to implement such*
9 *policy.*

10 **SEC. 254. SENSE OF THE CONGRESS CONCERNING EDU-**
11 **CATIONAL AND CULTURAL EXCHANGE PRO-**
12 **GRAM FOR FOREIGN JOURNALISTS.**

13 *It is the sense of the Congress that the Secretary of*
14 *State should work toward the establishment of a program*
15 *for foreign journalists from regions of conflict that will pro-*
16 *vide professional training in techniques, standards, and*
17 *practices in the field of journalism.*

18 **SEC. 255. SENSE OF CONGRESS REGARDING KOREAN FUL-**
19 **BRIGHT PROGRAMS.**

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

22 *(1) include participation by students from*
23 *throughout South Korea, including proportional rep-*
24 *resentation from areas outside of Seoul;*

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

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

8 (4) include a significant number of Korean stu-
9 dents planning to move into areas other than ad-
10 vanced research and university teaching, such as those
11 heading towards careers in government service,
12 media, law, and business.

13 **SEC. 256. AUTHORIZING EAST TIMORESE SCHOLARSHIPS**
14 **FOR GRADUATE STUDY.**

15 Section 237 of the Foreign Relations Authorization
16 Act, Fiscal Years 1994 and 1995 (Public Law 103-236) is
17 amended by inserting “graduate or” after “at the”.

18 **SEC. 257. PUBLIC SAFETY AWARENESS IN STUDY ABROAD**
19 **PROGRAMS.**

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

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

1 (2) encourages the Bureau to continue sup-
2 porting such activities and urges special attention to
3 public safety issues, including road safety.

4 **Subtitle D—Consular Authorities**

5 **SEC. 271. MACHINE READABLE VISAS.**

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

9 “(4) For each of the fiscal years 2004 and 2005,
10 any amount that exceeds \$700,000,000 may be made
11 available only if a notification is submitted to Con-
12 gress in accordance with the procedures applicable to
13 reprogramming notifications under section 34 of the
14 State Department Basic Authorities Act of 1956.”.

15 **SEC. 272. PROCESSING OF VISA APPLICATIONS.**

16 (a) *IN GENERAL.*—It shall be the policy of the Depart-
17 ment of State to process each visa application from an alien
18 classified as an immediate relative or as a K–1 non-
19 immigrant within 30 days of the receipt of all necessary
20 documents from the applicant and the Department of
21 Homeland Security. In the case of an immigrant visa ap-
22 plication where the petitioner is a relative other than an
23 immediate relative, it should be the policy of the Depart-
24 ment to process such an application within 60 days of the

1 receipt of all necessary documents from the applicant and
2 the Department of Homeland Security.

3 (b) *DEFINITIONS.*—*In this section:*

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

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

12 **SEC. 273. STAFFING AT DIPLOMATIC MISSIONS.**

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

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

4 **SEC. 301. FELLOWSHIP OF HOPE PROGRAM.**

5 *The Secretary of State is authorized to establish in the*
6 *Department of State an exchange program to be designated*
7 *the “Fellowship of Hope Program”. The program shall pro-*
8 *vide for the exchange and assignment of government em-*
9 *ployees of designated countries to fellowship positions at the*
10 *Department of State and reciprocal assignment of civil*
11 *service and foreign service employees of the Department as*
12 *fellows within the governments of foreign countries.*

13 **SEC. 302. CLAIMS FOR LOST PAY.**

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

16 *(1) at the end of subsection (o) by striking the*
17 *period and inserting “; and”; and*

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

20 *“(p) make administrative corrections or adjustments*
21 *to an employee’s pay, allowances, or differentials, resulting*
22 *from mistakes or retroactive personnel actions, and to pro-*
23 *vide back pay and other categories of payments under the*
24 *Back Pay Act as part of the settlement of administrative*
25 *claims or grievances filed against the Department.”.*

1 **SEC. 303. OMBUDSMAN FOR THE DEPARTMENT OF STATE.**

2 (a) *ESTABLISHMENT.*—*There is established in the Of-*
3 *fice of the Secretary of State the position of Ombudsman.*
4 *The position of Ombudsman shall be a career position with-*
5 *in the Senior Executive Service. The Ombudsman shall re-*
6 *port directly to the Secretary of State.*

7 (b) *DUTIES.*—*At the discretion of the Secretary of*
8 *State, the Ombudsman shall participate in meetings re-*
9 *garding the management of the Department in order to as-*
10 *sure that all employees may contribute to the achievement*
11 *of the Department's responsibilities and to promote the ca-*
12 *reer interests of all employees.*

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

16 (1) *by striking subsection (c); and*

17 (2) *by redesignating subsection (d) as subsection*
18 *(c).*

19 **SEC. 304. REPEAL OF RECERTIFICATION REQUIREMENT**
20 **FOR SENIOR FOREIGN SERVICE.**

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

23 **SEC. 305. REPORT CONCERNING STATUS OF EMPLOYEES OF**
24 **STATE DEPARTMENT.**

25 *Not later than one year after the date of the enactment*
26 *of this Act, the Secretary of State shall prepare and submit*

1 *to the appropriate congressional committees a report that*
2 *analyzes and evaluates the merits of the conversion of em-*
3 *ployees of the Department of State to excepted service under*
4 *chapter 21 of title 5, United States Code.*

5 **SEC. 306. HOME LEAVE.**

6 (a) *REST AND RECUPERATION TRAVEL.*—Section
7 *901(6) of the Foreign Service Act of 1980 (22 U.S.C.*
8 *4081(6)) is amended by striking “unbroken by home leave”*
9 *both places it appears.*

10 (b) *REQUIRED LEAVE IN THE UNITED STATES.*—Sec-
11 *tion 903(a) of the Foreign Service Act of 1980 (22 U.S.C.*
12 *4083(a)) is amended by striking “18 months” and inserting*
13 *“12 months”.*

14 **SEC. 307. INCREASED LIMITS APPLICABLE TO POST DIF-**
15 **FERENTIALS AND DANGER PAY ALLOWANCES.**

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

19 (b) *DANGER PAY ALLOWANCES.*—Section 5928 of title
20 *5, United States Code, is amended by striking “25 percent”*
21 *both places it appears and inserting “35 percent”.*

22 (c) *CRITERIA.*—The Secretary shall inform the appro-
23 *priate congressional committees of the criteria to be used*
24 *in determinations of appropriate adjustments in post dif-*
25 *ferentials under section 5925 of title 5, United States Code,*

1 *and danger pay allowances under section 5928 of title 5,*
2 *United States Code.*

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

10 **SEC. 308. 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 striking “regulations” and insert-*
16 *ing “regulations, not later than 60 days after the date of*
17 *the enactment of the Foreign Relations Authorization Act,*
18 *Fiscal Years 2004 and 2005,”.*

19 **SEC. 309. MINORITY RECRUITMENT.**

20 (a) *REPORTING REQUIREMENT.*—*Section 324 of the*
21 *Foreign Relations Authorization Act, Fiscal Year 2003*
22 *(Public Law 107–228) is amended by striking “and April*
23 *1, 2004” and inserting “April 1, 2004, and April 1, 2005”.*

1 **(b) USE OF FUNDS.**—*The provisions of section 325 of*
2 *such Act shall apply to funds authorized by section*
3 *111(a)(1)(E) of this Act.*

4 **(c) CONFORMING AMENDMENT.**—*Section 325(c) of such*
5 *Act is amended in the second sentence by striking “two”*
6 *and inserting “three”.*

7 **SEC. 310. MERITORIOUS STEP INCREASES.**

8 *Section 406(b) of the Foreign Service Act of 1980 (22*
9 *U.S.C. 3966(b)) is amended by striking “receiving an in-*
10 *crease in salary under subsection (a),”.*

11 **TITLE IV—INTERNATIONAL**
12 **ORGANIZATIONS**

13 **Subtitle A—Basic Authorities and**
14 **Activities**

15 **SEC. 401. RAISING THE CAP ON PEACEKEEPING CONTRIBU-**
16 **TIONS.**

17 *Section 404(b)(2)(B) of the Foreign Relations Author-*
18 *ization Act, Fiscal Years 1994 and 1995 is amended by in-*
19 *serting after clause (iv) the following:*

20 *“(v) For assessments made during cal-*
21 *endar year 2005 and calendar year 2006,*
22 *27.10 percent.”.*

1 **SEC. 402. REGARDING THE REENTRY OF THE UNITED**
2 **STATES IN UNESCO.**

3 (a) *SENSE OF CONGRESS.*—As the United States re-
4 sumes membership in the United Nations Educational, Sci-
5 entific, and Cultural Organization (UNESCO), the Presi-
6 dent should—

7 (1) *appoint a United States Representative to*
8 *the Organization for Economic Cooperation and De-*
9 *velopment (OECD) who shall also serve as the United*
10 *States Representative to UNESCO;*

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

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

19 (4) *insist that any increases in UNESCO's*
20 *budget beyond the level of zero nominal growth for the*
21 *2004–2005 biennium focus primarily on the adoption*
22 *of management and administrative reforms; and*

23 (5) *request that the Secretary General of*
24 *UNESCO spend the United States contribution to*
25 *UNESCO for the last quarter of calendar year 2003*
26 *on key education and science priorities of the organi-*

1 *zation that will directly benefit United States na-*
2 *tional interests.*

3 *(b) ANNUAL ASSESSMENT FOR UNITED STATES PAR-*
4 *TICIPATION IN UNESCO.—Of the amounts authorized to be*
5 *appropriated by section 113(a), such sums as may be nec-*
6 *essary for each of the fiscal years 2004 and 2005 are author-*
7 *ized to be available for the annual assessment for United*
8 *States contributions to the regular budget of the United Na-*
9 *tions Educational, Scientific, and Cultural Organization.*

10 **SEC. 403. UNESCO NATIONAL COMMISSION.**

11 *(a) IN GENERAL.—Section 3 of the Act of July 30,*
12 *1946, “Providing for membership and participation by the*
13 *United States in the United Nations Educational, Sci-*
14 *entific, and Cultural Organization, and authorizing an ap-*
15 *propriation therefor.” (22 U.S.C. 2870) is amended to read*
16 *as follows:*

17 *“SEC. 3. (a) In fulfillment of article VII of the con-*
18 *stitution of the Organization, the Secretary of State shall*
19 *establish a National Commission on Educational, Sci-*
20 *entific, and Cultural Cooperation.*

21 *“(b) The National Commission shall be composed of*
22 *not more than 35 members appointed by the Secretary of*
23 *State in consultation with the National Academy of*
24 *Sciences, the National Science Foundation, the Secretary*
25 *of Education, the Secretary of Health and Human Services,*

1 *and the Secretary of the Interior. Members of the National*
2 *Commission shall be representatives of nongovernmental or-*
3 *ganizations, academic institutions, and associations inter-*
4 *ested in education, scientific, and cultural matters. Periodi-*
5 *cally, the Secretary shall review and revise the entities rep-*
6 *resented on the National Commission in order to achieve*
7 *a desirable rotation in representation. Except as otherwise*
8 *provided, each member of the National Commission shall*
9 *be appointed to a term of 3 years. As designated by the*
10 *Secretary of State at the time of appointment, of the mem-*
11 *bers first appointed one-third shall be appointed for a term*
12 *of 1 year, one-third shall be appointed for a term of 2 years,*
13 *and one-third shall be appointed for a term of 3 years. Any*
14 *member appointed to fill a vacancy occurring before the ex-*
15 *piration of the term for which the member's predecessor was*
16 *appointed shall be appointed only for the remainder of that*
17 *term. A member may serve after the expiration of that mem-*
18 *ber's term until a successor has taken office. No member*
19 *may serve more than 2 consecutive terms. The Secretary*
20 *of State shall designate a chair of the National Commission.*

21 “(c) *Members of the National Commission shall serve*
22 *without pay. For attendance at the annual meeting, each*
23 *member shall receive travel expenses in accordance with sec-*
24 *tion 5703 of title 5, United States Code.*

1 “(d) *The National Commission shall meet at the call*
2 *of the chair at least annually and such meetings may be*
3 *through video conferencing or other electronic means. The*
4 *National Commission shall designate an executive com-*
5 *mittee from among the members of the commission and may*
6 *designate such other committees as may be necessary to*
7 *carry out its duties under this Act.*

8 “(e) *Upon request of the National Commission, the*
9 *Secretary of State may detail any of the personnel of the*
10 *Department of State to the National Commission to assist*
11 *it in carrying out its duties under this Act.”.*

12 (b) *CONFORMING CHANGES.—Section 2 of the Act of*
13 *July 30, 1946, “Providing for membership and participa-*
14 *tion by the United States in the United Nations Edu-*
15 *cational, Scientific, and Cultural Organization, and au-*
16 *thorizing an appropriation therefor.” (22 U.S.C. 287o) is*
17 *amended by striking “One of the representatives” and all*
18 *that follows through the end of such section.*

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

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

1 **SEC. 405. UNITED STATES EFFORTS REGARDING THE STA-**
2 **TUS OF ISRAEL IN THE WESTERN EUROPEAN**
3 **AND OTHERS GROUP AT THE UNITED NA-**
4 **TIONS.**

5 (a) *UNITED STATES EFFORTS.*—*The Secretary of*
6 *State and other appropriate officials of the United States*
7 *Government should pursue an aggressive diplomatic effort*
8 *and should take all necessary steps to ensure the extension*
9 *and upgrade of Israel’s membership in the Western Euro-*
10 *pean and Others Group at the United Nations.*

11 (b) *REPORT.*—*Not later than 60 days after the date*
12 *of the enactment of this Act and semiannually thereafter*
13 *through September 30, 2005, the Secretary of State shall*
14 *submit to the appropriate congressional committees a report*
15 *on the steps taken by the United States pursuant to sub-*
16 *section (a) and progress in achieving the objectives of sub-*
17 *section (a).*

18 ***Subtitle B—United States***
19 ***International Leadership***

20 **SEC. 431. SHORT TITLE.**

21 *This subtitle may be cited as the “United States Inter-*
22 *national Leadership Act of 2003”.*

23 **SEC. 432. FINDINGS.**

24 *The Congress makes the following findings:*

25 (1) *International organizations and other multi-*
26 *lateral institutions play a key role in United States*

1 *foreign policy and serve key United States foreign*
2 *policy objectives, such as obligating all countries to*
3 *freeze assets of terrorist groups, preventing the pro-*
4 *liferation of chemical, biological, and nuclear weap-*
5 *ons, and spearheading the fight to combat the ravages*
6 *of HIV/AIDS and other infectious diseases.*

7 (2) *Decisions at many international organiza-*
8 *tions, including membership and key positions, re-*
9 *main subject to determinations made by regional*
10 *groups where democratic states are often in the mi-*
11 *nority and where there is intensive cooperation*
12 *among repressive regimes. As a result, the United*
13 *States has often been blocked in its attempts to take*
14 *action in these institutions to advance its goals and*
15 *objectives, including at the United Nations Human*
16 *Rights Commission (where a representative of Libya*
17 *was elected as chairman and the United States tem-*
18 *porarily lost a seat).*

19 (3) *In order to address these shortcomings, the*
20 *United States must actively work to improve the*
21 *workings of international organizations and multilat-*
22 *eral institutions, particularly by creating a caucus of*
23 *democratic countries that will advance United States*
24 *interests. In the Second Ministerial Conference of the*
25 *Community of Democracies in Seoul, Korea, on No-*

1 *vember 10–20, 2002, numerous countries rec-*
2 *ommended working together as a democracy caucus in*
3 *international organizations such as the United Na-*
4 *tions and ensuring that international and regional*
5 *institutions develop and apply democratic standards*
6 *for member states.*

7 *(4) In addition, the United States has short-*
8 *changed its ability to influence these organizations by*
9 *failing to obtain enough support for positions that are*
10 *congruent to or consistent with United States objec-*
11 *tives and has not done enough to build expertise in*
12 *the United States Government in the area of multilat-*
13 *eral diplomacy.*

14 **SEC. 433. ESTABLISHMENT OF A DEMOCRACY CAUCUS.**

15 *(a) IN GENERAL.—The President of the United States,*
16 *acting through the Secretary of State and the relevant*
17 *United States chiefs of mission, shall seek to establish a de-*
18 *mocracy caucus at the United Nations, the United Nations*
19 *Human Rights Commission, the United Nations Conference*
20 *on Disarmament, and at other broad-based international*
21 *organizations.*

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

24 *(1) forge common positions, including, as appro-*
25 *priate, at the ministerial level, on matters of concern*

1 *before the organization and work within and across*
2 *regional lines to promote agreed positions;*

3 (2) *work to revise an increasingly outmoded sys-*
4 *tem of regional voting and decision making; and*

5 (3) *set up a rotational leadership scheme to pro-*
6 *vide member states an opportunity, for a set period*
7 *of time, to serve as the designated president of the*
8 *caucus, responsible for serving as its voice in each or-*
9 *ganization.*

10 **SEC. 434. ANNUAL DIPLOMATIC MISSIONS ON MULTILAT-**
11 **ERAL ISSUES.**

12 *The Secretary of State, acting through the principal*
13 *officers responsible for advising the Secretary on inter-*
14 *national organizations, shall ensure that a high-level dele-*
15 *gation from the United States Government, on an annual*
16 *basis, is sent to consult with key foreign governments in*
17 *every region in order to promote the United States agenda*
18 *at key international fora, such as the United Nations Gen-*
19 *eral Assembly, United Nations Human Rights Commission,*
20 *the United Nations Education, Science, and Cultural Orga-*
21 *nization, and the International Whaling Commission.*

22 **SEC. 435. LEADERSHIP AND MEMBERSHIP OF INTER-**
23 **NATIONAL ORGANIZATIONS.**

24 (a) *UNITED STATES POLICY.*—*The President, acting*
25 *through the Secretary of State and the relevant United*

1 *States chiefs of mission, shall use the voice, vote, and influ-*
2 *ence of the United States to—*

3 (1) *where appropriate, reform the criteria for*
4 *leadership and, in appropriate cases for membership,*
5 *at all United Nations bodies and at other inter-*
6 *national organizations and multilateral institutions*
7 *to which the United States is a member so as to ex-*
8 *clude nations that violate the principles of the specific*
9 *organization;*

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

17 (3) *work to ensure that no member state stand*
18 *in nomination or be in rotation for a leadership posi-*
19 *tion in such organizations, or for membership of the*
20 *United Nations Security Council, if the member state*
21 *is subject to a determination under section 620A of*
22 *the Foreign Assistance Act of 1961, section 40 of the*
23 *Arms Export Control Act, or section 6(j) of the Ex-*
24 *port Administration Act.*

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

11 **SEC. 436. INCREASED TRAINING IN MULTILATERAL DIPLO-**
12 **MACY.**

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

16 “(c) *TRAINING IN MULTILATERAL DIPLOMACY.*—

17 “(1) *IN GENERAL.*—The Secretary shall establish
18 a series of training courses for officers of the Service,
19 including appropriate chiefs of mission, on the con-
20 duct of diplomacy at international organizations and
21 other multilateral institutions and at broad-based
22 multilateral negotiations of international instru-
23 ments.

24 “(2) *PARTICULAR PROGRAMS.*—The Secretary
25 shall ensure that the training described in paragraph

1 (1) is provided at various stages of the career of mem-
2 bers of the Service. In particular, the Secretary shall
3 ensure that after January 1, 2004—

4 “(A) officers of the Service receive training
5 on the conduct of diplomacy at international or-
6 ganizations and other multilateral institutions
7 and at broad-based multilateral negotiations of
8 international instruments as part of their train-
9 ing upon entry of the Service; and

10 “(B) officers of the Service, including chiefs
11 of mission, who are assigned to United States
12 missions representing the United States to inter-
13 national organizations and other multilateral
14 institutions or who are assigned in Washington,
15 D.C. to positions that have as their primary re-
16 sponsibility formulation of policy towards such
17 organizations and institutions or towards par-
18 ticipation in broad-based multilateral negotia-
19 tions of international instruments receive spe-
20 cialized training in the areas described in para-
21 graph (1) prior to beginning of service for such
22 assignment or, if receiving such training at that
23 time is not practical, within the first year of be-
24 ginning such assignment.”.

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

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

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

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

15 **SEC. 437. PROMOTING ASSIGNMENTS TO INTERNATIONAL**
16 **ORGANIZATIONS.**

17 (a) *PROMOTIONS.—*

18 (1) *IN GENERAL.—Section 603(b) of the Foreign*
19 *Service Act of 1980 (22 U.S.C. 4003) is amended by*
20 *striking the period at the end and inserting: “, and*
21 *shall consider whether the member of the Service has*
22 *served in a position whose primary responsibility is*
23 *to formulate policy towards or represent the United*
24 *States at an international organization, a multilat-*

1 *eral institution, or a broad-based multilateral nego-*
2 *tiation of an international instrument.”.*

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

5 (b) *ESTABLISHMENT OF A MULTILATERAL DIPLOMACY*
6 *ONE IN THE FOREIGN SERVICE.*—

7 (1) *FINDINGS.*—

8 (A) *The Department of State maintains a*
9 *number of United States missions both within*
10 *the United States and abroad that are dedicated*
11 *to representing the United States to inter-*
12 *national organizations and multilateral institu-*
13 *tions, including missions in New York, Brussels,*
14 *Geneva, Rome, Montreal, Nairobi, Vienna, and*
15 *Paris, which will soon be responsible for United*
16 *States representation to UNESCO and OECD.*

17 (B) *In offices at the Harry S. Truman*
18 *Building, the Department maintains a signifi-*
19 *cant number of positions in bureaus that are ei-*
20 *ther dedicated, or whose primary responsibility*
21 *is, to represent the United States to such organi-*
22 *zations and institutions or at multilateral nego-*
23 *tiations.*

24 (C) *Given the large number of positions in*
25 *the United States and abroad that are dedicated*

1 to multilateral diplomacy, the Department of
2 State may be well served in developing persons
3 with specialized skills necessary to become ex-
4 perts in this unique form of diplomacy.

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

9 (A) evaluating whether a new cone should
10 be established for the Foreign Service that con-
11 centrates on members of the Service that serve at
12 international organizations and multilateral in-
13 stitutions or are primarily responsible for par-
14 ticipation in broad-based multilateral negotia-
15 tions of international instruments; and

16 (B) provides alternative mechanisms for
17 achieving the objective of developing a core group
18 of United States diplomats and other government
19 employees who have expertise and broad experi-
20 ence in conducting multilateral diplomacy.

21 **SEC. 438. IMPLEMENTATION AND ESTABLISHMENT OF OF-**
22 **FICE ON MULTILATERAL NEGOTIATIONS.**

23 (a) *ESTABLISHMENT OF OFFICE.*—The Secretary of
24 State is authorized to establish, within the Bureau of Inter-
25 national Organizational Affairs, an Office on Multilateral

1 *Negotiations to be headed by a Special Representative for*
2 *Multilateral Negotiations (in this section referred to as the*
3 *“special representative”).*

4 **(b) APPOINTMENT.**—*The special representative shall be*
5 *appointed by the President with the advice and consent of*
6 *the Senate and shall have the rank of Ambassador-at-Large.*
7 *At the discretion of the President another official at the De-*
8 *partment may serve as the special representative. The Presi-*
9 *dent may direct that the special representative report to the*
10 *Assistant Secretary for International Organizations.*

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

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

16 **(1) IN GENERAL.**—*The primary responsibility of*
17 *the special representative shall be to assist in the or-*
18 *ganization of, and preparation for, United States*
19 *participation in multilateral negotiations, including*
20 *the advocacy efforts undertaken by the Department of*
21 *State and other United States agencies.*

22 **(2) ADVISORY ROLE.**—*The special representative*
23 *shall advise the President and the Secretary of State,*
24 *as appropriate, regarding advocacy at international*
25 *organizations and multilateral institutions and nego-*

1 *tiations and, in coordination with the Assistant Sec-*
2 *retary of State for International Organizational Af-*
3 *fairs, shall make recommendations regarding—*

4 *(A) effective strategies (and tactics) to*
5 *achieve United States policy objectives at multi-*
6 *lateral negotiations;*

7 *(B) the need for and timing of high level*
8 *intervention by the President, the Secretary of*
9 *State, the Deputy Secretary of State, and other*
10 *United States officials to secure support from*
11 *key foreign government officials for the United*
12 *States position at such organizations, institu-*
13 *tions, and negotiations;*

14 *(C) the composition of United States delega-*
15 *tions to multilateral negotiations; and*

16 *(D) liaison with Congress, international or-*
17 *ganizations, nongovernmental organizations, and*
18 *the private sector on matters affecting multilat-*
19 *eral negotiations.*

20 *(3) DEMOCRACY CAUCUS.—The special represent-*
21 *ative, in coordination with the Assistant Secretary for*
22 *International Organizational Affairs, shall ensure the*
23 *establishment of a democracy caucus.*

24 *(4) ANNUAL DIPLOMATIC MISSIONS OF MULTI-*
25 *LATERAL ISSUES.—The special representative, in co-*

1 *ordination with the Assistant Secretary for Inter-*
2 *national Organizational Affairs, shall organize an-*
3 *annual consultations between the principal officers re-*
4 *sponsible for advising the Secretary of State on inter-*
5 *national organizations and foreign governments to*
6 *promote the United States agenda at the United Na-*
7 *tions General Assembly and other key international*
8 *fora (such as the United Nations Human Rights*
9 *Commission).*

10 (5) *LEADERSHIP AND MEMBERSHIP OF INTER-*
11 *NATIONAL ORGANIZATIONS.—The special representa-*
12 *tive, in coordination with the Assistant Secretary of*
13 *International Organizational Affairs, shall direct the*
14 *efforts of the United States Government to reform the*
15 *criteria for leadership and membership of inter-*
16 *national organizations as described in section 435.*

17 (6) *PARTICIPATION IN MULTILATERAL NEGOTIA-*
18 *TIONS.—The special representative, or members of the*
19 *special representative’s staff, may, as required by the*
20 *President or the Secretary of State, serve on a United*
21 *States delegation to any multilateral negotiation.*

22 (e) *REPORT.—Not later than 180 days after the date*
23 *of the enactment of this Act, the Secretary of State shall*
24 *submit a plan to establish a democracy caucus to the appro-*
25 *priate congressional committees. The report required by sec-*

1 *tion 437(c) may be submitted together with the report under*
 2 *this subsection.*

3 **SEC. 439. SYNCHRONIZATION OF UNITED STATES CON-**
 4 **TRIBUTIONS TO INTERNATIONAL ORGANIZA-**
 5 **TIONS.**

6 *Not later than 180 days after the date of the enactment*
 7 *of this Act, the President shall submit a plan to the appro-*
 8 *priate congressional committees on the implementation of*
 9 *section 404 of the Foreign Relations Authorization Act of*
 10 *2003 (Public Law 107–228), (relating to a resumption by*
 11 *the United State of the payment of its full contribution to*
 12 *certain international organizations at the beginning of each*
 13 *calendar year).*

14 **TITLE V—UNITED STATES**
 15 **INTERNATIONAL BROAD-**
 16 **CASTING ACTIVITIES**
 17 **Subtitle A—Basic Authorities and**
 18 **Activities**

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

20 *(a) The United States International Broadcasting Act*
 21 *of 1994 (22 U.S.C. 6201 et seq.) is amended by adding after*
 22 *section 309 the following new section:*

1 **“SEC. 310. MIDEAST RADIO AND TELEVISION NETWORK,**
2 **INC.**

3 “(a) *AUTHORITY.*—Grants authorized under section
4 305 shall be available to make annual grants to Mideast
5 Radio and Television Network, Inc. (hereinafter in this title
6 also referred to as ‘Mideast Network’) for the purpose of car-
7 rying out radio and television broadcasting to the Middle
8 East region.

9 “(b) *FUNCTION.*—Mideast Network shall provide radio
10 and television programming to the Middle East region con-
11 sistent with the broadcasting standards and broadcasting
12 principles set forth in section 303 of this Act.

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

16 “(1) *The Board may not make any grant to the*
17 *nonprofit corporation, Mideast Network unless its cer-*
18 *tificate of incorporation provides that—*

19 “(A) *the Board of Directors of Mideast*
20 *Radio and Television Network, Inc. (hereinafter*
21 *referred to as ‘the Board’) shall consist of the*
22 *members of the Broadcasting Board of Governors*
23 *established under section 304 and of no other*
24 *members; and*

25 “(B) *the Board shall make all major policy*
26 *determinations governing the operation of Mid-*

1 *east Network and shall appoint and fix the com-*
2 *ensation of such managerial officers and em-*
3 *ployees of Mideast Network as it considers nec-*
4 *essary to carry out the purposes of the grant pro-*
5 *vided under this title, except that no officer or*
6 *employee may be paid a salary or other com-*
7 *ensation in excess of the rate of pay payable for*
8 *Level IV of the Executive Schedule under section*
9 *5315 of title 5, United States Code.*

10 “(2) *Any grant agreement under this section*
11 *shall require that any contract entered into by Mid-*
12 *east Network shall specify that obligations are as-*
13 *sumed by Mideast Network and not the United States*
14 *Government.*

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

19 “(4) *Grants awarded under this section shall be*
20 *made pursuant to a grant agreement which requires*
21 *that grant funds be used only for activities consistent*
22 *with this section, and that failure to comply with*
23 *such requirements shall permit the grant to be termi-*
24 *nated without fiscal obligation to the United States.*

1 “(5) *Duplication of language services and tech-*
2 *nical operations between the Mideast Radio and Tele-*
3 *vision Network, Inc., (including Radio Sawa), RFE/*
4 *RL, and the International Broadcasting Bureau will*
5 *be reduced to the extent appropriate, as determined*
6 *by the Board.*

7 “(d) *NOT A FEDERAL AGENCY OR INSTRUMEN-*
8 *TALITY.—Nothing in this title may be construed to establish*
9 *Mideast Network as a Federal agency or instrumentality,*
10 *nor shall the officers or employees of Mideast Network be*
11 *considered to be officers or employees of the United States*
12 *Government.*

13 “(e) *AUDIT AUTHORITY.—*

14 “(1) *Such financial transactions of Mideast Net-*
15 *work, as relate to functions carried out under this sec-*
16 *tion may be audited by the General Accounting Office*
17 *in accordance with such principles and procedures*
18 *and under such rules and regulations as may be pre-*
19 *scribed by the Comptroller General of the United*
20 *States. Any such audit shall be conducted at the place*
21 *or places where accounts of Mideast Network are nor-*
22 *mally kept.*

23 “(2) *Representatives of the General Accounting*
24 *Office shall have access to all books, accounts, records,*
25 *reports, files, papers, and property belonging to or in*

1 *use by Mideast Network pertaining to such financial*
2 *transactions as necessary to facilitate an audit. Such*
3 *representatives shall be afforded full facilities for*
4 *verifying transactions with any assets held by deposi-*
5 *tories, fiscal agents, and custodians. All such books,*
6 *accounts, records, reports, files, papers, and property*
7 *of Mideast Network shall remain in the custody of*
8 *Mideast Network.*

9 *“(3) Notwithstanding any other provisions of*
10 *law, the Inspector General of the Department of State*
11 *is authorized to exercise the authorities of the Inspec-*
12 *tor General Act with respect to the Mideast Net-*
13 *work.”.*

14 *(b) CONFORMING AMENDMENTS.—*

15 *(1) Section 305 of the United States Inter-*
16 *national Broadcasting Act of 1994 (22 U.S.C. 6204)*
17 *is amended—*

18 *(A) in subsection (a)(5) by striking “308*
19 *and 309” and inserting “308, 309, and 310”;*

20 *(B) in subsection (a)(6) by striking “308*
21 *and 309” and inserting “308, 309, and 310”;*
22 *and*

23 *(C) in subsection (c) by striking “308 and*
24 *309” and inserting “308, 309, and 310”.*

1 (2) *Section 307 of the United States Inter-*
2 *national Broadcasting Act of 1994 (22 U.S.C. 6206)*
3 *is amended—*

4 (A) *in subsection (a) by striking “308 and*
5 *309” and inserting “308, 309, and 310”; and*

6 (B) *in subsection (c) by adding “Mideast*
7 *Radio and Television Network, Inc.,” after*
8 *“Asia”.*

9 (3) *Section 304(g) of the United States Inter-*
10 *national Broadcasting Act of 1994 (22 U.S.C.*
11 *6203(g)) is amended by striking “and Radio Free*
12 *Asia” and inserting “, Radio Free Asia, and Mideast*
13 *Radio and Television Network, Inc.”.*

14 (4) *Section 8332(b)(11) of title 5, United States*
15 *Code, is amended by adding “Mideast Radio and Tel-*
16 *evision Network, Inc.,” after “the Asia Foundation;”.*

17 **SEC. 502. IMPROVING SIGNAL DELIVERY TO CUBA.**

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

20 (1) *in subsection (c) by striking the second sen-*
21 *tence and inserting “The Board is authorized to si-*
22 *multaneously utilize other broadcasting transmission*
23 *facilities, and other frequencies, including the Ampli-*
24 *tude Modulation (AM) Band (535 kHz to 1705 kHz),*

1 *the Frequency Modulation (FM) Band, and the Short-*
2 *wave (SW) Band.”;*

3 (2) *in subsection (c) in the third sentence by*
4 *striking “Provided, That” and all that follows before*
5 *the period at the end;*

6 (3) *in subsection (d) by striking the last sen-*
7 *tence;*

8 (4) *by amending subsection (e) to read as fol-*
9 *lows:*

10 “(e) *Any program of United States Government radio*
11 *broadcasts to Cuba authorized by this section shall be des-*
12 *ignated ‘Radio Marti program’.*”; and

13 (5) *in subsection (f) by striking “Voice of Amer-*
14 *ica”.*

15 **SEC. 503. REPORT CONCERNING EFFORTS TO COUNTER**
16 **JAMMING OF BROADCASTS OF RADIO MARTI**
17 **AND TV MARTI.**

18 *Not later than 30 days after the date of the enactment*
19 *of this Act, the Secretary of State shall submit to the appro-*
20 *priate congressional committees a report providing the fol-*
21 *lowing information:*

