

112TH CONGRESS  
1ST SESSION

# H. R. 2583

To authorize appropriations for the Department of State for fiscal year 2012, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 19, 2011

Ms. ROS-LEHTINEN introduced the following bill; which was referred to the Committee on Foreign Affairs

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## A BILL

To authorize appropriations for the Department of State for fiscal year 2012, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Foreign Relations Au-  
5 thorization Act, Fiscal Year 2012”.

6 **SEC. 2. TABLE OF CONTENTS.**

7 The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

Sec. 3. Appropriate congressional committees defined.

### TITLE I—AUTHORIZATION OF APPROPRIATIONS

Sec. 101. Administration of foreign affairs.

- Sec. 102. Contributions to International Organizations.
- Sec. 103. Contributions for International Peacekeeping Activities.
- Sec. 104. International Commissions.
- Sec. 105. Migration and Refugee Assistance.
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## TITLE II—DEPARTMENT OF STATE AUTHORITIES AND ACTIVITIES

### Subtitle A—Basic Authorities and Activities

- Sec. 201. Transfer of inspections back to the Secretary of State.
- Sec. 202. International Litigation Fund.
- Sec. 203. Actuarial valuations.
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- Sec. 211. Extension of authority to assess passport surcharge.
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## TITLE IV—FOREIGN ASSISTANCE

- Sec. 401. Goals of United States assistance.
- Sec. 402. United States Agency for International Development.
- Sec. 403. Bilateral Economic Assistance.
- Sec. 404. Microfinance and microenterprise programs.
- Sec. 405. Development credit authority.
- Sec. 406. Millennium Challenge Corporation.
- Sec. 407. Prohibition on assistance to countries that fail to meet the Millennium Challenge Corporation's Corruption Performance Indicator.
- Sec. 408. Democracy Fund.
- Sec. 409. Report on aid commitments and disbursements by other donors and international organizations.
- Sec. 410. Transfer of liquidated assets of certain Enterprise Funds to the United States Treasury.
- Sec. 411. Limitation on funds for United States Agency for International Development's Office of Budget and Resource Management.
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## TITLE V—UNITED STATES INTERNATIONAL BROADCASTING

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## TITLE VI—REPORTING REQUIREMENTS

- Sec. 601. Reporting reform.
- Sec. 602. Diplomatic relations with Israel.

## TITLE VII—PROLIFERATION SECURITY INITIATIVE

- Sec. 701. Authority to interdict certain imports to and exports from Iran.
- Sec. 702. Report.
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- Sec. 801. Boundary, water, and fisheries commissions.
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- Sec. 803. Elimination of East-West Center.
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- Sec. 811. Rights of religious minorities in Egypt.
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## TITLE IX—SECURITY ASSISTANCE

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- Sec. 921. Authority to transfer excess defense articles.
- Sec. 922. Annual military assistance report.
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- Sec. 931. Increased flexibility for use of defense trade control registration fees.

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- Sec. 934. Annual estimate and justification for sales program.
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- Sec. 936. Clarification of prohibitions relating to state sponsors of terrorism and their nationals.
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Subtitle B—Security Assistance and Related Matters

PART I—ISRAEL

- Sec. 941. Report on United States commitments to the security of Israel.
- Sec. 942. Clarification of certification requirements relating to Israel's qualitative military edge.
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PART II—EGYPT

- Sec. 951. Limitation on security assistance to the Government of Egypt.
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- Sec. 953. Government of Egypt defined.

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- Sec. 961. Statement of policy.
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PART IV—PALESTINIAN AUTHORITY

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- Sec. 972. Report on security assistance to the Palestinian Authority.
- Sec. 973. Palestinian Authority defined.

PART V—PAKISTAN

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- Sec. 982. Limitations on certain assistance.
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- Sec. 991. Limitation on security assistance to the Government of Yemen.
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PART VII—MISCELLANEOUS PROVISIONS

- Sec. 994. Definitions.
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Subtitle C—Peacekeeping Operations

Sec. 995. Peacekeeping operations.

Subtitle D—Reports and Briefings

Sec. 996. Report on transparency in NATO arms sales.

Sec. 996A. Report on Task Force for Business and Stability Operations in Afghanistan.

Sec. 996B. Briefings relating to Public Law 107–40.

TITLE X—PEACE CORPS VOLUNTEER SERVICE PROTECTION

Sec. 1001. Sexual assault complaints in the Peace Corps.

Sec. 1002. Peace Corps volunteer protection.

Sec. 1003. Conforming amendments.

Sec. 1004. Independence of the Inspector General of the Peace Corps.

Sec. 1005. Authorization of appropriations.

1 **SEC. 3. APPROPRIATE CONGRESSIONAL COMMITTEES DE-**  
 2 **FINED.**

3 Except as otherwise provided in this Act, the term  
 4 “appropriate congressional committees” means the Com-  
 5 mittee on Foreign Affairs of the House of Representatives  
 6 and the Committee on Foreign Relations of the Senate.

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

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:

1           (1) DIPLOMATIC AND CONSULAR PROGRAMS.—  
2     For “Diplomatic and Consular Programs”,  
3     \$8,790,000,000 for fiscal year 2012.

4           (A) WORLDWIDE SECURITY PROTEC-  
5     TION.—Of the amounts authorized to be appro-  
6     priated under paragraph (1), \$1,500,000,000 is  
7     authorized to be appropriated for worldwide se-  
8     curity protection.

9           (B) BUREAU OF DEMOCRACY, HUMAN  
10    RIGHTS, AND LABOR.—Of the amounts author-  
11    ized to be appropriated under paragraph (1),  
12    not less than \$21,416,000 for fiscal year 2012  
13    is authorized to be appropriated for the Bureau  
14    of Democracy, Human Rights, and Labor.

15          (2) CAPITAL INVESTMENT FUND.—For “Cap-  
16    ital Investment Fund”, \$59,499,000 for fiscal year  
17    2012.

18          (3) EMBASSY SECURITY, CONSTRUCTION AND  
19    MAINTENANCE.—For “Embassy Security, Construc-  
20    tion and Maintenance”, \$1,620,000,000 for fiscal  
21    year 2012.

22          (4) EDUCATIONAL AND CULTURAL EXCHANGE  
23    PROGRAMS.—For “Educational and Cultural Ex-  
24    change Programs”, \$600,000,000 for fiscal year  
25    2012.

1           (5) CONFLICT STABILIZATION OPERATIONS.—  
2       For “Conflict Stabilization Operations”,  
3       \$35,000,000 for fiscal year 2012.

4           (6) REPRESENTATION ALLOWANCES.—For  
5       “Representation Allowances”, \$7,499,000 for fiscal  
6       year 2012.

7           (7) PROTECTION OF FOREIGN MISSIONS AND  
8       OFFICIALS.—For “Protection of Foreign Missions  
9       and Officials”, \$27,744,000 for fiscal year 2012.

10          (8) EMERGENCIES IN THE DIPLOMATIC AND  
11       CONSULAR SERVICE.—For “Emergencies in the Dip-  
12       lomatic and Consular Service”, \$9,499,000 for fiscal  
13       year 2012.

14          (9) REPATRIATION LOANS.—For “Repatriation  
15       Loans”, \$1,450,000 for fiscal year 2012.

16          (10) PAYMENT TO THE AMERICAN INSTITUTE  
17       IN TAIWAN.—For “Payment to the American Insti-  
18       tute in Taiwan”, \$21,150,000 for fiscal year 2012.

19          (11) OFFICE OF THE INSPECTOR GENERAL.—  
20       For “Office of the Inspector General”,  
21       \$100,000,000 for fiscal year 2012, including for the  
22       Special Inspector General for Iraq Reconstruction  
23       and the Special Inspector General for Afghanistan  
24       Reconstruction.

1 **SEC. 102. CONTRIBUTIONS TO INTERNATIONAL ORGANIZA-**  
2 **TIONS.**

3 There are authorized to be appropriated for “Con-  
4 tributions to International Organizations”,  
5 \$1,581,815,000 for fiscal year 2012, for the Department  
6 of State to carry out the authorities, functions, duties, and  
7 responsibilities in the conduct of the foreign affairs of the  
8 United States with respect to international organizations  
9 and to carry out other authorities in law consistent with  
10 such purposes. Of the amounts authorized to be appro-  
11 priated by this section, not more than \$44,238,411 is au-  
12 thorized to be appropriated for assessed contributions to  
13 the Organization of American States.

14 **SEC. 103. CONTRIBUTIONS FOR INTERNATIONAL PEACE-**  
15 **KEEPING ACTIVITIES.**

16 (a) STATEMENT OF POLICY.—It remains the policy  
17 of the United States, pursuant to section 404(b)(2)(A) of  
18 the Foreign Relations Authorization Act, Fiscal Years  
19 1994 and 1995 (Public Law 103–236; 22 U.S.C. 287e  
20 note) that funds authorized to be appropriated for con-  
21 tributions for international peacekeeping activities shall  
22 not be available for the payment of the United States as-  
23 sessed contribution for a United Nations peacekeeping op-  
24 eration in an amount that is greater than 25 percent of  
25 the total of all assessed contributions for such operation.



1 (b) AUTHORIZATION OF APPROPRIATIONS.—There  
2 are authorized to be appropriated for “Contributions for  
3 International Peacekeeping Activities”, \$1,735,382,277  
4 for fiscal year 2012 for the Department of State to carry  
5 out the authorities, functions, duties, and responsibilities  
6 of the United States with respect to international peace-  
7 keeping activities and to carry out other authorities in law  
8 consistent with such purposes.

9 **SEC. 104. INTERNATIONAL COMMISSIONS.**

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

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

20 (A) for “Salaries and Expenses”,  
21 \$43,300,000 for fiscal year 2012; and

22 (B) for “Construction”, \$26,500,000 for  
23 fiscal year 2012.

24 (2) INTERNATIONAL BOUNDARY COMMISSION,  
25 UNITED STATES AND CANADA.—For “International

1 Boundary Commission, United States and Canada”,  
2 \$2,433,000 for fiscal year 2012.

3 (3) INTERNATIONAL JOINT COMMISSION.—For  
4 “International Joint Commission”, \$7,237,000 for  
5 fiscal year 2012.

6 (4) INTERNATIONAL FISHERIES COMMIS-  
7 SIONS.—For “International Fisheries Commissions”,  
8 \$31,291,000 for fiscal year 2012.

9 **SEC. 105. MIGRATION AND REFUGEE ASSISTANCE.**

10 (a) AUTHORIZATION OF APPROPRIATIONS.—There  
11 are authorized to be appropriated for “Migration and Ref-  
12 ugee Assistance” for authorized activities \$1,690,000,000  
13 for fiscal year 2012.

14 (b) REFUGEE RESETTLEMENT IN ISRAEL.—Of the  
15 amounts authorized to be appropriated by subsection (a),  
16 there are authorized to be appropriated \$25,000,000 for  
17 fiscal year 2012 for resettlement of refugees in Israel.

18 **SEC. 106. NATIONAL ENDOWMENT FOR DEMOCRACY.**

19 There are authorized to be appropriated for the “Na-  
20 tional Endowment for Democracy” for authorized activi-  
21 ties \$118,000,000 for fiscal year 2012.

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

4 **Subtitle A—Basic Authorities and**  
5 **Activities**

6 **SEC. 201. TRANSFER OF INSPECTIONS BACK TO THE SEC-**  
7 **RETARY OF STATE.**

8 (a) LIMITATION OF INSPECTOR GENERAL DUTIES.—  
9 Paragraph (1) section 209(a) of the Foreign Service Act  
10 of 1980 (22 U.S.C. 3929(a)), is amended by striking the  
11 fourth sentence and inserting the following new sentence:  
12 “The Inspector General shall perform such functions as  
13 the Secretary of State may prescribe, except that the Sec-  
14 retary of State shall not assign to the Inspector general  
15 any general operating responsibilities.”.

16 (b) INSPECTIONS BY THE SECRETARY OF STATE.—

17 (1) INSPECTIONS.—The Secretary of State shall  
18 periodically inspect the administration of activities  
19 and operations of each Foreign Service post and  
20 each bureau and other operating unit of the Depart-  
21 ment of State.

22 (2) REPORTS PROVIDED TO THE INSPECTOR  
23 GENERAL.—The Secretary of State shall provide to  
24 the Inspector General of the Department of State a

1 copy of the report of each inspection carried out in  
2 accordance with paragraph (1).

3 (c) **RULE OF CONSTRUCTION.**—Nothing in this sec-  
4 tion shall be construed as limiting the authority of the In-  
5 spector General of the Department of State to conduct  
6 audits, investigations, or inspections under the Inspector  
7 General Act of 1978 (5 U.S.C. App.).

8 **SEC. 202. INTERNATIONAL LITIGATION FUND.**

9 Paragraph (3) of section 38(d) of the State Depart-  
10 ment Basic Authorities Act of 1956 (22 U.S.C. 2710(d))  
11 is amended by striking “by the Department of State from  
12 another agency of the United States Government or pur-  
13 suant to” and inserting “by the Department of State as  
14 a result of a decision of an international tribunal, from  
15 another agency of the United States Government, or pur-  
16 suant to”.

17 **SEC. 203. ACTUARIAL VALUATIONS.**

18 The Foreign Service Act of 1980 is amended—

19 (1) in section 818 (22 U.S.C. 4058)—

20 (A) in the first sentence, by striking “Sec-  
21 retary of the Treasury” and inserting instead  
22 “Secretary of State”; and

23 (B) by amending the second sentence to  
24 read as follows: “The Secretary of State is au-  
25 thorized to expend from money to the credit of

1 the Fund such sums as may be necessary to ad-  
2 minister the provisions of this subchapter, in-  
3 cluding actuarial advice, but only to the extent  
4 and in such amounts as are provided in advance  
5 in appropriations Acts.”;

6 (2) in section 819 (22 U.S.C. 4059), in the first  
7 sentence, by striking “Secretary of the Treasury”  
8 the second place it appears and inserting “Secretary  
9 of State”;

10 (3) in section 825(b) (22 U.S.C. 4065(b)), by  
11 striking “Secretary of the Treasury” and inserting  
12 instead “Secretary of State”; and

13 (4) section 859(c) (22 U.S.C. 4071h(c))—

14 (A) by striking “Secretary of the Treas-  
15 ury” and inserting instead “Secretary of  
16 State”; and

17 (B) by striking “and shall advise the Sec-  
18 retary of State of” and inserting instead “that  
19 will provide”.

20 **SEC. 204. SPECIAL AGENTS.**

21 (a) IN GENERAL.—Paragraph (1) of section 37(a) of  
22 the State Department Basic Authorities Act of 1956 (22  
23 U.S.C. 2709(a)) is amended to read as follows:

24 “(1) conduct investigations concerning—

1           “(A) illegal passport or visa issuance or  
2           use;

3           “(B) identity theft or document fraud af-  
4           fecting or relating to the programs, functions,  
5           and authorities of the Department of State; and

6           “(C) Federal offenses committed within  
7           the special maritime and territorial jurisdiction  
8           of the United States as defined in paragraph  
9           (9) of section 7 of title 18, United States Code,  
10          except as that jurisdiction relates to the prem-  
11          ises of United States military missions and re-  
12          lated residences;”.

13          (b) **RULE OF CONSTRUCTION.**—Nothing in para-  
14          graph (1) of section 37(a) the State Department Basic  
15          Authorities Act of 1956 (as amended by subsection (a)  
16          of this section) shall be construed to limit the investigative  
17          authority of any other Federal department or agency.

18          **SEC. 205. DIPLOMATIC SECURITY PROGRAM CONTRACTING.**

19          Section 136 of the Foreign Relations Authorization  
20          Act, Fiscal Years 1990 and 1991 (22 U.S.C. 4864) is  
21          amended—

22                  (1) in subsection (c)—

23                          (A) in the matter preceding paragraph (1),  
24                  by striking “With respect” and inserting “Ex-

1           cept as provided in subsection (d), with re-  
2           spect”; and

3                   (B) in paragraph (3), by striking “sub-  
4           section (d)” and inserting “subsection (e)”;

5           (2) by redesignating subsections (d), (e), (f),  
6           and (g) as subsections (e), (f), (g), and (h), respec-  
7           tively;

8           (3) by inserting after subsection (c) the fol-  
9           lowing new subsection:

10          “(d) AWARD OF LOCAL GUARD AND PROTECTIVE  
11 SERVICE CONTRACTS IN HIGH RISK AREAS.—With re-  
12 spect to local guard contracts for Foreign Service build-  
13 ings located in high risk areas which exceed \$250,000, the  
14 Secretary of State shall—

15                   “(1) comply with paragraphs (1), (2), (4), (5),  
16           and (6) of subsection (c) in the award of such con-  
17           tracts;

18                   “(2) in evaluating proposals for such contracts,  
19           award contracts to the firm representing the best  
20           value to the Government in accordance with the best  
21           value tradeoff process described in subpart 15.1 of  
22           the Federal Acquisition Regulation (48 C.F.R.  
23           15.101–1); and

1           “(3) ensure that in all contracts awarded under  
2 this subsection, contractor personnel providing local  
3 guard or protective services are classified as—

4                   “(A) employees of the offeror;

5                   “(B) if the offeror is a joint venture, as  
6 the employees of one of the persons or parties  
7 constituting the joint venture; or

8                   “(C) as employees of a subcontractor to  
9 the offeror, and not as independent contractors  
10 to the offeror or any other entity performing  
11 under such contracts.”; and

12           (4) in subsection (e), as redesignated by para-  
13 graph (2) of this section—

14                   (A) in paragraph (3), by striking “and” at  
15 the end;

16                   (B) in paragraph (4), by striking the pe-  
17 riod at the end and inserting “; and”; and

18                   (C) by adding after paragraph (4) the fol-  
19 lowing new paragraph:

20           “(5) the term ‘high risk areas’ means—

21                   “(A) an area designated as a contingency  
22 operation in accordance with section 101(a)(13)  
23 of title 10, United States Code; or

24                   “(B) an area determined by the Assistant  
25 Secretary of Diplomatic Security to present an



1 increased threat of serious damage or harm to  
2 United States diplomatic facilities or per-  
3 sonnel.”.

4 **SEC. 206. STATEMENT OF POLICY ON EXISTING UNITED**  
5 **STATES UNDERSTANDINGS WITH ISRAEL.**

6 It is shall be the policy of the United States to uphold  
7 and act in accordance with all of the reassurances pro-  
8 vided by the President in an April 14, 2004, letter to the  
9 Prime Minister of Israel.

10 **SEC. 207. RECOGNITION OF JERUSALEM AS THE CAPITAL**  
11 **OF THE STATE OF ISRAEL AND RELOCATION**  
12 **OF THE UNITED STATES EMBASSY TO JERU-**  
13 **SALEM.**

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

16 (1) Jerusalem must remain an undivided city in  
17 which the rights of every ethnic and religious group  
18 are protected as they have been by Israel since  
19 1967;

20 (2) the President and the Secretary of State  
21 should publicly affirm as a matter of United States  
22 policy that Jerusalem must remain the undivided  
23 capital of the State of Israel;

24 (3) the President should immediately implement  
25 the provisions of Jerusalem Embassy Act of 1995

1 (Public Law 104–45) and begin the process of relo-  
2 cating the United States Embassy in Israel to Jeru-  
3 salem; and

4 (4) United States officials should refrain from  
5 any actions that contradict United States law on  
6 this subject.

7 (b) AMENDING OF WAIVER AUTHORITY.—Subsection  
8 (a) of section 7 of the Jerusalem Embassy Act of 1995  
9 (Public Law 104–45) is amended by adding at the end  
10 the following new paragraph:

11 “(4) The Presidential waiver authority granted  
12 in this section shall expire on January 1, 2014.”.

13 (c) IDENTIFICATION OF JERUSALEM ON GOVERN-  
14 MENT DOCUMENTS.—Notwithstanding any other provi-  
15 sion of law, any official document of the United States  
16 Government that lists countries and their capital cities  
17 shall identify Jerusalem as the capital of Israel.

18 (d) TIMETABLE.—It is the policy of the United  
19 States that the United States Embassy in Israel should  
20 be established in Jerusalem as soon as possible, and not  
21 later than January 1, 2014.

22 (e) FISCAL YEAR 2012 FUNDING.—Of the funds au-  
23 thorized to be appropriated for “Acquisition and Mainte-  
24 nance of Buildings Abroad” for the Department of State  
25 for fiscal year 2012, not less than \$500,000 shall be made

1 available until expended only for construction and other  
2 costs associated with the establishment of the United  
3 States Embassy in Israel in the capital of Jerusalem.

4 (f) DEFINITION.—In this section, the term “United  
5 States Embassy” means the offices of the United States  
6 diplomatic mission and the residence of the United States  
7 chief of mission.

## 8 **Subtitle B—Consular Services and** 9 **Related Matters**

### 10 **SEC. 211. EXTENSION OF AUTHORITY TO ASSESS PASSPORT** 11 **SURCHARGE.**

12 Paragraph (2) of section 1(b) of the Passport Act of  
13 June 4, 1920 (22 U.S.C. 214(b)), is amended by striking  
14 “2010” and inserting “2015”.

### 15 **SEC. 212. TIBET.**

16 (a) TIBET NEGOTIATIONS.—Section 613(a) of the  
17 Tibetan Policy Act of 2002 (Public Law 107–228; 22  
18 U.S.C. 6901 note) is amended—

19 (1) in paragraph (1), by inserting before the pe-  
20 riod at the end the following: “, and should coordi-  
21 nate with other governments in multilateral efforts  
22 toward this goal”;

23 (2) by redesignating paragraph (2) as para-  
24 graph (3); and

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

3           “(2) POLICY COORDINATION.—The President  
4           shall direct the National Security Council to ensure  
5           that, in accordance with this Act, United States pol-  
6           icy on Tibet is coordinated and communicated with  
7           all executive branch agencies in contact with the  
8           Government of the People’s Republic of China.”.

9           (b) DIPLOMATIC REPRESENTATION RELATING TO  
10          TIBET.—

11           (1) UNITED STATES EMBASSY IN BEIJING.—

12           (A) IN GENERAL.—The Secretary of State  
13           is authorized to establish a Tibet Section within  
14           the United States Embassy in Beijing, China,  
15           for the purposes of following political, economic,  
16           and social developments inside Tibet, including  
17           Tibetan areas of Qinghai, Sichuan, Gansu, and  
18           Yunnan provinces, until such time as a United  
19           States consulate in Tibet is established. Such  
20           Tibet Section shall have the primary responsi-  
21           bility for reporting on human rights issues in  
22           Tibet and shall work in close cooperation with  
23           the Office of the Special Coordinator for Ti-  
24           betan Issues of the Department of State. The

1 chief of such Tibet Section should be of senior  
2 rank.

