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(Original Signature of Member)

112TH CONGRESS
1ST SESSION

H. R. _____

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

IN THE HOUSE OF REPRESENTATIVES

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

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.
- Sec. 106. National Endowment for Democracy.

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.
- Sec. 204. Special agents.
- Sec. 205. Diplomatic security program contracting.
- Sec. 206. Statement of policy on existing United States understandings with Israel.
- Sec. 207. Recognition of Jerusalem as the capital of the State of Israel and relocation of the United States Embassy to Jerusalem.

Subtitle B—Consular Services and Related Matters

- Sec. 211. Extension of authority to assess passport surcharge.
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- Sec. 213. Maintenance cost sharing program.
- Sec. 214. Border crossing card fee for minors.

TITLE III—ORGANIZATION AND PERSONNEL AUTHORITIES

- Sec. 301. Suspension of Foreign Service members without pay.
- Sec. 302. Repeal of recertification requirement for Senior Foreign Service.
- Sec. 303. Limited appointments in the Foreign Service.
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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.

- Sec. 412. Preventing taxpayer funding for foreign organizations that promote or perform abortion.
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TITLE V—UNITED STATES INTERNATIONAL BROADCASTING

- Sec. 501. Authorization of appropriations for international broadcasting.
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- Sec. 503. Employment for 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.
- Sec. 703. Definitions.

TITLE VIII—MISCELLANEOUS PROVISIONS

- Sec. 801. Boundary, water, and fisheries commissions.
- Sec. 802. Limitation on funds for U.S.-China Center of Excellence on Nuclear Security.
- Sec. 803. Elimination of East-West Center.
- Sec. 804. Inspector General of the Global Fund.
- Sec. 805. Arab league boycott.
- Sec. 806. Measures supporting the reunification of Cyprus.
- Sec. 807. Limitation on assistance to the former Yugoslav Republic of Macedonia.
- Sec. 808. Statement of policy regarding the Ecumenical Patriarchate.
- Sec. 809. Sense of Congress on restrictions on religious freedom in Vietnam.
- Sec. 810. State sponsorship of terrorism by Eritrea.
- Sec. 811. Rights of religious minorities in Egypt.
- Sec. 812. The Republic of the Sudan and the Republic of South Sudan.

TITLE IX—SECURITY ASSISTANCE

- Sec. 901. Short title.

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- Sec. 911. Foreign Military Financing program.
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- Sec. 934. Annual estimate and justification for sales program.
- Sec. 935. Updating and conforming penalties for violations of sections 38 and 39 of the Arms Export Control Act.
- Sec. 936. Clarification of prohibitions relating to state sponsors of terrorism and their nationals.
- Sec. 937. Exemption for transactions with countries supporting acts of international terrorism.
- Sec. 938. Report on Foreign Military Financing program.
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- 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.
- Sec. 952. Report on security assistance to the Government of Egypt.
- Sec. 953. Government of Egypt defined.

PART III—LEBANON

- Sec. 961. Statement of policy.
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- Sec. 964. Government of Lebanon defined.

PART IV—PALESTINIAN AUTHORITY

- Sec. 971. Limitation on security assistance to the Palestinian Authority.
- Sec. 972. Report on security assistance to the Palestinian Authority.
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PART V—PAKISTAN

- Sec. 981. Authorization of appropriations.
- Sec. 982. Limitations on certain assistance.
- Sec. 983. Strategy reports.

PART VI—YEMEN

- Sec. 991. Limitation on security assistance to the Government of Yemen.
- Sec. 992. Report on security assistance to the Government of Yemen.
- Sec. 993. Government of Yemen defined.

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);

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 foreign 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 foreign 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.—Not more than \$8,300,000 is authorized to be
19 appropriated to the President for administrative expenses
20 to carry out credit programs administered by the United
21 States Agency for International Development for fiscal
22 year 2012.

23 **SEC. 406. MILLENNIUM CHALLENGE CORPORATION.**

24 (a) LIMITATION ON AUTHORIZATION OF APPROPRIA-
25 TIONS.—Not more than \$900,000,000 is authorized to be
26 appropriated to the President for necessary expenses to

1 carry out the provisions of the Millennium Challenge Act
2 of 2003 for fiscal year 2012.

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

7 (1) by redesignating subsection (c) as sub-
8 section (d); and

9 (2) by inserting after subsection (b) the fol-
10 lowing:

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

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

21 (a) RESTRICTION.—Except as provided in paragraph
22 (2), no United States economic or development assistance
23 may be provided to the government of a country that does
24 not meet the corruption performance indicator of the Mil-
25 lennium Challenge Corporation used for purposes of deter-

1 mining eligibility for assistance under the Millennium
2 Challenge Act of 2003.

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

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

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

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

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

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

1 **SEC. 408. DEMOCRACY FUND.**

2 Not more than \$115,000,000 is authorized to be ap-
3 propriated to the President for necessary expenses to carry
4 out the provisions of the Foreign Assistance Act of 1961
5 for the promotion of democracy globally for fiscal year
6 2012.

