§ 8162. IAEA inspections and visits
(a) Certain individuals prohibited from obtaining access

No national of a country designated by the Secretary of State under section 2371 of this title as a government supporting acts of international terrorism shall be permitted access to the United States to carry out an inspection activity under the Additional Protocol or a related safeguards agreement.

(b) Presence of United States Government personnel

IAEA inspectors shall be accompanied at all times by United States Government personnel when inspecting sites, locations, facilities, or activities in the United States under the Additional Protocol.

(c) Vulnerability and related assessments

The President shall conduct vulnerability, counterintelligence, and related assessments not less than every 5 years to ensure that information of direct national security significance remains protected at all sites, locations, facilities, and activities in the United States that are subject to IAEA inspection under the Additional Protocol.


SUBCHAPTER VII—REPORTS

§ 8171. Report on initial United States declaration

Not later than 60 days before submitting the initial United States declaration to the IAEA under the Additional Protocol, the President shall submit to Congress a list of the sites, locations, facilities, and activities in the United States that the President intends to declare to the IAEA, and a report thereon.


§ 8172. Report on revisions to initial United States declaration

Not later than 60 days before submitting to the IAEA any revisions to the United States declaration submitted under the Additional Protocol, the President shall submit to Congress a list of any sites, locations, facilities, or activities in the United States that the President intends to add to or remove from the declaration, and a report thereon.


§ 8173. Content of reports on United States declarations

The reports required under section 8171 of this title and section 8172 of this title shall present the reasons for each site, location, facility, and activity being declared or being removed from the declaration list and shall certify that—

(1) each site, location, facility, and activity included in the list has been examined by each agency with national security equities with respect to such site, location, facility, or activity; and

(2) appropriate measures have been taken to ensure that information of direct national security significance will not be compromised at any such site, location, facility, or activity in connection with an IAEA inspection.


§ 8174. Report on efforts to promote the implementation of additional protocols

Not later than 180 days after the entry into force of the Additional Protocol, the President shall submit to the appropriate congressional committees a report on—

(1) measures that have been or should be taken to achieve the adoption of additional protocols to existing safeguards agreements signed by non-nuclear-weapon State Parties; and

(2) assistance that has been or should be provided by the United States to the IAEA in order to promote the effective implementation of additional protocols to existing safeguards agreements signed by non-nuclear-weapon State Parties and the verification of the compliance of such parties with IAEA obligations, with a plan for providing any needed additional funding.


§ 8175. Notice of IAEA notifications

The President shall notify Congress of any notifications issued by the IAEA to the United States under Article 10 of the Additional Protocol.


SUBCHAPTER VIII—AUTHORIZATION OF APPROPRIATIONS

§ 8181. Authorization of appropriations

There are authorized to be appropriated such sums as may be necessary to carry out this chapter.


CHAPTER 89—ADVANCING DEMOCRATIC VALUES

Sec.
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8202. Statement of policy.
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SUBCHAPTER I—ACTIVITIES TO ENHANCE THE PROMOTION OF DEMOCRACY
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SUBCHAPTER II—STRATEGIES AND REPORTS ON HUMAN RIGHTS AND THE PROMOTION OF DEMOCRACY
8221. Strategies, priorities, and annual report.
§ 8201. Findings

Congress finds the following:

(1) The United States Declaration of Independence, the United States Constitution, and the United Nations Universal Declaration of Human Rights declare that all human beings are created equal and possess certain rights and freedoms, including the fundamental right to participate in the political life and government of their respective countries.

(2) The development of democracy constitutes a long-term challenge that goes through unique phases and paces in individual countries as such countries develop democratic institutions such as a thriving civil society, a free media, and an independent judiciary, and must be led from within such countries, including by nongovernmental and governmental reformers.

(3) Individuals, nongovernmental organizations, and movements that support democratic principles, practices, and values are under increasing pressure from some governments of nondemocratic countries (as well as, in some cases, from governments of democratic transition countries), including by using administrative and regulatory mechanisms to undermine the activities of such individuals, organizations, and movements.