22 (1) *Specific steps taken to increase the capabili-*
23 *ties of Radio Marti and TV Marti to ensure that*
24 *broadcasts overcome jamming by the Government of*
25 *Cuba.*

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

4 (A) *Methods used to broadcast into Iraq in-*
5 *volving a C-130.*

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

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

15 **SEC. 504. PILOT PROGRAM FOR THE PROMOTION OF TRAV-**
16 **EL AND TOURISM IN THE UNITED STATES**
17 **THROUGH UNITED STATES INTERNATIONAL**
18 **BROADCASTING.**

19 (a) *PILOT PROGRAM.—The Broadcasting Board of*
20 *Governors, in consultation with the Department of Com-*
21 *merce and other appropriate Federal, State, and local agen-*
22 *cies, shall conduct a pilot program for the promotion of*
23 *travel and tourism in the United States through United*
24 *States international broadcasting, particularly to regional*

1 *economies that have been affected by the decrease in tourism*
2 *following the events of September 11, 2001.*

3 (b) *PROGRAMMING.*—*The pilot program shall devote*
4 *regular programming to broadcasting information on local-*
5 *ities of the United States with the purpose of promoting*
6 *travel and tourism to regional economies heavily reliant on*
7 *such tourism.*

8 (c) *REPORT TO CONGRESS.*—*Not later than 180 days*
9 *after the date of the enactment of this Act, the Broadcasting*
10 *Board of Governors shall submit to the appropriate congres-*
11 *sional committees a report detailing the actions taken by*
12 *the Board in carrying out this section.*

13 **SEC. 505. RADIO FREE ASIA BROADCASTS INTO NORTH**
14 **KOREA.**

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

17 (1) *North Korea's development of nuclear weap-*
18 *ons and missile delivery systems poses one of the*
19 *gravest security threats to the United States in the*
20 *world.*

21 (2) *The Kim Jong Il regime in North Korea has*
22 *one of the worst human rights records in the world.*
23 *On April 16, 2003, the United Nations Commission*
24 *on Human Rights passed a resolution, "expressing its*
25 *deep concern about reports of systemic, widespread*

1 *and grave violations of human rights” in North*
2 *Korea.*

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

6 (4) *In 2002, a survey found that five of twelve*
7 *“elite” defectors from North Korea had listened to*
8 *Radio Free Asia.*

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

11 (6) *Many North Korean citizens lack radios ca-*
12 *pable of receiving Radio Free Asia broadcasts.*

13 (b) *SENSE OF CONGRESS.—It is the sense of the Con-*
14 *gress that the Broadcasting Board of Governors should en-*
15 *sure that Radio Free Asia increases its broadcasting with*
16 *respect to North Korea to 24 hours each day.*

17 (c) *REPORT TO CONGRESS.—Not later than 90 days*
18 *after the date of the enactment of this Act, the Secretary*
19 *of State, after consulting with other agencies of the United*
20 *States Government, shall submit a report, in classified*
21 *form, on specific measures currently being undertaken and*
22 *measures necessary, including the provision of adequate ra-*
23 *dios, to maximize North Korean citizen access to Radio*
24 *Free Asia and other foreign broadcasts to the Committee*
25 *on International Relations and the Permanent Select Com-*

1 *mittee on Intelligence of the House of Representatives and*
2 *the Committee on Foreign Relations and the Select Com-*
3 *mittee on Intelligence of the Senate.*

4 **SEC. 506. PROHIBITION ON ELIMINATION OF INTER-**
5 **NATIONAL BROADCASTING IN EASTERN EU-**
6 **ROPE.**

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

14 ***Subtitle B—Global Internet***
15 ***Freedom***

16 **SEC. 521. SHORT TITLE.**

17 *This subtitle may be cited as the “Global Internet Free-*
18 *dom Act of 2003”.*

19 **SEC. 522. FINDINGS.**

20 *The Congress makes the following findings:*

21 *(1) Freedom of speech, freedom of the press, and*
22 *freedom of association are fundamental characteristics*
23 *of a free society. The first amendment to the Constitu-*
24 *tion of the United States guarantees that “Congress*
25 *shall make no law . . . abridging the freedom of*

1 *speech, or of the press; or the right of the people*
2 *peaceably to assemble.” These constitutional provi-*
3 *sions guarantee the rights of Americans to commu-*
4 *nicate and associate with one another without restric-*
5 *tion, including unfettered communication and asso-*
6 *ciation via the Internet. Article 19 of the United Na-*
7 *tion’s Universal Declaration of Human Rights explic-*
8 *itly guarantees the freedom to “receive and impart*
9 *information and ideas through any media and re-*
10 *gardless of frontiers”.*

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

14 *(3) With nearly 10 percent of the world’s popu-*
15 *lation now online, and more gaining access each day,*
16 *the Internet stands to become the most powerful en-*
17 *gine for democratization and the free exchange of*
18 *ideas ever invented.*

19 *(4) The governments of Burma, Cuba, Laos,*
20 *North Korea, the People’s Republic of China, Saudi*
21 *Arabia, Syria, and Vietnam, among others, are tak-*
22 *ing active measures to keep their citizens from freely*
23 *accessing the Internet and obtaining international po-*
24 *litical, religious, and economic news and information.*

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

5 (6) *Since the 1940s, the United States has de-*
6 *ployed anti-jamming technologies to make Voice of*
7 *America and other United States Government spon-*
8 *sored broadcasting available to people in nations with*
9 *governments that seek to block news and information.*

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

13 (8) *The success of United States policy in sup-*
14 *port of freedom of speech, press, and association re-*
15 *quires continued efforts to defeat totalitarian and au-*
16 *thoritarian controls on news and information over the*
17 *Internet.*

18 **SEC. 523. PURPOSES.**

19 *The purposes of this subtitle are—*

20 (1) *to adopt an effective and robust global Inter-*
21 *net freedom policy;*

22 (2) *to establish an office within the Broadcasting*
23 *Board of Governors with the sole mission of coun-*
24 *tering Internet jamming and blocking by utilizing*
25 *available anti-jamming technology;*

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

4 (4) to bring to bear the pressure of the free world
5 on repressive governments guilty of Internet censor-
6 ship and the intimidation and persecution of their
7 citizens who use the Internet.

8 **SEC. 524. DEVELOPMENT AND DEPLOYMENT OF TECH-**
9 **NOLOGIES TO DEFEAT INTERNET JAMMING**
10 **AND CENSORSHIP.**

11 (a) *ESTABLISHMENT OF OFFICE OF GLOBAL INTER-*
12 *NET FREEDOM.*—The Broadcasting Board of Governors
13 shall establish an Office of Global Internet Freedom (herein-
14 after in this subtitle referred to as the “Office”). The Office
15 shall develop and implement a comprehensive global strat-
16 egy to combat state-sponsored and state-directed Internet
17 jamming and persecution of those who use the Internet.

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

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

5 (d) *REPORT TO CONGRESS.*—*Nine months after the*
6 *date of the enactment of this Act, the Broadcasting Board*
7 *of Governors shall submit to the Congress a report on the*
8 *status of foreign government interference with Internet use*
9 *and of efforts by the United States to counter such inter-*
10 *ference. The report shall list the countries that pursue poli-*
11 *cies of Internet censorship, blocking, and other abuses; pro-*
12 *vide information concerning the government agencies or*
13 *quasi-governmental organizations that implement Internet*
14 *censorship; and describe with the greatest particularity*
15 *practicable the technological means by which such blocking*
16 *and other abuses are accomplished. In the discretion of the*
17 *Broadcasting Board of Governors, such report may be sub-*
18 *mitted in both a classified and nonclassified version. One*
19 *year after the date of submission of such report, the Office*
20 *shall submit a second report.*

21 (e) *LIMITATION ON AUTHORITY.*—*Nothing in this sub-*
22 *title shall be interpreted to authorize any action by the*
23 *United States to interfere with foreign national censorship*
24 *in furtherance of legitimate law enforcement aims con-*
25 *sistent with the Universal Declaration of Human Rights.*

1 **Subtitle C—Reorganization of**
2 **United States International**
3 **Broadcasting**

4 **SEC. 531. ESTABLISHMENT OF UNITED STATES INTER-**
5 **NATIONAL BROADCASTING AGENCY.**

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

9 **“SEC. 304. ESTABLISHMENT OF UNITED STATES INTER-**
10 **NATIONAL BROADCASTING AGENCY.**

11 “(a) *ESTABLISHMENT.*—There is established as an
12 *independent agency in the executive branch the United*
13 *States International Broadcasting Agency (hereinafter in*
14 *this Act referred to as the ‘Agency’).*

15 “(b) *BOARD OF GOVERNORS OF THE AGENCY.*—

16 “(1) *HEAD OF AGENCY.*—The Agency shall be
17 *headed by the Board of Governors of the United*
18 *States International Broadcasting Agency (herein-*
19 *after in this Act referred to as the ‘Board of Gov-*
20 *ernors’).*

21 “(2) *AUTHORITIES AND FUNCTIONS.*—The Board
22 *of Goverors shall—*

23 “(A) *carry out the authorities and functions*
24 *of the Agency under section 305; and*

1 “(B) *be responsible for the exercise of all au-*
2 *thorities and powers and the discharge of all du-*
3 *ties and functions of the Agency.*

4 “(3) *COMPOSITION OF THE BOARD OF GOV-*
5 *ERNORS.—*

6 “(A) *The Board of Governors shall consist*
7 *of 9 members, as follows:*

8 “(i) *Eight voting members who shall be*
9 *appointed by the President, by and with the*
10 *advice and consent of the Senate.*

11 “(ii) *The Secretary of State who shall*
12 *also be a voting member.*

13 “(B) *The President shall appoint one mem-*
14 *ber (other than the Secretary of State) as Chair*
15 *of the Board of Governors, subject to the advice*
16 *and consent of the Senate.*

17 “(C) *Exclusive of the Secretary of State, not*
18 *more than 4 of the members of the Board of Gov-*
19 *ernors appointed by the President shall be of the*
20 *same political party.*

21 “(4) *TERM OF OFFICE.—The term of office of*
22 *each member of the Board of Governors shall be three*
23 *years, except that the Secretary of State shall remain*
24 *a member of the Board of Governors during the Sec-*
25 *retary’s term of service. The President shall appoint,*

1 *by and with the advice and consent of the Senate,*
2 *board members to fill vacancies occurring prior to the*
3 *expiration of a term, in which case the members so*
4 *appointed shall serve for the remainder of such term.*
5 *Any member whose term has expired may serve until*
6 *a successor has been appointed and qualified. When*
7 *there is no Secretary of State, the Acting Secretary of*
8 *State shall serve as a member of the board until a*
9 *Secretary is appointed.*

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

18 *“(6) COMPENSATION.—Members of the Board of*
19 *Governors, while attending meetings of the board or*
20 *while engaged in duties relating to such meetings or*
21 *in other activities of the board pursuant to this sec-*
22 *tion (including travel time) shall be entitled to receive*
23 *compensation equal to the daily equivalent of the*
24 *compensation prescribed for level IV of the Executive*
25 *Schedule under section 5315 of title 5, United States*

1 *Code. While away from their homes or regular places*
2 *of business, members of the board may be allowed*
3 *travel expenses, including per diem in lieu of subsist-*
4 *ence, as authorized by law for persons in the Govern-*
5 *ment service employed intermittently. The Secretary*
6 *of State shall not be entitled to any compensation*
7 *under this title, but may be allowed travel expenses*
8 *as provided under this subsection.*

9 “(7) *DECISIONS.—Decisions of the Board of Gov-*
10 *ernors shall be made by majority vote, a quorum*
11 *being present. A quorum shall consist of 5 members.*

12 “(8) *IMMUNITY FROM CIVIL LIABILITY.—Not-*
13 *withstanding any other provision of law, any and all*
14 *limitations on liability that apply to the members of*
15 *the Board of Governors also shall apply to such mem-*
16 *bers when acting in their capacities as members of the*
17 *boards of directors of RFE/RL, Incorporated and*
18 *Radio Free Asia.*

19 “(c) *DIRECTOR.—*

20 “(1) *APPOINTMENT.—The Board of Governors*
21 *shall appoint a Director of the Agency. The Director*
22 *shall receive basic pay at the rate payable for level III*
23 *of the Executive Schedule under section 5314 of title*
24 *5, United States Code. The Director may be removed*
25 *through a majority vote of the Board.*

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

3 “(A) *To exercise the authorities delegated by*
4 *the Board of Governors pursuant to section*
5 *305(b).*

6 “(B) *To carry out all broadcasting activi-*
7 *ties conducted pursuant to this title, the Radio*
8 *Broadcasting to Cuba Act, and the Television*
9 *Broadcasting to Cuba Act.*

10 “(C) *To examine and make recommenda-*
11 *tions to the Board of Governors on long-term*
12 *strategies for the future of international broad-*
13 *casting, including the use of new technologies.*

14 “(D) *To review engineering activities to en-*
15 *sure that all broadcasting elements receive the*
16 *highest quality and cost-effective delivery serv-*
17 *ices.*

18 “(E) *To procure supplies, services, and*
19 *other personal property to carry out the func-*
20 *tions of the Agency.*

21 “(F) *To obligate and expend, for official re-*
22 *ception and representation expenses, such*
23 *amounts as may be made available through ap-*
24 *propriations.*

1 “(G) *To provide for the use of United States*
2 *Government transmitter capacity for relay of*
3 *broadcasting by grantees.*

4 “(H) *To procure temporary and intermit-*
5 *tent personal services to the same extent as is au-*
6 *thorized by section 3109 of title 5, United States*
7 *Code, at rates not to exceed the daily equivalent*
8 *of the rate provided for positions classified above*
9 *grade GS-15 of the General Schedule under sec-*
10 *tion 5108 of title 5, United States Code.*

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

14 “(J) *To the extent funds are available, to*
15 *lease space and acquire personal property for the*
16 *Agency.*

17 “(d) *INSPECTOR GENERAL AUTHORITIES.—*

18 “(1) *IN GENERAL.—The Inspector General of the*
19 *Department of State shall exercise the same authori-*
20 *ties with respect to the Agency as the Inspector Gen-*
21 *eral exercises under the Inspector General Act of 1978*
22 *and section 209 of the Foreign Service Act of 1980*
23 *with respect to the Department of State.*

24 “(2) *RESPECT FOR JOURNALISTIC INTEGRITY OF*
25 *BROADCASTERS.—The Inspector General of the De-*

1 *partment of State and the Foreign Service shall re-*
2 *spect the journalistic integrity of all the broadcasters*
3 *covered by this title and may not evaluate the philo-*
4 *sophical or political perspectives reflected in the con-*
5 *tent of broadcasts.”.*

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

17 **SEC. 532. AUTHORITIES AND FUNCTIONS OF THE AGENCY.**

18 *Section 305 of the United States International Broad-*
19 *casting Act of 1994 (22 U.S.C. 6204) is amended to read*
20 *as follows:*

21 **“SEC. 305. AUTHORITIES AND FUNCTIONS OF THE AGENCY.**

22 *“(a) The Agency shall have the following authorities*
23 *and functions:*

24 *“(1) To supervise all broadcasting activities con-*
25 *ducted pursuant to this title, the Radio Broadcasting*

1 *to Cuba Act, and the Television Broadcasting to Cuba*
2 *Act.*

3 *“(2) To review and evaluate the mission and op-*
4 *eration of, and to assess the quality, effectiveness, and*
5 *professional integrity of, all such activities within the*
6 *context of the broad foreign policy objectives of the*
7 *United States and the guiding principles and doc-*
8 *trines of the United States, particularly freedom and*
9 *democracy.*

10 *“(3) To develop strategic goals after reviewing*
11 *human rights reporting and other reliable assessments*
12 *to assist in determining programming and resource*
13 *allocation.*

14 *“(4) To ensure that United States international*
15 *broadcasting is conducted in accordance with the*
16 *standards and principles contained in section 303.*

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

20 *“(6) To make and supervise grants for broad-*
21 *casting and related activities in accordance with sec-*
22 *tions 308 and 309.*

23 *“(7) To allocate funds appropriated for inter-*
24 *national broadcasting activities among the various*
25 *elements of the Agency and grantees, subject to the*

1 *limitations in sections 308 and 309 and subject to re-*
2 *programming notification requirements in law for the*
3 *reallocation of funds.*

4 “(8) *To undertake such studies as may be nec-*
5 *essary to identify areas in which broadcasting activi-*
6 *ties under its authority could be made more efficient*
7 *and economical.*

8 “(9) *To submit to the President and the Congress*
9 *an annual report which summarizes and evaluates*
10 *activities under this title, the Radio Broadcasting to*
11 *Cuba Act, and the Television Broadcasting to Cuba*
12 *Act, placing special emphasis on the assessment de-*
13 *scribed in paragraph (2).*

14 “(10) *To make available in the annual report re-*
15 *quired by paragraph (9) information on funds ex-*
16 *pended on administrative and managerial services by*
17 *the Agency and by grantees and the steps the Agency*
18 *has taken to reduce unnecessary overhead costs for*
19 *each of the broadcasting services.*

20 “(11) *To utilize the provisions of titles III, IV,*
21 *V, VII, VIII, IX, and X of the United States Informa-*
22 *tion and Educational Exchange Act of 1948, and sec-*
23 *tion 6 of Reorganization Plan Number 2 of 1977, as*
24 *in effect on the day before the effective date of title*
25 *XIII of the Foreign Affairs Agencies Consolidation*

1 *Act of 1998, to the extent the Director considers nec-*
2 *essary in carrying out the provisions and purposes*
3 *of this title.*

4 “(12) *To utilize the authorities of any other stat-*
5 *ute, reorganization plan, Executive order, regulation,*
6 *agreement, determination, or other official document*
7 *or proceeding that had been available to the Director*
8 *of the United States Information Agency, the Bureau,*
9 *or the Board before the effective date of title XIII of*
10 *the Foreign Affairs Consolidation Act of 1998 for car-*
11 *rying out the broadcasting activities covered by this*
12 *title.*

13 “(b) *DELEGATION OF AUTHORITY.—The Board of Gov-*
14 *ernors may delegate to the Director of the Agency, or any*
15 *other officer or employee of the United States, the authori-*
16 *ties provided in this section, except those authorities pro-*
17 *vided in paragraph (1), (2), (4), (5), (6), (7), or (9) of sub-*
18 *section (a).*

19 “(c) *BROADCASTING BUDGETS.—The Director and the*
20 *grantees identified in sections 308 and 309 shall submit*
21 *proposed budgets to the Board. The Board shall forward its*
22 *recommendations concerning the proposed budget for the*
23 *Board and broadcasting activities under this title, the*
24 *Radio Broadcasting to Cuba Act, and the Television Broad-*

1 *casting to Cuba Act to the Office of Management and Budg-*
2 *et.”.*

3 **SEC. 533. ROLE OF THE SECRETARY OF STATE.**

4 *Section 306 of the United States International Broad-*
5 *casting Act of 1994 (22 U.S.C. 6205) is amended to read*
6 *as follows:*

7 **“SEC. 306. ROLE OF THE SECRETARY OF STATE.**

8 *“To assist the Agency in carrying out its functions,*
9 *the Secretary of State shall provide such information and*
10 *guidance on foreign policy and public diplomacy issues to*
11 *the Agency as the Secretary considers appropriate.”.*

12 **SEC. 534. ADMINISTRATIVE PROVISIONS.**

13 *The United States International Broadcasting Act of*
14 *1994 is amended by striking section 307 and inserting the*
15 *following new section:*

16 **“SEC. 307. ADMINISTRATIVE PROVISIONS.**

17 *“(a) OFFICERS AND EMPLOYEES.—The Board of Gov-*
18 *ernors may appoint and fix the compensation of such offi-*
19 *cers and employees as may be necessary to carry out the*
20 *functions of the Agency. Except as otherwise provided by*
21 *law, such officers and employees shall be appointed in ac-*
22 *cordance with the civil service laws and their compensation*
23 *shall be fixed in accordance with title 5, United States Code.*

24 *“(b) EXPERTS AND CONSULTANTS.—The Board of*
25 *Governors, as may be provided in appropriation Acts, may*

1 *obtain the services of experts and consultants in accordance*
2 *with section 3109 of title 5, United States Code, and may*
3 *compensate such experts and consultants at rates not to ex-*
4 *ceed the daily rate prescribed for level IV of the Executive*
5 *Schedule under section 5315 of title 5, United States Code.*

6 “(c) *ACCEPTANCE OF VOLUNTARY SERVICES.*—

7 “(1) *IN GENERAL.*—*Notwithstanding section*
8 *1342 of title 31, United States Code, the Board of*
9 *Governors may accept, subject to regulations issued by*
10 *the Office of Personnel Management, voluntary serv-*
11 *ices if such services—*

12 “(A) *are to be uncompensated; and*

13 “(B) *are not used to displace any employee.*

14 “(2) *TREATMENT.*—*Any individual who provides*
15 *voluntary services under this section shall not be con-*
16 *sidered a Federal employee for any purpose other*
17 *than for purposes of chapter 81 of title 5, United*
18 *States Code (relating to compensation for injury) and*
19 *sections 2671 through 2680 of title 28, United States*
20 *Code (relating to tort claims).*

21 “(d) *DELEGATION.*—*Except as otherwise provided in*
22 *this Act, the Board of Governors may delegate any function*
23 *to the Director and such other officers and employees of the*
24 *Agency as the Board of Governors may designate, and may*

1 *authorize such successive redelegations of such functions*
2 *within the Agency as may be necessary or appropriate.*

3 “(e) *CONTRACTS.*—

4 “(1) *IN GENERAL.*—*Subject to the Federal Prop-*
5 *erty and Administrative Services Act of 1949 and*
6 *other applicable Federal law, the Board of Governors*
7 *may make, enter into, and perform such contracts,*
8 *grants, leases, cooperative agreements, and other simi-*
9 *lar transactions with Federal or other public agencies*
10 *(including State and local governments) and private*
11 *organizations and persons, and to make such pay-*
12 *ments, by way of advance or reimbursement, as the*
13 *Board of Governors may determine necessary or ap-*
14 *propriate to carry out functions of the Board of Gov-*
15 *ernors or the Agency.*

16 “(2) *APPROPRIATION AUTHORITY REQUIRED.*—
17 *No authority to enter into contracts or to make pay-*
18 *ments under this title shall be effective except to such*
19 *extent or in such amounts as are provided in advance*
20 *under appropriation Acts.*

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

1 “(g) *SEAL.*—*The Director shall cause a seal of office*
2 *to be made for the Agency of such design as the Board of*
3 *Governors shall approve. Judicial notice shall be taken of*
4 *such seal.*”.

5 **SEC. 535. BROADCASTING BOARD OF GOVERNORS AND**
6 **INTERNATIONAL BROADCASTING BUREAU.**

7 *The Broadcasting Board of Governors and the Inter-*
8 *national Broadcasting Bureau are abolished.*

9 **SEC. 536. TRANSITION.**

10 (a) *TRANSFER OF FUNCTIONS.*—*Except as otherwise*
11 *provided in this subtitle or an amendment made by this*
12 *subtitle, all functions that on the day before the effective*
13 *date specified in section 540 are authorized to be performed*
14 *by the Broadcasting Board of Governors and the Inter-*
15 *national Broadcasting Bureau and any officer, employee,*
16 *or component of such entities, under any statute, reorga-*
17 *nization plan, Executive order, or other provision of law,*
18 *are transferred to the Agency established under this title*
19 *effective on that date.*

20 (b) *DETERMINATION OF CERTAIN FUNCTIONS.*—*If nec-*
21 *essary, the Office of Management and Budget shall make*
22 *any determination of the functions that are transferred*
23 *under this title.*

24 (c) *TRANSITION PROVISIONS.*—

1 (1) *EXERCISE OF AUTHORITIES.*—*Except as oth-*
2 *erwise provided by law, the Board of Governors may,*
3 *for purposes of performing a function that is trans-*
4 *ferred to the Agency by this title, exercise all authori-*
5 *ties under any other provision of law that were avail-*
6 *able with respect to the performance of that function*
7 *to the official responsible for the performance of that*
8 *function on the day before the effective date specified*
9 *in section 540.*

10 (2) *AUTHORITIES TO WIND UP AFFAIRS.*—

11 (A) *The Director of the Office of Manage-*
12 *ment and Budget may take such actions as the*
13 *Director of the Office of Management and Budget*
14 *considers necessary to wind up any outstanding*
15 *affairs of the Broadcasting Board of Governors*
16 *and the International Broadcasting Bureau asso-*
17 *ciated with the functions that are transferred*
18 *pursuant to subsection (a).*

19 (B) *The Director of the Office of Manage-*
20 *ment and Budget may take such actions as the*
21 *Director of the Office of Management and Budget*
22 *considers necessary to wind up any outstanding*
23 *affairs of the Broadcasting Board of Governors*
24 *and the International Broadcasting Bureau asso-*

1 *ciated with the functions that are transferred*
2 *pursuant to subsection (a).*

3 (3) *TRANSFER OF ASSETS.*—*Any property,*
4 *records, unexpended balances of appropriations, allo-*
5 *cations, and other funds employed, used, held, avail-*
6 *able, or to be made available in connection with a*
7 *function transferred to the Agency by this Act are*
8 *transferred on the effective date specified in section*
9 *540.*

10 **SEC. 537. CONFORMING AMENDMENTS.**

11 (a) *UNITED STATES INTERNATIONAL BROADCASTING*
12 *ACT OF 1994.*—*The United States International Broad-*
13 *casting Act of 1994 is amended as follows:*

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

15 (A) *in subsection (a)—*

16 (i) *by striking “The Board” and in-*
17 *serting “The Agency”; and*

18 (ii) *in paragraph (1) by striking*
19 *“Broadcasting Board of Governors” and in-*
20 *serting “Board Governors of the Inter-*
21 *national Broadcasting Agency”;*

22 (B) *in subsection (b)—*

23 (i) *by striking paragraph (2);*

24 (ii) *by striking “(1)”; and*

1 (iii) by striking “Board” both places it
2 appears and inserting “Agency”;

3 (C) in subsections (c), (d), (g), (h), and (i)
4 by striking “Board” each place it appears and
5 inserting “Agency”;

6 (D) in subsection (g)(4) by striking “Inter-
7 national Broadcasting Bureau” and inserting
8 “Agency”; and

9 (E) in subsections (i) and (j) by striking
10 “and the Foreign Service” each place it appears.

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

12 (A) in subsection (c)(1) by striking “Board”
13 both places it appears and inserting “Agency”;

14 (B) by striking subsection (e);

15 (C) in subsections (f) and (g) by striking
16 “Board” each place it appears and inserting
17 “Agency”; and

18 (D) in subsection (g) by striking “Chair-
19 man of the Board” and inserting “Agency”.

20 (3) By striking section 311 (22 U.S.C. 6210).

21 (4) In section 313 (22 U.S.C. 6212) by striking
22 “Board” and inserting “Agency”.

23 (5) In section 314 (22 U.S.C. 6213) by striking
24 paragraph (2).

25 (6) By striking section 315.

1 (b) *CUBAN LIBERTY AND DEMOCRATIC SOLIDARITY*
2 *(LIBERTAD) ACT OF 1996.*—Section 107 of the Cuban
3 *Liberty and Democratic Solidarity (LIBERTAD) Act of*
4 *1996 (22 U.S.C. 6037) is amended in subsections (a) and*
5 *(b) by striking “International Broadcasting Bureau” each*
6 *place it appears and inserting “United States International*
7 *Broadcasting Agency”.*

8 (c) *RADIO BROADCASTING TO CUBA ACT.*—The Radio
9 *Broadcasting to Cuba Act (22 U.S.C. 1465 et seq.) is*
10 *amended as follows:*

11 (1) *In section 3 (22 U.S.C. 1465a) as follows:*

12 (A) *In the section heading by striking*
13 *“BROADCASTING BOARD OF GOV-*
14 *ERNORS” and inserting “UNITED STATES*
15 *INTERNATIONAL BROADCASTING AGEN-*
16 *CY”.*

17 (B) *In subsection (a) by striking “the*
18 *‘Board’” and inserting “the ‘Agency’”.*

19 (C) *In subsections (a), (d), and (f) by strik-*
20 *ing “Broadcasting Board of Governors” and in-*
21 *serting “United States International Broad-*
22 *casting Agency”.*

23 (2) *In section 4 (22 U.S.C. 1465b) as follows:*

24 (A) *In the first sentence by striking “The”*
25 *and all that follows through “Bureau” and in-*

1 serting: “The Board of Governors of the United
2 States International Broadcasting Agency shall
3 establish within the Agency”.

4 (B) In the third sentence by striking
5 “Broadcasting Board of Governors” and insert-
6 ing “Board of Governors of the United States
7 International Broadcasting Agency”.

8 (C) In the fourth sentence by striking
9 “Board of the International Broadcasting Bu-
10 reau” and inserting “Board of Governors of the
11 United States International Broadcasting Agen-
12 cy”.

13 (3) In section 5 (22 U.S.C. 1465c) as follows:

14 (A) In subsection (b) by striking “Broad-
15 casting Board of Governors” and inserting
16 “Board of Governors of the United States Inter-
17 national Broadcasting Agency”.

18 (B) By striking “Board” each place it ap-
19 pears and inserting “Advisory Board”.

20 (4) In section 6 (22 U.S.C. 1465d) as follows:

21 (A) In subsection (a) by striking “Broad-
22 casting Board of Governors” and inserting
23 “United States International Broadcasting
24 Agency” and by striking “Board” and inserting

1 *“Board of Directors of the United States Inter-*
2 *national Broadcasting Agency”.*

3 *(B) In subsection (b) by striking “Board”*
4 *and inserting “United States International*
5 *Broadcasting Agency”.*

6 *(5) In section 7 (22 U.S.C. 1465e) by striking*
7 *“Board” in subsections (b) and (d) and inserting*
8 *“United States International Broadcasting Agency”.*

9 *(6) In section 8(a) (22 U.S.C. 1465f(a)), by*
10 *striking “Broadcasting Board of Governors” and in-*
11 *serting “United States International Broadcasting*
12 *Agency”.*

13 *(d) TELEVISION BROADCASTING TO CUBA ACT.—The*
14 *Television Broadcasting to Cuba Act (22 U.S.C. 1465aa*
15 *note) is amended as follows:*

16 *(1) Section 243(a) (22 U.S.C. 1465bb) is amend-*
17 *ed by striking “Broadcasting Board of Governors”*
18 *and inserting “United States International Broad-*
19 *casting Agency”.*

20 *(2) Section 244 (22 U.S.C. 1465cc) is amended*
21 *as follows:*

22 *(A) In subsection (a) by amending the third*
23 *sentence to read as follows: “The Board of Gov-*
24 *ernors of the United States International Broad-*
25 *casting Agency shall appoint a head of the Serv-*

1 *ice who shall report directly to the Board of Gov-*
2 *ernors.”.*

3 *(B) In subsection (b) by striking “Board”*
4 *and inserting “United States International*
5 *Broadcasting Agency”.*

6 *(C) In subsection (c) by striking “The*
7 *Board” and inserting “The Agency” and by*
8 *striking “Board determines” and inserting*
9 *“Board of Governors of the United States Inter-*
10 *national Broadcasting Agency determines”.*

11 *(3) In section 246 (22 U.S.C. 1465dd) by strik-*
12 *ing “United States Information Agency” and insert-*
13 *ing “United States International Broadcasting Agen-*
14 *cy” and by striking “Board” and inserting “Board of*
15 *Governors of the United States International Broad-*
16 *casting Agency”.*

17 *(e) UNITED STATES INFORMATION AND EDUCATIONAL*
18 *EXCHANGE ACT OF 1948.—The United States Information*
19 *and Educational Exchange Act of 1948 (22 U.S.C. 1431*
20 *et seq.) is amended—*

21 *(1) in section 505 (22 U.S.C. 1464a), by striking*
22 *“Broadcasting Board of Governors” each place it ap-*
23 *pears and inserting “United States International*
24 *Broadcasting Agency”; and*

25 *(2) in section 506(c) (22 U.S.C. 1464b(c))—*

1 (A) by striking “Broadcasting Board of
2 Governors” and inserting “United States Inter-
3 national Broadcasting Agency”; and

4 (B) by striking “Board” and inserting
5 “Agency”.