3 (2) IN TIBET.—Section 618 of the Tibetan Pol-  
4 icy Act of 2002 is amended to read as follows:

5 **“SEC. 618. ESTABLISHMENT OF A UNITED STATES CON-**  
6 **SULATE IN LHASA, TIBET.**

7 “The Secretary shall seek to establish a United  
8 States consulate in Lhasa, Tibet, to provide services to  
9 United States citizens traveling in Tibet and to monitor  
10 political, economic, and cultural developments in Tibet, in-  
11 cluding Tibetan areas of Qinghai, Sichuan, Gansu, and  
12 Yunnan provinces and, until such consulate is established,  
13 shall not permit the establishment in the United States  
14 of any additional consulate of the People’s Republic of  
15 China.”.

16 (c) RELIGIOUS PERSECUTION IN TIBET.—Section  
17 620(b) of the Tibetan Policy Act of 2002 is amended by  
18 adding before the period at the end the following: “, in-  
19 cluding in the reincarnation system of Tibetan Bud-  
20 dhism”.

21 **SEC. 213. MAINTENANCE COST SHARING PROGRAM.**

22 Section 604(e)(1) of the Secure Embassy Construc-  
23 tion and Counterterrorism Act of 1999 (22 U.S.C. 4865  
24 note) is amended, in the first sentence, by striking “pro-

1 viding new,” and inserting “providing, maintaining, re-  
2 pairing, and renovating”.

3 **SEC. 214. BORDER CROSSING CARD FEE FOR MINORS.**

4 Section 410(a)(1)(A) of the Department of State and  
5 Related Agencies Appropriations Act, 1999 (contained in  
6 division A of Public Law 105–277) is amended by striking  
7 “a fee of \$13” and inserting “a fee equal to one-half the  
8 fee that would otherwise apply for processing a machine  
9 readable combined border crossing identification card and  
10 nonimmigrant visa”.

11 **TITLE III—ORGANIZATION AND**  
12 **PERSONNEL AUTHORITIES**

13 **SEC. 301. SUSPENSION OF FOREIGN SERVICE MEMBERS**  
14 **WITHOUT PAY.**

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

18 “(c)(1) In order to promote the efficiency of the Serv-  
19 ice, the Secretary may suspend a member of the Foreign  
20 Service without pay when the member’s security clearance  
21 is suspended or when there is reasonable cause to believe  
22 that the member has committed a crime for which a sen-  
23 tence of imprisonment may be imposed.

1       “(2) Any member of the Foreign Service for whom  
2 a suspension is proposed in accordance with paragraph (1)  
3 shall be entitled to—

4           “(A) written notice stating the specific reasons  
5 for the proposed suspension;

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

8           “(C) representation by an attorney or other  
9 representative; and

10          “(D) a final written decision, including the spe-  
11 cific reasons for such decision, as soon as prac-  
12 ticable.

13       “(3) Any member suspended under this section may  
14 file a grievance in accordance with the procedures applica-  
15 ble to grievances under chapter 11.

16       “(4) In the case of a grievance filed under paragraph  
17 (3)—

18           “(A) the review by the Foreign Service Griev-  
19 ance Board shall be limited to a determination of  
20 whether the provisions of paragraphs (1) and (2)  
21 have been fulfilled; and

22           “(B) the Foreign Service Grievance Board may  
23 not exercise the authority provided under section  
24 1106(8).

25       “(5) In this subsection:

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

2 “(i) with respect to a member of the For-  
3 eign Service assigned to duty in the United  
4 States, 15 days after receiving notice of the  
5 proposed suspension; and

6 “(ii) with respect to a member of the For-  
7 eign Service assigned to duty outside the  
8 United States, 30 days after receiving notice of  
9 the proposed suspension.

10 “(B) The term ‘suspend’ or ‘suspension’ means  
11 the placing of a member of the Foreign Service in  
12 a temporary status without duties and pay.”.

13 (b) CONFORMING AND CLERICAL AMENDMENTS.—

14 (1) AMENDMENT OF SECTION HEADING.—Sec-  
15 tion 610 of the Foreign Service Act of 1980, as  
16 amended by subsection (a) of this section, is further  
17 amended, in the section heading, by inserting “;  
18 SUSPENSION” before the period at the end.

19 (2) CLERICAL AMENDMENT.—The item relating  
20 to section 610 in the table of contents in section 2  
21 of the Foreign Service Act of 1980 is amended to  
22 read as follows:

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



1 **SEC. 302. REPEAL OF RECERTIFICATION REQUIREMENT**  
2 **FOR SENIOR FOREIGN SERVICE.**

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

5 **SEC. 303. LIMITED APPOINTMENTS IN THE FOREIGN SERV-**  
6 **ICE.**

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

9 (1) in subsection (a), by striking “subsection  
10 (b)” and inserting “subsections (b) or (c)”;

11 (2) in subsection (b)—

12 (A) in paragraph (3)—

13 (i) by inserting “(A),” after “if”; and

14 (ii) by inserting before the semicolon

15 at the end the following: “, or (B), the ca-

16 reer candidate is serving in the uniformed

17 services, as defined by the Uniformed Serv-

18 ices Employment and Reemployment

19 Rights Act of 1994 (38 U.S.C. 4301 et

20 seq.), and the limited appointment expires

21 in the course of such service”;

22 (B) in paragraph (4), by striking “and” at

23 the end;

24 (C) in paragraph (5), by striking the pe-

25 riod at the end and inserting “; and”; and

1 (D) by adding after paragraph (5) the fol-  
2 lowing new paragraph:

3 “(6) in exceptional circumstances where the  
4 Secretary determines the needs of the Service re-  
5 quire the extension of a limited appointment (A), for  
6 a period of time not to exceed 12 months (if such  
7 period of time does not permit additional review by  
8 boards under section 306), or (B), for the minimum  
9 time needed to settle a grievance, claim, or com-  
10 plaint not otherwise provided for in this section.”;  
11 and

12 (3) by adding at the end the following new sub-  
13 section:

14 “(c) Non-career Foreign Service employees who have  
15 served five consecutive years under a limited appointment  
16 may be reappointed to a subsequent limited appointment  
17 if there is a one year break in service between each such  
18 appointment. The Secretary may in cases of special need  
19 waive the requirement for a one year break in service.”.

20 **SEC. 304. LIMITATION OF COMPENSATORY TIME OFF FOR**  
21 **TRAVEL.**

22 Section 5550b of title 5, United States Code, is  
23 amended by adding at the end the following new sub-  
24 section:

1       “(c) The maximum amount of compensatory time off  
2 earned under this section may not exceed 104 hours dur-  
3 ing any leave year (as defined by regulations established  
4 by the Office of Personnel Management).”.

## 5 **TITLE IV—FOREIGN ASSISTANCE**

### 6 **SEC. 401. GOALS OF UNITED STATES ASSISTANCE.**

7       (a) FINDINGS.—Congress makes the following find-  
8 ings:

9           (1) in December 2007, the United States Gov-  
10 ernment’s Commission on Helping to Enhance the  
11 Lives of Poor People Around the Globe, also known  
12 as the “HELP Commission,” reported that sus-  
13 tained economic growth is vital and necessary for a  
14 country to feed, educate, house and provide for the  
15 health of its citizens over the long term and that  
16 “foreign assistance alone is not sufficient to help de-  
17 veloping countries achieve long-term, sustainable  
18 economic growth”;

19           (2) private sector-led trade and investment are  
20 fundamental components of economic development  
21 and growth; and

22           (3) the United States Agency for International  
23 Development’s Global Development Alliance program  
24 characterizes the rising importance of private re-  
25 sources and private actors as development tools in

1 an expanding and more integrated globalized econ-  
2 omy, aligning public resources with private capital  
3 through the establishment of public-private partner-  
4 ships for the economic advancement of impoverished  
5 countries.

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

8 (1) emphasize the development of innovative  
9 partnerships between governments and organizations  
10 in the private sector (including corporations, founda-  
11 tions, universities, faith-based organizations, and  
12 other nongovernmental organizations) in the ap-  
13 proach to and distribution of foreign assistance; and

14 (2) focus United States assistance programs on  
15 achieving sustainable economic growth and grad-  
16 uating United States aid recipients into a trade-  
17 based relationship with the United States.

18 **SEC. 402. UNITED STATES AGENCY FOR INTERNATIONAL**  
19 **DEVELOPMENT.**

20 Not more than \$1,521,900,000 is authorized to be  
21 appropriated to the President for “Operating Expenses”,  
22 “Capital Investment Fund”, and “Office of Inspector  
23 General” of the United States Agency for International  
24 Development for fiscal year 2012.

1 **SEC. 403. BILATERAL ECONOMIC ASSISTANCE.**

2 Not more than \$21,208,900,000 is authorized to be  
3 appropriated to the President for “Bilateral Economic As-  
4 sistance” for fiscal year 2012.

5 **SEC. 404. MICROFINANCE AND MICROENTERPRISE PRO-**  
6 **GRAMS.**

7 It is the sense of Congress that—

8 (1) access to financial markets is essential to  
9 economic growth;

10 (2) microfinance and microenterprise programs  
11 have been successful in creating and expanding eco-  
12 nomic opportunities by providing access to financial  
13 markets and financial services, such credit, small  
14 loans and savings services, to poor and vulnerable  
15 populations, particularly women and the rural poor,  
16 in developing countries;

17 (3) microfinance helps improve economic wel-  
18 fare in poor households, and has been shown to raise  
19 borrower income, stimulate the growth of the bor-  
20 rower’s business, and generate employment; and

21 (4) the United States should support and en-  
22 courage, wherever possible and appropriate, micro-  
23 finance and microenterprise development and pro-  
24 grams in order to help generate stable economic  
25 growth in developing countries.

1 **SEC. 405. DEVELOPMENT CREDIT AUTHORITY.**

2 (a) SENSE OF CONGRESS.—It is the sense of Con-  
3 gress that—

4 (1) access to financial services for underserved  
5 populations and sectors in developing countries is es-  
6 sential to expanding economic opportunities for poor  
7 households and small businesses to build assets and  
8 invest in enterprise development and growth; and

9 (2) the Development Credit Authority, through  
10 the issuance of partial loan guarantees, has proven  
11 to be a vital and effective tool in bolstering microen-  
12 terprise development in impoverished countries by  
13 reducing the risk of private investors and financial  
14 institutions that invest in underserved sectors or  
15 creditworthy borrowers that otherwise would not  
16 qualify for such loans.

17 (b) LIMITATION ON AUTHORIZATION OF APPROPRIA-  
18 TIONS.—Of the amounts authorized to be appropriated  
19 under section 403, not more than \$8,300,000 is author-  
20 ized to be appropriated to the President for administrative  
21 expenses to carry out credit programs administered by the  
22 United States Agency for International Development for  
23 fiscal year 2012.

24 **SEC. 406. MILLENNIUM CHALLENGE CORPORATION.**

25 (a) LIMITATION ON AUTHORIZATION OF APPROPRIA-  
26 TIONS.—Of the amounts authorized to be appropriated

1 under section 403, not more than \$900,000,000 is author-  
2 ized to be appropriated to the President for necessary ex-  
3 penses to carry out the provisions of the Millennium Chal-  
4 lenge Act of 2003 for fiscal year 2012.

5 (b) MAINTAINING CANDIDATE STATUS FOR PUR-  
6 POSES OF INCOME CATEGORY.—Section 606 of the Mil-  
7 lennium Challenge Act of 2003 (22 U.S.C. 7705) is  
8 amended—

9 (1) by redesignating subsection (c) as sub-  
10 section (d); and

11 (2) by inserting after subsection (b) the fol-  
12 lowing:

13 “(c) MAINTAINING CANDIDATE STATUS.—Any can-  
14 didate country whose per capita income changes in a given  
15 fiscal year such that the country’s income-classification as  
16 ‘low income’ or ‘lower middle income’ changes, should re-  
17 tain its candidacy at the former income category only for  
18 the year of such transition.”.

19 **SEC. 407. PROHIBITION ON ASSISTANCE TO COUNTRIES**  
20 **THAT FAIL TO MEET THE MILLENNIUM CHAL-**  
21 **LENGE CORPORATION’S CORRUPTION PER-**  
22 **FORMANCE INDICATOR.**

23 (a) RESTRICTION.—Except as provided in paragraph  
24 (2), no United States economic or development assistance  
25 may be provided to the government of a country that does

1 not meet the corruption performance indicator of the Mil-  
2 lennium Challenge Corporation used for purposes of deter-  
3 mining eligibility for assistance under the Millennium  
4 Challenge Act of 2003.

5 (b) WAIVER.—The President may waive the restric-  
6 tion on assistance under paragraph (1) on a case-by-case  
7 basis for a period of not more than 6 months if—

8 (1) the President determines that such a waiver  
9 is important to the national security interests of  
10 United States; and

11 (2) the President provides to the appropriate  
12 congressional committees at least 15 days prior to  
13 exercising the waiver a report on concrete steps that  
14 the recipient country has undertaken to meet the  
15 corruption benchmarks and on United States imple-  
16 mentation and enforcement of end-use monitoring  
17 mechanisms in the country to ensure United States  
18 assistance provided is being used as intended.

19 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-  
20 FINED.—In this section, the term “appropriate congres-  
21 sional committees” means—

22 (1) the Committee on Foreign Affairs and the  
23 Committee on Appropriations of the House of Rep-  
24 resentatives; and



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

3 **SEC. 408. DEMOCRACY FUND.**

4           Of the amounts authorized to be appropriated under  
5 section 403, not more than \$115,000,000 is authorized  
6 to be appropriated to the President for necessary expenses  
7 to carry out the provisions of the Foreign Assistance Act  
8 of 1961 for the promotion of democracy globally for fiscal  
9 year 2012.

10 **SEC. 409. REPORT ON AID COMMITMENTS AND DISBURSE-**  
11 **MENTS BY OTHER DONORS AND INTER-**  
12 **NATIONAL ORGANIZATIONS.**

13           Section 634 of the Foreign Assistance Act of 1961  
14 (22 U.S.C. 2394) is amended—

15           (1) in subsection (a)—

16                   (A) in the matter preceding paragraph (1),  
17                   by striking “Chairman of the Development Co-  
18                   ordination Committee” and insert “President”;

19                   (B) by striking paragraphs (6) and (7);  
20                   and

21                   (C) by redesignating paragraphs (8)  
22                   through (12) as paragraphs (6) through (10),  
23                   respectively; and

24           (2) by adding at the end the following new sub-  
25           section:

1 “(c) REPORT REQUIRED.—

2 “(1) IN GENERAL.—The President shall submit  
3 to the appropriate congressional committees, at such  
4 time that the President submits the annual budget  
5 request under section 1105 of title 31, United States  
6 Code, a report providing the most up-to-date and de-  
7 tailed information on aid commitments and disburse-  
8 ments by other donors and international organiza-  
9 tions to countries and regions for which the Presi-  
10 dent is seeking United States assistance funds.

11 “(2) USE OF READILY AVAILABLE RESOURCES  
12 AND STATISTICS.—In carrying out this subsection,  
13 the President shall utilize all readily available re-  
14 sources and statistics, including information pro-  
15 vided by such organizations as the Development As-  
16 sistance Committee (DAC) of the Organization for  
17 Economic Cooperation and Development (OECD).

18 “(3) APPROPRIATE CONGRESSIONAL COMMIT-  
19 TEES DEFINED.—In this subsection, the term ‘ap-  
20 propriate congressional committees’ means—

21 “(A) the Committee on Foreign Affairs of  
22 the House of Representatives; and

23 “(B) the Committee on Foreign Relations  
24 of the Senate.”.

1 **SEC. 410. TRANSFER OF LIQUIDATED ASSETS OF CERTAIN**  
2 **ENTERPRISE FUNDS TO THE UNITED STATES**  
3 **TREASURY.**

4 (a) **TRANSFER OF LIQUIDATED ASSETS.**—The Presi-  
5 dent, acting through the Administrator of the United  
6 States Agency for International Development, should  
7 transfer to the Treasury of the United States for purposes  
8 of payment on the public debt not less than 50 percent  
9 of all assets from the liquidation, dissolution, or winding  
10 up of each Enterprise Fund described in subsection (b).

11 (b) **ENTERPRISE FUNDS DESCRIBED.**—The Enter-  
12 prise Funds described in this subsection are the following:

13 (1) The U.S.-Russia Investment Fund and the  
14 Western Newly Independent States Enterprise Fund  
15 established pursuant to section 498b(c) of the For-  
16 eign Assistance Act of 1961 (22 U.S.C. 2295b(c)).

17 (2) The Baltic-American Enterprise Fund es-  
18 tablished pursuant to section 201 of the Support for  
19 East European Democracy (SEED) Act of 1989 (22  
20 U.S.C. 5421).

21 (3) The South African Enterprise Development  
22 Fund established pursuant to sections 496 and  
23 635(b) of the Foreign Assistance Act of 1961.

1 **SEC. 411. LIMITATION ON FUNDS FOR UNITED STATES**  
2 **AGENCY FOR INTERNATIONAL DEVELOP-**  
3 **MENT'S OFFICE OF BUDGET AND RESOURCE**  
4 **MANAGEMENT.**

5 (a) STATEMENT OF POLICY.—In order to better align  
6 budget resources with United States foreign assistance  
7 strategic priorities and objectives, to establish clearer lines  
8 of authority and enhance accountability between agencies,  
9 to reduce replication of foreign assistance programs, and  
10 to ensure better efficiency and effectiveness of United  
11 States foreign assistance programs, it shall be the policy  
12 of the United States to vest budget authorities and policy  
13 planning for all United States foreign assistance within  
14 one office at the Department of State that shall complete  
15 the Federal budgets for both the Department of State and  
16 the United States Agency for International Development.

17 (b) OFFICE OF BUDGET AND RESOURCE MANAGE-  
18 MENT.—None of the funds authorized to be appropriated  
19 by this Act or any amendment made by this Act may be  
20 used to support the costs of maintaining the Office of  
21 Budget and Resource Management of the United States  
22 Agency for International Development.

23 (c) REPORT.—

24 (1) IN GENERAL.—Not later than 180 days  
25 after the date of the enactment of this Act, the

1 President shall submit to Congress a report that  
2 contains a feasibility study and strategy—

3 (A) to eliminate duplicative bureaus, of-  
4 fices, and positions, including an assessment  
5 and recommendations for the elimination of  
6 special envoys and special representatives; and

7 (B) to consolidate such bureaus, offices,  
8 and positions, as necessary and appropriate, in  
9 a manner which maximizes efficiency and effec-  
10 tiveness of United States foreign policy and as-  
11 sistance.

12 (2) MATTERS TO BE INCLUDED.—The report  
13 shall include a cost estimate for the establishment of  
14 additional bureaus and offices of the Department of  
15 State and the United States Agency for Inter-  
16 national Development, as requested by the Secretary  
17 of State in the most recent Quadrennial Diplomacy  
18 and Development Review, with any cost offsets cre-  
19 ated by the elimination of existing bureaus, offices,  
20 and positions.

21 **SEC. 412. PREVENTING TAXPAYER FUNDING FOR FOREIGN**  
22 **ORGANIZATIONS THAT PROMOTE OR PER-**  
23 **FORM ABORTION.**

24 None of the funds authorized to be appropriated by  
25 this Act or any amendment made by this Act may be made

1 available to any foreign nongovernmental organization  
2 that promotes or performs abortion, except in cases of  
3 rape or incest or when the life of the mother would be  
4 endangered if the fetus were carried to term.

5 **SEC. 413. SENSE OF CONGRESS RELATING TO MICROEN-**  
6 **TERPRISE DEVELOPMENT ASSISTANCE TO**  
7 **SUB-SAHARAN AFRICA.**

8 (a) IN GENERAL.—It is the sense of Congress that—

9 (1) the United States Agency for International  
10 Development should seek to increase the reach, im-  
11 pact, and effectiveness of microenterprise develop-  
12 ment assistance in sub-Saharan Africa;

13 (2) the United States Agency for International  
14 Development should target half of all sustainable  
15 poverty-focused programs under subsection (a) of  
16 section 252 of the Foreign Assistance Act of 1961  
17 (22 U.S.C. 2211a) to the very poor, as required by  
18 subsection (c) of such section; and

19 (3) the United States Agency for International  
20 Development should seek to improve poverty assess-  
21 ment tools used to provide microenterprise develop-  
22 ment assistance so that the tools can assist the man-  
23 agement and outreach of partner organizations to  
24 the very poor.

1 (b) DEFINITION.—In this section, the term “microen-  
 2 terprise development assistance” means assistance under  
 3 title VI of chapter 2 of part I of the Foreign Assistance  
 4 Act of 1961 (22 U.S.C. 2211 et seq.).

5 **TITLE V—UNITED STATES**  
 6 **INTERNATIONAL BROAD-**  
 7 **CASTING**

8 **SEC. 501. AUTHORIZATION OF APPROPRIATIONS FOR**  
 9 **INTERNATIONAL BROADCASTING.**

10 The following amounts are authorized to be appro-  
 11 priated to carry out United States international broad-  
 12 casting activities under the United States Information and  
 13 Educational Exchange Act of 1948, the Radio Broad-  
 14 casting to Cuba Act, the Television Broadcasting to Cuba  
 15 Act, the United States International Broadcasting Act of  
 16 1994, and the Foreign Affairs Reform and Restructuring  
 17 Act of 1998, and to carry out other authorities in law con-  
 18 sistent with such purposes:

19 (1) For “International Broadcasting Oper-  
 20 ations”, \$741,500,000 for fiscal year 2012.

21 (2) For “Broadcasting Capital Improvements”,  
 22 \$6,875,000 for fiscal year 2012.

23 **SEC. 502. PERSONAL SERVICES CONTRACTING PROGRAM.**

24 Section 504(c) of the Foreign Relations Authoriza-  
 25 tion Act, Fiscal Year 2003, (Public Law 107–228; 22

1 U.S.C. 6206 note), is amended by striking “2009” and  
2 inserting “2014”.

3 **SEC. 503. EMPLOYMENT FOR INTERNATIONAL BROAD-**  
4 **CASTING.**

5 Section 804(1) of the United States Information and  
6 Educational Exchange Act of 1948 (22 U.S.C. 1474(1))  
7 is amended—

8 (1) by inserting after “suitably qualified United  
9 States citizens” the following: “(for purposes of this  
10 paragraph, the term ‘suitably qualified United  
11 States citizens’ means those United States citizen  
12 applicants who are equally or better qualified than  
13 alien applicants)”; and

14 (2) by striking “Attorney General” and insert-  
15 ing “Secretary of Homeland Security”.