(4) Democratic countries have a number of instruments available for supporting democratic reformers who are committed to promoting effective, nonviolent change in nondemocratic countries and who are committed to keeping their countries on the path to democracy.

(5) United States efforts to promote democracy and protect human rights can be strengthened to improve assistance for such reformers, including through an enhanced role for United States diplomats when properly trained and given the right incentives.

(6) The promotion of democracy requires a broad-based effort with cooperation between all democratic countries, including through the Community of Democracies.


§ 8202. Statement of policy

It is the policy of the United States—

(1) to promote freedom and democracy in foreign countries as a fundamental component of United States foreign policy, along with other key foreign policy goals;

(2) to affirm fundamental freedoms and internationally recognized human rights in foreign countries, as reflected in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, and to condemn offenses against those freedoms and rights as a fundamental component of United States foreign policy, along with other key foreign policy goals;

(3) to protect and promote such fundamental freedoms and rights, including the freedoms of association, of expression, of the press, and of religion, and the right to own private property;

(4) to commit to the long-term challenge of promoting universal democracy by promoting democratic institutions, including institutions that support the rule of law (such as an independent judiciary), an independent and professional media, strong legislatures, a thriving civil society, transparent and professional independent governmental auditing agencies, civilian control of the military, and institutions that promote the rights of minorities and women;

(5) to use instruments of United States influence to support, promote, and strengthen democratic principles, practices, and values, including the right to free, fair, and open elections, secret balloting, and universal suffrage, including by—

(A) providing appropriate support to individuals, nongovernmental organizations, and movements located in nondemocratic countries that aspire to live in freedom and establish full democracy in such countries; and

(B) providing political, economic, and other support to foreign countries and individuals, nongovernmental organizations, and movements that are willingly undertaking a transition to democracy; and

(6) to strengthen cooperation with other democratic countries in order to better promote and defend shared values and ideals.


§ 8203. Definitions

In this chapter:
(1) Annual Report on Advancing Freedom and Democracy

The term “Annual Report on Advancing Freedom and Democracy” refers to the annual report submitted to Congress by the Department of State pursuant to section 665(c) of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107–228; 22 U.S.C. 2151n note), in which the Department reports on actions taken by the United States Government to encourage respect for human rights and democracy.

(2) Appropriate congressional committees

The term “appropriate congressional committees” means the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

(3) Assistant Secretary

The term “Assistant Secretary” means the Assistant Secretary of State for Democracy, Human Rights, and Labor.

(4) Community of Democracies and Community

The terms “Community of Democracies” and “Community” mean the association of democratic countries committed to the global promotion of democratic principles, practices, and values, which held its First Ministerial Conference in Warsaw, Poland, in June 2000.

(5) Department

The term “Department” means the Department of State.

(6) Nondemocratic country or democratic transition country

The term “nondemocratic country” or “democratic transition country” shall include any country which is not governed by a fully functioning democratic form of government, as determined by the Secretary, taking into account the general consensus regarding the status of civil and political rights in a country by major nongovernmental organizations that conduct assessments of such conditions in countries and whether the country exhibits the following characteristics:

(A) All citizens of such country have the right to, and are not restricted in practice from, fully and freely participating in the political life of such country.

(B) The national legislative body of such country and, if directly elected, the head of government of such country, are chosen by free, fair, open, and periodic elections, by universal and equal suffrage, and by secret ballot.

(C) More than one political party in such country has candidates who seek elected office at the national level and such parties are not restricted in their political activities or their process for selecting such candidates, except for reasonable administrative requirements commonly applied in countries categorized as fully democratic.

(D) All citizens in such country have a right to, and are not restricted in practice from, fully exercising such fundamental freedoms as the freedom of expression, conscience, and peaceful assembly and association, and such country has a free, independent, and pluralistic media.

(E) The current government of such country did not come to power in a manner contrary to the rule of law.

(F) Such country possesses an independent judiciary and the government of such country generally respects the rule of law.

(G) Such country does not violate other core principles enshrined in the United Nations Charter, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, United Nations Commission on Human Rights Resolution 1499/57 (entitled “Promotion of the Right to Democracy”), and the United Nations General Assembly Resolution 55/96 (entitled “Promoting and consolidating democracy”).