7 **SEC. 409. REPORT ON AID COMMITMENTS AND DISBURSE-**
8 **MENTS BY OTHER DONORS AND INTER-**
9 **NATIONAL ORGANIZATIONS.**

10 Section 634 of the Foreign Assistance Act of 1961
11 (22 U.S.C. 2394) is amended—

12 (1) in subsection (a)—

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

16 (B) by striking paragraphs (6) and (7);
17 and

18 (C) by redesignating paragraphs (8)
19 through (12) as paragraphs (6) through (10),
20 respectively; and

21 (2) by adding at the end the following new sub-
22 section:

23 “(c) REPORT REQUIRED.—

24 “(1) IN GENERAL.—The President shall submit
25 to the appropriate congressional committees, at such
26 time that the President submits the annual budget

1 request under section 1105 of title 31, United States
2 Code, a report providing the most up-to-date and de-
3 tailed information on aid commitments and disburse-
4 ments by other donors and international organiza-
5 tions to countries and regions for which the Presi-
6 dent is seeking United States assistance funds.

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

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

17 “(A) the Committee on Foreign Affairs of
18 the House of Representatives; and

19 “(B) the Committee on Foreign Relations
20 of the Senate.”.

21 **SEC. 410. TRANSFER OF LIQUIDATED ASSETS OF CERTAIN**
22 **ENTERPRISE FUNDS TO THE UNITED STATES**
23 **TREASURY.**

24 (a) TRANSFER OF LIQUIDATED ASSETS.—The Presi-
25 dent, acting through the Administrator of the United

1 States Agency for International Development, should
2 transfer to the Treasury of the United States for purposes
3 of payment on the public debt not less than 50 percent
4 of all assets from the liquidation, dissolution, or winding
5 up of each Enterprise Fund described in subsection (b).

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

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

12 (2) The Baltic-American Enterprise Fund es-
13 tablished pursuant to section 201 of the Support for
14 East European Democracy (SEED) Act of 1989 (22
15 U.S.C. 5421).

16 (3) The South African Enterprise Development
17 Fund established pursuant to sections 496 and
18 635(b) of the Foreign Assistance Act of 1961.

19 **SEC. 411. LIMITATION ON FUNDS FOR UNITED STATES**
20 **AGENCY FOR INTERNATIONAL DEVELOP-**
21 **MENT'S OFFICE OF BUDGET AND RESOURCE**
22 **MANAGEMENT.**

23 (a) STATEMENT OF POLICY.—In order to better align
24 budget resources with United States foreign assistance
25 strategic priorities and objectives, to establish clearer lines

1 of authority and enhance accountability between agencies,
2 to reduce replication of foreign assistance programs, and
3 to ensure better efficiency and effectiveness of United
4 States foreign assistance programs, it shall be the policy
5 of the United States to vest budget authorities and policy
6 planning for all United States foreign assistance within
7 one office at the Department of State that shall complete
8 the Federal budgets for both the Department of State and
9 the United States Agency for International Development.

10 (b) OFFICE OF BUDGET AND RESOURCE MANAGE-
11 MENT.—None of the funds authorized to be appropriated
12 by this Act or any amendment made by this Act may be
13 used to support the costs of maintaining the Office of
14 Budget and Resource Management of the United States
15 Agency for International Development.

16 (c) REPORT.—

17 (1) IN GENERAL.—Not later than 180 days
18 after the date of the enactment of this Act, the
19 President shall submit to Congress a report that
20 contains a feasibility study and strategy—

21 (A) to eliminate duplicative bureaus, of-
22 fices, and positions, including an assessment
23 and recommendations for the elimination of
24 special envoys and special representatives; and

1 (B) to consolidate such bureaus, offices,
2 and positions, as necessary and appropriate, in
3 a manner which maximizes efficiency and effec-
4 tiveness of United States foreign policy and as-
5 sistance.

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

15 **SEC. 412. PREVENTING TAXPAYER FUNDING FOR FOREIGN**
16 **ORGANIZATIONS THAT PROMOTE OR PER-**
17 **FORM ABORTION.**

18 None of the funds authorized to be appropriated by
19 this Act or any amendment made by this Act may be made
20 available to any foreign nongovernmental organization
21 that promotes or performs abortion, except in cases of
22 rape or incest or when the life of the mother would be
23 endangered if the fetus were carried to term.

1 **SEC. 413. SENSE OF CONGRESS RELATING TO MICROEN-**
2 **TERPRISE DEVELOPMENT ASSISTANCE TO**
3 **SUB-SAHARAN AFRICA.**

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

5 (1) the United States Agency for International
6 Development should seek to increase the reach, im-
7 pact, and effectiveness of microenterprise develop-
8 ment assistance in sub-Saharan Africa;

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

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

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

1 **TITLE V—UNITED STATES**
2 **INTERNATIONAL BROAD-**
3 **CASTING**

4 **SEC. 501. AUTHORIZATION OF APPROPRIATIONS FOR**
5 **INTERNATIONAL BROADCASTING.**

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

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

17 (2) For “Broadcasting Capital Improvements”,
18 \$6,875,000 for fiscal year 2012.

