

Calendar No. 48109TH CONGRESS
1ST SESSION**S. 600****[Report No. 109-35]**

To authorize appropriations for the Department of State and international broadcasting activities for fiscal years 2006 and 2007, for the Peace Corps for fiscal years 2006 and 2007, for foreign assistance programs for fiscal years 2006 and 2007, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 10, 2005

Mr. LUGAR, from the Committee on Foreign Relations, reported the following original bill; which was read twice and placed on the calendar

A BILL

To authorize appropriations for the Department of State and international broadcasting activities for fiscal years 2006 and 2007, for the Peace Corps for fiscal years 2006 and 2007, for foreign assistance programs for fiscal years 2006 and 2007, and for other purposes.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Foreign Affairs Au-
3 thorization Act, Fiscal Years 2006 and 2007”.

4 **SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF**
5 **CONTENTS.**

6 (a) DIVISIONS.—This Act is organized into two divi-
7 sions as follows:

8 (1) DIVISION A.—Foreign Relations Authoriza-
9 tions.

10 (2) DIVISION B.—Foreign Assistance Author-
11 izations.

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

Sec. 1. Short title.

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

Sec. 3. Definitions.

DIVISION A—FOREIGN RELATIONS AUTHORIZATIONS

Sec. 100. Short title.

TITLE I—AUTHORIZATIONS OF APPROPRIATIONS

Subtitle A—Department of State

Sec. 101. Administration of foreign affairs.

Sec. 102. International organizations and conferences.

Sec. 103. International commissions.

Sec. 104. Migration and refugee assistance.

Sec. 105. Centers and foundations.

Sec. 106. Vietnam Fulbright Academic Exchange Program.

Subtitle B—United States International Broadcasting Activities

Sec. 111. Authorization of appropriations.

TITLE II—DEPARTMENT OF STATE AUTHORITIES AND
ACTIVITIES

Sec. 201. Interference with protective functions.

Sec. 202. Authority to issue administrative subpoenas.

- Sec. 203. Enhanced Department of State authority for uniformed security officers.
- Sec. 204. Grant authorities.
- Sec. 205. International Litigation Fund.
- Sec. 206. Retention of medical reimbursements.
- Sec. 207. Transfer authority for buying power maintenance account.
- Sec. 208. Accountability review boards.
- Sec. 209. Designation of Colin L. Powell Residential Plaza.
- Sec. 210. Removal of contracting prohibition.
- Sec. 211. American Institute in Taiwan facilities enhancement.
- Sec. 212. Extension of the Advisory Committee on Cultural Diplomacy.
- Sec. 213. Victims of crime in foreign countries.
- Sec. 214. United States Diplomacy Center.
- Sec. 215. Strengthening United States educational programs in the Islamic world.

TITLE III—ORGANIZATION AND PERSONNEL OF THE DEPARTMENT OF STATE

- Sec. 301. Education allowances.
- Sec. 302. Official residence expenses.
- Sec. 303. Increased limits applicable to post differentials and danger pay allowances.
- Sec. 304. Home leave.
- Sec. 305. Fellowship of Hope Program.
- Sec. 306. Security Officers Exchange Program.
- Sec. 307. Reemployment of annuitants.
- Sec. 308. Suspension of Foreign Service members without pay.
- Sec. 309. Separation of lowest-ranked Foreign Service members.
- Sec. 310. Clarification of Foreign Service Grievance Board procedures.
- Sec. 311. Repeal of requirement for recertification process for members of the Senior Foreign Service.
- Sec. 312. Deadline for issuance of regulations regarding retirement credit for government service performed abroad.
- Sec. 313. Worldwide availability.
- Sec. 314. Technical amendments to title 5 provisions on recruitment, relocation, and retention bonuses.
- Sec. 315. Limited appointments in the Foreign Service.
- Sec. 316. Personal service contractors.
- Sec. 317. Disclosure requirements applicable to proposed recipients of the personal rank of ambassador or minister.
- Sec. 318. Provision of living quarters and allowances to the United States representatives to the United Nations.

TITLE IV—INTERNATIONAL ORGANIZATIONS

- Sec. 401. Limitation on the United States share of assessments for United Nations peacekeeping operations.
- Sec. 402. REDI center.
- Sec. 403. Report to Congress on implementation of the Brahimi Report.
- Sec. 404. Sense of Congress on the United Nations budgetary discipline and management reform.

TITLE V—BROADCASTING BOARD OF GOVERNORS

- Sec. 501. Short title.

- Sec. 502. Middle East Broadcasting Networks.
- Sec. 503. Improving signal delivery to Cuba.
- Sec. 504. Extension of authority for Radio Free Asia.
- Sec. 505. Personal services contracting program.
- Sec. 506. Commonwealth of the Northern Mariana Islands education benefits.
- Sec. 507. Exemption from numerical limitations for temporary workers.

TITLE VI—CONSULAR AUTHORITIES

- Sec. 601. Technical amendments to Intelligence Reform and Terrorism Prevention Act of 2004.
- Sec. 602. International student exchange programs.

TITLE VII—RECONSTRUCTION AND STABILIZATION

- Sec. 701. Short title.
- Sec. 702. Finding; purpose.
- Sec. 703. Definitions.
- Sec. 704. Sense of Congress.
- Sec. 705. Authority to provide assistance for reconstruction and stabilization crises.
- Sec. 706. Office of the Coordinator for Reconstruction and Stabilization.
- Sec. 707. Response Readiness Corps.
- Sec. 708. Stabilization and reconstruction training and education.
- Sec. 709. Service related to stabilization and reconstruction.
- Sec. 710. Authorities related to personnel.
- Sec. 711. Authorization of appropriations.

TITLE VIII—MISCELLANEOUS PROVISIONS AND REPORTING REQUIREMENTS

- Sec. 801. Reports on acquisition and major security upgrades.
- Sec. 802. Fellowships for multidisciplinary training on nonproliferation issues.
- Sec. 803. Reporting requirements related to United States international agreements.
- Sec. 804. Requirement to submit to Congress findings under the Diplomatic Security Act.
- Sec. 805. Requirement for additional report concerning efforts to promote Israel's diplomatic relations with other countries.
- Sec. 806. Sense of Congress relating to Magen David Adom Society.
- Sec. 807. Limitation on use of funds relating to United States policy with respect to Jerusalem as the capital of Israel.
- Sec. 808. Authorization of appropriations for the United States Commission on International Religious Freedom.
- Sec. 809. Sense of Congress on terrorist attack on United States Consulate in Jeddah, Saudi Arabia.
- Sec. 810. Sense of Congress on participation of women in elections in Saudi Arabia.
- Sec. 811. Strategy on combatting terrorism in West Africa.

DIVISION B—FOREIGN ASSISTANCE AUTHORIZATIONS

- Sec. 2001. Short title.

TITLE XXI—AUTHORIZATION OF APPROPRIATIONS

Subtitle A—Development Assistance and Related Programs Authorizations

- Sec. 2101. Development assistance.
- Sec. 2102. Child Survival and Health Programs Fund.
- Sec. 2103. Development credit authority.
- Sec. 2104. Program to provide technical assistance to foreign governments and foreign central banks of developing or transitional countries.
- Sec. 2105. International organizations and programs.
- Sec. 2106. Continued availability of certain funds withheld from international organizations.
- Sec. 2107. International disaster and famine assistance.
- Sec. 2108. Transition initiatives.
- Sec. 2109. Assistance for the independent states of the former Soviet Union.
- Sec. 2110. Assistance for Eastern Europe and the Baltic states.
- Sec. 2111. Operating expenses of the United States Agency for International Development.
- Sec. 2112. Capital investment funds for the United States Agency for International Development.
- Sec. 2113. Millennium Challenge assistance.
- Sec. 2114. Debt relief.
- Sec. 2115. Peace Corps.
- Sec. 2116. Middle East Partnership Initiative.
- Sec. 2117. Assistance to combat the avian flu.

Subtitle B—Counternarcotics, Security Assistance, and Related Programs
Authorizations

- Sec. 2121. International narcotics control and law enforcement.
- Sec. 2122. Economic Support Fund.
- Sec. 2123. International military education and training.
- Sec. 2124. Peacekeeping operations.
- Sec. 2125. Nonproliferation, Anti-terrorism, Demining, and Related Programs.
- Sec. 2126. Foreign military financing program.

Subtitle C—Independent Agencies Authorizations

- Sec. 2131. Inter-American Foundation.
- Sec. 2132. African Development Foundation.

TITLE XXII—AMENDMENTS TO GENERAL FOREIGN ASSISTANCE
AUTHORITIES

Subtitle A—Foreign Assistance Act Amendments and Related Provisions

- Sec. 2201. Development policy.
- Sec. 2202. Assistance for nongovernmental organizations.
- Sec. 2203. Authority for use of funds for unanticipated contingencies.
- Sec. 2204. Authority to accept lethal excess property.
- Sec. 2205. Reconstruction and famine assistance under international disaster assistance authority.
- Sec. 2206. Funding authorities for assistance for the independent states of the former Soviet Union.
- Sec. 2207. Waiver of net proceeds resulting from disposal of United States defense articles provided to a foreign country on a grant basis.
- Sec. 2208. Additions to war reserve stockpiles for allies for fiscal years 2006 and 2007.
- Sec. 2209. Restrictions on economic support funds for Lebanon.
- Sec. 2210. Administration of justice.
- Sec. 2211. Demining programs.

- Sec. 2212. Special waiver authority.
- Sec. 2213. Prohibition of assistance for countries in default.
- Sec. 2214. Military coups.
- Sec. 2215. Designation of position for which appointee is nominated.
- Sec. 2216. Exceptions to requirement for congressional notification of program changes.
- Sec. 2217. Commitments for expenditures of funds.
- Sec. 2218. Alternative dispute resolution.
- Sec. 2219. Administrative authorities.
- Sec. 2220. Assistance for law enforcement forces.
- Sec. 2221. Special debt relief for the poorest countries.
- Sec. 2222. Congo Basin Forest Partnership.
- Sec. 2223. Landmine clearance programs.
- Sec. 2224. Middle East Foundation.
- Sec. 2225. Database of United States military assistance.
- Sec. 2226. Millennium Challenge assistance for certain countries.

Subtitle B—Arms Export Control Act Amendments and Related Provisions

- Sec. 2231. Thresholds for advance notice to Congress of sales or upgrades of defense articles, design and construction services, and major defense equipment.
- Sec. 2232. Clarification of requirement for advance notice to Congress of comprehensive export authorizations.
- Sec. 2233. Authority to provide cataloging data and services to non-NATO countries.
- Sec. 2234. FREEDOM Support Act permanent waiver authority.
- Sec. 2235. Extension of Pakistan waivers.
- Sec. 2236. Consolidation of reports on nonproliferation in South Asia.
- Sec. 2237. Haitian Coast Guard.
- Sec. 2238. Requirement for the provision of certain assistance to Indonesia.

TITLE XXIII—RADIOLOGICAL TERRORISM SECURITY

- Sec. 2301. Short title.
- Sec. 2302. Definitions.
- Sec. 2303. Embassy threat assessment reports.
- Sec. 2304. Foreign first responders.
- Sec. 2305. Availability of funds.

TITLE XXIV—GLOBAL PATHOGEN SURVEILLANCE

- Sec. 2401. Short title.
- Sec. 2402. Findings; purpose.
- Sec. 2403. Definitions.
- Sec. 2404. Priority for certain countries.
- Sec. 2405. Restriction.
- Sec. 2406. Fellowship program.
- Sec. 2407. In-country training in laboratory techniques and syndrome surveillance.
- Sec. 2408. Assistance for the purchase and maintenance of public health laboratory equipment.
- Sec. 2409. Assistance for improved communication of public health information.
- Sec. 2410. Assignment of public health personnel to United States missions and international organizations.
- Sec. 2411. Expansion of certain United States government laboratories abroad.

- Sec. 2412. Assistance for regional health networks and expansion of foreign epidemiology training programs.
- Sec. 2413. Authorization of appropriations.

TITLE XXV—REPORTING REQUIREMENTS AND OTHER MATTERS

Subtitle A—Elimination and Modification of Certain Reporting Requirements

- Sec. 2501. Annual report on territorial integrity.
- Sec. 2502. Annual reports on activities in Colombia.
- Sec. 2503. Annual report on foreign military training.
- Sec. 2504. Report on human rights in Haiti.

Subtitle B—New Reports and Other Matters

- Sec. 2511. Amendments to the Arms Control and Disarmament Act.
- Sec. 2512. Support for independent media in Ethiopia.
- Sec. 2513. Support for justice sector in Central African States and the African Union.
- Sec. 2514. Support for Haiti.
- Sec. 2515. Global Peace Operations Initiative.
- Sec. 2516. Assistance to combat HIV/AIDS in certain countries of the Caribbean region.
- Sec. 2517. Repeal of obsolete assistance authority.
- Sec. 2518. Consolidation of certain submissions under the Afghanistan Freedom Support Act of 2002.
- Sec. 2519. Technical corrections.
- Sec. 2520. Requirement for report on United States policy toward Haiti.
- Sec. 2521. United States policy on tsunami relief and reconstruction in Aceh, Indonesia.
- Sec. 2522. Drug price transparency in the emergency plan for AIDS relief.

TITLE XXVI—SAFE WATER

- Sec. 2601. Short title.
- Sec. 2602. Findings.
- Sec. 2603. Water for health and development.
- Sec. 2604. Pilot program for water sustainability infrastructure development and capacity building.
- Sec. 2605. Safe water strategy.
- Sec. 2606. Authorization of appropriations.

TITLE XXVII—PROTECTION OF VULNERABLE POPULATIONS DURING HUMANITARIAN EMERGENCIES

- Sec. 2701. Short title.
- Sec. 2702. Definitions.
- Sec. 2703. Findings.

Subtitle A—Program and Policy Coordination

- Sec. 2711. Requirement to develop comprehensive strategy.
- Sec. 2712. Designation of coordinator.

Subtitle B—Prevention and Preparedness

- Sec. 2721. Reporting and monitoring systems.
- Sec. 2722. Protection training and expertise.

Subtitle C—Protection of Refugees and Internally Displaced Persons

- Sec. 2731. Codes of conduct.
 Sec. 2732. Health services for refugees and displaced persons.
 Sec. 2733. Economic self-sufficiency of vulnerable populations affected by a humanitarian emergency.
 Sec. 2734. International military education and training.
 Sec. 2735. Sense of Congress regarding actions of United Nations peacekeepers.

Subtitle D—Protection of Vulnerable Populations Affected by a Humanitarian Emergency

- Sec. 2741. Actions to support protection.
 Sec. 2742. Protection assistance.

TITLE XXVIII—CONVENTIONAL ARMS DISARMAMENT

- Sec. 2801. Short title.
 Sec. 2802. Findings; sense of Congress.
 Sec. 2803. Statement of policy.
 Sec. 2804. Global program for the safeguarding and elimination of conventional arms.
 Sec. 2805. Redesignation of Office of Weapons Removal and Abatement as Office of Conventional Arms Threat Reduction.
 Sec. 2806. Report on conventional arms threat reduction.
 Sec. 2807. Authorization of appropriations.
 Sec. 2808. Nonproliferation and Disarmament Fund defined.

1 SEC. 3. DEFINITIONS.

2 In this Act:

3 (1) APPROPRIATE CONGRESSIONAL COM-
 4 MITTEE.—The term “appropriate congressional com-
 5 mittees” means the Committee on Foreign Relations
 6 of the Senate and the Committee or International
 7 Relations of the House of Representatives.

8 (2) SECRETARY.—Except as otherwise provided,
 9 the term “Secretary” means the Secretary of State.

1 **DIVISION A—FOREIGN**
2 **RELATIONS AUTHORIZATIONS**

3 **SEC. 100. SHORT TITLE.**

4 This division may be cited as the “Foreign Relations
5 Authorization Act, Fiscal Years 2006 and 2007”.

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

8 **Subtitle A—Department of State**

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

10 The following amounts are authorized to be appro-
11 priated for the Department of State under “Administra-
12 tion of Foreign Affairs” to carry out the authorities, func-
13 tions, duties, and responsibilities in the conduct of foreign
14 affairs of the United States, and for other purposes au-
15 thorized by law:

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

17 (A) **AUTHORIZATION OF APPROPRIA-**
18 **TIONS.—**For “Diplomatic and Consular Pro-
19 grams”, \$4,472,641,000 for fiscal year 2006,
20 and such sums as may be necessary for fiscal
21 year 2007.

22 (B) **WORLDWIDE SECURITY UPGRADES.—**

23 Of the amounts authorized to be appropriated
24 by subparagraph (A), \$689,523,000 for fiscal
25 year 2006, and such sums as may be necessary

1 for fiscal year 2007 are authorized to be made
2 available for worldwide security upgrades.

3 (2) CAPITAL INVESTMENT FUND.—For “Cap-
4 ital Investment Fund”, \$133,000,000 for fiscal year
5 2006, and such sums as may be necessary for fiscal
6 year 2007.

7 (3) EMBASSY SECURITY, CONSTRUCTION AND
8 MAINTENANCE.—For “Embassy Security, Construc-
9 tion and Maintenance”, \$1,526,000,000 for fiscal
10 year 2006, and such sums as may be necessary for
11 fiscal year 2007.

12 (4) EDUCATIONAL AND CULTURAL EXCHANGE
13 PROGRAMS.—For “Educational and Cultural Ex-
14 change Programs”, \$430,400,000 for fiscal year
15 2006, and such sums as may be necessary for fiscal
16 year 2007.

17 (5) REPRESENTATION ALLOWANCES.—For
18 “Representation Allowances”, \$8,281,000 for fiscal
19 year 2006, and such sums as may be necessary for
20 fiscal year 2007.

21 (6) PROTECTION OF FOREIGN MISSIONS AND
22 OFFICIALS.—For “Protection of Foreign Missions
23 and Officials”, \$9,390,000 for fiscal year 2006, and
24 such sums as may be necessary for fiscal year 2007.

1 (7) EMERGENCIES IN THE DIPLOMATIC AND
2 CONSULAR SERVICE.—For “Emergencies in the Dip-
3 lomatic and Consular Service”, \$13,643,000 for fis-
4 cal year 2006, and such sums as may be necessary
5 for fiscal year 2007.

6 (8) REPATRIATION LOANS.—For “Repatriation
7 Loans”, \$1,319,000 for fiscal year 2006, and such
8 sums as may be necessary for fiscal year 2007.

9 (9) PAYMENT TO THE AMERICAN INSTITUTE IN
10 TAIWAN.—For “Payment to the American Institute
11 in Taiwan”, \$19,751,000 for fiscal year 2006, and
12 such sums as may be necessary for fiscal year 2007.

13 (10) OFFICE OF THE INSPECTOR GENERAL.—
14 For “Office of the Inspector General”, \$29,983,000
15 for fiscal year 2006, and such sums as may be nec-
16 essary for fiscal year 2007.

17 **SEC. 102. INTERNATIONAL ORGANIZATIONS AND CON-**
18 **FERENCES.**

19 (a) ASSESSED CONTRIBUTIONS TO INTERNATIONAL
20 ORGANIZATIONS.—There are authorized to be appro-
21 priated for “Contributions to International Organiza-
22 tions”, \$1,296,500,000 for fiscal year 2006, and such
23 sums as may be necessary for fiscal year 2007 for the
24 Department of State to carry out the authorities, func-
25 tions, duties, and responsibilities in the conduct of the for-

1 eign affairs of the United States with respect to inter-
2 national organizations and to carry out other authorities
3 in law consistent with such purposes.

4 (b) CONTRIBUTIONS FOR INTERNATIONAL PEACE-
5 KEEPING ACTIVITIES.—

6 (1) AUTHORIZATION OF APPROPRIATION.—

7 There are authorized to be appropriated for “Con-
8 tributions for International Peacekeeping Activities”,
9 \$1,035,500,000 for fiscal year 2006, and such sums
10 as may be necessary for fiscal year 2007 for the De-
11 partment of State to carry out the authorities, func-
12 tions, duties, and responsibilities of the United
13 States with respect to international peacekeeping ac-
14 tivities and to carry out other authorities in law con-
15 sistent with such purposes.

16 (2) AVAILABILITY OF FUNDS.—Funds appro-
17 priated pursuant to paragraph (1) are authorized to
18 be available until expended.

19 (c) FOREIGN CURRENCY EXCHANGE RATES.—

20 (1) AUTHORIZATION OF APPROPRIATION.—In

21 addition to amounts authorized to be appropriated
22 by subsection (a), there are authorized to be appro-
23 priated for the Department of State such sums as
24 may be necessary for fiscal years 2006 and 2007 to

1 offset adverse fluctuations in foreign currency ex-
2 change rates.

3 (2) AVAILABILITY OF FUNDS.—Amounts appro-
4 priated under this subsection shall be available for
5 obligation and expenditure only to the extent that
6 the Director of the Office of Management and Budg-
7 et determines and certifies to the appropriate con-
8 gressional committees that such amounts are nec-
9 essary due to such fluctuations.

10 **SEC. 103. INTERNATIONAL COMMISSIONS.**

11 The following amounts are authorized to be appro-
12 priated under “International Commissions” for the De-
13 partment of State to carry out the authorities, functions,
14 duties, and responsibilities in the conduct of the foreign
15 affairs of the United States with respect to international
16 commissions and for other purposes authorized by law:

17 (1) INTERNATIONAL BOUNDARY AND WATER
18 COMMISSION, UNITED STATES AND MEXICO.—For
19 “International Boundary and Water Commission,
20 United States and Mexico”—

21 (A) for “Salaries and Expenses”,
22 \$28,700,000 for fiscal year 2006, and such
23 sums as may be necessary for fiscal year 2007;
24 and

1 (B) for “Construction”, \$6,600,000 for fis-
2 cal year 2006, and such sums as may be nec-
3 essary for fiscal year 2007.

4 (2) INTERNATIONAL BOUNDARY COMMISSION,
5 UNITED STATES AND CANADA.—For “International
6 Boundary Commission, United States and Canada”,
7 \$1,429,000 for fiscal year 2006, and such sums as
8 may be necessary for fiscal year 2007.

9 (3) INTERNATIONAL JOINT COMMISSION.—For
10 “International Joint Commission”, \$6,320,000 for
11 fiscal year 2006, and such sums as may be nec-
12 essary for fiscal year 2007.

13 (4) INTERNATIONAL FISHERIES COMMIS-
14 SIONS.—For “International Fisheries Commissions”,
15 \$25,123,000 for fiscal year 2006, and such sums as
16 may be necessary for fiscal year 2007.

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

18 (a) IN GENERAL.—There are authorized to be appro-
19 priated for “Migration and Refugee Assistance” for au-
20 thorized activities, \$892,770,000 for fiscal year 2006, and
21 such sums as may be necessary for fiscal year 2007.

22 (b) REFUGEES RESETTLING IN ISRAEL.—Of the
23 amount authorized to be appropriated under subsection
24 (a), \$40,000,000 is authorized to be made available for
25 fiscal year 2006 for the resettlement of refugees in Israel.

1 (c) AVAILABILITY OF FUNDS.—Funds appropriated
2 pursuant to subsection (a) are authorized to be available
3 until expended.

4 **SEC. 105. CENTERS AND FOUNDATIONS.**

5 (a) ASIA FOUNDATION.—There are authorized to be
6 appropriated for “The Asia Foundation” for authorized
7 activities, \$10,000,000 for fiscal year 2006, and such
8 sums as may be necessary for fiscal year 2007.

9 (b) NATIONAL ENDOWMENT FOR DEMOCRACY.—
10 There are authorized to be appropriated for the “National
11 Endowment for Democracy” for authorized activities,
12 \$80,000,000 for fiscal year 2006, and such sums as may
13 be necessary for fiscal year 2007.

14 (c) CENTER FOR CULTURAL AND TECHNICAL INTER-
15 CHANGE BETWEEN EAST AND WEST.—There are author-
16 ized to be appropriated for “Center for Cultural and Tech-
17 nical Interchange Between East and West” for authorized
18 activities, \$13,024,000 for fiscal year 2006, and such
19 sums as may be necessary for fiscal year 2007.

20 **SEC. 106. VIETNAM FULBRIGHT ACADEMIC EXCHANGE PRO-**
21 **GRAM.**

22 Of the amount made available for “Educational and
23 Cultural Exchange Programs” under section 101(4),
24 \$5,000,000 is authorized to be made available for each
25 of fiscal years 2006 and 2007 to carry out the Vietnam

1 scholarship program established by section 229 of the For-
2 eign Relations Authorization Act, Fiscal Years 1992 and
3 1993 (Public Law 102–138).

4 **Subtitle B—United States Inter-**
5 **national Broadcasting Activities**

6 **SEC. 111. AUTHORIZATION OF APPROPRIATIONS.**

7 The following amounts are authorized to be appro-
8 priated to carry out United States Government inter-
9 national broadcasting activities under the United States
10 Information and Educational Exchange Act of 1948, the
11 Radio Broadcasting to Cuba Act, the Television Broad-
12 casting to Cuba Act, the United States International
13 Broadcasting Act of 1994, and the Foreign Affairs Re-
14 form and Restructuring Act of 1998, and to carry out
15 other authorities in law consistent with such purposes:

16 (1) INTERNATIONAL BROADCASTING OPER-
17 ATIONS.—For “International Broadcasting Oper-
18 ations,” \$641,050,000 for the fiscal year 2006 and
19 such sums as may be necessary for the fiscal year
20 2007.

21 (2) BROADCASTING CAPITAL IMPROVEMENTS.—
22 For “Broadcasting Capital Improvements,”
23 \$10,893,000 for the fiscal year 2006 and such sums
24 as may be necessary for the fiscal year 2007.

1 **TITLE II—DEPARTMENT OF**
 2 **STATE AUTHORITIES AND AC-**
 3 **TIVITIES**

4 **SEC. 201. INTERFERENCE WITH PROTECTIVE FUNCTIONS.**

5 (a) OFFENSE.—Chapter 7 of title 18, United States
 6 Code, is amended by adding at the end the following:

7 **“§ 117. Interference with certain protective functions**

8 “Whoever knowingly and willfully obstructs, resists,
 9 or interferes with a Federal law enforcement agent en-
 10 gaged, within the United States or the special maritime
 11 territorial jurisdiction of the United States, in the per-
 12 formance of the protective functions authorized by section
 13 37 of the State Department Basic Authorities Act of 1956
 14 (22 U.S.C. 2709) or section 103 of the Diplomatic Secu-
 15 rity Act (22 U.S.C. 4802) shall be fined under this title
 16 or imprisoned not more than one year, or both.”.

17 (b) CLERICAL AMENDMENT.—The table of sections
 18 at the beginning of such chapter is amended by adding
 19 at the end the following new item:

“117. Interference with certain protective functions.”.

20 **SEC. 202. AUTHORITY TO ISSUE ADMINISTRATIVE SUB-**
 21 **POENAS.**

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

1 “(d) ADMINISTRATIVE SUBPOENAS.—

2 “(1) IN GENERAL.—If the Secretary of State
3 determines that there is an imminent threat against
4 a person, foreign mission, or international organiza-
5 tion protected under the authority of subsection
6 (a)(3), the Secretary may issue in writing, and cause
7 to be served, a subpoena requiring—

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

10 “(B) testimony by the custodian of the
11 items required to be produced concerning the
12 production and authenticity of those items.

13 “(2) REQUIREMENTS.—

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

22 “(B) NOTIFICATION TO ATTORNEY GEN-
23 ERAL.—As soon as practicable following the
24 issuance of a subpoena under this subsection,

1 the Secretary shall notify the Attorney General
2 of its issuance.

3 “(C) OTHER REQUIREMENTS.—The fol-
4 lowing provisions of section 3486 of title 18,
5 United States Code, shall apply to the exercise
6 of the authority of paragraph (1):

7 “(i) Paragraphs (4) through (8) of
8 subsection (a).

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

10 “(3) DELEGATION OF AUTHORITY.—The au-
11 thority under this subsection may be delegated only
12 to the Deputy Secretary of State.

13 “(4) ANNUAL REPORT.—Not later than Feb-
14 ruary 1 of each year, the Secretary of State shall
15 submit to the Committee on Foreign Relations of
16 the Senate and the Committee on International Re-
17 lations of the House of Representatives a report re-
18 garding the exercise of the authority under this sub-
19 section during the previous calendar year.”.

20 **SEC. 203. ENHANCED DEPARTMENT OF STATE AUTHORITY**
21 **FOR UNIFORMED SECURITY OFFICERS.**

22 The State Department Basic Authorities Act of 1956
23 is amended by inserting after section 37 (22 U.S.C. 2709)
24 the following new section:

1 **“SEC. 37A. PROTECTION OF BUILDINGS AND AREAS IN THE**
2 **UNITED STATES BY DESIGNATED LAW EN-**
3 **FORCEMENT OFFICERS.**

4 “(a) DESIGNATION OF LAW ENFORCEMENT OFFI-
5 CERS.—The Secretary of State may designate Department
6 of State uniformed guards as law enforcement officers for
7 duty in connection with the protection of buildings and
8 areas within the United States for which the Department
9 of State provides protective services, including duty in
10 areas outside the property to the extent necessary to pro-
11 tect the property and persons on the property.

12 “(b) POWERS OF OFFICERS.—While engaged in the
13 performance of official duties as a law enforcement officer
14 designated under subsection (a), an officer may—

15 “(1) enforce Federal laws and regulations for
16 the protection of persons and property;

17 “(2) carry firearms; and

18 “(3) make arrests without warrant for any of-
19 fense against the United States committed in the of-
20 ficer’s presence, or for any felony cognizable under
21 the laws of the United States if the officer has rea-
22 sonable grounds to believe that the person to be ar-
23 rested has committed or is committing such felony
24 in connection with the buildings and areas, or per-
25 sons, for which the Department of State is providing
26 protective services.

1 “(c) REGULATIONS.—(1) The Secretary of State may
2 prescribe regulations necessary for the administration of
3 buildings and areas within the United States for which
4 the Department of State provides protective services. The
5 regulations may include reasonable penalties, within the
6 limits prescribed in subsection (d), for violations of the
7 regulations.

8 “(2) The Secretary shall consult with the Secretary
9 of Homeland Security in prescribing the regulations under
10 paragraph (1).

11 “(3) The regulations shall be posted and kept posted
12 in a conspicuous place on the property.

13 “(d) PENALTIES.—A person violating a regulation
14 prescribed under subsection (c) shall be fined under title
15 18, United States Code, or imprisoned for not more than
16 30 days, or both.

17 “(e) TRAINING OFFICERS.—The Secretary of State
18 may also designate firearms and explosives training offi-
19 cers as law enforcement officers under subsection (a) for
20 the limited purpose of safeguarding firearms, ammunition,
21 and explosives that are located at firearms and explosives
22 training facilities approved by the Secretary or are in tran-
23 sit between training facilities and Department of State
24 weapons and munitions vaults.

1 “(f) ATTORNEY GENERAL APPROVAL.—The powers
2 granted to officers designated under this section shall be
3 exercised in accordance with guidelines approved by the
4 Attorney General.

5 “(g) RELATIONSHIP TO OTHER AUTHORITY.—Noth-
6 ing in this section shall be construed to affect the author-
7 ity of the Secretary of Homeland Security, the Adminis-
8 trator of General Services, or any Federal law enforcement
9 agency.

10 “(h) LAW ENFORCEMENT OFFICER STATUS.—The
11 use of the term ‘law enforcement officer’ in this section
12 shall not be construed to qualify a person so designated
13 under this section as a law enforcement officer, as that
14 term is defined in section 8401(17) of title 5, United
15 States Code, for purposes of chapter 84 of such title.”.

16 **SEC. 204. GRANT AUTHORITIES.**

17 Title I of the State Department Basic Authorities Act
18 of 1956 (22 U.S.C. 2651a et seq.) is amended by adding
19 at the end the following new section:

20 **“SEC. 61. GRANT AUTHORITIES.**

21 “The Secretary of State is authorized to support, by
22 grants, cooperative agreements, or contract, the following
23 activities:

24 “(1) Outreach and public diplomacy activities
25 regarding the benefits of agricultural biotechnology,

1 science-based regulatory systems, and the applica-
2 tion of such technology for trade and development.

3 “(2) Training and technical assistance projects
4 regarding protection of intellectual property rights.”.

5 **SEC. 205. INTERNATIONAL LITIGATION FUND.**

6 Section 38(d)(3) of the State Department Basic Au-
7 thorities Act of 1956 (22 U.S.C. 2710(d)(3)) is amend-
8 ed—

9 (1) by inserting “as a result of a decision of an
10 international tribunal,” after “by the Department of
11 State”; and

12 (2) by inserting a comma after “United States
13 Government”.

14 **SEC. 206. RETENTION OF MEDICAL REIMBURSEMENTS.**

15 Section 904 of the Foreign Service Act of 1980 (Pub-
16 lic Law 96–465) (22 U.S.C. 4084) is amended by adding
17 at the end the following new subsection:

18 “(g) Reimbursements paid to the Secretary of State
19 for funding the costs of medical care abroad for employees
20 and eligible family members shall be credited to the cur-
21 rently available applicable appropriation account. Such re-
22 imbursements shall be available for obligation and expend-
23 iture during the fiscal year in which they are received or
24 for such longer period of time as may be provided in law.”.

1 **SEC. 207. TRANSFER AUTHORITY FOR BUYING POWER**
2 **MAINTENANCE ACCOUNT.**

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

6 **SEC. 208. ACCOUNTABILITY REVIEW BOARDS.**

7 Section 301(a) of the Diplomatic Security Act (22
8 U.S.C. 4831(a)) is amended—

9 (1) in paragraph (1), by striking “paragraph
10 (2)” and inserting “paragraphs (2) and (3)”; and

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

13 “(3) FACILITIES IN AFGHANISTAN AND IRAQ.—

14 “(A) LIMITED EXEMPTION FROM REQUIRE-
15 MENT TO CONVENE BOARD.—The Secretary of
16 State is not required to convene a Board in the
17 case of an incident that—

18 “(i) involves serious injury, loss of
19 life, or significant destruction of property
20 at, or related to, a United States Govern-
21 ment mission in Afghanistan or Iraq; and

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

1 “(B) REPORTING REQUIREMENTS.—In the
2 case of an incident described in subparagraph
3 (A), the Secretary shall—

4 “(i) promptly notify the Committee on
5 International Relations of the House of
6 Representatives and the Committee on
7 Foreign Relations of the Senate of the in-
8 cident;

9 “(ii) conduct an inquiry of the inci-
10 dent; and

11 “(iii) upon completion of the inquiry
12 required by clause (ii), submit to such
13 committees a report on the findings and
14 recommendations related to such inquiry
15 and the actions taken with respect to such
16 recommendations.”.

17 **SEC. 209. DESIGNATION OF COLIN L. POWELL RESIDENTIAL**
18 **PLAZA.**

19 (a) DESIGNATION.—The Federal building in King-
20 ston, Jamaica, formerly known as the Crowne Plaza and
21 now a staff housing facility for the United States mission
22 in Jamaica, shall be known and designated at the “Colin
23 L. Powell Residential Plaza”.

24 (b) REFERENCES.—Any reference in a law, map, reg-
25 ulation, document, paper, or other record of the United

1 States to the Federal building referred to in subsection
2 (a) shall be deemed to be a reference to the Colin L. Pow-
3 ell Residential Plaza.

4 **SEC. 210. REMOVAL OF CONTRACTING PROHIBITION.**

5 Section 406(c) of the Omnibus Diplomatic Security
6 and Antiterrorism Act of 1986 (Public Law 99–399) is
7 repealed.

8 **SEC. 211. AMERICAN INSTITUTE IN TAIWAN FACILITIES EN-**
9 **HANCEMENT.**

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

14 **SEC. 212. EXTENSION OF THE ADVISORY COMMITTEE ON**
15 **CULTURAL DIPLOMACY.**

16 Section 224(j) of the Foreign Relations Authorization
17 Act, Fiscal Year 2003 (22 U.S.C. 2451 note) is amended
18 by striking “2005” and inserting “2007”.

19 **SEC. 213. VICTIMS OF CRIME IN FOREIGN COUNTRIES.**

20 (a) VICTIMS OF CRIME OFFICE.—

21 (1) ESTABLISHMENT.—The Secretary shall es-
22 tablish the Victims of Crime Office within the Bu-
23 reau of Consular Affairs of the Department.

24 (2) DUTIES.—The head of the Victims of Crime
25 Office shall—

1 (A) compile a database of information re-
2 garding incidents of violent crime committed
3 against nationals of the United States in a for-
4 eign country;

5 (B) provide information and training to
6 consular officers to assist such officers in ad-
7 dressing the needs of nationals of the United
8 States who are victims of a violent crime in a
9 foreign country; and

10 (C) administer the assistance program au-
11 thorized under subsection (b).

12 (3) TIME FOR ESTABLISHMENT OF OFFICE.—
13 The Secretary shall complete the action required
14 under paragraph (1) not later than 180 days after
15 the enactment of this Act.

16 (b) ASSISTANCE FOR CRIME VICTIMS.—

17 (1) AUTHORITY TO PROVIDE ASSISTANCE.—The
18 Secretary is authorized to provide financial assist-
19 ance from funds available under section 4 of the
20 State Department Basic Authorities Act of 1956 (22
21 U.S.C. 2671), to crime victims to address the needs
22 of such victims. Such assistance may include funds
23 for—

24 (A) advance payment of emergency services
25 including medical and travel expenses;

1 (B) travel to and from judicial pro-
2 ceedings;

3 (C) the shipment of remains; and

4 (D) repatriation of victims of domestic vio-
5 lence or child abuse.

6 (2) NONDUPLICATION OF ASSISTANCE.—A
7 crime victim is not eligible for assistance under
8 paragraph (1) to meet a need of such crime victim
9 if the Secretary determines that such crime victim is
10 eligible to receive assistance from any other source,
11 including from a program of assistance of a State,
12 to meet such need.

13 (3) OFFICE TO ADMINISTER PROGRAM.—The
14 Secretary shall carry out this subsection through the
15 head of the Victims of Crime Office.

16 (4) REGULATIONS.—The Secretary shall pre-
17 scribe such regulations as the Secretary determines
18 necessary to administer the program of assistance to
19 crime victims under paragraph (1).

20 (5) AVAILABILITY OF EMERGENCY FUNDS.—

21 (A) IN GENERAL.—Section 4(b)(2) of the
22 State Department Basic Authorities Act of
23 1956 (22 U.S.C. 2671(b)(2)) is amended by
24 adding at the end the following new subpara-
25 graph:

1 “(K) assistance to crime victims under section
2 213 of the Foreign Relations Authorization Act, Fis-
3 cal Years 2006 and 2007.”.

4 (B) TECHNICAL AMENDMENTS.—Such sec-
5 tion is further amended—

6 (i) in subparagraph (I), by striking
7 “and” at the end; and

8 (ii) in subparagraph (J), by striking
9 the period at the end and inserting “;
10 and”.

11 (c) REPORT.—Not later than one year after the date
12 of the enactment of this Act, the Secretary shall report
13 to the appropriate congressional committees on the activi-
14 ties of the Victims of Crime Office. The report shall in-
15 clude information on—

16 (1) the operation of such Office;

17 (2) the expenditure of any funds under sub-
18 paragraph (K) of section 4(b)(2) of the State De-
19 partment Basic Authorities Act of 1956, as added
20 by subsection (b); and

21 (3) the recommendations of the Secretary, if
22 any, for legislation that is necessary to improve the
23 operation of such Office.