(H) As applicable, whether the country has scored favorably on the political, civil liberties, corruption, and rule of law indicators used to determine eligibility for financial assistance disbursed from the Millennium Challenge Account.

(7) Secretary

The term “Secretary” means the Secretary of State.


SUBCHAPTER I—ACTIVITIES TO ENHANCE THE PROMOTION OF DEMOCRACY

§8211. Democracy promotion at the Department of State

(a) Democracy Liaison Officers

(1) In general

The Secretary of State shall establish and staff Democracy Liaison Officer positions. Democracy Liaison Officers shall serve under the supervision of the Assistant Secretary. Democracy Liaison Officers may be assigned to the following posts:

(A) United States missions to, or liaisons with, regional and multilateral organizations, including the United States missions to the European Union, African Union, Organization of American States, and any other appropriate regional organization, the Organization for Security and Cooperation in Europe, the United Nations and its relevant specialized agencies, and the North Atlantic Treaty Organization.

(B) Regional public diplomacy centers of the Department of State.

(C) United States combatant commands.

(D) Other posts as designated by the Secretary.

(2) Responsibilities

Each Democracy Liaison Officer should—

(A) provide expertise on effective approaches to promote and build democracy;

(B) assist in formulating and implementing strategies for transitions to democracy; and

(C) carry out such other responsibilities as the Secretary or the Assistant Secretary may assign.
(3) New positions

To the fullest extent practicable, taking into consideration amounts appropriated to carry out this subsection and personnel available for assignment to the positions described in paragraph (1), the Democracy Liaison Officer positions established under subsection (a) shall be new positions that are in addition to existing positions with responsibility for other human rights and democracy related issues and programs, including positions with responsibility for labor issues.

(4) Relationship to other authorities

Nothing in this subsection may be construed as altering any authority or responsibility of a chief of mission or other employee of a diplomatic mission of the United States provided under any other provision of law, including any authority or responsibility for the development or implementation of strategies to promote democracy.

(b) Office related to democratic movements and transitions

(1) Establishment

There shall be identified within the Bureau of Democracy, Human Rights, and Labor of the Department at least one office that shall be responsible for working with democratic movements and facilitating the transition to full democracy of nondemocratic countries and democratic transition countries.

(2) Responsibilities

The Assistant Secretary shall, including by acting through the office or offices identified pursuant to paragraph (1)—

(A) provide support for Democratic Liaison Officers established under subsection (a);

(B) develop relations with, consult with, and provide assistance to nongovernmental organizations, individuals, and movements that are committed to the peaceful promotion of democracy and fundamental rights and freedoms, including fostering relationships with the United States Government and the governments of other democratic countries; and

(C) assist officers and employees of regional bureaus of the Department to develop strategies and programs to promote peaceful change in nondemocratic countries and democratic transition countries.

(3) Liaison

Within the Bureau of Democracy, Human Rights, and Labor, the Assistant Secretary shall identify officers or employees who have expertise in and shall be responsible for working with nongovernmental organizations, individuals, and movements that develop relations with, consult with, and provide assistance to nongovernmental organizations, individuals, and movements in foreign countries that are committed to the peaceful promotion of democracy and fundamental rights and freedoms.

(c) Actions by chiefs of mission

Each chief of mission in each nondemocratic country or democratic transition country should—

(1) develop, as part of annual program planning, a strategy to promote democratic principles, practices, and values in each such foreign country and to provide support, as appropriate, to nongovernmental organizations, individuals, and movements in each such country that are committed to democratic principles, practices, and values, such as by—

(A) consulting and coordinating with and providing support to such nongovernmental organizations, individuals, and movements regarding the promotion of democracy;

(B) issuing public condemnations of violations of internationally recognized human rights, including violations of religious freedom, and visiting local landmarks and other local sites associated with nonviolent protest in support of democracy and freedom from oppression; and

(C) holding periodic meetings with such nongovernmental organizations, individuals, and movements to discuss democracy and political, social, and economic freedoms;

(2) hold ongoing discussions with the leaders of each such nondemocratic country or democratic transition country regarding progress toward a democratic system of governance and the development of political, social, and economic freedoms and respect for human rights, including freedom of religion or belief, in such country; and

(3) conduct meetings with civil society, interviews with media that can directly reach citizens of each such country, and discussions with students and young people of each such country regarding progress toward a democratic system of governance and the development of political, social, and economic freedoms in each such country.