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

20 Section 504(c) of the Foreign Relations Authoriza-
21 tion Act, Fiscal Year 2003, (Public Law 107–228; 22
22 U.S.C. 6206 note), is amended by striking “2009” and
23 inserting “2014”.

1 **SEC. 503. EMPLOYMENT FOR INTERNATIONAL BROAD-**
2 **CASTING.**

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

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

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

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

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

22 **TITLE VI—REPORTING**
23 **REQUIREMENTS**

24 **SEC. 601. REPORTING REFORM.**

25 The following provisions of law are repealed:

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

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

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

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

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

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

8 (7) Section 585 in the matter under section
9 101(c) of Division A of Public Law 104–208.

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

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

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

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

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

16 **SEC. 602. DIPLOMATIC RELATIONS WITH ISRAEL.**

17 (a) STATEMENT OF POLICY.—It is the policy of the
18 United States to assist Israel in its efforts to establish
19 and enhance its diplomatic relations with other responsible
20 countries and to promote Israel’s full participation in ap-
21 propriate multilateral forums.

22 (b) REPORT.—Not later than 90 days after the date
23 of the enactment of this Act and annually for each of the
24 following three years, the Secretary of State shall submit

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

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

6 (2) Specific responses solicited and received by
7 the Secretary from countries that do not maintain
8 full diplomatic relations with Israel with respect to
9 their attitudes toward and plans for entering into
10 diplomatic relations with Israel.

11 (3) Actions taken by representatives of the
12 United States to encourage Israel's entry into appro-
13 priate regional and other groupings, encourage
14 Israel's election to governing bodies of appropriate
15 multilateral forums, and support Israel's member-
16 ship in appropriate multilateral forums.

17 (4) Other measures being undertaken, and
18 measures that will be undertaken, by the United
19 States to ensure and promote Israel's full participa-
20 tion in the world diplomatic community.

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

1 **TITLE VII—PROLIFERATION**
2 **SECURITY INITIATIVE**

3 **SEC. 701. AUTHORITY TO INTERDICT CERTAIN IMPORTS TO**
4 **AND EXPORTS FROM IRAN.**

5 The President is authorized to—

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

18 (2) utilize ship boarding and other interdiction
19 agreements with countries determined to be nec-
20 essary to accomplish the purpose specified in para-
21 graph (1).

22 **SEC. 702. REPORT.**

23 (a) IN GENERAL.—Section 2 of the Iran, North
24 Korea, and Syria Nonproliferation Act (Public Law 106–
25 178; 50 U.S.C. 1701 note) is amended—

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

3 (2) by adding at the end the following new sub-
4 section:

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

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

16 **SEC. 703. DEFINITIONS.**

17 In this title:

18 (1) **APPROPRIATE CONGRESSIONAL COMMIT-**
19 **TEES.**—The term “appropriate congressional com-
20 mittees” means—

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

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

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

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

7 (B) any agency or instrumentality of the
8 Government of Iran;

9 (C) any entity that is owned or controlled,
10 directly or indirectly, by the Government of
11 Iran;

12 (D) any member or instrumentality of the
13 Iranian Revolutionary Guard Corps (IRGC); or

14 (E) any entity that is owned or controlled,
15 directly or indirectly by a member or instru-
16 mentality of the IRGC.

17 **TITLE VIII—MISCELLANEOUS**
18 **PROVISIONS**

19 **SEC. 801. BOUNDARY, WATER, AND FISHERIES COMMIS-**
20 **SIONS.**

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

22 (1) The boundary, water, and fisheries commis-
23 sions funded using the funds authorized to be appro-
24 priated under section 104 are longstanding treaty-
25 and agreement-based organizations formed to ad-

1 dress important border, water, and fisheries resource
2 issues, and receive substantial financial support from
3 United States taxpayers.

4 (2) Although paragraph (g) of Article 24 of the
5 1944 Water Treaty between Mexico and the United
6 States (59 Stat. 1219) requires the International
7 Boundary and Water Commission (United States
8 and Mexico) to annually submit a joint report to the
9 United States and Mexican Governments, the last
10 English-language Annual Report was filed for 2006,
11 and contained no detail regarding the cost of the
12 Commission's particular activities or the specific al-
13 location of Commission resources.

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

20 (4) The International Boundary Commission
21 (United States and Canada) last filed an Annual Re-
22 port for 2007.

23 (5) The Great Lakes Fishery Commission, the
24 largest recipient of United States assistance to inter-
25 national fisheries commissions, last filed an Annual

1 Report for 2006, which was six pages long and con-
2 tained three lines of financial data.

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

8 (b) SENSE OF CONGRESS.—It is the sense of Con-
9 gress that timely reporting by the boundary, water, and
10 fisheries commissions that sufficiently explains each such
11 commission's activities and the disposition of each such
12 commission's resources is necessary to maintain public
13 support for their continued funding.

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

16 No funds are authorized to be appropriated for the
17 establishment or operation of the U.S.-China Center of
18 Excellence on Nuclear Security resulting from the agree-
19 ment signed in January 2011 between the National Nu-
20 clear Security Administration and the China Atomic En-
21 ergy Authority.