16 **SEC. 504. TECHNICAL AMENDMENT RELATING TO CIVIL IM-**  
17 **MUNITY FOR BROADCASTING BOARD OF GOV-**  
18 **ERNORS MEMBERS.**

19 Section 304 of the United States International  
20 Broadcasting Act of 1994 (22 U.S.C. 6203(g)) is amended  
21 by striking “Incorporated and Radio Free Asia” and in-  
22 serting “Incorporated, Radio Free Asia, and Middle East  
23 Broadcasting Networks”.



# **TITLE VI—REPORTING REQUIREMENTS**

## **3 SEC. 601. REPORTING REFORM.**

4 The following provisions of law are repealed:

5 (1) Section 560(g) of Public Law 103–87.

6 (2) Section 605(c) of App. G, Public Law 106–  
7 113.

8 (3) Section 104 of Public Law 102–511.

9 (4) Section 704(c) of Public Law 101–179.

10 (5) Section 1012(c) of Public Law 103–337.

11 (6) Subsections (c)(4) and (c)(5) of section 604  
12 of Public Law 96–465.

13 (7) Section 585 in the matter under section  
14 101(c) of Division A of Public Law 104–208.

15 (8) Sections 694(a), 694(b), 704, and 1321 of  
16 Public Law 107–228.

17 (9) Sections 133(d) of Public Law 87–195.

18 (10) Sections 11(b) of Public Law 107–245.

19 (11) Section 514(a) of Public Law 103–236.

20 (12) Section 807 of Public Law 98–164.

## **21 SEC. 602. DIPLOMATIC RELATIONS WITH ISRAEL.**

22 (a) STATEMENT OF POLICY.—It is the policy of the  
23 United States to assist Israel in its efforts to establish  
24 and enhance its diplomatic relations with other responsible

1 countries and to promote Israel's full participation in ap-  
2 propriate multilateral forums.

3 (b) REPORT.—Not later than 90 days after the date  
4 of the enactment of this Act and annually for each of the  
5 following three years, the Secretary of State shall submit  
6 to the appropriate congressional committees a report that  
7 includes the following information:

8 (1) Actions taken by representatives of the  
9 United States to encourage other responsible coun-  
10 tries to establish full diplomatic relations with Israel.

11 (2) Specific responses solicited and received by  
12 the Secretary from countries that do not maintain  
13 full diplomatic relations with Israel with respect to  
14 their attitudes toward and plans for entering into  
15 diplomatic relations with Israel.

16 (3) Actions taken by representatives of the  
17 United States to encourage Israel's entry into appro-  
18 priate regional and other groupings, encourage  
19 Israel's election to governing bodies of appropriate  
20 multilateral forums, and support Israel's member-  
21 ship in appropriate multilateral forums.

22 (4) Other measures being undertaken, and  
23 measures that will be undertaken, by the United  
24 States to ensure and promote Israel's full participa-  
25 tion in the world diplomatic community.

1 (c) FORM OF SUBMISSION.—Each report required  
2 under subsection (b) shall be submitted in unclassified  
3 form but may include a classified annex, if the Secretary  
4 of State determines such is appropriate.

5 **TITLE VII—PROLIFERATION**  
6 **SECURITY INITIATIVE**

7 **SEC. 701. AUTHORITY TO INTERDICT CERTAIN IMPORTS TO**  
8 **AND EXPORTS FROM IRAN.**

9 The President is authorized to—

10 (1) utilize the Proliferation Security Initiative  
11 and other measures necessary to enforce United  
12 States laws and Executive Orders, and multilateral  
13 and bilateral agreements, including the 2005 Pro-  
14 tocol to the Convention for the Suppression of Un-  
15 lawful Acts against the Safety of Maritime Naviga-  
16 tion, for the purpose of interdicting the import into  
17 or export from Iran by the Government of Iran or  
18 any other country, entity, or person of any items,  
19 materials, equipment, goods, or technology useful for  
20 any nuclear, biological, chemical, missile, or conven-  
21 tional arms program; and

22 (2) utilize ship boarding and other interdiction  
23 agreements with countries determined to be nec-  
24 essary to accomplish the purpose specified in para-  
25 graph (1).

1 **SEC. 702. REPORT.**

2 (a) IN GENERAL.—Section 2 of the Iran, North  
3 Korea, and Syria Nonproliferation Act (Public Law 106–  
4 178; 50 U.S.C. 1701 note) is amended—

5 (1) in subsection (b), by striking “6-month pe-  
6 riod” and inserting “120-day period”; and

7 (2) by adding at the end the following new sub-  
8 section:

9 “(f) ADDITIONAL CONTENTS OF REPORTS.—Each  
10 report under subsection (a) shall contain a description,  
11 with respect the transfer or acquisition of the goods, serv-  
12 ices, or technology described in such subsection, of the ac-  
13 tions taken by foreign governments to assist in inter-  
14 dicting such transfer or acquisition.”.

15 (b) EFFECTIVE DATE.—The amendments made by  
16 subsection (a) take effect on the date of the enactment  
17 of this Act and apply with respect to the first report re-  
18 quired to be submitted under section 2 of the Iran, North  
19 Korea, and Syria Nonproliferation Act after such date.

20 **SEC. 703. DEFINITIONS.**

21 In this title:

22 (1) APPROPRIATE CONGRESSIONAL COMMIT-  
23 TEES.—The term “appropriate congressional com-  
24 mittees” means—

1 (A) the Committee of Foreign Affairs and  
2 the Committee on Appropriations of the House  
3 of Representatives; and

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

7 (2) GOVERNMENT OF IRAN.—The term “Gov-  
8 ernment of Iran” means—

9 (A) any official of the Government of Iran;

10 (B) any agency or instrumentality of the  
11 Government of Iran;

12 (C) any entity that is owned or controlled,  
13 directly or indirectly, by the Government of  
14 Iran;

15 (D) any member or instrumentality of the  
16 Iranian Revolutionary Guard Corps (IRGC); or

17 (E) any entity that is owned or controlled,  
18 directly or indirectly by a member or instru-  
19 mentality of the IRGC.

20 **TITLE VIII—MISCELLANEOUS**  
21 **PROVISIONS**

22 **SEC. 801. BOUNDARY, WATER, AND FISHERIES COMMIS-**  
23 **SIONS.**

24 (a) FINDINGS.—Congress finds the following:

1           (1) The boundary, water, and fisheries commis-  
2           sions funded using the funds authorized to be appro-  
3           priated under section 104 are longstanding treaty-  
4           and agreement-based organizations formed to ad-  
5           dress important border, water, and fisheries resource  
6           issues, and receive substantial financial support from  
7           United States taxpayers.

8           (2) Although paragraph (g) of Article 24 of the  
9           1944 Water Treaty between Mexico and the United  
10          States (59 Stat. 1219) requires the International  
11          Boundary and Water Commission (United States  
12          and Mexico) to annually submit a joint report to the  
13          United States and Mexican Governments, the last  
14          English-language Annual Report was filed for 2006,  
15          and contained no detail regarding the cost of the  
16          Commission's particular activities or the specific al-  
17          location of Commission resources.

18          (3) The International Joint Commission last  
19          filed an Annual Report for 2008 which, although it  
20          described past Commission projects and activities in  
21          general terms, contained no detail regarding the cost  
22          of its particular activities or the specific allocation of  
23          Commission resources.

1 (4) The International Boundary Commission  
2 (United States and Canada) last filed an Annual Re-  
3 port for 2007.

4 (5) The Great Lakes Fishery Commission, the  
5 largest recipient of United States assistance to inter-  
6 national fisheries commissions, last filed an Annual  
7 Report for 2006, which was six pages long and con-  
8 tained three lines of financial data.

9 (6) In contrast, the most recent Annual Report  
10 by the Pacific Salmon Commission (filed in Sep-  
11 tember 2010 for the 2007/2008 period) was 189  
12 pages long, and contained an independently audited  
13 financial statement.

14 (b) SENSE OF CONGRESS.—It is the sense of Con-  
15 gress that timely reporting by the boundary, water, and  
16 fisheries commissions that sufficiently explains each such  
17 commission’s activities and the disposition of each such  
18 commission’s resources is necessary to maintain public  
19 support for their continued funding.

20 **SEC. 802. LIMITATION ON FUNDS FOR U.S.-CHINA CENTER**  
21 **OF EXCELLENCE ON NUCLEAR SECURITY.**

22 No funds are authorized to be appropriated for the  
23 establishment or operation of the U.S.-China Center of  
24 Excellence on Nuclear Security resulting from the agree-  
25 ment signed in January 2011 between the National Nu-

1 clear Security Administration and the China Atomic En-  
2 ergy Authority.

3 **SEC. 803. ELIMINATION OF EAST-WEST CENTER.**

4 (a) PROHIBITION.—The Secretary of State may not  
5 use any amounts authorized to be appropriated by this Act  
6 to fund, make a grant to, provide assistance to, or other-  
7 wise support the Center for Cultural and Technical Inter-  
8 change Between East and West (commonly referred to as  
9 the “East-West Center”).

10 (b) REPEAL.—The Center for Cultural and Technical  
11 Interchange Between East and West Act of 1960 (chapter  
12 VII of the Mutual Security Act of 1960; Public Law 86–  
13 472) is repealed.

14 **SEC. 804. INSPECTOR GENERAL OF THE GLOBAL FUND.**

15 Section 202(d)(5) of the United States Leadership  
16 Against HIV/AIDS, Tuberculosis, and Malaria Act of  
17 2003 (22 U.S.C. 7622(d)(5)) is amended—

18 (1) in subparagraph (C)—

19 (A) by amending clause (ii) to read as fol-  
20 lows:

21 “(ii) all reports of the Inspector Gen-  
22 eral of the Global Fund, without editing,  
23 restriction, or limitation, and in a manner  
24 that is consistent with the Policy for Dis-  
25 closure of Reports of the Inspector Gen-



1 eral, approved at the 16th Meeting of the  
2 Board of the Global Fund, including a cer-  
3 tification that no changes have been made  
4 to the Policy that would restrict the In-  
5 spector General’s ability to disclose the re-  
6 sults of his or her work and the discretion  
7 and authority of the Inspector General in  
8 executing the functions of the Office has  
9 not been limited, reduced, or minimized;”;  
10 and

11 (B) in clause (iv), strike “to the Board”  
12 and insert “to the Board, including Office of  
13 the Inspector General Progress Reports”; and

14 (2) by amending subparagraph (D) to read as  
15 follows:

16 “(D) is maintaining a fully independent,  
17 well-staffed, and sufficiently resourced Office of  
18 the Inspector General that—

19 “(i) reports directly to the Chair of  
20 the Board of the Global Fund;

21 “(ii) compiles regular, publicly pub-  
22 lished audits and investigations of finan-  
23 cial, programmatic, and reporting aspects  
24 of the Global Fund, its grantees, recipi-

1                   ents, sub-recipients, contractors, suppliers,  
2                   and LFAs;

3                   “(iii) documents incidents of harass-  
4                   ment, undue pressure, and interference in  
5                   its work and evidence of reprisal or retalia-  
6                   tion, so that appropriate corrective action  
7                   may be taken; and

8                   “(iv) maintains a robust mandate to  
9                   conduct in-depth investigations and pro-  
10                  grammatic audits, free from undue restric-  
11                  tion, interference, harassment, and efforts  
12                  to undermine its authority;”.

13 **SEC. 805. ARAB LEAGUE BOYCOTT.**

14                It is the sense of Congress that—

15                   (1) the Arab League boycott of Israel, and the  
16                   secondary boycott of United States firms that have  
17                   commercial ties with Israel, is an impediment to  
18                   peace in the region and to United States investment  
19                   and trade in the Middle East and North Africa;

20                   (2) the Arab League boycott, which was regret-  
21                   tably reinstated in 1997, should be immediately and  
22                   publicly terminated, and the Central Office for the  
23                   Boycott of Israel immediately disbanded;

24                   (3) all Arab League states should normalize re-  
25                   lations with their neighbor Israel;

1           (4) the President and the Secretary of State  
2           should continue to vigorously oppose the Arab  
3           League boycott of Israel and find concrete steps to  
4           demonstrate that opposition by, for example, taking  
5           into consideration the participation of any recipient  
6           country in the boycott when determining to sell  
7           weapons to such country; and

8           (5) the President should report to Congress an-  
9           nually on specific steps being taken by the United  
10          States to encourage Arab League states to normalize  
11          their relations with Israel and to bring about the  
12          termination of the Arab League boycott of Israel, in-  
13          cluding those steps being taken to encourage allies  
14          and trading partners of the United States to enact  
15          laws prohibiting businesses from complying with the  
16          boycott and penalizing businesses that do comply.

17 **SEC. 806. MEASURES SUPPORTING THE REUNIFICATION OF**  
18                                   **CYPRUS.**

19          (a) **POLICY.**—It shall be the policy of the United  
20          States to continue to support measures aimed at the re-  
21          unification of Cyprus and to provide assistance to Cyprus  
22          only for programs and activities that are consistent with  
23          the goal of reunification of Cyprus and the achievement  
24          of a bi-communal, bi-zonal federation.

1 (b) CONSULTATION.—The President shall, to the  
2 maximum extent practicable, consult with the Government  
3 of the Republic of Cyprus with respect to the provision  
4 of United States assistance in Cyprus in order to ensure  
5 the transparency of such assistance.

6 (c) REPORT MODIFICATION.—Section 620C(c) of the  
7 Foreign Assistance Act of 1961 (22 U.S.C. 2373(c)) is  
8 amended in the second sentence—

9 (1) by striking “60-day” the second place it ap-  
10 pears and inserting “90-day”; and

11 (2) by inserting before the period at the end the  
12 following: “, including a detailed description of pro-  
13 grams and activities funded by the United States to  
14 help achieve the reunification of Cyprus”.

15 **SEC. 807. LIMITATION ON ASSISTANCE TO THE FORMER**  
16 **YUGOSLAV REPUBLIC OF MACEDONIA.**

17 (a) FINDINGS.—Congress finds the following:

18 (1) Greece has demonstrated an enormous good  
19 will gesture in agreeing that “Macedonia” may be  
20 included in the future name of the Former Yugoslav  
21 Republic of Macedonia (FYROM) as long as that  
22 term is combined with a geographic qualifier that  
23 makes it clear that there are no territorial ambitions  
24 on the part of the FYROM with regard to the his-

1        torical boundaries of the Greek province of Mac-  
2        edonia.

3            (2) The FYROM continues to utilize materials  
4        that violate provisions of the United Nations-bro-  
5        kered Interim Agreement between the FYROM and  
6        Greece regarding incendiary rallies, rhetoric, or  
7        propaganda, and United Nations-led negotiations be-  
8        tween the FYROM and Greece have so far failed to  
9        achieve the longstanding goals of the United States  
10       and the United Nations to find a mutually accept-  
11       able, new official name for the FYROM.

12        (b) SENSE OF CONGRESS.—It is the sense of Con-  
13       gress that all United States assistance to the FYROM  
14       should be conditioned on the FYROM’s willingness to en-  
15       gage in meaningful discussions with Greece in accordance  
16       with United Nations Security Council Resolution 817.

17        (c) LIMITATION.—The Secretary of State may not  
18       use funds authorized to be appropriated under this Act  
19       for programs and activities that directly or indirectly pro-  
20       mote incendiary rallies, rhetoric, or propaganda by state-  
21       controlled agencies of the FYROM or encourage acts by  
22       private entities likely to incite violence, hatred, or hostility,  
23       including support for printing and publishing of textbooks,  
24       maps, and teaching aids that may include inaccurate in-

1 formation on the histories and geographies of Greece and  
2 FYROM.

3 **SEC. 808. STATEMENT OF POLICY REGARDING THE ECU-**  
4 **MENICAL PATRIARCHATE.**

5 The United States calls on the Republic of Turkey  
6 to—

7 (1) based on the goals specified in the draft of  
8 the European Union Constitution, eliminate all  
9 forms of discrimination, particularly those forms  
10 based on race or religion, and immediately—

11 (A) grant the Ecumenical Patriarchate ap-  
12 propriate international recognition and eccle-  
13 siastic succession;

14 (B) grant the Ecumenical Patriarchate the  
15 right to train clergy of all nationalities, not just  
16 Turkish nationals; and

17 (C) respect the human rights and property  
18 rights of the Ecumenical Patriarchate;

19 (2) pledge to uphold and safeguard religious  
20 and human rights without compromise; and

21 (3) continue the achievement of processes and  
22 programs to modernize and democratize its society.

23 **SEC. 809. SENSE OF CONGRESS ON RESTRICTIONS ON RELI-**  
24 **GIUS FREEDOM IN VIETNAM.**

25 (a) FINDINGS.—Congress finds the following:

1           (1) The Secretary of State, under the Inter-  
2           national Religious Freedom Act of 1998 (22 U.S.C.  
3           6401 et seq.) and authority delegated by the Presi-  
4           dent, designates nations found guilty of “particularly  
5           severe violations of religious freedom” as “Countries  
6           of Particular Concern” (“CPC”).

7           (2) In November 2006, the Secretary of State  
8           announced that the Socialist Republic of Vietnam  
9           was no longer designated as a “Country of Par-  
10          ticular Concern”.

11          (3) The Unified Buddhist Church of Vietnam  
12          (UBCV), the Hoa Hao Buddhists, and the Cao Dai  
13          groups continue to face unwarranted abuses because  
14          of their attempts to organize independently of the  
15          Government of Vietnam, including the detention and  
16          imprisonment of individual members of these reli-  
17          gious communities.

18          (4) In September 2009, Vietnamese police  
19          cordoned off a Lang Mai Buddhist monastery, and  
20          monks were beaten, degraded, and sexually assaulted  
21          by undercover policemen and civilians.

22          (5) Protestants continue to face beatings and  
23          other ill-treatment, harassment, fines, threats, and  
24          forced renunciations of faith.

1           (6) According to Human Rights Watch, 355  
2           Montagnard Protestants remain in prison, arrested  
3           after 2001 and 2004 demonstrations for land rights  
4           and religious freedom in the Central Highlands.

5           (7) According to the United States Commission  
6           on International Religious Freedom, there are re-  
7           ports that some Montagnard Protestants were im-  
8           prisoned because of their religious affiliation or ac-  
9           tivities or because religious leaders failed to inform  
10          on members of their religious community who alleg-  
11          edly participated in demonstrations.

12          (8) Ksor Tino, a Degar Christian, died on Sep-  
13          tember 6, 2009, after being detained in a Plei Ku  
14          city prison and being tortured repeatedly with elec-  
15          tric prods and severe physical punishment for refus-  
16          ing to join a government sanctioned religion.

17          (9) On November 11, 2010, hundreds of Viet-  
18          namese police violently attacked a Catholic prayer  
19          service in the Gia Lai Province, leaving 9 of the  
20          beaten unconscious from strokes to the head.

21          (10) According to the United States Commis-  
22          sion on International Religious Freedom 2010 An-  
23          nual Report, religious freedom advocates and human  
24          rights defenders Nguyen Van Dai, Le Thi Cong  
25          Nhan, and Fr. Thaddeus Nguyen Van Ly are in



1 prison under Article 88 of the Criminal Code and  
2 Fr. Phan Van Loi is being held without official de-  
3 tention orders under house arrest.

4 (11) At least 15 individuals are being detained  
5 in long term house arrest for reasons related to their  
6 faith, including the most venerable Thich Quang Do  
7 and most of the leadership of the UBCV.

8 (12) UBCV monks and youth groups leaders  
9 are harassed and detained and charitable activities  
10 are denied, Vietnamese officials discriminate against  
11 ethnic minority Protestants by denying medical,  
12 housing, and educational benefits to children and  
13 families, an ethnic minority Protestant was beaten  
14 to death for refusing to recant his faith, over 600  
15 Hmong Protestant churches are refused legal rec-  
16 ognition or affiliation, leading to harassment, deten-  
17 tions, and home destructions, and a government  
18 handbook on religion instructs government officials  
19 to control existing religious practice, halt “enemy  
20 forces” from “abusing religion” to undermine the  
21 Vietnamese Government, and “overcome the extraor-  
22 dinary growth of Protestantism.”

23 (13) Since August 2008, the Vietnamese Gov-  
24 ernment has arrested and sentenced at least eight  
25 individuals and beaten, tear-gassed, harassed, pub-

1       licily slandered, and threatened Catholics engaged in  
2       peaceful activities seeking the return of Catholic  
3       Church properties confiscated by the Vietnamese  
4       Government after 1954 in Hanoi, including in the  
5       Thai Ha parish.

6               (14) Local police and mobile “anti-riot” police  
7       attacked a funeral procession in the Con Dau parish  
8       on May 4, 2010, shooting tear gas and rubber bul-  
9       lets, beating residents with batons and electric rods,  
10      injuring 100, and killing at least one.

11              (15) The United States Commission on Inter-  
12      national Religious Freedom, prominent nongovern-  
13      mental organizations, and representative associations  
14      of Vietnamese-American, Montagnard-American, and  
15      Khmer-American organizations have called for the  
16      redesignation of Vietnam as a CPC.

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

19              (1) the Secretary of State should place Vietnam  
20      on the list of “Countries of Particular Concern” for  
21      particularly severe violations of religious freedom;  
22      and

23              (2) the Government of Vietnam should lift re-  
24      strictions on religious freedom and implement nec-



1 (b) SENSE OF CONGRESS.—The Office of Inter-  
2 national Religious Freedom and the Bureau of Democ-  
3 racy, Human Rights and Labor at the Department of  
4 State should dedicate all appropriate resources to pro-  
5 moting the rights of religious minorities in Egypt.

6 **SEC. 812. THE REPUBLIC OF THE SUDAN AND THE REPUB-**  
7 **LIC OF SOUTH SUDAN.**

8 (a) FINDINGS.—Congress finds the following:

9 (1) The United States was a witness to the  
10 2005 Comprehensive Peace Agreement (CPA), which  
11 marked the end of more than two decades of civil  
12 war between North and South Sudan that resulted  
13 in the deaths of more than 2,000,000 people.

14 (2) The CPA provided the framework for a his-  
15 toric referendum to determine the future status of  
16 South Sudan held between January 9, 2011, and  
17 January 15, 2011.

18 (3) On February 7, 2011, the Southern Sudan  
19 Referendum Commission announced that the people  
20 of South Sudan voted in favor of succession from  
21 the Republic of the Sudan by a margin of 98.8 per-  
22 cent in a credible and transparent vote.

23 (4) The mandate for the United Nations Mis-  
24 sion in Sudan (UNMIS), which was established by  
25 United Nations Security Council Resolution 1590 on

1 March 24, 2005, and was instrumental in sup-  
2 porting the implementation of the CPA, expired on  
3 July 9, 2011, with the completion of the CPA In-  
4 terim Period.