24 (d) DEFINITIONS.—In this section:

1 (1) CRIME VICTIM.—The term “crime victim”
2 means a national of the United States who is a vic-
3 tim of violent crime in a foreign country.

4 (2) NATIONAL OF THE UNITED STATES.—The
5 term “national of the United States” has the mean-
6 ing given that term in section 101(a)(22) of the Im-
7 migration and Nationality Act (8 U.S.C.
8 1101(a)(22)).

9 (3) STATE.—The term “State” means each of
10 the several States of the United States, the District
11 of Columbia, the Commonwealth of Puerto Rico, the
12 Commonwealth of the Northern Mariana Islands,
13 the Virgin Islands, Guam, and American Samoa.

14 (4) VIOLENT CRIME.—The term “violent crime”
15 means the crimes of murder, non-negligent man-
16 slaughter, forcible rape, robbery, child abuse, domes-
17 tic abuse, kidnaping, and aggravated assault, as de-
18 fined by the Secretary.

19 **SEC. 214. UNITED STATES DIPLOMACY CENTER.**

20 Title I of the State Department Basic Authorities Act
21 of 1956 (22 U.S.C. 2651, et seq.), as amended by section
22 204, is amended by adding after section 61 the following
23 new section:

24 **“SEC. 62. THE UNITED STATES DIPLOMACY CENTER.**

25 “(a) ACTIVITIES.—

1 “(1) SUPPORT AUTHORIZED.—The Secretary of
2 State is authorized to provide by contract, grant, or
3 otherwise, for the performance of appropriate mu-
4 seum visitor and educational outreach services, in-
5 cluding organizing conference activities, museum
6 shop services, and food services, in the public exhibit
7 and related space utilized by the United States Di-
8 plomacy Center (in this section referred to as the
9 ‘Center’).

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

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

20 “(b) DISPOSITION OF UNITED STATES DIPLOMACY
21 CENTER ARTIFACTS AND MATERIALS.—

22 “(1) PROPERTY OF SECRETARY.—All historic
23 documents, artifacts, or other articles permanently
24 acquired by the Department of State and deter-
25 mined by the Secretary to be suitable for display in

1 the Center shall be considered to be the property of
2 the Secretary in the Secretary's official capacity and
3 shall be subject to disposition solely in accordance
4 with this subsection.

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

15 “(3) DETERMINATIONS PRIOR TO SALE OR
16 TRADE.—The determination referred to in para-
17 graph (2), with respect to an item, is a determina-
18 tion that—

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

22 “(B) in order to maintain the standards of
23 the collections of the Center, the sale or ex-
24 change of the item would be a better use of the
25 item.

1 “(4) LOANS.—The Secretary may also lend
2 items covered by paragraph (1), when not needed for
3 use or display in the Center, to the Smithsonian In-
4 stitution or a similar institution for repair, study, or
5 exhibition.”.

6 **SEC. 215. STRENGTHENING UNITED STATES EDUCATIONAL**
7 **PROGRAMS IN THE ISLAMIC WORLD.**

8 (a) DEFINITIONS.—In this section:

9 (1) ELIGIBLE COLLEGE OR UNIVERSITY.—The
10 term “eligible college or university” means a college
11 or university that—

12 (A) is primarily located in an eligible coun-
13 try;

14 (B) is organized under laws of the United
15 States, a State, or the District of Columbia;

16 (C) is recognized as a not-for-profit organi-
17 zation under the provisions of section 501(c)(3)
18 of the Internal Revenue Code of 1986;

19 (D) is accredited by an accrediting agency
20 recognized by the Secretary of Education; and

21 (E) is not controlled by the government of
22 an eligible country.

23 (2) ELIGIBLE COUNTRY.—The term “eligible
24 country” means a country or entity in Africa, the
25 Middle East, South Asia, or Southeast Asia that—

1 (A) has a significant Muslim population;
2 and

3 (B) is designated by the Secretary as an
4 eligible country.

5 (3) SECONDARY SCHOOL.—The term “sec-
6 ondary school” means a school that serves students
7 in any of the grades 9 through 12 or equivalent
8 grades in a foreign education system, as determined
9 by the Secretary, in consultation with the Secretary
10 of Education.

11 (b) SCHOLARSHIP PROGRAM.—

12 (1) PURPOSE.—The purpose of this subsection
13 is to improve the national security of the United
14 States by providing scholarships for students in the
15 Islamic world to study at United States institutions
16 of higher education that are chartered and accred-
17 ited in the United States and that are primarily lo-
18 cated in the Islamic world in order to—

19 (A) nurture United States values and
20 ideals in the Islamic world;

21 (B) foster mutual respect for United
22 States and Islamic values and culture; and

23 (C) improve mutual understanding between
24 the people of the United States and people in
25 the Islamic world.

1 (2) SPECIFIC PROGRAM.—To carry out the pur-
2 pose of this subsection, the Secretary shall establish
3 a program to offer scholarships to permit an indi-
4 vidual to attend an eligible college or university if
5 such individual—

6 (A) has graduated from secondary school;

7 and

8 (B) is a citizen or resident of an eligible
9 country.

10 (3) IMPLEMENTATION.—

11 (A) RELATIONSHIP TO THE MUTUAL EDU-
12 CATIONAL AND CULTURAL EXCHANGE ACT OF
13 1961.—The Secretary shall utilize the authori-
14 ties of the Mutual Educational and Cultural
15 Exchange Act of 1961 (22 U.S.C. 2451 et seq.)
16 to carry out the program authorized by this
17 subsection by grant, contract, or otherwise with
18 eligible colleges or universities.

19 (B) EMPHASIS ON DEGREE PROGRAMS.—

20 The program established by the Secretary
21 under this subsection shall emphasize scholar-
22 ships in support of complete programs of study
23 leading to the award of an academic degree.

24 (C) ENGLISH LANGUAGE PROFICIENCY.—

25 The Secretary or the eligible college or univer-

1 sity shall establish the English language pro-
 2 ficiency of eligible secondary school graduates.
 3 For secondary school graduates found in need
 4 of additional English language training, the
 5 Secretary shall provide for not to exceed twelve
 6 months of such training prior to the commence-
 7 ment of the student's course of regular aca-
 8 demic study at an eligible college or university.

9 (c) AVAILABILITY OF FUNDS.—

10 (1) IN GENERAL.—Of the amounts authorized
 11 to be appropriated for educational and cultural ex-
 12 change programs in each of the fiscal years 2005
 13 through 2009, there is authorized to be made avail-
 14 able to the Secretary such sums as may be necessary
 15 to carry out programs under this section.

16 (2) AVAILABLE UNTIL EXPENDED.—Amounts
 17 made available pursuant to paragraph (1) are au-
 18 thorized to remain available until expended.

19 **TITLE III—ORGANIZATION AND**
 20 **PERSONNEL OF THE DEPART-**
 21 **MENT OF STATE**

22 **SEC. 301. EDUCATION ALLOWANCES.**

23 Section 5924(4) of title 5, United States Code, is
 24 amended—

25 (1) in the first sentence of subparagraph (A)—

1 (A) by inserting after “Act)” the following:
2 “and, in those cases in which educational trips
3 are required for successful completion of a
4 grade or course, the cost of such trips”; and

5 (B) by striking “nearest locality” and in-
6 serting “nearest United States locality”;

7 (2) by striking subparagraph (B) and inserting
8 the following:

9 “(B) The travel expenses of dependents of
10 an employee to and from a school to obtain a
11 secondary, post-secondary, or post-bacca-
12 laurate education, not to exceed 1 annual trip
13 each way for each dependent, except that an al-
14 lowance payment under subparagraph (A) of
15 this paragraph may not be made for a depend-
16 ent during the 12 months following the arrival
17 of the dependent at the selected educational in-
18 stitution under authority contained in this sub-
19 paragraph.”; and

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

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

1 the employee’s dependent at or in the vicinity of
2 the dependent’s school during one trip per year
3 by the dependent between the school and the
4 employee’s duty station, except that such pay-
5 ment or reimbursement may not exceed the cost
6 that the Government would incur to transport
7 the baggage with the dependent in connection
8 with the trip, and such payment or reimburse-
9 ment shall be in lieu of transportation of the
10 baggage.”.

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

12 Section 5913 of title 5, United States Code, is
13 amended by adding at the end the following new sub-
14 section:

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

18 **SEC. 303. INCREASED LIMITS APPLICABLE TO POST DIF-**
19 **FERENTIALS AND DANGER PAY ALLOW-**
20 **ANCES.**

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

1 (b) POST DIFFERENTIALS.—Section 5925(a) of title
 2 5, United States Code, is amended by striking “25 percent
 3 of the rate of basic pay or, in the case of an employee
 4 of the United States Agency for International Develop-
 5 ment,”.

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

13 **SEC. 304. HOME LEAVE.**

14 (a) ELIGIBILITY FOR TRAVEL AND RELATED EX-
 15 PENSES.—Section 901(6) of the Foreign Service Act of
 16 1980 (22 U.S.C. 4081(6)) is amended by striking “unbro-
 17 ken by home leave” each place that phrase occurs.

18 (b) LENGTH OF CONTINUOUS SERVICE ABROAD BE-
 19 FORE REQUIRED LEAVE.—Section 903(a) of the Foreign
 20 Service Act of 1980 (22 U.S.C. 4083(a)) is amended by
 21 striking “18 months” and inserting “12 months”.

22 **SEC. 305. FELLOWSHIP OF HOPE PROGRAM.**

23 (a) FELLOWSHIP AUTHORIZED.—Chapter 5 of title
 24 I of the Foreign Service Act of 1980 (22 U.S.C. 3981

1 et seq.) is amended by adding at the end the following
2 new section:

3 “SEC. 506. FELLOWSHIP OF HOPE.—(a) The Sec-
4 retary is authorized to establish the Fellowship of Hope
5 Program. Under the program, the Secretary may assign
6 a member of the Service, for not more than one year, to
7 a position with any designated country or designated enti-
8 ty that permits an employee to be assigned to a position
9 with the Department.

10 “(b) The salary and benefits of a member of the Serv-
11 ice shall be paid as described in subsection (b) of section
12 503 during a period in which such member is participating
13 in the Fellowship of Hope Program. The salary and bene-
14 fits of an employee of a designated country or designated
15 entity participating in such program shall be paid by such
16 country or entity during the period in which such employee
17 is participating in the program.

18 “(c) In this section:

19 “(1) The term ‘designated country’ means a
20 member country of—

21 “(A) the North Atlantic Treaty Organiza-
22 tion; or

23 “(B) the European Union.

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

1 “(A) the North Atlantic Treaty Organiza-
2 tion; or

3 “(B) the European Union.”.

4 (b) **TECHNICAL AND CONFORMING AMENDMENTS.**—
5 Such Act is further amended—

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

7 (A) in the section heading, by striking
8 “AND” and inserting “FOREIGN GOVERN-
9 MENTS, OR”; and

10 (B) in subsection (a)(1), by inserting after
11 “body” the following: “, or with a foreign gov-
12 ernment under section 506”; and

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

14 (A) by striking the item relating to section
15 503 and inserting the following:

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

16 and

17 (B) by inserting after the item relating to
18 section 505 the following:

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

19 **SEC. 306. SECURITY OFFICERS EXCHANGE PROGRAM.**

20 (a) **AUTHORITY.**—Chapter 5 of title I of the Foreign
21 Service Act of 1980 (22 U.S.C. 3981 et seq.), as amended
22 by section 307, is further amended by adding at the end
23 the following new section:

1 “SEC. 507. SECURITY OFFICERS EXCHANGE.—(a)
2 The Secretary is authorized to establish the Security Offi-
3 cers Exchange Program. Under the program, the Sec-
4 retary may assign a member of the service, for not more
5 than a total of 3 years, to a position with the Government
6 of Australia or the United Kingdom if such Government
7 permits an employee of such Government to be assigned
8 to a position with the Department.

9 “(b) The salary and benefits of the members of the
10 service shall be paid as described in section 503(b) during
11 a period in which such officer is participating in the Secu-
12 rity Officers Exchange Program. The salary and benefits
13 of an employee of the Government of Australia or the
14 United Kingdom participating in such program shall be
15 paid by such country during the period in which such em-
16 ployee is participating in the program.”.

17 (b) TECHNICAL AND CONFORMING AMENDMENTS.—
18 Such Act, as amended by section 307, is further amend-
19 ed—

20 (1) in section 503(a)(1) (22 U.S.C.
21 3983(a)(1)), by inserting “or 507” after “section
22 506”; and

23 (2) in section 2, in the table of contents, by in-
24 serting after the item relating to section 506 the fol-
25 lowing:

“Sec. 507. Security Officers Exchange Program.”.

1 **SEC. 307. REEMPLOYMENT OF ANNUITANTS.**

2 (a) **ADDITIONAL WAIVER OF ANNUITY LIMITATIONS**
3 **FOR FOREIGN SERVICE ANNUITANTS.**—Section 824(g) of
4 the Foreign Service Act of 1980 (22 U.S.C. 4064(g)) is
5 amended to read as follows:

6 “(g)(1) The Secretary of State may waive the appli-
7 cation of subsections (a) through (d) on a case-by-case
8 basis for an annuitant reemployed on a temporary basis—

9 (A) if, and for so long as, such waiver is nec-
10 essary due to an emergency involving a direct threat
11 to life or property or other unusual circumstances;
12 or

13 (B) if the annuitant is employed in a position
14 for which there is exceptional difficulty in recruiting
15 or retaining a qualified employee.

16 “(2) The authority of the Secretary of State under
17 paragraph (1)(B) to waive the application of subsections
18 (a) through (d) shall expire on September 30, 2007.”.

19 (b) **REGULATIONS.**—The Secretary should prescribe
20 regulations for the exercise of waiver authority under sec-
21 tion 824(g) of the Foreign Service Act of 1980 (22 U.S.C.
22 4064(b)), as amended by subsection (a), including criteria
23 for the exercise or delegation of such authority.

24 (c) **REPORT TO CONGRESS.**—Not later than 1 year
25 after the date of the enactment of this Act, the Secretary
26 of State shall submit to the appropriate congressional

1 committees a report on the exercise of the waiver authori-
2 ties provided under section 824(g) of the Foreign Service
3 Act of 1980 (22 U.S.C. 4064(g)), as amended by sub-
4 section (a). The report shall include the number and type
5 of positions that have been filled under such waiver au-
6 thority, and the retirement date, former job title, and new
7 job title of each annuitant reemployed under such author-
8 ity.

9 **SEC. 308. SUSPENSION OF FOREIGN SERVICE MEMBERS**
10 **WITHOUT PAY.**

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

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

20 “(2) Any member of the Service for which a suspen-
21 sion is proposed shall be entitled to—

22 “(A) written notice stating the specific rea-
23 sons for the proposed suspension;

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

1 “(C) representation by an attorney or
2 other representative; and

3 “(D) a final written decision, including the
4 specific reasons for such decision, as soon as
5 practicable.

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

10 “(4) In the case of a grievance filed under
11 paragraph (3)—

12 “(A) the review by the Foreign Service
13 Grievance Board shall be limited to a deter-
14 mination of whether the reasonable cause re-
15 quirement has been fulfilled and whether there
16 is a connection between the conduct and the ef-
17 ficiency of the Service; and

18 “(B) the Foreign Service Grievance Board
19 may not exercise the authority provided under
20 section 1106(8).

21 “(5) In this subsection:

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

23 “(i) with respect to a member of the
24 Service assigned to duty in the United

1 States, at least 15 days after receiving no-
2 tice of the proposed suspension; and

3 “(ii) with respect to a member of the
4 Service assigned to duty outside the
5 United States, at least 30 days after re-
6 ceiving notice of the proposed suspension.

7 “(B) The term ‘suspend’ or ‘suspension’
8 means the placing of a member of the Service
9 in a temporary status without duties and pay.”.

10 (b) CONFORMING AND CLERICAL AMENDMENTS.—

11 (1) AMENDMENT OF SECTION HEADING.—Such
12 section, as amended by subsection (a), is further
13 amended in the section heading by inserting “; SUS-
14 PENSION” before the period at the end.

15 (2) CLERICAL AMENDMENT.—The item relating
16 to such section in the table of contents in section 2
17 of such Act is amended to read as follows:

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

18 **SEC. 309. SEPARATION OF LOWEST-RANKED FOREIGN**
19 **SERVICE MEMBERS.**

20 Section 2311(b)(1) of the Foreign Relations Author-
21 ization Act, Fiscal Years 1998 and 1999 (22 U.S.C. 4010
22 note) is amended—

23 (1) by striking “Not later than 90 days after
24 the date of enactment of this Act, the” and inserting
25 “The”;

1 (2) by striking “5 percent” and inserting “2
2 percent”; and

3 (3) by striking “for 2 or more of the 5 years
4 preceding the date of enactment of this Act” and in-
5 serting “at least twice in any 5-year period”.

6 **SEC. 310. CLARIFICATION OF FOREIGN SERVICE GRIEV-**
7 **ANCE BOARD PROCEDURES.**

8 Section 1106(8) of the Foreign Service Act of 1980
9 (22 U.S.C. 4136(8)) is amended in the first sentence—

10 (1) by inserting “the involuntary separation of
11 the grievant (other than an involuntary separation
12 for cause under section 610(a)),” after “consid-
13 ering”; and

14 (2) by striking “the grievant or” and inserting
15 “the grievant, or”.

16 **SEC. 311. REPEAL OF REQUIREMENT FOR RECERTIFI-**
17 **CATION PROCESS FOR MEMBERS OF THE**
18 **SENIOR FOREIGN SERVICE.**

19 Section 305(d) of the Foreign Service Act of 1980
20 (22 U.S.C. 3945(d)) is repealed.

21 **SEC. 312. DEADLINE FOR ISSUANCE OF REGULATIONS RE-**
22 **GARDING RETIREMENT CREDIT FOR GOV-**
23 **ERNMENT SERVICE PERFORMED ABROAD.**

24 Section 321(f) of the Foreign Relations Authorization
25 Act, Fiscal Year 2003 (5 U.S.C. 8411 note) is amended

1 by inserting “, not later than 60 days after the date of
2 the enactment of the Foreign Relations Authorization Act,
3 Fiscal Years 2006 and 2007,” after “regulations”.

4 **SEC. 313. WORLDWIDE AVAILABILITY.**

5 Section 301(b) of the Foreign Service Act of 1980
6 (22 U.S.C. 3941(b)) is amended by inserting at the end
7 “At the time of entry into the Service, each member of
8 the Service must be worldwide available, as determined by
9 the Secretary of State through appropriate medical exami-
10 nations, unless the Secretary determines that a waiver of
11 the worldwide availability requirement is required to fulfill
12 a compelling Service need.”.

13 **SEC. 314. TECHNICAL AMENDMENTS TO TITLE 5 PROVI-**
14 **SIONS ON RECRUITMENT, RELOCATION, AND**
15 **RETENTION BONUSES.**

16 (a) RECRUITMENT AND RELOCATION BONUSES.—
17 Section 5753(a)(2)(A) of title 5, United States Code, is
18 amended by inserting after “a position” the following “,
19 other than as a member of the Foreign Service,”.

20 (b) RETENTION ALLOWANCES.—Section
21 5754(a)(2)(A) of title 5, United States Code, is amended
22 by inserting after “a position” the following “, other than
23 as a member of the Foreign Service,”.

1 **SEC. 315. LIMITED APPOINTMENTS IN THE FOREIGN SERV-**
2 **ICE.**

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

5 (1) by adding at the end the following new sub-
6 section:

7 “(c)(1) Non-career specialist employees who have
8 served five consecutive years under a limited appointment
9 may be reappointed to a subsequent limited appointment,
10 provided that there is a one-year break in service between
11 each appointment.

12 “(2) The requirement for a one-year break in service
13 may be waived by the Secretary of State in cases of special
14 need.”;

15 (2) in subsection (a), by striking “subsection
16 (b)” and inserting “subsections (b) and (c)”; and

17 (3) in subsection (b)—

18 (A) by amending paragraph (3) to read as
19 follows:

20 “(3) as a career candidate if—

21 “(A) continued service is determined appro-
22 priate to remedy a matter that would be cognizable
23 as a grievance under chapter 11; or

24 “(B) the career candidate is called to military
25 active duty under chapter 43 of title 38, United

1 States Code, and the limited appointment expires in
2 the course of such military active duty;”;

3 (B) in paragraph (4), by striking “and”
4 after the semicolon;

5 (C) in paragraph (5), by striking the pe-
6 riod at the end and inserting “; and”; and

7 (D) by adding at the end the following new
8 paragraph:

9 “(6) in exceptional circumstances when the Sec-
10 retary determines the needs of the Service require
11 the extension of a limited appointment—

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

16 “(B) in order to settle a grievance, claim,
17 or complaint not otherwise provided for in this
18 section.”.

19 **SEC. 316. PERSONAL SERVICE CONTRACTORS.**

20 (a) IN GENERAL.—Subject to the conditions in sub-
21 section (b), the Inspector General of the Department of
22 State and the Broadcasting Board of Governors (in this
23 section referred to as the “Inspector General”) may estab-
24 lish a demonstration program (in this section referred to
25 as the “program”) for the purpose of hiring as personal

1 services contractors nationals of the United States (as de-
2 fined in section 101(a)(22) of the Immigration and Na-
3 tionality Act (8 U.S.C. 1101(a)(22)) or aliens authorized
4 to be employed in the United States, without regard to
5 civil service and classification laws, to provide services to
6 the Office of the Inspector General to respond to new or
7 emerging needs or to augment current services.

8 (b) CONDITIONS.—The authority under subsection
9 (a) is subject to the following conditions:

10 (1) The Inspector General determines that ex-
11 isting personnel resources are insufficient.

12 (2) The contract length for a personal service
13 contractor, including options, may not exceed 2
14 years, unless the Inspector General makes a finding
15 that exceptional circumstances justify an extension
16 of up to one additional year.

17 (3) Not more than a total of 20 individuals may
18 be employed at any one time as personal services
19 contractors under the program.

20 (c) TERMINATION OF AUTHORITY.—The authority to
21 award personal services contracts under this section shall
22 terminate on December 31, 2007. A contract entered into
23 prior to the termination date under this subsection may
24 remain in effect until not later than June 30, 2008.

1 (d) OTHER AUTHORITIES NOT AFFECTED.—The au-
2 thority provided in this section is in addition to any other
3 authority of the Inspector General to hire personal service
4 contractors.

5 **SEC. 317. DISCLOSURE REQUIREMENTS APPLICABLE TO**
6 **PROPOSED RECIPIENTS OF THE PERSONAL**
7 **RANK OF AMBASSADOR OR MINISTER.**

8 Section 302(a)(2)(B)(ii)(IV) of the Foreign Service
9 Act of 1980 (22 U.S.C. 3942(a)(2)(B)(ii)(IV)) is amended
10 by inserting before the period at the end the following:
11 “, including information that is required to be disclosed
12 on the Standard Form 278, or any successor financial dis-
13 closure report”.

14 **SEC. 318. PROVISION OF LIVING QUARTERS AND ALLOW-**
15 **ANCES TO THE UNITED STATES REPRESENT-**
16 **ATIVES TO THE UNITED NATIONS.**

17 Section 9 of the United Nations Participation Act of
18 1945 (22 U.S.C. 287e–1) is amended to read as follows:

19 “SEC. 9. (a) The Secretary of State may, under such
20 regulations as the Secretary shall prescribe, and notwith-
21 standing subsections (a) and (b) of section 3324 of title
22 31, United States Code, and section 5536 of title 5,
23 United States Code—

24 “(1) make available to the Permanent Rep-
25 resentative of the United States to the United Na-

1 tions and the Deputy Permanent Representative of
2 the United States to the United Nations—

3 “(A) living quarters leased or rented by
4 the United States for a period that does not ex-
5 ceed 10 years; and

6 “(B) allowances for unusual expenses inci-
7 dent to the operation and maintenance of such
8 living quarters that are similar to expenses au-
9 thorized to be funded by section 5913 of title
10 5, United States Code;

11 “(2) make available living quarters in New
12 York leased or rented by the United States for a pe-
13 riod of not more than 10 years to—

14 “(A) not more than 40 members of the
15 Foreign Service assigned to the United States
16 Mission to the United Nations or other United
17 States representatives to the United Nations;
18 and

19 “(B) not more than 2 employees who serve
20 at the pleasure of the Permanent Representa-
21 tive of the United States to the United Nations;
22 and

23 “(3) provide an allowance, as the Secretary con-
24 siders appropriate, to each Delegate and Alternate
25 Delegate of the United States to any session of the

1 General Assembly of the United Nations who is not
2 a permanent member of the staff of the United
3 States Mission to the United Nations, in order to
4 compensate each such Delegate or Alternate Dele-
5 gate for necessary housing and subsistence expenses
6 with respect to attending any such session.

7 “(b) The Secretary of State may not make available
8 living quarters or allowances under subsection (a) to an
9 employee who is occupying living quarters that are owned
10 by such employee.

11 “(c) Living quarters and allowances provided under
12 subsection (a) shall be considered for all purposes as au-
13 thorized—

14 “(1) by chapter 9 of title I of the Foreign Serv-
15 ice Act of 1980; and

16 “(2) by section 5913 of title 5, United States
17 Code.

18 “(d) The Inspector General of the Department of
19 State and the Broadcasting Board of Governors shall peri-
20 odically review the administration of this section with a
21 view to achieving cost savings and developing appropriate
22 recommendations to make to the Secretary of State re-
23 garding the administration of this section.”.

1 **TITLE IV—INTERNATIONAL**
2 **ORGANIZATIONS**

3 **SEC. 401. LIMITATION ON THE UNITED STATES SHARE OF**
4 **ASSESSMENTS FOR UNITED NATIONS PEACE-**
5 **KEEPING OPERATIONS.**

6 Section 404(b)(2)(B) of the Foreign Relations Au-
7 thorization Act, Fiscal Years 1994 and 1995 (22 U.S.C.
8 287e note) is amended by adding at the end the following
9 new clause:

10 “(v) For assessments made after cal-
11 endar year 2004, 27.1 percent.”.

12 **SEC. 402. REDI CENTER.**

13 The Secretary is authorized to provide for the partici-
14 pation by the United States in the Regional Emerging
15 Disease Intervention (“REDI”) Center in Singapore.

16 **SEC. 403. REPORT TO CONGRESS ON IMPLEMENTATION OF**
17 **THE BRAHIMI REPORT.**

18 (a) REQUIREMENT.—Not later than 120 days after
19 the date of the enactment of this Act, the Secretary shall
20 submit to the appropriate congressional committees a re-
21 port assessing the progress made to implement the rec-
22 ommendations set out in the Report of the Panel on
23 United Nations Peace Operations, transmitted from the
24 Secretary General of the United Nations to the President
25 of the General Assembly and the President of the Security

1 Council on August 21, 2000 (referred to in this section
2 as the “Report”).

3 (b) CONTENT.—The report required by subsection
4 (a) shall include—

5 (1) an assessment of the progress made by the
6 United Nations toward implementing the rec-
7 ommendations set out in the Report;

8 (2) a description of the progress made toward
9 strengthening the capability of the United Nations
10 to deploy a civilian police force and rule of law
11 teams on an emergency basis at the request of the
12 United Nations Security Council; and

13 (3) a description of the policies, programs, and
14 strategies of the United States Government that
15 support the implementation of the recommendations
16 set out in the Report, especially in the areas of civil-
17 ian police and rule of law.

18 **SEC. 404. SENSE OF CONGRESS ON THE UNITED NATIONS**
19 **BUDGETARY DISCIPLINE AND MANAGEMENT**
20 **REFORM.**

21 (a) FINDINGS.—Congress makes the following find-
22 ings:

23 (1) It is the responsibility of Congress to ensure
24 that international organizations that receive con-
25 tributions from the United States, including the

1 United Nations, utilize United States taxpayer
2 money in a manner that is effective and cost-effi-
3 cient, and that promotes the policy goals of the
4 United States.

5 (2) The United States contributes 22 percent of
6 the United Nations regular budget and approxi-
7 mately 27 percent of costs associated with United
8 Nations peacekeeping operations.

9 (3) The member states of the United Nations
10 have increased the regular budget by more than
11 \$1,000,000,000 since the 1994–1995 biennium to
12 deal with evolving global issues.

13 (4) The member states of the United Nations
14 have made commitments which have increased the
15 costs of United Nations peacekeeping operations to
16 more than \$5,000,000,000 during the 2005–2006
17 biennium.

18 (5) The February 3, 2005, report of the Inde-
19 pendent Inquiry Committee into the United Nations
20 Oil-for-Food Programme found significant weak-
21 nesses in United Nations management and internal
22 oversight of the Oil-for-Food Programme, including
23 a determination that the actions of the Executive
24 Director of the United Nations Office of the Iraq
25 Programme, which administered the Oil-for-Food

1 Programme in Iraq, created “grave and continuing
2 conflict of interest, were ethically improper, and seri-
3 ously undermined the integrity of the United Na-
4 tions”.

5 (6) The United States Government Account-
6 ability Office found that the audit and summary re-
7 ports of the United Nations Office of Internal Over-
8 sight Services (OIOS) revealed numerous defi-
9 ciencies in the management and internal controls of
10 the Oil-for-Food Programme, and that United Na-
11 tions management and the Office of the Iraq Pro-
12 gramme prevented OIOS from reporting its results
13 directly to the United Nations Security Council.

14 (b) SENSE OF CONGRESS.—It is the sense of Con-
15 gress that—

16 (1) the United Nations should comply fully with
17 its commitments to budgetary discipline and man-
18 agement reform; and

19 (2) the Secretary should instruct any United
20 States representative to the United Nations to use
21 the voice and vote of the United States to seek to
22 enact significant and necessary changes to improve
23 the accountability and increase the transparency of
24 the United Nations processes, including in its peace-
25 keeping missions around the world, as part of the

1 follow-up to the 2005 United Nations report on re-
2 form initiatives entitled “The Report of the Sec-
3 retary-General’s High-level Panel on Threats, Chal-
4 lenges and Change”.

5 **TITLE V—BROADCASTING**
6 **BOARD OF GOVERNORS**

7 **SEC. 501. SHORT TITLE.**

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

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

11 (a) **AUTHORITY.**—The United States International
12 Broadcasting Act of 1994 (22 U.S.C. 6201 et seq.), is
13 amended by inserting after section 309 the following new
14 section:

15 **“SEC. 310. MIDDLE EAST BROADCASTING NETWORKS.**

16 “(a) **AUTHORITY.**—Grants authorized under section
17 305 shall be available to make annual grants to Middle
18 East Broadcasting Networks for the purpose of carrying
19 out radio and television broadcasting to the Middle East
20 region.

21 “(b) **FUNCTION.**—Middle East Broadcasting Net-
22 works shall provide radio and television programming to
23 the Middle East region consistent with the broadcasting
24 standards and broadcasting principles set forth in section
25 303.

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

4 “(1) The Broadcasting Board of Governors may
5 not make any grant to the nonprofit corporation,
6 Middle East Broadcasting Networks, unless its cer-
7 tificate of incorporation provides that—

8 “(A) the Board of Directors of Middle
9 East Broadcasting Networks shall consist of the
10 members of the Broadcasting Board of Gov-
11 ernors established under section 304 and of no
12 other members; and

13 “(B) such Board of Directors shall make
14 all major policy determinations governing the
15 operation of Middle East Broadcasting Net-
16 works, and shall appoint and fix the compensa-
17 tion of such managerial officers and employees
18 of Middle East Broadcasting Networks as it
19 considers necessary to carry out the purposes of
20 the grant provided under this title.

21 “(2) Any grant agreement under this section
22 shall require that any contract entered into by Mid-
23 dle East Broadcasting Networks shall specify that
24 obligations are assumed by Middle East Broad-

1 casting Networks and not the United States Govern-
2 ment.

3 “(3) Any grant agreement shall require that
4 any lease agreement entered into by Middle East
5 Broadcasting Networks shall be, to the maximum
6 extent possible, assignable to the United States Gov-
7 ernment.

8 “(4) Grants awarded under this section shall be
9 made pursuant to a grant agreement that—

10 “(A) requires that grant funds be used
11 only for activities consistent with this section;
12 and

13 “(B) provides that failure to comply with
14 such requirements shall permit the grant to be
15 terminated without fiscal obligation to the
16 United States.

17 “(5) Duplication of language services and tech-
18 nical operations among Middle East Broadcasting
19 Networks (including Radio Sawa), RFE/RL, Incor-
20 porated, and the International Broadcasting Bureau
21 will be reduced to the extent appropriate, as deter-
22 mined by the Board.

23 “(d) NOT A FEDERAL AGENCY OR INSTRUMEN-
24 TIALITY.—Nothing in this title may be construed to make
25 Middle East Broadcasting Networks a Federal agency or

1 instrumentality, nor shall the officers or employees of Mid-
2 dle East Broadcasting Networks be deemed to be officers
3 or employees of the United States Government.

4 “(e) AUDIT AND INSPECTION.—

5 “(1) COMPTROLLER GENERAL OF THE UNITED
6 STATES.—The Comptroller General of the United
7 States may exercise, with respect to financial audit-
8 ing of Middle East Broadcasting Networks corpora-
9 tion, the authorities provided by chapter 7 of title
10 31, United States Code, to the extent such authori-
11 ties may apply with respect to corporations that are
12 not Federal agencies or instrumentalities.

13 “(2) INSPECTOR GENERAL.—The Inspector
14 General of the Department of State and the Broad-
15 casting Board of Governors may exercise with re-
16 spect to Middle East Broadcasting Networks cor-
17 poration the authorities granted by section 209 of
18 the Foreign Service Act of 1980 (22 U.S.C. 3929)
19 and the Inspector General Act of 1978 (5 U.S.C.
20 App.) to the extent such authorities may apply with
21 respect to corporations that are not Federal agencies
22 or instrumentalities.”.

23 (b) CONFORMING AMENDMENTS.—

1 (1) AUTHORITIES OF BOARD.—Section 305 of
2 the United States International Broadcasting Act of
3 1994 (22 U.S.C. 6204), is amended—

4 (A) in paragraph (5) of subsection (a), by
5 striking “and 309” and inserting “, 309, and
6 310”;

7 (B) in paragraph (6) of such subsection,
8 by striking “and 309” and inserting “, 309,
9 and 310”; and

10 (C) in subsection (c), by striking “and
11 309” and inserting “, 309, and 310”.

12 (2) INTERNATIONAL BROADCASTING BUREAU.—
13 Section 307 of the United States International
14 Broadcasting Act of 1994 (22 U.S.C. 6206), is
15 amended—

16 (A) in subsection (a), by striking “and
17 309” and inserting “, 309, and 310”; and

18 (B) in subsection (c), by inserting “, Mid-
19 dle East Broadcasting Networks,” after “Asia”.

20 (3) IMMUNITY FROM LIABILITY.—Section
21 304(g) of the United States International Broad-
22 casting Act of 1994 (22 U.S.C. 6203(g)), is amend-
23 ed—

24 (A) by striking “and” after “Incor-
25 porated”, and inserting a comma; and

1 (B) by adding “, and Middle East Broad-
2 casting Networks” after “Asia”.

3 (4) CREDITABLE SERVICE.—Section
4 8332(b)(11) of title 5, United States Code, is
5 amended by inserting “the Middle East Broad-
6 casting Network;” after “the Asia Foundation;”.

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

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

10 (1) by striking subsection (b);

11 (2) by redesignating subsection (c) as sub-
12 section (b);

13 (3) by amending subsection (b), as redesignated
14 by paragraph (2), to read as follows:

15 “(b) In order to effect radio broadcasting to Cuba,
16 the Broadcasting Board of Governors is authorized to uti-
17 lize the United States international broadcasting facilities
18 located in Marathon, Florida and the 1180 AM frequency
19 used at those facilities. In addition to the above facilities,
20 the Broadcasting Board of Governors may simultaneously
21 utilize other governmental and nongovernmental broad-
22 casting transmission facilities, and other frequencies, in-
23 cluding the Amplitude Modulation (AM) band, the Fre-
24 quency Modulation (FM) band, and the Shortwave (SW)
25 band. The Broadcasting Board of Governors may lease

1 time on commercial or noncommercial educational AM
 2 band, FM band, and SW band radio broadcasting stations
 3 to carry part of the service programs or to rebroadcast
 4 service programs.”;

5 (4) by striking subsections (d) and (f);

6 (5) by redesignating subsection (e) as sub-
 7 section (c); and

8 (6) by amending subsection (c), as redesignated
 9 by paragraph (5), to read as follows:

10 “(c) Any service program of United States Govern-
 11 ment radio broadcasts to Cuba authorized by this section
 12 shall be designated ‘Radio Marti program’.”.

13 **SEC. 504. EXTENSION OF AUTHORITY FOR RADIO FREE**
 14 **ASIA.**

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

17 (1) in subsection (c)(2), by striking “2009” and
 18 inserting “2015”; and

19 (2) in subsection (f), by striking “2009” and
 20 inserting “2015”.

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

22 (a) IN GENERAL.—Section 504 of the Foreign Rela-
 23 tions Authorization Act, Fiscal Year 2003 (Public Law
 24 107–228; 22 U.S.C. 6206 note), is amended—

25 (1) in subsection (a)—

1 (A) by striking “pilot”; and

2 (B) by striking “broadcasters, producers,
3 and writers” and inserting “broadcasters and
4 other broadcasting specialists”;

5 (2) in subsection (b)(4), by striking “60” and
6 inserting “100”; and

7 (3) by striking subsection (c).

8 (b) CONFORMING AMENDMENTS.—The Foreign Rela-
9 tions Authorization Act, Fiscal Year 2003 (Public Law
10 107–228; 116 Stat. 1350) is amended—

11 (1) in section 504, by striking “**PILOT**” in the
12 section heading; and

13 (2) in the table of contents in section 2(b), by
14 amending the item related to section 504 to read as
15 follows:

“Sec. 504. Personal services contracting program.”.

16 **SEC. 506. COMMONWEALTH OF THE NORTHERN MARIANA**
17 **ISLANDS EDUCATION BENEFITS.**

18 Section 305(a) of the United States International
19 Broadcasting Act of 1994 (22 U.S.C. 6204(a)) is amend-
20 ed—

21 (1) by redesignating paragraphs (17) and (18)
22 as (18) and (19), respectively; and

23 (2) by inserting after paragraph (16), the fol-
24 lowing new paragraph:

25 “(17) To, in its discretion—

1 “(A) pay the expenses of primary and sec-
2 ondary schooling for dependents of personnel
3 stationed in the Commonwealth of the Northern
4 Mariana Islands at a cost not in excess of those
5 authorized by the Department of Defense for
6 the same area, when it is determined by the
7 Broadcasting Board of Governors that schools
8 available in the locality are unable to provide
9 adequately for the education of such depend-
10 ents; and

11 “(B) provide transportation of those de-
12 pendents between their place of residence and
13 schools serving the area, which those depend-
14 ents would normally attend within the local
15 area, when the Broadcasting Board of Gov-
16 ernors determines that such schools are not ac-
17 cessible by public means of transportation.”.