6 (f) *FOREIGN SERVICE ACT OF 1980*.—*The Foreign*
7 *Service Act of 1980 (22 U.S.C. 3901 et seq.) is amended—*

8 (1) *in section 202(a)(1) (22 U.S.C. 3922(a)(1)),*
9 *by striking “Broadcasting Board of Governors” and*
10 *inserting “United States International Broadcasting*
11 *Agency”;*

12 (2) *in section 210 (22 U.S.C. 3930), by striking*
13 *“Broadcasting Board of Governors” and inserting*
14 *“United States International Broadcasting Agency”;*

15 (3) *in section 1003(a) (22 U.S.C. 4103(a)), by*
16 *striking “Broadcasting Board of Governors” and in-*
17 *serting “United States International Broadcasting*
18 *Agency”;* and

19 (4) *in section 1101(c) (22 U.S.C. 4131(c)), by*
20 *striking “Broadcasting Board of Governors,” and in-*
21 *serting “the United States International Broadcasting*
22 *Agency,”.*

23 (g) *STATE DEPARTMENT BASIC AUTHORITIES ACT OF*
24 *1956*.—*The State Department Basic Authorities Act of*
25 *1956 (22 U.S.C. 2651a et seq.) is amended—*

1 (1) *in section 23(a) (22 U.S.C. 2695(a)), by*
2 *striking “Broadcasting Board of Governors,” and in-*
3 *serting “United States International Broadcasting*
4 *Agency,”;*

5 (2) *in section 25(f) (22 U.S.C. 2697(f))—*

6 (A) *by striking “Broadcasting Board of*
7 *Governors” and inserting “United States Inter-*
8 *national Broadcasting Agency”;* and

9 (B) *by striking “the Board and the Agency”*
10 *and inserting “their respective agencies”;*

11 (3) *in section 26(b) (22 U.S.C. 2698(b))—*

12 (A) *by striking “Broadcasting Board of Gov-*
13 *ernors,” and inserting “United States Inter-*
14 *national Broadcasting Agency”;* and

15 (B) *by striking “the Board and the Agency”*
16 *and inserting “their respective agencies”;* and

17 (4) *in section 32 (22 U.S.C. 2704), by striking*
18 *“Broadcasting Board of Governors” and inserting*
19 *“United States International Broadcasting Agency”.*

20 (h) *TITLE 5, UNITED STATES CODE.—*

21 (1) *Section 5314 of title 5, United States Code,*
22 *is amended by adding at the end the following: “Di-*
23 *rector, United States International Broadcasting*
24 *Agency.”.*

1 (2) *Section 5315 of title 5, United States Code,*
2 *is amended by striking “Director of the International*
3 *Broadcasting Bureau.”.*

4 **SEC. 538. REFERENCES.**

5 *Except as otherwise provided in this subtitle or an*
6 *amendment made by this subtitle, any reference in any stat-*
7 *ute, reorganization plan, Executive order, regulation, agree-*
8 *ment, determination, or other official document or pro-*
9 *ceeding to the Broadcasting Board of Governors and the*
10 *International Broadcasting Bureau or any other officer or*
11 *employee of the Broadcasting Board of Governors or the*
12 *International Broadcasting Bureau shall be deemed to refer*
13 *to the United States International Broadcasting Agency or*
14 *the Board of Governors of the United States International*
15 *Broadcasting Agency established under this subtitle.*

16 **SEC. 539. BROADCASTING STANDARDS.**

17 *Section 303(a) of the United States International*
18 *Broadcasting Act of 1994 (22 U.S.C. 6202(a)) is amend-*
19 *ed—*

20 (1) *in paragraph (6) by striking “and”;*

21 (2) *in paragraph (8) by striking the period and*
22 *inserting “; and”; and*

23 (3) *by adding after paragraph (8) the following*
24 *new paragraph:*

1 “(9) seek to ensure that resources are allocated to
2 broadcasts directed at people whose governments deny
3 freedom of expression or who are otherwise in special
4 need of honest and professional broadcasting, com-
5 mensurate with the need for such broadcasts.”.

6 **SEC. 540. EFFECTIVE DATE.**

7 *Except as otherwise provided, this subtitle and the*
8 *amendments made by this subtitle shall take effect on the*
9 *last day of the 6-month period beginning on the date of*
10 *the enactment of this Act.*

11 **TITLE VI—INTERNATIONAL FREE**
12 **MEDIA ACT OF 2003**

13 **SEC. 601. SHORT TITLE.**

14 *This title may be cited as the “International Free*
15 *Media Act of 2003”.*

16 **SEC. 602. DEFINITIONS.**

17 *In this title, the term “free media” means individuals*
18 *or organizations engaged in the gathering and distribution*
19 *of news and information free of direct or indirect govern-*
20 *mental control.*

21 **SEC. 603. FINDINGS.**

22 *The Congress makes the following findings:*

23 (1) *Freedom of speech and freedom of the press*
24 *are fundamental human rights enshrined in inter-*
25 *national law.*

1 (2) *The United States has a national interest in*
2 *promoting these freedoms by supporting free media*
3 *abroad, which is essential to the development of free*
4 *and democratic societies consistent with our own.*

5 (3) *Free media is undermined, endangered, or*
6 *nonexistent in many repressive and transitional soci-*
7 *eties around the world, including in Eurasia, Africa,*
8 *and the Middle East.*

9 (4) *Free media is suppressed by foreign govern-*
10 *ments by a variety of means, including state censor-*
11 *ship, legal restriction, financial pressure, and phys-*
12 *ical intimidation.*

13 (5) *Unprofessional and unethical media that vio-*
14 *late widely accepted standards of professional jour-*
15 *nalism and editorial practice compromises the ability*
16 *of a free media to contribute to open, fair, and con-*
17 *structive democratic debate.*

18 (6) *Unprofessional and unethical media includes*
19 *media that violate the standards set in the Inter-*
20 *national Covenant on Civil and Political Rights,*
21 *which includes article 20, section 2 of the Covenant*
22 *which states that “Any advocacy of national, racial,*
23 *or religious hatred that constitutes incitement to dis-*
24 *crimination, hostility, or violence shall be prohibited*
25 *by law.”.*

1 (7) *Individuals lacking access to a plurality of*
2 *free media are vulnerable to misinformation and*
3 *propaganda and are potentially more likely to adopt*
4 *anti-American views.*

5 (8) *Foreign governments have a responsibility to*
6 *actively and publicly discourage and rebut unpro-*
7 *fessional and unethical media while respecting jour-*
8 *nalistic integrity and editorial independence.*

9 (9) *Past and continuing United States Govern-*
10 *ment efforts to promote free media through training*
11 *and technical support have advanced United States*
12 *national interests by contributing to the promotion of*
13 *human rights and democracy worldwide.*

14 (10) *Support for free media must be an integral*
15 *part of United States foreign policy, including public*
16 *diplomacy and United States international broad-*
17 *casting, and should be coordinated across government*
18 *agencies and with international, bilateral, and pri-*
19 *vate donor organizations toward achieving the shared*
20 *goal of developing professional, ethical, diversified,*
21 *sustainable, independent, indigenous media world-*
22 *wide.*

23 **SEC. 604. STATEMENTS OF POLICY.**

24 *It shall be the policy of the United States, acting*
25 *through the Secretary of State, to—*

1 (1) *make the promotion of press freedoms and*
2 *free media worldwide a priority of United States for-*
3 *foreign policy and an integral component of United*
4 *States public diplomacy;*

5 (2) *respect the journalistic integrity and edi-*
6 *torial independence of free media worldwide;*

7 (3) *use widely accepted standards for profes-*
8 *sional and ethical journalistic and editorial practices*
9 *in assessing international media; and*

10 (4) *discourage incitement to discrimination, hos-*
11 *tility, or violence, based on nationality, race, or reli-*
12 *gion, as described in article 20, section 2, of the Inter-*
13 *national Covenant on Civil and Political Rights, and*
14 *develop a strategy to respond to it.*

15 **SEC. 605. COORDINATOR FOR INTERNATIONAL FREE**
16 **MEDIA.**

17 (a) *ESTABLISHMENT.*—*There is established within the*
18 *Department of State a Coordinator for International Free*
19 *Media (in this section referred to as the “Coordinator”).*
20 *At the discretion of the President another official at the De-*
21 *partment of State may serve as the Coordinator.*

22 (b) *APPOINTMENT OF COORDINATOR.*—*The Coordi-*
23 *nator shall be appointed by the President, by and with the*
24 *advice and consent of the Senate.*

1 (c) *DUTIES.*—*The principal duties of the Coordinator*
2 *shall be the promotion of international press freedoms and*
3 *free media by—*

4 (1) *coordinating United States government poli-*
5 *cies, programs, and projects concerning international*
6 *press freedoms and free media;*

7 (2) *in consultation with appropriate agencies of*
8 *the United States Government and national and*
9 *international organizations, monitoring and assessing*
10 *the status of free media and government controlled*
11 *sources of information, including for incitement of*
12 *national, racial, or religious hatred that constitutes*
13 *incitement to discrimination, hostility, or violence, as*
14 *described in article 20 of the International Covenant*
15 *on Civil and Political Rights;*

16 (3) *promoting widely accepted standards of pro-*
17 *fessional and ethical journalism and editorial prac-*
18 *tices;*

19 (4) *discouraging media and government con-*
20 *trolled sources of information from advocating na-*
21 *tional, racial, or religious hatred that constitutes in-*
22 *citement to discrimination, hostility, or violence con-*
23 *sistent with article 20, section 2 of the International*
24 *Covenant on Civil and Political Rights;*

1 (5) reporting foreign media that advocates na-
2 tional, racial, or religious hatred that constitutes in-
3 citement to discrimination, hostility, or violence con-
4 sistent with article 20, section 2, of the International
5 Covenant on Civil and Political Rights and making
6 available to the public and to the United States Agen-
7 cy for International Broadcasting translations of such
8 media to the extent practicable;

9 (6) promoting the journalistic integrity and edi-
10 torial independence of free media worldwide;

11 (7) advising the President and the Secretary of
12 State regarding matters of international press free-
13 doms and free media;

14 (8) representing the United States in matters
15 and cases relevant to international press freedoms
16 and free media;

17 (9) assisting the Secretary of State in preparing
18 the portions of the Department of State country re-
19 ports on human rights that relate to international
20 press freedoms and free media and incitement to acts
21 of discrimination;

22 (10) consulting with the Broadcasting Board of
23 Governors and the United States Agency for Inter-
24 national Development for the purpose of promoting

1 *free media through training of international journal-*
2 *ists, producers, editors, and media managers; and*

3 *(11) administering the International Free Media*
4 *Fund (established in section 607) in consultation with*
5 *the United States Advisory Commission on Public Di-*
6 *plomacy and International Media.*

7 *(d) ASSESSMENT FACTORS.—In making an assessment*
8 *of media within individual countries pursuant to sub-*
9 *section (c)(2), the Coordinator shall take into account—*

10 *(1) the number and diversity of media;*

11 *(2) access to and consumption of media by popu-*
12 *lations;*

13 *(3) the extent of direct or indirect government*
14 *ownership, control, or censorship of media outlets;*

15 *(4) the financial viability and profitability of*
16 *free media;*

17 *(5) the extent to which journalists, editors, and*
18 *media managers adhere to widely accepted standards*
19 *for professional and ethical journalism;*

20 *(6) domestic laws addressing press freedoms;*

21 *(7) instances in which the media and govern-*
22 *ment-controlled sources of information have incited*
23 *discrimination, hostility, or violence consistent with*
24 *article 20, section 2 of the International Covenant on*
25 *Civil and Political Rights;*

1 (8) *physical threats, intimidation or inappro-*
2 *prate pressure by government on free media;*

3 (9) *the number of journalists, editors, producers,*
4 *and media managers receiving training from pro-*
5 *grams of the Department of State, the Broadcasting*
6 *Board of Governors, grantees of the United States*
7 *Agency for International Development, or other orga-*
8 *nizations qualified to provide such training; and*

9 (10) *the activity of local and international non-*
10 *governmental organizations promoting press freedoms*
11 *and free media and obstacles to their activity.*

12 (e) *CONSULTATION REQUIREMENT.—The Coordinator*
13 *shall consult with United States public affairs officers and*
14 *other United States foreign mission personnel directly en-*
15 *gaged in interacting with indigenous media in carrying out*
16 *the duties specified in subsection (c).*

17 (f) *DETERMINATION.—The Coordinator shall deter-*
18 *mine, and annually report to the appropriate congressional*
19 *committees, whether there is a pattern of government-con-*
20 *trolled information that constitutes incitement (as described*
21 *in article 20 of the International Covenant on Civil and*
22 *Political Rights) and that endangers United States citizens*
23 *or nationals, impairs relations between the United States*
24 *and the foreign government, or constitutes incitement to na-*
25 *tional, racial, or religious discrimination, hostility, or vio-*

1 lence. The Coordinator shall specify the governments en-
2 gaged in such practices and examples of such incitement
3 and propaganda.

4 (g) *FUNDING.*—The Secretary of State shall ensure
5 that the Coordinator has adequate staff and funding for the
6 conduct of investigations, the administration of the Inter-
7 national Free Media Fund, necessary travel, and other ac-
8 tivities necessary to carry out the provisions of this section.

9 **SEC. 606. UNITED STATES ADVISORY COMMISSION ON PUB-**
10 **LIC DIPLOMACY AND INTERNATIONAL MEDIA.**

11 (a) *ESTABLISHMENT.*—Section 604(a)(1) of the United
12 States Information and Educational Exchange Act of 1948
13 (22 U.S.C. 1469) is amended to read as follows:

14 “(1) There is established an advisory commission
15 to be known as the United States Advisory Commis-
16 sion on Public Diplomacy and International Media.”.

17 (b) *DUTIES AND RESPONSIBILITIES.*—Section 604(c)
18 of the United States Information and Exchange Act of 1948
19 (22 U.S.C. 1469) is amended by adding at the end the fol-
20 lowing:

21 “(5) The Commission shall—

22 “(A) advise the Coordinator for Inter-
23 national Free Media on issues relating to the
24 promotion of international press freedoms and
25 free media;

1 “(B) assist the Coordinator for Inter-
2 national Free Media in monitoring and assess-
3 ing the status of free media worldwide;

4 “(C) consult with the Coordinator on the
5 administration of the International Free Media
6 Fund; and

7 “(D) make policy recommendations to the
8 President, the Secretary of State, and Congress
9 with respect to matters involving international
10 press freedoms and free media.”.

11 (c) *REFERENCES.*—Except as otherwise provided in
12 this section or an amendment made by this section, any
13 reference in any statute, reorganization plan, Executive
14 order, regulation, agreement, determination, or other offi-
15 cial document or proceeding to the United States Advisory
16 Commission on Public Diplomacy or any other officer or
17 employee of the United States Advisory Commission on
18 Public Diplomacy shall be deemed to refer to the United
19 States Advisory Commission on Public Diplomacy and
20 International Media established under this section.—

21 **SEC. 607. INTERNATIONAL FREE MEDIA FUND.**

22 (a) *ESTABLISHMENT.*—There is established an Inter-
23 national Free Media Fund (in this section referred to as
24 the “Fund”) at the Department of State.

25 (b) *PURPOSES.*—The purposes of the Fund shall be—

1 (1) *to promote the development of free and inde-*
2 *pendent media worldwide which adhere to widely ac-*
3 *cepted standards of professional and ethical jour-*
4 *nalism and editorial practice; and*

5 (2) *to complement current efforts by the Depart-*
6 *ment of State, the United States Agency for Inter-*
7 *national Development, the Broadcasting Board of*
8 *Governors, and other agencies of the United States*
9 *Government to support free and independent media*
10 *worldwide.*

11 (c) *AUTHORIZATION OF APPROPRIATIONS.—In addi-*
12 *tion to amounts otherwise authorized to be appropriated to*
13 *carry out the purposes specified in subsection (b), there is*
14 *authorized to be appropriated to the Fund \$15,000,000 for*
15 *fiscal year 2004. Such amounts are authorized to remain*
16 *available until expended.*

17 (d) *NONAPPLICABILITY OF OTHER LAWS.—Notwith-*
18 *standing any other provision of law, funds appropriated*
19 *pursuant to subsection (c) may be used for the purposes of*
20 *this section.*

21 (e) *ADMINISTRATION.—*

22 (1) *The Fund shall be administered by the Coor-*
23 *dinator in consultation with the Commission.*

1 (2) *Activities and assistance financed through*
2 *the Fund may be carried out through grants, con-*
3 *tracts, technical assistance, and material support.*

4 (f) *ELIGIBLE ORGANIZATIONS, PROGRAMS, AND*
5 *PROJECTS.—Amounts in the Fund may be used to carry*
6 *out activities and provide assistance only for organizations,*
7 *programs, and projects consistent with the purposes set*
8 *forth in subsection (b).*

9 (g) *PROHIBITIONS.—Amounts in the Fund shall not*
10 *be used to carry out activities or provide assistance to orga-*
11 *nizations, programs, or projects which advocate national,*
12 *racial, or religious hatred that incites discrimination, hos-*
13 *tility, or violence consistent with article 20, section 2 of*
14 *the International Covenant on Civil and Political Rights.*

15 (h) *ASSISTANCE CRITERIA.—In administering the*
16 *Fund, the Coordinator shall take into account—*

17 (1) *the importance of providing assistance to or-*
18 *ganizations, programs, and projects based on their*
19 *proven or potential contribution to the development of*
20 *a free media environment worldwide;*

21 (2) *the importance of enabling free media to be-*
22 *come commercially viable and financially inde-*
23 *pendent in the long term; and*

24 (3) *the importance of providing media personnel*
25 *whose organizations, programs, or projects receive as-*

1 *sistance under this section for training in professional*
2 *and ethical journalism, editorial practices, and media*
3 *management by the Department of State, the Broad-*
4 *casting Board of Governors, United States Agency for*
5 *International Development grantees, or other organi-*
6 *zations qualified to provide such training.*

7 *(i) ANNUAL REPORTS.—Not later than January 31,*
8 *of 2005 and in each subsequent year, the Coordinator shall*
9 *publish an annual report on the activities of the Fund,*
10 *which shall include a comprehensive and detailed descrip-*
11 *tion of the operations, activities, financial condition, and*
12 *accomplishments under this section for the preceding fiscal*
13 *year. The reports shall also include an assessment of wheth-*
14 *er the Fund should also provide loans and guarantees as*
15 *an additional means to carry out the purposes of this title.*

16 *(j) CONSULTATION REQUIREMENTS.—*

17 *(1) The Coordinator shall consult with the State*
18 *Department official primarily responsible for devel-*
19 *oping and implementing United States policy with*
20 *respect to a country prior to carrying out activities*
21 *or providing assistance for such country through the*
22 *Fund.*

23 *(2) Amounts in the Fund shall be used to carry*
24 *out activities or provide assistance on the basis of*
25 *consultations among all relevant United States Gov-*

1 **TITLE VII—MISCELLANEOUS**
2 **PROVISIONS**
3 **Subtitle A—Reporting**
4 **Requirements**

5 ~~SEC. 701. REPORTS ON BENCHMARKS FOR BOSNIA.~~

6 (a) *Section 7 of the 1998 Supplemental Appropria-*
7 *tions and Rescissions Act (Public Law 105–174, 112 Stat.*
8 *64) is amended—*

9 (1) *at the end of paragraph (1) by striking “;*
10 *and” and inserting a period;*

11 (2) *by striking “Congress” and all that follows*
12 *through “not later” and inserting “Congress not*
13 *later”;* and

14 (3) *by striking paragraph (2).*

15 (b) *Section 1203 of the Strom Thurmond National De-*
16 *fense Authorization Act for Fiscal Year 1999 (Public Law*
17 *105–261) is repealed.*

18 ~~SEC. 702 701. REPORTS TO COMMITTEE ON INTERNATIONAL~~
19 ~~RELATIONS.~~

20 *Notwithstanding any other provision of law, for the*
21 *fiscal years 2004 and 2005, any report required by law or*
22 *otherwise requested to be submitted by the Secretary of State*
23 *or the Department of State to any committee of the Congress*
24 *shall be submitted also to the Committee on International*
25 *Relations of the House of Representatives.*

1 **SEC. 702. REPORTS CONCERNING THE CAPTURE AND**
2 **PROSECUTION OF PARAMILITARY AND OTHER**
3 **TERRORIST LEADERS IN COLOMBIA.**

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

6 (1) *As reported in the Department of State re-*
7 *port Patterns of Global Terrorism 2001, the United*
8 *Self-Defense Forces of Colombia (also referred to as*
9 *“AUC” or “paramilitaries”)* *have been designated as*
10 *a foreign terrorist organization by the United States*
11 *primarily because of their increasing reliance on ter-*
12 *rorist methods, such as the use of massacres, to pur-*
13 *posefully displace segments of the population as retal-*
14 *iation for allegedly supporting the AUC’s rival orga-*
15 *nizations, the Revolutionary Armed Forces of Colom-*
16 *bia (FARC) and the National Liberation Army*
17 *(ELN) of Colombia. According to the report, the*
18 *paramilitaries also use terrorist tactics to compete for*
19 *narcotics-trafficking corridors and prime coca-grow-*
20 *ing terrain.*

21 (2) *The Department of State concluded in the*
22 *2001 Country Report on Human Rights Practices*
23 *that despite increased efforts by the Government of*
24 *Colombia to combat and capture members of para-*
25 *military groups, security forces sometimes illegally*
26 *collaborate with paramilitaries forces and often fail to*

1 *take action to prevent paramilitary attacks which*
2 *lead to serious abuses of human rights.*

3 *(3) In September 2002, Amnesty International,*
4 *Human Rights Watch, and the Washington Office on*
5 *Latin America released a report which argued that*
6 *the Colombian Government had not made substantial*
7 *progress toward suspending officers implicated in*
8 *human rights abuses, conducting effective judicial in-*
9 *vestigations of such abuses, or breaking the persistent*
10 *links between some units of the Colombian military*
11 *and paramilitary groups.*

12 *(4) In February 2003, the United Nations High*
13 *Commissioner for Human Rights in Colombia re-*
14 *ported that some units of the Colombian Security*
15 *Forces continued to collude openly with illegal para-*
16 *military groups in operations which resulted in viola-*
17 *tions of human rights.*

18 *(5) The Consolidated Appropriations Resolution,*
19 *2003 (Public Law 108–7) made available not less*
20 *than \$5,000,000 to support a Colombian Armed*
21 *Forces unit which is dedicated to apprehending lead-*
22 *ers of Colombian paramilitary organizations.*

23 *(b) REPORTS TO CONGRESS.—Not later than 30 days*
24 *after the date of enactment of this Act, and every 180 days*
25 *thereafter, the Secretary of State, after consulting with*

1 *internationally recognized human rights organizations pur-*
2 *suant to the procedures required in section 564(b) of the*
3 *Consolidated Appropriations Resolution, 2003, shall submit*
4 *a report, in unclassified form (with a classified annex if*
5 *necessary), on the specific measures that the Colombian au-*
6 *thorities are taking to apprehend effectively and prosecute*
7 *aggressively leaders of paramilitary organizations, to the*
8 *Committee on International Relations of the House of Rep-*
9 *resentatives and the Committee on Foreign Relations of the*
10 *Senate.*

11 *(c) CONTENTS OF REPORTS.—Each report submitted*
12 *pursuant to subsection (b) shall—*

13 *(1) identify which Colombian Armed Forces*
14 *units are receiving assistance to apprehend leaders of*
15 *Colombian paramilitary organizations;*

16 *(2) describe the amount and purposes of such as-*
17 *sistance;*

18 *(3) describe operations by Colombian security*
19 *forces to apprehend and arrest leaders of Colombian*
20 *paramilitary organizations;*

21 *(4) list the number of detentions, captures, and*
22 *arrests of leaders of Colombian paramilitary organi-*
23 *zations, disaggregating the number according to those*
24 *detentions, captures, and arrests which were carried*

1 *David Adom in the International Red Cross and Red*
2 *Crescent Movement.*

3 “(6) *The American Red Cross and Magen David*
4 *Adom signed an important memorandum of under-*
5 *standing in November 2002, outlining areas for stra-*
6 *tegic collaboration, and the American Red Cross will*
7 *encourage other societies to establish similar agree-*
8 *ments with Magen David Adom.”*

9 (b) *SENSE OF CONGRESS.*—Section 690(b) of such Act
10 *is amended—*

11 (1) *in paragraph (3) after the semicolon by*
12 *striking “and”;*

13 (2) *by redesignating paragraph (4) as para-*
14 *graph (5); and*

15 (3) *by inserting after paragraph (3) the fol-*
16 *lowing new paragraph:*

17 “(4) *the High Contracting Parties to the Geneva*
18 *Conventions of August 12, 1949, should adopt the Oc-*
19 *tober 12, 2000, draft additional protocol which would*
20 *accord international recognition to an additional dis-*
21 *tinctive emblem; and”*.

22 (c) *REPORT.*—Section 690 of such Act is further
23 *amended by adding at the end the following:*

24 “(c) *REPORT.*—*Not later than 60 days after the date*
25 *of the enactment of the Foreign Relations Authorization*

1 *Act, Fiscal Years 2004 and 2005 and annually thereafter,*
2 *the Secretary of State shall submit a report, on a classified*
3 *basis if necessary, to the appropriate congressional commit-*
4 *tees describing—*

5 “(1) *efforts by the United States to obtain full*
6 *membership for the Magen David Adom in the Inter-*
7 *national Red Cross Movement;*

8 “(2) *efforts by the International Committee of*
9 *the Red Cross to obtain full membership for the*
10 *Magen David Adom in the International Red Cross*
11 *Movement;*

12 “(3) *efforts of the High Contracting Parties to*
13 *the Geneva Convention of 1949 to adopt the October*
14 *12, 2000, draft additional protocol; and*

15 “(4) *the extent to which the Magen David Adom*
16 *of Israel is participating in the activities of the Inter-*
17 *national Red Cross and Red Crescent Movement.”.*

18 **SEC. 705 704. REPORT CONCERNING THE RETURN OF POR-**
19 **TRAITS OF HOLOCAUST VICTIMS TO THE ART-**
20 **IST DINA BABBITT.**

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

23 (1) *Dina Babbitt (formerly known as Dinah*
24 *Gottliebova), a United States citizen, has requested*
25 *the return of watercolor portraits she painted while*

1 *suffering a one and one-half year long internment at*
2 *the Auschwitz death camp during World War II,*
3 *where she was ordered to paint portraits by the infam-*
4 *ous war criminal Dr. Josef Mengele.*

5 *(2) Congress has previously considered the issue,*
6 *under the Foreign Relations Authorization Act, Fiscal*
7 *Year 2003 (Public Law 107–228), and urged the Ad-*
8 *ministration to facilitate the return of the paintings*
9 *to Dina Babbitt.*

10 *(3) The Administration has not yet reported any*
11 *progress in furthering this goal, nor has the Secretary*
12 *reported on the status of any negotiations held with*
13 *the intent of furthering this goal.*

14 *(b) SENSE OF CONGRESS.—The Congress—*

15 *(1) continues to recognize the moral right of*
16 *Dina Babbitt to obtain the artwork she created, and*
17 *recognizes her courage in the face of the evils per-*
18 *petrated by the Nazi command of the Auschwitz-*
19 *Birkenau death camp, including the atrocities com-*
20 *mitted by Dr. Josef Mengele;*

21 *(2) urges the President of the United States to*
22 *make all necessary efforts to retrieve the 7 watercolor*
23 *portraits painted by Dina Babbitt, during her intern-*
24 *ment at the Auschwitz death camp; and*

1 *on Foreign Relations of the Senate of the purpose for which*
2 *such vested property or liquidated assets will be so used.”.*

3 **SEC. 707 706. REPORT CONCERNING THE CONFLICT IN**
4 **UGANDA.**

5 (a) *SENSE OF CONGRESS.—It is the sense of the Con-*
6 *gress that the United States should—*

7 (1) *exhaust all diplomatic means and pressures,*
8 *including the creation of a United States role in ne-*
9 *gotiating humanitarian access to hitherto inaccessible*
10 *populations which would offer an opportunity to*
11 *bring the warring parties together to build confidence,*
12 *to support an immediate peaceful resolution to the*
13 *16-year old conflict in Northern Uganda that has—*

14 (A) *killed an estimated 23,000 people, in-*
15 *cluding 12,000 civilians,*

16 (B) *resulted in the forced abduction, sexual*
17 *servitude, and armed recruitment of between*
18 *16,000 to 26,000 Ugandan children by the Lord’s*
19 *Resistance Army, a renegade army that has in*
20 *the past sought refuge in southern Sudan and*
21 *raided villages in northern Uganda,*

22 (C) *displaced over 800,000 Ugandan citi-*
23 *zens and Sudanese refugees,*

24 (D) *resulted in the death and abduction of*
25 *humanitarian aid workers, and*

1 (E) gravely inhibited the delivery of emer-
2 gency assistance and food aid to nearly 1 mil-
3 lion northern Ugandan civilians dependent on
4 such assistance for survival;

5 (2) urge rebel forces to stop the abduction of chil-
6 dren, urge all forces to stop the use of child soldiers,
7 and seek the release of all forcibly-held children;

8 (3) make available technical assistance resources
9 to seek, track, and stop funding for the Lord's Resist-
10 ance Army (LRA) from all sources and condemn all
11 governments and organizations who do assist the
12 LRA;

13 (4) monitor and support negotiations conducted
14 by third-party institutions for an immediate cease-
15 fire between the LRA and the Ugandan Government,
16 and to explore the possibility of facilitating the cre-
17 ation of mechanisms for an international monitoring
18 team to enforce this cease-fire as the first step in the
19 process toward a permanent peace;

20 (5) continue supporting the Sudan Peace Process
21 and Danforth Initiative, which includes peace talks,
22 donor coordination, regional support, civilian protec-
23 tion and monitoring, and cease-fire verification and
24 consider modeling aspects of this process in northern
25 Uganda;

1 (6) *make available sufficient resources to meet*
2 *the immediate relief of the towns and cities sup-*
3 *porting large displaced populations, including food,*
4 *clean water, medicine, shelter, and clothing;*

5 (7) *make available increased resources for assist-*
6 *ance to released and returned abducted children and*
7 *child soldiers and ensure that amnesty is provided*
8 *when appropriate;*

9 (8) *work with other donors and the Ugandan*
10 *Government to increase resources and technical sup-*
11 *port to the Uganda Amnesty Commission for the in-*
12 *creased demobilization of rebel combatants;*

13 (9) *examine ways in which development assist-*
14 *ance can help those living in protective villages in*
15 *northern Uganda return to and cultivate farmland;*
16 *and*

17 (10) *condition military assistance to Uganda on*
18 *its international compliance with sustained troop*
19 *withdrawals from the Democratic Republic of Congo*
20 *where the presence of Ugandan armies has contrib-*
21 *uted to the violence and instability in the region.*

22 (b) *REPORTS TO CONGRESS.—Not later than 180 days*
23 *after the date of the enactment of this Act, and not later*
24 *than April 1 of each subsequent year, the Secretary shall*
25 *submit to the appropriate congressional committees a report*

1 *on the comprehensive actions of the United States in seeking*
2 *a peaceful and immediate solution to conflict in northern*
3 *Uganda as well as humanitarian assistance efforts to the*
4 *region, including efforts to advance each area addressed in*
5 *subsection (a).*

6 **SEC. 708 707. REQUIREMENT FOR REPORT ON UNITED**
7 **STATES POLICY TOWARD HAITI.**

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

9 *(1) The United States has a political and eco-*
10 *nomic interest and a humanitarian and moral re-*
11 *sponsibility in assisting the Government and people*
12 *of Haiti in resolving the country's problems and chal-*
13 *lenges.*

14 *(2) The situation in Haiti is increasingly cause*
15 *for alarm and concern, and a sustained, coherent,*
16 *and active approach by the United States Govern-*
17 *ment is needed to make progress toward resolving*
18 *Haiti's political and economic crises.*

19 *(b) REQUIREMENT FOR REPORT.—Not later than 60*
20 *days after the date of enactment of this Act, the Secretary,*
21 *in consultation with the Secretary of the Treasury, shall*
22 *submit to the appropriate congressional committees a report*
23 *that describes United States policy toward Haiti. The re-*
24 *port shall include the following:*

1 (1) *A description of the activities carried out by*
2 *the United States Government to resolve Haiti's polit-*
3 *ical crisis and to promote the holding of free and fair*
4 *elections in Haiti at the earliest possible date.*

5 (2) *A description of the activities that the United*
6 *States Government anticipates initiating to resolve*
7 *the political crisis and promote free and fair elections*
8 *in Haiti.*

9 (3) *An assessment of whether Resolution 822*
10 *issued by the Permanent Council of the Organization*
11 *of American States on September 4, 2002, is an ap-*
12 *propriate framework for a multilateral approach to*
13 *resolving the political and economic crises in Haiti.*

14 (4) *A description of the status of efforts to release*
15 *the approximately \$146,000,000 in loan funds that*
16 *have been approved by the Inter-American Develop-*
17 *ment Bank to Haiti for the purposes of rehabilitating*
18 *rural roads, reorganizing the health sector, improving*
19 *potable water supply and sanitation, and providing*
20 *basic education, a description of any obstacles that*
21 *are delaying the release of the loan funds, and rec-*
22 *ommendations for overcoming such obstacles, includ-*
23 *ing whether any of the following would facilitate the*
24 *release of such funds:*

1 (A) *Establishing an International Monetary*
2 *Fund staff monitoring program in Haiti.*

3 (B) *Obtaining bridge loans or other sources*
4 *of funding to pay the cost of any arrears owed*
5 *by the Government of Haiti to the Inter-Amer-*
6 *ican Development Bank.*

7 (C) *Providing technical assistance to the*
8 *Government of Haiti to permit the Government*
9 *to meet international financial transparency*
10 *and other requirements.*

11 **SEC. 709 708. REPORT ON THE EFFECTS OF PLAN COLOMBIA**
12 **ON ECUADOR.**

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

15 (1) *Section 695 of the Foreign Relations Author-*
16 *ization Act, Fiscal Year 2003 (Public Law 107–228)*
17 *required the Secretary of State to submit a report to*
18 *Congress on the impact of Plan Colombia on Ecuador*
19 *and the other adjacent countries to Colombia within*
20 *150 days after the date of the enactment of that Act.*

21 (2) *The 150 day time period for the submission*
22 *of such report has lapsed without a report being sub-*
23 *mitted to the Congress.*

24 (3) *There continues to be growing alarm con-*
25 *cerning the spillover effect of Plan Colombia on Ecu-*

1 *dor, a frontline state, especially in the northern re-*
2 *gion of Ecuador which includes the Sucumbios prov-*
3 *ince.*

4 *(b) REPORT TO CONGRESS.—Not later than 30 days*
5 *after the date of the enactment of this Act, the Secretary*
6 *of State shall submit a report to the appropriate congres-*
7 *sional committees which sets forth—*

8 *(A) a statement of policy and comprehen-*
9 *sive strategy for United States activities in Co-*
10 *lombia related to the impact of Plan Colombia*
11 *on Ecuador and the other adjacent countries to*
12 *Colombia; and*

13 *(B) the reasons for the failure of the Depart-*
14 *ment of State to submit the report required by*
15 *section 695 of Public Law 107–228 within the*
16 *time period mandated by law.*