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

23 (a) PROHIBITION.—The Secretary of State may not
24 use any amounts authorized to be appropriated by this Act
25 to fund, make a grant to, provide assistance to, or other-

1 wise support the Center for Cultural and Technical Inter-
2 change Between East and West (commonly referred to as
3 the “East-West Center”).

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

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

9 Section 202(d)(5) of the United States Leadership
10 Against HIV/AIDS, Tuberculosis, and Malaria Act of
11 2003 (22 U.S.C. 7622(d)(5)) is amended—

12 (1) in subparagraph (C)—

13 (A) by amending clause (ii) to read as fol-
14 lows:

15 “(ii) all reports of the Inspector Gen-
16 eral of the Global Fund, without editing,
17 restriction, or limitation, and in a manner
18 that is consistent with the Policy for Dis-
19 closure of Reports of the Inspector Gen-
20 eral, approved at the 16th Meeting of the
21 Board of the Global Fund, including a cer-
22 tification that no changes have been made
23 to the Policy that would restrict the In-
24 spector General’s ability to disclose the re-
25 sults of his or her work and the discretion

1 and authority of the Inspector General in
2 executing the functions of the Office has
3 not been limited, reduced, or minimized;”;
4 and

5 (B) in clause (iv), strike “to the Board”
6 and insert “to the Board, including Office of
7 the Inspector General Progress Reports”; and

8 (2) by amending subparagraph (D) to read as
9 follows:

10 “(D) is maintaining a fully independent,
11 well-staffed, and sufficiently resourced Office of
12 the Inspector General that—

13 “(i) reports directly to the Chair of
14 the Board of the Global Fund;

15 “(ii) compiles regular, publicly pub-
16 lished audits and investigations of finan-
17 cial, programmatic, and reporting aspects
18 of the Global Fund, its grantees, recipi-
19 ents, sub-recipients, contractors, suppliers,
20 and LFAs;

21 “(iii) documents incidents of harass-
22 ment, undue pressure, and interference in
23 its work and evidence of reprisal or retalia-
24 tion, so that appropriate corrective action
25 may be taken; and

1 “(iv) maintains a robust mandate to
2 conduct in-depth investigations and pro-
3 grammatic audits, free from undue restric-
4 tion, interference, harassment, and efforts
5 to undermine its authority;”.

6 **SEC. 805. ARAB LEAGUE BOYCOTT.**

7 It is the sense of Congress that—

8 (1) the Arab League boycott of Israel, and the
9 secondary boycott of United States firms that have
10 commercial ties with Israel, is an impediment to
11 peace in the region and to United States investment
12 and trade in the Middle East and North Africa;

13 (2) the Arab League boycott, which was regret-
14 tably reinstated in 1997, should be immediately and
15 publicly terminated, and the Central Office for the
16 Boycott of Israel immediately disbanded;

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

19 (4) the President and the Secretary of State
20 should continue to vigorously oppose the Arab
21 League boycott of Israel and find concrete steps to
22 demonstrate that opposition by, for example, taking
23 into consideration the participation of any recipient
24 country in the boycott when determining to sell
25 weapons to such country; and

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

10 **SEC. 806. MEASURES SUPPORTING THE REUNIFICATION OF**
11 **CYPRUS.**

12 (a) **POLICY.**—It shall be the policy of the United
13 States to continue to support measures aimed at the re-
14 unification of Cyprus and to provide assistance to Cyprus
15 only for programs and activities that are consistent with
16 the goal of reunification of Cyprus and the achievement
17 of a bi-communal, bi-zonal federation.

18 (b) **CONSULTATION.**—The President shall, to the
19 maximum extent practicable, consult with the Government
20 of the Republic of Cyprus with respect to the provision
21 of United States assistance in Cyprus in order to ensure
22 the transparency of such assistance.

23 (c) **REPORT MODIFICATION.**—Section 620C(c) of the
24 Foreign Assistance Act of 1961 (22 U.S.C. 2373(c)) is
25 amended in the second sentence—

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

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

7 **SEC. 807. LIMITATION ON ASSISTANCE TO THE FORMER**
8 **YUGOSLAV REPUBLIC OF MACEDONIA.**

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

10 (1) Greece has demonstrated an enormous good
11 will gesture in agreeing that “Macedonia” may be
12 included in the future name of the Former Yugoslav
13 Republic of Macedonia (FYROM) as long as that
14 term is combined with a geographic qualifier that
15 makes it clear that there are no territorial ambitions
16 on the part of the FYROM with regard to the his-
17 torical boundaries of the Greek province of Mac-
18 edonia.

19 (2) The FYROM continues to utilize materials
20 that violate provisions of the United Nations-bro-
21 kered Interim Agreement between the FYROM and
22 Greece regarding incendiary rallies, rhetoric, or
23 propaganda, and United Nations-led negotiations be-
24 tween the FYROM and Greece have so far failed to
25 achieve the longstanding goals of the United States

1 and the United Nations to find a mutually accept-
2 able, new official name for the FYROM.