18 **SEC. 507. EXEMPTION FROM NUMERICAL LIMITATIONS FOR**

19 **TEMPORARY WORKERS.**

20 Section 214(g)(5)(B) of the Immigration and Nation-
21 ality Act (8 U.S.C. 1184(g)(5)(B)) is amended to read as
22 follows:

23 “(B) is employed (or has received an offer of
24 employment) by or at the Broadcasting Board of
25 Governors or one of its grantees, a nonprofit re-

1 search organization, or a governmental research or-
2 ganization; or”.

3 **TITLE VI—CONSULAR** 4 **AUTHORITIES**

5 **SEC. 601. TECHNICAL AMENDMENTS TO INTELLIGENCE RE-** 6 **FORM AND TERRORISM PREVENTION ACT OF** 7 **2004.**

8 (a) TRANSIT WITHOUT VISA PROGRAM.—Section
9 7209(d) of the Intelligence Reform and Terrorism Preven-
10 tion Act of 2004 (Public Law 108–458) is amended to
11 read as follows:

12 “(d) TRANSIT WITHOUT VISA PROGRAM.—The Sec-
13 retary of Homeland Security and the Secretary of State
14 shall not use any authorities granted under section
15 212(d)(4)(C) of such Act until the Secretary of Homeland
16 Security completely implements a security plan to fully en-
17 sure secure transit passage areas to prevent aliens pro-
18 ceeding in immediate and continuous transit through the
19 United States from illegally entering the United States.”.

20 (b) FRONTLINE COUNTERTERRORIST TRAVEL TECH-
21 NOLOGY AND TRAINING.—Section 7201(c)(1) of the Intel-
22 ligence Reform and Terrorism Prevention Act of 2004 is
23 amended in the second sentence by inserting after “De-
24 partment of Homeland Security” the following: “and the
25 Department of State”.

1 (c) REPORT ON IMPLEMENTATION OF AMENDED
2 INADMISSABILITIES.—Section 5506 of the Intelligence Re-
3 form and Terrorism Prevention Act of 2004 is amended
4 by inserting after “consultation with the Secretary of
5 Homeland Security” the following: “and the Secretary of
6 State”.

7 **SEC. 602. INTERNATIONAL STUDENT EXCHANGE PRO-**
8 **GRAMS.**

9 (a) SENSE OF CONGRESS ON RECIPROCITY AGREE-
10 MENTS.—It is the sense of Congress that the United
11 States should negotiate reciprocity agreements with for-
12 eign countries with the goal of mutual agreement on ex-
13 tending the validity of student and scholar visas to 4 years
14 and permitting multiple entry into the United States by
15 an individual using a student or scholar visa.

16 (b) CONSULAR OFFICER GUIDANCE.—

17 (1) FINDINGS.—Congress makes the following
18 findings:

19 (A) The United States has a strategic in-
20 terest in encouraging international students,
21 scholars, scientists, and exchange visitors to
22 visit the United States to study, collaborate in
23 research, and to develop personal relationships.

24 (B) Openness to international students,
25 scholars, scientists, and exchange visitors serves

1 vital and longstanding national foreign policy,
2 educational, and economic interests and the ero-
3 sion of such openness undermines the national
4 security interests of the United States.

5 (C) Educating successive generations of fu-
6 ture world leaders has long been a foundation
7 of the United States international influence and
8 leadership.

9 (D) Open scientific exchange enables the
10 United States to benefit from the knowledge of
11 the world's top students and scientists and has
12 been a critical factor in maintaining the United
13 States leadership in science and technology.

14 (E) Improvements to the visa processing
15 procedures of the United States would enhance
16 the national security of the United States by
17 permitting—

18 (i) closer scrutiny of visa applicants
19 who might pose threats to national secu-
20 rity; and

21 (ii) timely adjudication of visa appli-
22 cations submitted by individuals whose
23 presence in the United States serves an
24 important national interest.

1 (2) SENSE OF CONGRESS.—It is the sense of
2 Congress that—

3 (A) improvements to the visa processing
4 procedures of the United States that should be
5 considered for implementation include—

6 (i) an operational visa policy that ar-
7 ticulates the national interest of the United
8 States in denying entry to visitors who
9 seek to harm the United States and in
10 opening entry to legitimate visitors, to
11 guide consular officers in achieving the ap-
12 propriate balance;

13 (ii) focusing the efforts of the visa
14 system on visitors who require special
15 screening, while minimizing delays for le-
16 gitimate visitors; and

17 (iii) a timely, transparent, and pre-
18 dictable visa process, through appropriate
19 guidelines for inter-agency review of visa
20 applications; and

21 (B) the Secretary should continue to issue
22 updated appropriate guidance to consular offi-
23 cers to improve the procedures for processing
24 visa applications in order to facilitate United

1 States openness to international student, schol-
2 ar, scientist, and international visitors.

3 (c) REPORT.—Not later than 180 days after the date
4 of enactment of this Act, the Secretary, in consultation
5 with the Secretary of Education, Secretary of Commerce,
6 Secretary of Homeland Security, and Secretary of Energy,
7 shall submit to Congress a report that includes a descrip-
8 tion, for calendar years 2004 and 2005, of—

9 (1) the measures carried out to enhance access
10 to the United States by foreign students, scholars,
11 scientists, and exchange visitors and to improve
12 inter-agency coordination with regard to foreign stu-
13 dents, scholars, scientists, and exchange visitors;

14 (2) the measures carried out to utilize the edu-
15 cational advising centers of the Department of State
16 that are located in foreign countries to promote
17 study in the United States and to prescreen visa ap-
18 plicants;

19 (3) the measures carried out to negotiate recip-
20 rocal agreements referred to in subsection (a);

21 (4) the number of foreign students, scholars,
22 scientists, and exchange visitors who applied for
23 visas to enter the United States, disaggregated by
24 applicants' fields of study or expertise, the number
25 of such visa applications that are approved, the

1 number of such visa applications that are denied,
2 and the reasons for such denials;

3 (5) the average processing time for an applica-
4 tion for a visa submitted by a foreign student, schol-
5 ar, scientist, or exchange visitor;

6 (6) the number of applications for a visa sub-
7 mitted by foreign students, scholars, scientists, or
8 exchange visitors that require inter-agency review;

9 (7) the number of applications for a visa sub-
10 mitted by foreign students, scholars, scientists, or
11 exchange visitors that were approved after receipt of
12 such applications in a period of time that was—

13 (A) less than 15 days;

14 (B) between 15 and 30 days;

15 (C) between 31 and 45 days;

16 (D) between 46 and 60 days;

17 (E) between 61 and 90 days; or

18 (F) more than 90 days; and

19 (8) the measures carried out to reduce the time
20 required for universities and programs approved
21 under the Student and Exchange Visitor Informa-
22 tion System (SEVIS) required by the Illegal Immi-
23 gration Reform and Immigrant Responsibility Act of
24 1996 (Division C of Public Law 104–208; 110 Stat.

1 3009–546) to perform the clerical tasks associated
2 with SEVIS.

3 **TITLE VII—RECONSTRUCTION**
4 **AND STABILIZATION**

5 **SEC. 701. SHORT TITLE.**

6 This title may be cited as the “Reconstruction and
7 Stabilization Civilian Management Act of 2005”.

8 **SEC. 702. FINDING; PURPOSE.**

9 (a) **FINDING.**—Congress finds that the resources of
10 the United States Armed Forces have been burdened by
11 having to undertake stabilization and reconstruction tasks
12 in the Balkans, Afghanistan, Iraq, and other countries of
13 the world that could have been performed by civilians,
14 which has resulted in lengthy deployments for Armed
15 Forces personnel.

16 (b) **PURPOSE.**—The purpose of this title is to provide
17 for the development, as a core mission of the Department
18 of State and the United States Agency for International
19 Development, of an effective expert civilian response capa-
20 bility to carry out reconstruction and stabilization activi-
21 ties in a country or region that is in, or is in transition
22 from, conflict or civil strife.

23 **SEC. 703. DEFINITIONS.**

24 In this title:

1 (1) ADMINISTRATOR.—The term “Adminis-
2 trator” means the Administrator of the United
3 States Agency for International Development.

4 (2) DEPARTMENT.—Except as otherwise pro-
5 vided in this Act, the term “Department” means the
6 Department of State.

7 (3) EXECUTIVE AGENCY.—The term “Executive
8 agency” has the meaning given that term in section
9 105 of title 5, United States Code.

10 **SEC. 704. SENSE OF CONGRESS.**

11 It is the sense of Congress that—

12 (1) the civilian element of United States joint
13 civilian-military operations should be strengthened in
14 order to enhance the execution of current and future
15 reconstruction and stabilization activities in foreign
16 countries or regions that are in, or are in transition
17 from, conflict or civil strife;

18 (2) the capability of civilian agencies of the
19 United States Government to carry out reconstruc-
20 tion and stabilization activities in such countries or
21 regions should also be enhanced through a new rapid
22 response corps of civilian experts supported by the
23 establishment of a new system of planning, organiza-
24 tion, personnel policies, and education and training,
25 and the provision of adequate resources;

1 (3) the international community, including non-
2 governmental organizations, and the United Nations
3 and its specialized agencies, should be further en-
4 couraged to participate in planning and organizing
5 reconstruction and stabilization activities in such
6 countries or regions;

7 (4) the President should establish a new direc-
8 torate of stabilization and reconstruction activities
9 within the National Security Council to oversee the
10 development of interagency contingency plans and
11 procedures, including plans and procedures for joint
12 civilian-military operations, to address stabilization
13 and reconstruction requirements in such countries or
14 regions;

15 (5) the President should establish a standing
16 committee to exercise responsibility for overseeing
17 the formulation and execution of stabilization and
18 reconstruction policy in order to ensure appropriate
19 interagency coordination in the planning and execu-
20 tion of stabilization and reconstruction activities, in-
21 cluding joint civilian-military operations, of the
22 United States Government, and should provide for
23 the committee—

24 (A) to be chaired by the Assistant to the
25 President for National Security Affairs; and

- 1 (B) to include the heads of—
- 2 (i) the Department;
- 3 (ii) the United States Agency for
- 4 International Development;
- 5 (iii) the Department of Labor;
- 6 (iv) the Department of Commerce;
- 7 (v) the Department of Justice;
- 8 (vi) the Department of the Treasury;
- 9 (vii) the Department of Agriculture;
- 10 (viii) the Department of Defense; and
- 11 (ix) other Executive agencies as ap-
- 12 propriate;

13 (6) the Secretary and the Administrator should

14 work with the Secretary of Defense to establish a

15 personnel exchange program among the Department,

16 the United States Agency for International Develop-

17 ment, and the Department of Defense, including the

18 regional commands and the Joint Staff, to enhance

19 the stabilization and reconstruction skills of military

20 and civilian personnel and their ability to undertake

21 joint operations; and

22 (7) the heads of other Executive agencies

23 should establish personnel exchange programs that

24 are designed to enhance the stabilization and recon-

25 struction skills of military and civilian personnel.

1 **SEC. 705. AUTHORITY TO PROVIDE ASSISTANCE FOR RE-**
2 **CONSTRUCTION AND STABILIZATION CRISES.**

3 Chapter 1 of part III of the Foreign Assistance Act
4 of 1961 (22 U.S.C. 2351 et seq.) is amended by inserting
5 after section 617 the following new section:

6 **“SEC. 618. ASSISTANCE FOR A RECONSTRUCTION AND STA-**
7 **BILIZATION CRISIS.**

8 “(a) **AUTHORITY.**—If the President determines that
9 it is important to the national interests of the United
10 States for United States civilian agencies or non-Federal
11 employees to assist in stabilizing and reconstructing a
12 country or region that is in, or is in transition from, con-
13 flict or civil strife, the President may, in accordance with
14 the provisions set forth in section 614(a)(3), notwith-
15 standing any other provision of law, and on such terms
16 and conditions as the President may determine, furnish
17 assistance to respond to the crisis.

18 “(b) **SPECIAL AUTHORITIES.**—To provide assistance
19 authorized in subsection (a), the President may exercise
20 the authorities contained in sections 552(c)(2), 610, and
21 614 of this Act without regard to the percentage and ag-
22 gregate dollar limitations contained in such sections.

23 “(c) **AUTHORIZATION OF FUNDING.**—

24 “(1) **INITIAL AUTHORIZATION.**—There is au-
25 thorized to be appropriated, without fiscal year limi-

1 tation, \$100,000,000 in funds that may be used to
 2 provide assistance authorized in subsection (a).

3 “(2) REPLENISHMENT.—There is authorized to
 4 be appropriated each fiscal year such sums as may
 5 be necessary to replenish funds expended as pro-
 6 vided under paragraph (1). Funds authorized to be
 7 appropriated under this paragraph shall be available
 8 without fiscal year limitation for the same purpose
 9 and under the same conditions as are provided
 10 under paragraph (1).”.

11 **SEC. 706. OFFICE OF THE COORDINATOR FOR RECON-**
 12 **STRUCTION AND STABILIZATION.**

13 Title I of the State Department Basic Authorities Act
 14 of 1956 (22 U.S.C. 2651 et seq.), as amended by section
 15 214, is further amended by adding at the end the following
 16 new section:

17 **“SEC. 63. RECONSTRUCTION AND STABILIZATION.**

18 “(a) OFFICE OF THE COORDINATOR FOR RECON-
 19 STRUCTION AND STABILIZATION.—

20 “(1) ESTABLISHMENT.—The Secretary shall es-
 21 tablish within the Department of State an Office of
 22 the Coordinator for Reconstruction and Stabiliza-
 23 tion.

24 “(2) COORDINATOR FOR RECONSTRUCTION AND
 25 STABILIZATION.—The head of the Office shall be the

1 Coordinator for Reconstruction and Stabilization,
2 who shall be appointed by the Secretary, by and with
3 the advice and consent of the Senate. The Coordi-
4 nator shall report directly to the Secretary and shall
5 have the rank and status of Ambassador-at-Large.

6 “(3) FUNCTIONS.—The functions of the Office
7 of the Coordinator for Reconstruction and Stabiliza-
8 tion include the following:

9 “(A) Monitoring, in coordination with rel-
10 evant bureaus within the Department of State,
11 political and economic instability worldwide to
12 anticipate the need for mobilizing United States
13 and international assistance for the stabilization
14 and reconstruction of countries or regions that
15 are in, or are in transition from, conflict or civil
16 strife.

17 “(B) Assessing the various types of sta-
18 bilization and reconstruction crises that could
19 occur and cataloging and monitoring the non-
20 military resources and capabilities of Executive
21 agencies that are available to address such cri-
22 ses.

23 “(C) Planning to address requirements,
24 such as demobilization, policing, human rights
25 monitoring, and public information, that com-

1 monly arise in stabilization and reconstruction
2 crises.

3 “(D) Coordinating with relevant Executive
4 agencies (as that term is defined in section 105
5 of title 5, United States Code) to develop inter-
6 agency contingency plans to mobilize and deploy
7 civilian personnel to address the various types
8 of such crises.

9 “(E) Entering into appropriate arrange-
10 ments with other Executive agencies to carry
11 out activities under this section and the Recon-
12 struction and Stabilization Civilian Manage-
13 ment Act of 2005.

14 “(F) Identifying personnel in State and
15 local governments and in the private sector who
16 are available to participate in the Response
17 Readiness Corps or the Response Readiness Re-
18 serve established under subsection (b) or to oth-
19 erwise participate in or contribute to stabiliza-
20 tion and reconstruction activities.

21 “(G) Ensuring that training of civilian per-
22 sonnel to perform such stabilization and recon-
23 struction activities is adequate and, as appro-
24 priate, includes security training that involves

1 exercises and simulations with the Armed
2 Forces, including the regional commands.

3 “(H) Sharing information and coordi-
4 nating plans for stabilization and reconstruction
5 activities with the United Nations and its spe-
6 cialized agencies, the North Atlantic Treaty Or-
7 ganization, nongovernmental organizations, and
8 other foreign national and international organi-
9 zations.

10 “(I) Coordinating plans and procedures for
11 joint civilian-military operations with respect to
12 stabilization and reconstruction activities.

13 “(J) Maintaining the capacity to field on
14 short notice an evaluation team to undertake
15 on-site needs assessment.

16 “(b) RESPONSE TO STABILIZATION AND RECON-
17 STRUCTION CRISIS.—If the President makes a determina-
18 tion regarding a stabilization and reconstruction crisis
19 under section 618 of the Foreign Assistance Act of 1961,
20 the President may designate the Coordinator, or such
21 other individual as the President may determine appro-
22 priate, as the coordinator of the United States response.
23 The individual so designated, or, in the event the Presi-
24 dent does not make such a designation, the Coordinator
25 for Reconstruction and Stabilization, shall—

1 “(1) assess the immediate and long-term need
2 for resources and civilian personnel;

3 “(2) identify and mobilize non-military re-
4 sources to respond to the crisis; and

5 “(3) coordinate the activities of the other indi-
6 viduals or management team, if any, designated by
7 the President to manage the United States re-
8 sponse.”.

9 **SEC. 707. RESPONSE READINESS CORPS.**

10 (a) IN GENERAL.—Section 63 of the State Depart-
11 ment Basic Authorities Act of 1956 (as added by section
12 706) is amended by adding at the end the following new
13 subsection:

14 “(c) RESPONSE READINESS CORPS.—

15 “(1) RESPONSE READINESS ACTIVE DUTY PER-
16 SONNEL.—

17 “(A) ESTABLISHMENT AND PURPOSE.—

18 The Secretary, in consultation with the Admin-
19 istrator of the United States Agency for Inter-
20 national Development, is authorized to establish
21 a Response Readiness Corps (hereafter referred
22 to in this section as the ‘Corps’) to provide as-
23 sistance in support of stabilization and recon-
24 struction activities in foreign countries or re-

1 gions that are in, or are in transition from, con-
2 flict or civil strife.

3 “(B) COMPOSITION.—The Secretary and
4 Administrator of the United States Agency for
5 International Development should coordinate in
6 the recruitment, hiring, and training of—

7 “(i) up to 250 personnel to serve in
8 the active duty Corps; and

9 “(ii) such other personnel as the Sec-
10 retary, in consultation with the Adminis-
11 trator, may designate as members of the
12 Corps from among employees of the De-
13 partment of State and the United States
14 Agency for International Development.

15 “(C) TRAINING.—The Secretary shall train
16 the members of the Corps to perform services
17 necessary to carry out the purpose of the Corps
18 under subparagraph (A).

19 “(D) COMPENSATION.—Members of the
20 Corps hired under subparagraph (B)(i) shall be
21 compensated in accordance with the appropriate
22 salary class for the Foreign Service, as set forth
23 in sections 402 and 403 of the Foreign Service
24 Act of 1980 (22 U.S.C. 3962 and 22 U.S.C.
25 3963), or in accordance with the relevant au-

1 thority under sections 3101 and 3392 of title 5,
2 United States Code.

3 “(2) RESPONSE READINESS RESERVE DUTY
4 PERSONNEL.—

5 “(A) ESTABLISHMENT AND PURPOSE.—

6 The Secretary, in consultation with the heads of
7 other relevant Executive agencies, is authorized
8 to establish and maintain a roster of personnel
9 who are trained and available as needed to per-
10 form services necessary to carry out the pur-
11 pose of the Corps under paragraph (1)(A). The
12 personnel listed on the roster shall constitute a
13 reserve component of the Response Readiness
14 Corps.

15 “(B) FEDERAL EMPLOYEES.—The Re-
16 sponse Readiness reserve component may in-
17 clude employees of the Department of State, in-
18 cluding Foreign Service Nationals, employees of
19 the United States Agency for International De-
20 velopment, employees of any other Executive
21 agency (as that term is defined in section 105
22 of title 5, United States Code), and employees
23 from the legislative and judicial branches who—

1 “(i) have the training and skills nec-
2 essary to enable them to contribute to sta-
3 bilization and reconstruction activities; and

4 “(ii) have volunteered for deployment
5 to carry out stabilization and reconstruc-
6 tion activities.

7 “(C) NON-FEDERAL PERSONNEL.—The
8 Response Readiness reserve component should
9 also include at least 500 personnel, which may
10 include retired employees of the Federal Gov-
11 ernment, contractor personnel, nongovern-
12 mental organization personnel, and State and
13 local government employees, who—

14 “(i) have the training and skills nec-
15 essary to enable them to contribute to sta-
16 bilization and reconstruction activities; and

17 “(ii) have volunteered to carry out
18 stabilization and reconstruction activities.

19 “(3) USE OF RESPONSE READINESS CORPS.—

20 “(A) RESPONSE READINESS ACTIVE DUTY
21 COMPONENT.—The members of the active duty
22 Corps shall be available—

23 “(i) if responding in support of sta-
24 bilization and reconstruction activities pur-
25 suant to a determination by the President

1 regarding a stabilization and reconstruc-
2 tion crisis under section 618 of the For-
3 eign Assistance Act of 1961, for deploy-
4 ment in support of such activities; and

5 “ (ii) if not responding as described in
6 clause (i), for assignment in the United
7 States, United States diplomatic missions,
8 and United States Agency for Inter-
9 national Development missions.

10 “(B) RESPONSE READINESS RESERVE
11 COMPONENT.—The Secretary may deploy mem-
12 bers of the reserve component under paragraph
13 (2) in support of stabilization and reconstruc-
14 tion activities in a foreign country or region if
15 the President makes a determination regarding
16 a stabilization and reconstruction crisis under
17 section 618 of the Foreign Assistance Act of
18 1961.”.

19 (b) EMPLOYMENT AUTHORITY.—The full-time per-
20 sonnel authorized to be employed in the Response Read-
21 iness Corps under section 63(c)(1)(B)(i) of the State De-
22 partment Basic Authorities Act of 1956 (as added by sub-
23 section (a)) are in addition to any other full-time per-
24 sonnel of the Department or the United States Agency for

1 International Development authorized to be employed
2 under any other provision of law.

3 (c) REPORT.—Not later than 180 days after the date
4 of the enactment of this Act, the Secretary shall submit
5 to the appropriate congressional committees a report on
6 the status of efforts to establish the Response Readiness
7 Corps under this section. The report shall include rec-
8 ommendations—

9 (1) for any legislation necessary to implement
10 subsection (a); and

11 (2) related to the regulation and structure of
12 the Response Readiness Corps, including with re-
13 spect to pay and employment security for, and ben-
14 efit and retirement matters related to, such individ-
15 uals.

16 **SEC. 708. STABILIZATION AND RECONSTRUCTION TRAIN-**
17 **ING AND EDUCATION.**

18 Section 701 of the Foreign Service Act of 1980 (22
19 U.S.C. 4021) is amended—

20 (1) by redesignating subsection (g) as sub-
21 section (h); and

22 (2) by inserting after subsection (f) the fol-
23 lowing new subsection:

24 “(g) STABILIZATION AND RECONSTRUCTION CUR-
25 RICULUM.—

1 “(1) ESTABLISHMENT AND MISSION.—The Sec-
2 retary, in cooperation with the Secretary of Defense
3 and the Secretary of the Army, is authorized to es-
4 tablish a stabilization and reconstruction curriculum
5 for use in programs of the Foreign Service Institute,
6 the National Defense University, and the United
7 States Army War College.

8 “(2) CURRICULUM CONTENT.—The curriculum
9 shall include the following:

10 “(A) An overview of the global security en-
11 vironment, including an assessment of
12 transnational threats and an analysis of United
13 States policy options to address such threats.

14 “(B) A review of lessons learned from pre-
15 vious United States and international experi-
16 ences in stabilization and reconstruction activi-
17 ties.

18 “(C) An overview of the relevant respon-
19 sibilities, capabilities, and limitations of various
20 Executive agencies (as that term is defined in
21 section 105 of title 5, United States Code) and
22 the interactions among them.

23 “(D) A discussion of the international re-
24 sources available to address stabilization and
25 reconstruction requirements, including re-

1 sources of the United Nations and its special-
2 ized agencies, nongovernmental organizations,
3 private and voluntary organizations, and foreign
4 governments, together with an examination of
5 the successes and failures experienced by the
6 United States in working with such entities.

7 “(E) A study of the United States inter-
8 agency system.

9 “(F) Foreign language training.

10 “(G) Training and simulation exercises for
11 joint civilian-military emergency response oper-
12 ations.”.

13 **SEC. 709. SERVICE RELATED TO STABILIZATION AND RE-**
14 **CONSTRUCTION.**

15 (a) PROMOTION PURPOSES.—Service in stabilization
16 and reconstruction operations overseas, membership in the
17 Response Readiness Corps under section 63(c) of the
18 State Department Basic Authorities Act of 1956 (as
19 added by section 707), and education and training in the
20 stabilization and reconstruction curriculum established
21 under section 701(g) of the Foreign Service Act of 1980
22 (as added by section 708) should be considered among the
23 favorable factors for the promotion of employees of Execu-
24 tive agencies.

1 (b) PERSONNEL TRAINING AND PROMOTION.—The
2 Secretary and the Administrator should take steps to en-
3 sure that, not later than 3 years after the date of the en-
4 actment of this Act, at least 10 percent of the employees
5 of the Department and the United States Agency for
6 International Development in the United States are mem-
7 bers of the Response Readiness Corps or are trained in
8 the activities of, or identified for potential deployment in
9 support of, the Response Readiness Corps. The Secretary
10 should provide such training to Ambassadors and Deputy
11 Chiefs of Mission.

12 (c) OTHER INCENTIVES AND BENEFITS.—The Sec-
13 retary and the Administrator may establish and admin-
14 ister a system of awards and other incentives and benefits
15 to confer appropriate recognition on and reward any indi-
16 vidual who is assigned, detailed, or deployed to carry out
17 stabilization or reconstruction activities in accordance with
18 this title.

19 **SEC. 710. AUTHORITIES RELATED TO PERSONNEL.**

20 (a) CONTRACTING AUTHORITY.—

21 (1) IN GENERAL.—The Secretary, or the Ad-
22 ministrator with the concurrence of the Secretary,
23 may enter into contracts to procure the services of
24 nationals of the United States (as defined in section
25 101(a)(22) of the Immigration and Nationality Act

1 (8 U.S.C. 1101(a)(22)) or aliens authorized to be
2 employed in the United States as personal services
3 contractors for the purpose of carrying out this title,
4 without regard to Civil Service or classification laws,
5 for service in the Office of the Coordinator for Re-
6 construction and Stabilization or for service in for-
7 eign countries to assist, in stabilizing and recon-
8 structing a country or region that is in, or is in
9 transition from, conflict or civil strife.

10 (2) LIMITATION.—Not more than 100 individ-
11 uals may be engaged to perform services under a
12 contract described in paragraph (1) at any time.

13 (3) NOT EMPLOYEES.—Individuals performing
14 services under contracts described in paragraph (1)
15 shall not by virtue of performing such services be
16 considered to be employees of the United States
17 Government for purposes of any law administered by
18 the Office of Personnel Management (except that
19 the Secretary or Administrator may determine the
20 applicability to such individuals of any law adminis-
21 tered by the Secretary or Administrator concerning
22 the performance of such services by such individ-
23 uals).

24 (b) EXPERTS AND CONSULTANTS.—The Secretary
25 and the Administrator may, to the extent necessary to ob-

1 tain services without delay, employ experts and consult-
2 ants under section 3109 of title 5, United States Code,
3 to assist in stabilizing and reconstructing a country or re-
4 gion that is in, or is in transition from, conflict or civil
5 strife, without requiring compliance with any otherwise
6 applicable requirements for that employment as the Sec-
7 retary or Administrator may determine, except that such
8 employment shall be terminated after 60 days if by that
9 time the applicable requirements are not complied with.

10 (c) AUTHORITY TO ACCEPT AND ASSIGN DETAILS.—

11 The Secretary is authorized to accept details or assign-
12 ments of employees of Executive agencies, members of the
13 uniformed services, and employees of State or local gov-
14 ernments on a reimbursable or nonreimbursable basis in
15 order to assist in stabilizing and reconstructing a country
16 or region that is in, or is in, transition from conflict or
17 civil strife. The assignment of an employee of a State or
18 local government under this subsection shall be consistent
19 with subchapter VI of chapter 33 of title 5, United States
20 Code.

21 (d) DUAL COMPENSATION WAIVER.—The Secretary
22 may waive the application of subsections (a) through (d)
23 of section 824 of the Foreign Service Act (22 U.S.C.
24 4064), for annuitants under the Foreign Service Retire-
25 ment and Disability System or the Foreign Service Pen-

1 sion System who are reemployed on a temporary basis in
2 order to be assigned, detailed, or deployed to assist in sta-
3 bilization and reconstruction activities in accordance with
4 this title.

5 (e) EXTENSION OF CERTAIN FOREIGN SERVICE
6 BENEFITS.—The Secretary may extend to any individuals
7 assigned, detailed, or deployed to carry out stabilization
8 and reconstruction activities in accordance with this title
9 the benefits or privileges set forth in sections 412, 413,
10 704, and 901 of the Foreign Service Act of 1980 (22
11 U.S.C. 972, 22 U.S.C. 3973, 22 U.S.C. 4024, and 22
12 U.S.C. 4081) to the same extent and manner that such
13 benefits and privileges are extended to members of the
14 Foreign Service.

15 (f) COMPENSATORY TIME.—Notwithstanding any
16 other provision of law, the Secretary may, subject to the
17 consent of an individual who is assigned, detailed, or de-
18 ployed to carry out stabilization and reconstruction activi-
19 ties in accordance with this title, grant such individual
20 compensatory time off for an equal amount of time spent
21 in regularly or irregularly scheduled overtime work. Credit
22 for compensatory time off earned shall not form the basis
23 for any additional compensation. Any such compensatory
24 time not used within 26 pay periods shall be forfeited.

25 (g) ACCEPTANCE OF VOLUNTEER SERVICES.—

1 (1) IN GENERAL.—The Secretary may accept
2 volunteer services to assist in stabilization and re-
3 construction activities under this title and section 63
4 of the State Department Basic Authorities Act of
5 1956 (as added by section 706) without regard to
6 section 1342 of title 31, United States Code.

7 (2) TYPES OF VOLUNTEERS.—Donors of vol-
8 untary services accepted for purposes of this section
9 may include—

10 (A) advisors;

11 (B) experts;

12 (C) consultants; and

13 (D) persons performing services in any
14 other capacity determined appropriate by the
15 Secretary.

16 (3) SUPERVISION.—The Secretary shall—

17 (A) ensure that each person performing
18 voluntary services accepted under this section is
19 notified of the scope of the voluntary services
20 accepted;

21 (B) supervise the volunteer to the same ex-
22 tent as employees receiving compensation for
23 similar services; and

24 (C) ensure that the volunteer has appro-
25 priate credentials or is otherwise qualified to

1 perform in each capacity for which the volun-
2 teer's services are accepted.

3 (4) APPLICABILITY OF LAW RELATING TO FED-
4 ERAL GOVERNMENT EMPLOYEES.—A person pro-
5 viding volunteer services accepted under this section
6 shall not be considered an employee of the Federal
7 Government in the performance of those services, ex-
8 cept for the purposes of the following provisions of
9 law:

10 (A) Chapter 81 of title 5, United States
11 Code, relating to compensation for work-related
12 injuries.

13 (B) Chapter 11 of title 18, United States
14 Code, relating to conflicts of interest.

15 (5) APPLICABILITY OF LAW RELATING TO VOL-
16 UNTEER LIABILITY PROTECTION.—

17 (A) IN GENERAL.—A person providing vol-
18 unteer services accepted under this section shall
19 be deemed to be a volunteer of a nonprofit or-
20 ganization or governmental entity, with respect
21 to the accepted services, for purposes of the
22 Volunteer Protection Act of 1997 (42 U.S.C.
23 14501 et seq.).

24 (B) INAPPLICABILITY OF EXCEPTIONS TO
25 VOLUNTEER LIABILITY PROTECTION.—Section

1 4(d) of such Act (42 U.S.C. 14503(d)) does not
2 apply with respect to the liability of a person
3 with respect to services of such person that are
4 accepted under this section.

5 (h) AUTHORITY FOR OUTSIDE ADVISORS.—

6 (1) IN GENERAL.—The Secretary may establish
7 temporary commissions composed of individuals with
8 appropriate expertise to facilitate the carrying out of
9 this title.

10 (2) INAPPLICABILITY OF FACA.—The require-
11 ments of the Federal Advisory Committee Act (5
12 U.S.C. App.) shall not apply to the activities of a
13 commission established under this subsection.

14 **SEC. 711. AUTHORIZATION OF APPROPRIATIONS.**

15 There are authorized to be appropriated \$24,000,000
16 for fiscal year 2006 and such sums as may be necessary
17 for fiscal year 2007 for personnel, education and training,
18 equipment, and travel costs for purposes of carrying out
19 this title and the amendments made by this title.

1 **TITLE VIII—MISCELLANEOUS**
2 **PROVISIONS AND REPORTING**
3 **REQUIREMENTS**

4 **SEC. 801. REPORTS ON ACQUISITION AND MAJOR SECURITY UPGRADES.**
5

6 Section 605(c) of the Secure Embassy Construction
7 and Counterterrorism Act of 1999 (title VI of the Admiral
8 James W. Nance and Meg Donovan Foreign Relations Au-
9 thorization Act, Fiscal Years 2000 and 2001 (as enacted
10 into law by section 1000(a)(7) of Public Law 106–113 and
11 contained in appendix G of that Act; 113 Stat. 1501A–
12 454)) is amended—

13 (1) by striking “SEMIANNUAL” and inserting
14 “ANNUAL”; and

15 (2) by striking “June 1 and”; and

16 (3) in paragraph (1)(A), by striking “two fiscal
17 quarters” and inserting “year”.

18 **SEC. 802. FELLOWSHIPS FOR MULTIDISCIPLINARY TRAIN-**
19 **ING ON NONPROLIFERATION ISSUES.**

20 (a) FELLOWSHIPS AUTHORIZED.—In carrying out
21 international exchange programs, the Secretary shall de-
22 sign and implement a program to encourage eligible stu-
23 dents to study at an accredited United States institution
24 of higher education in an appropriate graduate program.

1 (b) ELIGIBLE STUDENT DEFINED.—In this section,
2 the term “eligible student” means a citizen of a foreign
3 country who—

4 (1) has completed undergraduate education;
5 and

6 (2) is qualified (as determined by the Sec-
7 retary).

8 (c) APPROPRIATE GRADUATE PROGRAM DEFINED.—
9 In this section, the term “appropriate graduate program”
10 means a graduate level program that provides for the mul-
11 tidisciplinary study of issues relating to weapons non-
12 proliferation and includes training in—

13 (1) diplomacy;

14 (2) arms control;

15 (3) multilateral export controls; or

16 (4) threat reduction assistance.

17 (d) AVAILABILITY OF FUNDS.—Of the amounts au-
18 thorized to be appropriated for educational and cultural
19 exchange programs under section 101(4), \$2,000,000 may
20 be available to carry out this section.

21 **SEC. 803. REPORTING REQUIREMENTS RELATED TO**
22 **UNITED STATES INTERNATIONAL AGREE-**
23 **MENTS.**

24 Section 112b of title 1, United States Code, is
25 amended—

1 (1) in subsection (a)—

2 (A) by striking “Congress” in the first sen-
3 tence and inserting “Committee on Foreign Re-
4 lations of the Senate and the Committee on
5 International Relations of the House of Rep-
6 resentatives”; and

7 (B) in the second sentence—

8 (i) by striking “However, any” and
9 inserting “Any”; and

10 (ii) by striking “shall not be so trans-
11 mitted” and all that follows through
12 “House of Representatives” and inserting
13 “shall be transmitted”; and

14 (2) in subsection (b)—

15 (A) by striking “the President shall, under
16 his own signature,” and inserting “the Sec-
17 retary of State shall”;

18 (B) by striking “Speaker” and all that fol-
19 lows through “the chairman of the”;

20 (C) by inserting “and the Committee on
21 International Relations of the House of Rep-
22 resentatives” after “of the Senate”; and

23 (D) by striking “the Congress” and insert-
24 ing “such Committees”.

1 **SEC. 804. REQUIREMENT TO SUBMIT TO CONGRESS FIND-**
2 **INGS UNDER THE DIPLOMATIC SECURITY**
3 **ACT.**

4 (a) **REQUIREMENT.**—Section 304 of the Diplomatic
5 Security Act (22 U.S.C. 4834) is amended in subsection
6 (b), by striking “State,” and inserting “State and the ap-
7 propriate congressional committees,”.

8 (b) **CONFORMING AND CLARIFYING AMENDMENTS.**—

9 (1) **PROGRAM RECOMMENDATIONS.**—Paragraph
10 (1) of subsection (d) of such section is amended to
11 read as follows:

12 “(1) **PROGRAM RECOMMENDATIONS.**—In any
13 case in which a Board transmits recommendations
14 under subsection (b) of this section, the Secretary of
15 State shall, not later than 90 days after the receipt
16 of such recommendations, submit a report to the ap-
17 propriate congressional committees on each such rec-
18 ommendation and the action taken with respect to
19 that recommendation.”.

20 (2) **PERSONNEL RECOMMENDATIONS.**—Para-
21 graph (2) of such subsection is amended by striking
22 “Congress” and inserting “appropriate congressional
23 committees”.

24 (c) **APPROPRIATE CONGRESSIONAL COMMITTEES DE-**
25 **FINED.**—Such section is further amended by adding at the
26 end the following new subsection:

1 “(e) APPROPRIATE CONGRESSIONAL COMMITTEES
 2 DEFINED.—In this section, the term ‘appropriate congres-
 3 sional committees’ means the Committee on Foreign Rela-
 4 tions of the Senate and the Committee on International
 5 Relations of the House of Representatives.”.

6 **SEC. 805. REQUIREMENT FOR ADDITIONAL REPORT CON-**
 7 **CERNING EFFORTS TO PROMOTE ISRAEL’S**
 8 **DIPLOMATIC RELATIONS WITH OTHER COUN-**
 9 **TRIES.**

10 Section 215(b) of the Foreign Relations Authoriza-
 11 tion Act, Fiscal Year 2003 (Public Law 107–228; 116
 12 Stat. 1366) is amended by inserting “and again not later
 13 than 60 days after the date of the enactment of the For-
 14 eign Relations Authorization Act, Fiscal Years 2006 and
 15 2007,” after “Act,” in the matter preceding paragraph
 16 (1).

17 **SEC. 806. SENSE OF CONGRESS RELATING TO MAGEN**
 18 **DAVID ADOM SOCIETY.**

19 It is the sense of Congress that, in light of the find-
 20 ings of fact set out in section 690(a) of the Foreign Rela-
 21 tions Authorization Act, Fiscal Year 2003 (Public Law
 22 107–228; 116 Stat. 1414) and the fact that the Federa-
 23 tion of Red Cross and Red Crescent Societies has not
 24 granted full membership to the Magen David Adom Soci-
 25 ety, the United States should continue to press for full

1 membership for the Magen David Adom Society in the
2 International Red Cross Movement.

3 **SEC. 807. LIMITATION ON USE OF FUNDS RELATING TO**
4 **UNITED STATES POLICY WITH RESPECT TO**
5 **JERUSALEM AS THE CAPITAL OF ISRAEL.**

6 (a) LIMITATION ON USE OF FUNDS FOR CONSULATE
7 IN JERUSALEM.—None of the funds authorized to be ap-
8 propriated by this division may be expended for the oper-
9 ation of any United States consulate or diplomatic facility
10 in Jerusalem that is not under the supervision of the
11 United States Ambassador to Israel.