17 **SEC. ~~710~~ 709. REPORT ON ACTIONS TAKEN BY PAKISTAN.**

18 *For each of fiscal years 2004 and 2005, the President*
19 *shall prepare and transmit to the appropriate congressional*
20 *committees a report that contains a description of the extent*
21 *to which the Government of Pakistan—*

22 *(1) has closed all known terrorist training camps*
23 *operating in Pakistan and Pakistani-held Kashmir;*

1 (2) *has established serious and identifiable meas-*
2 *ures to prohibit the infiltration of Islamic extremists*
3 *across the “Line of Control” (LoC) into India; and*

4 (3) *has ceased the transfer of weapons of mass*
5 *destruction, including any associated technologies, to*
6 *any third country or terrorist organization.*

7 **SEC. ~~711~~ 710. REPORT ON DEMOCRACY IN THE WESTERN**
8 **HEMISPHERE.**

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

10 (1) *Although 34 out of 35 countries in the West-*
11 *ern Hemisphere have held elections for civilian lead-*
12 *ers of national, regional, and local governments,*
13 *many of these countries have failed to successfully de-*
14 *velop independent democratic institutions, trans-*
15 *parent and accountable governance, and effective*
16 *means of guaranteeing the rule of law, which are key*
17 *components of a fully functioning democracy.*

18 (2) *The rule of law, independent democratic in-*
19 *stitutions, and transparent, accountable governance*
20 *are essential for guaranteeing human rights, espe-*
21 *cially civil, political, and labor rights.*

22 (3) *The rule of law, independent democratic in-*
23 *stitutions, and transparent accountable governance*
24 *are also necessary for promoting successful economic*

1 *development and reliable trading and investment*
2 *mechanisms.*

3 (4) *In part because of the lack of these three fac-*
4 *tors, progress on human rights and economic develop-*
5 *ment has lagged or been uneven in much of the West-*
6 *ern Hemisphere, leading some to question the benefits*
7 *of democracy itself as a path for improving the lives*
8 *of individuals in the hemisphere.*

9 (5) *For democracy to continue in many of these*
10 *countries, for human rights to improve, and for re-*
11 *gional economic integration to be successful, the rule*
12 *of law, independent democratic institutions, and*
13 *transparent accountable governance must be strenght-*
14 *ened.*

15 (6) *As a strong supporter of democracy and*
16 *human rights and as an advocate of regional eco-*
17 *nom ic integration, it is in the interests of the United*
18 *States to enhance its efforts to promote a deepening*
19 *of democracy in the Western Hemisphere, particularly*
20 *through strengthening the rule of law, independent*
21 *democratic institutions, and transparent accountable*
22 *governance.*

23 (b) *REPORT.—Not later than 90 days after the date*
24 *of the enactment of this Act, the Secretary, in consultation*
25 *with the heads of other Federal departments and agencies*

1 *as necessary, shall prepare and submit to the appropriate*
2 *congressional committees a report on the state of democracy*
3 *in each country in the Western Hemisphere (other than the*
4 *United States and Canada). For each such country, the re-*
5 *port shall provide the following:*

6 (1) *A description of its system of government, in-*
7 *cluding schedule of elections, manner of judicial ap-*
8 *pointments, and responsibilities of each branch of*
9 *government.*

10 (2) *An assessment of—*

11 (A) *the state of the rule of law;*

12 (B) *the power and independence of each*
13 *branch of government and institutions;*

14 (C) *the transparency and accountability in*
15 *governance; and*

16 (D) *the effect on human rights, particularly*
17 *civil and political rights, caused by the presence*
18 *(or lack thereof) of any of the factors in subpara-*
19 *graphs (A) through (C); and*

20 (E) *the effect on economic development*
21 *caused by the presence (or lack thereof) of any of*
22 *the factors in subparagraphs (A) through (C).*

23 (3) *A description of efforts to strengthen the rule*
24 *of law, independent institutions, or transparent gov-*
25 *ernance in the country, whether through local efforts*

1 *or through efforts funded or implemented by the*
2 *United States, the Organization of American States*
3 *(OAS), or others.*

4 **SEC. 712 711. REPORT CONCERNING INTERNAL AND INTRA-**
5 **REGIONAL CONFLICTS IN THE GREAT LAKES**
6 **REGION OF AFRICA.**

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

9 *(1) The Great Lakes region of Central Africa has*
10 *a history of colonial based ethnic divisions, political*
11 *violence, and civil wars which have perpetuated con-*
12 *ditions conducive to chronic poverty and turmoil over*
13 *the past decade. The countries of the Great Lakes re-*
14 *gion are heavily embroiled in the conflicts within*
15 *their neighbors borders. At different times, the war in*
16 *the Democratic Republic of Congo (DRC) has in-*
17 *volved more outside countries than any other contem-*
18 *porary war in Africa's history, (including Angola,*
19 *Rwanda, Uganda, Zimbabwe, Burundi, Sudan,*
20 *Chad, Namibia, and Central African Republic).*

21 *(2) The region is hallmarked by genocide, the re-*
22 *ruitment of child soldiers, war crimes, systematic*
23 *rape of women and violence directed against children,*
24 *corruption, and the illegal exploitation of natural re-*
25 *sources on a global scale. Civil wars, conflicts over*

1 *natural resources, and structural violence in the*
2 *Great Lakes have resulted in—*

3 *(A) the death of approximately three mil-*
4 *lion people through direct and indirect causes of*
5 *the war in the DRC since 1998;*

6 *(B) the deaths of at least 800,000 people*
7 *during the 1994 genocide in Rwanda;*

8 *(C) the deaths of an estimated 300,000 peo-*
9 *ple through direct and indirect causes of the war*
10 *in Burundi since 1993;*

11 *(D) the deaths of thousands in Uganda;*

12 *(E) the forced abduction, sexual servitude,*
13 *and armed recruitment of thousands of children;*

14 *(F) the displacement of millions of Ugan-*
15 *dan, Burundian, Congolese, Rwandan, and Su-*
16 *danese refugees;*

17 *(G) the death and abduction of humani-*
18 *tarian aid workers throughout the region; and*

19 *(H) grave disruptions in the delivery of*
20 *emergency assistance and food aid to millions of*
21 *civilians in northern Uganda, eastern Congo,*
22 *and Burundi dependent on such assistance for*
23 *survival.*

24 *(b) SENSE OF CONGRESS.—It is the sense of the Con-*
25 *gress that the United States should—*

1 (1) *exhaust all diplomatic means and utilize all*
2 *foreign policy instruments to help peacefully resolve*
3 *conflicts in the Great Lakes region by supporting both*
4 *national and regional political, economic, and social*
5 *initiatives conducive to fostering African-led peace,*
6 *reconstruction, and political and economic institu-*
7 *tional and structural transformation processes in*
8 *Uganda, Rwanda, Burundi, and the Democratic Re-*
9 *public of Congo;*

10 (2) *urge all rebel forces to stop the abduction of*
11 *children, urge all armed forces to stop the use of child*
12 *soldiers, and seek the release of all forcibly-held chil-*
13 *dren;*

14 (3) *make available technical assistance resources*
15 *to seek, track, and stop funding for all armed extrem-*
16 *ist paramilitary and militarist rebel organizations*
17 *from all sources and condemn all governments and*
18 *organizations who do assist such groups;*

19 (4) *monitor and support negotiations conducted*
20 *by third-party institutions for an immediate end of*
21 *armed actions between: The LRA and the Ugandan*
22 *Government; the RCD factions and MLC and the gov-*
23 *ernment of Democratic Republic of the Congo under*
24 *the terms of the Lusaka Accords; the FDD and the*

1 *Burundian Government under the terms of the*
2 *Arusha Accords;*

3 *(5) explore the possibility of facilitating the cre-*
4 *ation of mechanisms for an international monitoring*
5 *team to enforce cease-fires as the first step in the*
6 *process toward a permanent peace in the region;*

7 *(6) continue supporting the Sudan Peace Proc-*
8 *ess, the Danforth Initiative, the Lusaka Accords, and*
9 *the Arusha Accords which includes peace talks, donor*
10 *coordination, regional support, civilian protection*
11 *and monitoring, and cease-fire verification;*

12 *(7) make available sufficient resources to meet*
13 *the immediate relief needs of the towns and cities in*
14 *the Great Lakes region supporting large displaced*
15 *populations, including food, clean water, medicine,*
16 *shelter, and clothing;*

17 *(8) make available increased resources for assist-*
18 *ance to released and returned abducted children and*
19 *child soldiers in the Great Lakes Region and ensure*
20 *that amnesty is provided when appropriate;*

21 *(9) work with other donors and the Governments*
22 *of Uganda, Burundi, Rwanda, and the Democratic*
23 *Republic of Congo to increase resources and technical*
24 *support to both regional and national combatant de-*
25 *mobilization entities such as the Uganda Amnesty*

1 *Commission in Uganda and equivalent entities in*
2 *Burundi, Rwanda, and the Democratic Republic of*
3 *Congo for the increased demobilization of rebel com-*
4 *batants;*

5 *(10) examine ways in which development assist-*
6 *ance (DA) can help those living in protective villages*
7 *in northern Uganda, eastern Congo, and other demili-*
8 *tarized areas in Rwanda and Burundi to return to*
9 *and cultivate farmland;*

10 *(11) condition military assistance to any nation*
11 *which acts to destabilize the DRC by violating inter-*
12 *national agreements regarding sustained troop with-*
13 *drawals and respect for the territorial integrity of the*
14 *DRC; and*

15 *(12) direct the Secretary of State to appoint a*
16 *special envoy to the Great Lakes region to oversee*
17 *cross-cutting security and economic policies in the re-*
18 *gion.*

19 *(c) REPORTS TO CONGRESS.—Not later than 180 days*
20 *after the date of the enactment of this Act, and not later*
21 *than April 1 of each subsequent year, the Secretary should*
22 *submit to the appropriate congressional committees a report*
23 *on the comprehensive actions taken by the United States*
24 *in promoting peaceful and immediate solutions to the inter-*
25 *nal and intra-regional conflicts in the Great Lakes region,*

1 *including taking steps to bring an end to the illegal exploi-*
2 *tation and international trade of natural resources from the*
3 *Democratic Republic of Congo; supporting bilateral and*
4 *multilateral peace keeping initiatives; the promotion of re-*
5 *gional economic integration; the promotion of broad based*
6 *democratic political processes based on the rule of law; the*
7 *promotion of women and other previously disadvantaged*
8 *communities as equal political and economic stakeholders*
9 *in societies; and humanitarian assistance efforts in the re-*
10 *gion, including efforts to advance each area addressed in*
11 *subsection (a).*

12 ***Subtitle B—Other Matters***

13 ***SEC. 721. SENSE OF CONGRESS RELATING TO EAST TIMOR,*** 14 ***JUSTICE, AND REHABILITATION.***

15 *The Congress—*

16 *(1) recalls that the United Nations International*
17 *Commission of Inquiry concluded in January 2000*
18 *that “the Indonesian Army was responsible for the in-*
19 *timidation, terror, killings and other acts of violence”*
20 *during East Timor’s vote for independence in 1999;*

21 *(2) reiterates that justice for crimes against hu-*
22 *manity and war crimes committed in East Timor*
23 *during the vote for independence in 1999 is crucial*
24 *for peace, reconciliation, and the ongoing nation-*
25 *building process in East Timor and Indonesia;*

1 (3) finds that the *ad hoc* Human Rights Court
2 on East Timor established by the Indonesian Govern-
3 ment in 2001 has inadequately brought to justice the
4 perpetrators of these crimes as eleven of fourteen de-
5 fendants have been acquitted as a result of poor in-
6 dictments and the absence of an adequate witness pro-
7 tection program, and four of the five sentences im-
8 posed have been less than the minimum allowed under
9 the Indonesian Human Rights Law;

10 (4) supports the work of the Joint United Na-
11 tions-East Timor Serious Crimes Unit (SCU), which
12 filed indictments against high-ranking Indonesian of-
13 ficers who were allegedly involved in the crimes, in-
14 cluding Gen. Wiranto, Maj. Gen. Kiki Syahnakri,
15 Maj. Gen. Zacky Anwar Makarim, Maj. Gen. Adam
16 Damiri, Col. Suratman, Col. Noer Muis, Col. Yayat
17 Sudrajat and former Governor Abilio Soares, and ex-
18 presses its strong disappointment that the Indonesian
19 Government has stated its intention to ignore the in-
20 dictments;

21 (5) calls on the State Department and the
22 United States Mission to the United Nations to push
23 for a comprehensive United Nations review of the In-
24 donesian *ad hoc* Human Rights Court on East
25 Timor, including a review of the conduct of trials, the

1 *indictment strategy by the prosecutors and its adher-*
2 *ence to the international standards, and urges the*
3 *State Department to consider alternative mechanisms*
4 *of justice for East Timor, including the establishment*
5 *of an ad hoc international tribunal; and*

6 *(6) urges the Indonesian Government to fully co-*
7 *operate with the joint United Nations-East Timor Se-*
8 *rious Crimes Unit (SCU) and encourages the United*
9 *States to urge the Indonesian Government to fully co-*
10 *operate with the SCU.*

11 **SEC. 722. SENSE OF CONGRESS CONCERNING HUMAN**
12 **RIGHTS AND JUSTICE IN INDONESIA.**

13 *The Congress—*

14 *(1) notes with grave concern that members of the*
15 *Indonesian security forces, particularly the Army*
16 *Special Forces (Kopassus) and the Police Mobile Bri-*
17 *gade (Brimob), continue to commit many serious*
18 *human rights violations, including extrajudicial*
19 *killings, torture, rape, and arbitrary detention, par-*
20 *ticularly in areas of conflict such as Aceh, Papua, the*
21 *Moluccas, and Central Sulawesi;*

22 *(2) notes with grave concern that the Govern-*
23 *ment of Indonesia largely fails to hold soldiers and*
24 *police accountable for extrajudicial killings and other*
25 *serious human rights abuses, both past and present;*

1 (3) *condemns the intimidation and harassment*
2 *of human rights and civil society organizations and*
3 *activists by members of Indonesian security forces*
4 *and by military-backed militia groups, particularly*
5 *in Aceh and Papua;*

6 (4) *notes with concern the Indonesian military's*
7 *resistance to civilian control and oversight, its lack of*
8 *budgetary transparency, and its continuing emphasis*
9 *on internal security within Indonesia;*

10 (5) *urges the Indonesian government and mili-*
11 *tary to provide full, active, and unfettered coopera-*
12 *tion with the investigation of the Federal Bureau of*
13 *Investigation of the United States Department of Jus-*
14 *tice into the August 31, 2002 attack near Timika,*
15 *Papua, which killed three people (including two*
16 *Americans, Rick Spier and Ted Burgon), and injured*
17 *12 others, and which appears likely to have been per-*
18 *petrated at least in part by members of the Indo-*
19 *nesian military;*

20 (6) *commends the December 2002 signing of the*
21 *Framework Agreement on Cessation of Hostilities in*
22 *Aceh, but condemns the recent outbreaks of violence*
23 *and militia activity that appear calculated to subvert*
24 *that cease-fire agreement;*

1 (7) notes with grave concern the continued deten-
2 tion of Muhammad Nazar, and the fact that those re-
3 sponsible for the murders of other prominent members
4 of civil society in Aceh, such as Jafar Siddiq
5 Hamzah, Sukardi, Sulaiman Ahmad, Tengku Safwan
6 Idris, Nashiruddin Daud, and Zaini Sulaiman, still
7 have not been apprehended, prosecuted, or punished;

8 (8) commends the “Zone of Peace” initiative in
9 Papua, which has brought together civic, religious,
10 governmental, and police representatives to discuss
11 productive means of avoiding conflict, but expresses
12 concern at the refusal of the Indonesian military to
13 participate in that effort; and

14 (9) encourages the Government of Indonesia to
15 expedite the reunification of separated East Timorese
16 children with their families, and to hold legally ac-
17 countable those individuals and organizations respon-
18 sible for taking those children and for obstructing re-
19 unification efforts.

20 **SEC. 723. AMENDMENT TO THE INTERNATIONAL RELIGIOUS**
21 **FREEDOM ACT OF 1998.**

22 Section 207(a) of the International Religious Freedom
23 Act of 1998 (22 U.S.C. 6435(a)) is amended by inserting
24 “and for each subsequent fiscal year” after “2003”.

1 **SEC. 724. SENSE OF CONGRESS WITH RESPECT TO HUMAN**
2 **RIGHTS IN CENTRAL ASIA.**

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

5 (1) *The Central Asian nations of Kazakhstan,*
6 *Kyrgyzstan, Tajikistan, Turkmenistan, and*
7 *Uzbekistan are providing the United States with as-*
8 *sistance in the war in Afghanistan, from military*
9 *basing and overflight rights to the facilitation of hu-*
10 *manitarian relief.*

11 (2) *In turn, the United States victory over the*
12 *Taliban in Afghanistan provides important benefits*
13 *to the Central Asian nations by removing a regime*
14 *that threatened their security and by significantly*
15 *weakening the Islamic Movement of Uzbekistan, a ter-*
16 *rorist organization that had previously staged armed*
17 *raids from Afghanistan into the region.*

18 (3) *The United States has consistently urged the*
19 *nations of Central Asia to open their political systems*
20 *and economies and to respect human rights, both be-*
21 *fore and since the attacks of September 11, 2001.*

22 (4) *Kazakhstan, Kyrgyzstan, Tajikistan,*
23 *Turkmenistan, and Uzbekistan are members of the*
24 *United Nations and the Organization for Security*
25 *and Cooperation in Europe (OSCE), both of which*

1 *confer a range of obligations with respect to human*
2 *rights on their members.*

3 *(5) While the United States recognizes marked*
4 *differences among the social structures and commit-*
5 *ments to democratic and economic reform of the Cen-*
6 *tral Asian nations, the United States notes neverthe-*
7 *less, according to the State Department Country Re-*
8 *ports on Human Rights Practices, that all five gov-*
9 *ernments of such nations, to differing degrees, restrict*
10 *freedom of speech and association, restrict or ban the*
11 *activities of human rights organizations and other*
12 *nongovernmental organizations, harass or prohibit*
13 *independent media, imprison political opponents,*
14 *practice arbitrary detention and arrest, and engage*
15 *in torture and extrajudicial executions.*

16 *(6) By continuing to suppress human rights and*
17 *to deny citizens peaceful, democratic means of ex-*
18 *pressing their convictions, the nations of Central Asia*
19 *risk fueling popular support for violent and extremist*
20 *movements, thus undermining the goals of the war on*
21 *terrorism.*

22 *(7) President George W. Bush has made the de-*
23 *fense of human dignity, the rule of law, limits on the*
24 *power of the state, respect for women and private*
25 *property, free speech, equal justice, religious tolerance*

1 *strategic goals of United States foreign policy in the*
2 *Islamic world, arguing that “a truly strong nation*
3 *will permit legal avenues of dissent for all groups that*
4 *pursue their aspirations without violence”.*

5 *(8) Congress has expressed its desire to see deeper*
6 *reform in Central Asia in past resolutions and other*
7 *legislation, most recently conditioning assistance to*
8 *Uzbekistan and Kazakhstan on their progress in*
9 *meeting commitments to the United States on human*
10 *rights and democracy.*

11 *(b) SENSE OF CONGRESS.—It is the sense of the Con-*
12 *gress that—*

13 *(1) the governments of Kazakhstan, Kyrgyzstan,*
14 *Tajikistan, Turkmenistan, and Uzbekistan should ac-*
15 *celerate democratic reforms and fulfill their human*
16 *rights obligations, including, where appropriate, by—*

17 *(A) releasing from prison anyone jailed for*
18 *peaceful political activism or the nonviolent ex-*
19 *pression of their political or religious beliefs;*

20 *(B) fully investigating any credible allega-*
21 *tions of torture and prosecuting those respon-*
22 *sible;*

23 *(C) permitting the free and unfettered func-*
24 *tioning of independent media outlets, inde-*
25 *pendent political parties, and nongovernmental*

1 *organizations, including by easing registration*
2 *processes;*

3 *(D) permitting the free exercise of religious*
4 *beliefs and ceasing the persecution of members of*
5 *religious groups and denominations that do not*
6 *engage in violence or political change through vi-*
7 *olence;*

8 *(E) holding free, competitive, and fair elec-*
9 *tions; and*

10 *(F) making publicly available documenta-*
11 *tion of their revenues and punishing those en-*
12 *gaged in official corruption;*

13 *(2) the President, the Secretary of State, and the*
14 *Secretary of Defense should—*

15 *(A) continue to raise at the highest levels*
16 *with the governments of the nations of Central*
17 *Asia specific cases of political and religious per-*
18 *secution, and to urge greater respect for human*
19 *rights and democratic freedoms at every diplo-*
20 *matic opportunity;*

21 *(B) take progress in meeting the goals speci-*
22 *fied in paragraph (1) into account when deter-*
23 *mining the scope and nature of United States*
24 *diplomatic and military relations and assistance*
25 *with each of such governments;*

1 (C) ensure that the provisions of foreign op-
2 erations appropriations Acts are fully imple-
3 mented to ensure that no United States assist-
4 ance benefits security forces in Central Asia that
5 are implicated in violations of human rights;

6 (D) press the Government of Turkmenistan
7 to implement the helpful recommendations con-
8 tained in the 2003 resolution on Turkmenistan
9 of the United Nations Commission on Human
10 Rights and the so-called “Moscow Mechanism”
11 Report of the Organization for Security and Co-
12 operation in Europe (OSCE), respect the right of
13 all prisoners to due process and a fair trial and
14 release democratic activists and their family
15 members from prison;

16 (E) urge the Government of Russia not to
17 extradite to Turkmenistan members of the polit-
18 ical opposition of Turkmenistan;

19 (F) work with the Government of
20 Kazakhstan to create a political climate free of
21 intimidation and harassment, including releas-
22 ing political prisoners and permitting the return
23 of political exiles, and to reduce official corrup-
24 tion, including by urging the Government of

1 *Kazakhstan to cooperate with the ongoing United*
2 *States Department of Justice investigation;*

3 *(G) support through United States assist-*
4 *ance programs individuals, nongovernmental or-*
5 *ganizations, and media outlets in Central Asia*
6 *working to build more open societies, to support*
7 *the victims of human rights abuses, and to ex-*
8 *pose official corruption; and*

9 *(H) press the Government of Uzbekistan to*
10 *implement fully the recommendations made to*
11 *the Government of Uzbekistan by the United Na-*
12 *tions' Special Rapporteur on Torture; and*

13 *(3) increased levels of United States assistance to*
14 *the governments of the nations of Central Asia made*
15 *possible by their cooperation in the war in Afghani-*
16 *stan can be sustained only if there is substantial and*
17 *continuing progress toward meeting the goals speci-*
18 *fied in paragraph (1).*

19 **SEC. 725. TECHNICAL CORRECTION TO AUTHORIZATION OF**
20 **APPROPRIATIONS FOR FISCAL YEAR 2003 FOR**
21 **CENTER FOR CULTURAL AND TECHNICAL**
22 **INTERCHANGE BETWEEN EAST AND WEST.**

23 *Section 112(3) of the Foreign Relations Authorization*
24 *Act, Fiscal Year 2003 (116 Stat. 1358; Public Law 107-*

1 228) is amended by striking “\$15,000,000” and inserting
2 “\$18,000,000”.

3 **SEC. 726. UNDER SECRETARY OF COMMERCE FOR INDUS-**
4 **TRY AND SECURITY.**

5 (a) *UNDER SECRETARY.*—There shall be in the De-
6 partment of Commerce an Under Secretary of Commerce
7 for Industry and Security who shall serve as the head of
8 the Bureau of Industry and Security and perform such du-
9 ties as the Secretary of Commerce shall prescribe. The
10 Under Secretary of Commerce for Industry and Security
11 shall be appointed by the President by and with the advice
12 and consent of the Senate.

13 (b) *INCUMBENT.*—The individual serving on the date
14 of the enactment of this Act as the Under Secretary of Com-
15 merce for Export Administration shall serve as the Under
16 Secretary of Commerce for Industry and Security until
17 such time as a successor is appointed under subsection (a).

18 (c) *COMPENSATION.*—Section 5314 of title 5, United
19 States Code, is amended by striking “Under Secretary of
20 Commerce for Export Administration” and inserting
21 “Under Secretary of Commerce for Industry and Security”.

22 (d) *CONFORMING AMENDMENTS.*—Section 15(a) of the
23 Export Administration Act of 1979 (50 U.S.C. App.
24 2414(a)) is amended—

25 (1) by striking the first sentence; and

1 (2) *in the second sentence, by striking “in carrying*
2 *out such functions” and inserting “of Commerce for Industry and Security in carrying out the*
3 *functions of the Under Secretary”.*

5 **SEC. 727. CONCERNING THE SPREAD OF WEAPONS OF MASS**
6 **DESTRUCTION.**

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

9 (1) *The proliferation of weapons of mass destruc-*
10 *tion presents a direct threat to the stability, security,*
11 *and safety of nations around the globe.*

12 (2) *Combatting the spread of such weapons is a*
13 *responsibility borne by all nations.*

14 (3) *United States efforts to stop the further*
15 *spread of these weapons can be further enhanced by*
16 *cooperative efforts between the United States and the*
17 *European Union.*

18 (4) *There are many different components in this*
19 *effort that require a comprehensive approach, imme-*
20 *diante attention, and vigorous action, including the*
21 *“10+10 over 10 Initiative” agreed to by the United*
22 *States and many members of the European Union.*

23 (5) *Stopping the spread of weapons of mass de-*
24 *struction is made more difficult when states willingly*

1 *participate in, or contribute to, their development or*
2 *their sale or transfer to other nations.*

3 *(6) Stopping the spread of weapons of mass de-*
4 *struction is made more difficult when private compa-*
5 *nies willingly participate in, or contribute to, their*
6 *development or their sale or transfer to other nations.*

7 *(7) United States security and safety is under-*
8 *mined when companies engage in such commerce.*

9 *(b) SENSE OF CONGRESS.—The Congress call on the*
10 *European Union to—*

11 *(1) develop an aggressive and robust regulatory*
12 *system designed to—*

13 *(A) investigate allegations of companies*
14 *contributing to the development of weapons of*
15 *mass destruction or their sale or transfer to other*
16 *nations;*

17 *(B) isolate and condemn companies found*
18 *to participate in, or contribute to, the develop-*
19 *ment of such weapons or their sale or transfer to*
20 *other nations; and*

21 *(C) develop a punitive response designed to*
22 *punish such companies, thereby preventing fur-*
23 *ther actions on their part and discouraging other*
24 *companies from engaging in such actions;*

1 (2) *condemn, by name, states known to be con-*
2 *tributing to the development or spread of weapons of*
3 *mass destruction; and*

4 (3) *develop appropriate punitive measures de-*
5 *signed to discourage further actions.*

6 **SEC. 728. INTERNATIONAL AGRICULTURAL BIO-**
7 **TECHNOLOGY INFORMATION PROGRAM.**

8 (a) *IN GENERAL.*—*The Department of State shall pro-*
9 *vide to other countries, as appropriate, the scientific evi-*
10 *dence on the benefits, safety, and potential uses of agricul-*
11 *tural biotechnology.*

12 (b) *SPECIFIC OBJECTIVES.*—*The Secretary of State*
13 *shall—*

14 (1) *chair an interagency task force comprised of*
15 *representatives of the Department of Commerce, the*
16 *Department of Agriculture, and the United States*
17 *Agency for International Development to develop and*
18 *disseminate accurate written scientific information*
19 *on the potential benefits of agricultural biotechnology*
20 *for human and animal nutrition, the environment,*
21 *food and feed production, agricultural sustainability,*
22 *and bioenergy development;*

23 (2) *coordinate the development and dissemina-*
24 *tion of scientifically-based facts regarding, the safety*

1 *and regulation of biotechnology-derived food and feed*
2 *products;*

3 *(3) instruct the United States Agency for Inter-*
4 *national Development (USAID) to develop a program*
5 *to demonstrate the potential benefits of agricultural*
6 *biotechnology to develop products that can be grown*
7 *under local soil and climate conditions and better*
8 *meet the health and nutritional needs of local popu-*
9 *lations in the developing world; and*

10 *(4) ensure that personnel undertaking these ac-*
11 *tivities are knowledgeable of, and disseminate infor-*
12 *mation on, the United States regulatory safeguards*
13 *that assure food and environmental safety.*

14 **SEC. 729. REFUGEE RESETTLEMENT BURDENSARING.**

15 *It is the sense of the Congress that—*

16 *(1) the Secretary of State should actively encour-*
17 *age the international community to accept refugees*
18 *for resettlement on a more equitable basis;*

19 *(2) the Secretary of State should raise the issue*
20 *of refugee resettlement burdensharing at the United*
21 *Nations and other multilateral and bilateral meet-*
22 *ings;*

23 *(3) developed countries should be encouraged to*
24 *increase the percentage of the world's refugees accept-*
25 *ed for resettlement; and*

1 (4) *the Secretary of State should encourage devel-*
2 *oping stable countries in regions with refugee flows to*
3 *accept for resettlement as many of their neighbors as*
4 *possible.*

5 **【SEC. 730. SENSE OF CONGRESS ON CLIMATE CHANGE.**

6 **【(a) FINDINGS.—***The Congress makes the following*
7 *findings:*

8 **【(1)** *Evidence continues to build that increases*
9 *in atmospheric concentrations of manmade green-*
10 *house gases are contributing to global climate change.*

11 **【(2)** *The Intergovernmental Panel on Climate*
12 *Change (in this section referred to as the “IPCC”) has*
13 *concluded that “there is new and stronger evidence*
14 *that most of the warming observed over the last 50*
15 *years is attributable to human activities” and that*
16 *the Earth’s average temperature can be expected to*
17 *rise between 2.5 and 10.4 degrees Fahrenheit in this*
18 *century.*

19 **【(3)** *The National Academy of Sciences con-*
20 *firmed the findings of the IPCC, stating that “the*
21 *IPCC’s conclusion that most of the observed warming*
22 *of the last 50 years is likely to have been due to the*
23 *increase of greenhouse gas concentrations accurately*
24 *reflects the current thinking of the scientific commu-*
25 *nity on this issue” and that “there is general agree-*

1 *ment that the observed warming is real and particu-*
2 *larly strong within the past twenty years”. The Na-*
3 *tional Academy of Sciences also noted that “because*
4 *there is considerable uncertainty in current under-*
5 *standing of how the climate system varies naturally*
6 *and reacts to emissions of greenhouse gases and*
7 *aerosols, current estimates of the magnitude of future*
8 *warming should be regarded as tentative and subject*
9 *to future adjustments upward or downward”.*

10 **[(4)** *The IPCC has stated that in the last 40*
11 *years, the global average sea level has risen, ocean*
12 *heat content has increased, and snow cover and ice*
13 *extent have decreased, which threatens to inundate*
14 *low-lying island nations and coastal regions through-*
15 *out the world.*

16 **[(5)** *In October 2000, a report of the United*
17 *States interagency Global Change Research Program*
18 *found that global climate change may harm the*
19 *United States by altering crop yields, accelerating*
20 *sea-level rise, and increasing the spread of tropical*
21 *infectious diseases.*

22 **[(6)** *In 1992, the United States ratified the*
23 *United Nations Framework Convention on Climate*
24 *Change (in this section referred to as the*
25 *“UNFCCC”), the ultimate objective of which is the*

1 *“stabilization of greenhouse gas concentrations in the*
2 *atmosphere at a level that would prevent dangerous*
3 *anthropogenic interference with the climate system.*
4 *Such a level should be achieved within a time-frame*
5 *sufficient to allow ecosystems to adapt naturally to*
6 *climate change, to ensure that food production is not*
7 *threatened and to enable economic development to*
8 *proceed in a sustainable manner”.*

9 【(7) *The UNFCCC stated in part that the Par-*
10 *ties to the UNFCCC are to implement policies “with*
11 *the aim of returning . . . to their 1990 levels anthro-*
12 *pogenic emissions of carbon dioxide and other green-*
13 *house gases” under the principle that “policies and*
14 *measures . . . should be appropriate for the specific*
15 *conditions of each Party and should be integrated*
16 *with national development programmes, taking into*
17 *account that economic development is essential for*
18 *adopting measures to address climate change”.*

19 【(8) *There is a shared international responsi-*
20 *bility to address this problem, as industrial nations*
21 *are the largest historic and current emitters of green-*
22 *house gases and developing nations’ emissions will*
23 *significantly increase in the future.*

24 【(9) *The UNFCCC further stated that “developed*
25 *country Parties should take the lead in combating cli-*

1 *mate change and the adverse effects thereof”, as these*
2 *nations are the largest historic and current emitters*
3 *of greenhouse gases. The UNFCCC also stated that*
4 *“steps required to understand and address climate*
5 *change will be environmentally, socially and economi-*
6 *cally most effective if they are based on relevant sci-*
7 *entific, technical and economic considerations and*
8 *continually re-evaluated in the light of new findings*
9 *in these areas”.*

10 *[(10) Any future, binding treaty on climate*
11 *change must not result in serious harm to the United*
12 *States economy, and should not cause the United*
13 *States to abandon its shared responsibility to help re-*
14 *duce the risks of climate change and its impacts. Fu-*
15 *ture international efforts in this regard should focus*
16 *on recognizing the equitable responsibilities for ad-*
17 *dressing climate change by all nations, including*
18 *commitments by the largest developing country*
19 *emitters in a future, binding climate change treaty.*

20 *[(11) While the United States has elected*
21 *against becoming a party to the Kyoto Protocol to the*
22 *UNFCCC at this time, it is the position of the United*
23 *States that it will not interfere with the plans of any*
24 *nation that chooses to ratify and implement the*
25 *Kyoto Protocol.*