3 (b) SENSE OF CONGRESS.—It is the sense of Con-
4 gress that all United States assistance to the FYROM
5 should be conditioned on the FYROM's willingness to en-
6 gage in meaningful discussions with Greece in accordance
7 with United Nations Security Council Resolution 817.

8 (c) LIMITATION.—The Secretary of State may not
9 use funds authorized to be appropriated under this Act
10 for programs and activities that directly or indirectly pro-
11 mote incendiary rallies, rhetoric, or propaganda by state-
12 controlled agencies of the FYROM or encourage acts by
13 private entities likely to incite violence, hatred, or hostility,
14 including support for printing and publishing of textbooks,
15 maps, and teaching aids that may include inaccurate in-
16 formation on the histories and geographies of Greece and
17 FYROM.

18 **SEC. 808. STATEMENT OF POLICY REGARDING THE ECU-**
19 **MINICAL PATRIARCHATE.**

20 The United States calls on the Republic of Turkey
21 to—

22 (1) based on the goals specified in the draft of
23 the European Union Constitution, eliminate all
24 forms of discrimination, particularly those forms
25 based on race or religion, and immediately—

1 (A) grant the Ecumenical Patriarchate ap-
2 propriate international recognition and eccle-
3 siastic succession;

4 (B) grant the Ecumenical Patriarchate the
5 right to train clergy of all nationalities, not just
6 Turkish nationals; and

7 (C) respect the human rights and property
8 rights of the Ecumenical Patriarchate;

9 (2) pledge to uphold and safeguard religious
10 and human rights without compromise; and

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

13 **SEC. 809. SENSE OF CONGRESS ON RESTRICTIONS ON RELI-**
14 **GIUS FREEDOM IN VIETNAM.**

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

16 (1) The Secretary of State, under the Inter-
17 national Religious Freedom Act of 1998 (22 U.S.C.
18 6401 et seq.) and authority delegated by the Presi-
19 dent, designates nations found guilty of “particularly
20 severe violations of religious freedom” as “Countries
21 of Particular Concern” (“CPC”).

22 (2) In November 2006, the Secretary of State
23 announced that the Socialist Republic of Vietnam
24 was no longer designated as a “Country of Par-
25 ticular Concern”.

1 (3) The Unified Buddhist Church of Vietnam
2 (UBCV), the Hoa Hao Buddhists, and the Cao Dai
3 groups continue to face unwarranted abuses because
4 of their attempts to organize independently of the
5 Government of Vietnam, including the detention and
6 imprisonment of individual members of these reli-
7 gious communities.

8 (4) In September 2009, Vietnamese police
9 cordoned off a Lang Mai Buddhist monastery, and
10 monks were beaten, degraded, and sexually assaulted
11 by undercover policemen and civilians.

12 (5) Protestants continue to face beatings and
13 other ill-treatment, harassment, fines, threats, and
14 forced renunciations of faith.

15 (6) According to Human Rights Watch, 355
16 Montagnard Protestants remain in prison, arrested
17 after 2001 and 2004 demonstrations for land rights
18 and religious freedom in the Central Highlands.

19 (7) According to the United States Commission
20 on International Religious Freedom, there are re-
21 ports that some Montagnard Protestants were im-
22 prisoned because of their religious affiliation or ac-
23 tivities or because religious leaders failed to inform
24 on members of their religious community who alleg-
25 edly participated in demonstrations.

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

6 (9) On November 11, 2010, hundreds of Viet-
7 namese police violently attacked a Catholic prayer
8 service in the Gia Lai Provence, leaving 9 of the
9 beaten unconscious from strokes to the head.

10 (10) According to the United States Commis-
11 sion on International Religious Freedom 2010 An-
12 nual Report, religious freedom advocates and human
13 rights defenders Nguyen Van Dai, Le Thi Cong
14 Nhan, and Fr. Thaddeus Nguyen Van Ly are in
15 prison under Article 88 of the Criminal Code and
16 Fr. Phan Van Loi is being held without official de-
17 tention orders under house arrest.

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

22 (12) UBCV monks and youth groups leaders
23 are harassed and detained and charitable activities
24 are denied, Vietnamese officials discriminate against
25 ethnic minority Protestants by denying medical,

1 housing, and educational benefits to children and
2 families, an ethnic minority Protestant was beaten
3 to death for refusing to recant his faith, over 600
4 Hmong Protestant churches are refused legal rec-
5 ognition or affiliation, leading to harassment, deten-
6 tions, and home destructions, and a government
7 handbook on religion instructs government officials
8 to control existing religious practice, halt “enemy
9 forces” from “abusing religion” to undermine the
10 Vietnamese Government, and “overcome the extraor-
11 dinary growth of Protestantism.”