5 (5) The mandate for the United Nations Mis-  
6 sion in South Sudan (UNMISS), as established by  
7 United Nations Security Council Resolution 1996  
8 (2011), commenced on July 9, 2011.

9 (6) Several outstanding issues relating to CPA  
10 implementation and potential points of conflict re-  
11 main unresolved between North and South Sudan,  
12 including the final status of the contested area of  
13 Abyei, ongoing violence in Southern Kordofan and  
14 Blue Nile, disputed border areas, citizenship rights  
15 and nationality, division of oil resources and profits,  
16 currency, international debt and assets, the libera-  
17 tion of slaves from South Sudan still held in Sudan,  
18 and other matters.

19 (7) Lasting peace and stability for the region  
20 cannot be realized until all outstanding elements of  
21 the CPA are dealt with in a fair and peaceful man-  
22 ner and a comprehensive peace is secured in Darfur.

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

1           (1) the independence of the Republic of South  
2 Sudan represents an historic opportunity for peace  
3 in the region and the people of South Sudan should  
4 be commended for freely and peacefully expressing  
5 their desire for independence through a credible and  
6 transparent referendum;

7           (2) the people and leaders of South Sudan  
8 should be commended for their efforts to reach this  
9 historic milestone;

10           (3) all parties should continue to work to re-  
11 solve outstanding matters relating to implementation  
12 of the Comprehensive Peace Agreement for Sudan,  
13 including the final status of Abyei, disputed border  
14 areas, the completion of popular consultations and  
15 security arrangements in Southern Kordofan and  
16 Blue Nile, citizenship and nationality, division of oil  
17 resources and profits, currency, international debt  
18 and assets, the liberation of slaves from South  
19 Sudan still held in Sudan, and other matters in  
20 order to ensure a smooth transition to two states  
21 and to mitigate points of conflict;

22           (4) all parties should fully implement their  
23 June 20, 2011, agreement on temporary arrange-  
24 ments for the contested Abyei area and swiftly es-

1       tabish a cessation of hostilities in Southern  
2       Kordofan;

3           (5) the deployment of up to 4,200 Ethiopian  
4       peacekeepers to Abyei and the new United Nations  
5       Mission in South Sudan (UNMISS) are expected to  
6       help provide security and stability in the region;

7           (6) peace, rule of law, security, and good gov-  
8       ernance should be promoted throughout Sudan and  
9       South Sudan, particularly efforts to—

10           (A) advance security and stability in both  
11       countries, especially in critical areas such as  
12       Darfur, Blue Nile, and Southern Kordofan and  
13       in Abyei;

14           (B) promote respect for the human and  
15       civil rights of all, including southerners living in  
16       Sudan and northerners living in South Sudan;

17           (C) encourage the development of multi-  
18       party democracy, vibrant democratic institu-  
19       tions, and freedom of speech and association;

20           (D) prevent extremists groups from ex-  
21       ploiting the territories of Sudan and South  
22       Sudan and encourage full cooperation with the  
23       United States on counterterrorism priorities;  
24       and

1           (E) encourage a productive relationship be-  
2           tween Sudan and South Sudan that recognizes  
3           the mutual need for cooperation and an open  
4           flow of people and goods across borders and to  
5           refrain from the use of proxy forces to foment  
6           conflict; and

7           (7) the Darfur peace process should remain a  
8           priority in United States relations with Sudan, par-  
9           ticularly with regard to efforts to secure a just and  
10          lasting peace in Darfur, humanitarian access to vul-  
11          nerable populations, and freedom of movement for  
12          the African Union-United Nations Mission in Darfur  
13          (UNAMID).

## 14                   **TITLE IX—SECURITY** 15                   **ASSISTANCE**

### 16   **SEC. 901. SHORT TITLE.**

17          This title may be cited as the “Security Assistance  
18   Act of 2011”.

## 19   **Subtitle A—Military Assistance and** 20                   **Related Matters**

### 21                   **PART I—FUNDING AUTHORIZATIONS**

#### 22   **SEC. 911. FOREIGN MILITARY FINANCING PROGRAM.**

23          (a) **AUTHORIZATION OF APPROPRIATIONS.**—There  
24          are authorized to be appropriated to the President for  
25          grant assistance under section 23 of the Arms Export



1 Control Act (22 U.S.C. 2763), \$6,374,000,000 for fiscal  
2 year 2012.

3 (b) ASSISTANCE FOR ISRAEL.—

4 (1) SENSE OF CONGRESS.—It is the sense of  
5 Congress that the United States should continue to  
6 support the August 2007 announcement that it  
7 would increase United States military assistance to  
8 Israel by \$6 billion through incremental \$150 mil-  
9 lion annual increases in Foreign Military Financing  
10 program assistance to Israel, starting at \$2.55 bil-  
11 lion in fiscal year 2009 and reaching \$3.15 billion  
12 in each of the fiscal years 2013 through 2018.

13 (2) AMENDMENTS.—Section 513(c) of the Se-  
14 curity Assistance Act of 2000 (Public Law 106–280;  
15 114 Stat. 856), as amended by section 1221(a) of  
16 the Security Assistance Act of 2002 (division B of  
17 Public Law 107–228; 116 Stat. 1430), is further  
18 amended—

19 (A) in paragraph (1)—

20 (i) by striking “each of the fiscal  
21 years 2002 and 2003” and inserting “fis-  
22 cal year 2012”; and

23 (ii) by striking “each such fiscal year”  
24 and inserting “such fiscal year”;

1           (B) in paragraph (3), by striking “Funds  
2 authorized” and all that follows through  
3 “later.” and inserting “Funds authorized to be  
4 available for Israel under subsection (b)(1) and  
5 paragraph (1) of this subsection for fiscal year  
6 2012 shall be disbursed not later than 30 days  
7 after the date of the enactment of an Act mak-  
8 ing appropriations for foreign operations, export  
9 financing, and related programs for fiscal year  
10 2012, or October 31, 2011, whichever is later”;  
11 and

12           (C) in paragraph (4)—

13                 (i) by striking “fiscal years 2002 and  
14 2003” and inserting “fiscal year 2012”;  
15 and

16                 (ii) by striking “\$535,000,000 for fis-  
17 cal year 2002 and not less than  
18 \$550,000,000 for fiscal year 2003” and in-  
19 serting “not less than \$3,075,000,000 for  
20 fiscal year 2012”.

21         (c) ASSISTANCE FOR IRAQ.—

22                 (1) FINDINGS.—Congress finds the following:

23                     (A) United States support for the security  
24 of the Government of Iraq remains critical for

1 the long-term success of United States efforts  
2 in that country.

3 (B) United States security assistance from  
4 the Iraq Security Forces Fund (ISFF) account  
5 administered by the Department of Defense has  
6 been discontinued in H.R. 2219, the Depart-  
7 ment of Defense Appropriations Act, 2012, as  
8 passed the House of Representatives, with the  
9 intent of transitioning responsibility for such  
10 activities to the Foreign Military Financing pro-  
11 gram administered by the Department of State.

12 (C) The ISFF account was funded at \$1.5  
13 billion for fiscal year 2011 under the Depart-  
14 ment of Defense and Full-Year Continuing Ap-  
15 propriations Act, 2011.

16 (D) The request for Foreign Military Fi-  
17 nancing program assistance for the Government  
18 of Iraq for fiscal year 2012 is \$1 billion mark-  
19 ing a \$500 million reduction from previous lev-  
20 els of security assistance for Iraq.

21 (2) AUTHORIZATION OF APPROPRIATIONS.—Of  
22 the amounts authorized to be appropriated under  
23 subsection (a), \$1,000,000,000 is authorized to be  
24 appropriated to the President for grant assistance  
25 under section 23 of the Arms Export Control Act

1 (22 U.S.C. 2763) for the Government of Iraq for fis-  
2 cal year 2012.

3 (3) REPORT.—Not later than 90 days after the  
4 date of enactment of this Act, the Comptroller Gen-  
5 eral of the United States shall submit to the appro-  
6 priate congressional committees a report that—

7 (A) reviews and comments on the grant as-  
8 sistance provided under section 23 of the Arms  
9 Export Control Act (22 U.S.C. 2763) for the  
10 Government of Iraq for fiscal year 2012;

11 (B) includes the amount of such grant as-  
12 sistance that is unobligated or unexpended as of  
13 such date; and

14 (C) provides recommendations regarding  
15 additional actions to ensure greater account-  
16 ability and transparency with respect to the  
17 provision of United States assistance to Iraq.

18 **SEC. 912. INTERNATIONAL MILITARY EDUCATION AND**  
19 **TRAINING.**

20 (a) AUTHORIZATION OF APPROPRIATIONS.—Section  
21 542 of the Foreign Assistance Act of 1961 (22 U.S.C.  
22 2347a) is amended by striking “There are authorized”  
23 and all that follows through “fiscal year 1987” and insert-  
24 ing “There are authorized to be appropriated to the Presi-

1 dent to carry out the purposes of this chapter  
2 \$105,800,000 for fiscal year 2012”.

3 (b) AUTHORITY TO PROVIDE TO INTERNATIONAL  
4 ORGANIZATIONS.—Section 541 of the Foreign Assistance  
5 Act of 1961 (22 U.S.C. 2347) is amended in the first sen-  
6 tence by adding at the end before the period the following:  
7 “and comparable personnel of regional and sub-regional  
8 organizations for the purposes of contributing to peace-  
9 keeping operations”.

10 **PART II—MILITARY ASSISTANCE AUTHORITIES**  
11 **AND RELATED PROVISIONS**

12 **SEC. 921. AUTHORITY TO TRANSFER EXCESS DEFENSE AR-**  
13 **TICLES.**

14 Section 516(g)(1) of the Foreign Assistance Act of  
15 1961 (22 U.S.C. 2321j(g)(1)) is amended—

16 (1) by inserting “authorized to be” before  
17 “transferred”; and

18 (2) by striking “425,000,000” and inserting  
19 “450,000,000”.

20 **SEC. 922. ANNUAL MILITARY ASSISTANCE REPORT.**

21 (a) INFORMATION RELATING TO MILITARY ASSIST-  
22 ANCE AND MILITARY EXPORTS.—Section 655(b) of the  
23 Foreign Assistance Act of 1961 (22 U.S.C. 2415(b)) is  
24 amended—

1           (1) in the matter preceding paragraph (1), by  
2 striking “whether such defense articles—” and in-  
3 sserting “the following:”

4           (2) in paragraph (1)—

5           (A) by inserting “Whether such defense ar-  
6 ticles” before “were”; and

7           (B) by striking the semicolon at the end  
8 and inserting a period;

9           (3) in paragraph (2)—

10          (A) by inserting “Whether such defense ar-  
11 ticles” before “were”; and

12          (B) by striking “; or” at the end and in-  
13 sserting a period; and

14          (4) by striking paragraph (3) and inserting the  
15 following:

16          “(3) Whether such defense articles were ex-  
17 ported without a license under section 38 of the  
18 Arms Export Control Act pursuant to an exemption  
19 established under the International Traffic in Arms  
20 Regulations, other than defense articles exported in  
21 furtherance of a letter of offer and acceptance under  
22 the Foreign Military Sales program or a technical  
23 assistance or manufacturing license agreement, in-  
24 cluding the specific exemption in the regulation  
25 under which the export was made.

1           “(4) A detailed listing, by United States Muni-  
2           tions List category and sub-category, as well as by  
3           country and by international organization, of the ac-  
4           tual total dollar value of major defense equipment  
5           and defense articles delivered pursuant to licenses  
6           authorized under section 38 of the Arms Export  
7           Control Act for the previous fiscal year.

8           “(5) In the case of defense articles that are  
9           firearms controlled under category I of the United  
10          States Munitions List, a statement of the aggregate  
11          dollar value and quantity of semiautomatic assault  
12          weapons, or spare parts for such weapons, the man-  
13          ufacture, transfer, or possession of which is unlawful  
14          under section 922 of title 18, United States Code,  
15          that were licensed for export during the period cov-  
16          ered by the report.”.

17          (b) INFORMATION NOT REQUIRED.—Section 655 of  
18          the Foreign Assistance Act of 1961 (22 U.S.C. 2415) is  
19          amended—

20                 (1) by redesignating subsection (c) as sub-  
21                 section (d); and

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

24                 “(c) INFORMATION NOT REQUIRED.—Each such re-  
25                 port may exclude information relating to—

1           “(1) exports of defense articles (including ex-  
2           cess defense articles), defense services, and inter-  
3           national military education and training activities  
4           authorized by the United States on a temporary  
5           basis;

6           “(2) exports of such articles, services, and ac-  
7           tivities to United States Government end users lo-  
8           cated in foreign countries; and

9           “(3) and the value of manufacturing license  
10          agreements or technical assistance agreements li-  
11          censed under section 38 of the Arms Export Control  
12          Act.”.

13 **SEC. 923. ANNUAL REPORT ON FOREIGN MILITARY TRAIN-**  
14 **ING.**

15          Section 656(a)(1) of the Foreign Assistance Act of  
16          1961 (22 U.S.C. 2416(a)(1)) is amended—

17                 (1) by striking “January 31” and inserting  
18                 “March 1”; and

19                 (2) by striking “and all such training proposed  
20                 for the current fiscal year”.

21 **SEC. 924. GLOBAL SECURITY CONTINGENCY FUND.**

22          (a) **AUTHORITY.**—

23                 (1) **IN GENERAL.**—The Secretary of State, with  
24                 the concurrence of the Secretary of Defense, is au-  
25                 thorized to establish a fund, to be known as the



1 Global Security Contingency Fund, which shall con-  
2 sist of such amounts as may be contributed under  
3 paragraph (2) to the fund, to provide assistance to  
4 a foreign country described in subsection (b) for the  
5 purposes described in subsection (c). The program  
6 authorized under this subsection shall be jointly fi-  
7 nanced and carried out by the Department of State  
8 and the Department of Defense in accordance with  
9 the requirements of this section.

10 (2) CONTRIBUTIONS TO FUND.—

11 (A) IN GENERAL.—For each of fiscal years  
12 2012 through 2015, the Secretary of State and  
13 the Secretary of Defense may contribute not  
14 more than \$300,000,000 of amounts made  
15 available to carry out the provisions of law de-  
16 scribed in subsection (d).

17 (B) AVAILABILITY.—Notwithstanding any  
18 other provision of law, amounts contributed  
19 under this paragraph to the fund shall be  
20 merged with amounts in the fund and shall be  
21 available for purposes of carrying out the pro-  
22 gram authorized under this subsection.

23 (3) LIMITATION.—The authority of this sub-  
24 section may not be exercised with respect to a fiscal  
25 year until—

1           (A) the Secretary of State contributes to  
2           the fund not less than one-third of the total  
3           amount contributed to the fund for the fiscal  
4           year; and

5           (B) the Secretary of Defense contributes to  
6           the fund not more than two-thirds of the total  
7           amount contributed to the fund for the fiscal  
8           year.

9           (4) RULE OF CONSTRUCTION.—The ratios of  
10          contributions described in paragraph (3) shall be de-  
11          termined at the beginning of a fiscal year and may  
12          not be determined on a project-by-project basis.

13          (b) ELIGIBLE FOREIGN COUNTRIES.—A foreign  
14          country described in this subsection is a country that is  
15          designated by the Secretary of State, with the concurrence  
16          of the Secretary of Defense, and is eligible to receive as-  
17          sistance under one or more of the provisions of law de-  
18          scribed in subsection (d).

19          (c) PURPOSE OF PROGRAM.—The program author-  
20          ized under subsection (a) may provide assistance to en-  
21          hance the capabilities of military forces, and other security  
22          forces that conduct border and maritime security, and  
23          counterterrorism operations, as well as the government  
24          agencies responsible for such forces, in order to strengthen

1 a foreign country's national and regional security interests  
2 consistent with United States foreign policy interests.

3 (d) PROVISIONS OF LAW DESCRIBED.—The provi-  
4 sions of law described in this subsection are the following:

5 (1) Section 1206 of the National Defense Au-  
6 thorization Act for Fiscal Year 2006 (Public Law  
7 109–163; 119 Stat. 3456; relating to program to  
8 build the capacity of foreign military forces).

9 (2) Section 1033 of the National Defense Au-  
10 thorization Act for Fiscal Year 1998 (Public Law  
11 105–85; 111 Stat. 1881; relating to authority to  
12 provide additional support for counter-drug activities  
13 of other countries).

14 (3) Amounts authorized to be appropriated by  
15 section 301 for operation and maintenance, Defense-  
16 wide activities, and available for the Defense Secu-  
17 rity Cooperation Agency for the Warsaw Initiative  
18 Funds (WIF) for the participation of the North At-  
19 lantic Treaty Organization (NATO) members in the  
20 exercises and programs of the Partnership for Peace  
21 program of the North Atlantic Treaty Organization.

22 (4) Section 23 of the Arms Export Control Act  
23 (22 U.S.C. 2763; relating to foreign military financ-  
24 ing program).

1           (5) Section 481 of the Foreign Assistance Act  
2 of 1961 (22 U.S.C. 2291; relating to international  
3 narcotics control and law enforcement).

4           (6) Chapter 5 of part II of the Foreign Assist-  
5 ance Act of 1961 (22 U.S.C. 2347 et seq.; relating  
6 to international military education and training pro-  
7 gram).

8           (7) Chapter 8 of part II of the Foreign Assist-  
9 ance Act of 1961 (22 U.S.C. 2349aa et seq.; relating  
10 to antiterrorism assistance).

11 (e) FORMULATION AND EXECUTION OF PROGRAM.—

12           (1) IN GENERAL.—The program authorized  
13 under subsection (a)—

14                   (A) shall be jointly formulated by the Sec-  
15 retary of State and the Secretary of Defense;  
16 and

17                   (B) shall, prior to its implementation, be  
18 approved by the Secretary of State, with the  
19 concurrence of the Secretary of Defense.

20           (2) REQUIRED ELEMENTS.—The program au-  
21 thorized under subsection (a) shall include elements  
22 that promote—

23                   (A) observance of and respect for human  
24 rights and fundamental freedoms; and

1 (B) respect for legitimate civilian author-  
2 ity.

3 (f) RELATED AUTHORITIES.—

4 (1) IN GENERAL.—The program authorized  
5 under subsection (a) shall be—

6 (A) jointly financed by the Secretary of  
7 State and the Secretary of Defense through  
8 amounts contributed to the fund under sub-  
9 section (a)(2) from one or more provisions of  
10 law described in subsection (d) under which the  
11 foreign country is eligible to receive assistance;  
12 and

13 (B) carried out under the authorities of  
14 such provisions of law and the authorities of  
15 this section.

16 (2) ADMINISTRATIVE AUTHORITIES.—Funds  
17 made available under a program authorized under  
18 subsection (a) shall be subject to the same adminis-  
19 trative authorities as apply to funds made available  
20 to carry out the Foreign Assistance Act of 1961 (22  
21 U.S.C. 2151 et seq.).

22 (3) LIMITATION ON ELIGIBLE COUNTRIES.—  
23 The program authorized under subsection (a) may  
24 not include the provision of assistance to—

1 (A) any foreign country that is otherwise  
2 prohibited from receiving such assistance under  
3 any other provision of law; or

4 (B) Iraq, Afghanistan, or Pakistan.

5 (g) CONGRESSIONAL NOTIFICATION.—

6 (1) IN GENERAL.—Not less than 15 days before  
7 implementing an activity under the program author-  
8 ized under subsection (a), the Secretary of State,  
9 with the concurrence of the Secretary of Defense,  
10 shall submit to the congressional committees speci-  
11 fied in paragraph (2) a notification of—

12 (A) the name of the country with respect  
13 to which the activity will be implemented; and

14 (B) the budget, implementation timeline  
15 with milestones, and completion date for the ac-  
16 tivity.

17 (2) SPECIFIED CONGRESSIONAL COMMIT-  
18 TEES.—The congressional committees specified in  
19 this paragraph are—

20 (A) the Committee on Armed Services, the  
21 Committee on Foreign Relations, and the Com-  
22 mittee on Appropriations of the Senate; and

23 (B) the Committee on Armed Services, the  
24 Committee on Foreign Affairs, and the Com-

1           committee on Appropriations of the House of Rep-  
2           resentatives.

3           (h) **RULE OF CONSTRUCTION.**—Nothing in this sec-  
4           tion shall be construed to constitute an authorization or  
5           extension of any of the provisions of law described in sub-  
6           section (d).

7           (i) **TERMINATION OF PROGRAM.**—The authority to  
8           carry out the program authorized under subsection (a) ter-  
9           minates at the close of September 30, 2015. An activity  
10          under the program directed before that date may be com-  
11          pleted after that date, but only using funds made available  
12          for fiscal years 2012 through 2015.

13       **SEC. 925. INTERNATIONAL MILITARY EDUCATION AND**  
14                               **TRAINING.**

15          (a) **LIMITATIONS.**—

16               (1) **CHAD.**—The President may not use funds  
17               made available to carry out chapter 5 of part II of  
18               the Foreign Assistance Act of 1961 (22 U.S.C. 2347  
19               et seq.) for fiscal year 2012 for assistance to Chad  
20               until the President certifies to the appropriate con-  
21               gressional committees that the Government of Chad  
22               has taken credible and verifiable steps to implement  
23               a plan of action to end the recruitment and use of  
24               child soldiers, including the demobilization of child  
25               soldiers.

1           (2) EQUATORIAL GUINEA AND SOMALIA.—The  
2           President may not use funds made available to carry  
3           out chapter 5 of part II of the Foreign Assistance  
4           Act of 1961 (22 U.S.C. 2347 et seq.) for fiscal year  
5           2012 for assistance to Equatorial Guinea or Soma-  
6           lia.

7           (3) TRAINING.—The President may use funds  
8           made available to carry out chapter 5 of part II of  
9           the Foreign Assistance Act of 1961 (22 U.S.C. 2347  
10          et seq.) for fiscal year 2012 for assistance to Angola,  
11          Cameroon, the Central African Republic, Chad, Cote  
12          d’Ivoire, Guinea, or Zimbabwe only for training re-  
13          lated to international peacekeeping operations or ex-  
14          panded international military education and train-  
15          ing.

16          (4) NOTIFICATION.—

17                 (A) IN GENERAL.—The President shall no-  
18                 tify the appropriate congressional committees at  
19                 least 15 days in advance of making funds de-  
20                 scribed in subparagraph (B) available for as-  
21                 sistance to Angola, Bangladesh, Cameroon, the  
22                 Central African Republic, Chad, Cote d’Ivoire,  
23                 Democratic Republic of the Congo, Ethiopia,  
24                 Guatemala, Guinea, Haiti, Kenya, Libya,  
25                 Nepal, Nigeria, or Sri Lanka. A notification



1 under this subparagraph shall include a detailed  
2 description of activities that are proposed to be  
3 carried out using such assistance.