(d) Recruitment

The Secretary should seek to increase the proportion of members of the Foreign Service who serve in the Bureau of Democracy, Human Rights, and Labor.

(e) Authorization of appropriations

There are authorized to be appropriated to the Secretary such sums as may be necessary to carry out this section.


§ 8212. Democracy Fellowship Program

(a) Requirement for Program

The Secretary shall establish a Democracy Fellowship Program to enable officers of the Department to gain an additional perspective on democracy promotion in foreign countries by working on democracy issues in appropriate congressional offices or congressional committees with oversight over the subject matter of this chapter, including the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives and the Committee on Foreign Relations and the Committee on Appropriations of the Senate, and international or nongovernmental organizations involved in democracy promotion.
§ 8213. Investigations of violations of international humanitarian law

(a) In general

The President, with the assistance of the Secretary, the Under Secretary of State for Democracy and Global Affairs, and the Ambassador-at-Large for War Crimes Issues, shall collect information regarding incidents that may constitute crimes against humanity, genocide, slavery, or other violations of international humanitarian law.

(b) Accountability

The President shall consider what actions can be taken to ensure that any government of a country or the leaders or senior officials of such government who are responsible for crimes against humanity, genocide, slavery, or other violations of international humanitarian law identified under subsection (a) are brought to account for such crimes in an appropriately constituted tribunal.

§ 8221. Strategies, priorities, and annual report

(a) Expansion of country-specific strategies to promote democracy

(1) Commendation

Congress commends the Secretary for the ongoing work by the Department to develop country-specific strategies for promoting democracy.

(2) Expansion

The Secretary shall expand the development of such strategies to all nondemocratic countries and democratic transition countries.

(3) Briefings

The Secretary shall keep the appropriate congressional committees fully and currently informed as such strategies are developed.

(b) Omitted

(c) Enhanced report

The Annual Report on Advancing Freedom and Democracy shall include, as appropriate—

(1) United States priorities for the promotion of democracy and the protection of human rights for each nondemocratic country and democratic transition country, developed in consultation with relevant parties in such countries; and

(2) specific actions and activities of chiefs of missions and other United States officials to promote democracy and protect human rights in each such country.

§ 8222. Translation of human rights reports

(a) In general

The Secretary shall continue to expand the timely translation of the applicable parts of the Country Reports on Human Rights Practices required under sections 2151n(d) and 2304(b) of this title, the Annual Report on International Religious Freedom required under section 6412(b) of this title, the Trafficking in Persons Report required under section 7107(b) of this title, and any separate report on democracy and human rights policy submitted in accordance with section 665(c) of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107–228; 22 U.S.C. 2151n note) into the principal languages of as many countries as possible, with particular emphasis on nondemocratic countries, democratic transition countries, and countries in which extrajudicial killings, torture, or other serious violations of human rights have occurred.

(b) Report

(1) Requirement

Not later than April 1, 2008, and annually thereafter through 2010, the Secretary shall submit to the appropriate congressional committees a report describing any translations of the reports specified in subsection (a) for the preceding year, including which of such reports have been translated into which principal languages and the countries in which such translations have been distributed by posting on a relevant website or elsewhere.

(2) Form

The report required under paragraph (1) may be included in any separate report on democracy and human rights policy submitted in accordance with section 665(c) of the Foreign Relations Authorization Act, Fiscal Year 2003.