12 (13) Since August 2008, the Vietnamese Gov-
13 ernment has arrested and sentenced at least eight
14 individuals and beaten, tear-gassed, harassed, pub-
15 licly slandered, and threatened Catholics engaged in
16 peaceful activities seeking the return of Catholic
17 Church properties confiscated by the Vietnamese
18 Government after 1954 in Hanoi, including in the
19 Thai Ha parish;

20 (14) Local police and mobile “anti-riot” police
21 attacked a funeral procession in the Con Dau parish
22 on May 4, 2010, shooting tear gas and rubber bul-
23 lets, beating residents with batons and electric rods,
24 injuring 100, and killing at least one; and

1 (15) The United States Commission on Inter-
2 national Religious Freedom, prominent nongovern-
3 mental organizations, and representative associations
4 of Vietnamese-American, Montagnard-American, and
5 Khmer-American organizations have called for the
6 redesignation of Vietnam as a CPC.

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

9 (1) the Secretary of State should place Vietnam
10 on the list of “Countries of Particular Concern” for
11 particularly severe violations of religious freedom;
12 and

13 (2) the Government of Vietnam should lift re-
14 strictions on religious freedom and implement nec-
15 essary legal and political reforms to protect religious
16 freedom.

17 **SEC. 810. STATE SPONSORSHIP OF TERRORISM BY ERI-**
18 **TREA.**

19 It is the sense of Congress that—

20 (1) given the growing security threat from al
21 Shabaab, a United States-designated foreign ter-
22 rorist organization, every effort should be made to
23 tackle its outside sources of support;

24 (2) Eritrea’s ongoing and well-documented sup-
25 port for armed insurgents in Somalia, including al

1 Shabaab, poses a significant threat to the national
2 security interests of the United States and East Af-
3 rican countries; and

4 (3) the Secretary of State should designate Eri-
5 trea as a state sponsor of terrorism pursuant to sec-
6 tion 6(j) of the Export Administration Act of 1979,
7 section 40 of the Arms Export Control Act, and sec-
8 tion 620A of the Foreign Assistance Act of 1961.

9 **SEC. 811. RIGHTS OF RELIGIOUS MINORITIES IN EGYPT.**

10 (a) STATEMENT OF CONGRESS.—Congress is con-
11 cerned about the state of religious freedom in Egypt and
12 the plight of religious minorities in the country, including
13 Coptic Christians.

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

19 **SEC. 812. THE REPUBLIC OF THE SUDAN AND THE REPUB-**
20 **LIC OF SOUTH SUDAN.**

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

22 (1) The United States was a witness to the
23 2005 Comprehensive Peace Agreement (CPA), which
24 marked the end of more than two decades of civil

1 war between North and South Sudan that resulted
2 in the deaths of more than 2,000,000 people.

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

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

12 (4) The mandate for the United Nations Mis-
13 sion in Sudan (UNMIS), which was established by
14 United Nations Security Council Resolution 1590 on
15 March 24, 2005, and was instrumental in sup-
16 porting the implementation of the CPA, expired on
17 July 9, 2011, with the completion of the CPA In-
18 terim Period.

19 (5) The mandate for the United Nations Mis-
20 sion in South Sudan (UNMISS), as established by
21 United Nations Security Council Resolution 1996
22 (2011), commenced on July 9, 2011.

23 (6) Several outstanding issues relating to CPA
24 implementation and potential points of conflict re-
25 main unresolved between North and South Sudan,

1 including the final status of the contested area of
2 Abyei, ongoing violence in Southern Kordofan and
3 Blue Nile, disputed border areas, citizenship rights
4 and nationality, division of oil resources and profits,
5 currency, international debt and assets, the libera-
6 tion of slaves from South Sudan still held in Sudan,
7 and other matters.

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

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

14 (1) the independence of the Republic of South
15 Sudan represents an historic opportunity for peace
16 in the region and the people of South Sudan should
17 be commended for freely and peacefully expressing
18 their desire for independence through a credible and
19 transparent referendum;

20 (2) the people and leaders of South Sudan
21 should be commended for their efforts to reach this
22 historic milestone;

23 (3) all parties should continue to work to re-
24 solve outstanding matters relating to implementation
25 of the Comprehensive Peace Agreement for Sudan,

1 including the final status of Abyei, disputed border
2 areas, the completion of popular consultations and
3 security arrangements in Southern Kordofan and
4 Blue Nile, citizenship and nationality, division of oil
5 resources and profits, currency, international debt
6 and assets, the liberation of slaves from South
7 Sudan still held in Sudan, and other matters in
8 order to ensure a smooth transition to two states
9 and to mitigate points of conflict;

10 (4) all parties should fully implement their
11 June 20, 2011, agreement on temporary arrange-
12 ments for the contested Abyei area and swiftly es-
13 tablish a cessation of hostilities in Southern
14 Kordofan;

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

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

22 (A) advance security and stability in both
23 countries, especially in critical areas such as
24 Darfur, Blue Nile, and Southern Kordofan and
25 in Abyei;

1 (B) promote respect for the human and
2 civil rights of all, including southerners living in
3 Sudan and northerners living in South Sudan;

4 (C) encourage the development of multi-
5 party democracy, vibrant democratic institu-
6 tions, and freedom of speech and association;

7 (D) prevent extremists groups from ex-
8 ploiting the territories of Sudan and South
9 Sudan and encourage full cooperation with the
10 United States on counterterrorism priorities;
11 and

12 (E) encourage a productive relationship be-
13 tween Sudan and South Sudan that recognizes
14 the mutual need for cooperation and an open
15 flow of people and goods across borders and to
16 refrain from the use of proxy forces to foment
17 conflict; and

18 (7) the Darfur peace process should remain a
19 priority in United States relations with Sudan, par-
20 ticularly with regard to efforts to secure a just and
21 lasting peace in Darfur, humanitarian access to vul-
22 nerable populations, and freedom of movement for
23 the African Union-United Nations Mission in Darfur
24 (UNAMID).