12 (b) LIMITATION ON USE OF FUNDS FOR PUBLICA-
13 TIONS.—None of the funds authorized to be appropriated
14 by this division may be available for the publication of any
15 official document of the United States that lists countries
16 including Israel and their capital cities unless the publica-
17 tion identifies Jerusalem as the capital of Israel.

18 **SEC. 808. AUTHORIZATION OF APPROPRIATIONS FOR THE**
19 **UNITED STATES COMMISSION ON INTER-**
20 **NATIONAL RELIGIOUS FREEDOM.**

21 (a) IN GENERAL.—Subsection (a) of section 207 of
22 the International Religious Freedom Act of 1998 (22
23 U.S.C. 6435) is amended by striking “\$3,000,000 for the
24 fiscal year 2003” and inserting “\$3,000,000 for fiscal

1 year 2006 and such sums as may be necessary for fiscal
2 year 2007”.

3 (b) TECHNICAL CORRECTION.—Subsection (b) of
4 such section is amended by striking “subparagraph (a)”
5 and inserting “subsection (a)”.

6 **SEC. 809. SENSE OF CONGRESS ON TERRORIST ATTACK ON**
7 **UNITED STATES CONSULATE IN JEDDAH,**
8 **SAUDI ARABIA.**

9 (a) FINDINGS.—Congress makes the following find-
10 ings:

11 (1) In Jeddah, Saudi Arabia, on December 4,
12 2004, five armed terrorists entered the compound of
13 the United States Consulate with the likely intention
14 to murder Americans.

15 (2) The combined efforts of the United States
16 Embassy Marine Security Guard detachment and
17 the perimeter security guards prevented the
18 attackers from breaching the chancery building in
19 spite of intense machine gun fire by the terrorists.

20 (3) Based on their inability to enter the main
21 building, the terrorists attempted to learn the loca-
22 tion of any other Americans who might be in the
23 compound.

24 (4) In spite of imminent threats of death,
25 United States Consulate employees refused to di-

1 vulge the whereabouts of any United States staff, in-
2 cluding those they had hidden nearby.

3 (5) During the attack and in the ensuing battle
4 with Saudi National Guard units, the following four
5 Foreign Service Nationals were murdered:

6 (A) Ali Yaslem BinTalib, from Yemen, who
7 worked for the United States Government for
8 more than 25 years, who leaves behind a wife.

9 (B) Imad-E-Deen Musa All, from Sudan,
10 who worked for the United States Government
11 for more than 26 years, who leaves behind a
12 wife and two daughters aged 16 and 13.

13 (C) Mohammed Basheer Uddin, from
14 India, who worked for the United States Gov-
15 ernment for 16 months, who leaves behind a
16 wife and elder brother.

17 (D) Romeo Dela Rosa, from the Phil-
18 ippines, who worked for the United States Gov-
19 ernment for more than 12 years, who leaves be-
20 hind a wife and 12 year old son.

21 (6) During the attack, Jaufar Sadik of Sri
22 Lanka died returning fire against the attackers in
23 his capacity as a local guard while protecting the
24 Consulate.

1 (7) During the attack, 10 other Foreign Service
2 Nationals were seriously injured.

3 (8) The Governments of the United States and
4 Saudi Arabia remain committed to bringing those
5 responsible for planning, assisting, and carrying out
6 these attacks to justice.

7 (9) The United States and Saudi Arabia are al-
8 lied by a common interest in building a stable,
9 peaceful, and prosperous world.

10 (10) The acts of murder committed on Decem-
11 ber 6, 2004, demonstrate again that terrorism re-
12 spects neither boundaries nor borders.

13 (b) SENSE OF CONGRESS ON ATTACK ON CON-
14 SULATE.—Congress—

15 (1) notes the vital role that Foreign Service Na-
16 tionals serve throughout the world and recognizes
17 their integral efforts in providing for the operation
18 of diplomacy overseas;

19 (2) applauds the quick thinking on the part of
20 the Marine Security Guards to secure the chancery
21 when the attack on the United States Consulate in
22 Jeddah, Saudi Arabia, occurred;

23 (3) expresses its condolences to the families of
24 the individuals murdered in the terrorist attack;

1 (4) expresses its sympathies to the individuals
2 injured in the attack;

3 (5) conveys its hope for the rapid and complete
4 recovery of all such injured individuals; and

5 (6) expresses its solidarity with all those coun-
6 tries that stand united against terrorism and work
7 together to bring to justice the perpetrators of this
8 and other terrorist attacks.

9 **SEC. 810. SENSE OF CONGRESS ON PARTICIPATION OF**
10 **WOMEN IN ELECTIONS IN SAUDI ARABIA.**

11 (a) FINDINGS.—Congress makes the following find-
12 ings:

13 (1) On February 10, 2005, for the first time in
14 over forty years, Saudi Arabia held the first stage of
15 nationwide municipal elections.

16 (2) Women in Saudi Arabia were not permitted
17 to run for office or vote during these municipal elec-
18 tions.

19 (3) While the United States acknowledges the
20 deep cultural and religious traditions and sentiments
21 within Saudi society, without the right to vote, Saudi
22 women are denied not only a basic human right but
23 also the ability to contribute fully to the economic
24 development, modernization and prosperity of their
25 own country.

1 (4) According to the State Department’s 2004
2 Report on Human Rights Practices, in Saudi Arabia
3 “women have few political or social rights and were
4 not treated as equal members of society. There were
5 no active women’s rights groups.”.

6 (5) In December 2003, a petition submitted by
7 more than 300 Saudi Arabian women called for
8 greater rights for women in Saudi Arabia and great-
9 er recognition of their contributions to society.

10 (6) The Saudi Foreign Minister, Prince Saud
11 Al Faisal stated after the election that he assumed
12 women will be allowed to vote in future elections and
13 that modernization of Saudi society was taking place
14 because of the actions of Saudi women themselves.

15 (b) SENSE OF CONGRESS.—It is the sense of the
16 Congress that—

17 (1) the municipal elections in Saudi Arabia are
18 a positive initial step in broadening civic participa-
19 tion; and

20 (2) it is in the interest of Saudi Arabia to per-
21 mit women to run for office and vote in all future
22 elections.

1 **SEC. 811. STRATEGY ON COMBATTING TERRORISM IN WEST**
2 **AFRICA.**

3 (a) REQUIREMENT FOR STRATEGY.—Not later than
4 6 months after the date of enactment of this Act, the Sec-
5 retary of State, in consultation with the Secretary of De-
6 fense, the Director of the Central Intelligence Agency, and
7 the Administrator of the United States Agency for Inter-
8 national Development, shall submit to the Committee on
9 Foreign Relations of the Senate and Committee on Inter-
10 national Relations of the House of Representatives a strat-
11 egy for combating terrorism in West Africa during the 3-
12 year period beginning on such date.

13 (b) CONTENT.—The strategy shall include—

14 (1) a comprehensive assessment of the activity
15 of international terrorist organizations in West Afri-
16 ca;

17 (2) an interagency plan for dealing with the
18 threats posed by international terrorist organizations
19 in West Africa;

20 (3) a description of the resources required to
21 implement the plan described in paragraph (2);

22 (4) a description of the planned coordination
23 with all other regional counter-terrorism efforts in-
24 cluding the Pan-Sahel and East Africa Counter-Ter-
25 rorism Initiatives, and any other similar programs in
26 the region, including in North Africa; and

1 (5) an analysis of the expected level of coopera-
 2 tion from countries in West Africa and other appro-
 3 priate countries in implementing the plan described
 4 in paragraph (2).

5 **DIVISION B—FOREIGN**
 6 **ASSISTANCE AUTHORIZATIONS**

7 **SEC. 2001. SHORT TITLE.**

8 This division may be cited as the “Foreign Assistance
 9 Authorization Act, Fiscal Years 2006 and 2007”.

10 **TITLE XXI—AUTHORIZATION OF**
 11 **APPROPRIATIONS**

12 **Subtitle A—Development Assist-**
 13 **ance and Related Programs Au-**
 14 **thorizations**

15 **SEC. 2101. DEVELOPMENT ASSISTANCE.**

16 (a) **AUTHORIZATION OF APPROPRIATIONS.**—There
 17 are authorized to be appropriated to the President for
 18 “Development Assistance”, \$1,103,233,000 for fiscal year
 19 2006 and such sums as may be necessary for fiscal year
 20 2007, to carry out sections 103, 105, 106, and 496 of
 21 the Foreign Assistance Act of 1961 (22 U.S.C. 2151a,
 22 2151c, 2151d, and 2293).

23 (b) **AVAILABILITY.**—Amounts appropriated under
 24 this section for the purposes specified in subsection (a)—

1 (1) are authorized to remain available until ex-
2 pended; and

3 (2) are in addition to amounts otherwise avail-
4 able for such purposes.

5 (c) REPEAL OF OBSOLETE AUTHORIZATIONS.—

6 (1) AGRICULTURE, RURAL DEVELOPMENT, AND
7 NUTRITION.—Section 103(a) of the Foreign Assist-
8 ance Act of 1961 (22 U.S.C. 2151a(a)) is amend-
9 ed—

10 (A) by striking “(a)(1)” and inserting
11 “(a)”;

12 (B) by striking paragraphs (2) and (3);
13 and

14 (C) by redesignating subparagraphs (A),
15 (B), and (C), as paragraphs (1), (2), and (3),
16 respectively.

17 (2) EDUCATION AND HUMAN RESOURCES DE-
18 VELOPMENT.—Section 105(a) of such Act (22
19 U.S.C. 2151c(a)) is amended by striking the second
20 sentence.

21 (3) ENERGY, PRIVATE VOLUNTARY ORGANIZA-
22 TIONS, AND SELECTED DEVELOPMENT ACTIVI-
23 TIES.—Section 106 of such Act (22 U.S.C. 2151d)
24 is amended by striking subsections (e) and (f).

1 (d) TECHNICAL AMENDMENT OF DEVELOPMENT
2 FUND FOR AFRICA.—Section 497 of the Foreign Assist-
3 ance Act of 1961 (22 U.S.C. 2294) is amended by striking
4 “AUTHORIZATIONS OF APPROPRIATIONS FOR THE DE-
5 VELOPMENT FUND FOR AFRICA.—” and inserting
6 “AVAILABILITY OF FUNDS.—”.

7 **SEC. 2102. CHILD SURVIVAL AND HEALTH PROGRAMS**
8 **FUND.**

9 (a) AUTHORIZATION OF APPROPRIATIONS.—There
10 are authorized to be appropriated to the President for
11 “Child Survival and Health Programs Fund”,
12 \$1,251,500,000 for fiscal year 2006 and such sums as
13 may be necessary for fiscal year 2007, to carry out sec-
14 tions 104 and 496 of the Foreign Assistance Act of 1961
15 (22 U.S.C. 2151b and 2293). Amounts authorized to be
16 appropriated under this section are in addition to amounts
17 available under other provisions of law to combat the
18 human immunodeficiency virus (HIV), the acquired im-
19 mune deficiency syndrome (AIDS), tuberculosis, or ma-
20 laria.

21 (b) FAMILY PLANNING PROGRAMS.—Of the amount
22 authorized to be appropriated under subsection (a),
23 \$346,000,000 for fiscal year 2006 and such sums as may
24 be necessary for fiscal year 2007 may be used for assist-
25 ance under sections 104(b) and 496(i)(3) of the Foreign

1 Assistance Act of 1961 (22 U.S.C. 2151b(b) and
2 2293(i)(3)).

3 (c) AVAILABILITY.—Amounts appropriated under
4 this section for the purposes specified in subsection (a)—

5 (1) are authorized to remain available until ex-
6 pended; and

7 (2) are in addition to amounts otherwise avail-
8 able for such purposes.

9 (d) REPEAL OF OBSOLETE AUTHORIZATIONS AND
10 TECHNICAL AMENDMENTS.—Section 104(c) of the For-
11 eign Assistance Act of 1961 (22 U.S.C. 2151b(e)) is
12 amended—

13 (1) in paragraph (2)—

14 (A) by striking subparagraphs (B) and
15 (C); and

16 (B) by striking “(2)(A)” and inserting
17 “(2)”; and

18 (2) in paragraph (3), by striking the last sen-
19 tence.

20 **SEC. 2103. DEVELOPMENT CREDIT AUTHORITY.**

21 Subtitle B of title VI chapter 2 of part I of the For-
22 eign Assistance Act of 1961 is amended by inserting after
23 section 256 the following:

1 **“SEC. 256A. DEVELOPMENT CREDIT AUTHORITY.**

2 “(a) FINDINGS.—Congress makes the following find-
3 ings:

4 “(1) Developing countries often have large re-
5 serves of privately held capital that are not being
6 adequately mobilized and invested due to weak fi-
7 nancial institutions and other market imperfections
8 in such countries.

9 “(2) Partial loan guarantees, particularly when
10 used as an integral part of a development strategy,
11 are useful to leverage local private capital for devel-
12 opment while reforming and strengthening devel-
13 oping country financial markets.

14 “(3) Requiring risk-sharing guarantees and lim-
15 iting guarantee assistance to private lenders encour-
16 ages such lenders to provide appropriate oversight
17 and management of development projects funded
18 with loans made by such lenders and, thereby, maxi-
19 mize the benefit which such projects will achieve.

20 “(b) POLICY.—It is the policy of the United States
21 to make partial loan guarantees available to private lend-
22 ers to fund development projects in developing countries
23 that encourage such lenders to provide appropriate over-
24 sight and management of such development projects.

25 “(c) AUTHORITY.—To carry out the policy set forth
26 in subsection (b), the President is authorized to provide

1 assistance in the form of loans and partial loan guarantees
2 to private lenders in developing countries to achieve the
3 economic development purposes of the provisions of this
4 part.

5 “(d) POLICIES TO LIMIT FINANCIAL RISK TO THE
6 UNITED STATES.—

7 “(1) PRIORITY FOR ASSISTANCE.—The Presi-
8 dent, in providing assistance under this section, shall
9 give priority to providing partial loan guarantees
10 made pursuant to the authority in subsection (c)
11 that are used in transactions in which the financial
12 risk of loss to the United States Government under
13 such guarantee does not exceed the financial risk of
14 loss of the private lender that receives such guar-
15 antee.

16 “(2) MAXIMUM EXPOSURE.—The investment or
17 risk of the United States in any one development
18 project may not exceed 70 percent of the total out-
19 standing investment or risk associated with such
20 project.

21 “(e) TERMS AND CONDITIONS.—

22 “(1) IN GENERAL.—Assistance provided under
23 this section shall be provided on such terms and con-
24 ditions as the President determines appropriate.

1 “(2) MAXIMUM TOTAL AMOUNT OF LOANS OR
2 GUARANTIES PER BORROWER.—The principal
3 amount of loans made or guaranteed under this sec-
4 tion in any fiscal year, with respect to any single
5 country or borrower, may not exceed \$100,000,000.

6 “(f) OBLIGATIONS OF THE UNITED STATES.—A par-
7 tial loan guarantee made under subsection (c) shall con-
8 stitute an obligation, in accordance with the terms of such
9 guarantee, of the United States of America and the full
10 faith and credit of the United States of America is pledged
11 for the full payment and performance of such obligation.

12 “(g) PROCUREMENT PROVISIONS.—Assistance may
13 be provided under this section notwithstanding section
14 604(a).

15 “(h) DEVELOPMENT CREDIT AUTHORITY PROGRAM
16 ACCOUNT.—There is established on the books of the
17 Treasury an account known as the Development Credit
18 Authority Program Account. There shall be deposited into
19 the account all amounts made available for providing as-
20 sistance under this section, other than amounts made
21 available for administrative expenses to carry out this sec-
22 tion. Amounts in the Account shall be available to provide
23 assistance under this section.

24 “(i) AVAILABILITY OF FUNDS.—

1 “(1) IN GENERAL.—Of the amounts authorized
2 to be available for the purposes of part I of this Act
3 and for the Support for Eastern European Democ-
4 racy (SEED) Act of 1989 (22 U.S.C. 5401 et seq.),
5 not more than \$21,000,000 for fiscal year 2006 and
6 such sums as may be necessary for fiscal year 2007
7 may be made available to carry out this section.

8 “(2) TRANSFER OF FUNDS.—Amounts made
9 available under paragraph (1) may be transferred to
10 the Development Credit Authority Program Account
11 established by subsection (h).

12 “(3) SUBSIDY COST.—Amounts made available
13 under paragraph (1) shall be available for the sub-
14 sidy cost, as defined in section 502(5) of the Federal
15 Reform Credit Act of 1990 (2 U.S.C. 661a(5)), of
16 activities under this section.

17 “(j) AUTHORIZATION OF APPROPRIATIONS.—

18 “(1) IN GENERAL.—There is authorized to be
19 appropriated for administrative expenses to carry
20 out this section \$8,000,000 for fiscal year 2006 and
21 such sums as may be necessary for fiscal year 2007.

22 “(2) TRANSFER OF FUNDS.—The amounts ap-
23 propriated for administrative expenses under para-
24 graph (1) may be transferred to and merged with
25 amounts made available under section 667(a).

1 “(k) AVAILABILITY.—Amounts appropriated or made
2 available under this section are authorized to remain avail-
3 able until expended.”.

4 **SEC. 2104. PROGRAM TO PROVIDE TECHNICAL ASSISTANCE**
5 **TO FOREIGN GOVERNMENTS AND FOREIGN**
6 **CENTRAL BANKS OF DEVELOPING OR TRAN-**
7 **SITIONAL COUNTRIES.**

8 Section 129(j)(1) of the Foreign Assistance Act of
9 1961 (22 U.S.C. 2151aa(j)(1)) is amended by striking
10 “\$5,000,000 for fiscal year 1999” and inserting
11 “\$20,000,000 for fiscal year 2006 and such sums as may
12 be necessary for fiscal year 2007”.

13 **SEC. 2105. INTERNATIONAL ORGANIZATIONS AND PRO-**
14 **GRAMS.**

15 (a) AUTHORIZATION OF APPROPRIATIONS.—Section
16 302 of the Foreign Assistance Act of 1961 (22 U.S.C.
17 2222) is amended by striking subsections (a) through (j)
18 and inserting the following:

19 “(a) There are authorized to be appropriated to the
20 President \$281,908,000 for fiscal year 2006 and such
21 sums as may be necessary for fiscal year 2007, for grants
22 to carry out the purposes of this chapter. Amounts appro-
23 priated pursuant to the authorization of appropriations in
24 this section are in addition to amounts otherwise available
25 for such purposes.”.

1 (b) CONFORMING AMENDMENTS.—Such section is
2 further amended—

3 (1) in the heading, by striking “AUTHORIZA-
4 TION.—” and inserting “AUTHORIZATION OF AP-
5 PROPRIATIONS.—”; and

6 (2) by redesignating subsections (k), (l), and
7 (m) as subsections (b), (c), and (d), respectively.

8 **SEC. 2106. CONTINUED AVAILABILITY OF CERTAIN FUNDS**
9 **WITHHELD FROM INTERNATIONAL ORGANI-**
10 **ZATIONS.**

11 Section 307 of the Foreign Assistance Act of 1961
12 (22 U.S.C. 2227) is amended—

13 (1) in subsection (a), by striking “Iraq,”; and

14 (2) by adding at the end the following new sub-
15 section:

16 “(e) Funds available in any fiscal year to carry out
17 the provisions of this chapter that are returned or not
18 made available for organizations and programs because of
19 the application of this section shall remain available for
20 obligation until September 30 of the fiscal year after the
21 fiscal year for which such funds are appropriated.”.

22 **SEC. 2107. INTERNATIONAL DISASTER AND FAMINE ASSIST-**
23 **ANCE.**

24 Section 492(a) of the Foreign Assistance Act of 1961
25 (22 U.S.C. 2292a(a)) is amended by striking

1 “\$25,000,000 for fiscal year 1986 and \$25,000,000 for
2 fiscal year 1987” and inserting “\$655,500,000 for fiscal
3 year 2006 and such sums as may be necessary for fiscal
4 year 2007”.

5 **SEC. 2108. TRANSITION INITIATIVES.**

6 Section 494 of the Foreign Assistance Act of 1961
7 (22 U.S.C. 2292c) is amended to read as follows:

8 **“SEC. 494. TRANSITION AND DEVELOPMENT ASSISTANCE.**

9 “(a) TRANSITION AND DEVELOPMENT ASSIST-
10 ANCE.—The President is authorized to furnish assistance
11 to support the transition to democracy and to long-term
12 development in accordance with the general authority con-
13 tained in section 491, including assistance to—

14 “(1) develop, strengthen, or preserve democratic
15 institutions and processes;

16 “(2) revitalize basic infrastructure; and

17 “(3) foster the peaceful resolution of conflict.

18 “(b) AUTHORIZATION OF APPROPRIATIONS.—There
19 are authorized to be appropriated to the President
20 \$325,000,000 for fiscal year 2006 and such sums as may
21 be necessary for fiscal year 2007, to carry out this section.

22 “(c) AVAILABILITY.—Amounts appropriated under
23 this section for the purpose specified in subsection (b)—

24 “(1) are authorized to remain available until ex-
25 pended; and

1 “(2) are in addition to amounts otherwise avail-
2 able to carry out this section.”.

3 **SEC. 2109. ASSISTANCE FOR THE INDEPENDENT STATES OF**
4 **THE FORMER SOVIET UNION.**

5 (a) **AUTHORIZATION OF APPROPRIATIONS.**—There
6 are authorized to be appropriated to the President for
7 “Assistance for the Independent States of the Former So-
8 viet Union”, \$482,000,000 for fiscal year 2006 and such
9 sums as may be necessary for fiscal year 2007, to carry
10 out chapters 11 and 12 of part I of the Foreign Assistance
11 Act of 1961 (22 U.S.C. 2295 et seq. and 2296 et seq.)
12 and the FREEDOM Support Act (22 U.S.C. 5801 et
13 seq.).

14 (b) **BIRTH DEFECTS SURVEILLANCE AND FOLIC**
15 **ACID WHEAT FORTIFICATION PROJECTS.**—Of the amount
16 authorized to be appropriated under subsection (a), not
17 less than \$8,000,000 for fiscal year 2006 and such sums
18 as may be necessary for fiscal year 2007 should be made
19 available for birth defects surveillance and folic acid wheat
20 fortification projects in Ukraine and the other independent
21 states of the former Soviet Union.

22 (c) **AVAILABILITY.**—Amounts appropriated under
23 this section for the purposes specified in subsection (a)—

24 (1) are authorized to remain available until ex-
25 pended; and

1 (2) are in addition to amounts otherwise avail-
2 able for such purposes.

3 **SEC. 2110. ASSISTANCE FOR EASTERN EUROPE AND THE**
4 **BALTIC STATES.**

5 (a) AUTHORIZATION OF APPROPRIATIONS.—There
6 are authorized to be appropriated to the President for
7 “Assistance for Eastern Europe and the Baltic States”
8 \$382,000,000 for fiscal year 2006 and such sums as may
9 be necessary for fiscal year 2007 to carry out the Support
10 for East European Democracy (SEED) Act of 1989 (22
11 U.S.C. 5401 et seq.), and the Foreign Assistance Act of
12 1961 (22 U.S.C. 2151 et seq.).

13 (b) AVAILABILITY.—Amounts appropriated under
14 this section for the purposes specified in subsection (a)—

15 (1) are authorized to remain available until ex-
16 pended;

17 (2) are in addition to amounts otherwise avail-
18 able for such purposes;

19 (3) may be made available notwithstanding any
20 other provision of law; and

21 (4) shall be considered to be economic assist-
22 ance under the Foreign Assistance Act of 1961 (22
23 U.S.C. 2151 et seq.) for purposes of making applica-
24 ble the administrative authorities contained in that
25 Act for the use of economic assistance.

1 **SEC. 2111. OPERATING EXPENSES OF THE UNITED STATES**
2 **AGENCY FOR INTERNATIONAL DEVELOP-**
3 **MENT.**

4 (a) AUTHORIZATION OF APPROPRIATIONS.—Section
5 667 of the Foreign Assistance Act of 1961 (22 U.S.C.
6 2427) is amended—

7 (1) in subsection (a)—

8 (A) by striking paragraph (1) and insert-
9 ing the following:

10 “(1) \$680,735,000 for fiscal year 2006 and
11 such sums as may be necessary for fiscal year 2007
12 for necessary operating expenses of the United
13 States Agency for International Development; and”;
14 and

15 (B) in paragraph (2) of such subsection,
16 by striking “agency” and inserting “Agency”;

17 (2) by redesignating subsection (b) as sub-
18 section (c); and

19 (3) by inserting after subsection (a) the fol-
20 lowing new subsection (b):

21 “(b) There are authorized to be appropriated to the
22 President, in addition to funds available under subsection
23 (a) or any other provision of law for such purposes—

24 “(1) \$36,000,000 for fiscal year 2006 and such
25 sums as may be necessary for fiscal year 2007, for
26 necessary operating expenses of the Office of Inspec-

1 tor General of the United States Agency for Inter-
2 national Development; and

3 “(2) such amounts as may be necessary for in-
4 creases in pay, retirement, and other employee bene-
5 fits authorized by law for the employees of such Of-
6 fice, and for other nondiscretionary costs of such Of-
7 fice.”.

8 (b) CONFORMING AMENDMENT.—The heading of sec-
9 tion 667 of the Foreign Assistance Act of 1961 (22 U.S.C.
10 2427) is amended by striking “EXPENSES.—” and insert-
11 ing “EXPENSES OF THE UNITED STATES AGENCY FOR
12 INTERNATIONAL DEVELOPMENT.—”.

13 **SEC. 2112. CAPITAL INVESTMENT FUNDS FOR THE UNITED**
14 **STATES AGENCY FOR INTERNATIONAL DE-**
15 **VELOPMENT.**

16 There are authorized to be appropriated \$77,700,000
17 for fiscal year 2006 and such sums as may be necessary
18 for fiscal year 2007 for overseas construction and related
19 costs and for enhancement of information technology and
20 related investments.

21 **SEC. 2113. MILLENNIUM CHALLENGE ASSISTANCE.**

22 Section 619(a) of the Millennium Challenge Act of
23 2003 (22 U.S.C. 7718) is amended by striking the period
24 at the end and inserting “, \$3,000,000,000 for fiscal year

1 2006, and such sums as may be necessary for fiscal year
2 2007.”.

3 **SEC. 2114. DEBT RELIEF.**

4 There is authorized to be appropriated for purposes
5 of United States contributions for debt relief under the
6 Tropical Forest Conservation Act of 1998 (part V of the
7 Foreign Assistance Act of 1961 (22 U.S.C. 2431 et seq.)),
8 poorest country debt reduction, bilateral Heavily Indebted
9 Poor Countries (HIPC) debt reduction, and the Heavily
10 Indebted Poor Countries (HIPC) Trust Fund adminis-
11 tered by the International Bank for Reconstruction and
12 Development for the period beginning October 1, 2005,
13 and ending September 30, 2007, \$99,750,000, of which
14 not more than \$20,000,000 may be made available to
15 carry out the Tropical Forest Conservation Act of 1998.

16 **SEC. 2115. PEACE CORPS.**

17 Section 3(b)(1) of the Peace Corps Act (22 U.S.C.
18 2502(b)(1)) is amended by striking “\$270,000,000” and
19 all that follows through “2003” and inserting
20 “\$345,000,000 for fiscal year 2006 and such sums as may
21 be necessary for fiscal year 2007”.

22 **SEC. 2116. MIDDLE EAST PARTNERSHIP INITIATIVE.**

23 (a) DECLARATION OF POLICY.—Congress makes the
24 following declarations:

1 (1) The United States and the international
2 community have long-term interests in the stability,
3 security and prosperity of the people of the Middle
4 East and North Africa and their ability to meet the
5 challenges of the 21st century.

6 (2) The United States and the international
7 community should, through a Middle East Partner-
8 ship Initiative, support modernization and reform ef-
9 forts that advance education, promote economic op-
10 portunity, foster private sector development,
11 strengthen civil society, and enhance security in the
12 Middle East and North Africa.

13 (3) The United States recognizes that the coun-
14 tries included in this large region have many forms
15 of government and are at varying stages of eco-
16 nomic, political, and social development; and that
17 any assistance and cooperative efforts in these na-
18 tions should aim to improve the lives of individuals
19 and take into account cultural, historical, and reli-
20 gious factors in each country.

21 (4) The United States further recognizes that
22 modernization and reform in countries included in
23 this large region must be generated by the people of
24 these nations themselves and that their efforts will
25 require long-term, sustained, and multi-dimensional

1 assistance and cooperative support from the United
2 States and others in the international community.

3 (5) The United States Government, in par-
4 ticular, should provide its expertise to enhance the
5 efforts of governments in the Middle East and North
6 Africa to address the gaps identified in the Arab De-
7 velopment Reports of 2002 and 2003, including dif-
8 fusion of knowledge, freedom, and women's em-
9 powerment, as follows:

10 (A) To address the knowledge deficit, the
11 United States should support the efforts of gov-
12 ernments in the Middle East and North Africa
13 to revamp antiquated and under-resourced edu-
14 cation systems, tapping human capital in the
15 region and drawing from the rich cultural, lin-
16 guistic, and intellectual heritage of these states.
17 United States efforts should support a broader
18 quality of education and wider availability of
19 education within these societies.

20 (B) To encourage greater human free-
21 doms, the United States Government should
22 support efforts that increase the ability of peo-
23 ple to freely express ideas and opinions, to asso-
24 ciate with one another, to influence governing

1 systems, and to fully participate in political
2 processes.

3 (C) To support empowerment of women in
4 this large region, the United States Government
5 should support programs that are gender-inclu-
6 sive, gender-sensitive, and that increase the role
7 of women in society, the market place, and gov-
8 ernance.

9 (6) Fostering modernization, reform, develop-
10 ment, and stability in the countries of the Middle
11 East and North Africa will help eliminate environ-
12 ments that fuel terrorism by expanding opportunities
13 for education, decreasing isolationism, improving the
14 welfare of the people of the region, and promoting
15 the active involvement of citizens in the direction
16 and development of their society and systems of gov-
17 ernance.

18 (b) PURPOSES OF ASSISTANCE.—The purposes of as-
19 sistance authorized by this section are to support through
20 the Middle East Partnership Initiative programs and ac-
21 tivities—

22 (1) to help achieve broad-based, multi-ethnic,
23 gender-sensitive, and fully representative govern-
24 ments in the Middle East and North Africa that are
25 freely chosen by the people of each country and that

1 respect the human rights of all people, particularly
2 women;

3 (2) to help modernize the institutions and infra-
4 structure of Middle East and North Africa countries
5 with a particular emphasis on meeting the political,
6 educational, health, and economic needs of women
7 and children to better enable their full participation
8 in society, enhancing civil society, independent
9 media, the judiciary and the rule of law;

10 (3) to support the continued efforts of the
11 United States Government and the international
12 community to address gaps identified by the Arab
13 Development Reports of 2002 and 2003, especially
14 regarding diffusion of knowledge, advancement of
15 human freedom, and empowerment of women, in the
16 countries of the Middle East and North Africa; and

17 (4) to support the economic development of the
18 Middle East and North Africa through programs
19 that create jobs, educate and train women in the
20 labor force, enhance the health care system, and cre-
21 ate an environment that encourages investment in
22 the countries of the region.

23 (c) AUTHORIZATION OF ASSISTANCE.—Of the
24 amount authorized to be appropriated for Economic Sup-
25 port Fund assistance under section 2122 for fiscal year

1 2006, \$120,000,000 may be made available for programs
2 and activities under the Middle East Partnership Initia-
3 tive.

4 (d) REPORT TO CONGRESS.—

5 (1) IN GENERAL.—Not later than 180 days
6 after the date of enactment of this Act, and annually
7 thereafter, the Secretary shall submit to Congress a
8 report on the activities of the United States Govern-
9 ment to carry out the provisions of this section.

10 (2) CONTENTS.—The report required under
11 this section shall include—

12 (A) a description of the Middle East Part-
13 nership Initiative programs and activities un-
14 dertaken, by country;

15 (B) a description of the funds obligated
16 and expended in each country, by program and
17 fiscal year;

18 (C) a description of the coordination of
19 these efforts within the United States Govern-
20 ment interagency process and with other na-
21 tions.

22 (e) MIDDLE EAST AND NORTH AFRICA DEFINED.—

23 In this section, the term “Middle East and North Africa”
24 includes the countries and governing entities that are cov-

1 ered by the Bureau of Near Eastern Affairs of the Depart-
2 ment of State.

3 **SEC. 2117. ASSISTANCE TO COMBAT THE AVIAN FLU.**

4 (a) FINDINGS.—Congress makes the following find-
5 ings:

6 (1) On February 21, 2005, Dr. Julie
7 Gerberding, the Director of the Centers for Disease
8 Control and Prevention, stated that avian flu is “a
9 very ominous situation for the globe” and that avian
10 flu is “the most important threat we are facing right
11 now”.

12 (2) On February 23, 2005, Dr. Shigeru Omi,
13 Regional Director for the Western Pacific Region of
14 the World Health Organization (WHO), stated with
15 respect to the avian flu, “[w]e at WHO believe that
16 the world is now in the gravest possible danger of
17 a pandemic”.

18 (3) There is no vaccine available for the H5N1
19 strain of the avian flu, the strain of the avian flu
20 which is infecting human beings through contact
21 with infected live birds and which has a 72-percent
22 mortality rate.

23 (4) At an international conference in Vietnam
24 on the avian flu held in February 2005, the WHO
25 called for at least \$100,000,000 in new funding to

1 combat avian flu before the disease has a chance to
2 mutate into a strain that can be passed between
3 human beings.

4 (b) INTERAGENCY COORDINATION TO COMBAT THE
5 AVIAN FLU.—

6 (1) IN GENERAL.—Not later than 45 days after
7 the date of enactment of this Act, if not already ac-
8 complished, the President should establish an inter-
9 agency task force composed of representatives of the
10 Department of State, Department of Health and
11 Human Services, Department of Agriculture, and
12 other appropriate agencies.

13 (2) PURPOSES.—The purposes of the inter-
14 agency task force shall include—

15 (A) designing and implementing a com-
16 prehensive, international strategy to prevent,
17 and if necessary responding to, an outbreak of
18 the avian flu;

19 (B) ensuring program and policy coordina-
20 tion among agencies of the United States Gov-
21 ernment, other countries, international organi-
22 zations, private entities, and other nongovern-
23 mental organizations in carrying out the strat-
24 egy described in subparagraph (A); and

1 (C) maintaining proper management, im-
2 plementation, and oversight by agencies respon-
3 sible for executing programs undertaken pursu-
4 ant to the strategy described in subparagraph
5 (A).

6 (3) REPRESENTATION.—A representative of an
7 agency or department who participates in the inter-
8 agency task force should hold the position of an as-
9 sistant secretary, or an equivalent position, or a
10 higher ranking position at such agency or depart-
11 ment.

12 (4) CONSULTATION.—In establishing the inter-
13 agency task force, the President should consult with
14 the majority and minority leaders of the Senate, the
15 Speaker and minority leader of the House of Rep-
16 resentatives, and the chairman and ranking mem-
17 bers of the appropriate congressional committees.

18 (5) REPORT.—Not later than 120 days after
19 the date of enactment of this Act, and every 120
20 days thereafter until the task force described in sub-
21 section (b) ceases operations, the President shall
22 submit to the Committee on Agriculture, Nutrition,
23 and Forestry, the Committee on Foreign Relations,
24 and the Committee on Health, Education, Labor,
25 and Pensions of the Senate and the Committee on

1 Agriculture, the Committee on Education and the
2 Workforce, and the Committee on International Re-
3 lations of the House of Representatives a report set-
4 ting forth progress made on formulating and imple-
5 menting the strategy described in paragraph (2)(A).

6 (c) ASSISTANCE TO PREVENT AND RESPOND TO AN
7 OUTBREAK OF THE AVIAN FLU.—

8 (1) IN GENERAL.—In addition to amounts oth-
9 erwise available for preventing and responding to an
10 outbreak of the avian flu, out of funds authorized to
11 be appropriated to carry out the provisions of sec-
12 tion 491 of the Foreign Assistance Act of 1961 (22
13 U.S.C. 2292), \$25,000,000 may be made available
14 for fiscal year 2006 to provide assistance for pre-
15 venting and responding to an outbreak of the avian
16 flu.

17 (2) AVAILABILITY OF FUNDS.—Amounts appro-
18 priated pursuant to paragraph (1) are authorized to
19 remain available until expended.

20 (3) USES OF ASSISTANCE.—Amounts appro-
21 priated pursuant to paragraph (1) are authorized to
22 be used to provide assistance for preventing and re-
23 sponding to an outbreak of the avian flu, may be
24 transferred to other appropriate agencies of the
25 United States Government, and may be made avail-

1 able for contributions to appropriate international
2 organizations, including the World Health Organiza-
3 tion.

4 **Subtitle B—Counternarcotics, Se-**
5 **curity Assistance, and Related**
6 **Programs Authorizations**

7 **SEC. 2121. INTERNATIONAL NARCOTICS CONTROL AND LAW**
8 **ENFORCEMENT.**

9 (a) AUTHORIZATION OF APPROPRIATIONS.—Para-
10 graph (1) of section 482(a) of the Foreign Assistance Act
11 of 1961 (22 U.S.C. 2291a(a)) is amended by striking
12 “\$147,783,000” and all that follows and inserting
13 “\$1,258,374,000 for fiscal year 2006, of which
14 \$734,500,000 is authorized to be appropriated for the An-
15 dean Counterdrug Initiative, and such sums as may be
16 necessary for fiscal year 2007.”.

17 (b) AVAILABILITY OF FUNDS FOR COLOMBIA.—That
18 section is further amended by adding at the end the fol-
19 lowing new paragraphs:

20 “(3) Notwithstanding any other provision of law,
21 amounts authorized to be appropriated to carry out the
22 purposes of section 481 for fiscal years 2006 and 2007,
23 and amounts appropriated for fiscal years prior to fiscal
24 year 2006 for purposes of such section that remain avail-
25 able for obligation, as well as assistance provided with

1 amounts appropriated for fiscal years prior to fiscal year
2 2006, may be used to furnish assistance to the Govern-
3 ment of Colombia—

4 “(A) to support a unified campaign against
5 narcotics trafficking and terrorist activities; and

6 “(B) to take actions to protect human health
7 and welfare in emergency circumstances, including
8 undertaking rescue operations.

9 “(4) Assistance furnished to the Government of Co-
10 lombia under this section—

11 “(A) shall be subject, for fiscal year 2006, to
12 the limitations on the assignment of United States
13 personnel in Colombia set forth in section 1021(c) of
14 the Ronald W. Reagan National Defense Authoriza-
15 tion Act for Fiscal Year 2005 (Public Law 108-
16 375);

17 “(B) shall be subject to the condition that no
18 United States Armed Forces personnel and no em-
19 ployees of United States contractors participate in
20 any combat operation in connection with such assist-
21 ance; and

22 “(C) shall be subject to the condition that the
23 Government of Colombia is fulfilling its commitment
24 to the United States with respect to its human
25 rights practices and its policy with respect to para-

1 military organizations, including the specific condi-
2 tions set forth in subparagraphs (A) through (E) of
3 section 556(a)(2) of the Foreign Operations, Export
4 Financing, and Related Programs Appropriations
5 Act, 2005 (division D of Public Law 108–447).”.