4 (B) FUNDS DESCRIBED.—Funds referred  
5 to in subparagraph (A) are funds made avail-  
6 able to carry out chapter 5 of part II of the  
7 Foreign Assistance Act of 1961 (22 U.S.C.  
8 2347 et seq.) for fiscal year 2012.

9 (5) ENTERTAINMENT ALLOWANCES.—The  
10 President may use not more than \$55,000 of funds  
11 made available to carry out chapter 5 of part II of  
12 the Foreign Assistance Act of 1961 (22 U.S.C. 2347  
13 et seq.) for fiscal year 2012 for entertainment allow-  
14 ances.

15 (b) REPORTING REQUIREMENT.—Not later than  
16 April 1, 2012, and each fiscal quarter thereafter for the  
17 following two years, the President shall submit to the ap-  
18 propriate congressional committees a report on the use of  
19 funds made available to carry out chapter 5 of part II  
20 of the Foreign Assistance Act of 1961 (22 U.S.C. 2347  
21 et seq.), including a description of the obligation and ex-  
22 penditure of such funds, and the specific countries in re-  
23 ceipt of, and the use or purpose of the assistance provided  
24 by, such funds.

1           **PART III—ARMS EXPORT CONTROL ACT**  
2           **AMENDMENTS AND RELATED PROVISIONS**  
3   **SEC. 931. INCREASED FLEXIBILITY FOR USE OF DEFENSE**  
4           **TRADE CONTROL REGISTRATION FEES.**

5           (a) IN GENERAL.—Section 45 of the State Depart-  
6   ment Basic Authorities Act of 1956 (22 U.S.C. 2717) is  
7   amended—

8           (1) in the first sentence—

9           (A) by striking “For” and inserting “(a)  
10   IN GENERAL.—For”; and

11           (B) by striking “Office” and inserting “Di-  
12   rectorate”; and

13           (2) by amending the second sentence to read as  
14   follows:

15           “(b) AVAILABILITY OF FEES.—Fees credited to the  
16   account referred to in subsection (a) shall be available only  
17   for payment of expenses incurred for—

18           “(1) management;

19           “(2) licensing;

20           “(3) compliance;

21           “(4) policy activities; and

22           “(5) public outreach.”.

23           (b) CONFORMING AMENDMENT.—Section  
24   38(b)(3)(A) of the Arms Export Control Act (22 U.S.C.  
25   2778(b)(3)(A)) is amended to read as follows:

1           “(3)(A) For each fiscal year, 100 percent of  
2 registration fees collected pursuant to paragraph (1)  
3 shall be credited to a Department of State account,  
4 to be available without fiscal year limitation. Fees  
5 credited to that account shall be available only for  
6 the payment of expenses incurred for—

7           “(i) management;

8           “(ii) licensing;

9           “(iii) compliance;

10          “(iv) policy activities; and

11          “(v) public outreach.”.

12 **SEC. 932. INCREASE IN CONGRESSIONAL NOTIFICATION**  
13 **THRESHOLDS.**

14 (a) FOREIGN MILITARY SALES.—

15 (1) IN GENERAL.—Section 36(b) of the Arms  
16 Export Control Act (22 U.S.C. 2776(b)) is amend-  
17 ed—

18 (A) in paragraph (1)—

19 (i) by striking “\$50,000,000” and in-  
20 serting “\$100,000,000”;

21 (ii) by striking “\$200,000,000” and  
22 inserting “\$300,000,000”; and

23 (iii) by striking “\$14,000,000” and  
24 inserting “\$25,000,000”;

1 (B) by redesignating paragraphs (2)  
2 through (6) as paragraphs (3) through (7), re-  
3 spectively; and

4 (C) by striking “The letter of offer shall  
5 not be issued” and all that follows through “en-  
6 acts a joint resolution” and inserting the fol-  
7 lowing:

8 “(2) The letter of offer shall not be issued—

9 “(A) with respect to a proposed sale of any  
10 defense articles or defense services under this  
11 Act for \$200,000,000 or more, any design and  
12 construction services for \$300,000,000 or more,  
13 or any major defense equipment for  
14 \$75,000,000 or more, to the North Atlantic  
15 Treaty Organization (NATO), any member  
16 country of NATO, Japan, Australia, the Repub-  
17 lic of Korea, Israel, or New Zealand, if Con-  
18 gress, within 15 calendar days after receiving  
19 such certification, or

20 “(B) with respect to a proposed sale of any  
21 defense articles or services under this Act for  
22 \$100,000,000 or more, any design and con-  
23 struction services for \$200,000,000 or more, or  
24 any major defense equipment for \$50,000,000  
25 or more, to any other country or organization,

1           if Congress, within 30 calendar days after re-  
2           ceiving such certification,  
3           enacts a joint resolution”.

4           (2) TECHNICAL AND CONFORMING AMEND-  
5           MENTS.—Section 36 of the Arms Export Control  
6           Act (22 U.S.C. 2776) is amended—

7                   (A) in subsection (b)—

8                           (i) in paragraph (6)(C) (as redesignig-  
9                           nated), by striking “Subject to paragraph  
10                           (6), if” and inserting “If”; and

11                           (ii) by striking paragraph (7) (as re-  
12                           designated); and

13                   (B) in subsection (c)(4), by striking “sub-  
14                   section (b)(5)” each place it appears and insert-  
15                   ing “subsection (b)(6)”.

16           (b) COMMERCIAL SALES.—Section 36(c) of the Arms  
17           Export Control Act (22 U.S.C. 2776(c)) is amended—

18                   (1) in paragraph (1)—

19                           (A) by striking “Subject to paragraph (5),  
20                           in” and inserting “In”;

21                           (B) by striking “\$14,000,000” and insert-  
22                           ing “\$25,000,000”; and

23                           (C) by striking “\$50,000,000” and insert-  
24                           ing “\$100,000,000”;

25                   (2) in paragraph (2)—

1 (A) in subparagraph (A)—

2 (i) by inserting after “for an export”  
3 the following: “of any major defense equip-  
4 ment sold under a contract in the amount  
5 of \$75,000,000 or more or of defense arti-  
6 cles or defense services sold under a con-  
7 tract in the amount of \$200,000,000 or  
8 more, (or, in the case of a defense article  
9 that is a firearm controlled under category  
10 I of the United States Munitions List,  
11 \$1,000,000 or more)”; and

12 (ii) by striking “Organization,” and  
13 inserting “Organization (NATO),” and by  
14 further striking “that Organization” and  
15 inserting “NATO”; and

16 (B) in subparagraph (C), by inserting after  
17 “license” the following: “for an export of any  
18 major defense equipment sold under a contract  
19 in the amount of \$50,000,000 or more or of de-  
20 fense articles or defense services sold under a  
21 contract in the amount of \$100,000,000 or  
22 more, (or, in the case of a defense article that  
23 is a firearm controlled under category I of the  
24 United States Munitions List, \$1,000,000 or  
25 more)”; and

1           (3) by striking paragraph (5); and  
2           (4) by redesignating paragraph (6) as para-  
3           graph (5).

4 **SEC. 933. RETURN OF DEFENSE ARTICLES.**

5           Section 21(m)(1)(B) of the Arms Export Control Act  
6 (22 U.S.C. 2761(m)(1)(B)) is amended by adding at the  
7 end before the semicolon the following: “, unless the Sec-  
8 retary of State has provided prior approval of such re-  
9 transfer”.

10 **SEC. 934. ANNUAL ESTIMATE AND JUSTIFICATION FOR**  
11 **SALES PROGRAM.**

12           Section 25(a)(3) of the Arms Export Control Act (22  
13 U.S.C. 2765(a)(3)) is amended by striking by adding at  
14 the end before the semicolon the following: “, as well as  
15 any plan for regional security cooperation developed in  
16 consultation with Embassy Country Teams and the De-  
17 partment of State”.

18 **SEC. 935. UPDATING AND CONFORMING PENALTIES FOR**  
19 **VIOLATIONS OF SECTIONS 38 AND 39 OF THE**  
20 **ARMS EXPORT CONTROL ACT.**

21           (a) IN GENERAL.—Section 38(c) of the Arms Export  
22 Control Act (22 U.S.C. 2778(c)) is amended to read as  
23 follows:

24           “(c) VIOLATIONS OF THIS SECTION AND SECTION  
25 39.—

1           “(1) UNLAWFUL ACTS.—It shall be unlawful  
2           for any person to violate, attempt to violate, conspire  
3           to violate, or cause a violation of any provision of  
4           this section or section 39, or any rule or regulation  
5           issued under either section, or a treaty referred to  
6           in subsection (j)(1)(c)(i), including any rule or regu-  
7           lation issued to implement or enforce a treaty re-  
8           ferred to in subsection (j)(1)(c)(i) or an imple-  
9           menting arrangement pursuant to such a treaty, or  
10          who, in a registration or license application or re-  
11          quired report, makes any untrue statement of a ma-  
12          terial fact or omits to state a material fact required  
13          to be stated therein or necessary to make the state-  
14          ments therein not misleading.

15           “(2) CRIMINAL PENALTIES.—A person who  
16          willfully commits an unlawful act described in para-  
17          graph (1) shall upon conviction—

18                   “(A) be fined for each violation in an  
19                   amount not to exceed \$1,000,000, or

20                   “(B) in the case of a natural person, im-  
21                   prisoned for not more than 20 years or both.”.

22          (b) MECHANISMS TO IDENTIFY VIOLATORS.—Sec-  
23          tion 38(g) of the Arms Export Control Act (22 U.S.C.  
24          2778(g)) is amended—

25                   (1) in paragraph (1)—



1 (A) in subparagraph (A)—

2 (i) in the matter preceding clause (i),  
3 by inserting “or otherwise charged” after  
4 “indictment”;

5 (ii) in clause (xi), by striking “or” at  
6 the end; and

7 (iii) by adding at the end the fol-  
8 lowing:

9 “(xiii) section 542 of title 18, United  
10 States Code, relating to entry of goods by  
11 means of false statements;

12 “(xiv) section 554 of title 18, United  
13 States Code, relating to smuggling goods  
14 from the United States;

15 “(xv) section 1831 of title 18, United  
16 States Code, relating to economic espio-  
17 nage;

18 “(xvi) section 545 of title 18, United  
19 States Code, relating to smuggling goods  
20 into the United States;

21 “(xvii) section 78dd3 of title 15,  
22 United States Code, relating to prohibited  
23 foreign trade practices by persons other  
24 than issuers or domestic concerns;



1 sion, regardless of whether such persons maintain  
2 such nationality or the nationality of another coun-  
3 try not covered by this section” after “with respect  
4 to a country.”; and

5 (2) by adding at the end the following: “For  
6 purposes of this subsection, the term ‘national’  
7 means an individual who acquired citizenship by  
8 birth from a country that is subject to section 126.1  
9 of title 22, Code of Federal Regulations (or any suc-  
10 cessor regulations).”.

11 **SEC. 937. EXEMPTION FOR TRANSACTIONS WITH COUN-**  
12 **TRIES SUPPORTING ACTS OF INTER-**  
13 **NATIONAL TERRORISM.**

14 Section 40(h) of the Arms Export Control Act (22  
15 U.S.C. 2780(h)) is amended—

16 (1) in the heading—

17 (A) by striking “EXEMPTION” and insert-  
18 ing “EXEMPTIONS”; and

19 (B) by adding “AND CERTAIN FEDERAL  
20 LAW ENFORCEMENT ACTIVITIES” after “RE-  
21 PORTING REQUIREMENTS”; and

22 (2) by adding at the end before the period the  
23 following: “or with respect to Federal law enforce-  
24 ment activities undertaken to further the investiga-  
25 tion of violations of this Act”.

1 **SEC. 938. REPORT ON FOREIGN MILITARY FINANCING PRO-**  
2 **GRAM.**

3 Section 23 of the Arms Export Control Act (22  
4 U.S.C. 2763) is amended by adding at the end the fol-  
5 lowing:

6 “(i) REPORT.—

7 “(1) IN GENERAL.—The President shall trans-  
8 mit to the appropriate congressional committees as  
9 part of the supporting materials of the annual con-  
10 gressional budget justification a report on the imple-  
11 mentation of this section for the prior fiscal year.

12 “(2) MATTERS TO BE INCLUDED.—The report  
13 required under paragraph (1) shall include a de-  
14 scription of the following:

15 “(A) The extent to which the use of the  
16 authority of this section is based on a well-for-  
17 mulated and realistic assessments of the capa-  
18 bility requirements of foreign countries and  
19 international organizations.

20 “(B) The extent to which the provision of  
21 grants under the authority of this section are  
22 consistent with United States conventional arms  
23 transfer policy.

24 “(C) The extent to which the Department  
25 of State has developed and implemented specific  
26 plans to monitor and evaluate outcomes under

1 the authority of this section, including at least  
2 one country or international organization as-  
3 sessment each fiscal year.

4 “(3) APPROPRIATE CONGRESSIONAL COMMIT-  
5 TEES.—In this subsection, the term ‘appropriate  
6 congressional committees’ means—

7 “(A) the Committee on Appropriations and  
8 the Committee on Foreign Affairs of the House  
9 of Representatives; and

10 “(B) the Committee on Appropriations and  
11 the Committee on Foreign Relations of the Sen-  
12 ate.”.

13 **SEC. 939. CONGRESSIONAL NOTIFICATION OF REGULA-**  
14 **TIONS AND AMENDMENTS TO REGULATIONS**  
15 **UNDER SECTION 38 OF THE ARMS EXPORT**  
16 **CONTROL ACT.**

17 (a) IN GENERAL.—Section 38 of the Arms Export  
18 Control Act (22 U.S.C. 2778) is amended by adding at  
19 the end the following:

20 “(k) CONGRESSIONAL NOTIFICATION.—The Presi-  
21 dent shall submit to the Committee on Foreign Affairs of  
22 the House of Representatives and the Committee on For-  
23 eign Relations of the Senate a copy of regulations or  
24 amendments to regulations issued to carry out this section  
25 at least 30 days before publication of the regulations or

1 amendments in the Federal Register unless, after con-  
2 sulting with such Committees, the President determines  
3 that there is an emergency that requires a shorter period  
4 of time.”.

5 (b) EFFECTIVE DATE.—The amendment made by  
6 subsection (a) takes effect on the date of the enactment  
7 of this Act and applies with respect the issuance of regula-  
8 tions or amendments to regulations made on or after the  
9 date of the enactment of this Act.

## 10 **Subtitle B—Security Assistance** 11 **and Related Matters**

### 12 **PART I—ISRAEL**

#### 13 **SEC. 941. REPORT ON UNITED STATES COMMITMENTS TO** 14 **THE SECURITY OF ISRAEL.**

15 (a) INITIAL REPORT.—Not later than 30 days after  
16 the date of enactment of this Act, the President shall  
17 transmit to the appropriate congressional committees a re-  
18 port that contains—

19 (1) a complete, unedited, and unredacted copy  
20 of each assurance made by United States Govern-  
21 ment officials to officials of the Government of Israel  
22 regarding Israel’s security and maintenance of  
23 Israel’s qualitative military edge provided in con-  
24 junction with exports under the Arms Export Con-  
25 trol Act (22 U.S.C. 2751 et seq.) for the period be-

1       ginning on January 1, 1975, and ending on the date  
2       of the enactment of this Act; and

3               (2) an analysis of the extent to which, and by  
4       what means, each assurance has been and is con-  
5       tinuing to be fulfilled.

6       (b) SUBSEQUENT REPORTS.—

7               (1) NEW ASSURANCES AND REVISIONS.—The  
8       President shall transmit to the appropriate congres-  
9       sional committees a report that contains the infor-  
10      mation required under subsection (a) with respect  
11      to—

12               (A) each assurance described in subsection  
13      (a) made on or after the date of enactment of  
14      this Act; or

15               (B) revisions to any assurance described in  
16      subsection (a) or subparagraph (A) of this  
17      paragraph, within 15 days of the new assurance  
18      or revision being conveyed.

19               (2) FIVE-YEAR REPORTS.—Not later than 5  
20      years after the date of the enactment of this Act,  
21      and every 5 years thereafter, the President shall  
22      transmit to the appropriate congressional commit-  
23      tees a report that contains the information required  
24      under subsection (a) with respect to each assurance  
25      described in subsection (a) or paragraph (1)(A) of

1 this subsection and revisions to any assurance de-  
2 scribed in subsection (a) or paragraph (1)(A) of this  
3 subsection during the preceding 5-year period.

4 (c) FORM.—Each report required by this section shall  
5 be transmitted in unclassified form, but may contain a  
6 classified annex, if necessary.

7 **SEC. 942. CLARIFICATION OF CERTIFICATION REQUIRE-**  
8 **MENTS RELATING TO ISRAEL'S QUALITATIVE**  
9 **MILITARY EDGE.**

10 Section 36(h)(1) of the Arms Export Control Act (22  
11 U.S.C. 2776(h)(1)) is amended by striking “a determina-  
12 tion” and inserting “an unclassified determination”.

13 **SEC. 943. SUPPORT TO ISRAEL FOR MISSILE DEFENSE.**

14 (a) STATEMENT OF POLICY.—It shall be the policy  
15 of the United States to—

16 (1) promote deployment as soon as is possible  
17 of effective missile defense systems capable of de-  
18 fending against ballistic missile attack from Iran,  
19 Syria, and other potential missile threats to Israel;

20 (2) fully utilize, so far as possible, the missile  
21 defense capabilities and resources of the United  
22 States to fully assist, support, and improve the de-  
23 fenses of Israel to provide robust, layered protection  
24 against ballistic missile, and medium and short  
25 range projectile attack;



1           (3) provide assistance to complete accelerated  
2 co-production of Arrow missiles and continued inte-  
3 gration with the appropriate ballistic missile defense  
4 systems of the United States;

5           (4) provide assistance to aid the system devel-  
6 opment of the Missile Defense Agency and Israel  
7 Missile Defense Organization joint program to de-  
8 velop a short-range ballistic missile defense capa-  
9 bility, David's Sling weapon system, and integrate  
10 the weapon system with the ballistic missile defense  
11 system and force protection efforts of the United  
12 States; and

13           (5) provide assistance for research, develop-  
14 ment, and test and evaluation, and fielding of the  
15 Iron Dome Air Defense Missile System.

16       (b) AUTHORIZATION OF ASSISTANCE.—Of the  
17 amounts authorized to be appropriated under section  
18 513(e) of the Security Assistance Act of 2000 (Public Law  
19 106–280; 114 Stat. 856), as amended by section 1221(a)  
20 of the Security Assistance Act of 2002 (division B of Pub-  
21 lic Law 107–228; 116 Stat. 1430) and further amended  
22 by section 101(b)(2) of this Act, the Secretary of State,  
23 in coordination with the Secretary of Defense, is author-  
24 ized to provide assistance to the Government of Israel for  
25 the procurement, maintenance, and sustainment of the

1 Iron Dome Air Defense Missile System for purposes of  
2 intercepting short-range rockets, missiles, and mortars  
3 launched against Israel, and other activities.

4 (c) REPORT.—

5 (1) IN GENERAL.—Not later than 180 days  
6 after the date of the enactment of this Act, and an-  
7 nually thereafter in connection with the submission  
8 of congressional presentation materials for the for-  
9 eign operations appropriations and defense appro-  
10 priations budget request, the Secretary of State, in  
11 consultation with the Secretary of Defense, shall  
12 submit to the appropriate congressional committees  
13 a report regarding the activities authorized under  
14 subsection (b).

15 (2) FORM.—The report required under para-  
16 graph (1) shall be submitted in unclassified form to  
17 the maximum extent practicable, but may include a  
18 classified annex, if necessary.

19 (3) APPROPRIATE CONGRESSIONAL COMMIT-  
20 TEES DEFINED.—In this subsection, the term “ap-  
21 propriate congressional committees” means—

22 (A) the Committee on Foreign Affairs and  
23 the Committee on Armed Services of the House  
24 of Representatives; and

1 (B) the Committee on Foreign Relations  
2 and the Committee on Armed Services in the  
3 Senate.

4 **PART II—EGYPT**

5 **SEC. 951. LIMITATION ON SECURITY ASSISTANCE TO THE**  
6 **GOVERNMENT OF EGYPT.**

7 (a) LIMITATION.—None of the funds made available  
8 to carry out this title may be used to provide United  
9 States security assistance to the Government of Egypt un-  
10 less a certification described in subsection (b) is in effect.

11 (b) CERTIFICATION.—A certification described in this  
12 subsection is a certification transmitted by the President  
13 to the appropriate congressional committees that contains  
14 a determination of the President that—

15 (1) the Government of Egypt is not directly or  
16 indirectly controlled by a foreign terrorist organiza-  
17 tion, its affiliates or supporters;

18 (2) the Government of Egypt is fully imple-  
19 menting the Israel-Egypt Peace Treaty; and

20 (3) the Government of Egypt is detecting and  
21 destroying the smuggling network and tunnels be-  
22 tween Egypt and the Gaza strip.

23 (c) RECERTIFICATIONS.—Not later than 90 days  
24 after the date on which the President transmits to the ap-

1 appropriate congressional committees an initial certification  
2 under subsection (b), and every six months thereafter—

3           (1) the President shall transmit to the appro-  
4           appropriate congressional committees a recertification that  
5           the requirements contained in subsection (b) are  
6           continuing to be met; or

7           (2) if the President is unable to make such a  
8           recertification, the President shall transmit to the  
9           appropriate congressional committees a report that  
10          contains the reasons therefor.

11          (d) WAIVER.—The President may waive the limita-  
12          tion in subsection (a) if the President determines and cer-  
13          tifies to the appropriate congressional committees 15 days  
14          prior to the exercise of waiver authority that—

15               (1) it is in the vital national security interests  
16               of the United States to do so;

17               (2) the United States is fully implementing and  
18               enforcing existing end-use monitoring mechanisms;  
19               and

20               (3) the United States has established and im-  
21               plemented comprehensive procedures to vet all re-  
22               cipients of United States security assistance to en-  
23               sure that no recipients are members of, or affiliated  
24               with, a foreign terrorist organization or any affili-  
25               ates or supporters thereof.

1 **SEC. 952. REPORT ON SECURITY ASSISTANCE TO THE GOV-**  
2 **ERNMENT OF EGYPT.**

3 (a) IN GENERAL.—Not later than 180 days after the  
4 date of the enactment of this Act, the Secretary of State,  
5 in coordination with the Secretary of Defense, shall submit  
6 to the appropriate congressional committees a report that  
7 includes the following:

8 (1) A description of the strategic objectives of  
9 the United States regarding the provision of United  
10 States security assistance to the Government of  
11 Egypt.