1 **TITLE IX—SECURITY**
2 **ASSISTANCE**

3 **SEC. 901. SHORT TITLE.**

4 This title may be cited as the “Security Assistance
5 Act of 2011”.

6 **Subtitle A—Military Assistance and**
7 **Related Matters**

8 **PART I—FUNDING AUTHORIZATIONS**

9 **SEC. 911. FOREIGN MILITARY FINANCING PROGRAM.**

10 (a) AUTHORIZATION OF APPROPRIATIONS.—There
11 are authorized to be appropriated to the President for
12 grant assistance under section 23 of the Arms Export
13 Control Act (22 U.S.C. 2763), \$6,374,000,000 for fiscal
14 year 2012.

15 (b) ASSISTANCE FOR ISRAEL.—

16 (1) SENSE OF CONGRESS.—It is the sense of
17 Congress that the United States should continue to
18 support the August 2007 announcement that it
19 would increase United States military assistance to
20 Israel by \$6 billion through incremental \$150 mil-
21 lion annual increases in Foreign Military Financing
22 program assistance to Israel, starting at \$2.55 bil-
23 lion in fiscal year 2009 and reaching \$3.15 billion
24 in each of the fiscal years 2013 through 2018.

1 (2) AMENDMENTS.—Section 513(c) of the Se-
2 curity Assistance Act of 2000 (Public Law 106–280;
3 114 Stat. 856), as amended by section 1221(a) of
4 the Security Assistance Act of 2002 (division B of
5 Public Law 107–228; 116 Stat. 1430), is further
6 amended—

7 (A) in paragraph (1)—

8 (i) by striking “each of the fiscal
9 years 2002 and 2003” and inserting “fis-
10 cal year 2012”; and

11 (ii) by striking “each such fiscal year”
12 and inserting “such fiscal year”;

13 (B) in paragraph (3), by striking “Funds
14 authorized” and all that follows through
15 “later.” and inserting “Funds authorized to be
16 available for Israel under subsection (b)(1) and
17 paragraph (1) of this subsection for fiscal year
18 2012 shall be disbursed not later than 30 days
19 after the date of the enactment of an Act mak-
20 ing appropriations for foreign operations, export
21 financing, and related programs for fiscal year
22 2012, or October 31, 2011, whichever is later”;
23 and

24 (C) in paragraph (4)—

1 (i) by striking “fiscal years 2002 and
2 2003” and inserting “fiscal year 2012”;
3 and

4 (ii) by striking “\$535,000,000 for fis-
5 cal year 2002 and not less than
6 \$550,000,000 for fiscal year 2003” and in-
7 serting “not less than \$3,075,000,000 for
8 fiscal year 2012”.

9 (c) ASSISTANCE FOR IRAQ.—

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

11 (A) United States support for the security
12 of the Government of Iraq remains critical for
13 the long-term success of United States efforts
14 in that country.

15 (B) United States security assistance from
16 the Iraq Security Forces Fund (ISFF) account
17 administered by the Department of Defense has
18 been discontinued in H.R. 2219, the Depart-
19 ment of Defense Appropriations Act, 2012, as
20 passed the House of Representatives, with the
21 intent of transitioning responsibility for such
22 activities to the Foreign Military Financing pro-
23 gram administered by the Department of State.

24 (C) The ISFF account was funded at \$1.5
25 billion for fiscal year 2011 under the Depart-

1 ment of Defense and Full-Year Continuing Ap-
2 propriations Act, 2011.

3 (D) The request for Foreign Military Fi-
4 nancing program assistance for the Government
5 of Iraq for fiscal year 2012 is \$1 billion mark-
6 ing a \$500 million reduction from previous lev-
7 els of security assistance for Iraq.

8 (2) AUTHORIZATION OF APPROPRIATIONS.—Of
9 the amounts authorized to be appropriated under
10 subsection (a), \$1,000,000,000 is authorized to be
11 appropriated to the President for grant assistance
12 under section 23 of the Arms Export Control Act
13 (22 U.S.C. 2763) for the Government of Iraq for fis-
14 cal year 2012.

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

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

23 (B) includes the amount of such grant as-
24 sistance that is unobligated or unexpended as of
25 such date; and

1 (C) provides recommendations regarding
2 additional actions to ensure greater account-
3 ability and transparency with respect to the
4 provision of United States assistance to Iraq.