1 【(12) *United States businesses need to know how*
2 *governments worldwide will address the risks of cli-*
3 *mate change. By committing themselves to reducing*
4 *their greenhouse gas emissions, leading companies in*
5 *the United States and worldwide are doing more than*
6 *addressing the problem of climate change—they are*
7 *also improving their competitive positioning. More*
8 *than 30 major corporations, most with operations in*
9 *the United States, have specifically committed them-*
10 *selves to reducing their greenhouse gas emissions.*

11 【(13) *The United States benefits from invest-*
12 *ments in the research, development, and deployment*
13 *of a range of clean energy and efficiency technologies*
14 *that can reduce the risks of climate change and its*
15 *impacts and that can make the United States econ-*
16 *omy more productive, bolster energy security, create*
17 *jobs, and protect the environment.*

18 【(b) *SENSE OF CONGRESS.—It is the sense of the Con-*
19 *gress that the United States should demonstrate inter-*
20 *national leadership and responsibility in reducing the*
21 *health, environmental, and economic risks posed by climate*
22 *change by—*

23 【(1) *taking responsible action to ensure signifi-*
24 *cant and meaningful reductions in emissions of*
25 *greenhouse gases from all sectors;*

1 【(2) *creating flexible international and domestic*
2 *mechanisms, including joint implementation, tech-*
3 *nology deployment, tradable credits for emissions re-*
4 *ductions, and carbon sequestration projects that will*
5 *reduce, avoid, and sequester greenhouse gas emissions;*

6 【(3) *participating in international negotiations,*
7 *including putting forth a proposal to the Conference*
8 *of the Parties to the UNFCCC, with the objective of*
9 *securing United States participation in a future*
10 *binding treaty on climate change in a manner that*
11 *protects the economic interests of the United States, is*
12 *consistent with the environmental objectives of the*
13 *UNFCCC, and recognizes the shared international re-*
14 *ponsibility for addressing climate change, including*
15 *developing country participation; and*

16 【(4) *establishing a bipartisan observer group of*
17 *Members of the House of Representatives, designated*
18 *by the chairman and ranking member of the Com-*
19 *mittee on International Relations of the House of*
20 *Representatives, to monitor any international nego-*
21 *tiations on climate change.】*

22 **SEC. 731. SENSE OF CONGRESS REGARDING MIGRATION**
23 **ISSUES BETWEEN THE UNITED STATES AND**
24 **MEXICO.**

25 (a) *FINDINGS.—The Congress finds as follows:*

1 (1) *During President Bush’s first meeting with*
2 *President Fox in Guanajuato, Mexico, the Presidents*
3 *stated in the Joint Communique of February 16,*
4 *2001 that “we are instructing our Governments to en-*
5 *gage, at the earliest opportunity, in formal high level*
6 *negotiations aimed at achieving short and long-term*
7 *agreements that will allow us to constructively ad-*
8 *dress migration and labor issues between our two*
9 *countries.”.*

10 (2) *During President Fox’s official visit to*
11 *Washington, D.C., the Joint Statement of September*
12 *6, 2001, summarized the meeting as follows: “The*
13 *Presidents reviewed the progress made by our joint*
14 *working group on migration chaired by Secretaries*
15 *Powell, CastaZeda, and Creel and Attorney General*
16 *Ashcroft and noted this represented the most fruitful*
17 *and frank dialogue we have ever had on a subject so*
18 *important to both nations. They praised implementa-*
19 *tion of the border safety initiative, and recognized*
20 *that migration-related issues are deeply felt by our*
21 *publics and vital to our prosperity, well-being, and*
22 *the kind of societies we want to build. They renewed*
23 *their commitment to forging new and realistic ap-*
24 *proaches to migration to ensure it is safe, orderly,*
25 *legal and dignified, and agreed on the framework*

1 *within which this ongoing effort is based. This in-*
2 *cludes: matching willing workers with willing em-*
3 *ployers; serving the social and economic needs of both*
4 *countries; respecting the human dignity of all mi-*
5 *grants, regardless of their status; recognizing the con-*
6 *tribution migrants make to enriching both societies;*
7 *shared responsibility for ensuring migration takes*
8 *place through safe and legal channels. Both stressed*
9 *their commitment to continue our discussions, in-*
10 *structing the high-level working group to reach mutu-*
11 *ally satisfactory results on border safety, a temporary*
12 *worker program and the status of undocumented*
13 *Mexicans in the United States. They requested that*
14 *the working group provide them proposals with re-*
15 *spect to these issues as soon as possible. The Presi-*
16 *dents recognized that this is an extraordinarily chal-*
17 *lenging area of public policy, and that it is critical*
18 *to address the issue in a timely manner and with ap-*
19 *propriate thoroughness and depth.”.*

20 *(3) On September 7, 2001, during President*
21 *Fox’s historic State Visit to Washington, the United*
22 *States and Mexico issued a joint statement instruct-*
23 *ing our cabinet-level working group to provide us*
24 *with specific proposals to forge a new and realistic*
25 *framework that will ensure a safe, legal, orderly, and*

1 *dignified migration flow between our countries. We*
2 *have today agreed that our Cabinet level migration*
3 *group should continue the work we charged it with in*
4 *Guanajuato and Washington.*

5 *(4) When the Presidents met in Monterrey, Mex-*
6 *ico, the Presidents stated in a Joint Statement on*
7 *March 22, 2002, as follows: “Slightly more than one*
8 *year ago, in Guanajuato, we talked about migration*
9 *as one of the major ties that join our societies. We*
10 *launched then the frankest and most productive dia-*
11 *logue our countries have ever had on this important*
12 *and challenging subject. Those talks have continued*
13 *over the past year, and have yielded a clearer assess-*
14 *ment of the scope and nature of this issue. This bond*
15 *between our nations can render countless benefits to*
16 *our respective economies and families.*

17 *(5) Over the past year, important progress has*
18 *been made to enhance migrant safety and particu-*
19 *larly in saving lives by discouraging and reducing il-*
20 *legal crossings in dangerous terrain.*

21 *(6) At the conclusion of the Mexico-United States*
22 *Binational Commission (BNC) meeting in Mexico*
23 *City in November 2002, Secretary of State Powell’s*
24 *press conference was summarized by the State De-*
25 *partment as follows: The BNC’s migration working*

1 group “affirmed our strong commitment to advancing
2 our bilateral migration agenda,” he stressed, adding
3 that “there should be no doubt in anyone’s mind that
4 this is a priority for President Bush, just as it is a
5 priority for [Mexican] President [Vicente] Fox.”

6 (7) Secretary Powell said no schedule had been
7 established for a migration accord, but he confirmed
8 that the United States and Mexico want to come up
9 with a series of migration initiatives over the course
10 of the next six months to a year.

11 (8) Mexico’s state-run oil monopoly, *Petróleos*
12 *Mexicanos (PEMEX)*, is inefficient, plagued by cor-
13 ruption, and in need of substantial reform and pri-
14 vate investment in order to provide sufficient petro-
15 leum products to Mexico and the United States to fuel
16 future economic growth which can help curb illegal
17 migration into the United States.

18 (b) *SENSE OF CONGRESS.*—It is the sense of the Con-
19 gress that—

20 (1) that the United States and Mexico should as
21 soon as is practicable commence negotiations in an
22 attempt to reach a migration accord that is as com-
23 prehensive as possible and which addresses the key
24 issues of concern for both nations;

1 (2) *that any accord on migration issues between*
2 *the United States and Mexico should also include an*
3 *accord to open Petróleos Mexicanos (PEMEX) to in-*
4 *vestment by U.S. oil companies and specific steps to*
5 *reform PEMEX's operations to make them more*
6 *transparent and efficient; and*

7 (3) *that as part of any migration agreement be-*
8 *tween the United States and Mexico, the issues of the*
9 *extradition of violent criminals and law enforcement*
10 *cooperation between the two nations be addressed.*

11 **SEC. 732. SENSE OF CONGRESS CONCERNING UNITED**
12 **STATES ASSISTANCE TO PALESTINIAN REFU-**
13 **GEES.**

14 *The Congress—*

15 (1) *recognizes the importance of United States*
16 *humanitarian assistance to Palestinian refugees as an*
17 *essential component to the peace process in the Middle*
18 *East;*

19 (2) *acknowledges the hardships endured by many*
20 *innocent Palestinian refugees in the West Bank and*
21 *Gaza Strip and in other neighboring countries;*

22 (3) *notes that the United Nations High Commis-*
23 *sion for Refugees (UNHCR) is the international body*
24 *that seeks to find “lasting solutions” to the plight of*
25 *refugees throughout the world, with the sole exception*

1 *of the Palestinians, for whose exclusive benefit a spe-*
2 *cial agency, the United Nations Relief and Works*
3 *Agency (UNRWA), was established in 1950 and*
4 *which makes no effort to permanently resettle Pales-*
5 *tinian refugees, even those who reside under the juris-*
6 *isdiction of the Palestinian Authority, in order to en-*
7 *sure the perpetuation of the problem of Palestinian*
8 *refugees;*

9 *(4) recognizes that the United States has been the*
10 *world's leading donor to UNRWA, having provided*
11 *over \$2,500,000,000 to UNRWA since 1950, including*
12 *the provision of \$110,000,000, in fiscal year 2002,*
13 *and that such organization has provided important*
14 *humanitarian assistance to the Palestinian people;*

15 *(5) notes that the United States contribution to*
16 *UNRWA is nearly 10 times that of the entire Arab*
17 *world, and calls on Arab states to assume a greater*
18 *share of the burden for financing UNRWA;*

19 *(6) expresses its outrage over credible reports*
20 *that UNRWA facilities have been used for terrorist*
21 *training and bases for terrorist operations, with little*
22 *attempt by the UNRWA to stop or oppose such at-*
23 *tacks or alert relevant law enforcement authorities*
24 *about such terrorist activities;*

1 (7) expresses deep concern over the textbooks and
2 educational materials used in the UNRWA edu-
3 cational system that promote anti-Semitism, denial of
4 the existence and the right to exist of the state of
5 Israel, and exacerbate stereotypes and tensions be-
6 tween the Palestinians and Israelis;

7 (8) strongly urges the Secretary General of the
8 United Nations to immediately take steps to com-
9 prehensively reform the UNRWA so that it actively
10 works to oppose terrorist attacks and actively works
11 to promote reconciliation and understanding between
12 the Israelis and Palestinians;

13 (9) strongly urges UNRWA to meet the require-
14 ments, in letter and spirit, of section 301(c) of the
15 Foreign Assistance Act of 1961, including by com-
16 prehensively ensuring that no UNRWA assistance is
17 rendered to anyone who has been involved with ter-
18 rorism at any time and that all UNRWA bene-
19 ficiaries be informed at the earliest possible time, and
20 at regular intervals thereafter, that anyone involved
21 with terrorism thereafter will be ineligible for
22 UNRWA benefits;

23 (10) strongly urges the Secretary of State to
24 make UNRWA reforms a priority at the United Na-
25 tions by actively campaigning within the United Na-

1 *tions to support such reforms, including comprehen-*
2 *sive and independently verifiable audits of UNRWA*
3 *activities and educational reform that would remove*
4 *from the curriculum all textbooks and educational*
5 *materials that promote hatred of Jews and Israel and*
6 *denial of Israel's right to exist and replace them with*
7 *teaching materials that promote Israeli-Palestinian*
8 *reconciliation and mutual understanding; and*

9 *(11) notes the General Accounting Office (GAO)*
10 *audit required by section 580 of the FY 2003 Foreign*
11 *Operations Appropriations Act (Public Law 108-7),*
12 *and strongly encourages the GAO to conduct, as part*
13 *of this audit, an investigation and inspection of all*
14 *recent United States assistance to UNRWA to ensure*
15 *that taxpayer funds are being spent effectively and*
16 *are not directly or indirectly supporting terrorism,*
17 *anti-Semitic or anti-Jewish teachings, or the glorifi-*
18 *cation or incitement of violence.*

19 **SEC. 733. UNITED STATES POLICY ON WORLD BANK GROUP**
20 **LOANS TO IRAN.**

21 *(a) UNITED STATES POLICY.—The Secretary of State*
22 *(or a designee), in consultation with the Secretary of the*
23 *Treasury, shall communicate directly with the governments*
24 *of countries represented on the decision-making boards and*
25 *councils of the international financial institutions of the*

1 *World Bank Group and consistently convey the strong oppo-*
2 *sition of the United States Government to any further activ-*
3 *ity in Iran by the international financial institutions of*
4 *the World Bank Group.*

5 **(b) REPORTS.**—*Not later than 90 days after the date*
6 *of the enactment of this Act and one year thereafter, the*
7 *Secretary of State shall submit a report on the efforts of*
8 *the Secretary to carry out subsection (a) to the chairman*
9 *and ranking minority member of the Committee on Inter-*
10 *national Relations of the House of Representatives and the*
11 *Committee on Foreign Relations of the Senate.*

12 **(c) WORLD BANK GROUP DEFINED.**—*As used in this*
13 *section, the term “World Bank Group” means the Inter-*
14 *national Bank for Reconstruction and Development, the*
15 *International Development Association, the International*
16 *Financial Corporation, and the Multilateral Investment*
17 *Guaranty Agency.*

18 **SEC. 734. SENSE OF CONGRESS RELATING TO SOVIET NU-**

19 **CLEAR TESTS IN KAZAKHSTAN.**

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

21 **(1)** *In 1991, immediately after achieving inde-*
22 *pendence, Kazakhstan closed and sealed the world’s*
23 *second largest nuclear test site in Semipalatinsk*
24 *which had been inherited from the former Soviet*

1 *Union and at which more than 500 nuclear tests had*
2 *been conducted from 1949 to 1991.*

3 (2) *The cumulative power of explosions from*
4 *those tests, conducted above ground, on the ground,*
5 *and underground is believed to be equal to the power*
6 *of 20,000 explosions of the type of bomb dropped on*
7 *Hiroshima, Japan, in 1945.*

8 (3) *More than 1,500,000 people in Kazakhstan*
9 *suffered because of decades of Soviet nuclear weapons*
10 *testing in the region.*

11 (4) *A horrifying array of disease will continue*
12 *to destroy the lives of hundreds of thousands and their*
13 *descendants for many generations to come as a result*
14 *of these tests.*

15 (5) *Since its independence, Kazakhstan has con-*
16 *structed a stable and peaceful state, voluntarily dis-*
17 *armed the world's fourth largest nuclear arsenal,*
18 *joined the Strategic Arms Reduction Treaty*
19 *(START), and became an example of responsible non-*
20 *proliferation of such weapons.*

21 (6) *Kazakhstan is also doing its best to help*
22 *those who were exposed to the horrific nuclear experi-*
23 *ments of the 20th century but it faces daunting chal-*
24 *lenges.*

1 **(b) SENSE OF CONGRESS.**—*It is the sense of Congress*
2 *that the Secretary of State should work to establish a joint*
3 *working group with the Government of Kazakhstan to assist*
4 *in assessing the environmental damage and health effects*
5 *caused by Soviet nuclear testing in Semipalatinsk.*

6 **SEC. 735. SENSE OF CONGRESS RELATING TO VIOLENCE**
7 **AGAINST WOMEN.**

8 *The Congress—*

9 (1) *recalls that Article 4 of the United Nations*
10 *Declaration on the Elimination of Violence Against*
11 *Women (20 December 1993) outlines that states*
12 *should condemn violence against women and should*
13 *not invoke any custom, tradition, or religious consid-*
14 *eration to avoid their obligations with respect to its*
15 *elimination;*

16 (2) *recalls that Chapter 4, Section 125, of the*
17 *Beijing Declaration and Platform for Action, Fourth*
18 *World Conference on Women (15 September 1995)*
19 *states that governments condemn violence against*
20 *women and refrain from invoking any custom, tradi-*
21 *tion, or religious consideration to avoid their obliga-*
22 *tions with respect to its elimination as set out in the*
23 *Declaration on the Elimination of Violence against*
24 *Women;*

1 (3) recalls that the United States has supported
2 both the United Nations Declaration on the Elimination
3 of Violence against Women and the Beijing Declaration and
4 Platform for Action; and

5 (4) reinforces the position of the United States
6 that the United States condemns violence against
7 women and refrains from invoking any custom, tradi-
8 tion, or religious consideration to avoid this nation's
9 obligations with respect to its elimination as set out
10 in the Declaration on the Elimination of Violence
11 against Women.

12 **DIVISION B—DEFENSE TRADE**
13 **AND SECURITY ASSISTANCE**
14 **REFORM ACT OF 2003**
15 **TITLE X—GENERAL PROVISIONS**

16 **SEC. 1001. SHORT TITLE.**

17 This division may be cited as the “Defense Trade and
18 Security Assistance Reform Act of 2003”.

19 **SEC. 1002. DEFINITIONS.**

20 Except as otherwise provided, in this division:

21 (1) **DEFENSE ARTICLES.**—The term “defense ar-
22 ticles” has the meaning given the term in section
23 47(7)(A) of the Arms Export Control Act (as amended
24 by section 1107(d) of this Act).

1 (2) *DEFENSE SERVICES.*—The term “defense
2 services” has the meaning given the term in section
3 47(7)(B) of the Arms Export Control Act (as amended
4 by section 1107(d) of this Act).

5 (3) *DUAL USE.*—The term “dual use” means,
6 with respect to goods or technology, those goods or
7 technology that are specifically designed or developed
8 for civil purposes but which also may be used or de-
9 ployed in a military mode.

10 (4) *EXPORT ADMINISTRATION REGULATIONS.*—
11 The term “Export Administration Regulations”
12 means those regulations contained in sections 730–
13 774 of title 15, Code of Federal Regulations (or suc-
14 cessor regulations).

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

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

23 (7) *MISSILE TECHNOLOGY CONTROL REGIME;*
24 *MTCR.*—The term “Missile Technology Control Re-
25 gime” or “MTCR” has the meaning given the term in

1 *section 11B(c)(2) of the Export Administration Act of*
2 *1979 (50 U.S.C. App. 2401b(c)(2)).*

3 (8) *MISSILE TECHNOLOGY CONTROL REGIME*
4 *ANNEX; MTCR ANNEX.—The term “Missile Technology*
5 *Control Regime Annex” or “MTCR Annex” has the*
6 *meaning given the term in section 11B(c)(4) of the*
7 *Export Administration Act of 1979 (50 U.S.C. App.*
8 *2401b(c)(4)).*

9 (9) *OPERATION IRAQI FREEDOM.—The term*
10 *“Operation Iraqi Freedom” means operations of*
11 *United States Armed Forces, the armed forces of the*
12 *United Kingdom, and the armed forces of other coaliti-*
13 *on member countries initiated on or about March*
14 *19, 2003—*

15 (A) *to disarm Iraq of its weapons of mass*
16 *destruction;*

17 (B) *to enforce United Nations Security*
18 *Council Resolution 1441 (November 8, 2002) and*
19 *other relevant Security Council resolutions with*
20 *respect to Iraq; and*

21 (C) *to liberate the people of Iraq from the*
22 *regime of Saddam Hussein.*

23 (10) *TECHNOLOGY.—The term “technology” has*
24 *the meaning given the term in section 16(4) of the*

1 *Export Administration Act of 1979 (50 U.S.C. App.*
2 *2415(4)).*

3 **SEC. 1003. REFERENCES TO ARMS EXPORT CONTROL ACT.**

4 *Except as otherwise specifically provided, whenever in*
5 *this division an amendment is expressed in terms of an*
6 *amendment to a section or other provision, the reference*
7 *shall be considered to be made to that section or other provi-*
8 *sion of the Arms Export Control Act (22 U.S.C. 2751 et*
9 *seq.).*

10 **TITLE XI—TERRORIST-RELATED**
11 **PROHIBITIONS AND EN-**
12 **FORCEMENT MEASURES**

13 **SEC. 1101. ELIGIBILITY PROVISIONS.**

14 *(a) INELIGIBILITY FOR TERRORIST RELATED TRANS-*
15 *ACTIONS.—Section 3(c)(1) (22 U.S.C. 2753(c)(1)) is*
16 *amended—*

17 *(1) in each of subparagraphs (A) and (B), by*
18 *striking “or any predecessor Act,” and inserting “,*
19 *any predecessor Act, or licensed or approved under*
20 *section 38 of this Act, to carry out a transaction with*
21 *a country, the government of which the Secretary of*
22 *State has determined is a state sponsor of inter-*
23 *national terrorism for purposes of section 6(j)(1) of*
24 *the Export Administration Act of 1979 (50 U.S.C.*

1 *App. 2405(j)(1)), or otherwise uses such defense arti-*
2 *cles or defense services”; and*

3 *(2) by adding at the end the following:*

4 *“(C) In this section, the term ‘transaction’ means the*
5 *taking of any action, directly or indirectly, by a foreign*
6 *country that would be a transaction prohibited by section*
7 *40 of this Act with respect to the United States Government*
8 *and United States persons.”.*

9 *(b) REPORTING REQUIREMENT.—Section 3(e) (22*
10 *U.S.C. 2753(e)) is amended by inserting after “the Foreign*
11 *Assistance Act of 1961,” the following: “regardless of wheth-*
12 *er the article or service has been sold or otherwise furnished*
13 *by the United States Government or licensed under section*
14 *38 of this Act.”.*

15 **SEC. 1102. WEAPONS TRANSFERS TO FOREIGN PERSONS IN**
16 **THE UNITED STATES.**

17 *Section 38(a)(1) (22 U.S.C. 2778(a)(1)) is amended*
18 *in the first sentence by inserting after “import and the ex-*
19 *port of defense articles and defense services” the following:*
20 *“, or the transfer of such articles, other than firearms (or*
21 *ammunition, components, parts, accessories, or attachments*
22 *for firearms), and services within the United States to for-*
23 *ign persons,”.*

1 **SEC. 1103. COORDINATION OF LICENSE EXEMPTIONS WITH**
2 **UNITED STATES LAW ENFORCEMENT AGEN-**
3 **CIES.**

4 (a) *SENSE OF CONGRESS.*—*In view of the historic dif-*
5 *ficulties in the enforcement of the Arms Export Control Act*
6 *(22 U.S.C. 2751 et seq.) associated with violations involving*
7 *exports of defense articles and defense services that have*
8 *been exempted by regulation from the licensing require-*
9 *ments of section 38 of such Act, it is the sense of Congress*
10 *that the establishment of new exemptions by regulation*
11 *should only be undertaken after careful coordination with*
12 *the appropriate United States law enforcement agencies.*

13 (b) *AMENDMENT.*—*Section 38(b)(2) (22 U.S.C.*
14 *2778(b)(2)) is amended by adding at the end the following*
15 *new sentences: “In promulgating regulations under sub-*
16 *section (a)(1) in accordance with the preceding sentence,*
17 *any provision in such regulations that permits the export*
18 *of defense articles or defense services without a license shall*
19 *include a determination by the Attorney General, in con-*
20 *sultation with the Secretary of Homeland Security and the*
21 *Director of the Federal Bureau of Investigation, that the*
22 *compilation and maintenance of sufficient documentation*
23 *relating to the export without a license of the articles or*
24 *services is ensured, notwithstanding the absence of a license,*
25 *to facilitate law enforcement efforts to detect, prevent, and*
26 *prosecute criminal violations of any provision of this sec-*

1 tion, section 39, or section 40 of this Act, including the ef-
2 forts on the part of countries and factions engaged in inter-
3 national terrorism to illicitly acquire defense articles and
4 defense services. No defense article or defense service des-
5 ignated by the President under subsection (a)(1) may be
6 exported without a license pursuant to a regulation under
7 subsection (a)(1) that is promulgated on or after January
8 1, 2003, until 30 days after the date on which the President
9 provides notice of the proposed regulation to the Committee
10 on International Relations of the House of Representatives
11 and to the Committee on Foreign Relations of the Senate
12 in accordance with the procedures applicable to reprogram-
13 ming notifications under section 634A(a) of the Foreign As-
14 sistance Act of 1961, including a description of the criteria
15 that would be used to permit the export of the article or
16 service and any measures to facilitate law enforcement ef-
17 forts associated with the Attorney General's determination
18 required by the preceding sentence.”.

19 **SEC. 1104. MECHANISMS TO IDENTIFY PERSONS IN VIOLA-**
20 **TION OF CERTAIN PROVISIONS OF LAW.**

21 Section 38(g)(1)(A) (22 U.S.C. 2778(g)(1)(A)) is
22 amended—

23 (1) in clause (iii)—

24 (A) by striking “or section 2339A” and in-
25 serting “, section 2339A”; and

1 (B) by inserting at the end before the
2 comma the following: “, or section 2339C of such
3 title (relating to financing terrorism)”;

4 (2) in clause (x), by striking “or” at the end;

5 (3) in clause (xi), by striking the semicolon at
6 the end and inserting a comma; and

7 (4) by adding at the end the following:

8 “(xii) subclause (I) or (II) of section
9 1956(c)(7)(B)(v) of title 18, United States Code;

10 “(xiii) section 329 of the *Uniting and*
11 *Strengthening America by Providing Appro-*
12 *priate Tools Required to Intercept and Obstruct*
13 *Terrorism (USA PATRIOT ACT) Act of 2001;*

14 “(xiv) section 5332 of title 31, *United*
15 *States Code;*

16 “(xv) section 1960 of title 18, *United States*
17 *Code;*

18 “(xvi) section 175(b), 175b, 1993, 2339 of
19 title 18, *United States Code;*

20 “(xvii) section 2332a, 2332b, or 2332f of
21 title 18, *United States Code;* or

22 “(xviii) section 175 of title 18, *United*
23 *States Code;*”.

1 **SEC. 1105. COMPREHENSIVE NATURE OF UNITED STATES**

2 **ARMS EMBARGOES.**

3 (a) *FINDINGS; SENSE OF CONGRESS.*—

4 (1) *FINDINGS.*—*Congress finds that—*

5 (A) *governments to which the United States*
6 *Government prohibits by law or policy the trans-*
7 *fer of implements of war, including material,*
8 *components, parts, and other defense articles and*
9 *defense services (as defined in paragraphs (3)*
10 *and (4) of section 47 of the Arms Export Control*
11 *Act, respectively) continue to seek to evade these*
12 *embargoes through increasingly sophisticated il-*
13 *legal acquisitions via the “international gray*
14 *arms market” and by seeking to exploit weak-*
15 *nesses in the export control system of the United*
16 *States and its friends and allies; and*

17 (B) *the strict and comprehensive applica-*
18 *tion of arms embargoes referred to in subpara-*
19 *graph (A) including those embargoes established*
20 *by the United Nations Security Council is of*
21 *fundamental importance to the security and for-*
22 *ign policy interests of the United States.*

23 (2) *SENSE OF CONGRESS.*—*It is the sense of*
24 *Congress that the United States Government should*
25 *continue to provide a leadership role internationally*

1 *in ensuring the effectiveness of arms embargoes re-*
2 *ferred to in paragraph (1).*

3 (b) *SCOPE OF EMBARGOES.*—Section 38 (22 U.S.C.
4 2778) is amended by adding at the end the following:

5 “(k) *Whenever the United States maintains an arms*
6 *embargo pursuant to United States law, or through public*
7 *notice by the President or Secretary of State pursuant to*
8 *the authorities of this Act, no defense article or defense serv-*
9 *ice subject to sections 120–130 of title 22, Code of Federal*
10 *Regulations (commonly known as the ‘International Traffic*
11 *in Arms Regulations’)* and no dual use good or technology
12 *subject to sections 730–774 of title 15, Code of Federal Reg-*
13 *ulations (commonly known as the ‘Export Administration*
14 *Regulations’)* shall be sold or transferred to the military,
15 *police, or intelligence services of the embargoed government,*
16 *including any associated governmental agency, subdivision,*
17 *entity, or other person acting on their behalf, unless, at a*
18 *minimum and without prejudice to any additional require-*
19 *ments established in United States law or regulation, the*
20 *Secretary of State and the Secretary of Defense have con-*
21 *curred in the sale or transfer through issuance of a license.”.*

22 (c) *ESTABLISHMENT OF CONTROLS.*—The Secretary
23 *shall consult with the Secretary of Commerce to ensure the*
24 *establishment of appropriate foreign policy and national se-*
25 *curity controls and license requirements under the Export*

1 *Administration Regulations in order to ensure the effective*
2 *implementation of section 38(k) of the Arms Export Control*
3 *Act, as added by subsection (b).*

4 *(d) REPORT.—Not later than 120 days after the date*
5 *of the enactment of this Act, the Secretary shall submit to*
6 *the appropriate congressional committees a report that de-*
7 *scribes the actions taken to implement the requirements of*
8 *subsection (c).*

9 **SEC. 1106. TRANSACTIONS WITH COUNTRIES SUPPORTING**
10 **ACTS OF INTERNATIONAL TERRORISM.**

11 *Section 40(l)(1) (22 U.S.C. 2780(l)(1)) is amended by*
12 *striking “any item enumerated on the United States Muni-*
13 *tions List” and inserting “a defense article or defense serv-*
14 *ice (as defined in subparagraph (A) or (B) of section 47(7),*
15 *respectively), an item enumerated on the United States Mu-*
16 *nitions List (as designated by the President pursuant to*
17 *section 38(a)), or any other activity for which a license or*
18 *other approval is required pursuant to the regulations pro-*
19 *mulgated under subsection (a)(1)”.*

20 **SEC. 1107. AMENDMENTS TO CONTROL OF ARMS EXPORTS**
21 **AND IMPORTS.**

22 *(a) REVISION OF STANDARD FOR VIOLATION; AMOUNT*
23 *OF PENALTIES.—Section 38(c) (22 U.S.C. 2778(c)) is*
24 *amended—*

1 (1) by striking “willfully” each place it appears
2 and inserting “knowingly”;

3 (2) by striking “this section or section 39” and
4 inserting “this section, section 39, or section 40”; and

5 (3) by striking “\$1,000,000” and inserting
6 “\$1,000,000 (in the case of a violation of this section
7 or section 39), \$2,000,000 (in the case of a violation
8 involving any country covered by section 40), and
9 \$1,500,000 (in the case of a violation involving any
10 country other than a country covered by section 40
11 that is subject by United States law or policy to an
12 arms embargo)”.

13 (b) *CIVIL PENALTIES*.—Section 38(e) (22 U.S.C.
14 2778(e)) is amended in the third sentence by striking
15 “under this section may not exceed \$500,000” and inserting
16 “or any other activities subject to control under this section,
17 section 39, or section 40, may not exceed \$500,000 for each
18 violation of section 38 or section 39, \$1,000,000 for each
19 violation involving any country covered by section 40, and
20 \$750,000 for each violation relating to an arms embargo
21 (other than a violation covered by section 40)”.

22 (c) *REVISION OF STANDARD FOR VIOLATION; CRIMI-*
23 *NAL PENALTY; CIVIL PENALTIES; ENFORCEMENT*.—Section
24 40 (22 U.S.C. 2780) is amended—

25 (1) in subsection (j)—

1 (A) by striking “willfully” and inserting
2 “knowingly”; and

3 (B) by striking “\$1,000,000” and inserting
4 “\$2,000,000”; and

5 (2) in subsection (k), by striking “\$500,000” and
6 inserting “\$1,000,000”.

7 (d) *DEFINITIONS.*—Section 47(7) (22 U.S.C. 2794(7))
8 is amended to read as follows:

9 “(7)(A) ‘defense articles’, with respect to exports
10 subject to sections 38, 39, and 40 of this Act, has the
11 meaning given such term in sections 120–130 of title
12 22, Code of Federal Regulations (commonly known as
13 the ‘International Traffic in Arms Regulations’), as
14 such regulations were in effect on January 1, 2003,
15 and includes such additional articles as may be des-
16 ignated by the President under section 38(a)(1); and

17 “(B) ‘defense services’, with respect to exports
18 subject to sections 38, 39, and 40 of this Act, has the
19 meaning given such term in sections 120–130 of title
20 22, Code of Federal Regulations (commonly known as
21 the ‘International Traffic in Arms Regulations’), as
22 such regulations were in effect on January 1, 2003,
23 and includes—

1 “(i) the provision of assistance (including
2 aiding, abetting, or training) to foreign persons;
3 and

4 “(ii) such other activities as may be des-
5 ignated by the President pursuant to section
6 38(a)(1).”.

7 **SEC. 1108. HIGH RISK EXPORTS AND END USE**
8 **VERIFICATION.**

9 Section 38(g)(7) (22 U.S.C. 2778) is amended by add-
10 ing at the end the following new sentence: “Such standards
11 shall be coordinated biennially with the Secretary of Home-
12 land Security, the Attorney General, the Director of the
13 Federal Bureau of Investigation, the Director of Central In-
14 telligence, and the heads of other Federal departments or
15 agencies, as appropriate.”.