12 (2) A description of biennial outlays of United  
13 States security assistance to the Government of  
14 Egypt for the purposes of strategic planning, train-  
15 ing, provision of equipment, and construction of fa-  
16 cilities, including funding streams.

17 (3) A description of vetting and end-user moni-  
18 toring systems in place by both Egypt and the  
19 United States for defense articles and training pro-  
20 vided by the United States, to include human rights  
21 vetting.

22 (4) A description of actions that the Govern-  
23 ment of Egypt is taking to—

24 (A) fully implement the Egypt-Israel peace  
25 treaty;

1 (B) detect and destroy the smuggling net-  
2 work and tunnels between Egypt and the Gaza  
3 strip;

4 (C) repudiate, combat, and stop incitement  
5 to violence against the United States and  
6 United States citizens and prohibit the trans-  
7 mission within its domains of satellite television  
8 or radio channels that broadcast such incite-  
9 ment; and

10 (D) adopt and implement legal reforms  
11 that protect the religious and democratic free-  
12 doms of all citizens and residents of Egypt.

13 (5) Recommendations, including with respect to  
14 required resources and actions, to maximize the ef-  
15 fectiveness of United States security assistance pro-  
16 vided to Egypt.

17 (b) GAO REPORT.—Not later than 120 days after  
18 the date of the submission of the report required under  
19 subsection (a), the Comptroller General of the United  
20 States shall submit to the appropriate congressional com-  
21 mittees a report that—

22 (1) reviews and comments on the report re-  
23 quired under subsection (a); and

1           (2) provides recommendations regarding addi-  
2           tional actions with respect to the provision of United  
3           States security assistance to Egypt, if necessary.

4           (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-  
5           FINED.—In this section, the term “appropriate congres-  
6           sional committees” means—

7           (1) the Committee on Foreign Affairs and the  
8           Committee on Armed Services of the House of Rep-  
9           resentatives; and

10          (2) the Committee on Foreign Relations and  
11          the Committee on Armed Services in the Senate.

12       **SEC. 953. GOVERNMENT OF EGYPT DEFINED.**

13          In this part, the term “Government of Egypt” means  
14          any person, agent, instrumentality, or official of, is affili-  
15          ated with, or is serving as a representative of the Govern-  
16          ment of Egypt.

17                               **PART III—LEBANON**

18       **SEC. 961. STATEMENT OF POLICY.**

19          It shall be the policy of the United States—

20          (1) to declare the association of political parties  
21          with terrorist organizations, militias, and other ele-  
22          ments retaining armed operational capabilities out-  
23          side of the official military and security institutions  
24          of the Government of Lebanon hinders the emer-  
25          gence of a fully-democratic Lebanon;

1           (2) to support the Government of Lebanon in  
2           asserting its sovereignty by extending its authority  
3           throughout its territory, particularly in the southern  
4           regions;

5           (3) to support the emergence of a democratic  
6           Lebanon, with both domestic and foreign terrorist  
7           organizations and militias permanently disarmed;  
8           and

9           (4) to continue to provide financial and mate-  
10          rial assistance to support the sovereignty, territorial  
11          integrity, unity, and political independence of Leb-  
12          anon under the sole and exclusive authority of the  
13          Government of Lebanon.

14 **SEC. 962. LIMITATION ON SECURITY ASSISTANCE TO THE**  
15 **GOVERNMENT OF LEBANON.**

16          (a) **LIMITATION.**—None of the funds made available  
17          to carry out this title may be used to provide security as-  
18          sistance to the Government of Lebanon unless a certifi-  
19          cation described in subsection (b) is in effect.

20          (b) **CERTIFICATION.**—A certification described in this  
21          subsection is a certification transmitted by the President  
22          to the appropriate congressional committees that contains  
23          a determination of the President that—

24                  (1) no member of Hezbollah or any other a for-  
25                  eign terrorist organization serves in any policy posi-



1 tion in a ministry, agency, or instrumentality of the  
2 Government of Lebanon;

3 (2) there exists within the Government of Leb-  
4 anon comprehensive anti-terrorism vetting and  
5 tracking procedures for all Lebanese security forces  
6 personnel benefitting from United States security as-  
7 sistance programs;

8 (3) all ministries of the Government of Lebanon  
9 and operations that directly or indirectly benefit  
10 from United States security assistance programs are  
11 financially transparent and accountable;

12 (4) the Government of Lebanon—

13 (A) is dismantling the infrastructure of all  
14 foreign terrorist organizations and related mili-  
15 tias and is confiscating unauthorized weapons;

16 (B) has taken other actions in full compli-  
17 ance with United Nations Security Council Res-  
18 olutions 1559, 1585, 1701, 1757, and other  
19 international obligations; and

20 (C) is fully cooperating with the Special  
21 Tribunal for Lebanon;

22 (5) United States security assistance and secu-  
23 rity cooperation programs for Lebanon are not uti-  
24 lized against the State of Israel and will not ad-  
25 versely impact Israel's qualitative military edge; and

1           (6) the Government of Lebanon has taken ef-  
2           fective steps and made demonstrable progress to-  
3           ward assuming full control of its territory.

4           (c) RECERTIFICATIONS.—Not later than 90 days  
5           after the date on which the President transmits to the ap-  
6           propriate congressional committees an initial certification  
7           under subsection (b), and every six months thereafter—

8                 (1) the President shall transmit to the appro-  
9                 priate congressional committees a recertification that  
10                the requirements contained in subsection (b) are  
11                continuing to be met; or

12               (2) if the President is unable to make such a  
13                recertification, the President shall transmit to the  
14                appropriate congressional committees a report that  
15                contains the reasons therefor.

16           (d) WAIVER.—The President may waive the limita-  
17           tion in subsection (a) if the President determines and cer-  
18           tifies to the appropriate congressional committees 15 days  
19           prior to the exercise of waiver authority that—

20                (1) it is in the vital national security interests  
21                of the United States to do so;

22                (2) the United States is fully implementing and  
23                enforcing existing end-use monitoring mechanisms;  
24                and

1           (3) the United States has established and im-  
2           plemented comprehensive procedures to vet all re-  
3           cipients of United States security assistance to en-  
4           sure that no recipients are members of, or affiliated  
5           with, a foreign terrorist organization.

6 **SEC. 963. REPORT ON SECURITY ASSISTANCE TO THE GOV-**  
7                                   **ERNMENT OF LEBANON.**

8           (a) IN GENERAL.—Not later than 180 days after the  
9           date of the enactment of this Act, the Secretary of State,  
10          in coordination with the Secretary of Defense, shall submit  
11          to the appropriate committees of Congress a report that  
12          includes the following:

13                 (1) A description of the strategic objectives of  
14                 the United States regarding the provision of United  
15                 States security assistance to the Government of Leb-  
16                 anon, including arms sales to the Government of  
17                 Lebanon, and a strategy for achieving those objec-  
18                 tives.

19                 (2) A description of biennial outlays for United  
20                 States security assistance, including arms sales, to  
21                 the Government of Lebanon for the purposes of stra-  
22                 tegic planning, training, provision of equipment, and  
23                 construction of facilities, including funding streams.

24                 (3) A breakdown of contributions and assist-  
25                 ance provided by the United States, international or-

1 organizations, and other nations and entities to the  
2 Government of Lebanon, including the Ministry of  
3 Defense, the Ministry of Interior, the armed forces  
4 of Lebanon, the Internal Security Forces, the Gen-  
5 eral Security Directorate, the General Directorate of  
6 State Security, Lebanese Military Intelligence, and  
7 other organizations or agencies.

8 (4) A description of vetting and end-user moni-  
9 toring systems in place by the Government of Leb-  
10 anon, the United States, international organizations,  
11 and other nations and entities providing security as-  
12 sistance to the Government of Lebanon.

13 (5) A description of metrics utilized by the  
14 United States Government for measuring whether  
15 United States security assistance has improved the  
16 capacity of the Government of Lebanon security  
17 forces to operate.

18 (b) FORM.—The report required under subsection (a)  
19 shall be submitted in unclassified form to the greatest ex-  
20 tent possible, but may include a classified annex if nec-  
21 essary.

22 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-  
23 FINED.—In this section, the term “appropriate congres-  
24 sional committees” means—

1           (1) the Committee on Foreign Affairs and the  
2           Committee on Armed Services of the House of Rep-  
3           resentatives; and

4           (2) the Committee on Foreign Relations and  
5           the Committee on Armed Services in the Senate.

6 **SEC. 964. GOVERNMENT OF LEBANON DEFINED.**

7           In this part, the term “Government of Lebanon”  
8           means any person, agent, instrumentality, or official of,  
9           is affiliated with, or is serving as a representative of the  
10          Government of Lebanon.

11                           **PART IV—PALESTINIAN AUTHORITY**

12 **SEC. 971. LIMITATION ON SECURITY ASSISTANCE TO THE**  
13                           **PALESTINIAN AUTHORITY.**

14          (a) **LIMITATION.**—None of the funds made available  
15          to carry out this title may be used to provide United  
16          States security assistance to the Palestinian Authority un-  
17          less a certification described in subsection (b) is in effect.

18          (b) **CERTIFICATION.**—A certification described in this  
19          subsection is a certification transmitted by the President  
20          to the appropriate congressional committees that contains  
21          a determination of the President that—

22                 (1) no member of Hamas or any other foreign  
23                 terrorist organization serves in any policy position in  
24                 a ministry, agency, or instrumentality of the Pales-  
25                 tinian Authority;

1           (2) the Palestinian Authority is taking all nec-  
2           essary steps and action to implement the 2005 secu-  
3           rity reorganization program, and implement an in-  
4           clusive, standards-based approach to recruitment;

5           (3) all Palestinian Authority ministries and op-  
6           erations that directly or indirectly benefit from secu-  
7           rity assistance are financially transparent and ac-  
8           countable;

9           (4) the Palestinian Authority is dismantling all  
10          foreign terrorist organizations infrastructure, confis-  
11          cating unauthorized weapons, thwarting and pre-  
12          empting terrorist attacks, and fully cooperating with  
13          Israel's security services;

14          (5) the Palestinian Authority is fully imple-  
15          menting necessary institutional reforms within the  
16          Ministry of Interior and within the judicial sector;

17          (6) the Palestinian Authority has halted all  
18          anti-Israel incitement in Palestinian Authority-con-  
19          trolled electronic and print media and in schools,  
20          mosques, and other institutions it controls, and is  
21          replacing these materials, including textbooks, with  
22          materials that promote tolerance, peace, and coexist-  
23          ence with Israel;

24          (7) there exists within the Palestinian Authority  
25          comprehensive anti-terrorism vetting and tracking

1 procedures for all Palestinian Security Forces per-  
2 sonnel benefitting from United States security as-  
3 sistance; and

4 (8) the Palestinian Authority has and continues  
5 to publicly acknowledge Israel's right to exist as a  
6 Jewish state.

7 (c) RECERTIFICATIONS.—Not later than 90 days  
8 after the date on which the President transmits to the ap-  
9 propriate congressional committees an initial certification  
10 under subsection (b), and every six months thereafter—

11 (1) the President shall transmit to the appro-  
12 priate congressional committees a recertification that  
13 the requirements contained in subsection (b) are  
14 continuing to be met; or

15 (2) if the President is unable to make such a  
16 recertification, the President shall transmit to the  
17 appropriate congressional committees a report that  
18 contains the reasons therefor.

19 (d) WAIVER.—The President may waive the limita-  
20 tion in subsection (a) if the President determines and cer-  
21 tifies to the appropriate congressional committees 15 days  
22 prior to the exercise of waiver authority that—

23 (1) it is in the vital national security interests  
24 of the United States to do so;

1           (2) the United States is fully implementing and  
2           enforcing existing end-use monitoring mechanisms;  
3           and

4           (3) the United States has established and im-  
5           plemented comprehensive procedures to vet all re-  
6           cipients of United States security assistance to en-  
7           sure that no recipients are members of, or affiliated  
8           with, a foreign terrorist organization.

9   **SEC. 972. REPORT ON SECURITY ASSISTANCE TO THE PAL-**  
10                                   **ESTINIAN AUTHORITY.**

11           (a) IN GENERAL.—Not later than 180 days after the  
12           date of the enactment of this Act, the Secretary of State  
13           shall submit to the appropriate congressional committees  
14           a report that includes the following:

15           (1) A description of the strategic objectives of  
16           the United States regarding the provision of United  
17           States security assistance to the Palestinian Author-  
18           ity, and a strategy for achieving those objectives.

19           (2) A description of biennial outlays for United  
20           States security assistance to the Palestinian Security  
21           Forces for the purposes of strategic planning, train-  
22           ing, provision of equipment, and construction of fa-  
23           cilities, including funding streams.

24           (3) A breakdown of contributions and assist-  
25           ance provided by the United States, international or-



1 organizations, and other nations and entities to the  
2 Palestinian Authority Ministry of Interior, Civil Po-  
3 lice, National Security Force, the Preventative Secu-  
4 rity, the General Intelligence Service, Military Intel-  
5 ligence, the Presidential Security Service/Presi-  
6 dential Guard, and other units.

7 (4) A description of vetting and end-user moni-  
8 toring systems in place by the Palestinian Authority,  
9 the United States, international organizations, and  
10 other nations and entities providing security assist-  
11 ance to the Palestinian Authority.

12 (5) A description of contingency options for re-  
13 structuring security assistance and reconfiguring the  
14 mission of the United States Security Coordinator.

15 (6) A description of metrics utilized by the  
16 United States Government for measuring whether  
17 security assistance and security cooperation pro-  
18 grams have improved the capacity of the Palestinian  
19 Authority security forces to operate.

20 (b) FORM.—The report required under subsection (a)  
21 shall be submitted in unclassified form to the greatest ex-  
22 tent possible, but may include a classified annex if nec-  
23 essary.

1 **SEC. 973. PALESTINIAN AUTHORITY DEFINED.**

2 In this part, the term “Palestinian Authority” in-  
3 cludes any agency or instrumentality of the Palestinian  
4 Authority, including any entity that is controlled by the  
5 Palestinian Authority, or any successor Palestinian gov-  
6 erning entity, including the Palestinian Legislative Coun-  
7 cil.

8 **PART V—PAKISTAN**

9 **SEC. 981. AUTHORIZATION OF APPROPRIATIONS.**

10 (a) AUTHORIZATION OF APPROPRIATIONS.—

11 (1) IN GENERAL.—Section 102(a) of the En-  
12 hanced Partnership with Pakistan Act of 2009 (22  
13 U.S.C. 8412(a)) is amended by striking “2010” and  
14 inserting “2012”.

15 (2) AVAILABILITY OF FUNDS.—Section 102(b)  
16 of the Enhanced Partnership with Pakistan Act of  
17 2009 (22 U.S.C. 8412(b)) is amended—

18 (A) by striking “AVAILABILITY OF  
19 FUNDS” and all that follows through “Of the  
20 amounts” and inserting “AVAILABILITY OF  
21 FUNDS.—Of the amounts”;

22 (B) by striking “subsection (a)” and all  
23 that follows and inserting the following: “sub-  
24 section (a), none of the amounts appropriated  
25 for assistance to Pakistan may be made avail-  
26 able for assistance to Pakistan unless the Sec-

1           retary of State submits to the appropriate con-  
2           gressional committees during such fiscal year—

3           “(1) a certification that assistance provided to  
4           Pakistan under this title or the Foreign Assistance  
5           Act of 1961 to date has made or is making measur-  
6           able progress toward achieving the principal objec-  
7           tives of United States assistance to Pakistan con-  
8           tained in the Pakistan Assistance Strategy Report  
9           and a memorandum explaining the reasons justifying  
10          the certification; and

11          “(2) the certification required under section  
12          203(c).”; and

13                 (C) by striking the second paragraph (2).

14                 (3) WAIVER; SENSE OF CONGRESS ON FOREIGN  
15                 ASSISTANCE FUNDS.—Section 102 of the Enhanced  
16                 Partnership with Pakistan Act of 2009 (22 U.S.C.  
17                 8412) is amended by striking subsections (c) and  
18                 (d).

19                 (b) EFFECTIVE DATE.—The amendments made by  
20                 subsection (a) take effect on the date of the enactment  
21                 of this Act and apply with respect to amounts appro-  
22                 priated for the purposes of providing assistance to Paki-  
23                 stan under title I of the Enhanced Partnership with Paki-  
24                 stan Act of 2009 and providing assistance to Pakistan

1 under the Foreign Assistance Act of 1961 for each of the  
2 fiscal years 2012, 2013, and 2014.

3 **SEC. 982. LIMITATIONS ON CERTAIN ASSISTANCE.**

4 (a) IN GENERAL.—Section 203 of the Enhanced  
5 Partnership with Pakistan Act of 2009 (22 U.S.C. 8423)  
6 is amended—

7 (1) by striking “, under the direction of the  
8 President,” each place it appears and inserting “, in  
9 consultation with the Secretary of Defense and the  
10 Director of National Intelligence,”;

11 (2) in subsection (c)(2)—

12 (A) in the matter preceding subparagraph

13 (A)—

14 (i) by striking “significant efforts to-  
15 wards” and inserting “demonstrable  
16 progress in”;

17 (ii) by striking “taking into account”;

18 and

19 (iii) by striking “has made progress  
20 on matters such as”;

21 (B) by redesignating subparagraphs (A),  
22 (B), and (C), as subparagraphs (C), (D), and  
23 (E), respectively;

24 (C) by inserting before subparagraph (C)  
25 (as redesignated) the following:

1           “(A) is fully assisting the United States  
2 with investigating the existence of an official or  
3 unofficial support network in Pakistan for  
4 Osama Bin Laden, including by providing the  
5 United States with direct access to Osama Bin  
6 Laden’s relatives in Pakistan and to Osama Bin  
7 Laden’s former compound in Abbottabad and  
8 any materials therein; and

9           “(B) is facilitating the issuance of entry  
10 and exit visas for official United States visitors  
11 engaged in counterterrorism efforts and train-  
12 ing or other cooperative programs and projects  
13 in Pakistan;”;

14           (D) in subparagraph (C) (as redesignated),  
15 by inserting “is” before “ceasing”;

16           (E) in subparagraph (D) (as redesign-  
17 ated)—

18           (i) by inserting “is” before “pre-  
19 venting”;

20           (ii) by inserting “the Haqqani Net-  
21 work,” after “such as”;

22           (iii) by adding at the end before the  
23 semicolon the following: “and eliminating  
24 improvised explosive device (IED) net-  
25 works”; and

1 (iv) by striking “and” at the end;

2 (F) in subparagraph (E) (as redesignated)—  
3 nated)—

4 (i) by inserting “is” before “strengthening”; and  
5

6 (ii) by inserting “and fully implementing” before “counterterrorism”; and  
7

8 (G) by adding after subparagraph (E) (as redesignated) the following:  
9

10 “(F) is using defense articles and defense  
11 services provided by the United States under  
12 the Foreign Military Sales program according  
13 to the end-use purposes, security requirements,  
14 and other terms and conditions agreed to by the  
15 United States at the time of transfer or by subsequent  
16 agreement; and”;

17 (3) by striking subsection (e);

18 (4) by redesignating subsection (f) as subsection (e); and  
19

20 (5) in subsection (e) (as redesignated), in paragraph (1), by striking “the Committee on Oversight and Government Reform,”.  
21  
22

23 (b) EFFECTIVE DATE.—The amendments made by  
24 subsection (a) take effect on the date of the enactment  
25 of this Act and apply with respect to the provision of secu-

1 rity-related assistance to Pakistan in each of the fiscal  
2 years 2012, 2013, and 2014.

3 **SEC. 983. STRATEGY REPORTS.**

4 Section 301(a) of the Enhanced Partnership with  
5 Pakistan Act of 2009 (22 U.S.C. 8441(a)) is amended—

6 (1) in the matter preceding paragraph (1), by  
7 striking “Not later than 45 days after the date of  
8 enactment of this Act” and inserting “For each of  
9 the fiscal years 2012, 2013, and 2014,”;

10 (2) in paragraph (1), by inserting “United  
11 States strategic objectives in Pakistan and” after “A  
12 description of”;

13 (3) in paragraph (2), by striking “general”;

14 (4) in paragraph (3), by striking “A plan for”  
15 and inserting “A description of implementation of”;

16 (5) by amending paragraph (7) to read as fol-  
17 lows:

18 “(7) Progress toward creating a searchable  
19 Internet database and other public communications  
20 strategies that will provide the people of the United  
21 States and the people of Pakistan with updated and  
22 accurate information on proposed spending plans,  
23 disbursements of assistance, and results achieved  
24 using funds authorized under title I of this Act.”;  
25 and

1 (6) by adding at the end the following:

2 “(8) Progress toward meeting the recommenda-  
3 tions of audits, reviews, and investigations completed  
4 by the General Accountability Office and by the Of-  
5 fice of Inspector General of the United States Agen-  
6 cy for International Development, the Department of  
7 State, and the Department of Defense.

8 “(9) A description of how the Administration is  
9 incorporating support for private sector development  
10 and enhanced trade opportunities as part of the for-  
11 eign assistance approach to Pakistan.”.

12 **PART VI—YEMEN**

13 **SEC. 991. LIMITATION ON SECURITY ASSISTANCE TO THE**  
14 **GOVERNMENT OF YEMEN.**

15 (a) **LIMITATION.**—None of the funds made available  
16 to carry out this title may be used to provide United  
17 States security assistance to the Government of Yemen  
18 unless a certification described in subsection (b) is in ef-  
19 fect.

20 (b) **CERTIFICATION.**—A certification described in this  
21 subsection is a certification transmitted by the President  
22 to the appropriate congressional committees that contains  
23 a determination of the President that—

24 (1) no ministry, agency, or instrumentality of  
25 the Government of Yemen is controlled by a foreign



1 terrorist organization or is directly or indirectly af-  
2 filiated with a foreign terrorist organization;

3 (2) no member of a foreign terrorist organiza-  
4 tion serves in any policy position in a ministry, agen-  
5 cy, or instrumentality of the Government of Yemen;

6 (3) there exists within the Government of  
7 Yemen comprehensive anti-terrorism vetting and  
8 tracking procedures for all Yemeni security forces  
9 personnel benefitting from United States security as-  
10 sistance;

11 (4) all ministries and operations of the Govern-  
12 ment of Yemen that directly or indirectly benefit  
13 from United States security assistance are finan-  
14 cially transparent and accountable; and

15 (5) the Government of Yemen is not complicit  
16 in human rights abuses.

