

The funds authorized under Title I are intended to be used to work with and benefit Pakistani organizations. Specifically, Section 101(c)(3) provides that:

“The President is encouraged, as appropriate, to utilize Pakistani firms and community and local nongovernmental organizations in Pakistan, including through host country contracts, and to work with local leaders to provide assistance under this section”

Section 102(a) makes clear that there are no conditions placed on the Pakistani government for delivery of the \$7.5 billion in assistance. The only accounting requirements are of the U.S. executive branch.

Section 102(d) makes clear that a long term commitment to increased civilian assistance for the people of Pakistan is envisioned by stating that it is the desire of Congress that the amounts authorized for fiscal years 2010–2014 shall continue from fiscal years 2015–2019.

Section 103(b) authorizes establishment of field offices for Inspectors General to audit and oversee expenditure of this assistance. It is the intent of Congress that such offices would be established in consultation with appropriate Pakistani authorities for the purpose of ensuring optimal management of resources.

TITLE II: SECURITY ASSISTANCE FOR PAKISTAN

The intention of this section is to strengthen cooperative efforts to confront extremism. The purposes of security assistance are intended to be completely cooperative, and reflect the intention that such assistance be used to support Pakistan in achieving its stated objectives in winning the ongoing counterinsurgency, defeating terrorist organizations that threaten Pakistan, and strengthening democratic institutions. Specifically, Section 201(1) “Purposes of Assistance” states that:

“The purposes of assistance under this title are—

(1) to support Pakistan’s paramount national security need to fight and win the ongoing counterinsurgency within its borders in accordance with its national security interests;

(2) to work with the Government of Pakistan to improve Pakistan’s border security and control and help prevent any Pakistani territory from being used as a base or conduit for terrorist attacks in Pakistan, or elsewhere;

(3) to work in close cooperation with the Government of Pakistan to coordinate action against extremist and terrorist targets; and

(4) to help strengthen the institutions of democratic governance”

The provisions applied to certain limited portions of U.S. security assistance in Section 203 are intended to be fully in line with the existing policy of the Government of Pakistan. Specifically, Section 203(c)(1) reflects our understanding that cooperative efforts currently being undertaken by the Governments of Pakistan and the United States to combat proliferation will continue.

Section 203(c)(2) reflects the intent that U.S. security assistance is used in furtherance of the purposes set forth in Section 201 above, e.g., ensuring Pakistan’s security, winning the counterinsurgency within Pakistan, preventing territory from being used for terrorist attacks in Pakistan and elsewhere, and coordinating action against extremist and terrorist targets. This section requires a certification by the United States executive branch

to Congress regarding the efforts and progress made in achieving these purposes, and includes a series of factors to be considered collectively by the Secretary of State in making this assessment.

Section 203(c)(3) includes a provision intended to express support for democratic institutions in Pakistan.

Section 203(e) contains a waiver making clear that this certification could be waived if the determination is made by the Secretary of State in the interests of national security that this was necessary to continue such assistance.

TITLE III. STRATEGY, ACCOUNTABILITY, MONITORING, AND OTHER PROVISIONS.

The intention of this section is to ensure that there is transparency and accountability in the way authorized assistance is spent. This Title requires the U.S. executive branch to provide various reports to Congress designed to demonstrate that funds are being used for the purposes set forth in Title I and Title II; there are no requirements on the Government of Pakistan.

Section 301 “Strategy Reports” requires three reports from the United States executive branch that detail a plan for how U.S. assistance to Pakistan will be spent and evaluated and a regional security plan for how the United States can best work with its partners for “effective counterinsurgency and counterterrorism efforts.”

Section 302 “Monitoring Reports” reflects the need for ongoing consultation between the U.S. executive branch and Congress on monitoring U.S. assistance to Pakistan, including a “Semi-Annual Monitoring Report” where:

The Secretary of State, in consultation with the Secretary of Defense, shall submit to the appropriate congressional committees a report that describes the assistance provided under this Act during the preceding 180-day period.

The many requirements of this report are intended as a way for Congress to assess how effectively U.S. funds are being spent, shortfalls in U.S. resources that hinder the use of such funds, and steps the Government of Pakistan has taken to advance our mutual interests in countering extremism and nuclear proliferation and strengthening democratic institutions.

There is no intent to, and nothing in this Act in any way suggests that there should be, any U.S. role in micromanaging internal Pakistani affairs, including the promotion of Pakistani military officers or the internal operations of the Pakistani military.

The reports envisioned in this Section are not binding on Pakistan, and require only the provision of information by the executive branch to the U.S. Congress, in furtherance of the Act’s stated purpose of strengthening civilian institutions and the democratically-elected Government of Pakistan.

PERSONAL EXPLANATION

HON. XAVIER BECERRA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Mr. BECERRA. Madam Speaker, I was unavoidably detained last evening and missed rollcall 773. If present, I would have voted “yea.”

IRAN SANCTIONS ENABLING ACT OF 2009

SPEECH OF

HON. MARK STEVEN KIRK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 13, 2009

Mr. KIRK. Mr. Speaker, as the lead Republican sponsor of H.R. 1327, the Iran Sanctions Enabling Act, I rise in strong support and urge my colleagues to pass this bill.

We know that certain international corporations still invest billions of dollars in Iran’s energy sector—in effect, subsidizing the regime’s nuclear program. If states and local municipalities want to divest public funds from investments in such companies, the Federal government should support their decisions.

The Iran Sanctions Enabling Act would authorize state and local governments to divest from firms with investments of \$20 million or more in Iran’s energy industry. Arizona, California, Florida, Georgia, Illinois, Louisiana, Maryland, Michigan, Indiana, New Jersey, Colorado, New York, Ohio, Texas, and Washington have all enacted some form of divestment laws. The Iran Sanctions Enabling Act would encourage more states and local communities to take similar action.

With Iranian uranium enrichment accelerating—and the recent disclosure of a secret uranium enrichment site at Qom—the window for effective diplomacy is starting to close. To avoid conflict, we must pass effective sanctions and provide our diplomats with greater leverage. H.R. 1327 is a good first step—but it cannot be the last. I urge Speaker Pelosi and Chairman Berman to move H.R. 2194, the Iran Refined Petroleum Sanctions Act, to the floor for immediate consideration. This legislation, modeled after my Iran Sanctions Enhancement Act of 2007 and Iran Diplomatic Enhancement Act of 2009, would extend current sanctions to companies that supply gasoline to Iran. Iran’s dependence on foreign gasoline remains its greatest weakness—and offers the greatest hope for diplomacy to succeed.

In addition, the President must take steps to fully implement current law. The Iran Sanctions Act was enacted in 1996 as an important measure to deny Iran the resources to further its nuclear program and to support terrorist organizations. According to the law, a firm that invests more than \$20 million in Iran’s energy sector is determined to be a violator, and is subject to a range of sanctions. The Congressional Research Service has identified more than 20 firms that likely violate the Iran Sanctions Act. Nevertheless, no Administration has ever enforced this law. I urge my colleagues to sign the Kirk-Klein letter to President Obama urging him to enforce the Iran Sanctions Act without delay.

EARMARK DECLARATION

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Mr. DUNCAN. Madam Speaker, consistent with House Republican Earmark Standards, I am submitting the following earmark disclosure information for project requests that I