16 **SEC. 1109. CONCURRENT JURISDICTION OF THE FEDERAL**
17 **BUREAU OF INVESTIGATION.**

18 (a) *SENSE OF CONGRESS.*—It is the sense of Congress
19 that, in view of the responsibilities of the Federal Bureau
20 of Investigation for protecting the United States against
21 terrorist attack, foreign intelligence operations, high tech-
22 nology crimes, and transnational criminal organizations
23 and enterprises, the Federal Bureau of Investigation should
24 be provided authority to investigate and enforce violations
25 of the Arms Export Control Act without adversely affecting

1 *the existing authority of the Bureau of Customs and Border*
2 *Protection of the Department of Homeland Security.*

3 (b) *COPY OF REGISTRATION.*—Section 38(b)(1) (22
4 *U.S.C. 2778(b)) is amended—*

5 (1) *by redesignating the second subparagraph*
6 *(B) as subparagraph (C); and*

7 (2) *in subparagraph (B)—*

8 (A) *in the first sentence, by inserting “and*
9 *the Director of the Federal Bureau of Investiga-*
10 *tion” after “Secretary of Treasury”; and*

11 (B) *in the second sentence, by inserting*
12 *“and the Director” after “The Secretary”.*

13 (c) *JURISDICTION OF FBI AND BUREAU OF CUS-*
14 *TOMS.*—Section 38(e) (22 *U.S.C. 2778(e)) is amended in*
15 *the first sentence by adding at the end before the period*
16 *the following: “, and except further, that the Federal Bureau*
17 *of Investigation and the Bureau of Customs and Border*
18 *Protection of the Department of Homeland Security shall*
19 *have concurrent jurisdiction for criminal violations and en-*
20 *forcement of this Act”.*

21 (d) *MECHANISMS TO IDENTIFY PERSONS IN VIOLA-*
22 *TION OF CERTAIN PROVISIONS OF LAW.*—Section 38(g) (22
23 *U.S.C. 2778(g)) is amended in the second sentence of para-*
24 *graph (3), in paragraph (4), and in paragraph (8) by in-*

1 *serting “and the Director of the Federal Bureau of Inves-*
2 *tigation” after “Secretary of Treasury”.*

3 **SEC. 1110. REPORT ON FOREIGN-SUPPLIED DEFENSE ARTI-**
4 **CLES, DEFENSE SERVICES, AND DUAL USE**
5 **GOODS AND TECHNOLOGY DISCOVERED IN**
6 **IRAQ.**

7 *(a) REPORT.—*

8 *(1) IN GENERAL.—Not later than 180 days after*
9 *the date of the enactment of this Act, and on annual*
10 *basis thereafter as appropriate, the President shall*
11 *prepare and transmit to the congressional committees*
12 *specified in paragraph (2) a written report on for-*
13 *oreign-supplied defense articles, defense services, and*
14 *dual use goods and technology supplied to Iraq since*
15 *the adoption of United Nations Security Council Res-*
16 *olution 687 (April 3, 1991) and discovered in Iraq*
17 *since the inception of Operation Iraqi Freedom or*
18 *identified as having been in Iraq at any time since*
19 *April 3, 1991, and not destroyed or otherwise ac-*
20 *counted for by the United Nations Special Commis-*
21 *sion (UNSCOM) or the United Nations Monitoring,*
22 *Verification and Inspection Commission*
23 *(UNMOVIC).*

1 (2) *CONGRESSIONAL COMMITTEES SPECIFIED.*—

2 *The congressional committees referred to in para-*
3 *graph (1) are—*

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 (b) *CONTENTS.*—*The report required by subsection (a)*
11 *shall include information on defense articles, defense serv-*
12 *ices, and dual use goods and technology discovered in ac-*
13 *cordance with such subsection, including a description of*
14 *such articles, services, and goods and technology by category*
15 *or type, quantity, country of origin (if known), manufac-*
16 *turer (if known), date of acquisition (if known), and, in*
17 *the case of dual use goods and technology, the use or in-*
18 *tended use or deployment (if known) and whether the goods*
19 *or technology are covered by any arms control agreement*
20 *or nonproliferation arrangement to which the United States*
21 *is a party.*

22 (c) *FORM.*—*The report required by subsection (a) shall*
23 *be transmitted in unclassified form to the maximum extent*
24 *practicable, but may contain a classified annex if necessary.*

1 **TITLE XII—STRENGTHENING**
2 **MUNITIONS EXPORT CONTROLS**

3 **SEC. 1201. CONTROL OF ITEMS ON MISSILE TECHNOLOGY**

4 **CONTROL REGIME ANNEX.**

5 (a) *SENSE OF CONGRESS.*—*It is the sense of Congress*
6 *that all proposals to export or transfer to foreign persons*
7 *by other means, whether in the United States or abroad,*
8 *and any other activities subject to regulation under section*
9 *38, 39, or 40 of the Arms Export Control Act, relating to*
10 *items on the Missile Technology Control Regime Annex,*
11 *should be accorded stringent control and scrutiny consistent*
12 *with the purposes of section 71 of the Arms Export Control*
13 *Act (22 U.S.C. 2797).*

14 (b) *CONTROL OF ITEMS ON MTCR ANNEX.*—*The Sec-*
15 *retary, in coordination with the Secretary of Commerce, the*
16 *Attorney General, and the Secretary of Defense, shall ensure*
17 *that all items on the MTCR Annex are subject to stringent*
18 *control by the United States Government pursuant to the*
19 *International Traffic in Arms Regulations and the Export*
20 *Administration Regulations.*

21 (c) *CERTIFICATION.*—*Not later than March 1 of each*
22 *year, the Secretary, in coordination with the Secretary of*
23 *Commerce, the Attorney General and the Secretary of De-*
24 *fense, shall prepare and submit to the appropriate congres-*
25 *sional committees a report that contains—*

1 (1) a certification that the requirement of sub-
2 section (b) has been met for the prior year, or if the
3 requirement has not been met, the reasons therefor;
4 and

5 (2) a description of the updated coverage, if any,
6 of the regulations referred to in subsection (b) with re-
7 spect to all items on the MTCR Annex and an expla-
8 nation of any areas of overlap or omissions, if any,
9 among the regulations.

10 **SEC. 1202. CERTIFICATIONS RELATING TO EXPORT OF CER-**
11 **TAIN DEFENSE ARTICLES AND SERVICES.**

12 Section 36(c) (22 U.S.C. 2776(c)) is amended—

13 (1) in the first sentence of paragraph (1), by in-
14 serting after “\$1,000,000 or more” the following: “,
15 or, notwithstanding section 27(g) of this Act, for any
16 special comprehensive authorization under sections
17 120–130 of title 22, Code of Federal Regulations
18 (commonly known as the ‘International Traffic in
19 Arms Regulations’) for the export of defense articles
20 or defense services in an aggregate amount of
21 \$100,000,000 or more”;

22 (2) in paragraph (2)—

23 (A) by striking subparagraph (B); and

24 (B) by redesignating subparagraph (C) as
25 subparagraph (B); and

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

4 **SEC. 1203. NOTIFICATION REQUIREMENTS FOR TECHNICAL**
5 **ASSISTANCE AND MANUFACTURING LICENS-**
6 **ING AGREEMENTS WITH NATO MEMBER**
7 **COUNTRIES, AUSTRALIA, NEW ZEALAND, AND**
8 **JAPAN.**

9 Section 36(d) (22 U.S.C. 2776(d)) is amended by add-
10 ing at the end the following:

11 “(6) In the case of a commercial technical assistance
12 or manufacturing license agreement with a member country
13 of the North Atlantic Treaty Organization (NATO) or Aus-
14 tralia, Japan, or New Zealand that does not authorize a
15 new sales territory that includes any country other than
16 such countries, the requirements contained in paragraphs
17 (2) and (4) shall apply only if—

18 “(A) the agreement involves—

19 “(i) major defense equipment in the amount
20 of \$7,000,000 or more; or

21 “(ii) significant military equipment in the
22 amount of \$25,000,000 or more; and

23 “(B) the amount referred to in clause (i) or (ii)
24 of subparagraph (A), as the case may be, includes the
25 estimated value of all defense articles and defense

1 *quirements relating to eligibility of parties to the trans-*
2 *action, the absence of risk of diversion to unauthorized end*
3 *use and end users, and preservation of United States intel-*
4 *ligence and law enforcement interests), and which are also*
5 *transactions involving defense items that would be exempt*
6 *pursuant to sections 120–130 of title 22, Code of Federal*
7 *Regulations (commonly known as the ‘International Traffic*
8 *in Arms Regulations’)* from export licensing or other writ-
9 *ten approvals if such items were items to be exported to*
10 *Canada, are processed by the Department of State not later*
11 *than ten days after the date of receipt of the application*
12 *without referral to any other Federal department or agency,*
13 *except on an extraordinary basis upon receipt of a written*
14 *request from the Attorney General, the Secretary of Home-*
15 *land Security, the Director of Central Intelligence, or the*
16 *Secretary of Defense.”.*

17 **SEC. 1205. TRAINING AND LIAISON FOR SMALL BUSI-**
18 **NESSES.**

19 (a) *SENSE OF CONGRESS.—It is the sense of Congress*
20 *that it is increasingly important that the Secretary, in ad-*
21 *ministering the licensing, registration, compliance, and*
22 *other authorities contained in section 38 of the Arms Export*
23 *Control Act (22 U.S.C. 2778), should provide up-to-date*
24 *training and other educational assistance to small busi-*

1 *nesses in the United States aerospace and defense industrial*
2 *sector.*

3 **(b) SMALL BUSINESS LIAISON.**—*Not later than 180*
4 *days after the date of the enactment of this Act, the Sec-*
5 *retary shall designate, within the Office of Defense Trade*
6 *Controls of the Department of State, a coordinator for small*
7 *business affairs. The coordinator shall serve as a liaison for*
8 *small businesses in the United States aerospace and defense*
9 *industrial sector with respect to licensing and registration*
10 *requirements in order to facilitate the compliance and other*
11 *forms of participation by such small businesses in the*
12 *United States munitions control system, including by pro-*
13 *viding training, technical assistance, and through other ef-*
14 *forts as may be appropriate.*

15 **SEC. 1206. STUDY AND REPORT RELATING TO CO-LOCATING**
16 **MUNITIONS CONTROL FUNCTIONS OF THE**
17 **DEPARTMENTS OF STATE, DEFENSE, AND**
18 **HOMELAND SECURITY.**

19 **(a) SENSE OF CONGRESS.**—*It is the sense of Congress*
20 *that the administrative, licensing, and compliance-related*
21 *functions associated with the export of defense articles and*
22 *defense services under section 38 of the Arms Export Control*
23 *Act (22 U.S.C. 2778), which are generally administered by*
24 *the Department of State in conjunction with the Depart-*
25 *ment of Homeland Security and the Department of Defense,*

1 *should be expedited consistent with United States security,*
2 *law enforcement, and foreign policy requirements by a re-*
3 *duction in the those matters necessitating inter-agency re-*
4 *ferred outside of the Department of State, or by co-locating*
5 *related functions of the Department of Homeland Security*
6 *and the Department of Defense with those functions of the*
7 *Department of State in order to minimize the time and ad-*
8 *ministrative tasks to government and industry involved in*
9 *inter-agency referrals, while also providing a convenient,*
10 *central location for United States defense companies, espe-*
11 *cially small businesses.*

12 (b) *STUDY AND REPORT.*—

13 (1) *STUDY.*—*The Secretary, in consultation with*
14 *the Secretary of Homeland Security and the Sec-*
15 *retary of Defense, and through the Federal advisory*
16 *committee structure with the public, shall conduct a*
17 *study to examine the relative advantages and dis-*
18 *advantages to the United States Government, the*
19 *United States defense industry, including United*
20 *States small businesses, and to other public constitu-*
21 *encies of co-locating relevant functions and personnel*
22 *of the Department of State, the Department of Home-*
23 *land Security, and the Department of Defense with*
24 *the Office of Defense Trade Controls of the Depart-*
25 *ment of State at a central location convenient to the*

1 public and United States defense industry, without
2 prejudice to the responsibilities and prerogatives of
3 the Secretary, the Secretary of Homeland Security,
4 and the Secretary of Defense under existing law.

5 (2) *REPORT.*—Not later than 180 days after the
6 date of the enactment of this Act, the Secretary shall
7 prepare and submit to the appropriate congressional
8 committees a report that contains the results of study
9 conducted under paragraph (1).

10 **TITLE XIII—SECURITY ASSIST-**
11 **ANCE AND RELATED PROVI-**
12 **SIONS**

13 **Subtitle A—Foreign Military Sales**
14 **and Financing Authorities**

15 **SEC. 1301. AUTHORIZATION OF APPROPRIATIONS.**

16 There are authorized to be appropriated to the Presi-
17 dent for grant assistance under section 23 of the Arms Ex-
18 port Control Act (22 U.S.C. 2763) and for the subsidy cost,
19 as defined in section 502(5) of the Federal Credit Reform
20 Act of 1990, of direct loans under such section
21 \$4,414,000,000 for fiscal year 2004.

22 **SEC. 1302. PROVISION OF CATALOGING DATA AND SERV-**
23 **ICES.**

24 Section 21(h)(2) (22 U.S.C. 2761(h)(2)) is amended by
25 striking “or to any member government of that Organiza-

1 *tion if that Organization or member government” and in-*
2 *serting “, to any member of that Organization, or to the*
3 *Governments of Australia, New Zealand, or Japan if that*
4 *Organization, member government, or the Governments of*
5 *Australia, New Zealand, or Japan”.*

6 **SEC. 1303. ANNUAL ESTIMATE AND JUSTIFICATION FOR**
7 **SALES PROGRAM.**

8 *Section 25(a)(1) (22 U.S.C. 2765(a)(1)) is amended*
9 *by inserting after “\$7,000,000 or more” the following “(or,*
10 *in the case of a member country of the North Atlantic Trea-*
11 *ty Organization (NATO), Australia, New Zealand, or*
12 *Japan, \$25,000,000 or more)”.*

13 **SEC. 1304. ADJUSTMENT TO ADVANCE NOTIFICATION RE-**
14 **QUIREMENT FOR TRANSFER OF CERTAIN EX-**
15 **CESS DEFENSE ARTICLES.**

16 *Section 516(f)(1) of the Foreign Assistance Act of 1961*
17 *(22 U.S.C. 2321i) is amended by striking “significant mili-*
18 *tary equipment (as defined in section 47(9) of the Arms*
19 *Export Control Act)” and inserting “major defense equip-*
20 *ment (as defined in section 47(6) of the Arms Export Con-*
21 *trol Act)”.*

1 ***Subtitle B—International Military***
2 ***Education and Training***

3 **SEC. 1311. AUTHORIZATION OF APPROPRIATIONS.**

4 *There are authorized to be appropriated to the Presi-*
5 *dent \$91,700,000 for fiscal year 2004 to carry out chapter*
6 *5 of part II of the Foreign Assistance Act of 1961 (22 U.S.C.*
7 *2347 et seq.).*

8 **SEC. 1312. ANNUAL FOREIGN MILITARY TRAINING REPORT-**
9 ***ING.***

10 *Section 656(a)(1) of the Foreign Assistance Act of 1961*
11 *(22 U.S.C. 2416(a)(1)) is amended—*

12 (1) *by striking “January 31” and inserting*
13 *“March 1”; and*

14 (2) *by striking “and all such training proposed*
15 *for the current fiscal year”.*

16 ***Subtitle C—Assistance for Select***
17 ***Countries***

18 **SEC. 1321. ASSISTANCE FOR ISRAEL.**

19 *Section 513 of the Security Assistance Act of 2000*
20 *(Public Law 106–280) is amended—*

21 (1) *in subsection (b)(1), by striking “2002 and*
22 *2003” and inserting “2003 through 2005”;*

23 (2) *in subsection (c)(1), by striking “2002 and*
24 *2003” and inserting “2003 through 2005”;*

25 (3) *in subsection (c)(3)—*

1 (A) by striking “fiscal years 2002 and
2 2003” and inserting “fiscal years 2004 and
3 2005”;

4 (B) by striking “fiscal year 2002” and in-
5 serting “fiscal year 2004”; and

6 (C) by striking “fiscal year 2003, or” and
7 inserting “fiscal year 2005, or”; and

8 (4) in subsection (c)(4)—

9 (A) by striking “2002 and 2003” and in-
10 serting “2003 through 2005”; and

11 (B) by striking “\$535,000,000 for fiscal
12 year 2002” and all that follows through “fiscal
13 year 2003” and inserting “\$550,000,000 for fis-
14 cal year 2003, not less than \$565,000,000 for fis-
15 cal year 2004, and not less than \$580,000,000
16 for fiscal year 2005”.

17 **SEC. 1322. ASSISTANCE FOR EGYPT.**

18 Section 514 of the Security Assistance Act of 2000
19 (Public Law 106–280) is amended—

20 (1) by striking “2002 and 2003” each place it
21 appears and inserting “2003 through 2005”; and

22 (2) in subsection (e)—

23 (A) by striking “fiscal years 2002 and
24 2003” and inserting “fiscal years 2004 and
25 2005”;

1 (B) by striking “fiscal year 2002” and in-
2 serting “fiscal year 2004”; and

3 (C) by striking “fiscal year 2003, or” and
4 inserting “fiscal year 2005, or”.

5 ***Subtitle D—Miscellaneous***
6 ***Provisions***

7 ***SEC. 1331. UNITED STATES WAR RESERVE STOCKPILES FOR***
8 ***ALLIES.***

9 Section 514(b)(2) of the Foreign Assistance Act of 1961
10 (22 U.S.C. 2321h(b)(2)) is amended—

11 (1) in subparagraph (A), by striking “for fiscal
12 year 2003” and inserting “for each of fiscal years
13 2003 and 2004”; and

14 (2) in subparagraph (B), by striking “for fiscal
15 year 2003” and inserting “for each of fiscal years
16 2003 and 2004”.

17 ***SEC. 1332. TRANSFER TO ISRAEL OF CERTAIN DEFENSE AR-***
18 ***TICLES IN THE UNITED STATES WAR RE-***
19 ***SERVE STOCKPILES FOR ALLIES.***

20 (a) *AUTHORIZATION.*—Notwithstanding section 514 of
21 the Foreign Assistance Act of 1961 (22 U.S.C. 2321h), the
22 President is authorized to transfer to Israel, in return for
23 concessions to be negotiated by the Secretary of Defense,
24 with the concurrence of the Secretary, defense articles, in-

1 *cluding armor, artillery, ammunition for automatic weap-*
2 *ons, missiles, and other munitions that are—*

3 *(1) obsolete or surplus items;*

4 *(2) in the inventory of the Department of De-*
5 *fense;*

6 *(3) intended for use as reserve stocks in Israel;*

7 *and*

8 *(4) are located in a stockpile in Israel as of the*
9 *date of enactment of this Act.*

10 *(b) CONCESSIONS.—The value of concessions nego-*
11 *tiated pursuant to subsection (a) shall be at least equal to*
12 *the fair market value of the items transferred. The conces-*
13 *sions may include cash compensation, services, waiver of*
14 *charges otherwise payable by the United States, and other*
15 *items of value.*

16 *(c) ADVANCE NOTIFICATION OF TRANSFER.—*

17 *(1) IN GENERAL.—Not less than 30 days before*
18 *making a transfer under the authority of this section,*
19 *the President shall transmit a notification describing*
20 *the items to be transferred to Israel and the conces-*
21 *sions to be received by the United States to the con-*
22 *gressional committees specified in paragraph (2).*

23 *(2) CONGRESSIONAL COMMITTEES SPECIFIED.—*

24 *The congressional committees referred to in para-*
25 *graph (1) are—*

1 (A) *the Committee on International Rela-*
2 *tions and the Committee on Armed Services of*
3 *the House of Representatives; and*

4 (B) *the Committee on Foreign Relations*
5 *and the Committee on Armed Services of the*
6 *Senate.*

7 (d) *EXPIRATION OF AUTHORITY.—No transfer may be*
8 *made under the authority of this section following the expi-*
9 *ration of the five-year period beginning on the date of enact-*
10 *ment of this Act.*

11 **SEC. 1333. EXPANSION OF AUTHORITIES FOR LOAN OF MA-**
12 **TERIAL, SUPPLIES, AND EQUIPMENT FOR RE-**
13 **SEARCH AND DEVELOPMENT PURPOSES.**

14 *Section 65 (22 U.S.C. 2796d) is amended—*

15 (1) *in subsection (a)(1), by inserting “or a*
16 *friendly foreign country” after “ally” each place such*
17 *term appears; and*

18 (2) *in subsection (d) to read as follows:*

19 “(d) *For purposes of this section—*

20 “(1) *the term ‘NATO ally’ means a member*
21 *country of the North Atlantic Treaty Organization*
22 *(other than the United States); and*

23 “(2) *the term ‘friendly foreign country’ means*
24 *any non-NATO member country determined by the*
25 *President to be eligible for a cooperative project agree-*

1 *suant to section 2 of the Senate Resolution of Ratification*
2 *to Accompany Treaty Document 107–8, Treaty Between the*
3 *United States of America and the Russian Federation on*
4 *Strategic Offensive Reductions.*

5 **SEC. 1336. STATEMENT OF HOUSE OF REPRESENTATIVES**
6 **REGARDING THE TREATY BETWEEN THE**
7 **UNITED STATES AND THE RUSSIAN FEDERA-**
8 **TION ON STRATEGIC OFFENSIVE REDUC-**
9 **TIONS.**

10 *The House of Representatives—*

11 *(1) concurs with the declarations of the Sen-*
12 *ate in section 3 of the Resolution of Ratification*
13 *to Accompany Treaty Document 107–8, Treaty*
14 *Between the United States of America and the*
15 *Russian Federation on Strategic Offensive Re-*
16 *ductions;*

17 *(2) encourages the President to continue*
18 *strategic offensive reductions to the lowest pos-*
19 *sible levels consistent with national security re-*
20 *quirements and alliance obligations of the*
21 *United States;*

22 *(3) urges the President to engage the Rus-*
23 *sian Federation with the objectives of estab-*
24 *lishing cooperative measures to give each party*
25 *to the Treaty Between the United States of*

1 *America and the Russian Federation on Stra-*
2 *tegic Offensive Reductions improved confidence*
3 *regarding the accurate accounting and security*
4 *of nonstrategic nuclear weapons maintained by*
5 *the other party; and*

6 (4) *encourages the President to accelerate*
7 *United States strategic force reductions, to the*
8 *extent feasible and consistent with the treaty, in*
9 *order that the reductions required by Article I of*
10 *the Treaty Between the United States of America*
11 *and the Russian Federation on Strategic Offen-*
12 *sive Reductions may be achieved prior to Decem-*
13 *ber 31, 2012.*

14 **SEC. 1337. NONPROLIFERATION AND DISARMAMENT FUND.**

15 (a) *AUTHORIZATION OF APPROPRIATIONS.—*

16 (1) *IN GENERAL.—There are authorized to be ap-*
17 *propriated to the President to carry out section 504*
18 *of the Freedom for Russia and Emerging Eurasian*
19 *Democracies and Open Markets Support Act of 1992*
20 *(22 U.S.C. 5854; relating to the “Nonproliferation*
21 *and Disarmament Fund”)* \$60,000,000 *for each of the*
22 *fiscal years 2004 and 2005.*

23 (2) *AVAILABILITY.—Amounts appropriated pur-*
24 *suant to the authorization of appropriations under*

1 paragraph (1) are authorized to remain available
2 until expended.

3 (b) *NONPROLIFERATION OF HIGHLY ENRICHED URA-*
4 *NIUM.*—

5 (1) *FINDINGS.*—Congress finds the following:

6 (A) *Highly enriched uranium is the most*
7 *likely source material for terrorist or other out-*
8 *law organizations that seek to acquire a nuclear*
9 *weapon.*

10 (B) *Such organizations are not likely to*
11 *produce this source material on their own, but*
12 *will instead look to divert highly enriched ura-*
13 *nium from some of the many vulnerable stock-*
14 *piles in numerous facilities around the world.*

15 (C) *There is a need for a coordinated*
16 *United States Government initiative to secure*
17 *and dispose of highly enriched uranium stock-*
18 *piles in these vulnerable facilities around the*
19 *world.*

20 (D) *The Nonproliferation and Disarmament*
21 *Fund (NDF) is a unique and flexible entity that*
22 *is well-suited to carry out the initiative described*
23 *in subparagraph (C), in cooperation with other*
24 *Federal departments and agencies, including the*
25 *Department of Energy.*

1 (2) *INITIATIVE.*—*The Secretary of State is au-*
2 *thorized to establish and carry out an initiative to se-*
3 *cure and dispose of highly enriched uranium stock-*
4 *piles in foreign countries, including the provision of*
5 *such assistance as may be required to secure host*
6 *country cooperation under the initiative.*

7 (3) *AUTHORIZATION OF APPROPRIATIONS.*—*Of*
8 *the amounts made available to carry out section 504*
9 *of the Freedom for Russia and Emerging Eurasian*
10 *Democracies and Open Markets Support Act of 1992*
11 *(22 U.S.C. 5854) for fiscal years 2004 and 2005,*
12 *there are authorized to be appropriated to the Sec-*
13 *retary to carry out paragraph (2) \$25,000,000 for*
14 *each such fiscal year.*

15 **SEC. 1338. MARITIME INTERDICTION PATROL BOATS FOR**
16 **MOZAMBIQUE.**

17 (a) *IN GENERAL.*—*Of the amounts made available to*
18 *carry out section 23 of the Arms Export Control Act for*
19 *fiscal year 2004, there is authorized to be appropriated*
20 *\$1,000,000 for refurbishment, delivery, operational train-*
21 *ing, and related costs associated with the provision of not*
22 *more than four excess coastal patrol boats to the Govern-*
23 *ment of Mozambique for maritime patrol and interdiction*
24 *activities.*

1 (b) *AVAILABILITY.*—Amounts appropriated pursuant
2 to the authorization of appropriations under subsection (a)
3 are authorized to remain available until September 30,
4 2006.

5 **SEC. 1339. REPORT ON MISSILE DEFENSE COOPERATION.**

6 Not later than December 31, 2003, and December 31,
7 2004, the Secretary of State shall submit to the appropriate
8 congressional committees a report on cooperative efforts that
9 have been undertaken by the United States with foreign gov-
10 ernments to foster the development and deployment of de-
11 fenses against missile attack. Such report shall include a
12 detailed description of such efforts on a country-by-country
13 basis, and may be submitted in classified and unclassified
14 form, as appropriate.

15 **SEC. 1340. IRAN'S PROGRAM TO DEVELOP A NUCLEAR EX-**
16 **PLOSIVE DEVICE.**

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

18 (1) *Iran, as a party to the Treaty on the Non-*
19 *Proliferation of Nuclear Weapons, has legally for-*
20 *sworn developing or acquiring nuclear weapons.*

21 (2) *Iran has for more than a decade pursued a*
22 *program aimed at the development of a nuclear explo-*
23 *sive device.*

24 (3) *Director of Central Intelligence George Tenet*
25 *has repeatedly warned of Iran's clandestine efforts to*

1 *acquire weapons of mass destruction, stating as re-*
2 *cently as February 11, 2003, in testimony before Con-*
3 *gress that “Iran is continuing to pursue development*
4 *of a nuclear fuel cycle for civilian and nuclear weap-*
5 *ons purposes . . . [and further that] Tehran may be*
6 *able to indigenously produce enough fissile material*
7 *for a nuclear weapon” within this decade.*

8 *(4) On March 17, 2003, Dr. el Baradei, Director*
9 *General of the International Atomic Energy Agency*
10 *(IAEA), called on Iran to agree to a more intrusive*
11 *monitoring regime at its nuclear sites and demanded*
12 *that Iran, which is a signatory to the Nuclear Non-*
13 *Proliferation Treaty, agree to an “additional pro-*
14 *tol” under the IAEA’s nuclear inspection rights,*
15 *which would enable more intrusive monitoring.*

16 *(5) In early 2003 Iran announced plans to mine*
17 *its own natural uranium and admitted constructing*
18 *two nuclear facilities, one a gas centrifuge uranium*
19 *enrichment facility and the other a heavy water pro-*
20 *duction plant.*

21 *(6) A uranium enrichment facility would give*
22 *Iran the capability to indigenously produce nuclear-*
23 *weapons grade uranium. Further, heavy water is used*
24 *in reactors that not only produce weapons-grade plu-*

1 *tonium, but also tritium, a key ingredient in boosted-*
2 *fission weapons.*

3 *(7) At the same time, Iran has been developing*
4 *long-range missiles that could deliver nuclear explo-*
5 *sive devices. Director of Central Intelligence Tenet has*
6 *warned that Iran could flight test an intercontinental*
7 *ballistic missile later this decade.*

8 *(8) Iran has received considerable assistance in*
9 *its nuclear program and in its missile development*
10 *program from the Russian Federation, the People's*
11 *Republic of China, and North Korea.*

12 *(9) Congress has long been seized with finding*
13 *ways to deter or delay Iran's acquisition or develop-*
14 *ment of such deadly weapons, including through the*
15 *enactment of the Iran-Iraq Arms Non-Proliferation*
16 *Act of 1992, the Iran Libya Sanctions Act of 1996,*
17 *the Iran Non-Proliferation Act of 2000, and the Iran*
18 *Nuclear Proliferation Prevention Act of 2002.*

19 *(10) Successive Administrations have similarly*
20 *sought to deter or delay Iran's acquisition or develop-*
21 *ment of such weapons by such measures as elevating*
22 *Iran's proliferation behavior in bilateral relations*
23 *with the Russian Federation and the People's Repub-*
24 *lic of China, sanctioning entities of the Russian Fed-*
25 *eration providing technology or expertise to Iran's*

1 *nuclear and missile programs, and urging multilat-*
2 *eral export control regimes to deny sensitive tech-*
3 *nology to proliferators like Iran.*

4 (11) *President Bush included Iran as one of the*
5 *countries that comprise the “axis of evil” in his Jan-*
6 *uary 2002 State of the Union Address because of its*
7 *efforts to develop weapons of mass destruction and its*
8 *support of international terrorism. Iran has been the*
9 *principle supporter and supplier to Hizballah in*
10 *southern Lebanon, Hamas, and Islamic Jihad. Fur-*
11 *ther, the leaders of Iran have publicly called for the*
12 *destruction of the State of Israel.*

13 (12) *A nuclear-armed Iran would pose a grave*
14 *threat to the national security of the United States*
15 *and to our allies in the region.*

16 (b) *STATEMENT OF POLICY.—Congress—*

17 (1) *finds that Iran’s support of terrorism and its*
18 *efforts to develop nuclear weapons are a grave threat*
19 *to the national security of the United States and its*
20 *allies and to the United States Armed Forces;*

21 (2) *declares that the United States and our*
22 *friends and allies must make maximum efforts to pre-*
23 *vent Iran from developing or acquiring nuclear weap-*
24 *ons and the missiles to deliver them;*

1 (3) urges the President to use all appropriate
2 means to prevent Iran from gaining such capabilities;

3 (4) urges the International Atomic Energy Agen-
4 cy (IAEA) to employ the full range of its inspection
5 authorities to ensure that Iran’s nuclear program is
6 used for peaceful purposes only;

7 (5) encourages Iran to sign and ratify the new
8 nuclear safeguards protocol, the “Model Additional
9 Protocol (INFCIRC/540-Corr)” to the Treaty on the
10 Non-Proliferation of Nuclear Weapons, which would
11 demonstrate Iran’s commitment to sharing informa-
12 tion about its nuclear program with the IAEA and
13 the international community and to full disclosure
14 and transparency about its nuclear program; and

15 (6) urges the United States resident representa-
16 tive to the IAEA to work with the Board of Governors
17 of the IAEA on guidelines for early identification of
18 noncompliance with the Nuclear Non-Proliferation
19 Treaty.