6 **SEC. 2122. ECONOMIC SUPPORT FUND.**

7 (a) AUTHORIZATION OF APPROPRIATIONS.—Section
8 532(a) of the Foreign Assistance Act of 1961 (22 U.S.C.
9 2346a(a)) is amended to read as follows:

10 “(a) There are authorized to be appropriated to the
11 President to carry out the purposes of this chapter
12 \$3,036,375,000 for fiscal year 2006 and such sums as
13 may be necessary for fiscal year 2007.”.

14 (b) AUTHORIZATION OF ASSISTANCE FOR ISRAEL.—
15 Section 513(b)(1) of the Security Assistance Act of 2000
16 (Public Law 106–280; 114 Stat. 856), as amended by sec-
17 tion 1221(a) of the Security Assistance Act of 2002 (divi-
18 sion B of Public Law 107–228; 116 Stat. 1430), is further
19 amended by striking “2002 and 2003” and inserting
20 “2006 and 2007”.

21 (c) AUTHORIZATION OF ASSISTANCE FOR EGYPT.—
22 Section 514(b)(1) of the Security Assistance Act of 2000
23 (114 Stat. 857), as amended by section 1221(b) of the
24 Security Assistance Act of 2002 (116 Stat. 1430), is fur-

1 ther amended by striking “2002 and 2003” and inserting
2 “2006 and 2007”.

3 **SEC. 2123. INTERNATIONAL MILITARY EDUCATION AND**
4 **TRAINING.**

5 (a) AUTHORIZATION OF APPROPRIATIONS.—Section
6 542 of the Foreign Assistance Act of 1961 (22 U.S.C.
7 2347a) is amended by striking “There are authorized”
8 and all that follows through “fiscal year 1987” and insert-
9 ing “There are authorized to be appropriated to the Presi-
10 dent to carry out the purposes of this chapter \$86,744,000
11 for the fiscal year 2006 and such sums as may be nec-
12 essary for fiscal year 2007, of which not less than
13 \$2,000,000 should be made available for Greece in each
14 such fiscal year”.

15 (b) AUTHORITY TO PROVIDE TO INTERNATIONAL
16 ORGANIZATIONS.—Section 541 of the Foreign Assistance
17 Act (22 U.S.C. 2347) is amended in the first sentence by
18 inserting “and comparable personnel of international or-
19 ganizations” after “foreign countries”.

20 **SEC. 2124. PEACEKEEPING OPERATIONS.**

21 Section 552(a) of the Foreign Assistance Act of 1961
22 (22 U.S.C. 2348a(a)) is amended by striking “There are
23 authorized” and all that follows through “fiscal year
24 1987” and inserting “There are authorized to be appro-
25 priated to the President to carry out the purposes of this

1 chapter, in addition to amounts otherwise available for
2 such purposes, \$195,800,000 for the fiscal year 2006 and
3 such sums as may be necessary for fiscal year 2007”.

4 **SEC. 2125. NONPROLIFERATION, ANTI-TERRORISM,**
5 **DEMINEING, AND RELATED PROGRAMS.**

6 (a) AUTHORIZATION OF APPROPRIATIONS.—There
7 are authorized to be appropriated to the President for fis-
8 cal year 2006, \$440,100,000, and such sums as may be
9 necessary for fiscal year 2007, for Nonproliferation, Anti-
10 Terrorism, Demining, and Related Programs for the pur-
11 pose of carrying out nonproliferation, anti-terrorism,
12 demining, and related programs and activities under—

13 (1) chapter 8 of part II of the Foreign Assist-
14 ance Act of 1961 (22 U.S.C. 2349aa et seq.);

15 (2) chapter 9 of part II of the Foreign Assist-
16 ance Act of 1961 (22 U.S.C. 2349bb et seq.);

17 (3) paragraph (2) of section 551 of the Foreign
18 Assistance Act of 1961 (22 U.S.C. 2348), as added
19 by section 2211(a) of this Act, including not to ex-
20 ceed \$700,000 for administrative expenses related to
21 the activities described in such paragraph, which
22 amount shall be in addition to funds otherwise made
23 available for such purposes;

24 (4) section 504 of the FREEDOM Support Act
25 (22 U.S.C. 5854) and programs under the Non-

1 proliferation and Disarmament Fund to promote bi-
2 lateral and multilateral activities relating to non-
3 proliferation and disarmament, notwithstanding any
4 other provision of law, including, when in the na-
5 tional security interests of the United States, with
6 respect to international organizations and countries
7 other than the independent states of the former So-
8 viet Union;

9 (5) section 23 of the Arms Export Control Act
10 (22 U.S.C. 2763), for demining activities, the clear-
11 ance of unexploded ordnance, the destruction of
12 small arms, and related activities, notwithstanding
13 any other provision of law;

14 (6) section 301 of the Foreign Assistance Act
15 of 1961 (22 U.S.C. 2221);

16 (7) the Radiological Terrorism Security Act of
17 2005 under title XXIII of this Act; and

18 (8) the Global Pathogen Surveillance Act of
19 2005 under title XXIV of this Act.

20 (b) AVAILABILITY.—Amounts appropriated under
21 this section for the purpose specified in subsection (a)—

22 (1) are authorized to remain available until ex-
23 pended; and

24 (2) are in addition to amounts otherwise avail-
25 able for that purpose.

1 **SEC. 2126. FOREIGN MILITARY FINANCING PROGRAM.**

2 (a) AUTHORIZATION OF APPROPRIATIONS.—There
3 are authorized to be appropriated to the President for
4 grant assistance under section 23 of the Arms Export
5 Control Act (22 U.S.C. 2763), \$4,588,600,000 for fiscal
6 year 2006 and such sums as may be necessary for fiscal
7 year 2007.

8 (b) ASSISTANCE FOR ISRAEL.—Section 513(c) of the
9 Security Assistance Act of 2000 (Public Law 106–280;
10 114 Stat. 856), as amended by section 1221(a) of the Se-
11 curity Assistance Act of 2002 (division B of Public Law
12 107–228; 116 Stat. 1430), is further amended—

13 (1) in paragraph (1), by striking “2002 and
14 2003” and inserting “2006 and 2007”;

15 (2) in paragraph (3), by striking “Funds au-
16 thorized” and all that follows through “later.” and
17 inserting “Funds authorized to be available for
18 Israel under subsection (b)(1) and paragraph (1) for
19 fiscal year 2006 shall be disbursed not later than 30
20 days after the date of the enactment of an Act mak-
21 ing appropriations for foreign operations, export fi-
22 nancing, and related programs for fiscal year 2006,
23 or October 31, 2005, whichever is later”; and

24 (3) in paragraph (4)—

25 (A) by striking “2002 and 2003” and in-
26 serting “2006 and 2007”; and

1 (B) by striking “\$535,000,000 for fiscal
2 year 2002 and not less than \$550,000,000 for
3 fiscal year 2003” and inserting “\$596,000,000
4 for fiscal year 2006”.

5 (c) ASSISTANCE FOR EGYPT.—Section 514 of the Se-
6 curity Assistance Act of 2000 (114 Stat. 857), as amend-
7 ed by section 1221(b) of the Security Assistance Act of
8 2002 (116 Stat. 1430), is further amended—

9 (1) in subsection (c) by striking “2002 and
10 2003” and inserting “2006 and 2007”; and

11 (2) in subsection (e), by striking “Funds esti-
12 mated” and all that follows through “of the respec-
13 tive fiscal year, whichever is later” and inserting
14 “Funds estimated to be outlayed for Egypt under
15 subsection (c) during fiscal year 2006 shall be dis-
16 bursed to an interest-bearing account for Egypt in
17 the Federal Reserve Bank of New York not later
18 than 30 days after the date of the enactment of an
19 Act making appropriations for foreign operations,
20 export financing, and related programs for fiscal
21 year 2006, or by October 31, 2005, whichever is
22 later”.

1 **Subtitle C—Independent Agencies**
2 **Authorizations**

3 **SEC. 2131. INTER-AMERICAN FOUNDATION.**

4 Section 401(s) of the Foreign Assistance Act of 1969
5 (22 U.S.C. 290f(s)) is amended to read as follows:

6 “(s) There are authorized to be appropriated
7 \$17,826,000 for fiscal year 2006 and such sums as may
8 be necessary for fiscal year 2007, to carry out this section.
9 Amounts appropriated pursuant to the authorization in
10 this subsection are authorized to remain available until ex-
11 pended.”.

12 **SEC. 2132. AFRICAN DEVELOPMENT FOUNDATION.**

13 The first sentence of section 510 of the International
14 Security and Development Cooperation Act of 1980 (22
15 U.S.C. 290h–8) is amended by striking “\$3,872,000 for
16 fiscal year 1986 and \$3,872,000 for fiscal year 1987” and
17 inserting “\$18,850,000 for fiscal year 2006 and such
18 sums as may be necessary for fiscal year 2007”.

1 **TITLE XXII—AMENDMENTS TO**
2 **GENERAL FOREIGN ASSIST-**
3 **ANCE AUTHORITIES**

4 **Subtitle A—Foreign Assistance Act**
5 **Amendments and Related Provi-**
6 **sions**

7 **SEC. 2201. DEVELOPMENT POLICY.**

8 Section 102(b) of the Foreign Assistance Act of 1961
9 (22 U.S.C. 2151–1(b)) is amended—

10 (1) in paragraph (5), by—

11 (A) striking “development; and” and in-
12 serting “development;”; and

13 (B) inserting before the period at the end
14 the following: “; democracy and the rule of law;
15 and economic growth and the building of trade
16 capacity”; and

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

19 “(18) The United States development assist-
20 ance program should take maximum advantage of
21 the increased participation of United States private
22 foundations, business enterprises, and private citi-
23 zens in funding international development activities.
24 The program should utilize the development experi-
25 ence and expertise of its personnel, its access to

1 host-country officials, and its overseas presence to
2 facilitate public-private alliances and to leverage pri-
3 vate sector resources toward the achievement of de-
4 velopment assistance objectives.”.

5 **SEC. 2202. ASSISTANCE FOR NONGOVERNMENTAL ORGANI-**
6 **ZATIONS.**

7 Section 123(e) of the Foreign Assistance Act of 1961
8 (22 U.S.C. 2151u(e)) is amended to read as follows:

9 “(e)(1) Restrictions contained in this or any other
10 Act with respect to assistance for a country shall not be
11 construed to restrict assistance in support of programs of
12 nongovernmental organizations from—

13 “(A) funds made available to carry out this
14 chapter and chapters 10, 11, and 12 of part I and
15 chapter 4 of part II; or

16 “(B) funds made available for economic assist-
17 ance activities under the Support for East European
18 Democracy (SEED) Act of 1989 (22 U.S.C. 5401 et
19 seq.).

20 “(2) The President shall submit to Congress, in ac-
21 cordance with section 634A, advance notice of an intent
22 to obligate funds under the authority of this subsection
23 to furnish assistance in support of programs of nongovern-
24 mental organizations.

1 “(3) Assistance may not be furnished through non-
 2 governmental organizations to the central government of
 3 a country under the authority of this subsection, but as-
 4 sistance may be furnished to local, district, or subnational
 5 government entities under such authority.”.

6 **SEC. 2203. AUTHORITY FOR USE OF FUNDS FOR UNANTICI-**
 7 **PATED CONTINGENCIES.**

8 Section 451(a)(1) of the Foreign Assistance Act of
 9 1961 (22 U.S.C. 2261(a)(1)) is amended—

10 (1) by inserting “or the Arms Export Control
 11 Act (22 U.S.C. 2751 et seq.)” after “chapter 1 of
 12 this part”); and

13 (2) by striking “\$25,000,000” and inserting
 14 “\$50,000,000”.

15 **SEC. 2204. AUTHORITY TO ACCEPT LETHAL EXCESS PROP-**
 16 **ERTY.**

17 Section 482(g) of the Foreign Assistance Act of 1961
 18 (22 U.S.C. 2291a(g)) is amended—

19 (1) by striking “(g) EXCESS PROPERTY.—For”
 20 and inserting the following:

21 “(g) EXCESS PROPERTY.—

22 “(1) AUTHORITY.—For”;

23 (2) by striking “nonlethal”;

24 (3) by inserting “(including lethal or nonlethal
 25 property)” after “excess property”; and

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

3 “(2) NOTIFICATION.—Before obligating any
4 funds to obtain lethal excess property under para-
5 graph (1), the Secretary shall submit a notification
6 of such action to Congress in accordance with the
7 procedures set forth in section 634A.”.

8 **SEC. 2205. RECONSTRUCTION AND FAMINE ASSISTANCE**
9 **UNDER INTERNATIONAL DISASTER ASSIST-**
10 **ANCE AUTHORITY.**

11 (a) IN GENERAL.—Section 491 of the Foreign Assist-
12 ance Act of 1961 (22 U.S.C. 2292) is amended—

13 (1) in subsection (a)—

14 (A) by striking “manmade disasters” and
15 inserting “manmade disasters, including fam-
16 ine,”; and

17 (B) by striking “disasters.” and inserting
18 “disasters and for programs of reconstruction
19 following such disasters.”;

20 (2) in subsection (b), by inserting “programs of
21 reconstruction following disasters,” after “prepared-
22 ness,”; and

23 (3) in subsection (c)—

1 (A) by striking “relief and rehabilitation”
2 and inserting “relief, rehabilitation, and recon-
3 struction assistance”; and

4 (B) by striking “disasters.” and inserting
5 “disasters, including famine.”.

6 (b) CONFORMING AMENDMENT.—The heading of
7 chapter 9 of part I of such Act is amended by inserting
8 “AND FAMINE” after “DISASTER”.

9 **SEC. 2206. FUNDING AUTHORITIES FOR ASSISTANCE FOR**
10 **THE INDEPENDENT STATES OF THE FORMER**
11 **SOVIET UNION.**

12 Chapter 11 of part I of the Foreign Assistance Act
13 of 1961 (22 U.S.C. 2295 et seq.) is amended—

14 (1) in section 498B(j)(1) (22 U.S.C.
15 2295b(j)(1))—

16 (A) by striking “authorized to be appro-
17 priated for fiscal year 1993 by” and inserting
18 “made available to carry out”; and

19 (B) by striking “appropriated for fiscal
20 year 1993”; and

21 (2) in paragraphs (1) and (2) of section
22 498C(b) (22 U.S.C. 2295c(b) (1) and (2)), by strik-
23 ing “under subsection (a)” and inserting “to carry
24 out this chapter”.

1 **SEC. 2207. WAIVER OF NET PROCEEDS RESULTING FROM**
2 **DISPOSAL OF UNITED STATES DEFENSE AR-**
3 **TICLES PROVIDED TO A FOREIGN COUNTRY**
4 **ON A GRANT BASIS.**

5 Section 505(f) of the Foreign Assistance Act of 1961
6 (22 U.S.C. 2314(f)) is amended by striking “In the case
7 of items which were delivered prior to 1985, the” in the
8 second sentence and inserting “The”.

9 **SEC. 2208. ADDITIONS TO WAR RESERVE STOCKPILES FOR**
10 **ALLIES FOR FISCAL YEARS 2006 AND 2007.**

11 Section 514(b)(2)(A) of the Foreign Assistance Act
12 of 1961 (22 U.S.C. 2321h(b)(2)(A)) is amended by strik-
13 ing “for each of fiscal years 2004 and 2005” and inserting
14 “for each of fiscal years 2006 and 2007”.

15 **SEC. 2209. RESTRICTIONS ON ECONOMIC SUPPORT FUNDS**
16 **FOR LEBANON.**

17 Section 1224 of the Foreign Relations Authorization
18 Act, Fiscal Year 2003 (22 U.S.C. 2346 note) is amended
19 by adding at the end the following subsection:

20 “(c) EXCEPTION.—Subsection (a) does not apply to
21 assistance made available to address the needs of southern
22 Lebanon.”.

23 **SEC. 2210. ADMINISTRATION OF JUSTICE.**

24 Section 534 of the Foreign Assistance Act of 1961
25 (22 U.S.C. 2346c) is amended—

1 (1) in subsection (a), by striking “in countries
2 in Latin America and the Caribbean”;

3 (2) in subsection (b)(3)—

4 (A) in subparagraph (C), by striking “pro-
5 cedures; and” and inserting “procedures;”;

6 (B) in subparagraph (D), by inserting
7 “and” after the semicolon; and

8 (C) by adding at the end the following new
9 subparagraph:

10 “(E) programs to enhance the protection
11 of participants in judicial cases;”;

12 (3) by striking subsection (e);

13 (4) in subsection (e), by striking the second and
14 third sentences; and

15 (5) by redesignating subsections (d) and (e) as
16 subsections (c) and (d), respectively.

17 **SEC. 2211. DEMINING PROGRAMS.**

18 (a) CLARIFICATION OF AUTHORITY.—Section 551 of
19 the Foreign Assistance Act of 1961 (22 U.S.C. 2348) is
20 amended—

21 (1) in the second sentence, by striking “Such
22 assistance may include reimbursements” and insert-
23 ing “Such assistance may include the following:

24 “(1) Reimbursements”; and

25 (2) by adding at the end the following:

1 “(2) Demining activities, clearance of
2 unexploded ordnance, destruction of small arms, and
3 related activities, notwithstanding any other provi-
4 sion of law.”.

5 (b) DISPOSAL OF DEMINING EQUIPMENT.—Notwith-
6 standing any other provision of law, demining equipment
7 available to the United States Agency for International
8 Development and the Department of State and used in
9 support of the clearance of landmines and unexploded ord-
10 nance for humanitarian purposes, may be disposed of on
11 a grant basis in foreign countries, subject to such terms
12 and conditions as the President determines appropriate.

13 (c) LANDMINE AWARENESS PROGRAM FOR THE
14 CHILDREN OF AFGHANISTAN AND OTHER CHILDREN AT
15 RISK IN AREAS OF CONFLICT.—

16 (1) FINDINGS.—Congress makes the following
17 findings:

18 (A) Most landmines in Afghanistan were
19 laid between 1980 and 1992.

20 (B) Additional landmines were laid be-
21 tween 1992 and 1996, during the conflict be-
22 tween the Taliban and the Northern Alliance.

23 (C) United States bombings against the
24 Taliban in 2001 and 2002 further increased the

1 unexploded ordinance and cluster bombs
2 throughout Afghanistan.

3 (D) The clearance of landmines is a slow
4 and expensive process.

5 (E) Certain types of landmines and other
6 unexploded ordinance are small, brightly col-
7 ored, and attractive to children.

8 (F) More than 150 Afghans, many of them
9 children, are injured every month by these
10 weapons.

11 (G) In 2003, reconstituted Taliban forces
12 sought out and attacked workers clearing land-
13 mines, in an attempt to discredit the Govern-
14 ment of President Karzai and the United States
15 military presence.

16 (H) In May 2003, after a string of Taliban
17 attacks in which mine removal workers were
18 killed or seriously injured, the United Nations
19 suspended all mine-clearing operations in much
20 of southern Afghanistan.

21 (I) Effective landmine awareness programs
22 targeted to children could save lives in Afghani-
23 stan and in other areas of conflict where
24 unexploded ordinance are a danger to the safety
25 of children.

1 (2) ASSISTANCE AUTHORITY.—The President is
2 authorized to furnish assistance to fund innovative
3 programs designed to educate children in Afghani-
4 stan and other affected areas about the dangers of
5 landmines and other unexploded ordinances, espe-
6 cially those proposed by organizations with extensive
7 background in children’s educational programs.

8 (3) AUTHORIZATION OF APPROPRIATIONS.—In
9 addition to funds otherwise authorized to be appro-
10 priated for demining and related activities under the
11 Foreign Assistance Act of 1961 (22 U.S.C. 2151 et
12 seq.), there are authorized to be appropriated for fis-
13 cal years 2006 and 2007 such sums as may be nec-
14 essary to carry out the purposes of this subsection.

15 **SEC. 2212. SPECIAL WAIVER AUTHORITY.**

16 (a) REVISION OF AUTHORITY.—Section 614 of the
17 Foreign Assistance Act of 1961 (22 U.S.C. 2364) is
18 amended in subsection (a)—

19 (1) by striking paragraphs (1) and (2) and in-
20 serting the following new paragraph:

21 “(1) The President may authorize any assistance,
22 sale, or other action under this Act, the Arms Export Con-
23 trol Act (22 U.S.C. 2751 et seq.), or any other law that
24 authorizes the furnishing of foreign assistance or the ap-
25 propriation of funds for foreign assistance, without regard

1 to any of the provisions described in subsection (b) if the
2 President determines, and notifies the Committees on For-
3 eign Relations and Appropriations of the Senate and the
4 Committees on International Relations and Appropria-
5 tions of the House of Representatives in writing—

6 “(A) with respect to assistance or other actions
7 under chapter 2 or 5 of part II of this Act, or sales
8 or other actions under the Arms Export Control Act,
9 that to do so is vital to the national security inter-
10 ests of the United States; and

11 “(B) with respect to other assistance or actions,
12 that to do so is important to the security interests
13 of the United States.”; and

14 (2) by redesignating paragraphs (3), (4), and
15 (5) as paragraphs (2), (3), and (4), respectively.

16 (b) INCREASED LIMITATION ON SINGLE COUNTRY
17 ALLOCATION.—Subsection (a)(3)(C) of such section, as
18 redesignated, is amended by striking “\$50,000,000” and
19 inserting “\$75,000,000”.

20 (c) REPEAL OF PROVISIONS RELATING TO GERMANY
21 AND A CERTIFICATION REQUIREMENT.—Section 614 of
22 such Act is further amended by striking subsections (b)
23 and (c).

1 (d) INAPPLICABLE OR WAIVABLE LAWS.—Such sec-
 2 tion, as amended by subsection (c), is further amended
 3 by adding at the end the following:

4 “(b) INAPPLICABLE OR WAIVABLE LAWS.—The pro-
 5 visions referred to in subsection (a) are those set forth
 6 in any of the following:

7 “(1) Any provision of this Act.

8 “(2) Any provision of the Arms Export Control
 9 Act (22 U.S.C. 2751 et seq.).

10 “(3) Any provision of law that authorizes the
 11 furnishing of foreign assistance or appropriates
 12 funds for foreign assistance.

13 “(4) Any other provision of law that restricts
 14 assistance, sales or leases, or other action under a
 15 provision of law referred to in paragraph (1), (2), or
 16 (3).

17 “(5) Any provision of law that relates to re-
 18 ceipts and credits accruing to the United States.”.

19 **SEC. 2213. PROHIBITION OF ASSISTANCE FOR COUNTRIES**
 20 **IN DEFAULT.**

21 (a) CLARIFICATION OF PROHIBITED RECIPIENTS.—
 22 Section 620(q) of the Foreign Assistance Act of 1961 (22
 23 U.S.C. 2370(q)) is amended—

24 (1) by striking “any country” and inserting
 25 “the government of any country”; and

1 (2) by striking “such country” each place it ap-
2 pears and inserting “such government”.

3 (b) PERIOD OF PROHIBITION.—Such section is fur-
4 ther amended by striking “six calendar months” and in-
5 serting “one year”.

6 **SEC. 2214. MILITARY COUPS.**

7 Section 620 of the Foreign Assistance Act of 1961
8 (22 U.S.C. 2370) is amended by inserting after subsection
9 (l) the following new subsection (m):

10 “(m)(1) No assistance may be furnished under this
11 Act or the Arms Export Control Act (22 U.S.C. 2751 et
12 seq.) for the government of a country if the duly elected
13 head of government for such country is deposed by decree
14 or military coup. The prohibition in the preceding sentence
15 shall cease to apply to a country if the President deter-
16 mines and certifies to the Committee on Foreign Relations
17 of the Senate and the Committee on International Rela-
18 tions of the House of Representatives that after the termi-
19 nation of assistance a democratically elected government
20 for such country has taken office.

21 “(2) Paragraph (1) does not apply to assistance to
22 promote democratic elections or public participation in
23 democratic processes.

24 “(3) The President may waive the application of
25 paragraph (1), and any comparable provision of law, to

1 a country upon determining that it is important to the
2 national security interest of the United States to do so.”.

3 **SEC. 2215. DESIGNATION OF POSITION FOR WHICH AP-**
4 **POINTEE IS NOMINATED.**

5 Section 624 of the Foreign Assistance Act of 1961
6 (22 U.S.C. 2384) is amended by inserting after subsection
7 (c) the following new subsection (d):

8 “(d) Whenever the President submits to the Senate
9 a nomination of an individual for appointment to a posi-
10 tion authorized under subsection (a), the President shall
11 designate the particular position in the agency for which
12 the individual is nominated.”.

13 **SEC. 2216. EXCEPTIONS TO REQUIREMENT FOR CONGRES-**
14 **SIONAL NOTIFICATION OF PROGRAM**
15 **CHANGES.**

16 Section 634A(b) of the Foreign Assistance Act of
17 1961 (22 U.S.C. 2394–1(b)) is amended—

18 (1) by striking “or” at the end of paragraph

19 (1);

20 (2) by striking the period at the end of para-
21 graph (2) and inserting a semicolon; and

22 (3) by adding at the end the following new
23 paragraphs:

24 “(3) of funds if the advance notification would
25 pose a substantial risk to human health or welfare,

1 but such notification shall be provided to the com-
2 mittees of Congress named in subsection (a) not
3 later than 3 days after the action is taken; or

4 “(4) of funds made available under section 23
5 of the Arms Export Control Act (22 U.S.C. 2763)
6 for the provision of major defense equipment (other
7 than conventional ammunition), aircraft, ships, mis-
8 siles, or combat vehicles in quantities not in excess
9 of 20 percent of the quantities previously justified
10 under section 25 of such Act (22 U.S.C. 2765).”.

11 **SEC. 2217. COMMITMENTS FOR EXPENDITURES OF FUNDS.**

12 Section 635(h) of the Foreign Assistance Act of 1961
13 (22 U.S.C. 2395(h)) is amended by striking “available”
14 and all that follows through “may,” and inserting “made
15 available under this Act may,”.

16 **SEC. 2218. ALTERNATIVE DISPUTE RESOLUTION.**

17 Section 635(i) of the Foreign Assistance Act of 1961
18 (22 U.S.C. 2395(i)) is amended to read as follows:

19 “(i) Notwithstanding any other provision of law,
20 claims arising as a result of operations under this Act may
21 be settled (including by use of alternative dispute resolu-
22 tion procedures) or arbitrated with the consent of the par-
23 ties. Payment made pursuant to any such settlement or
24 arbitration shall be final and conclusive.”.

1 **SEC. 2219. ADMINISTRATIVE AUTHORITIES.**

2 Section 636 of the Foreign Assistance Act of 1961
3 (22 U.S.C. 2396) is amended—

4 (1) in subsection (a)—

5 (A) in paragraph (3), by striking “Civil
6 Service Commission” and inserting “Office of
7 Personnel Management”;

8 (B) by striking paragraph (5) and insert-
9 ing the following new paragraph:

10 “(5) purchase and hire of passenger motor vehi-
11 cles;”; and

12 (C) in paragraph (10), by striking “for not
13 to exceed ten years”;

14 (2) in subsection (c), by striking “not to exceed
15 \$6,000,000 of the”; and

16 (3) in subsection (d), by striking “Not to ex-
17 ceed \$2,500,000 of funds” and inserting “Funds”.

18 **SEC. 2220. ASSISTANCE FOR LAW ENFORCEMENT FORCES.**

19 Section 660 of the Foreign Assistance Act of 1961
20 (22 U.S.C. 2420) is amended—

21 (1) in subsection (b)—

22 (A) in paragraph (4), by striking “or”;

23 (B) in paragraph (6), by striking “and the
24 provision of professional” and all that follows
25 through “democracy” and inserting “including

1 any regional, district, municipal, or other sub-
2 national entity emerging from instability”;

3 (C) by striking the period at the end of
4 paragraph (7) and inserting a semicolon; and

5 (D) by adding at the end the following new
6 paragraphs:

7 “(8) with respect to assistance to combat cor-
8 ruption in furtherance of the objectives for which
9 programs are authorized to be established under sec-
10 tion 133 of this Act;

11 “(9) with respect to the provision of profes-
12 sional public safety training, including training in
13 internationally recognized standards of human
14 rights, the rule of law, and the promotion of civilian
15 police roles that support democracy;

16 “(10) with respect to assistance to combat traf-
17 ficking in persons; or

18 “(11) with respect to assistance for constabu-
19 laries or comparable law enforcement authorities in
20 support of developing capabilities for and deploy-
21 ment to peace operations.”; and

22 (2) by striking subsection (d) and inserting the
23 following new subsection:

24 “(d) Subsection (a) shall not apply to assistance for
25 law enforcement forces for which the President, on a case-

1 by-case basis, determines that it is important to the na-
2 tional interest of the United States to furnish such assist-
3 ance and submits to the committees of the Congress re-
4 ferred to in subsection (a) of section 634A of this Act an
5 advance notification of the obligation of funds for such
6 assistance in accordance with such section.”.

7 **SEC. 2221. SPECIAL DEBT RELIEF FOR THE POOREST**
8 **COUNTRIES.**

9 The Foreign Assistance Act of 1961 is amended by
10 adding at the end the following:

11 “PART VI—SPECIAL DEBT RELIEF FOR THE
12 POOREST COUNTRIES

13 “**SEC. 901. SPECIAL DEBT RELIEF FOR THE POOREST COUN-**
14 **TRIES.**

15 “(a) **AUTHORITY.**—Subject to subsections (b) and
16 (c), the President may reduce amounts owed to the United
17 States (or any agency of the United States) by an eligible
18 country as a result of any of the following transactions:

19 “(1) Concessional loans extended under part I
20 or chapter 4 of part II, or antecedent foreign eco-
21 nomic assistance laws.

22 “(2) Guarantees issued under sections 221 and
23 222.

1 “(3) Credits extended or guarantees issued
2 under the Arms Export Control Act (22 U.S.C.
3 2751 et seq.).

4 “(4) Any obligation, or portion of such obliga-
5 tion, to pay for purchases of United States agricul-
6 tural commodities guaranteed by the Commodity
7 Credit Corporation under export credit guarantee
8 programs authorized pursuant to—

9 “(A) section 5(f) of the Commodity Credit
10 Corporation Charter Act (15 U.S.C. 714c(f));

11 “(B) section 201(b) of the Agricultural
12 Trade Act of 1978 (7 U.S.C. 5621(b)); or

13 “(C) section 202 of the Agricultural Trade
14 Act of 1978 (7 U.S.C. 5622).

15 “(b) GENERAL LIMITATIONS.—

16 “(1) EXCLUSIVE CONDITIONS.—The authority
17 provided in subsection (a) may be exercised—

18 “(A) only to implement multilateral official
19 debt relief and referendum agreements, com-
20 monly referred to as ‘Paris Club Agreed Min-
21 utes’;

22 “(B) only in such amounts or to such ex-
23 tent as is provided in advance in appropriations
24 Acts; and

1 “(C) only with respect to countries with
2 heavy debt burdens that—

3 “(i) are eligible to borrow from the
4 International Development Association, but
5 not from the International Bank for Re-
6 construction and Development, commonly
7 referred to as ‘IDA-only’ countries; and

8 “(ii) are not determined ineligible
9 under subsection (c).

10 “(2) ADVANCE NOTIFICATION OF CONGRESS.—

11 The authority provided by subsection (a) shall be
12 subject to the requirements of section 634A.

13 “(c) ELIGIBILITY LIMITATIONS.—The authority pro-
14 vided by subsection (a) may be exercised only with respect
15 to a country the government of which, as determined by
16 the President—

17 “(1) does not make an excessive level of mili-
18 tary expenditures;

19 “(2) has not repeatedly provided support for
20 acts of international terrorism;

21 “(3) is not failing to cooperate on international
22 narcotics control matters;

23 “(4) does not engage, through its military or
24 security forces or by other means, in a consistent

1 pattern of gross violations of internationally recog-
2 nized human rights; and

3 “(5) is not ineligible for assistance under sec-
4 tion 527 of the Foreign Relations Authorization Act,
5 Fiscal Years 1994 and 1995 (22 U.S.C. 2370a).

6 “(d) CERTAIN PROHIBITIONS INAPPLICABLE.—A re-
7 duction of debt pursuant to subsection (a) may not be con-
8 sidered assistance for purposes of any provision of law lim-
9 iting assistance to a country. The authority provided in
10 subsection (a) may be exercised notwithstanding section
11 620(r) of this Act or section 321 of the International De-
12 velopment and Food Assistance Act of 1975 (22 U.S.C.
13 2220a note).”.

14 **SEC. 2222. CONGO BASIN FOREST PARTNERSHIP.**

15 (a) FINDINGS.—Congress makes the following find-
16 ings:

17 (1) Deforestation and environmental degrada-
18 tion in the Congo Basin in central Africa pose a
19 major threat to the wellbeing and livelihood of the
20 African people and to the world at large.

21 (2) It is in the national interest of the United
22 States to assist the countries of the Congo Basin to
23 reduce the rate of forest degradation and loss of bio-
24 diversity.

1 (3) The Congo Basin Forest Partnership, an
2 initiative involving the Central Africa Regional Pro-
3 gram for the Environment of the United States
4 Agency for International Development, and also the
5 Department, the United States Fish and Wildlife
6 Service, the National Park Service, the National
7 Forest Service, and National Aeronautics and Space
8 Administration, was established to address in a vari-
9 ety of ways the environmental conditions in the
10 Congo Basin.

11 (4) In partnership with nongovernmental envi-
12 ronmental groups, the Congo Basin Forest Partner-
13 ship will foster improved conservation and manage-
14 ment of natural resources through programs at the
15 local, national, and regional levels to help reverse the
16 environmental degradation of the Congo Basin.

17 (b) SENSE OF CONGRESS.—It is the sense of Con-
18 gress that—

19 (1) the Congo Basin Forest Partnership pro-
20 gram represents a significant effort at addressing
21 the complex environmental and development chal-
22 lenges in the Congo Basin; and

23 (2) the President should make available for fis-
24 cal years 2006 and 2007 such sums as may be nec-
25 essary to capitalize on the strong cooperation and

1 momentum of State governments, international or-
 2 ganizations, and non-governmental organizations in
 3 protecting the natural resources in the region.

4 **SEC. 2223. LANDMINE CLEARANCE PROGRAMS.**

5 The Secretary is authorized to support cooperative
 6 arrangements commonly known as public-private partner-
 7 ships for landmine clearance programs by grant or cooper-
 8 ative agreement.

9 **SEC. 2224. MIDDLE EAST FOUNDATION.**

10 (a) PURPOSES.—The purpose of this section is to
 11 support, through the provision of grants, technical assist-
 12 ance, training, and other programs, in the countries of the
 13 Middle East, the expansion of—

14 (1) civil society;

15 (2) opportunities for political participation for
 16 all citizens;

17 (3) protections for internationally recognized
 18 human rights, including the rights of women;

19 (4) educational system reforms;

20 (5) independent media;

21 (6) policies that promote economic opportunities
 22 for citizens;

23 (7) the rule of law; and

24 (8) democratic processes of government.

25 (b) MIDDLE EAST FOUNDATION.—

1 (1) DESIGNATION.—The Secretary is author-
2 ized to designate an appropriate private, nonprofit
3 organization that is organized or incorporated under
4 the laws of the United States or of a State as the
5 Middle East Foundation (referred to in this section
6 as the “Foundation”).

7 (2) FUNDING.—The Secretary is authorized to
8 provide funding to the Foundation through the Mid-
9 dle East Partnership Initiative of the Department of
10 State. The Foundation shall use amounts provided
11 under this paragraph to carry out the purposes of
12 this section, including through making grants and
13 providing other assistance to entities to carry out
14 programs for such purposes.

15 (3) NOTIFICATION TO CONGRESSIONAL COMMIT-
16 TEES.—The Secretary shall notify the appropriate
17 congressional committees before designating an ap-
18 propriate organization as the Foundation.

19 (c) GRANTS FOR PROJECTS.—

20 (1) FOUNDATION TO MAKE GRANTS.—The Sec-
21 retary shall enter into an agreement with the Foun-
22 dation that requires the Foundation to use the funds
23 provided under subsection (b)(2) to make grants to
24 persons (other than governments or government en-
25 tities) located in the Middle East or working with

1 local partners based in the Middle East to carry out
2 projects that support the purposes specified in sub-
3 section (a).

4 (2) CENTER FOR PUBLIC POLICY.—Under the
5 agreement described in paragraph (1), the Founda-
6 tion may make a grant to an institution of higher
7 education located in the Middle East to create a cen-
8 ter for public policy for the purpose of permitting
9 scholars and professionals from the countries of the
10 Middle East and from other countries, including the
11 United States, to carry out research, training pro-
12 grams, and other activities to inform public policy-
13 making in the Middle East and to promote broad
14 economic, social, and political reform for the people
15 of the Middle East.

16 (3) APPLICATIONS FOR GRANTS.—An entity
17 seeking a grant from the Foundation under this sec-
18 tion shall submit an application to the head of the
19 Foundation at such time, in such manner, and in-
20 cluding such information as the head of the Founda-
21 tion may reasonably require.

22 (d) PRIVATE CHARACTER OF THE FOUNDATION.—
23 Nothing in this section shall be construed—

24 (1) to make the Foundation an agency or estab-
25 lishment of the United States Government, or to

1 make the officers or employees of the Foundation of-
2 ficers or employees of the United States for purposes
3 of title 5, United States Code; or

4 (2) to impose any restriction on the Founda-
5 tion's acceptance of funds from private and public
6 sources in support of its activities consistent with
7 the purposes of this section.

8 (e) LIMITATION ON PAYMENTS TO FOUNDATION
9 PERSONNEL.—No part of the funds provided to the Foun-
10 dation under this section shall inure to the benefit of any
11 officer or employee of the Foundation, except as salary
12 or reasonable compensation for services.

13 (f) RETENTION OF INTEREST.—The Foundation may
14 hold funds provided under this section in interest-bearing
15 accounts prior to the disbursement of such funds to carry
16 out the purposes of this section and may retain for use
17 for such purposes any interest earned without returning
18 such interest to the Treasury of the United States and
19 without further appropriation by Congress.

20 (g) FINANCIAL ACCOUNTABILITY.—

21 (1) INDEPENDENT PRIVATE AUDITS OF THE
22 FOUNDATION.—The accounts of the Foundation
23 shall be audited annually in accordance with gen-
24 erally accepted auditing standards by independent
25 certified public accountants or independent licensed

1 public accountants certified or licensed by a regu-
2 latory authority of a State or other political subdivi-
3 sion of the United States. The report of the inde-
4 pendent audit shall be included in the annual report
5 required by subsection (h).

6 (2) GAO AUDITS.—The financial transactions
7 undertaken pursuant to this section by the Founda-
8 tion may be audited by the Government Account-
9 ability Office in accordance with such principles and
10 procedures and under such rules and regulations as
11 may be prescribed by the Comptroller General of the
12 United States.

13 (3) AUDITS OF GRANT RECIPIENTS.—

14 (A) IN GENERAL.—A recipient of a grant
15 from the Foundation shall agree to permit an
16 audit of the books and records of such recipient
17 related to the use of the grant funds.

18 (B) RECORDKEEPING.—Such recipient
19 shall maintain appropriate books and records to
20 facilitate an audit referred to subparagraph
21 (A), including—

22 (i) separate accounts with respect to
23 the grant funds;

24 (ii) records that fully disclose the use
25 of the grant funds;

1 (iii) records describing the total cost
2 of any project carried out using grant
3 funds; and

4 (iv) the amount and nature of any
5 funds received from other sources that
6 were combined with the grant funds to
7 carry out a project.