§ 8231. Advisory Committee on Democracy Promotion

Congress commends the Secretary for creating an Advisory Committee on Democracy Promotion, and it is the sense of Congress that the Committee should play a significant role in the Department’s transformational diplomacy by advising the Secretary regarding United States efforts to promote democracy and democratic transition in connection with the formulation...
§ 8232. Sense of Congress regarding the Internet website of the Department of State

It is the sense of Congress that in order to facilitate access by individuals, nongovernmental organizations, and movements in foreign countries to documents, streaming video and audio, and other media regarding democratic principles, practices, and values, and the promotion and strengthening of democracy, the Secretary should take additional steps to enhance the Internet site for global democracy and human rights of the Department, which should include, where practicable, the following:

1. Narratives and histories, published by the United States Government, of significant democratic movements in foreign countries, particularly regarding successful nonviolent campaigns to promote democracy in nondemocratic countries and democratic transition countries.

2. Narratives, published by the United States Government, relating to the importance of the establishment of and respect for internationally recognized human rights, democratic principles, practices, and values, and other fundamental freedoms.

3. Major human rights reports by the United States Government, including translations of such materials, as appropriate.

4. Any other documents, references, or links to appropriate external Internet websites (such as websites of international or nongovernmental organizations), including references or links to training materials, narratives, and histories regarding successful democratic movements.


§ 8242. Sense of Congress regarding ADVANCE Democracy Award

It is the sense of Congress that—

1. The Secretary should further strengthen the capacity of the Department to carry out results-based democracy promotion efforts through the establishment of an annual award to be known as the “Outstanding Achievements in Advancing Democracy Award”, or the “ADVANCE Democracy Award”, that would be awarded to officers or employees of the Department, and

2. The Secretary should establish procedures for selecting recipients of such award, including any financial terms associated with such award.


CHANGE OF NAME

References to National Foreign Affairs Training Center considered to refer to George P. Shultz National Foreign Affairs Training Center, see section 1(b) of Pub. L. 107–132, set out as a note under section 4021 of this title.

§ 8243. Personnel policies at the Department of State

In addition to the awards and other incentives already implemented, the Secretary should in—
crease incentives for members of the Foreign Service and other employees of the Department who take assignments relating to the promotion of democracy and the protection of human rights, including the following:

1. Providing performance pay under section 3965 of this title to such members and employees who carry out their assignment in an outstanding manner.
2. Considering such an assignment as a basis for promotion into the Senior Foreign Service.
3. Providing Foreign Service Awards under section 4013 of this title to such members and employees who provide distinguished or meritorious service in the promotion of democracy or the protection of human rights.


SUBCHAPTER V—COOPERATION WITH DEMOCRATIC COUNTRIES

§ 8251. Cooperation with democratic countries

(a) Sense of Congress

It is the sense of Congress that the United States should cooperate with other democratic countries to—

1. promote and protect democratic principles, practices, and values;
2. promote and protect shared political, social, and economic freedoms, including the freedoms of association, of expression, of the press, of religion, and to own private property;
3. promote and protect respect for the rule of law;
4. develop, adopt, and pursue strategies to advance common interests in international organizations and multilateral institutions to which members of cooperating democratic countries belong; and
5. provide political, economic, and other necessary support to countries that are undergoing a transition to democracy.

(b) Community of Democracies

(1) Sense of Congress

It is the sense of Congress that—

(A) the Community of Democracies should develop a more formal mechanism for carrying out work between ministerial meetings, such as through the creation of a permanent secretariat with appropriate staff to carry out such work, and should establish a headquarters; and
(B) nondemocratic countries should not participate in any association or group of democratic countries aimed at working together to promote democracy.

(2) Detail of personnel

The Secretary is authorized to detail on a nonreimbursable basis any employee of the Department to any permanent secretariat of the Community of Democracies or to the government of any country that is a member of the Convening Group of the Community of Democracies.

(c) Establishment of an office for multilateral democracy promotion

The Secretary should establish an office of multilateral democracy promotion with the mission to further develop and strengthen the institutional structure of the Community of Democracies, develop interministerial projects, enhance the United Nations Democracy Caucus, manage policy development of the United Nations Democracy Fund, and enhance coordination with other regional and multilateral bodies with jurisdiction over democracy issues.