20 **TITLE XIV—MISSILE THREAT**
21 **REDUCTION ACT OF 2003**

22 **SEC. 1401. SHORT TITLE.**

23 This title may be cited as the “Missile Threat Reduc-
24 tion Act of 2003”.

1 ***Subtitle A—Strengthening Inter-***
2 ***national Missile Nonprolifera-***
3 ***tion Law***

4 **SEC. 1411. FINDINGS.**

5 *Congress makes the following findings:*

6 *(1) The spread of offensive ballistic missiles suit-*
7 *able for launching nuclear, chemical, and biological*
8 *warheads is accelerating across the globe.*

9 *(2) According to the Carnegie Endowment for*
10 *International Peace, more than 25 countries possess*
11 *missiles with ranges in excess of 300 kilometers and*
12 *capable of delivering a nuclear warhead.*

13 *(3)(A) Many of the countries now possessing*
14 *such missiles, and engaging in the sale and transfer*
15 *of such missiles and their production technology to*
16 *other countries, are directly hostile to the United*
17 *States, its interests, and its allies.*

18 *(B) Of particular concern in this regard is North*
19 *Korea, which regularly sells ballistic missiles and*
20 *technology to countries in regions of instability and*
21 *concern to the United States.*

22 *(4) The Central Intelligence Agency has stated in*
23 *its most recent report on the foreign ballistic missile*
24 *threat the following:*

1 *“Emerging ballistic missile states continue*
2 *to increase the range, reliability, and accuracy of*
3 *the missile systems in their inventories—posing*
4 *ever greater risks to U.S. forces, interests, and*
5 *allies throughout the world. A decade ago, U.S.*
6 *and allied forces abroad faced threats from*
7 *SRBM’s [Short Range Ballistic Missiles]—pri-*
8 *marily the Scud and its variants. Today, coun-*
9 *tries have deployed or are on the verge of deploy-*
10 *ing MRBM’s [Medium Range Ballistic Missiles],*
11 *placing greater numbers of targets at risk.*

12 *“Proliferation of ballistic missile-related*
13 *technologies, materials, and expertise—especially*
14 *by Russian, Chinese, and North Korean enti-*
15 *ties—has enabled emerging missile states to ac-*
16 *celerate the development timelines for their exist-*
17 *ing programs, acquire turnkey systems to gain*
18 *previously non-existent capabilities—in the case*
19 *of the Chinese sale of the M-11 SRBM to Paki-*
20 *stan—and lay the groundwork for the expansion*
21 *of domestic infrastructures to potentially accom-*
22 *modate even more capable and longer range fu-*
23 *ture systems.”.*

24 (5) *The same CIA report also noted the fol-*
25 *lowing: “North Korea has assumed the role as the*

1 *missile and manufacturing technology source for*
2 *many programs. North Korean willingness to sell*
3 *complete systems and components has enabled other*
4 *states to acquire longer range capabilities earlier than*
5 *otherwise would have been possible—notably the sale*
6 *of the No Dong MRBM to Pakistan. The North also*
7 *has helped countries to acquire technologies to serve as*
8 *the basis for domestic development efforts—as with*
9 *Iran’s reverse-engineering of the No Dong in the*
10 *Shahab-3 program. Meanwhile, Iran is expanding its*
11 *efforts to sell missile technology.”.*

12 (6) *Since 1987, 33 countries have committed to*
13 *abide by a voluntary set of guidelines known as the*
14 *Missile Technology Control Regime (MTCR), whereby*
15 *adherents agreed to refrain from the transfer to non-*
16 *adherents of certain categories of whole missiles, their*
17 *constituent parts, and the facilities to manufacture*
18 *them, especially “Category I” missiles, which at a*
19 *range of 300 kilometers or more and a payload capac-*
20 *ity of 500 kilograms or more are especially suited for*
21 *delivering nuclear weapons.*

22 (7) *In October 2002, 93 countries committed to*
23 *observe a nonbinding code of conduct derived from,*
24 *but less restrictive than, the nonbinding MTCR. While*
25 *this is a welcome achievement, it does not provide a*

1 *legal obligation on its adherents to refrain from the*
2 *trade in missiles or missile technology.*

3 (8) *On December 10, 2002, the White House re-*
4 *leased its “National Strategy to Combat Weapons of*
5 *Mass Destruction”, wherein it is stated that strength-*
6 *ening international nonproliferation controls on*
7 *weapons of mass destruction (WMD) and upon the*
8 *missiles that can deliver them is the second of three*
9 *principal pillars of the National Strategy. The Na-*
10 *tional Strategy also states that “effective interdiction*
11 *is a critical part of the U.S. strategy to combat WMD*
12 *and their delivery means”.*

13 (9) *On December 11, 2002, the United States*
14 *took control of an unflagged freighter that was at-*
15 *tempting clandestinely to ship, from North Korea to*
16 *Yemen, SCUD missiles of a type that would be gen-*
17 *erally prohibited from transfer as Category I missiles.*

18 (10) *Neither North Korea nor Yemen is an ad-*
19 *herent to the MTCR guidelines, which in any case are*
20 *not legally binding, and there is no binding inter-*
21 *national legal instrument that would prohibit ship-*
22 *ments of the missiles referred to in paragraph (9).*

23 (11) *At Yemen’s request, the United States re-*
24 *leased the shipment of North Korean Scud missiles to*
25 *Yemen.*

1 (12) *Also on December 11, 2002, the White*
2 *House press spokesman stated that existing inter-*
3 *national law regarding halting the spread of missile*
4 *proliferation could be strengthened. The new National*
5 *Strategy to Combat Weapons of Mass Destruction also*
6 *commits the United States to support those regimes*
7 *that are currently in force, and to work to improve*
8 *the effectiveness of, and compliance with, those re-*
9 *gimes, and identifies the MTCR as a regime that the*
10 *United States will seek to strengthen.*

11 (13) *Secretary of Defense Donald Rumsfeld, tes-*
12 *tifying on February 12, 2003, before the Committee*
13 *on Armed Services of the Senate, stated the following:*
14 *“...[I]t’s pretty clear that the proliferation regimes*
15 *that exist in the world worked pretty well before, [but]*
16 *they’re not working very well right now.... [U]nless*
17 *the world wakes up and says this is a dangerous*
18 *thing and creates a set of regimes that will in fact get*
19 *cooperation to stop those weapons, we’re going to be*
20 *facing a very serious situation in the next five*
21 *years.”.*

22 (14) *The MTCR has made an invaluable con-*
23 *tribution to restraint in the international trade of of-*
24 *fensive ballistic missiles. Strengthening international*
25 *controls on ballistic missiles, however, will require a*

1 *dramatic expansion of adherents that rigorously abide*
2 *by the MTCR's guidelines, and a binding legal basis*
3 *for the United Nations and countries devoted to non-*
4 *proliferation to prevent, and when necessary act to*
5 *prevent, further proliferation of offensive ballistic*
6 *missiles around the world.*

7 *(15) Therefore, it should be the policy of the*
8 *United States to promote the creation of new inter-*
9 *national mechanisms that would, in all future cir-*
10 *cumstances, allow the peace-loving and law-abiding*
11 *nations of the world the authority to interdict and*
12 *prevent the transfer of such missiles.*

13 **SEC. 1412. POLICY OF THE UNITED STATES.**

14 *It shall be the policy of the United States to seek a*
15 *binding international instrument or instruments to restrict*
16 *the trade in offensive ballistic missiles with ranges of 300*
17 *kilometers or more that have a payload capacity of 500 kilo-*
18 *grams or more. Such a binding international instrument*
19 *may take the form of a multilateral treaty, a United Na-*
20 *tions Security Council resolution, or other instrument of*
21 *international law, and should provide for enforcement*
22 *measures including interdiction, seizure, and impoundment*
23 *of illicit shipments of offensive ballistic missiles and related*
24 *technology, equipment, and components.*

1 **SEC. 1413. SENSE OF CONGRESS.**

2 *It is the sense of the Congress that the United States*
3 *should immediately introduce a resolution in the United*
4 *Nations Security Council to prohibit all members of the*
5 *United Nations from purchasing, receiving, assisting or al-*
6 *lowing the transfer of, and to authorize the subsequent*
7 *interdiction, seizure, and impoundment of, any missile,*
8 *missile-related equipment, means of producing missiles, or*
9 *missile-related technology from North Korea.*

10 **Subtitle B—Strengthening United**
11 **States Missile Nonproliferation**
12 **Law**

13 **SEC. 1421. 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 3 years, for*
23 *the export to that foreign person of all items controlled for*
24 *export under section 5 or 6 of the Export Administration*
25 *Act of 1979 (50 U.S.C. App. 2404, 2405), as continued in*
26 *effect under the International Emergency Economic Powers*

1 *Act, in accordance with the Export Administration Regula-*
2 *tions.*

3 (b) *TERMINATION.*—*Subsection (a) shall not apply to*
4 *a foreign person 30 days after the President notifies the*
5 *Committee on International Relations of the House of Rep-*
6 *resentatives and the Committee on Banking, Housing, and*
7 *Urban Affairs and the Committee on Foreign Relations of*
8 *the Senate that he has determined that—*

9 (1) *the foreign person has—*

10 (A) *ceased all activity related to the origi-*
11 *nal imposition of sanctions under section 73(a)*
12 *of the Arms Export Control Act or section*
13 *11B(b)(A) of the Export Administration Act of*
14 *1979, as the case may be; and*

15 (B) *has instituted a program of trans-*
16 *parency measures whereby the United States will*
17 *be able to verify for at least a period of 3 years*
18 *that the foreign person is not engaging in pro-*
19 *hibited activities under those provisions of law*
20 *referred to in paragraph (1); and*

21 (2) *there has been an appropriate resolution of*
22 *the original violation or violations, such as financial*
23 *penalties, incarceration, destruction of prohibited*
24 *items, or other appropriate measures taken to prevent*
25 *a recurrence of the violation or violations.*

1 **SEC. 1422. STRENGTHENING UNITED STATES MISSILE PRO-**
2 **LIFERATION SANCTIONS ON FOREIGN PER-**
3 **SONS.**

4 (a) *ARMS EXPORT CONTROL ACT.*—Section 73(a)(2)
5 (22 U.S.C. 2797b(a)(2)) is amended by striking “2 years”
6 each place it appears and inserting “4 years”.

7 (b) *PUBLIC INFORMATION.*—Section 73(e)(2) (22
8 U.S.C. 2797b(e)(2)) is amended by adding at the end the
9 following new sentence: “Such report may be classified only
10 to the extent necessary to protect intelligence sources and
11 methods. If the report is so classified, the President shall
12 make every effort to acquire sufficient alternative informa-
13 tion that would allow a subsequent unclassified version of
14 the report to be issued.”.

15 (c) *EXPORT ADMINISTRATION ACT OF 1979.*—Any
16 sanction imposed on a foreign person under section
17 11B(b)(1) of the Export Administration Act of 1979 (50
18 U.S.C. App. 2410b(b)(1)), as continued in effect under the
19 International Emergency Economic Powers Act, shall be in
20 effect for a period of 4 years beginning on the date on which
21 the sanction was imposed.

22 (d) *APPLICABILITY.*—The amendments made by sub-
23 sections (a) and (b) and the provisions of subsection (c)
24 shall apply to all sanctions imposed under section 73(a)
25 of the Arms Export Control Act or section 11B(b)(1) of the
26 Export Administration Act of 1979, as continued in effect

1 *under the International Emergency Economic Powers Act,*
2 *by reason of acts giving rise to such sanctions that were*
3 *committed by foreign persons on or after January 1, 2003.*

4 **SEC. 1423. COMPREHENSIVE UNITED STATES MISSILE PRO-**
5 **LIFERATION SANCTIONS ON ALL RESPON-**
6 **SIBLE PERSONS.**

7 *(a) ARMS EXPORT CONTROL ACT.—Section 73(a) (22*
8 *U.S.C. 2797b(a)) is amended by adding at the end the fol-*
9 *lowing new paragraph:*

10 *“(3)(A) Sanctions imposed upon a foreign person*
11 *under paragraph (2) shall also be imposed on any govern-*
12 *mental entity that the President determines exercises effec-*
13 *tive control over, benefits from, or directly or indirectly fa-*
14 *cilitates the activities of that foreign person.*

15 *“(B) When a sanction is imposed on a foreign person*
16 *under paragraph (2), the President may also impose that*
17 *sanction on any other person or entity that the President*
18 *has reason to believe has or may acquire items that may*
19 *not be exported to that foreign person on account of the*
20 *sanction imposed on that foreign person, with the intent*
21 *to transfer to that foreign person, or provide to that foreign*
22 *person access to, such items.*

23 *“(C) The President may also prohibit, for such period*
24 *of time as he may determine, any transaction or dealing,*
25 *by a United States person or within the United States, with*

1 *any foreign person on whom sanctions have been imposed*
2 *under this subsection.*

3 “(D) *The President shall report on an annual basis*
4 *to the Committee on International Relations of the House*
5 *of Representatives and the Committee on Foreign Relations*
6 *of the Senate the identity of any foreign person that engages*
7 *in any transaction or activity with a foreign person on*
8 *whom sanctions have been imposed under this subsection*
9 *that either—*

10 “(i) *would be the basis for imposing sanctions*
11 *under subparagraph (B) but for which sanctions have*
12 *not been imposed; or*

13 “(ii) *would be the basis for imposing sanctions*
14 *under subparagraph (C) if the transaction or activity*
15 *had been carried out by a United States person or by*
16 *a person in the United States.*

17 *Such report shall be unclassified to the maximum extent*
18 *feasible, but may include a classified annex.”.*

19 (b) *DEFINITION OF PERSON.—Section 74(a)(8)(A) (22*
20 *U.S.C. 2797c(a)(8)(A)) is amended to read as follows:*

21 “(8)(A) *the term ‘person’ means—*

22 “(i) *a natural person;*

23 “(ii) *a corporation, business association,*
24 *partnership, society, trust, transnational cor-*
25 *poration, or transnational joint venture, any*

1 *other nongovernmental entity, organization, or*
2 *group, and any governmental entity;*

3 “*(iii) any subsidiary, subunit, or parent*
4 *entity of any business enterprise or other organi-*
5 *zation or entity listed in clause (ii); and*

6 “*(iv) any successor of any business enter-*
7 *prise or other organization or entity listed in*
8 *clause (ii) or (iii); and”.*

9 (c) *EXPORT ADMINISTRATION ACT OF 1979.*—

10 (1) *SANCTIONS IMPOSED ON GOVERNMENT ENTI-*
11 *TIES.*—*Any sanction imposed on a foreign person*
12 *under section 11B(b)(1)(B) of the Export Administra-*
13 *tion Act of 1979 (50 U.S.C. App. 2410b(b)(1)(B)), as*
14 *continued in effect under the International Emer-*
15 *gency Economic Powers Act (in this subsection re-*
16 *ferred to as a “dual use sanction”), shall also be im-*
17 *posed on any governmental entity that the President*
18 *determines exercises effective control over, benefits*
19 *from, or directly or indirectly facilitates the activities*
20 *of that foreign person.*

21 (2) *OTHER ENTITIES.*—*When a dual use sanc-*
22 *tion is imposed on a foreign person, the President*
23 *may also impose that sanction on any other person*
24 *or entity that the President has reason to believe has*
25 *or may acquire items that may not be exported to*

1 *that foreign person on account of the dual use sanc-*
2 *tion imposed on that foreign person, with the intent*
3 *to transfer to that foreign person, or provide to that*
4 *foreign person access to, such items.*

5 (3) *TRANSACTIONS BY THIRD PARTIES.—The*
6 *President may also prohibit, for such period of time*
7 *as he may determine, any transaction or dealing, by*
8 *a United States person or within the United States,*
9 *with any foreign person on whom dual use sanctions*
10 *have been imposed.*

11 (4) *REPORT.—The President shall submit on an*
12 *annual basis to the appropriate congressional com-*
13 *mittees a report that contains the identity of any for-*
14 *foreign person that engages in any transaction or activ-*
15 *ity with a foreign person on whom dual use sanctions*
16 *have been imposed that either—*

17 (A) *would be the basis for imposing dual*
18 *use sanctions under paragraph (2) but for which*
19 *such sanctions have not been imposed; or*

20 (B) *would be the basis for imposing dual*
21 *use sanctions under paragraph (3) if the trans-*
22 *action or activity had been carried out by a*
23 *United States person or by a person in the*
24 *United States.*

1 *Such report shall be unclassified to the maximum ex-*
2 *tent feasible, but may include a classified annex.*

3 (5) *DEFINITIONS.—In this subsection:*

4 (A) *PERSON.—The term “person” means—*

5 (i) *a natural person;*

6 (ii) *a corporation, business association,*
7 *partnership, society, trust, transnational*
8 *corporation, or transnational joint venture,*
9 *any other nongovernmental entity, organi-*
10 *zation, or group, and any governmental en-*
11 *tity;*

12 (iii) *any subsidiary, subunit, or par-*
13 *ent entity of any business enterprise or*
14 *other organization or entity listed in clause*
15 *(ii); and*

16 (iv) *any successor of any business en-*
17 *terprise or other organization or entity list-*
18 *ed in clause (ii) or (iii).*

19 (B) *In the case of countries where it may*
20 *be impossible to identify a specific governmental*
21 *entity referred to in subparagraph (A), the term*
22 *“person” means—*

23 (i) *all activities of that government re-*
24 *lating to the development or production of*
25 *any missile equipment or technology; and*

1 (ii) all activities of that government
2 affecting the development or production of
3 aircraft, electronics, and space systems or
4 equipment.

5 (C) UNITED STATES PERSON.—The term
6 “United States person” has the meaning given
7 that term in section 16(2) of the Export Admin-
8 istration Act of 1979 (50 U.S.C. App. 2415(2)).

9 (D) MISSILE EQUIPMENT OR TECH-
10 NOLOGY.—The term “missile equipment or tech-
11 nology” has the meaning given that term in sec-
12 tion 11B(c) of the Export Administration Act of
13 1979 (50 U.S.C. App. 2410b(c)).

14 (d) EFFECTIVE DATE.—The amendments made by
15 subsections (a) and (b) shall apply with respect to sanctions
16 imposed on or after January 1, 2003, on foreign persons
17 under section 73(a)(2) of the Arms Export Control Act, and
18 the provisions of subsection (c) shall apply with respect to
19 sanctions imposed on or after January 1, 2003, on foreign
20 persons under section 11B(b) of the Export Administration
21 Act of 1979 (50 U.S.C. App. 2410b(b)), as continued in ef-
22 fect under the International Emergency Economic Powers
23 Act.

1 ***Subtitle C—Incentives for Missile***
2 ***Threat Reduction***

3 **SEC. 1431. FOREIGN ASSISTANCE.**

4 (a) *TYPES OF ASSISTANCE.*—*The President is author-*
5 *ized to provide, on such terms as the President deems appro-*
6 *priate, the following assistance to countries that agree to*
7 *destroy their ballistic missiles, and their facilities for pro-*
8 *ducing ballistic missiles, that have a payload capacity of*
9 *500 kilograms or more over a distance of 300 kilometers*
10 *or more:*

11 (1) *Assistance under section 23 of the Arms Ex-*
12 *port Control Act (22 U.S.C. 2763).*

13 (2) *Assistance under chapter 4 of part II of the*
14 *Foreign Assistance Act of 1961 (22 U.S.C. 2346 et*
15 *seq.), notwithstanding section 531(e) or 660(a) of that*
16 *Act (22 U.S.C. 2346(e) or 2420(a)).*

17 (3) *Drawdown of defense articles, defense serv-*
18 *ices, and military education and training under sec-*
19 *tion 506 of the Foreign Assistance Act of 1961 (22*
20 *U.S.C. 2318).*

21 (b) *CONGRESSIONAL NOTIFICATION.*—*Assistance au-*
22 *thorized under subsection (a) may not be provided until 30*
23 *days after the date on which the President has provided*
24 *notice thereof to the appropriate congressional committees*
25 *in accordance with the procedures applicable to reprogram-*

1 *ming notifications under section 634A(a) of the Foreign As-*
 2 *istance Act of 1961 (22 U.S.C. 2394-1(a)).*

3 *(c) LIMITATION.—Any assistance provided to a coun-*
 4 *try under subsection (a) may not be provided in more than*
 5 *3 fiscal years.*

6 **SEC. 1432. AUTHORIZATION OF APPROPRIATIONS.**

7 *(a) AUTHORIZATION.—There is authorized to be ap-*
 8 *propriated to the President to carry out section 1431 the*
 9 *sum of \$250,000,000.*

10 *(b) AVAILABILITY.—Amounts appropriated pursuant*
 11 *to the authorization of appropriations under subsection (a)*
 12 *are authorized to remain available until expended.*

13 **SEC. 1433. AUTHORIZATION OF TECHNICAL ASSISTANCE IN**
 14 **MISSILE DISARMAMENT.**

15 *The President is authorized to provide technical assist-*
 16 *ance in the destruction of any missile or facility for pro-*
 17 *ducing ballistic missiles, in any country that requests such*
 18 *assistance.*

19 **TITLE XV—EXPORTS OF**
 20 **SATELLITES**

21 **SEC. 1501. EXPORT CONTROLS ON SATELLITES AND RE-**
 22 **LATED ITEMS.**

23 *Notwithstanding any other provision of law, in the*
 24 *case of the export of commercial communications satellites*
 25 *and related items to a country that is a member of the*

1 *North Atlantic Treaty Organization or that is a major non-*
2 *NATO ally of the United States, the President may deter-*
3 *mine to what extent, and under which provisions of law,*
4 *such export may be controlled.*

5 **SEC. 1502. MANDATORY REVIEW BY DEPARTMENT OF**
6 **STATE.**

7 *(a) CERTAIN DEFENSE SERVICES.—The provision of*
8 *defense services by United States persons, including services*
9 *or assistance provided during technical interchange meet-*
10 *ings, in connection with the launch of a satellite from, or*
11 *by nationals of, the People's Republic of China, are subject*
12 *to section 38 of the Arms Export Control Act.*

13 *(b) NOTIFICATION TO CONGRESS.—At least 30 days be-*
14 *fore any export license or any technical assistance agree-*
15 *ment is approved under subsection (a), the President shall*
16 *transmit a certification with respect to such export license*
17 *or technical assistance agreement in the manner provided*
18 *in section 36(d) of the Arms Export Control Act, to the*
19 *Speaker of the House of Representatives and the chairman*
20 *of the Committee on Foreign Relations of the Senate. The*
21 *export license or technical assistance agreement shall not*
22 *be approved if the Congress, within that 30-day period, en-*
23 *acts a joint resolution prohibiting such approval. The pro-*
24 *visions of section 36(d)(5) of that Act shall apply with re-*
25 *spect to any such joint resolution, and the provisions of sec-*

1 *tion 36(f) of that Act shall apply with respect to any certifi-*
2 *cation submitted under this subsection.*

3 **SEC. 1503. EXPORT RESTRICTIONS NOT AFFECTED.**

4 *Nothing in this title shall be construed to—*

5 *(1) modify any restriction on exports imposed*
6 *under any other provision of law, including—*

7 *(A) restrictions on exports to—*

8 *(i) any country the government of*
9 *which has been determined by the Secretary*
10 *of State to have repeatedly provided support*
11 *for acts of international terrorism;*

12 *(ii) any country that does not adhere*
13 *to the Missile Technology Control Regime;*
14 *or*

15 *(iii) any other country of proliferation*
16 *concern; and*

17 *(B) restrictions imposed under title IX of*
18 *the Foreign Relations Authorization Act, Fiscal*
19 *Years 1990 and 1991; or*

20 *(2) affect any provision of section 1514 or 1515*
21 *of the Strom Thurmond National Defense Authoriza-*
22 *tion Act for Fiscal Year 1999 (22 U.S.C. 2778 note);*
23 *or of title XIV of the National Defense Authorization*
24 *Act for Fiscal Year 2000 (22 U.S.C. 2778 note).*

1 **SEC. 1504. DEFINITIONS.**

2 *In this title:*

3 (1) *DEFENSE SERVICE.*—The term “defense serv-
4 ice” means—

5 (A) *the furnishing of assistance (including*
6 *training) to foreign persons, whether in the*
7 *United States or abroad, in the design, develop-*
8 *ment, engineering, manufacture, production, as-*
9 *sembly, testing, repair, maintenance, modifica-*
10 *tion, operation, destruction, processing, or use of*
11 *a satellite or related items; and*

12 (B) *the furnishing to foreign persons,*
13 *whether in the United States or abroad, of any*
14 *technical data in connection with a satellite or*
15 *related items.*

16 (2) *RELATED ITEMS.*—The term “related items”
17 *means the satellite fuel, ground support equipment,*
18 *test equipment, payload adapter or interface hard-*
19 *ware, replacement parts, and nonembedded solid pro-*
20 *pellant orbit transfer engines described in the report*
21 *submitted to Congress by the Department of State on*
22 *February 6, 1998, pursuant to section 38(f) of the*
23 *Arms Export Control Act (22 U.S.C. 2778(f)), as well*
24 *as systems, components, parts, accessories, and associ-*
25 *ated equipment for satellites, including ground con-*
26 *trol equipment.*

1 (3) *UNITED STATES PERSON.*—*The term “United*
2 *States person” has the meaning given that term in*
3 *section 16(2) of the Export Administration Act of*
4 *1979 (50 U.S.C. 1415(2)).*

5 **TITLE XVI XV—PROMOTION OF**
6 **DEMOCRACY, HUMAN RIGHTS,**
7 **AND RULE OF LAW IN**
8 **BELARUS**

9 **SEC. ~~1601~~ 1501. ASSISTANCE TO PROMOTE DEMOCRACY AND**
10 **CIVIL SOCIETY IN BELARUS.**

11 (a) *PURPOSES OF ASSISTANCE.*—*The assistance under*
12 *this section shall be available for the following purposes:*

13 (1) *To assist the people of the Republic of*
14 *Belarus in regaining their freedom and to enable*
15 *them to join the European community of democracies.*

16 (2) *To encourage free and fair presidential, par-*
17 *liamentary, and local elections in Belarus, conducted*
18 *in a manner consistent with internationally accepted*
19 *standards and under the supervision of internation-*
20 *ally recognized observers.*

21 (3) *To assist in restoring and strengthening in-*
22 *stitutions of democratic governance in Belarus.*

23 (b) *AUTHORIZATION FOR ASSISTANCE.*—*To carry out*
24 *the purposes of subsection (a), the President is authorized*
25 *to furnish assistance and other support for the activities*

1 *described in subsection (c), to be provided primarily for in-*
2 *digenous Belarusian groups that are committed to the sup-*
3 *port of democratic processes.*

4 *(c) ACTIVITIES SUPPORTED.—Activities that may be*
5 *supported by assistance under subsection (b) include—*

6 *(1) the observation of elections and the pro-*
7 *motion of free and fair electoral processes;*

8 *(2) development of democratic political parties;*

9 *(3) radio and television broadcasting to and*
10 *within Belarus;*

11 *(4) the development of nongovernmental organi-*
12 *zations promoting democracy and supporting human*
13 *rights;*

14 *(5) the development of independent media work-*
15 *ing within Belarus and from locations outside the*
16 *country and supported by nonstate-controlled print-*
17 *ing facilities;*

18 *(6) international exchanges and advanced profes-*
19 *sional training programs for leaders and members of*
20 *the democratic forces in skill areas central to the de-*
21 *velopment of civil society; and*

22 *(7) other activities consistent with the purposes*
23 *of this title.*

24 *(d) AUTHORIZATION OF APPROPRIATIONS.—*

1 (1) *IN GENERAL.*—*There is authorized to be ap-*
2 *propriated to the President to carry out this section*
3 *such sums as may be necessary for fiscal years 2004*
4 *and 2005.*

5 (2) *AVAILABILITY OF FUNDS.*—*Amounts appro-*
6 *priated pursuant to the authorization of appropri-*
7 *tions under paragraph (1) are authorized to remain*
8 *available until expended.*

9 **SEC. ~~1602~~ 1502. RADIO BROADCASTING TO BELARUS.**

10 (a) *PURPOSE.*—*It is the purpose of this section to au-*
11 *thorize increased support for United States Government*
12 *and surrogate radio broadcasting to the Republic of Belarus*
13 *that will facilitate the unhindered dissemination of infor-*
14 *mation.*

15 (b) *AUTHORIZATION OF APPROPRIATIONS.*—*In addi-*
16 *tion to such sums as are otherwise authorized to be appro-*
17 *priated, there is authorized to be appropriated such sums*
18 *as may be necessary for each fiscal year for Voice of Amer-*
19 *ica and RFE/RL, Incorporated for radio broadcasting to*
20 *the people of Belarus in languages spoken in Belarus.*

21 **SEC. ~~1603~~ 1503. SENSE OF CONGRESS RELATING TO SANC-**
22 **TIONS AGAINST THE GOVERNMENT OF**
23 **BELARUS.**

24 (a) *SENSE OF CONGRESS.*—*It is the sense of Congress*
25 *that the sanctions described in subsections (c) and (d)*

1 *should apply with respect to the Republic of Belarus until*
2 *the President determines and certifies to the appropriate*
3 *congressional committees that the Government of Belarus*
4 *has made significant progress in meeting the conditions de-*
5 *scribed in subsection (b).*

6 (b) *CONDITIONS.—The conditions referred to in sub-*
7 *section (a) are the following:*

8 (1) *The release of individuals in Belarus who*
9 *have been jailed based on political or religious beliefs.*

10 (2) *The withdrawal of politically motivated legal*
11 *charges against all opposition figures and inde-*
12 *pendent journalists in Belarus.*

13 (3) *A full accounting of the disappearances of*
14 *opposition leaders and journalists in Belarus, includ-*
15 *ing Victor Gonchar, Anatoly Krasovsky, Yuri*
16 *Zakharenka, and Dmitry Zavadsky, and the prosecu-*
17 *tion of those individuals who are responsible for their*
18 *disappearances.*

19 (4) *The cessation of all forms of harassment and*
20 *repression against the independent media, inde-*
21 *pendent trade unions, nongovernmental organiza-*
22 *tions, religious organizations (including their leader-*
23 *ship and members), and the political opposition in*
24 *Belarus.*

1 (5) *The implementation of free and fair presi-*
2 *dential and parliamentary elections in Belarus con-*
3 *sistent with OSCE standards on democratic elections*
4 *and in cooperation with relevant OSCE institutions.*

5 (c) *DENIAL OF ENTRY INTO THE UNITED STATES OF*
6 *BELARUSIAN OFFICIALS.—The President should use his au-*
7 *thority under section 212(f) of the Immigration and Na-*
8 *tionality Act (8 U.S.C. 1182(f)) to deny the entry into the*
9 *United States of any alien who—*

10 (1) *holds a position in the senior leadership of*
11 *the Government of Belarus; or*

12 (2) *is a spouse, minor child, or agent of a person*
13 *inadmissible under paragraph (1).*

14 (d) *PROHIBITION ON LOANS AND INVESTMENT.—*

15 (1) *UNITED STATES GOVERNMENT FINANCING.—*
16 *No loan, credit guarantee, insurance, financing, or*
17 *other similar financial assistance should be extended*
18 *by any agency of the United States Government (in-*
19 *cluding the Export-Import Bank and the Overseas*
20 *Private Investment Corporation) to the Government*
21 *of Belarus, except with respect to the provision of hu-*
22 *manitarian goods and agricultural or medical prod-*
23 *ucts.*

24 (2) *TRADE AND DEVELOPMENT AGENCY.—No*
25 *funds available to the Trade and Development Agency*

1 *should be available for activities of the Agency in or*
2 *for Belarus.*

3 (e) *MULTILATERAL FINANCIAL ASSISTANCE.*—*It is*
4 *further the sense of Congress that, in addition to the appli-*
5 *cation of the sanctions described in subsections (c) and (d)*
6 *to the Republic of Belarus (until the President determines*
7 *and certifies to the appropriate congressional committees*
8 *that the Government of Belarus has made significant*
9 *progress in meeting the conditions described in subsection*
10 *(b)), the Secretary of the Treasury should instruct the*
11 *United States Executive Director of each international fi-*
12 *nancial institution to which the United States is a member*
13 *to use the voice and vote of the United States to oppose*
14 *any extension by those institutions of any financial assist-*
15 *ance (including any technical assistance or grant) of any*
16 *kind to the Government of Belarus, except for loans and*
17 *assistance that serve humanitarian needs.*

18 **SEC. ~~1604~~ 1504. MULTILATERAL COOPERATION.**

19 *It is the sense of Congress that the President should*
20 *continue to seek to coordinate with other countries, particu-*
21 *larly European countries, a comprehensive, multilateral*
22 *strategy to further the purposes of this title, including, as*
23 *appropriate, encouraging other countries to take measures*
24 *with respect to the Republic of Belarus that are similar to*
25 *measures described in this title.*

1 **SEC. 1605 1505. REPORT.**

2 (a) *REPORT.*—Not later than 90 days after the date
3 of enactment of this Act, and every year thereafter, the
4 President shall transmit to the appropriate congressional
5 committees a report that describes, with respect to the pre-
6 ceding 12-month period, the following:

7 (1) *The sale or delivery of weapons or weapons-*
8 *related technologies from the Republic of Belarus to*
9 *any country, the government of which the Secretary*
10 *of State has determined, for purposes of section*
11 *6(j)(1) of the Export Administration Act of 1979 (50*
12 *U.S.C. App. 2405(j)(1)), has repeatedly provided sup-*
13 *port for acts of international terrorism.*

14 (2) *An identification of each country described*
15 *in paragraph (1) and a detailed description of the*
16 *weapons or weapons-related technologies involved in*
17 *the sale.*

18 (3) *An identification of the goods, services, cred-*
19 *its, or other consideration received by Belarus in ex-*
20 *change for the weapons or weapons-related tech-*
21 *nologies.*

22 (4) *The personal assets and wealth of Aleksandr*
23 *Lukashenka and other senior leadership of the Gov-*
24 *ernment of Belarus.*

1 (b) *FORM.*—A report transmitted pursuant to sub-
2 section (a) shall be in unclassified form but may contain
3 a classified annex.

4 **SEC. ~~1606~~ 1506. DEFINITIONS.**

5 *In this title:*

6 (1) *OSCE.*—The term “OSCE” means the Orga-
7 nization for Security and Cooperation in Europe.