8 (h) ANNUAL REPORTS.—Not later than January 31,
9 2007, and annually thereafter, the Foundation shall sub-
10 mit to the appropriate congressional committees and make
11 available to the public an annual report that includes, for
12 the fiscal year prior to the fiscal year in which the report
13 is submitted, a comprehensive and detailed description
14 of—

15 (1) the operations and activities of the Founda-
16 tion that were carried out using funds provided
17 under this section;

18 (2) grants made by the Foundation to other en-
19 tities with funds provided under this section;

20 (3) other activities of the Foundation to further
21 the purposes of this section; and

22 (4) the financial condition of the Foundation.

1 **SEC. 2225. DATABASE OF UNITED STATES MILITARY ASSIST-**
2 **ANCE.**

3 Section 655 of the Foreign Assistance Act of 1961
4 (22 U.S.C. 2415) is amended by striking subsection (c)
5 and inserting the following new subsection:

6 “(c) AVAILABILITY OF REPORT INFORMATION ON
7 THE INTERNET.—

8 “(1) REQUIREMENT FOR DATABASE.—The Sec-
9 retary of State, in consultation with the Secretary of
10 Defense, shall make available to the public the un-
11 classified portion of each such report in the form of
12 a database that is available via the Internet and that
13 may be searched by various criteria.

14 “(2) SCHEDULE FOR UPDATING.—Not later
15 than April 1 of each year, the Secretary of State
16 shall make available in the database the information
17 contained in the annual report for the fiscal year
18 ending the previous September 30.”.

19 **SEC. 2226. MILLENNIUM CHALLENGE ASSISTANCE FOR**
20 **CERTAIN COUNTRIES.**

21 Section 616(d) of the Millennium Challenge Act of
22 2003 (22 U.S.C. 7715(d)) is amended by striking “fiscal
23 year 2004” and inserting “a fiscal year”.

1 **Subtitle B—Arms Export Control**
2 **Act Amendments and Related**
3 **Provisions**

4 **SEC. 2231. THRESHOLDS FOR ADVANCE NOTICE TO CON-**
5 **GRESS OF SALES OR UPGRADES OF DEFENSE**
6 **ARTICLES, DESIGN AND CONSTRUCTION**
7 **SERVICES, AND MAJOR DEFENSE EQUIP-**
8 **MENT.**

9 (a) LETTERS OF OFFER TO SELL.—Subsection (b)
10 of section 36 of the Arms Export Control Act (22 U.S.C.
11 2776) is amended—

12 (1) in the first sentence of paragraph (1)—

13 (A) by striking “Subject to paragraph (6),
14 in” and inserting “In”;

15 (B) by striking “Act for \$50,000,000” and
16 inserting “Act for \$100,000,000”;

17 (C) by striking “services for
18 \$200,000,000” and inserting “services for
19 \$350,000,000”;

20 (D) by striking “\$14,000,000” and insert-
21 ing “\$50,000,000”; and

22 (E) by inserting “and in other cases if the
23 President determines it is appropriate,” before
24 “before such letter”;

25 (2) in the first sentence of paragraph (5)(C)—

1 (A) by striking “Subject to paragraph (6),
2 if” and inserting “If”;

3 (B) by striking “costs \$14,000,000” and
4 inserting “costs \$50,000,000”;

5 (C) by striking “equipment, \$50,000,000”
6 and inserting “equipment, \$100,000,000”;

7 (D) by striking “or \$200,000,000” and in-
8 serting “or \$350,000,000”; and

9 (E) by inserting “and in other cases if the
10 President determines it is appropriate,” before
11 “then the President”; and

12 (3) by striking paragraph (6).

13 (b) EXPORT LICENSES.—Subsection (c) of section 36
14 of the Arms Export Control Act (22 U.S.C. 2776) is
15 amended—

16 (1) in the first sentence of paragraph (1)—

17 (A) by striking “Subject to paragraph (5),
18 in” and inserting “In”;

19 (B) by striking “\$14,000,000” and insert-
20 ing “\$50,000,000”;

21 (C) by striking “services sold under a con-
22 tract in the amount of \$50,000,000” and in-
23 serting “services sold under a contract in the
24 amount of \$100,000,000”; and

1 (D) by inserting “and in other cases if the
2 President determines it is appropriate,” before
3 “before issuing such”;

4 (2) in the last sentence of paragraph (2), by
5 striking “(A) and (B)” and inserting “(A), (B), and
6 (C)”; and

7 (3) by striking paragraph (5).

8 (e) PRESIDENTIAL CONSENT.—Section 3(d) of the
9 Arms Export Control Act (22 U.S.C. 2753(d)) is amend-
10 ed—

11 (1) in paragraphs (1) and (3)(A)—

12 (A) by striking “Subject to paragraph (5),
13 the” and inserting “The”;

14 (B) by striking “\$14,000,000” and insert-
15 ing “\$50,000,000”; and

16 (C) by striking “service valued (in terms of
17 its original acquisition cost) at \$50,000,000”
18 and inserting “service valued (in terms of its
19 original acquisition cost) at \$100,000,000”; and
20 (2) by striking paragraph (5).

21 **SEC. 2232. CLARIFICATION OF REQUIREMENT FOR AD-**
22 **VANCE NOTICE TO CONGRESS OF COM-**
23 **PREHENSIVE EXPORT AUTHORIZATIONS.**

24 Subsection (d) of section 36 of the Arms Export Con-
25 trol Act (22 U.S.C. 2776) is amended—

1 (1) in paragraph (1)—

2 (A) by inserting “(A)” after “(1)”;

3 (B) by striking “this subsection” and in-
4 serting “this subparagraph”; and

5 (C) by adding at the end the following new
6 subparagraph:

7 “(B) Notwithstanding section 27(g), in the case of
8 a comprehensive authorization described in section 126.14
9 of title 22, Code of Federal Regulations (or any cor-
10 responding similar regulation) for the proposed export of
11 defense articles or defense services in an amount that ex-
12 ceeds a limitation set forth in subsection (c)(1), before the
13 comprehensive authorization is approved or the addition
14 of a foreign government or other foreign partner to the
15 comprehensive authorization is approved, the President
16 shall submit a certification with respect to the comprehen-
17 sive authorization in a manner similar to the certification
18 required under subsection (c)(1) of this section and con-
19 taining comparable information, except that the last sen-
20 tence of such subsection shall not apply to certifications
21 submitted pursuant to this subparagraph.”; and

22 (2) in paragraph (4), by striking “Approval for
23 an agreement subject to paragraph (1) may not be
24 given under section 38” and inserting “Approval for
25 an agreement subject to paragraph (1)(A), or for a

1 comprehensive authorization subject to paragraph
2 (1)(B), may not be given under section 38 or section
3 126.14 of title 22, Code of Federal Regulations (or
4 any corresponding similar regulation), as the case
5 may be.”.

6 **SEC. 2233. AUTHORITY TO PROVIDE CATALOGING DATA**
7 **AND SERVICES TO NON-NATO COUNTRIES.**

8 Section 21(h)(2) of the Arms Export Control Act (22
9 U.S.C. 2761(h)(2)) is amended by striking “to the North
10 Atlantic Treaty Organization or to any member govern-
11 ment of that Organization if that Organization or member
12 government” and inserting “to the North Atlantic Treaty
13 Organization, to any member government of that Organi-
14 zation, or to the government of any other country if that
15 Organization, member government, or other government”.

16 **SEC. 2234. FREEDOM SUPPORT ACT PERMANENT WAIVER**
17 **AUTHORITY.**

18 (a) **AUTHORITY TO WAIVE RESTRICTIONS AND ELI-**
19 **GIBILITY REQUIREMENTS.**—If the President submits the
20 certification and report described in subsection (b) with
21 respect to an independent state of the former Soviet Union
22 for a fiscal year, funds may be obligated and expended
23 during that fiscal year under sections 503 and 504 of the
24 FREEDOM Support Act (22 U.S.C. 5853 and 5854) for
25 assistance or other programs and activities for that state

1 even if that state has not met one or more of the require-
2 ments for eligibility under paragraphs (1) through (4) of
3 section 502 of such Act (22 U.S.C. 5852).

4 (b) CERTIFICATION AND REPORT.—

5 (1) IN GENERAL.—The certification and report
6 referred to in subsection (a) are a written certifi-
7 cation submitted by the President to Congress that
8 the waiver of the restriction under such section 502
9 and the requirements in that section during the fis-
10 cal year covered by such certification is important to
11 the national security interests of the United States,
12 together with a report containing the following:

13 (A) A description of the activity or activi-
14 ties that prevent the President from certifying
15 that the state is committed to the matters set
16 forth in the provisions of law specified in sub-
17 section (a) in such fiscal year.

18 (B) An explanation of why the waiver is
19 important to the national security interests of
20 the United States.

21 (C) A description of the strategy, plan, or
22 policy of the President for promoting the com-
23 mitment of the state to, and compliance by the
24 state with, such matters, notwithstanding the
25 waiver.

1 (2) FORM OF REPORT.—A report under para-
2 graph (1) shall be submitted in unclassified form,
3 but may include a classified annex.

4 (c) INAPPLICABILITY TO CERTAIN PROGRAMS.—The
5 authority provided in subsection (a) does not apply to any
6 program described in section 1501(b) of the National De-
7 fense Authorization Act for Fiscal Year 1997 (Public Law
8 104–201; 50 U.S.C. 2362 note) or any activity under such
9 a program.

10 **SEC. 2235. EXTENSION OF PAKISTAN WAIVERS.**

11 (a) FISCAL YEAR 2006.—Section 1(b) of the Act en-
12 titled “An Act to authorize the President to exercise waiv-
13 ers of foreign assistance restrictions with respect to Paki-
14 stan through September 30, 2003, and for other pur-
15 poses”, approved October 27, 2001 (Public Law 107–57;
16 115 Stat. 403), is amended to read as follows:

17 “(b) FISCAL YEAR 2006.—

18 “(1) WAIVER.—The President is authorized to
19 waive, with respect to Pakistan, any provision of the
20 foreign operations, export financing, and related pro-
21 grams appropriations Act for fiscal year 2006 that
22 prohibits direct assistance to a country whose duly
23 elected head of government was deposed by decree or
24 military coup, if the President determines and cer-

1 tifies to the appropriate congressional committees
2 that such waiver—

3 “(A) would facilitate the transition to
4 democratic rule in Pakistan; and

5 “(B) is important to United States efforts
6 to respond to, deter, or prevent acts of inter-
7 national terrorism.”.

8 (b) EXEMPTION OF PAKISTAN FROM FOREIGN AS-
9 SISTANCE PROHIBITIONS RELATING TO FOREIGN COUN-
10 TRY LOAN DEFAULTS.—Section 3(2) of such Act is
11 amended to read as follows:

12 “(2) Such provisions of annual foreign oper-
13 ations, export financing, and related programs ap-
14 propriations Act for fiscal years 2005 and 2006, as
15 are comparable to section 512 of the Foreign Oper-
16 ations, Export Financing, and Related Programs
17 Appropriations Act, 2001 (Public Law 106–429;
18 114 Stat. 1900A–25).”.

19 (c) TERMINATION DATE.—Section 6 of such Act is
20 amended to read as follows:

21 “Except as otherwise provided in section 1 or 3, the
22 provisions of this Act shall terminate on October 1,
23 2006.”.

1 **SEC. 2236. CONSOLIDATION OF REPORTS ON NON-**
2 **PROLIFERATION IN SOUTH ASIA.**

3 Section 1601(c) of the Foreign Relations Authoriza-
4 tion Act, Fiscal Year 2003 is amended to read as follows:

5 “(c) REPORT.—The report required to be submitted
6 to Congress not later than April 1, 2006, pursuant to sec-
7 tion 620F(c) of the Foreign Assistance Act of 1961 (22
8 U.S.C. 2376(c)) shall include a description of the efforts
9 of the United States Government to achieve the objectives
10 described in subsections (a) and (b), the progress made
11 toward achieving such objectives, and the likelihood that
12 such objectives will be achieved by September 30, 2006.”.

13 **SEC. 2237. HAITIAN COAST GUARD.**

14 The Government of Haiti shall be eligible to purchase
15 defense articles and services for the Haitian Coast Guard
16 under the Arms Export Control Act (22 U.S.C. 2751 et
17 seq.), subject to the prior notification requirements under
18 section 634A of the Foreign Assistance Act of 1961 (22
19 U.S.C. 2394–1).

20 **SEC. 2238. REQUIREMENT FOR THE PROVISION OF CER-**
21 **TAIN ASSISTANCE TO INDONESIA.**

22 (a) FINDINGS.—Congress makes the following find-
23 ings:

24 (1) The cooperation offered by the Government
25 of Indonesia in working with the Federal Bureau of
26 Investigation on the investigation into the murders

1 of two United States Citizens and one Indonesian
2 citizen that occurred on August 31, 2002, in
3 Timika, Indonesia is appreciated and welcomed by
4 Congress.

5 (2) The successful conclusion of the investiga-
6 tion into those murders and bringing the responsible
7 individuals to justice will require the continued co-
8 operation of the Government of Indonesia.

9 (b) REQUIREMENT FOR REPORT.—None of the funds
10 made available under section 23 of the Arms Export Con-
11 trol Act (22 U.S.C. 2763) or under chapter 5 of part II
12 of the Foreign Assistance Act of 1961 (22 U.S.C. 2347
13 et seq.) for fiscal year 2006 may be made available for
14 assistance to the Government of Indonesia or to the Indo-
15 nesian Armed Forces until the Secretary submits a report
16 to the appropriate congressional committees that de-
17 scribes—

18 (1) the status of the investigation of the mur-
19 ders of two United States citizens and one Indo-
20 nesian citizen that occurred on August 31, 2002 in
21 Timika, Indonesia, the status of any individuals in-
22 dicted within the United States or Indonesia for
23 crimes relating to those murders, and the status of
24 judicial proceedings relating to those murders;

1 (2) the ability of United States officials to in-
2 investigate those murders, including the ability to con-
3 duct unimpeded interviews during fiscal year 2005
4 in Indonesia with individuals identified by officials of
5 the Federal Bureau of Investigation or other United
6 States officials;

7 (3) the efforts made during fiscal year 2005 by
8 the Government of the United States or the Govern-
9 ment of Indonesia to arrest individuals indicted for
10 crimes relating to those murders;

11 (4) the ability of United States officials to ac-
12 cess documents or other items determined by United
13 States officials to be pertinent to the investigation of
14 those murders;

15 (5) the ability of United States officials, work-
16 ing in cooperation with Indonesian officials, to take
17 evidence that may be related to those murders from
18 Indonesia for analysis in the United States;

19 (6) the cooperation provided by the Government
20 of Indonesia, the police in Indonesia, the Armed
21 Forces of Indonesia, or the judiciary in Indonesia in
22 response to requests related to those murders made
23 by the Secretary of State or the Director of the Fed-
24 eral Bureau of Investigation during fiscal year 2005;
25 and

1 (7) any other actions taken during fiscal year
2 2005 by the Government of Indonesia, the police in
3 Indonesia, the Armed Forces of Indonesia, or the ju-
4 diciary in Indonesia to bring the individuals respon-
5 sible for those murders to justice.

6 **TITLE XXIII—RADIOLOGICAL** 7 **TERRORISM SECURITY**

8 **SEC. 2301. SHORT TITLE.**

9 This title may be cited as the “Radiological Ter-
10 rorism Security Act of 2005”.

11 **SEC. 2302. DEFINITIONS.**

12 In this title:

13 (1) **BYPRODUCT MATERIAL.**—The term “by-
14 product material” has the meaning given the term in
15 section 11 e. of the Atomic Energy Act of 1954 (42
16 U.S.C. 2014(e)).

17 (2) **IAEA.**—The term “IAEA” means the
18 International Atomic Energy Agency.

19 (3) **RADIOACTIVE MATERIAL.**—The term “ra-
20 dioactive material” means—

21 (A) source material and special nuclear
22 material, but does not include natural or de-
23 pleted uranium;

24 (B) nuclear byproduct material;

1 (C) material made radioactive by bombard-
2 ment in an accelerator; and

3 (D) all refined isotopes of radium.

4 (4) SOURCE MATERIAL.—The term “source ma-
5 terial” has the meaning given the term in section 11
6 z. of the Atomic Energy Act of 1954 (42 U.S.C.
7 2014(z)).

8 (5) SPECIAL NUCLEAR MATERIAL.—The term
9 “special nuclear material” has the meaning given
10 the term in section 11 aa. of the Atomic Energy Act
11 of 1954 (42 U.S.C. 2014(aa)).

12 **SEC. 2303. EMBASSY THREAT ASSESSMENT REPORTS.**

13 (a) REPORTS REQUIRED.—The Secretary shall, at
14 the times specified in subsection (c), submit to the appro-
15 priate congressional committees a report—

16 (1) detailing the preparations made at United
17 States diplomatic missions abroad to detect and
18 mitigate a radiological attack on United States mis-
19 sions and other United States facilities under the
20 control of the Secretary;

21 (2) setting forth a rank-ordered list of the Sec-
22 retary’s priorities for improving radiological security
23 and consequence management at United States mis-
24 sions; and

1 (3) providing a rank-ordered list of the missions
2 where such improvement is most important.

3 (b) BUDGET REQUEST.—Each report under sub-
4 section (a) shall also include a proposed budget to carry
5 out the improvements listed in such report pursuant to
6 subsection (a)(2).

7 (c) TIMING.—

8 (1) FIRST REPORT.—The first report under
9 subsection (a) shall be submitted not later than 180
10 days after the date of the enactment of this Act.

11 (2) SUBSEQUENT REPORTS.—Subsequent re-
12 ports under subsection (a) shall be submitted with
13 the budget justification materials submitted by the
14 Secretary to Congress in support of the budget of
15 the President for the fiscal year (as submitted under
16 section 1105(a) of title 31, United States Code) for
17 each fiscal year after fiscal year 2006.

18 (d) FORM.—Each report shall be submitted in un-
19 classified form, but may include a classified annex.

20 **SEC. 2304. FOREIGN FIRST RESPONDERS.**

21 (a) IN GENERAL.—The Secretary is authorized to as-
22 sist foreign countries, or to propose that the IAEA assist
23 foreign countries, in the development of appropriate na-
24 tional response plans and the training of first responders
25 to—

1 (1) detect, identify, and characterize radioactive
2 material;

3 (2) understand the hazards posed by radioactive
4 contamination;

5 (3) understand the risks encountered at various
6 dose rates;

7 (4) enter contaminated areas safely and speed-
8 ily; and

9 (5) evacuate persons within a contaminated
10 area.

11 (b) CONSIDERATIONS.—In carrying out activities
12 under subsection (a), the Secretary shall take into account
13 the findings of the threat assessment reports required by
14 section 2303.

15 **SEC. 2305. AVAILABILITY OF FUNDS.**

16 Of the funds appropriated under this Act for Non-
17 proliferation, Anti-terrorism, Demining, and Related Pro-
18 grams, there is authorized to be appropriated to the Presi-
19 dent for fiscal year 2006, \$2,000,000 to carry out this
20 title.

21 **TITLE XXIV—GLOBAL**
22 **PATHOGEN SURVEILLANCE**

23 **SEC. 2401. SHORT TITLE.**

24 This title may be cited as the “Global Pathogen Sur-
25 veillance Act of 2005”.

1 **SEC. 2402. FINDINGS; PURPOSE.**

2 (a) FINDINGS.—Congress makes the following find-
3 ings:

4 (1) Bioterrorism poses a grave national security
5 threat to the United States. The insidious nature of
6 the threat, the likely delayed recognition in the event
7 of an attack, and the underpreparedness of the do-
8 mestic public health infrastructure may produce cat-
9 astrophic consequences following a biological weap-
10 ons attack upon the United States.

11 (2) A contagious pathogen engineered as a bio-
12 logical weapon and developed, tested, produced, or
13 released in another country can quickly spread to
14 the United States. Given the realities of inter-
15 national travel, trade, and migration patterns, a
16 dangerous pathogen released anywhere in the world
17 can spread to United States territory in a matter of
18 days, before any effective quarantine or isolation
19 measures can be implemented.

20 (3) To effectively combat bioterrorism and en-
21 sure that the United States is fully prepared to pre-
22 vent, diagnose, and contain a biological weapons at-
23 tack, measures to strengthen the domestic public
24 health infrastructure and improve domestic surveil-
25 lance and monitoring, while absolutely essential, are
26 not sufficient.

1 (4) The United States should enhance coopera-
2 tion with the World Health Organization, regional
3 health organizations, and individual countries, in-
4 cluding data sharing with appropriate United States
5 departments and agencies, to help detect and quickly
6 contain infectious disease outbreaks or bioterrorism
7 agents before they can spread.

8 (5) The World Health Organization (WHO) has
9 done an impressive job in monitoring infectious dis-
10 ease outbreaks around the world, including the re-
11 cent emergence of the Severe Acute Respiratory
12 Syndrome (SARS) epidemic, particularly with the
13 establishment in April 2000 of the Global Outbreak
14 Alert and Response network.

15 (6) The capabilities of the World Health Orga-
16 nization are inherently limited by the quality of the
17 data and information it receives from member coun-
18 tries, the narrow range of diseases (plague, cholera,
19 and yellow fever) upon which its disease surveillance
20 and monitoring is based, and the consensus process
21 it uses to add new diseases to the list. Developing
22 countries in particular often cannot devote the nec-
23 essary resources to build and maintain public health
24 infrastructures.

1 (7) In particular, developing countries could
2 benefit from—

3 (A) better trained public health profes-
4 sionals and epidemiologists to recognize disease
5 patterns;

6 (B) appropriate laboratory equipment for
7 diagnosis of pathogens;

8 (C) disease reporting based on symptoms
9 and signs (known as “syndrome surveillance”),
10 affording the earliest possible opportunity to
11 conduct an effective response;

12 (D) a narrowing of the existing technology
13 gap in syndrome surveillance capabilities and
14 real-time information dissemination to public
15 health officials; and

16 (E) appropriate communications equip-
17 ment and information technology to efficiently
18 transmit information and data within national
19 and regional health networks, including inex-
20 pensive, Internet-based Geographic Information
21 Systems (GIS) and relevant telephone-based
22 systems for early recognition and diagnosis of
23 diseases.

24 (8) The United States is working with states of
25 the former Soviet Union to monitor disease out-

1 breaks in that region, and it has begun a program
2 under the United States-Mexico Border Health Com-
3 mission to work with the Secretariat of Health of
4 the government of Mexico and the States of Mexico
5 that border the United States by providing, among
6 other forms of assistance, assistance of the kind pro-
7 vided for in this title. What is needed now is an ef-
8 fort to improve pathogen surveillance worldwide.

9 (9) An effective international capability to mon-
10 itor and quickly diagnose infectious disease out-
11 breaks will offer dividends not only in the event of
12 biological weapons development, testing, production,
13 and attack, but also in the more likely cases of natu-
14 rally occurring infectious disease outbreaks that
15 could threaten the United States. Furthermore, a
16 robust surveillance system will serve to deter ter-
17 rorist use of biological weapons, as early detection
18 will help mitigate the intended effects of such malev-
19 olent uses.

20 (b) PURPOSE.—The purposes of this title are as fol-
21 lows:

22 (1) To enhance the capability and cooperation
23 of the international community, including the World
24 Health Organization and individual countries,
25 through enhanced pathogen surveillance and appro-

1 appropriate data sharing, to detect, identify, and contain
2 infectious disease outbreaks, whether the cause of
3 those outbreaks is intentional human action or nat-
4 ural in origin.

5 (2) To enhance the training of public health
6 professionals and epidemiologists from eligible devel-
7 oping countries in advanced Internet-based and
8 other electronic syndrome surveillance systems, in
9 addition to traditional epidemiology methods, so that
10 they may better detect, diagnose, and contain infec-
11 tious disease outbreaks, especially those due to
12 pathogens most likely to be used in a biological
13 weapons attack.

14 (3) To provide assistance to developing coun-
15 tries to purchase appropriate public health labora-
16 tory equipment necessary for infectious disease sur-
17 veillance and diagnosis.

18 (4) To provide assistance to developing coun-
19 tries to purchase appropriate communications equip-
20 ment and information technology, including, as ap-
21 propriate, relevant computer equipment, Internet
22 connectivity mechanisms, and telephone-based appli-
23 cations to effectively gather, analyze, and transmit
24 public health information for infectious disease sur-
25 veillance and diagnosis.

1 (5) To make available greater numbers of
2 United States Government public health profes-
3 sionals to international health organizations, re-
4 gional health networks, and United States diplo-
5 matic missions where appropriate.

6 (6) To establish “lab-to-lab” cooperative rela-
7 tionships between United States public health lab-
8 oratories and established foreign counterparts.

9 (7) To expand the training and outreach activi-
10 ties of overseas United States laboratories, including
11 Centers for Disease Control and Prevention and De-
12 partment of Defense entities, to enhance the disease
13 surveillance capabilities of developing countries.

14 (8) To provide appropriate technical assistance
15 to existing regional health networks and, where ap-
16 propriate, seed money for new regional networks.

17 **SEC. 2403. DEFINITIONS.**

18 In this title:

19 (1) **BIOLOGICAL WEAPONS CONVENTION.**—The
20 term “Biological Weapons Convention” means the
21 Convention on the Prohibition of the Development,
22 Production and Stockpiling of Bacteriological (Bio-
23 logical) and Toxin Weapons and on Their Destruc-
24 tion, signed at Washington, London, and Moscow
25 April 10, 1972.

1 (2) ELIGIBLE DEVELOPING COUNTRY.—The
2 term “eligible developing country” means any devel-
3 oping country that—

4 (A) has agreed to the objective of fully
5 complying with requirements of the World
6 Health Organization on reporting public health
7 information on outbreaks of infectious diseases;

8 (B) has not been determined by the Sec-
9 retary, for purposes of section 40 of the Arms
10 Export Control Act (22 U.S.C. 2780), section
11 620A of the Foreign Assistance Act of 1961
12 (22 U.S.C. 2371), or section 6(j) of the Export
13 Administration Act of 1979 (50 U.S.C. App.
14 2405j), to have repeatedly provided support for
15 acts of international terrorism, unless the Sec-
16 retary exercises a waiver certifying that it is in
17 the national interest of the United States to
18 provide assistance under the provisions of this
19 title;

20 (C) is a state party to the Biological
21 Weapons Convention; and

22 (D) is determined by the United States
23 Government not to have an offensive biological
24 weapons program.

1 (3) ELIGIBLE NATIONAL.—The term “eligible
2 national” means any citizen or national of an eligible
3 developing country who—

4 (A) is eligible to receive a visa under the
5 provisions of the Immigration and Nationality
6 Act (8 U.S.C. 1101 et seq.); and

7 (B) is not currently or previously affiliated
8 with or employed by a laboratory or entity de-
9 termined by the United States Government to
10 be involved in offensive biological weapons ac-
11 tivities.

12 (4) INTERNATIONAL HEALTH ORGANIZATION.—
13 The term “international health organization” in-
14 cludes the World Health Organization and the Pan
15 American Health Organization.

16 (5) LABORATORY.—The term “laboratory”
17 means a facility for the biological, microbiological,
18 serological, chemical, immuno-hematological,
19 hematological, biophysical, cytological, pathological,
20 or other examination of materials derived from the
21 human body for the purpose of providing informa-
22 tion for the diagnosis, prevention, or treatment of
23 any disease or impairment of, or the assessment of
24 the health of, human beings.

1 (6) SELECT AGENT.—The term “select agent”
2 has the meaning given such term for purposes of
3 section 72.6 of title 42, Code of Federal Regula-
4 tions.

5 (7) SYNDROME SURVEILLANCE.—The term
6 “syndrome surveillance” means the recording of
7 symptoms (patient complaints) and signs (derived
8 from physical examination) combined with simple ge-
9 ographic locators to track the emergence of a disease
10 in a population.

11 **SEC. 2404. PRIORITY FOR CERTAIN COUNTRIES.**

12 Priority in the provision of United States assistance
13 for eligible developing countries under all the provisions
14 of this title shall be given to those countries that permit
15 personnel from the World Health Organization and the
16 Centers for Disease Control and Prevention to investigate
17 outbreaks of infectious diseases on their territories, pro-
18 vide early notification of disease outbreaks, and provide
19 pathogen surveillance data to appropriate United States
20 departments and agencies in addition to international
21 health organizations.

22 **SEC. 2405. RESTRICTION.**

23 Notwithstanding any other provision of this title, no
24 foreign nationals participating in programs authorized
25 under this title shall have access, during the course of such

1 participation, to select agents that may be used as, or in,
2 a biological weapon, except in a supervised and controlled
3 setting.

4 **SEC. 2406. FELLOWSHIP PROGRAM.**

5 (a) ESTABLISHMENT.—There is established a fellow-
6 ship program (in this section referred to as the “pro-
7 gram”) under which the Secretary, in consultation with
8 the Secretary of Health and Human Services and subject
9 to the availability of appropriations, shall award fellow-
10 ships to eligible nationals to pursue public health edu-
11 cation or training, as follows:

12 (1) MASTER OF PUBLIC HEALTH DEGREE.—
13 Graduate courses of study leading to a master of
14 public health degree with a concentration in epidemi-
15 ology from an institution of higher education in the
16 United States with a Center for Public Health Pre-
17 paredness, as determined by the Centers for Disease
18 Control and Prevention.

19 (2) ADVANCED PUBLIC HEALTH EPIDEMIOLOGY
20 TRAINING.—Advanced public health training in epi-
21 demiology to be carried out at the Centers for Dis-
22 ease Control and Prevention (or equivalent State fa-
23 cility), or other Federal facility (excluding the De-
24 partment of Defense or United States National Lab-

1 oratories), for a period of not less than 6 months or
2 more than 12 months.

3 (b) SPECIALIZATION IN BIOTERRORISM.—In addition
4 to the education or training specified in subsection (a),
5 each recipient of a fellowship under this section (in this
6 section referred to as a “fellow”) may take courses of
7 study at the Centers for Disease Control and Prevention
8 or at an equivalent facility on diagnosis and containment
9 of likely bioterrorism agents.

10 (c) FELLOWSHIP AGREEMENT.—

11 (1) IN GENERAL.—In awarding a fellowship
12 under the program, the Secretary, in consultation
13 with the Secretary of Health and Human Services,
14 shall require the recipient to enter into an agree-
15 ment under which, in exchange for such assistance,
16 the recipient—

17 (A) will maintain satisfactory academic
18 progress (as determined in accordance with reg-
19 ulations issued by the Secretary and confirmed
20 in regularly scheduled updates to the Secretary
21 from the institution providing the education or
22 training on the progress of the recipient’s edu-
23 cation or training);

24 (B) will, upon completion of such edu-
25 cation or training, return to the recipient’s

1 country of nationality or last habitual residence
2 (so long as it is an eligible developing country)
3 and complete at least four years of employment
4 in a public health position in the government or
5 a nongovernmental, not-for-profit entity in that
6 country or, with the approval of the Secretary,
7 complete part or all of this requirement through
8 service with an international health organiza-
9 tion without geographic restriction; and

10 (C) agrees that, if the recipient is unable
11 to meet the requirements described in subpara-
12 graph (A) or (B), the recipient will reimburse
13 the United States for the value of the assist-
14 ance provided to the recipient under the fellow-
15 ship, together with interest at a rate deter-
16 mined in accordance with regulations issued by
17 the Secretary but not higher than the rate gen-
18 erally applied in connection with other Federal
19 loans.

20 (2) WAIVERS.—The Secretary may waive the
21 application of paragraph (1)(B) and (1)(C) if the
22 Secretary determines that it is in the national inter-
23 est of the United States to do so.

24 (d) IMPLEMENTATION.—The Secretary, in consulta-
25 tion with the Secretary of Health and Human Services,

1 is authorized to enter into an agreement with any eligible
2 developing country under which the country agrees—

3 (1) to establish a procedure for the nomination
4 of eligible nationals for fellowships under this sec-
5 tion;

6 (2) to guarantee that a fellow will be offered a
7 professional public health position within the country
8 upon completion of his studies; and

9 (3) to certify to the Secretary when a fellow has
10 concluded the minimum period of employment in a
11 public health position required by the fellowship
12 agreement, with an explanation of how the require-
13 ment was met.

14 (e) PARTICIPATION OF UNITED STATES CITIZENS.—

15 On a case-by-case basis, the Secretary may provide for the
16 participation of United States citizens under the provi-
17 sions of this section if the Secretary determines that it
18 is in the national interest of the United States to do so.

19 Upon completion of such education or training, a United
20 States recipient shall complete at least 5 years of employ-
21 ment in a public health position in an eligible developing
22 country or an international health organization.

1 **SEC. 2407. IN-COUNTRY TRAINING IN LABORATORY TECH-**
2 **NIQUES AND SYNDROME SURVEILLANCE.**

3 (a) IN GENERAL.—In conjunction with the Centers
4 for Disease Control and Prevention and the Department
5 of Defense, the Secretary shall, subject to the availability
6 of appropriations, support short training courses in-coun-
7 try (not in the United States) for laboratory technicians
8 and other public health personnel from eligible developing
9 countries in laboratory techniques relating to the identi-
10 fication, diagnosis, and tracking of pathogens responsible
11 for possible infectious disease outbreaks. Training under
12 this section may be conducted in overseas facilities of the
13 Centers for Disease Control and Prevention or in Overseas
14 Medical Research Units of the Department of Defense, as
15 appropriate. The Secretary shall coordinate such training
16 courses, where appropriate, with the existing programs
17 and activities of the World Health Organization.

18 (b) TRAINING IN SYNDROME SURVEILLANCE.—In
19 conjunction with the Centers for Disease Control and Pre-
20 vention and the Department of Defense, the Secretary
21 shall, subject to the availability of appropriations, estab-
22 lish and support short training courses in-country (not in
23 the United States) for public health personnel from eligi-
24 ble developing countries in techniques of syndrome surveil-
25 lance reporting and rapid analysis of syndrome informa-
26 tion using Geographic Information System (GIS) and

1 other Internet-based tools. Training under this subsection
2 may be conducted via the Internet or in appropriate facili-
3 ties as determined by the Secretary. The Secretary shall
4 coordinate such training courses, where appropriate, with
5 the existing programs and activities of the World Health
6 Organization.

7 **SEC. 2408. ASSISTANCE FOR THE PURCHASE AND MAINTENANCE OF PUBLIC HEALTH LABORATORY EQUIPMENT.**

10 (a) **AUTHORIZATION.**—The President is authorized,
11 on such terms and conditions as the President may deter-
12 mine, to furnish assistance to eligible developing countries
13 to purchase and maintain public health laboratory equip-
14 ment described in subsection (b).

15 (b) **EQUIPMENT COVERED.**—Equipment described in
16 this subsection is equipment that is—

17 (1) appropriate, where possible, for use in the
18 intended geographic area;

19 (2) necessary to collect, analyze, and identify
20 expeditiously a broad array of pathogens, including
21 mutant strains, which may cause disease outbreaks
22 or may be used as a biological weapon;

23 (3) compatible with general standards set forth,
24 as appropriate, by the World Health Organization
25 and the Centers for Disease Control and Prevention,

1 to ensure interoperability with regional and inter-
2 national public health networks;

3 (4) necessary to secure and monitor pathogen
4 collections containing select agents; and

5 (5) not defense articles or defense services as
6 those terms are defined under section 47 of the
7 Arms Export Control Act (22 U.S.C. 2794).

8 (c) RULE OF CONSTRUCTION.—Nothing in this sec-
9 tion shall be construed to exempt the exporting of goods
10 and technology from compliance with applicable provisions
11 of the Export Administration Act of 1979 (50 U.S.C. App.
12 2401 et seq.) or any successor statute.

13 (d) LIMITATION.—Amounts appropriated to carry
14 out this section shall not be made available for the pur-
15 chase from a foreign country of equipment that, if made
16 in the United States, would be subject to the Arms Export
17 Control Act (22 U.S.C. 2751 et seq.) or likely be barred
18 or subject to special conditions under the Export Adminis-
19 tration Act of 1979 (50 U.S.C. App. 2401 et seq.) or any
20 successor statute.

21 (e) HOST COUNTRY'S COMMITMENTS.—The assist-
22 ance provided under this section shall be contingent upon
23 the host country's commitment to provide the resources,
24 infrastructure, and other assets required to house, main-

1 tain, support, secure, monitor, and maximize use of this
2 equipment and appropriate technical personnel.

3 **SEC. 2409. ASSISTANCE FOR IMPROVED COMMUNICATION**
4 **OF PUBLIC HEALTH INFORMATION.**

5 (a) ASSISTANCE FOR PURCHASE OF COMMUNICATION
6 EQUIPMENT AND INFORMATION TECHNOLOGY.—The
7 President is authorized to provide, on such terms and con-
8 ditions as the President may determine, assistance to eligi-
9 ble developing countries for the purchase and maintenance
10 of communications equipment and information technology
11 described in subsection (b), and supporting equipment,
12 necessary to effectively collect, analyze, and transmit pub-
13 lic health information.

14 (b) COVERED EQUIPMENT.—Equipment (and infor-
15 mation technology) described in this subsection is equip-
16 ment that—

17 (1) is suitable for use under the particular con-
18 ditions of the area of intended use;

19 (2) meets appropriate World Health Organiza-
20 tion standards to ensure interoperability with like
21 equipment of other countries and international
22 health organizations; and

23 (3) is not defense articles or defense services as
24 those terms are defined under section 47 of the
25 Arms Export Control Act (22 U.S.C. 2794).

1 (c) RULE OF CONSTRUCTION.—Nothing in this sec-
2 tion shall be construed to exempt the exporting of goods
3 and technology from compliance with applicable provisions
4 of the Export Administration Act of 1979 (50 U.S.C. App.
5 2401 et seq.) or any successor statute.

6 (d) LIMITATION.—Amounts appropriated to carry
7 out this section shall not be made available for the pur-
8 chase from a foreign country of equipment that, if made
9 in the United States, would be subject to the Arms Export
10 Control Act (22 U.S.C. 2751 et seq.) or likely be barred
11 or subject to special conditions under the Export Adminis-
12 tration Act of 1979 (50 U.S.C. App. 2401 et seq.) or any
13 successor statute.

14 (e) ASSISTANCE FOR STANDARDIZATION OF REPORT-
15 ING.—The President is authorized to provide, on such
16 terms and conditions as the President may determine,
17 technical assistance and grant assistance to international
18 health organizations to facilitate standardization in the re-
19 porting of public health information between and among
20 developing countries and international health organiza-
21 tions.

22 (f) HOST COUNTRY'S COMMITMENTS.—The assist-
23 ance provided under this section shall be contingent upon
24 the host country's commitment to provide the resources,
25 infrastructure, and other assets required to house, sup-

1 port, maintain, secure, and maximize use of this equip-
2 ment and appropriate technical personnel.

3 **SEC. 2410. ASSIGNMENT OF PUBLIC HEALTH PERSONNEL**
4 **TO UNITED STATES MISSIONS AND INTER-**
5 **NATIONAL ORGANIZATIONS.**

6 (a) IN GENERAL.—Upon the request of a United
7 States chief of diplomatic mission or an international
8 health organization, and with the concurrence of the Sec-
9 retary, the head of a Federal agency may assign to the
10 respective United States mission or organization any offi-
11 cer or employee of the agency occupying a public health
12 position within the agency for the purpose of enhancing
13 disease and pathogen surveillance efforts in developing
14 countries.