(d) International Center for Democratic Transition

(1) Sense of Congress

It is the sense of Congress that the International Center for Democratic Transition, an initiative of the Government of Hungary, serves to promote practical projects and the sharing of best practices in the area of democracy promotion and should be supported by, in particular, the United States, other European countries with experiences in democratic transitions, and private individuals.

(2) Authorization of appropriations

There is authorized to be appropriated $1,000,000 for each of fiscal years 2008, 2009, and 2010 to the Secretary for a grant to the International Center for Democratic Transition. Amounts appropriated under this paragraph are authorized to remain available until expended.


SUBCHAPTER VI—FUNDING FOR PROMOTION OF DEMOCRACY

§ 8261. The United Nations Democracy Fund

(a) Sense of Congress

It is the sense of Congress that the United States should work with other countries to enhance the goals and work of the United Nations Democracy Fund, an essential tool to promote democracy, and in particular support civil society in foreign countries in their efforts to help consolidate democracy and bring about transformational change.

(b) Authorization of appropriations

There is authorized to be appropriated $14,000,000 for each of fiscal years 2008 and 2009 to the Secretary for a United States contribution to the United Nations Democracy Fund.


§ 8262. United States democracy assistance programs

(a) Sense of Congress regarding use of instruments of democracy promotion

It is the sense of Congress that—

1. United States support for democracy is strengthened by using a variety of different instrumentalities, such as the National Endowment for Democracy, the United States Agency for International Development, and the Department; and
2. the purpose of the Department’s Human Rights and Democracy Fund should be to support innovative programming, media, and materials designed to uphold democratic prin-
§ 8301

Title 22—Foreign Relations and Intercourse

Chapter 90—Volunteers for Prosperity Program

(A) direct outreach to leading nonprofit organizations and companies in the United States;
(B) promotion of the work of skilled Americans and nonprofit organizations and companies in the United States as it relates to international volunteer service;
(C) public recognition of skilled American volunteers;
(D) support for organizations that utilize skilled Americans as volunteers;
(E) participation in the development of special initiatives to further opportunities for skilled Americans; and
(F) leadership of an innovative public-private partnership to provide eligible skilled volunteers with financial assistance for volunteer assignments.


Effective Date

Chapter effective Oct. 1, 2009, see section 6101(a) of Pub. L. 111–13, set out as an Effective Date of 2009 Amendment note under section 4950 of Title 42, The Public Health and Welfare.

Ex. Ord. No. 13317. Volunteers for Prosperity


By the authority vested in me as President by the Constitution and the laws of the United States, and in order to encourage volunteer service by highly skilled Americans to support major initiatives by the United States for promoting health and prosperity around the world, it is hereby ordered as follows:

Section 1. (a) Policy. A part of USA Freedom Corps, "Volunteers for Prosperity" is a call to service to support major U.S. initiatives that promote health and prosperity around the world. Deploying highly skilled volunteers abroad is an efficient way to use our resources consistent with the objectives of the United States Government's global prosperity agenda. United States volunteers will help to achieve the objectives of the global prosperity agenda, including providing clean water to the poor, promoting democratic governance, developing economic freedom, promoting free and open markets, stemming the spread of HIV/AIDS and controlling malaria.

The investment of Federal resources to enable U.S. volunteers to work with nongovernmental and voluntary service organizations overseas is a preferred use of our resources and also will help leverage private sector resources. United States citizens who are skilled professionals and who volunteer, when matched with organizations working on specific U.S. prosperity initiatives overseas, can provide invaluable support for these initiatives and will supplement and complement the traditions and accomplishments of the Peace Corps. United States prosperity initiatives that can benefit from volunteer service include, but are not limited to, the Emergency Plan for AIDS Relief, the Digital Freedom Initiative, the Water for the Poor Initiative, the Trade for African Development and Enterprise Initiative, the Middle East Partnership Initiative, and the President's Malaria Initiative.

Volunteer service in support of other initiatives, consistent with U.S. foreign policy, shall be considered as well.

(b) Applicability. The following agencies are subject to the requirements of this order: the United States Agen-

1So in original. Probably should be “eligible skilled professionals.”