17 (c) RECERTIFICATIONS.—Not later than 90 days  
18 after the date on which the President transmits to the ap-  
19 propriate congressional committees an initial certification  
20 under subsection (b), and every six months thereafter—

21 (1) the President shall transmit to the appro-  
22 priate congressional committees a recertification that  
23 the requirements contained in subsection (b) are  
24 continuing to be met; or

1           (2) if the President is unable to make such a  
2           recertification, the President shall transmit to the  
3           appropriate congressional committees a report that  
4           contains the reasons therefor.

5           (d) WAIVER.—The President may waive the limita-  
6           tion in subsection (a) if the President determines and cer-  
7           tifies to the appropriate congressional committees 15 days  
8           prior to the exercise of waiver authority that—

9           (1) it is in the vital national security interests  
10          of the United States to do so;

11          (2) the United States is fully implementing and  
12          enforcing existing end-use monitoring mechanisms;  
13          and

14          (3) the United States has established and im-  
15          plemented comprehensive procedures to vet all re-  
16          cipients of United States security assistance to en-  
17          sure that no recipients are members of, or affiliated  
18          with, a foreign terrorist organization or any affili-  
19          ates or supporters thereof.

20 **SEC. 992. REPORT ON SECURITY ASSISTANCE TO THE GOV-**  
21 **ERNMENT OF YEMEN.**

22          (a) IN GENERAL.—Not later than 180 days after the  
23          date of the enactment of this Act, the Secretary of State,  
24          in coordination with the Secretary of Defense, shall submit

1 to the appropriate congressional committees a report that  
2 includes the following:

3 (1) A description of the strategic objectives of  
4 the United States regarding the provision of United  
5 States security assistance to the Government of  
6 Yemen.

7 (2) A threat assessment for the Yemen.

8 (3) A description of biennial outlays of United  
9 States security assistance to the Government of  
10 Yemen for the purposes of strategic planning, train-  
11 ing, provision of equipment, and construction of fa-  
12 cilities, including funding streams.

13 (4) A description of vetting and end-user moni-  
14 toring systems in place by both Yemen and the  
15 United States for defense articles and training pro-  
16 vided by the United States, to include human rights  
17 vetting.

18 (5) A description of actions that the Govern-  
19 ment of Yemen is taking to combat foreign terrorist  
20 organizations.

21 (6) Recommendations, including with respect to  
22 required resources and actions, to maximize the ef-  
23 fectiveness of United States security assistance to  
24 the Government of Yemen.

1 (b) GAO REPORT.—Not later than 120 days after  
2 the date of the submission of the report required under  
3 subsection (a), the Comptroller General of the United  
4 States shall submit to the appropriate congressional com-  
5 mittees a report that—

6 (1) reviews and comments on the report re-  
7 quired under subsection (a); and

8 (2) provides recommendations regarding addi-  
9 tional actions with respect to the provision of United  
10 States security assistance to Yemen, if necessary.

11 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-  
12 FINED.—In this section, the term “appropriate congres-  
13 sional committees” means—

14 (1) the Committee on Foreign Affairs and the  
15 Committee on Armed Services of the House of Rep-  
16 resentatives; and

17 (2) the Committee on Foreign Relations and  
18 the Committee on Armed Services in the Senate.

19 **SEC. 993. GOVERNMENT OF YEMEN DEFINED.**

20 In this part, the term “Government of Yemen” means  
21 any person, agent, instrumentality, or official of, is affili-  
22 ated with, or is serving as a representative of the Govern-  
23 ment of Yemen.

1       **PART VII—MISCELLANEOUS PROVISIONS**

2       **SEC. 994. DEFINITIONS.**

3       Except as otherwise provided, in this subtitle:

4               (1) **APPROPRIATE CONGRESSIONAL COMMIT-**  
5       **TEES.**—The term “appropriate congressional com-  
6       mittees” means—

7               (A) the Committee on Foreign Affairs and  
8       the Committee on Appropriations of the House  
9       of Representatives; and

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

13              (2) **FOREIGN TERRORIST ORGANIZATION.**—The  
14       term “foreign terrorist organization” means an or-  
15       ganization designated as a foreign terrorist organiza-  
16       tion by the Secretary of State in accordance with  
17       section 219(a) of the Immigration and Nationality  
18       Act (8 U.S.C. 1189(a)).

19              (3) **QUALITATIVE MILITARY EDGE.**—The term  
20       “qualitative military edge” has the meaning given  
21       the term in section 36(h)(2) of the Arms Export  
22       Control Act (22 U.S.C. 2776(h)(2)).

23              (4) **UNITED STATES SECURITY ASSISTANCE.**—  
24       The term “United States security assistance” means  
25       assistance authorized under part II of the Foreign  
26       Assistance Act of 1961, the Arms Export Control

1 Act, or any other Act under which the United States  
2 provides defense articles, military training, or other  
3 defense-related services by grant, loan, credit, or  
4 cash sales in furtherance of national policies and ob-  
5 jectives.

6 **SEC. 994A. REPORT ON POLICE TRAINING.**

7 (a) IN GENERAL.—Not later than 180 days after the  
8 date of the enactment of this Act, the President shall, in  
9 coordination with the heads of relevant Federal depart-  
10 ments and agencies, submit to the Committee on Foreign  
11 Affairs of the House of Representative and the Committee  
12 on Foreign Relations of the Senate a report on current  
13 overseas civilian police training in countries or regions  
14 that are at risk of, in, or are in transition from, conflict  
15 or civil strife.

16 (b) MATTERS TO BE INCLUDED.—The report re-  
17 quired under subsection (a) shall contain information on  
18 the following:

19 (1) The coordination, communication, program  
20 management, and policy implementation among the  
21 United States civilian police training programs in  
22 countries or regions that are at risk of, in, or are  
23 in transition from, conflict or civil strife.

1           (2) The number of private contractors con-  
2           ducting such training, and the quality and cost of  
3           such private contractors.

4           (3) An assessment of pre-training procedures  
5           for verification of police candidates to adequately as-  
6           sess their aptitude, professional skills, integrity, and  
7           other qualifications that are essential to law enforce-  
8           ment work.

9           (4) An analysis of the practice of using existing  
10          Federal police entities to provide civilian police  
11          training in countries or regions that are at risk of,  
12          in, or are in transition from, conflict or civil strife,  
13          along with the subject matter expertise that each  
14          such entity may provide to meet local needs in lieu  
15          of the use of private contractors.

16          (5) Recommendations, including recommenda-  
17          tions relating to required resources and actions, to  
18          maximize the effectiveness and interagency coordina-  
19          tion and the adequate provision of civilian police  
20          training programs in countries or regions that are at  
21          risk of, in, or are in transition from, conflict or civil  
22          strife.

23 **SEC. 994B. AUDITS OF UNITED STATES ASSISTANCE TO**  
24 **IRAQ.**

25          (a) FINDINGS.—Congress finds the following:

1           (1) The Office of the Special Inspector General  
2 for Iraq Reconstruction (SIGIR) has conducted au-  
3 dits of the activities of the Department of State and  
4 the Department of Defense and the United States  
5 Agency for International Development in Iraq which  
6 have proved invaluable to Congress, senior Adminis-  
7 tration officials, and the American people.

8           (2) SIGIR has authority under existing law to  
9 audit all United States-funded reconstruction assist-  
10 ance in Iraq regardless of funding source.

11           (3) United States assistance to Iraq, under the  
12 conditions now in existence or which may be antici-  
13 pated to be in existence through December 2012  
14 should be considered to be “reconstruction assist-  
15 ance”.

16           (4) SIGIR’s audits of the police training pro-  
17 gram, and of military assistance through the Iraq  
18 Security Forces Fund, have been of particular value.

19           (5) SIGIR should audit military, security, and  
20 economic assistance to Iraq during the term of  
21 SIGIR’s existence, including assistance which may  
22 be provided under the Foreign Military Financing  
23 program or the Police Development Program.

24           (6) SIGIR’s audits should cover such aspects of  
25 assistance programs as may be in the opinion of the



1 Inspector General necessary or desirable under sec-  
2 tion 6(a) of the Inspector General Act of 1978 or  
3 section 3001 of Public Law 108–106, including any  
4 programs, activities, or facilities funded in whole or  
5 part by amounts made available for assistance to  
6 Iraq or which relate to such programs, activities, or  
7 facilities.

8 (7) SIGIR coordinates its audits with other In-  
9 spectors General and the Government Accountability  
10 Office to avoid duplication of effort.

11 (8) SIGIR should continue to report on United  
12 States assistance to Iraq in its Quarterly Reports to  
13 Congress.

14 (b) COOPERATION WITH SIGIR.—The Secretary of  
15 State shall fully and unreservedly cooperate with audits  
16 conducted by the SIGIR and with any information re-  
17 quests which in the opinion of the SIGIR are required to  
18 comply with requirements imposed on the SIGIR by law.

19 **SEC. 994C. SENSE OF CONGRESS.**

20 It is the sense of Congress that—

21 (1) the European Union should continue its ban  
22 on all arms exports to the People’s Republic of  
23 China;

24 (2) the President should raise United States ob-  
25 jections to the potential lifting of the European

1 Union arms embargo against the People’s Republic  
2 of China;

3 (3) the United States Government should make  
4 clear in discussions with the governments of coun-  
5 tries in the European Union that a lifting of the Eu-  
6 ropean Arms Embargo on arms sales to the People’s  
7 Republic of China would potentially adversely affect  
8 transatlantic defense cooperation, including future  
9 transfers of United States military technology, serv-  
10 ices, and equipment to European Union countries;

11 (4) the European Union should make legally  
12 binding and enforceable its Code of Conduct for  
13 Arms Exports;

14 (5) human rights abuses in the People’s Repub-  
15 lic of China remain a matter of concern for United  
16 States foreign policy;

17 (6) the continuing military build-up of the Gov-  
18 ernment of the People’s Republic of China aimed at  
19 Taiwan and the ongoing weapon of mass  
20 destruction- and missile-related proliferation of  
21 state-sponsored companies in China are matters of  
22 grave concern to United States foreign and national  
23 security policy; and

24 (7) the United States Government and the Eu-  
25 ropean Union should work cooperatively to develop a

1 common strategy to limit sensitive technologies ex-  
2 ported to the People’s Republic of China, seek im-  
3 provement in the human rights conditions in and the  
4 export control practices of the People’s Republic of  
5 China, as well as an end to the ongoing proliferation  
6 of weapons of mass destruction and ballistic missile  
7 related technology from China to state sponsors of  
8 terrorism.

## 9 **Subtitle C—Peacekeeping** 10 **Operations**

### 11 **SEC. 995. PEACEKEEPING OPERATIONS.**

12 (a) AUTHORITY.—

13 (1) IN GENERAL.—Section 551 of the Foreign  
14 Assistance Act of 1961 (22 U.S.C. 2348) is amend-  
15 ed—

16 (A) in the first sentence, by striking “The  
17 President” and inserting “(A) The President”;  
18 and

19 (B) by inserting the following new sub-  
20 section:

21 “(b) Assistance authorized to be appropriated under  
22 this chapter may also be used, notwithstanding section  
23 660, to provide assistance to enhance the capacity of for-  
24 eign civilian security forces, including gendarmes, to par-  
25 ticipate in peacekeeping operations.”.

1 (2) DISARMAMENT AND REINTEGRATION.—

2 (A) IN GENERAL.—Notwithstanding any  
3 other provision of law, regulation, or Executive  
4 order, funds authorized to be appropriated by  
5 this Act and any similar provision of law for  
6 peacekeeping operations may be made available  
7 to support programs to disarm, demobilize, and  
8 reintegrate into civilian society former members  
9 of foreign terrorist organizations.

10 (B) CONSULTATION.—The Secretary of  
11 State shall consult with the appropriate con-  
12 gressional committees prior to obligating or ex-  
13 pending funds pursuant to this subsection.

14 (C) DEFINITION.—In this paragraph, the  
15 term “foreign terrorist organization” means an  
16 organization designated as a terrorist organiza-  
17 tion under section 219(a) of the Immigration  
18 and Nationality Act (8 U.S.C. 1189(a)).

19 (b) LIMITATION.—Section 404(a) of the Child Soldier  
20 Prevention Act of 2008 (Public Law 110–457; 22 U.S.C.  
21 2370c-1(a)) is amended by striking “section 516 or 541  
22 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j  
23 or 2347)” and inserting “sections 516, 541, or 551 of the  
24 Foreign Assistance Act of 1961 (22 U.S.C. 2321j, 2347,  
25 or 2348)”.

1 (c) NOTIFICATION AND REPORTING REQUIRE-  
2 MENTS.—

3 (1) NOTIFICATION.—The Secretary of State  
4 shall notify the Committee on Foreign Affairs of the  
5 House of Representatives and the Committee on  
6 Foreign Relations of the Senate at least 15 days be-  
7 fore any funds authorized under this section are  
8 made available.

9 (2) REPORTS.—Not later than March 30, 2012,  
10 and the end of each fiscal quarter, the Secretary of  
11 State shall submit to the Committee on Foreign Af-  
12 fairs of the House of Representatives and the Com-  
13 mittee on Foreign Relations of the Senate a report  
14 on the uses of funds made available under the this  
15 section, including a description of the obligation and  
16 expenditure of funds, the specific country in receipt  
17 of such funds, and the use or purpose of the assist-  
18 ance provided by such funds.

19 (d) AUTHORIZATION OF APPROPRIATIONS.—There is  
20 authorized to be appropriated \$304,390,000 for fiscal year  
21 2012 for necessary expenses to carry out the provisions  
22 of section 551 of the Foreign Assistance Act of 1961, in-  
23 cluding to pay assessed expenses for international peace-  
24 keeping activities in Somalia and for a United States con-

1 tribution to the Multinational Force Observers Mission in  
2 the Sinai.

### 3 **Subtitle D—Reports and Briefings**

#### 4 **SEC. 996. REPORT ON TRANSPARENCY IN NATO ARMS** 5 **SALES.**

6 (a) REPORT.—Not later than 180 days after the date  
7 of the enactment of this Act and annually thereafter for  
8 each of the following three years, the Secretary of State,  
9 in coordination with the Secretary of Defense, shall submit  
10 to the appropriate congressional committees an annual re-  
11 port on sales and financing of defense articles and defense  
12 services in excess of \$50,000,000 by North Atlantic Trea-  
13 ty Organization (NATO) member countries (other than  
14 the United States) to non-NATO member countries, which  
15 includes the following:

16 (1) A detailed political-strategic analysis of po-  
17 tential dangers such sales and financing might pose  
18 to the integrity of the NATO alliance.

19 (2) A list of any abuses or incidents involving  
20 such sales and financing to countries potentially hos-  
21 tile to the NATO alliance.

22 (3) An analysis of the potential for such sales  
23 and financing made during the past five years to the  
24 Russian Federation to adversely affect the long-term  
25 solidarity of the NATO alliance.

1 (b) NATO COOPERATION.—The Secretary of State  
2 shall seek the cooperation and input of NATO’s Economic  
3 Secretariat in preparing the report required under sub-  
4 section (b).

5 (c) FORM.—The report required under subsection (a)  
6 shall be submitted in unclassified form (including as much  
7 detail as possible), but may contain a classified annex.

8 (d) APPROPRIATE CONGRESSIONAL COMMITTEES  
9 DEFINED.—In this section, the term “appropriate con-  
10 gressional committees” means—

11 (1) the Committee on Foreign Affairs of the  
12 House of Representative and the Committee on For-  
13 eign Relations of the Senate; and

14 (2) the congressional defense committees (as  
15 defined in section 101(a)(16) of title 10, United  
16 States Code).

17 **SEC. 996A. REPORT ON TASK FORCE FOR BUSINESS AND**  
18 **STABILITY OPERATIONS IN AFGHANISTAN.**

19 (a) REPORT.—The Secretary of State, with the con-  
20 currence of the Secretary of Defense, and in coordination  
21 with the Administrator for the United States Agency for  
22 International Development, shall submit to the appro-  
23 priate congressional committees a report that contains a  
24 detailed plan to provide for the transition of the activities  
25 of the Task Force for Business and Stability Operations

1 in Afghanistan from the Department of Defense to the  
2 Department of State and the United States Agency for  
3 International Development.

4 (b) APPROPRIATE CONGRESSIONAL COMMITTEES  
5 DEFINED.—In this section, the term “appropriate con-  
6 gressional committees” means—

7 (1) the Committee on Foreign Affairs of the  
8 House of Representative and the Committee on For-  
9 eign Relations of the Senate; and

10 (2) the congressional defense committees (as  
11 defined in section 101(a)(16) of title 10, United  
12 States Code).

13 **SEC. 996B. BRIEFINGS RELATING TO PUBLIC LAW 107-40.**

14 (a) BRIEFINGS ON ACTIVITIES.—Not later than 120  
15 days after the date of the enactment of this Act, and quar-  
16 terly thereafter, the Secretary of Defense shall provide a  
17 briefing to the appropriate congressional committees on  
18 military activities, including cyber activities, carried out  
19 pursuant to the Authorization for Use of Military Force  
20 (50 U.S.C. 1541 note; Public Law 107-40).

21 (b) APPROPRIATE CONGRESSIONAL COMMITTEES  
22 DEFINED.—In this section, the term “appropriate con-  
23 gressional committees” means—

24 (1) the Committee on Appropriations, the Com-  
25 mittee on Armed Services, and the Committee on



1 Foreign Affairs of the House of Representatives;  
2 and

3 (2) the Committee on Appropriations, the Com-  
4 mittee on Armed Services, and the Committee on  
5 Foreign Relations of the Senate.

6 **TITLE X—PEACE CORPS VOLUN-**  
7 **TEER SERVICE PROTECTION**

8 **SEC. 1001. SEXUAL ASSAULT COMPLAINTS IN THE PEACE**  
9 **CORPS.**

10 (a) SENSE OF CONGRESS.—It is the sense of Con-  
11 gress that the Peace Corps has begun responding to con-  
12 cerns related to its handling of sexual assault complaints  
13 from its volunteers that have been the subject of media  
14 reports and oversight hearings, including by the hiring of  
15 a Victim’s Advocate.

16 (b) STATEMENT OF CONGRESS.—Congress looks for-  
17 ward to working cooperatively with the Peace Corps on  
18 additional, necessary steps to protect volunteers, including  
19 the enactment and implementation of this title.

20 **SEC. 1002. PEACE CORPS VOLUNTEER PROTECTION.**

21 The Peace Corps Act is amended by inserting after  
22 section 8 (22 U.S.C. 2507) the following new sections:

23 “SAFETY AND SECURITY AGREEMENT REGARDING PEACE  
24 CORPS VOLUNTEERS SERVING IN FOREIGN COUNTRIES

25 “SEC. 8A. (a) IN GENERAL.—Not later than six  
26 months after the date of the enactment of this section,

1 the Director of the Peace Corps shall consult with the As-  
2 sistant Secretary of State for Diplomatic Security and  
3 enter into a memorandum of understanding that specifies  
4 the duties and obligations of the Peace Corps and the Bu-  
5 reau of Diplomatic Security of the Department of State  
6 with respect to the protection of Peace Corps volunteers  
7 and staff members serving in foreign countries, including  
8 with respect to investigations of safety and security inci-  
9 dents and crimes committed against such volunteers and  
10 staff members.

11 “(b) INSPECTOR GENERAL REVIEW.—

12 “(1) REVIEW.—The Inspector General of the  
13 Peace Corps shall review the memorandum of under-  
14 standing described in subsection (a) and be afforded  
15 the opportunity to recommend changes that advance  
16 the safety and security of Peace Corps volunteers be-  
17 fore its entry into force.

18 “(2) REPORT.—The Director of the Peace  
19 Corps shall consider all recommendations of the In-  
20 spector General of the Peace Corps regarding the  
21 memorandum of understanding described in sub-  
22 section (a). If the Director enters into such memo-  
23 randum without addressing a recommendation of the  
24 Inspector General, the Director shall submit to the  
25 Inspector General an explanation relating thereto.

1           “(3) FAILURE TO MEET DEADLINE.—

2                   “(A) REQUIREMENT TO SUBMIT RE-  
3           PORT.—If, by the date that is 6 months after  
4           the date of the enactment of this section, the  
5           Director of the Peace Corps is unable to obtain  
6           agreement with the Assistant Secretary of State  
7           for Diplomatic Security and certification by the  
8           Inspector General of the Peace Corps, the Di-  
9           rector shall submit to the committees of Con-  
10          gress specified in subparagraph (C) a report ex-  
11          plaining the reasons for such failure.

12                   “(B) LIMITATION ON FUNDS.—If, by the  
13          date that is 9 months after the date of the en-  
14          actment of this section, the memorandum of  
15          understanding described in subsection (a) has  
16          not entered into force, no funds available to the  
17          Peace Corps may be obligated or expended to  
18          extend to Peace Corps volunteers invitations for  
19          service or to deploy Peace Corps trainees over-  
20          seas unless the Director of the Peace Corps cer-  
21          tifies to the committees of Congress specified in  
22          subparagraph (C) that—

23                           “(i) significant progress is being made  
24                           toward finalizing such memorandum; and



1 appropriate, the recommendations and views of experts in  
2 the sexual assault field.

3       “(c) SUBSEQUENT TRAINING.—Once a trainee has  
4 arrived in such trainee’s country of service, the Director  
5 of the Peace Corps shall provide such trainee with training  
6 tailored to such country, including cultural training relat-  
7 ing to gender relations, risk-reduction strategies, a safety  
8 plan in the event of an assault, treatment available in such  
9 country (such as forensic rape exams, PEP for HIV expo-  
10 sure, STD screening, and pregnancy testing), MedEvac  
11 procedures, and information regarding the legal process  
12 for pressing charges against an attacker.

13       “(d) HISTORICAL ANALYSIS.—The Director of the  
14 Peace Corps shall provide each applicant for enrollment  
15 with a historical analysis of crimes and risks against vol-  
16 unteers in the country in which the applicant has been  
17 invited to serve.

18       “(e) CONTACT INFORMATION.—The Director of the  
19 Peace Corps shall provide each trainee, before each such  
20 trainee enrolls as a volunteer, with—

21               “(1) the contact information of the Inspector  
22               General of the Peace Corps for purposes of reporting  
23               violations of the sexual assault protocol under sec-  
24               tion 8C or any other criminal or administrative  
25               wrongdoing by volunteers, personnel (including ex-

1       perts and consultants), or other individuals (includ-  
2       ing contractors) who do business with the Peace  
3       Corps; and

4               “(2) clear, written guidelines regarding whom  
5       to contact, including the direct telephone number for  
6       a victim advocate and what steps to take in the  
7       event of a sexual assault.

8       “(f) DEFINITIONS.—In this section and sections 8C  
9       through 8I:

10               “(1) ASSAULT.—

11                       “(A) IN GENERAL.—The term ‘assault’  
12       means an act that—

13                               “(i) creates an apprehension in an in-  
14       dividual of an imminent, harmful, or offen-  
15       sive contact; or

16                               “(ii) is a harmful or offensive touch-  
17       ing.