15 (b) REIMBURSEMENT.—The costs incurred by a Fed-
16 eral agency by reason of the detail of personnel under sub-
17 section (a) may be reimbursed to that agency out of the
18 applicable appropriations account of the Department if the
19 Secretary determines that the relevant agency may other-
20 wise be unable to assign such personnel on a non-reim-
21 bursable basis.

1 **SEC. 2411. EXPANSION OF CERTAIN UNITED STATES GOV-**
2 **ERNMENT LABORATORIES ABROAD.**

3 (a) IN GENERAL.—Subject to the availability of ap-
4 propriations, the Centers for Disease Control and Preven-
5 tion and the Department of Defense shall each—

6 (1) increase the number of personnel assigned
7 to laboratories of the Centers or the Department, as
8 appropriate, located in eligible developing countries
9 that conduct research and other activities with re-
10 spect to infectious diseases; and

11 (2) expand the operations of those laboratories,
12 especially with respect to the implementation of on-
13 site training of foreign nationals and regional out-
14 reach efforts involving neighboring countries.

15 (b) COOPERATION AND COORDINATION BETWEEN
16 LABORATORIES.—Subsection (a) shall be carried out in
17 such a manner as to foster cooperation and avoid dupli-
18 cation between and among laboratories.

19 (c) RELATION TO CORE MISSIONS AND SECURITY.—
20 The expansion of the operations of overseas laboratories
21 of the Centers or the Department under this section shall
22 not—

23 (1) detract from the established core missions
24 of the laboratories; or

1 (2) compromise the security of those labora-
2 tories, as well as their research, equipment, exper-
3 tise, and materials.

4 **SEC. 2412. ASSISTANCE FOR REGIONAL HEALTH NETWORKS**
5 **AND EXPANSION OF FOREIGN EPIDEMI-**
6 **LOGY TRAINING PROGRAMS.**

7 (a) **AUTHORITY.**—The President is authorized, on
8 such terms and conditions as the President may deter-
9 mine, to provide assistance for the purposes of—

10 (1) enhancing the surveillance and reporting ca-
11 pabilities of the World Health Organization and ex-
12 isting regional health networks; and

13 (2) developing new regional health networks.

14 (b) **EXPANSION OF FOREIGN EPIDEMIOLOGY TRAIN-**
15 **ING PROGRAMS.**—The Secretary of Health and Human
16 Services is authorized to establish new country or regional
17 Foreign Epidemiology Training Programs in eligible devel-
18 oping countries.

19 **SEC. 2413. AUTHORIZATION OF APPROPRIATIONS.**

20 (a) **AUTHORIZATION OF APPROPRIATIONS.**—

21 (1) **IN GENERAL.**—Of the amounts authorized
22 to be appropriated under this division for Non-
23 proliferation, Anti-terrorism, Demining, and Related
24 Programs, there is authorized to be appropriated

1 \$35,000,000 for the fiscal year 2006 to carry out
2 this title.

3 (2) ALLOCATION OF FUNDS.—Of the amounts
4 made available under paragraph (1)—

5 (A) \$25,000,000 for the fiscal year 2006 is
6 authorized to be available to carry out sections
7 2406, 2407, 2408, and 2409;

8 (B) \$500,000 for the fiscal year 2006 is
9 authorized to be available to carry out section
10 2410;

11 (C) \$2,500,000 for the fiscal year 2006 is
12 authorized to be available to carry out section
13 2411; and

14 (D) \$7,000,000 for the fiscal year 2006 is
15 authorized to be available to carry out section
16 2412.

17 (b) AVAILABILITY OF FUNDS.—The amount appro-
18 priated pursuant to subsection (a) is authorized to remain
19 available until expended.

20 (c) REPORTING REQUIREMENT.—Not later than 120
21 days after the date of the enactment of this title, the Sec-
22 retary shall submit a report, in conjunction with the Sec-
23 retary of Health and Human Services and the Secretary
24 of Defense, containing—

1 (1) a description of the implementation of pro-
2 grams under this title; and

3 (2) an estimate of the level of funding required
4 to carry out those programs at a sufficient level.

5 **TITLE XXV—REPORTING RE-**
6 **QUIREMENTS AND OTHER**
7 **MATTERS**

8 **Subtitle A—Elimination and Modi-**
9 **fication of Certain Reporting**
10 **Requirements**

11 **SEC. 2501. ANNUAL REPORT ON TERRITORIAL INTEGRITY.**

12 Section 560 of the Foreign Operations, Export Fi-
13 nancing, and Related Programs Appropriations Act, 1994
14 (titles I through V of Public Law 103–87; 107 Stat. 966)
15 is amended by striking subsection (g).

16 **SEC. 2502. ANNUAL REPORTS ON ACTIVITIES IN COLOMBIA.**

17 Section 694 of the Foreign Relations Authorization
18 Act, Fiscal Year 2003 (Public Law 107–228; 116 Stat.
19 1415; 22 U.S.C. 2291 note) is amended by adding at the
20 end the following:

21 “(c) REPORT CONSOLIDATION.—The Secretary may
22 satisfy the annual reporting requirements of this section
23 by incorporating the required information with the annual
24 report submitted pursuant to section 489(a) of the For-
25 eign Assistance Act of 1961 (22 U.S.C. 2291h(a)).”.

1 **SEC. 2503. ANNUAL REPORT ON FOREIGN MILITARY TRAIN-**
2 **ING.**

3 Subsection (a)(1) of section 656 of the Foreign As-
4 sistance Act of 1961 (22 U.S.C. 2416) is amended—

5 (1) by striking “January 31” and inserting
6 “March 1”; and

7 (2) by striking “and all such training proposed
8 for the current year”.

9 **SEC. 2504. REPORT ON HUMAN RIGHTS IN HAITI.**

10 Section 616(c) of the Departments of Commerce,
11 Justice, and State, the Judiciary, and Related Agencies
12 Appropriations Act, 1999 (section 101(b) of division A of
13 Public Law 105–277; 112 Stat. 2681–114), is amended—

14 (1) in paragraph (2), by striking “not later
15 than 3 months after the date of the enactment of
16 this Act” and inserting “as part of the annual re-
17 port submitted under paragraph (4) of this sub-
18 section”; and

19 (2) in paragraph (3), by inserting “, as part of
20 the annual report submitted under paragraph (4) of
21 this subsection,” after “the appropriate congres-
22 sional committees”.

1 **Subtitle B—New Reports and Other**
2 **Matters**

3 **SEC. 2511. AMENDMENTS TO THE ARMS CONTROL AND DIS-**
4 **ARMAMENT ACT.**

5 (a) VERIFICATION OF COMPLIANCE.—Section 306(a)
6 of the Arms Control and Disarmament Act (22 U.S.C.
7 2577(a)) is amended by inserting “or other formal com-
8 mitment” after “agreement” each place it appears in
9 paragraphs (1) and (2).

10 (b) ANNUAL REPORTS TO CONGRESS.—

11 (1) REQUIREMENT FOR REPORTS.—Section 403
12 of the Arms Control and Disarmament Act (22
13 U.S.C. 2593a) is amended to read as follows:

14 “SEC. 403. (a) REPORT ON OBJECTIVES AND NEGO-
15 TIATIONS.—Not later than April 15 of each year, the
16 President shall submit to the Speaker of the House of
17 Representatives and to the Chairman of the Committee
18 on Foreign Relations of the Senate a report prepared by
19 the Secretary of State, in consultation with the Secretary
20 of Defense, the Secretary of Energy, the Director of Na-
21 tional Intelligence, and the Chairman of the Joint Chiefs
22 of Staff, on the status of United States policy and actions
23 with respect to arms control, nonproliferation, and disar-
24 mament. Such report shall include—

1 “(1) a detailed statement concerning the arms
2 control, nonproliferation, and disarmament objec-
3 tives of the executive branch of Government for the
4 forthcoming year; and

5 “(2) a detailed assessment of the status of any
6 ongoing arms control, nonproliferation, or disar-
7 mament negotiations, including a comprehensive de-
8 scription of negotiations or other activities during
9 the preceding year and an appraisal of the status
10 and prospects for the forthcoming year.

11 “(b) REPORT ON COMPLIANCE.—Not later than April
12 15 of each year, the President shall submit to the Speaker
13 of the House of Representatives and to the Chairman of
14 the Committee on Foreign Relations of the Senate a re-
15 port prepared by the Secretary of State with the concur-
16 rence of the Director of the Central Intelligence Agency
17 and in consultation with the Secretary of Defense, the Sec-
18 retary of Energy, and the Chairman of the Joint Chiefs
19 of Staff on the status of United States policy and actions
20 with respect to arms control, nonproliferation, and disar-
21 mament compliance. Such report shall include—

22 “(1) a detailed assessment of adherence of the
23 United States to obligations undertaken in arms
24 control, nonproliferation, and disarmament agree-
25 ments, including information on the policies and or-

1 organization of each relevant agency or department of
2 the United States to ensure adherence to such obli-
3 gations, a description of national security programs
4 with a direct bearing on questions of adherence to
5 such obligations and of steps being taken to ensure
6 adherence, and a compilation of any substantive
7 questions raised during the preceding year and any
8 corrective action taken;

9 “(2) a detailed assessment of the adherence of
10 other nations to obligations undertaken in all arms
11 control, nonproliferation, and disarmament agree-
12 ments or commitments, including the Missile Tech-
13 nology Control Regime, to which the United States
14 is a participating state, including information on ac-
15 tions taken by each nation with regard to the size,
16 structure, and disposition of its military forces in
17 order to comply with arms control, nonproliferation,
18 or disarmament agreements or commitments, includ-
19 ing, in the case of each agreement or commitment
20 about which compliance questions exist—

21 “(A) a description of each significant issue
22 raised and efforts made and contemplated with
23 the other participating state to seek resolution
24 of the difficulty;

1 “(B) an assessment of damage, if any, to
2 United States security and other interests;

3 “(C) recommendations as to any steps that
4 should be considered to redress any damage to
5 United States national security and to reduce
6 compliance problems; and

7 “(D) for states that are not parties to such
8 agreements or commitments, a description of
9 activities of concern carried out by such states
10 and efforts underway to bring such states into
11 adherence with such agreements or commit-
12 ments;

13 “(3) a discussion of any material noncompliance
14 by foreign governments with their binding commit-
15 ments to the United States with respect to the pre-
16 vention of the spread of nuclear explosive devices (as
17 defined in section 830(4) of the Nuclear Prolifera-
18 tion Prevention Act of 1994 (22 U.S.C. 6305(4)) by
19 non-nuclear-weapon states (as defined in section
20 830(5) of that Act (22 U.S.C. 6305(5)) or the ac-
21 quisition by such states of unsafeguarded special nu-
22 clear material (as defined in section 830(8) of that
23 Act (22 U.S.C. 6305(8)), including—

24 “(A) a net assessment of the aggregate
25 military significance of all such violations;

1 “(B) a statement of the compliance policy
2 of the United States with respect to violations
3 of those commitments; and

4 “(C) what actions, if any, the President
5 has taken or proposes to take to bring any
6 country committing such a violation into com-
7 pliance with those commitments; and

8 “(4) a specific identification, to the maximum
9 extent practicable in unclassified form, of each and
10 every question that exists with respect to compliance
11 by other countries with arms control, nonprolifera-
12 tion, and disarmament agreements and other formal
13 commitments with the United States.

14 “(c) CHEMICAL WEAPONS CONVENTION COMPLI-
15 ANCE REPORT REQUIREMENT SATISFIED.—The report
16 submitted pursuant to subsection (b) shall include the in-
17 formation required under section 2(10)(C) of Senate Reso-
18 lution 75, 105th Congress, agreed to April 24, 1997, ad-
19 vising and consenting to the ratification of the Convention
20 on the Prohibition of Development, Production, Stock-
21 piling and Use of Chemical Weapons and on Their De-
22 struction, with annexes, done at Paris January 13, 1993
23 and entered into force April 29, 1997 (popularly known
24 as the ‘Chemical Weapons Convention’; T.Doc. 103–21)

1 “(d) CLASSIFICATION OF REPORT.—The reports re-
2 quired by this section shall be submitted in unclassified
3 form, with classified annexes, as appropriate. The report
4 portions described in paragraphs (2) and (3) of subsection
5 (b) shall summarize in detail, at least in classified an-
6 nexes, the information, analysis, and conclusions relevant
7 to possible noncompliance by other countries that are pro-
8 vided by United States intelligence agencies.

9 “(e) REPORTING CONSECUTIVE NONCOMPLIANCE.—
10 If the President in consecutive reports submitted to the
11 Congress under subsection (b) reports that any country
12 is not in full compliance with its binding nonproliferation
13 commitments to the United States, then the President
14 shall include in the second such report an assessment of
15 what actions are necessary to compensate for such viola-
16 tions.

17 “(f) ADDITIONAL REQUIREMENT.—Each report re-
18 quired by subsection (b) shall include a discussion of each
19 significant issue described in subsection (b)(4) that was
20 contained in a previous report issued under this section
21 during 1995, or after December 31, 1995, until the ques-
22 tion or concern has been resolved and such resolution has
23 been reported in detail to the Committee on Foreign Rela-
24 tions and the Select Committee on Intelligence of the Sen-
25 ate and the Committee on International Relations and the

1 Permanent Select Committee on Intelligence of the House
2 of Representatives.”.

3 (2) CONFORMING AMENDMENT.—The heading
4 of such section is amended to read as follows:

5 “ANNUAL REPORTS TO CONGRESS”.

6 **SEC. 2512. SUPPORT FOR INDEPENDENT MEDIA IN ETHI-**
7 **OPIA.**

8 Of the amounts made available under chapter 1 of
9 part I of the Foreign Assistance Act of 1961 (22 U.S.C.
10 2151 et seq.), such sums as are necessary may be made
11 available in fiscal years 2006 and 2007 to support inde-
12 pendent media in Ethiopia, including providing support
13 to—

14 (1) strengthen the capacity of journalists; and

15 (2) increase access to printing facilities by indi-
16 viduals who work in the print media.

17 **SEC. 2513. SUPPORT FOR JUSTICE SECTOR IN CENTRAL AF-**
18 **RICAN STATES AND THE AFRICAN UNION.**

19 (a) FINDINGS.—Congress makes the following find-
20 ings:

21 (1) The President has expressed enthusiasm for
22 increasing African judicial capacity and for sup-
23 porting the development of the African Union’s pro-
24 posed African Court of Justice.

25 (2) In recent years, the Central African States
26 of Burundi, the Democratic Republic of the Congo,

1 Rwanda, and Uganda have all been involved in over-
2 lapping conflicts that have destabilized the region
3 and contributed to the deaths of millions of civilians.

4 (3) The Department of State's 2004 Country
5 Report on Human Rights Practices in Burundi
6 states that "impunity and the continuing lack of ac-
7 countability for those who committed past abuses re-
8 mained serious problems."

9 (4) The Department of State's 2004 Country
10 Report on Human Rights Practices in Rwanda
11 states that "arbitrary arrest and detention and pro-
12 longed pretrial detention remained serious prob-
13 lems. . . . The judiciary did not always ensure due
14 process or expeditious trials. The Government con-
15 tinued to conduct genocide trials at a slow pace."

16 (5) The Department of State's 2004 Country
17 Report on Human Rights Practices in the Demo-
18 cratic Republic of the Congo states that "govern-
19 ment security forces committed unlawful killings,
20 torture, beatings, acts of rape, extortion, and other
21 abuses, such as lootings and interference with citi-
22 zens, right to privacy. In general, security forces op-
23 erated with impunity. . . . Armed groups com-
24 mitted numerous, serious abuses with impunity
25 against civilians, including deliberate large-scale

1 killings, the burning of villages, kidnappings, tor-
2 ture, rape, cannibalism, mutilation, looting, and ex-
3 tortion.”

4 (6) The Department of State’s 2004 Country
5 Report on Human Rights Practices in Uganda
6 states that “the Government punished some security
7 force officials who were guilty of abuses; however,
8 impunity remained a problem. . . . Poor judicial ad-
9 ministration, lack of resources, a large case backlog,
10 and lengthy trial delays limited due process rights,
11 including the right to a fair trial.”

12 (7) The report submitted to Congress by the
13 Secretary on February 2, 2005, under section 4 of
14 the Northern Uganda Crisis Response Act (Public
15 Law 108–283) states that “The UPDF [Ugandan
16 People’s Defense Force] is feared by many ordinary
17 civilians in northern Uganda and its record of civil-
18 military relations is mixed. . . . The relation be-
19 tween the UPDF’s complaint processing system, the
20 civil judicial process, and the UHCR [Ugandan
21 Human Rights Commission] needs to be clarified,
22 and links between the various systems need to be
23 strengthened.”

24 (b) AUTHORIZATION OF APPROPRIATIONS.—

1 (1) Of the amounts made available under chap-
2 ter 4 of part II of the Foreign Assistance Act of
3 1961 (22 U.S.C. 2346 et seq.), up to \$15,000,000
4 may be made available for fiscal year 2006 to sup-
5 port the development of responsible justice and rec-
6 onciliation mechanisms in the Democratic Republic
7 of the Congo, Rwanda, Burundi, and Uganda, in-
8 cluding programs to combat impunity for abuses
9 committed by the security services and programs to
10 increase awareness of gender-based violence and to
11 improve local capacity to prevent and respond to
12 such violence.

13 (2) Of the amounts made available under chap-
14 ter 3 of part I of such Act for International Organi-
15 zations and Programs, such sums as may be nec-
16 essary may be made available to support the efforts
17 of the African Union to enhance its judicial capacity.

18 (c) REPORT.—

19 (1) REPORT REQUIRED.—Not later than 180
20 days after the date of the enactment of this Act, the
21 Secretary shall submit a report to the appropriate
22 congressional committees on efforts to strengthen
23 the judicial capacity in Africa.

24 (2) CONTENT.—The report required under
25 paragraph (1) shall include a description of—

1 (A) the steps that the Department of State
2 has taken to engage with the organs and mem-
3 ber states of the African Union to determine
4 what technical, logistical, financial, or political
5 support the United States could provide to
6 more effectively strengthen judicial capacity in
7 Africa;

8 (B) the specific requests made by the Afri-
9 can Union for assistance to strengthen judicial
10 capacity in Africa;

11 (C) the assistance provided thus far by the
12 United States Government to the African Union
13 for the purposes of strengthening the institu-
14 tional and judicial capacity of the African
15 Union;

16 (D) a 5-year strategy for bolstering the ju-
17 dicial capacity of the African Union; and

18 (E) the specific steps taken by the Depart-
19 ment of State and additional steps planned in
20 the next 5 years to address the ongoing impu-
21 nity for grave human rights abuses and to in-
22 crease independent judicial capacity in Burundi,
23 Rwanda, the Democratic Republic of Congo,
24 and Uganda.

1 **SEC. 2514. SUPPORT FOR HAITI.**

2 Of the amounts appropriated for fiscal year 2006
3 pursuant to the authorizations of appropriations in sec-
4 tions 2101(a), 2102, 2107, and 2126(a) and pursuant to
5 the amendments made by sections 2108, 2121(a),
6 2122(a), 2123, and 2124, not less than \$163,000,000
7 should be made available to provide assistance to Haiti.

8 **SEC. 2515. GLOBAL PEACE OPERATIONS INITIATIVE.**

9 (a) AVAILABILITY OF FUNDS.—Of the amounts made
10 available under chapter 6 of part II of the Foreign Assist-
11 ance Act of 1961 (22 U.S.C 2348 et seq.), \$114,400,000
12 may be made available in fiscal year 2006, and such
13 amounts as may be necessary may be made available in
14 fiscal year 2007, to support the Global Peace Operations
15 Initiative developed and approved by the President in
16 2004.

17 (b) ELIGIBILITY FOR PARTICIPATION.—

18 (1) CRITERIA.—Countries receiving support
19 under the Global Peace Operations Initiative should
20 be selected on the basis of—

21 (A) the country's willingness to participate
22 in peace support operations;

23 (B) the country's military capability;

24 (C) the country's democratic governance;

25 (D) the nature of the relations between the
26 civil and military authorities within the country;

1 (E) the human rights record of the coun-
2 try, with particular attention paid to the record
3 of the military; and

4 (F) the relations between the country and
5 its neighboring states.

6 (2) ELIGIBILITY REVIEW.—The eligibility sta-
7 tus of participating countries shall be reviewed at
8 least annually.

9 (c) SENSE OF CONGRESS ON LOCAL CONSULTA-
10 TIONS.—It is the sense of Congress that the Department
11 of State should—

12 (1) provide information about the nature and
13 purpose of the training provided under the Global
14 Peace Operations Initiative to nationals of a country
15 participating in that Initiative, including parliamen-
16 tarians and nongovernmental humanitarian and
17 human rights organizations; and

18 (2) to the extent possible, provide such informa-
19 tion prior to the beginning of training activities in
20 such country under the Global Peace Operations Ini-
21 tiative.

22 (d) SENSE OF CONGRESS ON MONITORING.—It is
23 further the sense of Congress that—

24 (1) the Secretary of State and the heads of
25 other relevant departments and agencies should

1 monitor the performance and conduct of military
2 units that receive training or support under the
3 Global Peace Operations Initiative; and

4 (2) the Secretary should provide to the appro-
5 priate congressional committees an annual report on
6 the information gained through such monitoring.

7 **SEC. 2516. ASSISTANCE TO COMBAT HIV/AIDS IN CERTAIN**
8 **COUNTRIES OF THE CARIBBEAN REGION.**

9 Section 1(f)(2)(B)(ii)(VII) of the State Department
10 Basic Authorities Act of 1956 (22 U.S.C.
11 2651a(f)(2)(B)(ii)(VII)) is amended by inserting after
12 “Zambia,” the following: “Antigua and Barbuda, the Ba-
13 hamas, Barbados, Belize, Dominica, Grenada, Jamaica,
14 Montserrat, Saint Kitts and Nevis, Saint Vincent and the
15 Grenadines, Saint Lucia, Suriname, Trinidad and Tobago,
16 Dominican Republic,”.

17 **SEC. 2517. REPEAL OF OBSOLETE ASSISTANCE AUTHORITY.**

18 Sections 495 through 495K of the Foreign Assistance
19 Act of 1961 (22 U.S.C. 2292f through 2292q) are re-
20 pealed.

1 **SEC. 2518. CONSOLIDATION OF CERTAIN SUBMISSIONS**
2 **UNDER THE AFGHANISTAN FREEDOM SUP-**
3 **PORT ACT OF 2002.**

4 Section 305 of the Afghanistan Freedom Support Act
5 of 2002 (22 U.S.C. 7555) is amended by adding at the
6 end the following new subsection:

7 “(c) CONSOLIDATION OF REPORTS.—

8 “(1) AUTHORITY.—In order to enhance effi-
9 cient use of resources, the President may consolidate
10 or combine into one submission for any year any of
11 the following matters required to be submitted in or
12 for that year:

13 “(A) The strategy under subsection (a).

14 “(B) An annual report under subsection
15 (b).

16 “(C) An annual submission of the Afghani-
17 stan assistance plan required under section
18 104(c).

19 “(D) The semiannual report required
20 under section 206(c), relating to the implemen-
21 tation of strategies for meeting the immediate
22 and long-term security needs of Afghanistan.

23 “(2) COMBINED DISCUSSION.—The authority
24 under paragraph (1) includes authority to satisfy a
25 requirement for addressing a factor or a criterion in
26 a strategy, plan, or report referred to in that para-

1 graph by addressing that factor or criterion once in
2 the consolidated or combined submission for the pur-
3 poses of all such requirements.”.

4 **SEC. 2519. TECHNICAL CORRECTIONS.**

5 (a) **ERROR IN ENROLLMENT.**—Effective as of No-
6 vember 21, 1990, as if included therein, section 10(a)(1)
7 of Public Law 101–623 (104 Stat. 3356), relating to an
8 amendment of section 610(a) of the Foreign Assistance
9 Act of 1961 (22 U.S.C. 2360(a)), is amended by striking
10 “‘part I’” and inserting “‘part I)’”.

11 (b) **REDESIGNATION OF DUPLICATIVELY NUMBERED**
12 **SECTION.**—Section 620G of the Foreign Assistance Act
13 of 1961, as added by section 149 of Public Law 104–164
14 (110 Stat. 1436; 22 U.S.C. 2378a), is redesignated as sec-
15 tion 620J.

16 (c) **CORRECTION OF SHORT TITLE.**—Effective as of
17 September 30, 1961, as if included therein, section 111
18 of Public Law 87–329 (75 Stat. 719; 22 U.S.C. 2151
19 note) is amended by striking “‘The Foreign’” and insert-
20 ing “‘the ‘Foreign’”.

21 **SEC. 2520. REQUIREMENT FOR REPORT ON UNITED STATES**
22 **POLICY TOWARD HAITI.**

23 (a) **FINDINGS.**—Congress makes the following find-
24 ings:

1 (1) Haiti is plagued by chronic political insta-
2 bility, economic and political crises, and significant
3 social challenges.

4 (2) The United States has a political and eco-
5 nomic interest and a humanitarian and moral re-
6 sponsibility in assisting the Government and people
7 of Haiti in resolving the country's problems and
8 challenges.

9 (3) The situation in Haiti is increasingly cause
10 for alarm and concern, and a sustained, coherent,
11 and active approach by the United States Govern-
12 ment is needed to make progress toward resolving
13 Haiti's political and economic crises.

14 (b) REQUIREMENT FOR REPORT.—Not later than 60
15 days after the date of the enactment of this Act, the Sec-
16 retary shall submit to the appropriate congressional com-
17 mittees a report that describes United States policy to-
18 ward Haiti. The report shall include the following:

19 (1) The plan for the reconstruction of Haiti for
20 fiscal years 2006 and 2007.

21 (2) A description of the activities that have
22 been and will be carried out by the United States
23 Government, and the activities that will be carried
24 out by the United States Government, for the fol-
25 lowing purposes:

1 (A) To establish democracy and rule of law
2 in Haiti, in a manner that is consistent with
3 the Constitution of Haiti and international re-
4 quirements described in resolutions of the
5 United Nations, the Organization of American
6 States, or other international organizations.

7 (B) To assist in the disarmament, demobi-
8 lization, and reintegration of illegally armed
9 forces in Haiti, in coordination with the United
10 Nations Stabilization Mission in Haiti
11 (MINUSTAH) and the Organization of Amer-
12 ican States.

13 (C) To assist in the reform and training of
14 the Haitian National Police, in coordination
15 with MINUSTAH and the Organization of
16 American States, to include vetting, human
17 rights, and weapons monitoring programs that
18 adhere to internationally accepted norms.

19 (D) To promote, in collaboration with the
20 Haitian interim government, the holding of free
21 and fair elections in Haiti that are monitored
22 by international monitors and observers.

23 (E) To combat the human immuno-
24 deficiency virus (HIV) or the acquired immune
25 deficiency syndrome (AIDS) in Haiti.

1 (F) To promote economic development in
2 Haiti through assistance to critical sectors such
3 as health and education, and for job creation,
4 including through support for trade preference
5 legislation specifically for Haiti.

6 (G) To encourage other countries and
7 international organizations to provide assistance
8 to Haiti, including by fulfilling the pledges for
9 over \$1,200,000,000 in assistance made at the
10 July 2004 International Donors Conference on
11 Haiti.

12 (H) To ensure that MINUSTAH is fully
13 staffed at the authorized levels of military and
14 civilian personnel and that it remains in Haiti
15 for a period of time sufficient to adequately re-
16 train the Haitian National Police.

17 **SEC. 2521. UNITED STATES POLICY ON TSUNAMI RELIEF**
18 **AND RECONSTRUCTION IN ACEH, INDONESIA.**

19 (a) FINDINGS.—Congress makes the following find-
20 ings:

21 (1) The destruction in South and Southeast
22 Asia caused by the tsunami that occurred on Decem-
23 ber 26, 2004, has created a possible opportunity for
24 progress in resolving the 30-year dispute between

1 the Government of Indonesia and the Free Aceh
2 Movement (GAM).

3 (2) In negotiations during February 2005, the
4 GAM and Government of Indonesia made important
5 progress in resolving some of their differences,
6 prompting the Vice President of Indonesia to say he
7 was pleased with the progress of the talks and that
8 “[t]he result is much better than [the result of] pre-
9 vious meetings”.

10 (3) In a joint statement, issued on January 25,
11 2005, the Co-Chairs of the Tokyo Conference on Re-
12 construction and Development of Sri Lanka stated
13 that tsunami assistance should adhere to “basic
14 principles of equity” and be “sensitive to and
15 strengthens the Peace Process”.

16 (b) POLICY.—It should be the policy of the United
17 States to work to formulate a joint statement with other
18 donor countries which are providing assistance for tsu-
19 nami relief and reconstruction efforts in Aceh, Indonesia,
20 that calls for the provision of such assistance—

21 (1) to be equitably distributed throughout the
22 impacted areas of Indonesia; and

23 (2) to be used to strengthen and support the
24 negotiations between the Government of Indonesia
25 and the Free Aceh Movement.

1 **SEC. 2522. DRUG PRICE TRANSPARENCY IN THE EMER-**
2 **GENCY PLAN FOR AIDS RELIEF.**

3 (a) REQUIREMENT FOR REPORT.—Not later than 90
4 days after the date of enactment of this Act, the Coordi-
5 nator of United States Government Activities to Combat
6 HIV/AIDS Globally shall make available to the public a
7 report setting forth the amount of United States funding
8 provided under the authorities of the United States Lead-
9 ership Against HIV/AIDS, Tuberculosis, and Malaria Act
10 of 2003 (22 U.S.C. 7601 et seq.), or under an amendment
11 made to that Act, to procure anti-retroviral drugs in a
12 country described in section 1(f)(2)(B)(VII) of the State
13 Department Basic Authorities Act of 1956 (22 U.S.C.
14 2651a(f)(2)(B)(VII)). The report shall include a detailed
15 description of the anti-retroviral drugs procured, includ-
16 ing—

- 17 (1) the amount expended for generics and name
18 brand drugs;
- 19 (2) the price paid per unit of each drug; and
- 20 (3) the vendor from which the drugs were pur-
21 chased.

22 (b) ANNUAL UPDATE.—The Coordinator of United
23 States Government Activities to Combat HIV/AIDS Glob-
24 ally shall update the report required by subsection (a) by
25 January 31 each year and make such updates available
26 to the public.

1 **TITLE XXVI—SAFE WATER**

2 **SEC. 2601. SHORT TITLE.**

3 This title may be cited as the “Safe Water: Currency
4 for Peace Act of 2005”.

5 **SEC. 2602. FINDINGS.**

6 Congress makes the following findings:

7 (1) Water-related diseases are a human trag-
8 edy, killing and debilitating millions of people annu-
9 ally, preventing millions of people from leading
10 healthy lives, and undermining development efforts.

11 (2) Providing safe supplies of water, and sani-
12 tation and hygiene improvements would save millions
13 of lives by reducing the prevalence of water-borne
14 diseases, water-based diseases, water-privation dis-
15 eases, and water-related vector diseases.

16 (3) An estimated 1,800,000 people die of
17 diarrhoeal diseases every year. Ninety percent of
18 these people are children under the age of five who
19 live in developing countries. Simple household and
20 personal hygiene measures, such as household water
21 treatment and safe storage and effective hand wash-
22 ing with soap, reduce the burden of diarrhoeal dis-
23 ease by more than 40 percent.

24 (4) According to the World Health Organiza-
25 tion, 88 percent of diarrhoeal disease can be attrib-

1 uted to unsafe water supply, and inadequate sanita-
2 tion and hygiene.

3 (5) Around the world, more than 150,000,000
4 people are threatened by blindness caused by tra-
5 choma, a disease that is spread through poor hy-
6 giene and sanitation, and aggravated by inadequate
7 water supply.

8 (6) Chronic intestinal helminth infections are a
9 leading source of global morbidity, including cog-
10 nitive impairment and anemia for hundred of mil-
11 lions of children and adults. Access to safe water
12 and sanitation and better hygiene practices can
13 greatly reduce the number of these infections.

14 (7) Schistosomiasis is a disease that affects
15 200,000,000 people, 20,000,000 of whom suffer seri-
16 ous consequences, including liver and intestinal dam-
17 age. Improved water resource management to reduce
18 infestation of surface water, improved sanitation and
19 hygiene, and deworming treatment can dramatically
20 reduce this burden.

21 (8) In 2002, 2,600,000,000 people lacked ac-
22 cess to improved sanitation. In sub-Saharan Africa,
23 only 36 percent of the population has access to im-
24 proved sanitation. In developing countries, only 31

1 percent of the population in rural areas has access
2 to improved sanitation.

3 (9) Improved management of water resources
4 can contribute to comprehensive strategies for con-
5 trolling mosquito populations associated with life-
6 threatening vector-borne diseases in developing coun-
7 tries, especially malaria, which kills more than
8 1,000,000 people each year, most of whom are chil-
9 dren.

10 (10) Natural disasters such as floods and
11 droughts threaten people's health. Floods contami-
12 nate drinking-water systems with industrial waste
13 refuse, sewage, and human and animal excreta.
14 Droughts exacerbate malnutrition and limit access
15 to drinking water supplies. Sound water resource
16 management can mitigate the impact of such natural
17 disasters.

18 (11) The United Nations Population Fund re-
19 port entitled "Water: A Critical Resource" stated
20 that "Nearly 500 million people [suffer from] water
21 stress or serious water scarcity. Under current
22 trends, two-thirds of the world's population may be
23 subject to moderate to high water stress by 2025".
24 Effective water management and equitable allocation
25 of scarce water supplies for all uses will become in-

1 creasingly important for meeting both human and
2 ecosystem water needs in the future.

3 (12) The participants in the World Summit on
4 Sustainable Development, held in Johannesburg,
5 South Africa, in 2002, agreed to the Plan of Imple-
6 mentation of the World Summit on Sustainable De-
7 velopment which included an agreement to work to
8 reduce by one-half “the proportion of people who are
9 unable to reach or afford safe drinking water,” and
10 “the proportion of people without access to basic
11 sanitation” by 2015.

12 (13) At the World Summit on Sustainable De-
13 velopment, building on the U.S.-Japan Partnership
14 for Security and Prosperity announced in June 2001
15 by President Bush and Prime Minister Koizumi, the
16 United States and Japan announced a Clean Water
17 for People Initiative to cooperate in providing safe
18 water and sanitation to the world’s poor, improve
19 watershed management, and increase the produc-
20 tivity of water.

21 (14) At the World Summit on Sustainable De-
22 velopment, the United States announced the Water
23 for the Poor Initiative which committed the United
24 States to provide \$750,000,000 over 3 years to in-
25 crease access to safe water and sanitation services,

1 improve watershed management, and increase the
2 productivity of water. During fiscal year 2004, the
3 United States provided an estimated \$472,000,000
4 in assistance to the Water for the Poor Initiative, in-
5 cluding funds made available for reconstruction ac-
6 tivities in Iraq, of which \$388,000,000 was made
7 available for safe drinking water and sanitation pro-
8 grams.

9 (15) During fiscal year 2004, the United States
10 provided \$49,000,000 in assistance for activities to
11 provide safe drinking water and sanitation in sub-
12 Saharan Africa, an amount that is equal to 6.5 per-
13 cent of total United States foreign assistance pro-
14 vided for all water activities in the Water for the
15 Poor Initiative.

16 (16) At the 2003 Summit of the Group of
17 Eight in Evian, France, the members of the Group
18 of Eight produced a plan entitled “Water: A G8 Ac-
19 tion Plan” that stated that a lack of water can un-
20 dermine human security. The Action Plan committed
21 the members of the Group of Eight to playing a
22 more active role in international efforts to provide
23 safe water and sanitation to the world’s poor by mo-
24 bilizing domestic resources in developing countries
25 for water infrastructure financing through the devel-

1 opment and strengthening of local capital markets
2 and financial institutions, particularly by estab-
3 lishing, where appropriate, at the national and local
4 levels, revolving funds that offer local currency
5 financings, which allow communities to finance cap-
6 ital-intensive water infrastructure projects over an
7 affordable period of time at competitive rates.

8 (17) The G8 Action Plan also committed mem-
9 bers of the Group of Eight to provide risk mitigation
10 mechanisms for such revolving funds and to provide
11 technical assistance for the development of efficient
12 local financial markets and building municipal gov-
13 ernment capacity to design and implement finan-
14 cially viable projects and provide, as appropriate,
15 targeted subsidies for the poorest communities that
16 cannot fully service market rate debt.

17 (18) The United Nations General Assembly
18 Resolution 58/217 of February 9, 2004, proclaimed
19 “the period from 2005 to 2015 the International
20 Decade for Action, ‘Water for Life’, to commence on
21 World Water Day, 22 March 2005” for the purpose
22 of increasing the focus of the international commu-
23 nity on water-related issues at all levels and on the
24 implementation of water-related programs and
25 projects.

1 **SEC. 2603. WATER FOR HEALTH AND DEVELOPMENT.**

2 (a) IN GENERAL.—Part I of the Foreign Assistance
3 Act of 1961 (22 U.S.C. 2151 et seq.) is amended by in-
4 serting after section 104C the following new section:

5 **“SEC. 104D. WATER FOR HEALTH AND DEVELOPMENT.**

6 “(a) FINDING.—Congress makes the following find-
7 ings:

8 “(1) Access to safe water and sanitation and
9 improved hygiene are significant factors in control-
10 ling the spread of disease in the developing world
11 and positively affecting economic development.

12 “(2) The health of children and other vulner-
13 able rural and urban populations in developing coun-
14 tries, especially sub-Saharan Africa and South Asia,
15 is threatened by a lack of adequate safe water, sani-
16 tation, and hygiene.

17 “(3) Efforts to meet United States foreign as-
18 sistance objectives, including those related to agri-
19 culture, the human immunodeficiency virus (HIV)
20 and acquired immune deficiency syndrome (AIDS),
21 and the environment will be advanced by improving
22 access to safe water and sanitation and promoting
23 sound water management throughout the world.

24 “(4) Developing sustainable financing mecha-
25 nisms, including private sector financing, is critical

1 to the long-term sustainability of improved water
2 supply, sanitation, and hygiene.

3 “(5) The annual level of investment needed to
4 meet the water and sanitation needs of developing
5 countries far exceeds the amount of Official Develop-
6 ment Assistance (ODA) and spending by govern-
7 ments of developing countries, so attracting greater
8 public and private investment is essential.

9 “(6) Long-term sustainability in the provision
10 of access to safe water and sanitation and in the
11 maintenance of water and sanitation facilities re-
12 quires a legal and regulatory environment conducive
13 to private sector investment and private sector par-
14 ticipation in the delivery of water and sanitation
15 services.

16 “(7) The absence of robust domestic financial
17 markets and sources for long-term financing are a
18 major impediment to the development of water and
19 sanitation projects in developing countries.

20 “(8) At the 2003 Summit of the Group of
21 Eight in Evian, France, the members of the Group
22 of Eight produced a plan entitled ‘Water: A G8 Ac-
23 tion Plan’ that contemplated the promotion of do-
24 mestic revolving funds to provide local currency fi-
25 nancing for capital-intensive water infrastructure

1 projects. Innovative financing mechanisms such as
2 revolving funds and pooled-financings have been very
3 effective vehicles for mobilizing domestic savings for
4 investments in water and sanitation both in the
5 United States and in some developing countries.
6 These mechanisms can serve as a catalyst for great-
7 er investment in water and sanitation projects by vil-
8 lages, small towns, and municipalities.