8 (2) *SENIOR LEADERSHIP OF THE GOVERNMENT*
9 *OF BELARUS.*—The term “senior leadership of the
10 Government of Belarus” includes—

11 (A) *the President, Prime Minister, Deputy*
12 *Prime Ministers, government ministers, Chair-*
13 *men of State Committees, and members of the*
14 *Presidential Administration of Belarus;*

15 (B) *any official of the Government of*
16 *Belarus who is personally and substantially in-*
17 *volved in the suppression of freedom in Belarus,*
18 *including judges and prosecutors; and*

19 (C) *any other individual determined by the*
20 *Secretary of State (or the Secretary’s designee) to*
21 *be personally and substantially involved in the*
22 *formulation or execution of the policies of the*
23 *Lukashenka regime that are in contradiction of*
24 *internationally recognized human rights stand-*
25 *ards.*

1 **TITLE XVII XVI—ISRAELI-PALES-**
2 **TINIAN PEACE ENHANCE-**
3 **MENT ACT OF 2003**

4 **SEC. ~~1701~~ 1601. SHORT TITLE.**

5 *This title may be cited as the “Israeli-Palestinian*
6 *Peace Enhancement Act of 2003”.*

7 **SEC. ~~1702~~ 1602. FINDINGS.**

8 *Congress makes the following findings:*

9 *(1) The security of the State of Israel is a major*
10 *and enduring national security interest of the United*
11 *States.*

12 *(2) A lasting peace in the Middle East region*
13 *can only take root in an atmosphere free of violence*
14 *and terrorism.*

15 *(3) The Palestinian people have been ill-served*
16 *by leaders who, by resorting to violence and terrorism*
17 *to pursue their political objectives, have brought eco-*
18 *nomical and personal hardship to their people and*
19 *brought a halt to efforts seeking a negotiated settle-*
20 *ment of the conflict.*

21 *(4) The United States has an interest in a Mid-*
22 *dle East in which two states, Israel and Palestine,*
23 *will live side by side in peace and security.*

24 *(5) In his speech of June 24, 2002, and in other*
25 *statements, President George W. Bush outlined a com-*

1 *prehensive vision of the possibilities of peace in the*
2 *Middle East region following a change in Palestinian*
3 *leadership.*

4 (6) *A stable and peaceful Palestinian state is*
5 *necessary to achieve the security that Israel longs for,*
6 *and Israel should take concrete steps to support the*
7 *emergence of a viable, credible Palestinian state.*

8 (7) *The Palestinian state must be a reformed,*
9 *peaceful, and democratic state that abandons forever*
10 *the use of terror.*

11 (8) *On April 29, 2003, the Palestinian Legisla-*
12 *tive Council confirmed in office, by a vote of 51 yeas,*
13 *18 nays, and 3 abstentions, the Palestinian*
14 *Authority's first prime minister, Mahmoud Abbas*
15 *(Abu Mazen), and his cabinet.*

16 (9) *In his remarks prior to the vote of the Pales-*
17 *tinian Legislative Council, Mr. Abbas declared: "The*
18 *government will concentrate on the question of secu-*
19 *rity . . . The unauthorized possession of weapons,*
20 *with its direct threat to the security of the population,*
21 *is a major concern that will be relentlessly addressed*
22 *. . . There will be no other decision-making authority*
23 *except for the Palestinian Authority."*

24 (10) *In those remarks, Mr. Abbas further stated:*
25 *"We denounce terrorism by any party and in all its*

1 *forms both because of our religious and moral tradi-*
2 *tions and because we are convinced that such methods*
3 *do not lend support to a just cause like ours but rath-*
4 *er destroy it.”.*

5 *(11) Israel has repeatedly indicated its willing-*
6 *ness to make painful concessions to achieve peace once*
7 *there is a partner for peace on the Palestinian side.*

8 **SEC. ~~1703~~ 1603. PURPOSES.**

9 *The purposes of this title are—*

10 *(1) to express the sense of Congress with respect*
11 *to United States recognition of a Palestinian state;*
12 *and*

13 *(2) to demonstrate United States willingness to*
14 *provide substantial economic and humanitarian as-*
15 *sistance, and to support large-scale multilateral as-*
16 *sistance, after the Palestinians have achieved the re-*
17 *forms outlined by President Bush and have achieved*
18 *peace with the State of Israel.*

19 **SEC. ~~1704~~ 1604. SENSE OF CONGRESS.**

20 *It is the sense of Congress that—*

21 *(1) peace between Israel and the Palestinians*
22 *cannot be negotiated until the Palestinian system of*
23 *government has been transformed along the lines out-*
24 *lined in President Bush’s June 24, 2002, speech;*

1 (2) *substantial United States and international*
2 *economic assistance will be needed after the Palestin-*
3 *ians have achieved the reforms described in section*
4 *620K(c)(2) of the Foreign Assistance Act of 1961 (as*
5 *added by section 1706 of this Act) and have made a*
6 *lasting and secure peace with Israel;*

7 (3) *the Palestinian people merit commendation*
8 *on the confirmation of the Palestinian Authority's*
9 *first prime minister, Mahmoud Abbas (Abu Mazen),*
10 *and his cabinet;*

11 (4) *the new Palestinian administration urgently*
12 *should take the necessary security-related steps to*
13 *allow for implementation of a performance-based road*
14 *map to resolve the Israeli-Palestinian conflict;*

15 (5) *the United States Administration should*
16 *work vigorously toward the goal of two states living*
17 *side-by-side in peace within secure and internation-*
18 *ally-recognized boundaries free from threats or acts of*
19 *force; and*

20 (6) *the United States has a vital national secu-*
21 *rity interest in a permanent, comprehensive, and just*
22 *resolution of the Arab-Israeli conflict, and particu-*
23 *larly the Palestinian-Israeli conflict, based on the*
24 *terms of United Nations Security Council Resolutions*
25 *242 and 338.*

1 **SEC. 1705 1605. RECOGNITION OF A PALESTINIAN STATE.**

2 *It is the sense of Congress that a Palestinian state*
3 *should not be recognized by the United States until the*
4 *President determines that—*

5 *(1) a new leadership of a Palestinian governing*
6 *entity, not compromised by terrorism, has been elected*
7 *and taken office; and*

8 *(2) the newly-elected Palestinian governing enti-*
9 *ty—*

10 *(A) has demonstrated a firm and tangible*
11 *commitment to peaceful coexistence with the*
12 *State of Israel and to ending anti-Israel incite-*
13 *ment, including the cessation of all officially*
14 *sanctioned or funded anti-Israel incitement;*

15 *(B) has taken appropriate measures to*
16 *counter terrorism and terrorist financing in the*
17 *West Bank and Gaza, including the dismantling*
18 *of terrorist infrastructures and the confiscation*
19 *of unlawful weaponry;*

20 *(C) has established a new Palestinian secu-*
21 *rity entity that is fully cooperating with the ap-*
22 *propriate Israeli security organizations;*

23 *(D) has achieved exclusive authority and re-*
24 *sponsibility for governing the national affairs of*
25 *a Palestinian state, has taken effective steps to*
26 *ensure democracy, the rule of law, and an inde-*

1 *pendent judiciary, and has adopted other re-*
2 *forms ensuring transparent and accountable gov-*
3 *ernance; and*

4 *(E) has taken effective steps to ensure that*
5 *its education system promotes the acceptance of*
6 *Israel's existence and of peace with Israel and*
7 *actively discourages anti-Israel incitement.*

8 **SEC. 1706 1606. LIMITATION ON ASSISTANCE TO A PALES-**
9 **TINIAN STATE.**

10 *Chapter 1 of part III of the Foreign Assistance Act*
11 *of 1961 (22 U.S.C. 2351 et seq.) is amended—*

12 *(1) by redesignating the second section 620G (as*
13 *added by section 149 of Public Law 104–164 (110*
14 *Stat. 1436)) as section 620J; and*

15 *(2) by adding at the end the following new sec-*
16 *tion:*

17 **“SEC. 620K. LIMITATION ON ASSISTANCE TO A PALES-**
18 **TINIAN STATE.**

19 *“(a) LIMITATION.—*

20 *“(1) IN GENERAL.—Notwithstanding any other*
21 *provision of law, assistance may be provided under*
22 *this Act or any other provision of law to the govern-*
23 *ment of a Palestinian state only during a period for*
24 *which a certification described in subsection (c) is in*
25 *effect. The limitation contained in the preceding sen-*

1 *tence shall not apply (A) to humanitarian or develop-*
2 *ment assistance that is provided through nongovern-*
3 *mental organizations for the benefit of the Palestinian*
4 *people in the West Bank and Gaza, or (B) to assist-*
5 *ance that is intended to reform the Palestinian Au-*
6 *thority and affiliated institutions, or a newly elected*
7 *Palestinian governing entity, in order to help meet*
8 *the requirements contained in subparagraphs (A)*
9 *through (H) of subsection (c)(2) or to address the*
10 *matters described in subparagraphs (A) through (E)*
11 *of section 1705(2) of the Israeli-Palestinian Peace En-*
12 *hancement Act of 2003.*

13 *“(2) WAIVER.—The President may waive the*
14 *limitation of the first sentence of paragraph (1) if the*
15 *President determines and certifies to the Committee*
16 *on International Relations of the House of Represent-*
17 *atives and the Committee on Foreign Relations of the*
18 *Senate that it is vital to the national interest of the*
19 *United States to do so.*

20 *“(b) CONGRESSIONAL NOTIFICATION.—*

21 *“(1) IN GENERAL.—Assistance made available*
22 *under this Act or any other provision of law to a Pal-*
23 *estinian state may not be provided until 15 days*
24 *after the date on which the President has provided no-*
25 *tice thereof to the Committee on International Rela-*

1 *tions and the Committee on Appropriations of the*
2 *House of Representatives and to the Committee on*
3 *Foreign Relations and the Committee on Appropria-*
4 *tions of the Senate in accordance with the procedures*
5 *applicable to reprogramming notifications under sec-*
6 *tion 634A(a) of this Act.*

7 *“(2) SUNSET.—Paragraph (1) shall cease to be*
8 *effective beginning ten years after the date on which*
9 *notice is first provided under such paragraph.*

10 *“(c) CERTIFICATION.—A certification described in this*
11 *subsection is a certification transmitted by the President*
12 *to Congress that—*

13 *“(1) a binding international peace agreement ex-*
14 *ists between Israel and the Palestinians that—*

15 *“(A) was freely signed by both parties;*

16 *“(B) guarantees both parties’ commitment*
17 *to a border between two states that constitutes a*
18 *secure and internationally recognized boundary*
19 *for both states, with no remaining territorial*
20 *claims;*

21 *“(C) provides a permanent resolution for*
22 *both Palestinian refugees and Jewish refugees*
23 *from Arab countries; and*

24 *“(D) includes a renunciation of all remain-*
25 *ing Palestinian claims against Israel through*

1 *provisions that commit both sides to the “end of*
2 *the conflict”;* and

3 “(2) *the new Palestinian government—*

4 “(A) *has been democratically elected*
5 *through free and fair elections, has exclusive au-*
6 *thority and responsibility for governing the na-*
7 *tional affairs of the Palestinian state, and has*
8 *achieved the reforms outlined by President Bush*
9 *in his June 24, 2002, speech;*

10 “(B) *has completely renounced the use of vi-*
11 *olence against the State of Israel and its citizens,*
12 *is vigorously attempting to prevent any acts of*
13 *terrorism against Israel and its citizens, and*
14 *punishes the perpetrators of such acts in a man-*
15 *ner commensurate with their actions;*

16 “(C) *has dismantled, and terminated the*
17 *funding of, any group within its territory that*
18 *conducts terrorism against Israel;*

19 “(D) *is engaging in ongoing and extensive*
20 *security cooperation with the State of Israel;*

21 “(E) *refrains from any officially sanctioned*
22 *or funded statement or act designed to incite*
23 *Palestinians or others against the State of Israel*
24 *and its citizens;*

1 “(F) has an elected leadership not com-
2 promised by terror;

3 “(G) is demilitarized; and

4 “(H) has no alliances or agreements that
5 pose a threat to the security of the State of
6 Israel.

7 “(d) *RECERTIFICATIONS.*—Not later than 90 days
8 after the date on which the President transmits to Congress
9 an initial certification under subsection (c), and every 6
10 months thereafter for the 10-year period beginning on the
11 date of transmittal of such certification—

12 “(1) the President shall transmit to Congress a
13 recertification that the requirements contained in sub-
14 section (c) are continuing to be met; or

15 “(2) if the President is unable to make such a
16 recertification, the President shall transmit to Con-
17 gress a report that contains the reasons therefor.

18 “(e) *RULE OF CONSTRUCTION.*—A certification under
19 subsection (c) shall be deemed to be in effect beginning on
20 the day after the last day of the 10-year period described
21 in subsection (d) unless the President subsequently deter-
22 mines that the requirements contained in subsection (c) are
23 no longer being met and the President transmits to Congress
24 a report that contains the reasons therefor.”.

1 **SEC. 1707 1607. AUTHORIZATION OF ASSISTANCE TO A PAL-**
2 **ESTINIAN STATE.**

3 *Chapter 1 of part III of the Foreign Assistance Act*
4 *of 1961 (22 U.S.C. 2351 et seq.), as amended by section*
5 *1706, is further amended by adding at the end the following*
6 *new section:*

7 **“SEC. 620L. AUTHORIZATION OF ASSISTANCE TO A PALES-**
8 **TINIAN STATE.**

9 *“(a) ASSISTANCE.—The President is authorized to*
10 *provide assistance to a Palestinian state in accordance with*
11 *the requirements of this section.*

12 *“(b) ACTIVITIES TO BE SUPPORTED.—Assistance pro-*
13 *vided under subsection (a) shall be used to support activities*
14 *within a Palestinian state to substantially improve the*
15 *economy and living conditions of the Palestinians by,*
16 *among other things, providing for economic development in*
17 *the West Bank and Gaza, continuing to promote democracy*
18 *and the rule of law, developing water resources, assisting*
19 *in security cooperation between Israelis and Palestinians,*
20 *and helping with the compensation and rehabilitation of*
21 *Palestinian refugees.*

22 *“(c) AUTHORIZATION OF APPROPRIATIONS.—Of the*
23 *amounts made available to carry out chapter 4 of part II*
24 *of this Act for a fiscal year, there are authorized to be ap-*
25 *propriated to the President to carry out subsections (a) and*
26 *(b) such sums as may be necessary for each such fiscal year.*

1 “(d) *COORDINATION OF INTERNATIONAL ASSIST-*
2 *ANCE.*—

3 “(1) *IN GENERAL.*—*Beginning on the date on*
4 *which the President transmits to Congress an initial*
5 *certification under section 620K(c) of this Act, the*
6 *Secretary of State shall seek to convene one or more*
7 *donors conferences to gain commitments from other*
8 *countries, multilateral institutions, and nongovern-*
9 *mental organizations to provide economic assistance*
10 *to Palestinians to ensure that such commitments to*
11 *provide assistance are honored in a timely manner,*
12 *to ensure that there is coordination of assistance*
13 *among the United States and such other countries,*
14 *multilateral institutions, and nongovernmental orga-*
15 *nizations, to ensure that the assistance provided to*
16 *Palestinians is used for the purposes for which is was*
17 *provided, and to ensure that other countries, multilat-*
18 *eral institutions, and nongovernmental organizations*
19 *do not provide assistance to Palestinians through en-*
20 *tities that are designated as terrorist organizations*
21 *under United States law.*

22 “(2) *REPORT.*—*Not later than 180 days after the*
23 *date of the enactment of this section, and on an an-*
24 *nuual basis thereafter, the Secretary of State shall pre-*
25 *pare and submit to the Committee on International*

1 *Relations and the Committee on Appropriations of*
2 *the House of Representatives and the Committee on*
3 *Foreign Relations and the Committee on Appropria-*
4 *tions of the Senate a report that describes the activi-*
5 *ties undertaken to meet the requirements of para-*
6 *graph (1), including a description of amounts com-*
7 *mitted, and the amounts provided, to a Palestinian*
8 *state or Palestinians during the reporting period by*
9 *each country and organization.”.*

10 **TITLE XVIII XVII—MISCELLA-**
11 **NEOUS FOREIGN ASSISTANCE**
12 **PROVISIONS**

13 **SEC. ~~1801~~ 1701. ADDITIONAL AUTHORITIES RELATING TO**
14 **INTERNATIONAL NARCOTICS CONTROL AS-**
15 **SISTANCE.**

16 *Notwithstanding any other provision of law, assistance*
17 *provided by the United States Government to support inter-*
18 *national efforts to combat aerial trafficking of illicit nar-*
19 *cotics under chapter 8 of part I of the Foreign Assistance*
20 *Act of 1961 or under any other provision of law shall in-*
21 *clude the authority to interdict illicit arms in connection*
22 *with the trafficking of illicit narcotics.*

1 **SEC. ~~1802~~ 1702. UNITED STATES OPIUM ERADICATION PRO-**
2 **GRAM IN COLOMBIA.**

3 *Not later than 180 days after the date of the enactment*
4 *of this Act, the Secretary of State, acting through the De-*
5 *partment of State's Narcotics Affairs Section (NAS) in Bo-*
6 *gotia, Colombia, shall ensure that all pilots participating*
7 *in the United States opium eradication program in Colom-*
8 *bia are Colombians and are fully trained, qualified, and*
9 *experienced pilots, with preference provided to individuals*
10 *who are members of the Colombian National Police.*

11 **SEC. ~~1803~~ 1703. COOPERATIVE DEVELOPMENT PROGRAM.**

12 *Of the amounts made available for development assist-*
13 *ance under the Foreign Assistance Act of 1961, not less than*
14 *\$2,000,000 for each of the fiscal years 2004 and 2005 are*
15 *authorized to be made available to finance projects among*
16 *the United States, Israel, and developing countries in Afri-*
17 *ca under the Cooperative Development Program.*

18 **SEC. ~~1804~~ 1704. WEST BANK AND GAZA PROGRAM.**

19 *(a) OVERSIGHT.—For fiscal year 2004, the Secretary*
20 *of State shall certify to the appropriate committees of Con-*
21 *gress not later than 30 days prior to the initial obligation*
22 *of funds for the West Bank and Gaza that procedures have*
23 *been established to assure the Comptroller General will have*
24 *access to appropriate United States financial information*
25 *in order to review the use of United States assistance for*
26 *the West Bank and Gaza funded under chapter 4 of part*

1 *II of the Foreign Assistance Act of 1961 (“Economic Sup-*
2 *port Fund”).*

3 (b) *VETTING.—Prior to any obligation of funds au-*
4 *thorized to be appropriated to carry out chapter 4 of part*
5 *II of the Foreign Assistance Act of 1961 for assistance for*
6 *the West Bank and Gaza, the Secretary of State shall take*
7 *all appropriate steps to ensure that such assistance is not*
8 *provided to or through any individual or entity that the*
9 *Secretary knows, or has reason to believe, advocates, plans,*
10 *sponsors, engages in, or has engaged in, terrorist activity.*
11 *The Secretary of State shall, as appropriate, establish pro-*
12 *cedures specifying the steps to be taken in carrying out this*
13 *subsection.*

14 (c) *AUDITS.—*

15 (1) *IN GENERAL.—The Administrator of the*
16 *United States Agency for International Development*
17 *shall ensure that independent audits of all contractors*
18 *and grantees, and significant subcontractors and sub-*
19 *grantees, under the West Bank and Gaza Program,*
20 *are conducted at least on an annual basis to ensure,*
21 *among other things, compliance with this section.*

22 (2) *AUDITS BY INSPECTOR GENERAL OF*
23 *USAID.—Of the funds authorized to be appropriated*
24 *by this Act to carry out chapter 4 of part II of the*
25 *Foreign Assistance Act of 1961 that are made avail-*

1 *racial hatred or incite acts of violence against*
2 *any race or people; and*

3 *“(i) complicity or involvement in the cre-*
4 *ation of such propaganda or incitement of acts*
5 *of violence against any race; and*

6 *“(B) a description of the actions, if any, taken*
7 *by the government of the country to eliminate such*
8 *propaganda or incitement.”.*

9 *(b) COUNTRIES RECEIVING SECURITY ASSISTANCE.—*

10 *Section 502B(b) of the Foreign Assistance Act of 1961 (22*
11 *U.S.C. 2304(b)) is amended by inserting after the eighth*
12 *sentence the following: “Each report under this section shall*
13 *also include wherever applicable, in a separate section with*
14 *a separate heading, a description of (i) the nature and ex-*
15 *tent of (I) propaganda in government and government-con-*
16 *trolled media and other sources, including government-pro-*
17 *duced educational materials and textbooks, that attempt to*
18 *justify or promote racial hatred or incite acts of violence*
19 *against any race, and (II) complicity or involvement in*
20 *the creation of such propaganda or incitement of acts of*
21 *violence against any race or people, and (ii) a description*
22 *of the actions, if any, taken by the government of the coun-*
23 *try to eliminate such propaganda or incitement.”.*

1 **SEC. ~~1806~~ 1706. ASSISTANCE TO EAST TIMOR.**

2 *Section 632(b)(1) of the Foreign Relations Authoriza-*
3 *tion Act, Fiscal Year 2003 (Public Law 107–228) is amend-*
4 *ed by striking “the fiscal year 2003” and inserting “each*
5 *of the fiscal years 2003, 2004, and 2005”.*

6 **SEC. ~~1807~~ 1707. SUPPORT FOR DEMOCRACY-BUILDING EF-**
7 **FORTS FOR CUBA.**

8 *(a) STATEMENT OF POLICY.—It is the policy of the*
9 *United States to support those individuals and groups who*
10 *struggle for freedom and democracy in Cuba, including*
11 *human rights dissidents, independent journalists, inde-*
12 *pendent labor leaders, and other opposition groups.*

13 *(b) AUTHORIZATION OF APPROPRIATIONS.—*

14 *(1) IN GENERAL.—There are authorized to be ap-*
15 *propriated to the President to carry out section*
16 *109(a) of Public Law 104–114 (22 U.S.C. 6039(a))*
17 *\$15,000,000 for each of the fiscal years 2004 and*
18 *2005.*

19 *(2) ADDITIONAL AUTHORITIES.—Amounts ap-*
20 *propriated pursuant to the authorization of appro-*
21 *priations under subsection (a)—*

22 *(A) are authorized to remain available until*
23 *expended; and*

24 *(B) are in addition to amounts otherwise*
25 *available for such purposes.*

1 **SEC. ~~1808~~ 1708. AMENDMENT TO THE AFGHANISTAN FREE-**
2 **DOM SUPPORT ACT OF 2002.**

3 *The Afghanistan Freedom Support Act of 2002 (22*
4 *U.S.C. 7501 et seq.) is amended—*

5 *(1) in section 103(a) by striking “section 512 of*
6 *Public Law 107–115 or any similar” and inserting*
7 *“any other”; and*

8 *(1) in section 207(b) by striking “section 512 of*
9 *Public Law 107–115 or any similar” and inserting*
10 *“any other”.*

11 **SEC. ~~1809~~ 1709. CONGO BASIN FOREST PARTNERSHIP.**

12 *(a) AUTHORIZATION OF APPROPRIATIONS.—There are*
13 *authorized to be appropriated to the President to carry out*
14 *the Congo Basin Forest Partnership (CBFP) program*
15 *\$18,600,000 for each of the fiscal years 2004 and 2005. Of*
16 *the amounts appropriated pursuant to the authorization of*
17 *appropriations under the preceding sentence for a fiscal*
18 *year, \$16,000,000 is authorized to be made available to the*
19 *Central Africa Regional Program for the Environment*
20 *(CARPE) of the United States Agency for International De-*
21 *velopment.*

22 *(b) AVAILABILITY.—Amounts appropriated pursuant*
23 *to the authorization of appropriations under subsection (a)*
24 *are authorized to remain available until expended.*

1 **SEC. ~~1810~~ 1710. COMBATING THE PIRACY OF UNITED**
2 **STATES COPYRIGHTED MATERIALS.**

3 (a) *AUTHORIZATION OF APPROPRIATIONS.*—*In addi-*
4 *tion to such amounts as may otherwise be authorized to*
5 *be appropriated for such purpose, there are authorized to*
6 *be appropriated for the Department of State, \$10,000,000*
7 *to carry out the following activities in countries that are*
8 *not members of the Organization for Economic Cooperation*
9 *and Development (OECD):*

10 (1) *Provision of equipment and training for for-*
11 *ign law enforcement, including in the interpretation*
12 *of intellectual property laws.*

13 (2) *Training for judges and prosecutors, includ-*
14 *ing in the interpretation of intellectual property laws.*

15 (3) *Assistance in complying with obligations*
16 *under appropriate international copyright and intel-*
17 *lectual property treaties and agreements.*

18 (b) *CONSULTATION WITH WORLD INTELLECTUAL*
19 *PROPERTY ORGANIZATION.*—*In carrying out subsection*
20 *(a), the Department of State should make every effort to*
21 *consult with, and provide appropriate assistance to, the*
22 *World Intellectual Property Organization to promote the*
23 *integration of non-OECD countries into the global intellec-*
24 *tual property system.*

1 **SEC. ~~1811~~ 1711. ASSISTANCE FOR LAW ENFORCEMENT**
2 **FORCES IN CERTAIN FOREIGN COUNTRIES.**

3 *Notwithstanding section 660 of the Foreign Assistance*
4 *Act of 1961 (22 U.S.C. 2420), the Administrator of the*
5 *United States Agency for International Development is au-*
6 *thorized to provide assistance for fiscal years 2004 and*
7 *2005 to—*

8 *(1) law enforcement agencies of the Government*
9 *of India for the purposes of enhancing their capacity*
10 *for medical-first-response and search-and-rescue oper-*
11 *ations after a natural disaster, improving the access*
12 *of women to justice, and combating the trafficking of*
13 *persons; and*

14 *(2) the new police force of Northern Ireland for*
15 *the purpose of providing computer-based, human-*
16 *rights and other professional training, and the law*
17 *enforcement agencies of the Republic of Ireland (ROI)*
18 *for the purposes of fostering greater cooperation and*
19 *communication between the police force of the Repub-*
20 *lic of Ireland and the new police force of Northern*
21 *Ireland, as recommended by the Patten Commission.*

22 **SEC. ~~1812~~ 1712. HUMAN RIGHTS AND DEMOCRACY FUND.**

23 *Section 664(c)(1) of the Freedom Investment Act of*
24 *2002 (subtitle E of title VI of division A of Public Law*
25 *107–228; 22 U.S.C. 2151n–2(c)(1)) is amended—*

1 (1) by striking “for fiscal year 2003” and insert-
2 ing “for each of the fiscal years 2003 through 2005”;
3 and

4 (2) by striking “\$21,500,000 is” and inserting
5 “\$21,500,000 for fiscal year 2003, \$24,000,000 for fis-
6 cal year 2004, and such sums as may be necessary for
7 fiscal year 2005 are”.

8 **SEC. ~~1813~~ 1713. ENHANCED POLICE TRAINING.**

9 Section 660(b) of the Foreign Assistance Act of 1961
10 (22 U.S.C. 2420(b)) is amended—

11 (1) in paragraph (7), by striking the period at
12 the end and inserting “; or”; and

13 (2) by adding at the end the following new para-
14 graph:

15 “(8) with respect to assistance provided to en-
16 hance the effectiveness and accountability of civilian
17 police authority through training and technical as-
18 sistance in internationally recognized human rights,
19 the rule of law, strategic planning, and counter-nar-
20 cotics, and through the promotion of civilian police
21 roles that support democratic governance, including
22 programs to combat corruption and the trafficking of
23 persons, particularly by organized crime, prevent con-
24 flict, and foster improved police relations with the
25 communities in which they serve.”.

1 **SEC. 1814 1714. PROMOTING A SECURE AND DEMOCRATIC**
2 **AFGHANISTAN.**

3 (a) *FINDINGS.—The Congress finds that—*

4 (1) *the United States has a vital interest in pro-*
5 *moting Afghanistan’s transition from chaos, civil*
6 *war, and disorder to an increasingly prosperous*
7 *democratic state, safe and secure with its neighbors,*
8 *respecting human rights, particularly the rights of*
9 *women and girls, dedicated to the liberty, literacy,*
10 *and enrichment of its citizens, and serving as a model*
11 *for other countries;*

12 (2) *basic security in the major cities and along*
13 *key transportation routes is critical to the reconstruc-*
14 *tion and development of Afghanistan, including fos-*
15 *tering implementation of the Bonn Agreement, achiev-*
16 *ing progress towards a democratic and tolerant gov-*
17 *ernment, and encouraging international private in-*
18 *vestment;*

19 (3) *Afghanistan and its people remain under se-*
20 *rious threat from terrorism, insurgency, widespread*
21 *crime, banditry, intimidation, rape, and suppression*
22 *of minorities and women, and other grave violations*
23 *of human rights continue to occur, especially in areas*
24 *that do not have a routine presence of international*
25 *security personnel;*

1 (4) *lethal clashes continue between the private*
2 *armies of warlords, attacks against Afghan civilians*
3 *and officials and United States and international or-*
4 *ganization personnel are on the rise, and threats*
5 *against civilians and whole villages not to cooperate*
6 *with Americans or the central government are now*
7 *routine;*

8 (5) *the growth, production, and trafficking of Af-*
9 *ghan opium and its derivatives pose a serious threat*
10 *to international peace and security and efforts toward*
11 *reconstruction in Afghanistan;*

12 (6) *recruitment and training of the Afghan Na-*
13 *tional Army and the Afghan National Police are seri-*
14 *ously behind schedule and will not be at full strength*
15 *for several years, leaving the central government and*
16 *Afghan citizens vulnerable to the depredations of ter-*
17 *rorists, insurgents, and the private armies of war-*
18 *lords;*

19 (7) *although the 4,500 soldiers of the Inter-*
20 *national Security Assistance Force (ISAF) have pro-*
21 *vided much-needed security for the citizens of Kabul,*
22 *it is not within their mandate or power to promote*
23 *security to other areas, and human rights abuses are*
24 *continuing in areas in and around Kabul where*
25 *ISAF is not present;*

1 (8) *vastly disproportionate numbers of refugees*
2 *returning from neighboring countries have gone to*
3 *Kabul because of the security provided by ISAF and*
4 *the insecurity of their home areas, overwhelming*
5 *Kabul and far exceeding its capacity for shelter, food,*
6 *and employment;*

7 (9) *NATO has recently decided to take over re-*
8 *sponsibility for a limited ISAF, a welcome develop-*
9 *ment that will not, unfortunately, provide any addi-*
10 *tional security in Kabul or elsewhere;*

11 (10) *the United States has stated on numerous*
12 *occasions that it does not oppose the expansion of*
13 *ISAF, but that heretofore other countries have not ex-*
14 *pressed a willingness to participate in an expanded*
15 *force;*

16 (11) *the United States has not itself dem-*
17 *onstrated a commitment to expansion of ISAF or a*
18 *similar international security or peacekeeping force, a*
19 *commitment to leadership that other nations may*
20 *more likely follow;*

21 (12) *the Secretary of Defense has announced that*
22 *the combat phase of the war in Afghanistan has*
23 *ended, and that the United States will be focusing its*
24 *efforts on a reconstruction phase utilizing lightly-*
25 *armed, platoon-sized Provincial Reconstruction*

1 *Teams to provide security for reconstruction efforts,*
2 *rather than an expanded international peacekeeping*
3 *or patrolling security force;*

4 (13) *the Provincial Reconstruction Teams may*
5 *prove inadequate to provide a significant level of se-*
6 *curity to their regions, and are not tasked to secure*
7 *the major transportation routes which are critical to*
8 *the economic revival of Afghanistan;*

9 (14) *United States and foreign nongovernmental*
10 *aid workers and Afghan civilian aid workers are at*
11 *great risk of being robbed, beaten, and killed in areas*
12 *of Afghanistan that are not being patrolled by United*
13 *States forces or Afghan central government forces;*

14 (15) *such acts of theft, intimidation, and murder*
15 *against foreign aid and Afghan civilian workers are*
16 *occurring with increasing frequency, and are often de-*
17 *liberately committed by Taliban and other insurgent*
18 *and rebel forces with the intention of creating suffi-*
19 *cient terror to undermine and arrest any efforts to re-*
20 *build Afghanistan into a peaceful, democratic, and*
21 *prosperous nation that prohibits terrorism and tyr-*
22 *anny;*

23 (16) *the report of the Inspector General of the*
24 *United States Agency for International Development*
25 *(USAID) confirms that USAID workers are virtual*

1 *captives in their compounds, able to venture out into*
2 *the countryside for brief periods and only under*
3 *heavy armed escort, conditions which are counter-*
4 *productive to their mission of assisting the people of*
5 *Afghanistan;*

6 *(17) the Taliban and al-Qaeda may believe they*
7 *only have to create enough terror and uncertainty in*
8 *the country to undermine the creation of strong rep-*
9 *resentative institutions, and wait until the United*
10 *States leaves to again create chaos, exploit tribal ri-*
11 *valries, and plunge Afghanistan back into chaos;*

12 *(18) failure to secure a peaceful and democratic*
13 *Afghanistan will diminish the credibility of efforts by*
14 *the United States and the international community*
15 *to promote peace and democracy elsewhere in the*
16 *Muslim world; and*

17 *(19) unless general security can be provided in*
18 *the major population areas, strategic highways, and*
19 *border crossings and chokepoints, the goals for which*
20 *the war in Afghanistan was fought may be lost and*
21 *the efforts and lives spent in the attempt to liberate*
22 *and rebuild Afghanistan may be wasted.*

23 *(b) SECURITY POLICY.—*

24 *(1) SECURITY ALONG HIGHWAYS.—The President*
25 *shall take immediate steps to ensure that there is ade-*

1 *quate security along the length of highways con-*
2 *necting major Afghan urban centers in order to ter-*
3 *minate and deter acts of banditry, illegal checkpoints,*
4 *human rights abuses, terrorism, and intimidation*
5 *against Afghan and foreign civilians and military*
6 *personnel.*

7 (2) *DISARMAMENT, ETC. OF AFGHAN MILITIAS.—*
8 *The President shall take immediate steps to support*
9 *directly the disarmament, demobilization, and re-*
10 *integration of Afghan militias and irregulars that are*
11 *not formally part of the Afghan National Army or*
12 *under the direct control of the central government in*
13 *Afghanistan.*

14 (c) *SENSE OF CONGRESS.—It is the sense of the Con-*
15 *gress that the President should take steps to implement sec-*
16 *tion 206(d) of the Afghanistan Freedom Support Act of*
17 *2002 (Public Law 107–327) to expand significantly the*
18 *International Security Assistance Force, or take such other*
19 *steps as may be necessary, such as increasing the number*
20 *and force levels of United States Provincial Reconstruction*
21 *Teams, so as to—*

22 (1) *increase the area in which security is pro-*
23 *vided and undertake vital tasks related to promoting*
24 *security, such as disarming warlords militias and*
25 *irregulars;*

1 (2) *deter criminal activity, including rape, rob-*
2 *bery, and intimidation of civilians; and*

3 (3) *safeguard highways in order to allow govern-*
4 *mental and nongovernmental assistance and recon-*
5 *struction personnel to move more freely in the coun-*
6 *tryside to provide humanitarian relief and rebuild*
7 *Afghanistan.*

8 **SEC. ~~1815~~ 1715. GRANTS TO THE AFRICA SOCIETY.**

9 (a) *GRANTS TO THE AFRICA SOCIETY.—For any fiscal*
10 *year, the Secretary of State is authorized to make grants*
11 *to the Africa Society to carry out programs and activities*
12 *that advance United States interests and values in Africa*
13 *through public and private partnerships that facilitate the*
14 *continent’s political transition to more open democratic so-*
15 *cieties, support equitable economic growth through trade*
16 *and investment, support efforts to promote transparency*
17 *and openness through the public and private sectors, en-*
18 *courage civil society growth and development, and promote*
19 *awareness of all Americans about Africa, consistent with*
20 *a grant agreement under such terms as the Secretary of*
21 *State considers necessary and appropriate.*

22 (b) *AUTHORIZATION OF APPROPRIATIONS.—There are*
23 *authorized to be appropriated to carry out this section*
24 *\$1,000,000 for the fiscal year 2004 and such sums as may*
25 *be necessary for the fiscal year 2005.*

Union Calendar No. 105

108TH CONGRESS
1ST SESSION

H. R. 1950

[Report No. 108–105, Parts I, II, III, and IV]

A BILL

To authorize appropriations for the Department of State for the fiscal years 2004 and 2005, to authorize appropriations under the Arms Export Control Act and the Foreign Assistance Act of 1961 for security assistance for fiscal years 2004 and 2005, and for other purposes.

JULY 11, 2003

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