18                       “(B) INCLUSION.—The term ‘assault’ in-  
19       cludes stalking and sexual assault.

20               “(2) SEXUAL ASSAULT.—The term ‘sexual as-  
21       sault’ means any conduct described in chapter 109A  
22       of title 18, United States Code, relating to aggra-  
23       vated sexual abuse, sexual abuse, and sexual contact,  
24       whether or not the conduct occurs in the special  
25       maritime and territorial jurisdiction of the United

1 States, and includes both assaults committed by of-  
2 fenders who are strangers to the victim and assaults  
3 committed by offenders who are known or related by  
4 blood or marriage to the victim.

5 “(3) STALKING.—The term ‘stalking’ means  
6 engaging in a course of conduct directed at a spe-  
7 cific person that would cause a reasonable person  
8 to—

9 “(A) fear for his or her safety or the safety  
10 of others; or

11 “(B) suffer substantial emotional distress.

12 “SEXUAL ASSAULT PROTOCOL AND GUIDELINES

13 “SEC. 8C. (a) IN GENERAL.—The Director of the  
14 Peace Corps shall develop and implement comprehensive  
15 sexual assault protocol and guidelines that—

16 “(1) conform to best practices in the sexual as-  
17 sault field; and

18 “(2) are applicable to all posts at which volun-  
19 teers serve.

20 “(b) DEVELOPMENT AND CONSULTATION WITH EX-  
21 PERTS.—In developing the sexual assault policy under  
22 subsection (a), the Director of the Peace Corps shall con-  
23 sult with and incorporate, as appropriate, the rec-  
24 ommendations and views of experts in the sexual assault  
25 field.

1       “(c) ELEMENTS.—The sexual assault protocol and  
2 guidelines developed under subsection (a) shall include, at  
3 a minimum, the following services with respect to a volun-  
4 teer who has been a victim of sexual assault:

5           “(1) Protection of such volunteer’s confiden-  
6 tiality.

7           “(2) Provision of a victim’s advocate to such  
8 volunteer.

9           “(3) Provision of a sexual assault forensic evi-  
10 dence kit to such volunteer upon request.

11           “(4) Provision of emergency health care to such  
12 volunteer, including, to the greatest extent prac-  
13 ticable, a choice of medical providers and a mecha-  
14 nism for such volunteer to evaluate such provider.

15           “(5) Provision of counseling and psychiatric  
16 medication.

17           “(6) Completion of a safety and treatment plan  
18 with such volunteer.

19           “(7) Evacuation of such volunteer, accompanied  
20 by a Peace Corps staffer at the request of such vol-  
21 unteer.

22           “(8) An explanation to such volunteer of avail-  
23 able law enforcement, prosecutorial options, and  
24 legal representation.



1       “(d) DISTRIBUTION AND TRAINING.—The Director  
2 of the Peace Corps shall distribute to and train all in-  
3 country staff regarding the sexual assault protocol and  
4 guidelines developed under subsection (a).

5       “(e) REMOVAL AND ASSESSMENT AND EVALUA-  
6 TION.—

7           “(1) IN GENERAL.—If a volunteer feels at risk  
8 of imminent bodily harm and requests removal from  
9 the site in which such volunteer is serving, the Di-  
10 rector of the Peace Corps shall, as expeditiously as  
11 practical after receiving such request, remove such  
12 volunteer from such site. If the Director of the  
13 Peace Corps receives such a request, the Director of  
14 the Peace Corps shall assess and evaluate the safety  
15 of such site and may not assign another volunteer  
16 to such site until such time as such assessment and  
17 evaluation is complete and such site has been deter-  
18 mined to be safe.

19           “(2) DETERMINATION OF SITE AS UNSAFE.—  
20 Volunteers may remain at a site during an assess-  
21 ment and evaluation under paragraph (1). If the Di-  
22 rector the Peace Corps determines that a site is un-  
23 safe, the Director of the Peace Corps shall, as expe-  
24 ditiously as practical, remove all volunteers from  
25 such site.

1       “(f) SEXUAL ASSAULT RESPONSE TEAMS.—The Di-  
2       rector of the Peace Corps shall establish sexual assault  
3       response teams, including Safety and Security Officers,  
4       medical staff, and a victim advocate, that can respond to  
5       reports of sexual assault against a volunteer.

6       “(g) CASE REVIEW.—The Director of the Peace  
7       Corps shall conduct case reviews of a statistically signifi-  
8       cant number of cases on a quarterly basis to determine  
9       if proper procedures were followed in accordance with the  
10      sexual assault protocols and guidelines developed under  
11      subsection (a) and including the elements specified in sub-  
12      section (c).

13      “(h) TRACKING AND RECORDING.—The Director of  
14      the Peace Corps shall establish a global tracking and re-  
15      cording system to track and record incidents of assault  
16      against volunteers.

17      “(i) PROHIBITION ON COMBINING INCIDENTS.—The  
18      Director of the Peace Corps may not combine into one  
19      incident for purposes of tracking and recording under sub-  
20      section (h) reports by different volunteers of assault  
21      against such volunteers even if such assaults were com-  
22      mitted by one individual against such volunteers at any  
23      one time.

24      “(j) ALTERNATIVE SYSTEMS.—The Director of the  
25      Peace Corps shall establish an alternative reporting sys-

1 tem and hotline access system through which volunteers  
2 who are victims of assault can report and receive support  
3 on an anonymous basis. Such alternative systems shall be  
4 published in the Volunteer Handbook.

5 “VICTIMS ADVOCATES

6 “SEC. 8D. (a) VICTIMS ADVOCATES.—

7 “(1) IN GENERAL.—The Director of the Peace Corps  
8 shall assign a certified victims advocate in Peace Corps  
9 headquarters who shall report directly to the Director. The  
10 Director of the Peace Corps shall assign such additional  
11 certified victims advocates to assist such victims advocate  
12 as the Director determines necessary. Such additional vic-  
13 tims advocates shall have regional expertise and may be  
14 posted abroad if such victims advocate determines that  
15 such is necessary.

16 “(2) SENSE OF CONGRESS.—It is the sense of Con-  
17 gress that the Director of the Peace Corps should assign  
18 three additional certified victims advocates to assist the  
19 certified victims advocate under paragraph (1).

20 “(3) PROHIBITION.—Peace Corps Medical Officers,  
21 Safety and Security Officers, and program staff may not  
22 serve as victims advocates. The victims advocate and addi-  
23 tional victims advocates may not have any other duties  
24 in the Peace Corps.

1           “(4) EXEMPTION.—The victims advocate and addi-  
2 tional victims advocates shall be exempt from the five year  
3 rule on appointments and assignments under section 7.

4           “(b) RESPONSIBILITIES.—The victims advocate and  
5 additional victims advocates shall help develop and imple-  
6 ment the sexual assault risk-reduction and response train-  
7 ing described in section 8B and the sexual assault protocol  
8 and guidelines described in section 8C and ensure such  
9 training and such protocol and guidelines are being prop-  
10 erly updated and followed. The victims advocate and addi-  
11 tional victims advocates shall assist volunteers who are vic-  
12 tims of assault by making such victims aware of the serv-  
13 ices specified in section 8C(c) available to them and facili-  
14 tating their access to such services.

15           “(c) STATUS UPDATES.—The victims advocate and  
16 additional victims advocates shall provide to volunteers  
17 who are victims of assault regular updates on the status  
18 of their cases if such volunteers have opted to pursue pros-  
19 ecution.

20           “(d) TRANSITION.—A victims advocate who is work-  
21 ing with a volunteer who is a victim of assault and who  
22 relocates back to the United States shall assist such volun-  
23 teer to receive the services specified in section 8C(c) re-  
24 quired by such volunteer, including through the duration

1 of the claim with the Department of Labor, even after  
2 such volunteer is medically separated.

3 “ESTABLISHMENT OF SEXUAL ASSAULT ADVISORY

4 COUNCIL

5 “SEC. 8E. (a) ESTABLISHMENT.—There is estab-  
6 lished in the Peace Corps a Sexual Assault Advisory Coun-  
7 cil (in this section referred to as the ‘Council’).

8 “(b) MEMBERSHIP.—The Council shall be composed  
9 of individuals selected by the Director of the Peace Corps  
10 who are returned volunteers (including volunteers who  
11 were victims of sexual assault and volunteers who were  
12 not victims of sexual assault) and governmental and non-  
13 governmental experts and professionals in the sexual as-  
14 sault field.

15 “(c) FUNCTIONS; MEETINGS.—The Council shall  
16 meet not less often than annually to review the sexual as-  
17 sault risk-reduction and response training developed under  
18 section 8B, sexual assault policy developed under section  
19 8C, and the confidentiality policy developed under section  
20 8G to ensure that such training and policies conform to  
21 best practices in the sexual assault field.

22 “(d) REPORTS.—The Council shall annually submit  
23 to the Director of the Peace Corps and the Committee  
24 on Foreign Affairs and the Committee on Appropriations  
25 of the House of Representatives and Committee on For-  
26 eign Relations and the Committee on Appropriations of

1 the Senate a report on its findings based on the reviews  
2 conducted pursuant to subsection (e).

3 “(e) FEDERAL EMPLOYEES.—Members of the Coun-  
4 cil shall not be considered Federal employees for any pur-  
5 pose and shall not receive compensation other than reim-  
6 bursement of travel expenses and per diem allowance.

7 “(f) NONAPPLICABILITY OF FACA.—The Federal  
8 Advisory Committee Act (5 U.S.C. App.) shall not apply  
9 to the Council.

10 “VOLUNTEER FEEDBACK AND PEACE CORPS REVIEW

11 “SEC. 8F. (a) MONITORING AND EVALUATION.—Not  
12 later than one year after the date of the enactment of this  
13 section, the Director of the Peace Corps shall establish  
14 goals, metrics, and monitoring and evaluation plans for  
15 all Peace Corps programs and Country Directors. Moni-  
16 toring and evaluation plans shall incorporate best prac-  
17 tices from monitoring and evaluation studies and analyses.

18 “(b) ANNUAL VOLUNTEER SURVEYS.—The Director  
19 of the Peace Corps shall annually conduct a confidential  
20 survey of volunteers regarding the effectiveness of Peace  
21 Corps programs and staff and the safety of volunteers.

22 “(c) PEACE CORPS INSPECTOR GENERAL.—The In-  
23 spector General of the Peace Corps shall submit to the  
24 Committee on Foreign Affairs and the Committee on Ap-  
25 propriations of the House of Representatives and Com-

1 mittee on Foreign Relations and the Committee on Appro-  
2 priations of the Senate the following:

3           “(1) A biennial report on reports received from  
4           volunteers relating to misconduct, mismanagement,  
5           or policy violations of Peace Corps staff, any  
6           breaches of the confidentiality of volunteers, and any  
7           actions taken to assure the safety of volunteers who  
8           provide such reports.

9           “(2) A report, not later than two years after  
10          the date of the enactment of this section and every  
11          five years thereafter, evaluating the effectiveness and  
12          implementation of the assault risk-reduction and re-  
13          sponse training developed under section 8B and the  
14          sexual assault protocol and guidelines developed  
15          under section 8C.

16          “(3) A trend analysis every three years of the  
17          annual volunteer surveys, including actions taken in  
18          response to such surveys.

19          “(4) A report, not later than two years after  
20          the date of the enactment of this section, describing  
21          how Country Directors are hired, how Country Di-  
22          rectors are terminated, and how Country Directors  
23          hire staff.

24          “(d) EVALUATION DEFINED.—For purposes of this  
25          section, the term ‘evaluation’ means the systematic collec-

1 tion and analysis of information about the characteristics  
2 and outcomes of programs and projects as a basis for  
3 judgments, to improve effectiveness, or inform decisions  
4 about current and future programming.

5 “NONDISCLOSURE OF CONFIDENTIAL OR PRIVATE  
6 INFORMATION

7 “SEC. 8G. (a) IN GENERAL.—The Director of the  
8 Peace Corps shall establish and maintain a process to  
9 allow volunteers to report incidents of assault, incidents  
10 of misconduct or mismanagement, or violations of any pol-  
11 icy, of the Peace Corps in order to protect the confiden-  
12 tiality as described in subsection (c) and safety of such  
13 volunteers and of the information reported, and to ensure  
14 that such information is acted on appropriately. The Di-  
15 rector of the Peace Corps shall train all volunteers and  
16 staff about this process.

17 “(b) GUIDANCE.—The Director of the Peace Corps  
18 shall provide guidance to officers and employees of the  
19 Peace Corps who have access to the information reported  
20 by volunteers under subsection (a) in order to protect  
21 against the inappropriate disclosure of such information  
22 and ensure the safety of such volunteers.

23 “(c) NONDISCLOSURE.—

24 “(1) IN GENERAL.—Except as provided in para-  
25 graphs (1) and (2), the Director of the Peace Corps  
26 may not—



1           “(A) disclose any personally identifying in-  
2           formation or personal information of a volun-  
3           teer who is a victim of assault collected in con-  
4           nection with services requested, utilized, or de-  
5           nied through Peace Corps programs; or

6           “(B) reveal such information without the  
7           informed, purpose-limited, and reasonably time-  
8           limited consent of such volunteer about whom  
9           such information is sought.

10          “(2) RELEASE.—If the release of information  
11          described in paragraph (1) is authorized by statute  
12          or compelled by court order, the Director of the  
13          Peace Corps shall—

14                 “(A) make reasonable attempts to provide  
15                 notice to the volunteer with respect to whom  
16                 such information is being released; and

17                 “(B) take such action as is necessary to  
18                 protect the privacy and safety of such volunteer.

19          “(3) INFORMATION SHARING.—The Director of  
20          the Peace Corps may share—

21                 “(A) nonpersonally identifying information  
22                 in the aggregate regarding services to volun-  
23                 teers and nonpersonally identifying demo-  
24                 graphic information in order to comply with re-

1 reporting, evaluation, or data collection require-  
2 ments;

3 “(B) nonpersonally identifying information  
4 that would protect the safety of volunteers;

5 “(C) court-generated information and law-  
6 enforcement generated information contained in  
7 secure, governmental registries for protection  
8 order enforcement purposes; and

9 “(D) law enforcement- and prosecution-  
10 generated information necessary for law en-  
11 forcement and prosecution purposes.

12 “(d) DEFINITION.—In this section, the terms ‘per-  
13 sonally identifying information’ and ‘personal information’  
14 mean information for or about a volunteer who is a victim  
15 of assault, including information likely to disclose the loca-  
16 tion of such victim, including the following:

17 “(1) A first and last name.

18 “(2) A home or other physical address.

19 “(3) Contact information (including a postal,  
20 email, or Internet protocol address, or telephone or  
21 facsimile number).

22 “(4) A social security number.

23 “(5) Any other information, including date of  
24 birth, racial or ethnic background, or religious affili-

1 ation, that, in combination with paragraphs (1)  
2 through (4), would serve to identify such victim.

3 “REPORTING REQUIREMENTS

4 “SEC. 8H. (a) ASSAULT AND SEXUAL ASSAULT.—

5 The Director of the Peace Corps shall annually submit to  
6 the Committee on Foreign Affairs and the Committee on  
7 Appropriations of the House of Representatives and the  
8 Committee on Foreign Relations and the Committee on  
9 Appropriations of the Senate a report summarizing infor-  
10 mation on—

11 “(1) sexual assault against volunteers;

12 “(2) assault against volunteers; and

13 “(3) the annual rate of early termination of vol-  
14 unteers, including, to the maximum extent prac-  
15 ticable, demographic data associated with such early  
16 termination.

17 “(b) GAO.—Not later than one year after the date  
18 of the enactment of this section, the Comptroller General  
19 of the United States shall submit to the Committee on  
20 Foreign Affairs and the Committee on Appropriations of  
21 the House of Representatives and the Committee on For-  
22 eign Relations and the Committee on Appropriations of  
23 the Senate a report evaluating the quality and accessibility  
24 of health care provided through the Department of Labor  
25 to returned volunteers upon their separation from the  
26 Peace Corps.

1 “(c) SAFETY AND SECURITY.—

2 “(1) IN GENERAL.—The Director of the Peace  
3 Corps shall annually submit to the Committee on  
4 Foreign Affairs of the House of Representatives and  
5 the Committee on Foreign Relations of the Senate  
6 a report on the safety of Peace Corps volunteers.  
7 Each such report shall at a minimum include the  
8 following information:

9 “(A) The incidence of crimes, together  
10 with the number of arrests, prosecutions, and  
11 incarcerations for every country in which volun-  
12 teers serve for the preceding year.

13 “(B) A three year trend analysis of the  
14 types and frequency of crimes committed  
15 against volunteers for every country in which  
16 the Peace Corps has operated for at least the  
17 three preceding years.

18 “(2) INSPECTOR GENERAL AUDIT.—Not later  
19 than two years after the date of the enactment of  
20 this section and at least once every five years there-  
21 after (or more frequently as appropriate), the In-  
22 spector General of the Peace Corps shall perform an  
23 audit of Peace Corps implementation of safety and  
24 security protocols, including the status of any In-  
25 spector General findings and recommendations from

1 previous audits that have not been adequately reme-  
2 diated or implemented.

3 “(d) ACCESS TO COMMUNICATIONS.—

4 “(1) IN GENERAL.—The Director of the Peace  
5 Corps, in coordination with all Country Directors,  
6 shall determine the level of access to communication,  
7 including cellular and Internet access, of each volun-  
8 teer.

9 “(2) REPORT.—Not later than six months after  
10 the date of the enactment of this section, the Direc-  
11 tor of the Peace Corps shall submit to the Com-  
12 mittee on Foreign Affairs and the Committee on Ap-  
13 propriations of the House of Representatives and the  
14 Committee on Foreign Relations and the Committee  
15 on Appropriations of the Senate a report on the  
16 costs of providing all volunteers with access to ade-  
17 quate communication, including cellular service and  
18 Internet access.

19 “(e) MONITORING AND EVALUATION.—Not later  
20 than one year after the date of the enactment of this sec-  
21 tion and annually thereafter, the Director of the Peace  
22 Corps shall submit to the Committee on Foreign Affairs  
23 and the Committee on Appropriations of the House of  
24 Representatives and the Committee on Foreign Relations  
25 and the Committee on Appropriations of the Senate a re-

1 port on the monitoring and evaluation of Peace Corps pro-  
2 grams and Country Directors, including information on  
3 the following:

4           “(1) A description of the monitoring and eval-  
5 uation activities conducted in the preceding year.

6           “(2) A forecast of the monitoring and evalua-  
7 tion activities planned for the subsequent year.

8           “(3) A description of the ways in which the re-  
9 sults of the monitoring and evaluation activities have  
10 informed the design and operation of development  
11 policies and programs during the preceding year.

12                           “PORTFOLIO REVIEWS

13           “SEC. 8I. (a) IN GENERAL.—The Director of the  
14 Peace Corps shall, at least once every three years (or more  
15 frequently as appropriate), perform a review to evaluate  
16 the allocation and delivery of resources across the coun-  
17 tries the Peace Corps serves or is considering for service.  
18 Such portfolio reviews shall at a minimum include the fol-  
19 lowing with respect to each such country:

20           “(1) An evaluation of the country’s commitment  
21 to the Peace Corps program.

22           “(2) An analysis of the safety and security of  
23 volunteers.

24           “(3) An evaluation of the country’s need for as-  
25 sistance.

26           “(4) An analysis of country program costs

1           “(5) An evaluation of the effectiveness of man-  
2           agement of each post within the country.

3           “(6) An evaluation of the country’s congruence  
4           with the Peace Corps’ mission and strategic prior-  
5           ities.

6           “(b) REPORT.—The Director of the Peace Corps  
7           shall prepare a report on each portfolio review required  
8           under subsection (a). Each such report shall discuss per-  
9           formance measures and sources of data used (such as  
10          project status reports, volunteer surveys, impact studies,  
11          reports of the Inspector General of the Peace Corps, and  
12          any external sources) in making each such review’s find-  
13          ings and conclusions. The Director shall make each such  
14          report available upon request to the Chairman and Rank-  
15          ing Member of the Committee on Foreign Affairs of the  
16          House of Representatives and the Committee on Foreign  
17          Relations of the Senate in a manner consistent with the  
18          protection of classified information if determined nec-  
19          essary to protect sensitive information.”.

20   **SEC. 1003. CONFORMING AMENDMENTS.**

21          (a) INCLUSION OF SEXUAL ASSAULT RISK-REDUC-  
22          TION AND RESPONSE TRAINING.—The Peace Corps Act  
23          is amended—

1 (1) in section 5(a) (22 U.S.C. 2504(a)), in the  
2 second sentence, by inserting “(including training  
3 under section 8B)” after “training”; and

4 (2) in section 8(a) (22 U.S.C. 2507(a)), in the  
5 first sentence, by inserting “, including training  
6 under section 8B,” after “training”.

7 (b) CERTAIN SERVICES.—Section 5(e) of the Peace  
8 Corps Act (22 U.S.C. 2504(e)) is amended, in the first  
9 sentence—

10 (1) by inserting “(including, if necessary, for  
11 such volunteers and for trainees, services under sec-  
12 tion 8D)” after “health care”; and

13 (2) by inserting “including services provided in  
14 accordance with section 8D (except that the six-  
15 month limitation shall not apply in the case of such  
16 services)” before “as the President”.

17 **SEC. 1004. INDEPENDENCE OF THE INSPECTOR GENERAL**  
18 **OF THE PEACE CORPS.**

19 Section 7(a) of the Peace Corps Act (22 U.S.C.  
20 2506(a)) is amended by adding at the end the following  
21 new paragraph:

22 “(7) The limitations specified in subparagraph  
23 (A) of paragraph (2) on the length of appointment  
24 or assignment under such paragraph, subparagraph  
25 (B) of paragraph (2) on reappointment or reassign-



1       ment of an individual whose appointment or assign-  
2       ment under such paragraph has been terminated,  
3       and paragraph (5) on the circumstances under  
4       which an appointment or assignment under para-  
5       graph (2) may exceed five years shall not apply to—

6               “(A) the Inspector General of the Peace  
7               Corps; and

8               “(B) officers and employees of the Office  
9               of the Inspector General of the Peace Corps.”.

10 **SEC. 1005. AUTHORIZATION OF APPROPRIATIONS.**

11       Of the amounts authorized to be appropriated under  
12 section 403, there is authorized to be appropriated for the  
13 Peace Corps \$375,000,000 for fiscal year 2012, of which  
14 not less than \$4,637,000 is authorized to be appropriated  
15 for the Office of the Inspector General of the Peace Corps.

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