9 “(9) The G8 Action Plan also committed mem-
10 bers of the Group of Eight to improving coordina-
11 tion and cooperation between donors, and such im-
12 proved coordination and cooperation is essential for
13 enlarging the beneficial impact of donor initiatives.

14 “(b) POLICY.—It is a major objective of United
15 States foreign assistance—

16 “(1) to promote good health and economic de-
17 velopment by providing assistance to expand access
18 to safe water and sanitation, promote sound water
19 management, and improve hygiene for people around
20 the world; and

21 “(2) to promote, to the maximum extent prac-
22 ticable and appropriate, long-term sustainability in
23 the provision of access to safe water and sanitation
24 by encouraging private investment in water and
25 sanitation infrastructure and services.

1 “(c) AUTHORIZATION.—

2 “(1) IN GENERAL.—To carry out the policy set
3 out in subsection (b), the President is authorized to
4 furnish assistance, including health information and
5 education, to advance good health and promote eco-
6 nomic development by improving the safety of water
7 supplies, expanding access to safe water and sanita-
8 tion, promoting sound water management, and pro-
9 moting better hygiene.

10 “(2) LOCAL CURRENCY.—The President may
11 use payments made in local currencies under an
12 agreement made under title I of the Agricultural
13 Trade Development and Assistance Act of 1954 (7
14 U.S.C. 1701 et seq.) to provide assistance under this
15 section, including assistance for activities related to
16 drilling or maintaining wells.”.

17 (b) CONFORMING AMENDMENT.—Section 104(c) of
18 the Agricultural Trade Development and Assistance Act
19 of 1954 (7 U.S.C. 1704(c)) is amended by adding at the
20 end the following new paragraph:

21 “(9) SAFE WATER.—To provide assistance
22 under section 104D of the Foreign Assistance Act of
23 1961 to advance good health and promote economic
24 development by improving the safety of water sup-

1 plies, including programs related to drilling or main-
2 taining wells.”.

3 **SEC. 2604. PILOT PROGRAM FOR WATER SUSTAINABILITY**
4 **INFRASTRUCTURE DEVELOPMENT AND CA-**
5 **PACITY BUILDING.**

6 (a) IN GENERAL.—Section 104D of the Foreign As-
7 sistance Act of 1961, as added by section 2603(a), is
8 amended by adding at the end the following new sub-
9 section:

10 “(d) PILOT CLEAN WATER SUSTAINABILITY INFRA-
11 STRUCTURE DEVELOPMENT PROGRAM.—

12 “(1) AUTHORITY FOR PILOT PROGRAM.—In
13 order to study the feasibility and desirability of a
14 program to assist countries that have a high propor-
15 tion of the population that is susceptible to water-
16 borne illnesses as a result of a lack of basic infra-
17 structure for clean water and sanitation, the Presi-
18 dent, in close coordination with the Administrator of
19 the United States Agency for International Develop-
20 ment and the Director of the Overseas Private In-
21 vestment Corporation, is authorized to establish a 5-
22 year pilot program under which the President may—

23 “(A) provide for the issuance of investment
24 insurance, investment guarantees, or loan guar-
25 antees, provide for direct investment or invest-

1 ment encouragement, or carry out special
2 projects and programs for eligible investors to
3 assist such countries in the development of safe
4 drinking water and sanitation infrastructure
5 programs; and

6 “(B) provide assistance to support the ac-
7 tivities described in subparagraphs (A) through
8 (D) of paragraph (2) for the purposes of—

9 “(i) carrying out the policy set out in
10 subsection (b); and

11 “(ii) maximizing the effectiveness of
12 assistance provided under subparagraph
13 (A).

14 “(2) ACTIVITIES SUPPORTED.—Assistance pro-
15 vided to a country under paragraph (1)(B) shall be
16 used to—

17 “(A) assess the water development needs
18 of such country;

19 “(B) design projects to address such water
20 development needs;

21 “(C) develop the capacity of individuals
22 and institutions in such country to carry out
23 and maintain water development programs
24 through training, joint work projects, and edu-
25 cational programs; and

1 “(D) provide long-term monitoring of
2 water development programs.

3 “(3) GEOGRAPHIC LIMITATION.—The President
4 may only provide assistance under the pilot program
5 under paragraph (1) to a country based on consulta-
6 tion with Congress.

7 “(4) ADDITIONAL CRITERIA.—In making deter-
8 minations of eligibility under this subsection, the
9 President should give preferential consideration to
10 projects sponsored by or significantly involving
11 United States small businesses or cooperatives.

12 “(5) IMPLEMENTATION.—To the extent pro-
13 vided for in advance in appropriations Acts, the
14 President is authorized to create such legal mecha-
15 nisms as may be necessary for the implementation of
16 its authorities under this subsection. Such legal
17 mechanisms may be deemed non-Federal borrowers
18 for purposes of the Federal Credit Reform Act of
19 1990 (2 U.S.C. 661 et seq.).

20 “(6) LOAN GUARANTEES.—Notwithstanding
21 any other provision of law, the President is author-
22 ized to provide assistance under the pilot program
23 under paragraph (1) in the form of partial loan
24 guarantees, provided that such a loan guarantee

1 may not exceed 75 percent of the total amount of
2 the loan.

3 “(7) COORDINATION.—The President is author-
4 ized to coordinate the activities of each agency or de-
5 partment of the United States to provide to a coun-
6 try assistance for an activity described in subpara-
7 graphs (A) through (D) of paragraph (2).

8 “(8) FEDERAL AGENCY RESPONSIBILITIES.—
9 Under the direction of the President, the head of
10 each agency or department of the United States is
11 authorized to assign, detail, or otherwise make avail-
12 able to the Department of State any officer or em-
13 ployee of such agency or department who possesses
14 expertise related to an activity described in subpara-
15 graphs (A) through (D) of paragraph (2).

16 “(9) REPORT TO CONGRESS.—The President
17 shall annually prepare and submit to the Committee
18 on Appropriations, the Committee on Foreign Rela-
19 tions, and the Committee on Health, Education,
20 Labor, and Pensions of the Senate and the Com-
21 mittee on Appropriations, the Committee on Inter-
22 national Relations, and the Committee on Energy
23 and Commerce of the House of Representatives a re-
24 port concerning the implementation of the pilot pro-
25 gram under this subsection.”.

1 (b) EFFECTIVE DATE.—The amendment made by
2 subsection (a) shall be effective during the 5-year period
3 beginning on the date of enactment of this Act.

4 **SEC. 2605. SAFE WATER STRATEGY.**

5 (a) REQUIREMENT FOR STRATEGY.—The Secretary,
6 in close coordination with the Administrator of the United
7 States Agency for International Development and in con-
8 sultation with other appropriate Federal agencies, appro-
9 priate international organizations, foreign governments,
10 United States nongovernmental organizations, and other
11 appropriate entities, shall develop and implement a strat-
12 egy to further the United States foreign assistance objec-
13 tive to promote economic development by promoting good
14 health through the provision of assistance to expand ac-
15 cess to safe water and sanitation, to promote sound water
16 management, and to improve hygiene for people around
17 the world.

18 (b) CONTENT.—The strategy required by subsection

19 (a) shall include—

20 (1) an assessment of the activities that have
21 been carried out, or that are planned to be carried
22 out, by the United States to improve hygiene or ac-
23 cess to safe water and sanitation by underserved
24 rural or urban poor populations, the countries of
25 sub-Saharan Africa, or in countries that receive as-

1 assistance from the United States Agency for Inter-
2 national Development;

3 (2) methods to achieve long-term sustainability
4 in the provision of access to safe water and sanita-
5 tion, the maintenance of water and sanitation facili-
6 ties, and effective promotion of improved hygiene, in
7 the context of appropriate financial, municipal,
8 health, and water management systems;

9 (3) methods to use United States assistance to
10 promote community-based approaches, including the
11 involvement of civil society, to further the objectives
12 described in subsection (a);

13 (4) methods to mobilize and leverage the finan-
14 cial, technical, and managerial expertise of busi-
15 nesses, governments, nongovernmental, and civil so-
16 ciety in the form of public-private alliances such as
17 the Global Development Alliances of the Agency
18 which encourage innovation and effective solutions
19 for improving sustainable access to safe water and
20 sanitation;

21 (5) goals to further the objectives described in
22 subsection (a) and methods to measure whether
23 progress is being made to meet such goals, including
24 indicators to measure progress and procedures to
25 regularly evaluate and monitor progress;

1 (6) assessments of the challenges and obstacles
2 that impede the provision of access to safe water
3 and sanitation, as well as the improvement of hy-
4 giene practices, critical in developing countries;

5 (7) assessments of how access to safe water,
6 sanitation, and hygiene programs, as well as water
7 resource programs, effectively support the goal of
8 combating the human immunodeficiency virus (HIV)
9 and the acquired immune deficiency syndrome
10 (AIDS);

11 (8) assessments of the roles that other coun-
12 tries or entities, including international organiza-
13 tions, could play in furthering such objective and
14 mechanisms to establish coordination among the
15 United States, foreign countries, and other entities;

16 (9) assessments of the level of resources that
17 are needed each year to further such objective; and

18 (10) methods to coordinate and integrate pro-
19 grams of the United States to further such objective
20 with other United States foreign assistance pro-
21 grams.

22 (c) REPORTS TO CONGRESS.—

23 (1) INITIAL REPORT.—Not later than 180 days
24 after the date of enactment of this Act, the Presi-

1 dent shall submit to Congress a report that de-
2 scribes the strategy required by subsection (a).

3 (2) REPORT.—Not less than once every 2 years
4 after the submission of the initial report under para-
5 graph (1), the President shall submit to Congress a
6 report on the status of the implementation of the
7 strategy and progress made in achieving the objec-
8 tive described in subsection (a).

9 **SEC. 2606. AUTHORIZATION OF APPROPRIATIONS.**

10 (a) IN GENERAL.—There are authorized to be appro-
11 priated for each of the fiscal years 2006 through 2011
12 such sums as may be necessary to carry out this title and
13 the amendments made by this title.

14 (b) OTHER AMOUNTS.—Amounts appropriated pur-
15 suant to the authorization of appropriations in subsection
16 (a) shall be in addition to the amounts otherwise available
17 to carry out this title and the amendments made by this
18 title.

1 **TITLE XXVII—PROTECTION OF**
2 **VULNERABLE POPULATIONS**
3 **DURING HUMANITARIAN**
4 **EMERGENCIES**

5 **Sec. 2701. SHORT TITLE.**

6 This title may be cited as the “Protection of Vulner-
7 able Populations During Humanitarian Emergencies Act
8 of 2005”.

9 **SEC. 2702. DEFINITIONS.**

10 In this title:

11 (1) **AGENCY.**—The term “Agency” means the
12 United States Agency for International Develop-
13 ment.

14 (2) **CHILDREN.**—The term “children” means
15 persons under the age of 18 years.

16 (3) **COORDINATOR.**—The term “coordinator”
17 means the individual designated by the Secretary
18 under section 2712(a).

19 (4) **DEPARTMENT.**—The term “Department”
20 means the Department of State.

21 (5) **EXPLOITATION OF CHILDREN.**—The term
22 “exploitation of children” includes—

23 (A) adult sexual activity with children;

24 (B) kidnapping or forcibly separating chil-
25 dren from their families;

1 (C) subjecting children to forced child
2 labor;

3 (D) forcing children to commit or witness
4 acts of violence, including compulsory recruit-
5 ment into armed forces or as combatants; and

6 (E) withholding or obstructing access of
7 children to food, shelter, medicine, and basic
8 human services.

9 (6) HIV.—The term “HIV” means the human
10 immunodeficiency virus, the virus that causes the ac-
11 quired immune deficiency syndrome (AIDS).

12 (7) HUMANITARIAN EMERGENCY.—The term
13 “humanitarian emergency” means a situation in
14 which, due to a natural or manmade disaster, civil-
15 ians, including refugees and internally displaced per-
16 sons, require basic humanitarian assistance.

17 (8) INTER-AGENCY STANDING COMMITTEE.—
18 The term “Inter-Agency Standing Committee”
19 means the Inter-Agency Standing Committee estab-
20 lished in response to United Nations General Assem-
21 bly Resolution 46/182 of December 19, 1991.

22 (9) PROTECTION.—The term “protection”
23 means all appropriate measures to provide the phys-
24 ical and psychological security of, provide equal ac-

1 cess to basic services for, and safeguard the legal
2 and human rights of, individuals.

3 (10) SEX TRAFFICKING.—The term “sex traf-
4 ficking” has the meaning given the term in section
5 103 of Trafficking Victims Protection Act of 2000
6 (22 U.S.C. 7102).

7 (11) SEXUAL EXPLOITATION AND ABUSE.—The
8 term “sexual exploitation and abuse” means causing
9 harm to a person through—

10 (A) rape;

11 (B) sexual assault or torture;

12 (C) sex trafficking and trafficking in per-
13 sons;

14 (D) demands for sex in exchange for em-
15 ployment, goods, services, or protection; and

16 (E) other forms of sexual violence.

17 (12) TRAFFICKING IN PERSONS.—The term
18 “trafficking in persons” has the meaning given the
19 term “severe forms of trafficking in persons” in sec-
20 tion 103 of Trafficking Victims Protection Act of
21 2000 (22 U.S.C. 7102).

22 (13) VULNERABLE POPULATIONS.—The term
23 “vulnerable populations” means those people, such
24 as women, children, the disabled, and the elderly,

1 who by virtue of their status are at a disadvantage
2 in obtaining or accessing goods and services.

3 **SEC. 2703. FINDINGS.**

4 Congress makes the following findings:

5 (1) The nature of war has changed dramatically
6 in recent decades, putting civilians, especially women
7 and children, at greater risk of death, disease, dis-
8 placement, and exploitation.

9 (2) In the last decade alone, more than
10 2,000,000 children have been killed during wars,
11 while more than 4,000,000 have survived physical
12 mutilation, and more than 1,000,000 have been or-
13 phaned or separated from their families as a result
14 of war.

15 (3) The use of rape, particularly against women
16 and girls, is an increasingly common tactic in mod-
17 ern war.

18 (4) Civilians, particularly women and children,
19 account for the vast majority of those adversely af-
20 fected by humanitarian emergencies, including as
21 refugees and internally displaced persons, and in-
22 creasingly are targeted by combatants and armed
23 elements for murder, abduction, forced military con-
24 scription, involuntary servitude, displacement, sexual
25 abuse and slavery, mutilation, and loss of freedom.

1 (5) Large-scale natural disasters, such as the
2 tsunami that struck South East Asia, South Asia,
3 and East Africa on December 26, 2004, and claimed
4 over 200,000 lives, are particularly threatening to
5 children, who are often orphaned or separated from
6 their families.

7 (6) Traditionally, the response to such humani-
8 tarian emergencies has focused on providing food,
9 medical care, and shelter needs, and has placed less
10 emphasis on the safety and security of those affected
11 by a humanitarian emergency.

12 (7) Refugee women and girls face particular
13 threats because of power inequities, including being
14 forced to exchange sex for food and humanitarian
15 supplies, and being at increased risk of rape and
16 sexual exploitation and abuse due to poor security in
17 refugee camps.

18 (8) In some circumstances, humanitarian agen-
19 cies have failed to make individuals affected by a hu-
20 manitarian emergency, especially women and chil-
21 dren, aware of their rights to protection and assist-
22 ance, to give them access to effective channels of re-
23 dress, and to make humanitarian workers aware of
24 their duty to respect these rights and provide ade-
25 quate assistance.

1 (9) Refugee and displaced women face height-
2 ened risks of developing complications during preg-
3 nancy, suffering a miscarriage, dying, being injured
4 during childbirth, becoming infected with HIV or
5 another sexually transmitted infection, or suffering
6 from posttraumatic stress disorder.

7 (10) Despite the heightened risks for women
8 during a humanitarian emergency, women’s needs
9 for specialized health services have often been over-
10 looked by donors and relief organizations, which are
11 focused on providing food, water, and shelter.

12 (11) There is a substantial need for the protec-
13 tion of civilians, especially women and children, to be
14 given a high priority during all humanitarian emer-
15 gencies.

16 **Subtitle A—Program and Policy** 17 **Coordination**

18 **SEC. 2711. REQUIREMENT TO DEVELOP COMPREHENSIVE** 19 **STRATEGY.**

20 (a) IN GENERAL.—The Secretary shall, in consulta-
21 tion with the Administrator of the United States Agency
22 for International Development, develop a comprehensive
23 strategy for the protection of vulnerable populations, espe-
24 cially women and children, who are affected by a humani-
25 tarian emergency. The strategy shall include—

1 (1) measures to address the specific protection
2 needs of women and children;

3 (2) training for personnel to respond to the spe-
4 cific needs of such vulnerable populations; and

5 (3) measures taken to comply with section
6 2731.

7 (b) REPORT.—Not later than 180 days after the date
8 of the enactment of this title, the Secretary shall submit
9 to the appropriate congressional committees a report set-
10 ting forth the strategy described in subsection (a).

11 **SEC. 2712. DESIGNATION OF COORDINATOR.**

12 (a) IN GENERAL.—Not later than 60 days after the
13 date of enactment of this title, the Secretary shall des-
14 ignate an individual within the Department or the Agency
15 as the coordinator to be responsible for the oversight and
16 coordination of efforts by the Department and the Agency
17 to provide protection for vulnerable populations, especially
18 women and children, affected by a humanitarian emer-
19 gency.

20 (b) CONSULTATION REQUIREMENT.—The Secretary
21 shall consult with the Administrator of the United States
22 Agency for International Development in making a des-
23 ignation under subsection (a).

24 (c) NOTIFICATION.—Not later than 5 days after des-
25 ignating an official as a coordinator under subsection (a),

1 the Secretary shall inform the appropriate congressional
2 committees of such designation.

3 **Subtitle B—Prevention and**
4 **Preparedness**

5 **SEC. 2721. REPORTING AND MONITORING SYSTEMS.**

6 (a) DUTIES OF COORDINATOR.—The coordinator
7 shall—

8 (1) develop and maintain a database of histor-
9 ical information about occurrences of sexual exploi-
10 tation and abuse, and other exploitation, of children
11 during a humanitarian emergency;

12 (2) establish a reporting and monitoring system
13 for United States diplomatic missions to collect and
14 submit to the coordinator information that indicates
15 that vulnerable populations, especially women and
16 children, are being targeted for or are at substantial
17 risk of violence or exploitation in humanitarian
18 emergencies;

19 (3) assist United States diplomatic missions in
20 developing responses to situations where there is a
21 substantial risk of sexual exploitation and abuse or
22 exploitation of children that may occur during a hu-
23 manitarian emergency; and

24 (4) develop mechanisms for the receipt and dis-
25 tribution of reports to and from the public and rel-

1 evant nongovernmental and international organiza-
2 tions of evidence of sexual exploitation and abuse
3 and exploitation of children during a humanitarian
4 emergency.

5 (b) CONSULTATION.—In carrying out duties under
6 paragraphs (1) and (2) of subsection (a), the Coordinator
7 shall consult with inter-governmental organizations and
8 nongovernmental organizations.

9 **SEC. 2722. PROTECTION TRAINING AND EXPERTISE.**

10 (a) FELLOWSHIP PROGRAM.—The Administrator of
11 the United States Agency for International Development
12 is authorized to establish a fellowship program at the
13 Agency to increase the expertise of the personnel of the
14 Agency in developing programs and policies to carry out
15 activities related to the protection of vulnerable popu-
16 lations, especially women and children, affected by a hu-
17 manitarian emergency.

18 (b) TERM OF FELLOWSHIP.—An individual may par-
19 ticipate in a fellowship under this section for a term of
20 not more than 3 years.

21 (c) NUMBER OF FELLOWS.—The Administrator is
22 authorized to employ up to 10 fellows at any one time
23 under this program.

1 (d) QUALIFICATION.—An individual is qualified to
2 participate in a fellowship under this section if such indi-
3 vidual has the specific expertise required—

4 (1) to develop and implement policies and pro-
5 grams related to the protection of vulnerable popu-
6 lations, especially women and children; and

7 (2) to promote the exchange of knowledge and
8 experience between the Agency and entities that as-
9 sist the Agency in carrying out assistance programs.

10 **Subtitle C—Protection of Refugees** 11 **and Internally Displaced Persons**

12 **SEC. 2731. CODES OF CONDUCT.**

13 None of the funds made available by the Department
14 or Agency to provide assistance under section 491 of the
15 Foreign Assistance Act of 1961 (22 U.S.C. 2292) or over-
16 seas assistance under section 2 of the Migration and Ref-
17 ugee Assistance Act of 1962 (22 U.S.C. 2601) may be
18 provided to a primary grantee or contractor for the pur-
19 pose of providing assistance to refugees or internally dis-
20 placed persons unless such grantee or contractor has
21 adopted a code of conduct that is consistent with the 6
22 core principles recommended by the Inter-Agency Stand-
23 ing Committee. To the extent practicable, a grantee or
24 contractor that has adopted such a code of conduct shall
25 ensure that subgrantees and subcontractors of such grant-

1 ee or contractor have adopted, or agree to act in accord-
2 ance with, such a code of conduct.

3 **SEC. 2732. HEALTH SERVICES FOR REFUGEES AND DIS-**
4 **PLACED PERSONS.**

5 (a) PROVISION OF HEALTH SERVICES TO VULNER-
6 ABLE POPULATIONS AFFECTED BY HUMANITARIAN
7 EMERGENCIES.—The coordinator shall seek to ensure
8 that organizations funded by the Department and the
9 Agency for the purpose of responding to a humanitarian
10 emergency coordinate and implement activities needed to
11 respond to the health needs of vulnerable populations, es-
12 pecially women and children, as soon as practicable and
13 not later than 30 days after the onset of a humanitarian
14 emergency.

15 (b) ACTIVITIES DEFINED.—The activities referred to
16 in subsection (a) include activities to—

- 17 (1) prevent and manage the consequences of
18 sexual violence;
- 19 (2) reduce transmission of HIV;
- 20 (3) provide obstetric care; and
- 21 (4) develop a plan to integrate women’s health
22 services into the primary health care services pro-
23 vided during a humanitarian emergency.

1 **SEC. 2733. ECONOMIC SELF-SUFFICIENCY OF VULNERABLE**
2 **POPULATIONS AFFECTED BY A HUMANI-**
3 **TARIAN EMERGENCY.**

4 (a) AMENDMENTS TO MICROENTERPRISE ACT OF
5 2000.—Section 102 of the Microenterprise for Self-Reli-
6 ance Act of 2000 (22 U.S.C. 2151f note) is amended—

7 (1) in paragraph (4)—

8 (A) by redesignating subparagraphs (B),
9 (C), and (D) and subparagraphs (C), (D), and
10 (E), respectively; and

11 (B) by inserting after subparagraph (A)
12 the following:

13 “(B) Women displaced by armed conflict are
14 particularly at risk, lacking access to traditional live-
15 lihoods and means for generating income.”; and

16 (2) in paragraph (13)—

17 (A) by redesignating subparagraph (B) as
18 subparagraph (C); and

19 (B) by inserting after subparagraph (A)
20 the following:

21 “(B) Particular efforts should be made to ex-
22 pand the availability of microcredit programs to in-
23 ternally displaced persons, who historically have not
24 had access to such programs.”.

25 (b) AMENDMENT TO THE FOREIGN ASSISTANCE
26 ACT.—Section 256(b)(3) of the Foreign Assistance Act of

1 1961 (22 U.S.C. 2212(b)(3)) is amended by inserting
2 after “clients” the following: “, including women
3 microentrepreneurs,”.

4 **SEC. 2734. INTERNATIONAL MILITARY EDUCATION AND**
5 **TRAINING.**

6 Section 541 of the Foreign Assistance Act of 1961
7 (22 U.S.C. 2347) is amended—

8 (1) by striking “or (iv)” and inserting “(iv)”;
9 and

10 (2) by striking “rights.” and inserting “rights,
11 or (v) improve the protection of civilians, especially
12 women and children, including those who are refu-
13 gees or displaced persons.”.

14 **SEC. 2735. SENSE OF CONGRESS REGARDING ACTIONS OF**
15 **UNITED NATIONS PEACEKEEPERS.**

16 It is the sense of Congress that—

17 (1) the Secretary-General of the United Nations
18 should strengthen the existing ability of the United
19 Nations Department of Peacekeeping Operations to
20 protect civilians, especially women and children,
21 from sexual exploitation and abuse by personnel in
22 peace operation missions by—

23 (A) directing the Department of Peace-
24 keeping Operations to identify nongovernmental
25 organizations and local community officials to

1 receive and communicate to senior level mission
2 officials credible reports from civilians of sexual
3 exploitation and abuse;

4 (B) ensuring that there is a mechanism in
5 place for all credible allegations of sexual ex-
6 ploitation and abuse to be brought to the atten-
7 tion of senior level mission officials in an expe-
8 dited fashion;

9 (C) developing missions based rapid re-
10 sponse teams to investigate allegations of sexual
11 exploitation and abuse;

12 (D) improving informational programs for
13 United Nations personnel on their responsibility
14 not to engage in acts of sexual exploitation and
15 abuse and the sanctions for such actions;

16 (E) identifying troop contributing coun-
17 tries that refuse to investigate allegations of
18 sexual exploitation and abuse by nationals serv-
19 ing in peacekeeping missions;

20 (F) permanently excluding individuals
21 found to have engaged in sexual abuse or ex-
22 ploitation, as well as troop contingent com-
23 manders and civilian managerial personnel
24 complicit in such behavior, from participating in

1 future United Nations peacekeeping missions;
2 and

3 (G) demanding that troop contributing
4 countries—

5 (i) thoroughly investigate cases in
6 which their nationals have been alleged to
7 have engaged in sexual abuse or exploi-
8 tation which on United Nations peace-
9 keeping missions; and

10 (ii) punish those found guilty of such
11 misconduct;

12 (2) troop contributing states should ensure that
13 their soldiers are properly trained on United Nations
14 guidelines regarding proper conduct towards civil-
15 ians, in particular those guidelines that address gen-
16 der-based violence, before participating in United
17 Nations peace operation missions;

18 (3) the United Nations should suspend payment
19 of peacekeeping funds to countries when there is
20 credible evidence of sexual exploitation and abuse by
21 troops of such countries that are participating in
22 peacekeeping operations, and the governments of
23 such countries are not investigating or punishing
24 such conduct; and

1 (4) the Secretary should consider a suspension
2 of United States military assistance to countries
3 that do not—

4 (A) investigate allegations of sexual exploi-
5 tation and abuse by troops participating in
6 United Nations peacekeeping operations; or

7 (B) hold perpetrators of such abuse and
8 exploitation accountable.

9 **Subtitle D—Protection of Vulner-**
10 **able Populations Affected by a**
11 **Humanitarian Emergency**

12 **SEC. 2741. ACTIONS TO SUPPORT PROTECTION.**

13 (a) PROGRAMS OF THE INTERNATIONAL BANK FOR
14 RECONSTRUCTION AND DEVELOPMENT.—The United
15 States Executive Director of the International Bank for
16 Reconstruction and Development should take steps to en-
17 sure that disarmament, demobilization, and reintegration
18 programs developed and funded by the International Bank
19 for Reconstruction and Development provide benefits to
20 former combatants that are comparable to the benefits
21 provided by such programs to other individuals.

22 (b) REPORT REGARDING PROGRAMS TO ASSIST CI-
23 VILIAN POLICE.—Not later than 180 days after the date
24 of enactment of this title, the Secretary shall submit a re-
25 port to the appropriate congressional committees on all

1 current programs being conducted by the Department or
2 the Agency to assist foreign countries with the enforce-
3 ment of the laws of such countries that are designed to
4 protect women and children and improve accountability
5 for sexual exploitation and abuse.

6 **SEC. 2742. PROTECTION ASSISTANCE.**

7 Chapter 1 of part I of the Foreign Assistance Act
8 of 1961 (22 U.S.C. 2151 et seq.) is amended by adding
9 at the end the following new section:

10 **“SEC. 135. ASSISTANCE FOR THE PROTECTION OF VULNER-**

11 **ABLE POPULATIONS DURING HUMANITARIAN**

12 **EMERGENCIES.**

13 “(a) **AUTHORITY.**—Notwithstanding any other provi-
14 sion of law, and subject to the limitations of subsection
15 (b), the President is authorized to provide assistance for
16 programs, projects, and activities to promote the security
17 of, provide equal access to basic services for, and safe-
18 guard the legal and human rights of civilians, especially
19 women and children, who are affected by a humanitarian
20 emergency. Such assistance shall include programs—

21 “(1) to build the capacity of nongovernmental
22 organizations to address the special protection needs
23 of vulnerable populations, especially women and chil-
24 dren, affected by a humanitarian emergency;

1 “(2) to support local and international non-
2 governmental initiatives to prevent, detect, and re-
3 port exploitation of children and sexual exploitation
4 and abuse, including through the provision of train-
5 ing humanitarian protection monitors for refugees
6 and internally displaced persons;

7 “(3) to conduct protection and security assess-
8 ments for refugees and internally displaced persons
9 in camps or in communities for the purpose of im-
10 proving the design and security of camps for refu-
11 gees and internally displaced persons, with special
12 emphasis on the security of women and children;

13 “(4) to provide, when practicable, education
14 during a humanitarian emergency, including struc-
15 tured activities that create safe spaces for children,
16 in particular girls;

17 “(5) to reintegrate and rehabilitate former com-
18 batants and survivors of a humanitarian emergency,
19 including through education, psychosocial assistance
20 and trauma counseling, family and community re-
21 insertion, medical assistance, and strengthening
22 community systems to support sustained reintegra-
23 tion;

24 “(6) to establish registries and clearinghouses
25 to trace relatives and begin family reunification,

1 with a specific focus on helping children find their
2 families;

3 “(7) to provide interim care and placement for
4 separated children and orphans, including moni-
5 toring and followup services;

6 “(8) to provide legal services for survivors of
7 sexual exploitation, abuse, or torture, including the
8 collection of evidence for war crimes tribunals and
9 advocacy for legal reform; and

10 “(9) to provide to local law enforcement per-
11 sonnel working in areas affected by a humanitarian
12 emergency training in human rights law, particularly
13 as it relates to the protection of women and children.

14 “(b) AVAILABILITY OF ASSISTANCE.—Amounts made
15 available to carry out this part and chapter 4 of part II
16 may be made available to carry out this section.”.

17 **TITLE XXVIII—CONVENTIONAL**
18 **ARMS DISARMAMENT**

19 **SEC. 2801. SHORT TITLE.**

20 This title may be cited as the “Conventional Arms
21 Disarmament Act of 2005”.

22 **SEC. 2802. FINDINGS; SENSE OF CONGRESS.**

23 (a) FINDINGS.—Congress makes the following find-
24 ings:

1 (1) The global proliferation of man-portable air
2 defense systems (MANPADS), other conventional
3 weapons, and tactical missile systems poses a direct
4 threat to the national security of the United States.

5 (2) The use of MANPADS and other conven-
6 tional weapons by terrorists and insurgent groups
7 continues to hamper United States efforts to achieve
8 peace and security in Iraq and Afghanistan.

9 (3) The proliferation of tactical missile systems
10 provides many regimes with a means of income and
11 threatens international peace and security.

12 (4) The Government Accountability Office has
13 estimated that there are between 500,000 and
14 750,000 MANPADS in the world.

15 (5) Many countries that possess stocks of
16 MANPADS, other conventional weapons, and tac-
17 tical missile systems no longer require such weapons
18 for their own security or self defense, but do not
19 possess the means for the elimination or safe-
20 guarding of such systems.

21 (6) There is currently no single United States
22 program designed to promote efforts in other coun-
23 tries related to conventional arms threat reduction
24 and the elimination of tactical missiles.

1 (7) The Department of State has not used the
2 Nonproliferation and Disarmament Fund for any ac-
3 tivity to eliminate any tactical missile systems since
4 2002.

5 (8) The proliferation of conventional weapons in
6 developing countries that have experienced civil con-
7 flict threatens political stability and economic devel-
8 opment in those countries and neighboring countries.

9 (9) Land mines left over from past conflicts
10 continue to pose a humanitarian threat and a bar-
11 rier to economic development in many countries
12 around the world.

13 (b) SENSE OF CONGRESS.—It is the sense of Con-
14 gress that—

15 (1) where appropriate, the United States Gov-
16 ernment should provide assistance to countries seek-
17 ing to secure, remove, or eliminate stocks of
18 MANPADS, other conventional weapons, and tac-
19 tical missile systems that pose a proliferation threat;
20 and

21 (2) given the clear links between global net-
22 works of terrorism and networks of the illicit trade
23 in conventional weapons, the United States Govern-
24 ment should place consistent, broad, and continued
25 emphasis on combating the proliferation of

1 MANPADS, other conventional weapons, and tac-
2 tical missile systems within the broader nonprolifera-
3 tion strategy of the United States.

4 **SEC. 2803. STATEMENT OF POLICY.**

5 It is the policy of the United States to assist the gov-
6 ernments of other countries in safeguarding or eliminating
7 stocks of MANPADS, other conventional weapons, and
8 tactical missile systems that pose a proliferation, local or
9 regional security, or humanitarian threat.

10 **SEC. 2804. GLOBAL PROGRAM FOR THE SAFEGUARDING**
11 **AND ELIMINATION OF CONVENTIONAL ARMS.**

12 (a) IN GENERAL.—The Secretary is authorized to
13 carry out an accelerated global program to secure, remove,
14 or eliminate stocks of MANPADS, other conventional
15 weapons, and tactical missile systems, as well as related
16 equipment and facilities, that are determined by the Sec-
17 retary to pose a proliferation threat.

18 (b) PROGRAM ELEMENTS.—The program authorized
19 under subsection (a) may include the following activities:

20 (1) Humanitarian demining activities.

21 (2) Programs for the elimination or securing of
22 tactical missile systems.

23 (3) Programs for the elimination or securing of
24 MANPADS.

1 (4) Activities to destroy other conventional
2 weapons.

3 (5) Programs to assist countries in the safe
4 handling and proper storage of MANPADS, other
5 conventional weapons, and tactical missile systems.

6 (6) Cooperative programs with the North Atlan-
7 tic Treaty Organization and other international or-
8 ganizations to assist countries in the safe handling
9 and proper storage or elimination of MANPADS,
10 other conventional weapons, and tactical missile sys-
11 tems.

12 (7) The utilization of funds for the elimination
13 or safeguarding of MANPADS, other conventional
14 weapons, and tactical missile systems.

15 (8) The management of MANPADS, other con-
16 ventional weapons, and tactical missile systems at lo-
17 cations where United States funds have been used to
18 provide for the security of such weapons.

19 (9) Actions to ensure that equipment and
20 funds, including security upgrades at locations for
21 the storage or disposition of MANPADS, other con-
22 ventional weapons, tactical missile systems, and re-
23 lated equipment that are determined by the Sec-
24 retary of State to pose a proliferation threat, con-
25 tinue to be used for authorized purposes.

1 **SEC. 2805. REDESIGNATION OF OFFICE OF WEAPONS RE-**
2 **MOVAL AND ABATEMENT AS OFFICE OF CON-**
3 **VENTIONAL ARMS THREAT REDUCTION.**

4 (a) REDESIGNATION.—The Office of Weapons Re-
5 moval and Abatement of the Department of State is reded-
6 igned the Office of Conventional Arms Threat Reduc-
7 tion. The principal duties of the office are to formulate
8 policy on conventional arms threat reduction and to plan
9 and administer programs for carrying out activities under
10 section 2804.

11 (b) REFERENCE.—Any reference in a law, map, regu-
12 lation, document, paper, or other record of the United
13 States to the Office of Weapons Removal and Abatement
14 referred to in subsection (a) shall be deemed to be a ref-
15 erence to the Office of Conventional Arms Threat Reduc-
16 tion.

17 **SEC. 2806. REPORT ON CONVENTIONAL ARMS THREAT RE-**
18 **DUCTION.**

19 (a) IN GENERAL.—Not later than 180 days after the
20 date of the enactment of this Act, the Secretary shall sub-
21 mit to the Committees on Foreign Relations and Appro-
22 priations of the Senate and the Committees on Inter-
23 national Relations and Appropriations of the House of
24 Representatives a report on conventional arms threat re-
25 duction.

1 (b) CONTENT.—The report required under subsection
2 (a) shall include the following information:

3 (1) A description of prior efforts of the Depart-
4 ment of State regarding conventional arms threat
5 reduction.

6 (2) A description of the progress made in initi-
7 ating the operations of the Office of Conventional
8 Arms Threat Reduction, as redesignated under sec-
9 tion 2805.

10 (3) A description, on a country-by-country
11 basis, of the implementation of a global strategy for
12 the elimination or safeguarding of MANPADS, other
13 conventional weapons, and tactical missile systems,
14 including, to the extent possible, a prioritization of
15 such elimination and safeguarding efforts with re-
16 spect to the proliferation sensitivity of such weapons
17 in each country and their potential impact on local
18 and regional security.

19 (4) An evaluation of the extent to which activi-
20 ties under this title and other United States Govern-
21 ment programs are integrated to ensure that the
22 conventional arms threat reduction efforts of the
23 United States are consistent with United States pol-
24 icy and goals in countries receiving assistance
25 through such activities.

1 (5) A description of the scope and nature of
2 United States programs related to the elimination of
3 tactical missile systems, in particular, efforts under
4 the Nonproliferation and Disarmament Fund re-
5 garding the elimination of such systems.

6 (c) FORM.—The report required under subsection (a)
7 shall be in unclassified form, but may contain a classified
8 annex.

9 **SEC. 2807. AUTHORIZATION OF APPROPRIATIONS.**

10 (a) IN GENERAL.—Of the amount authorized to be
11 appropriated in section 2125 for Nonproliferation, Anti-
12 Terrorism, Demining, and Related Programs for fiscal
13 year 2006, other than for humanitarian demining and
14 demining and mine action programs under the Inter-
15 national Trust Fund, not less than \$20,000,000 should
16 be made available for activities related to the securing, re-
17 moval, or elimination of stocks of MANPADS, other con-
18 ventional weapons, tactical missile systems, and related
19 equipment and facilities.

20 (b) LIMITATION.—Of the funds made available under
21 subsection (a), not more than \$10,000,000 may be obli-
22 gated until the Secretary submits to the Committees on
23 Foreign Relations and Appropriations of the Senate and
24 the Committees on International Relations and Appropria-

1 tions of the House of Representatives the report required
2 under section 2806.

3 **SEC. 2808. NONPROLIFERATION AND DISARMAMENT FUND**
4 **DEFINED.**

5 In this title, the term “Nonproliferation and Disar-
6 mament Fund” means the Nonproliferation and Disar-
7 mament Fund established under section 504 of the
8 FREEDOM Support Act (22 U.S.C. 5854).

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[Report No. 109-35]

A BILL

To authorize appropriations for the Department of State and international broadcasting activities for fiscal years 2006 and 2007, for the Peace Corps for fiscal years 2006 and 2007, for foreign assistance programs for fiscal years 2006 and 2007, and for other purposes.

MARCH 10, 2005

Read twice and placed on the calendar