5 **SEC. 912. INTERNATIONAL MILITARY EDUCATION AND**
6 **TRAINING.**

7 (a) AUTHORIZATION OF APPROPRIATIONS.—Section
8 542 of the Foreign Assistance Act of 1961 (22 U.S.C.
9 2347a) is amended by striking “There are authorized”
10 and all that follows through “fiscal year 1987” and insert-
11 ing “There are authorized to be appropriated to the Presi-
12 dent to carry out the purposes of this chapter
13 \$105,800,000 for fiscal year 2012”.

14 (b) AUTHORITY TO PROVIDE TO INTERNATIONAL OR-
15 GANIZATIONS.—Section 541 of the Foreign Assistance Act
16 of 1961 (22 U.S.C. 2347) is amended in the first sentence
17 by adding at the end before the period the following: “and
18 comparable personnel of regional and sub-regional organi-
19 zations for the purposes of contributing to peacekeeping
20 operations”.

1 **PART II—MILITARY ASSISTANCE AUTHORITIES**
2 **AND RELATED PROVISIONS**
3 **SEC. 921. AUTHORITY TO TRANSFER EXCESS DEFENSE AR-**
4 **TICLES.**

5 Section 516(g)(1) of the Foreign Assistance Act of
6 1961 (22 U.S.C. 2321j(g)(1)) is amended—

7 (1) by inserting “authorized to be” before
8 “transferred”; and

9 (2) by striking “425,000,000” and inserting
10 “450,000,000”.

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

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

16 (1) in the matter preceding paragraph (1), by
17 striking “whether such defense articles—” and in-
18 serting “the following:”

19 (2) in paragraph (1)—

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

22 (B) by striking the semicolon at the end
23 and inserting a period;

24 (3) in paragraph (2)—

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

1 (B) by striking “; or” at the end and in-
2 serting a period; and

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

5 “(3) Whether such defense articles were ex-
6 ported without a license under section 38 of the
7 Arms Export Control Act pursuant to an exemption
8 established under the International Traffic in Arms
9 Regulations, other than defense articles exported in
10 furtherance of a letter of offer and acceptance under
11 the Foreign Military Sales program or a technical
12 assistance or manufacturing license agreement, in-
13 cluding the specific exemption in the regulation
14 under which the export was made.

15 “(4) A detailed listing, by United States Muni-
16 tions List category and sub-category, as well as by
17 country and by international organization, of the ac-
18 tual total dollar value of major defense equipment
19 and defense articles delivered pursuant to licenses
20 authorized under section 38 of the Arms Export
21 Control Act for the previous fiscal year.

22 “(5) In the case of defense articles that are
23 firearms controlled under category I of the United
24 States Munitions List, a statement of the aggregate
25 dollar value and quantity of semiautomatic assault

1 weapons, or spare parts for such weapons, the man-
2 ufacture, transfer, or possession of which is unlawful
3 under section 922 of title 18, United States Code,
4 that were licensed for export during the period cov-
5 ered by the report.”.

6 (b) INFORMATION NOT REQUIRED.—Section 655 of
7 the Foreign Assistance Act of 1961 (22 U.S.C. 2415) 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) INFORMATION NOT REQUIRED.—Each such re-
14 port may exclude information relating to—

15 “(1) exports of defense articles (including ex-
16 cess defense articles), defense services, and inter-
17 national military education and training activities
18 authorized by the United States on a temporary
19 basis;

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

23 “(3) and the value of manufacturing license
24 agreements or technical assistance agreements li-

1 censed under section 38 of the Arms Export Control
2 Act.”.

3 **SEC. 923. ANNUAL REPORT ON FOREIGN MILITARY TRAIN-**
4 **ING.**

5 Section 656(a)(1) of the Foreign Assistance Act of
6 1961 (22 U.S.C. 2416(a)(1)) is amended—

7 (1) by striking “January 31” and inserting
8 “March 1”; and

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

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

12 (a) **AUTHORITY.**—

13 (1) **IN GENERAL.**—The Secretary of State, with
14 the concurrence of the Secretary of Defense, is au-
15 thorized to establish a fund, to be known as the
16 Global Security Contingency Fund, which shall con-
17 sist of such amounts as may be contributed under
18 paragraph (2) to the fund, to provide assistance to
19 a foreign country described in subsection (b) for the
20 purposes described in subsection (c). The program
21 authorized under this subsection shall be jointly fi-
22 nanced and carried out by the Department of State
23 and the Department of Defense in accordance with
24 the requirements of this section.

25 (2) **CONTRIBUTIONS TO FUND.**—

1 (A) IN GENERAL.—For each of fiscal years
2 2012 through 2015, the Secretary of State and
3 the Secretary of Defense may contribute not
4 more than \$300,000,000 of amounts made
5 available to carry out the provisions of law de-
6 scribed in subsection (d).

7 (B) AVAILABILITY.—Notwithstanding any
8 other provision of law, amounts contributed
9 under this paragraph to the fund shall be
10 merged with amounts in the fund and shall be
11 available for purposes of carrying out the pro-
12 gram authorized under this subsection.

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

16 (A) the Secretary of State contributes to
17 the fund not less than one-third of the total
18 amount contributed to the fund for the fiscal
19 year; and

20 (B) the Secretary of Defense contributes to
21 the fund not more than two-thirds of the total
22 amount contributed to the fund for the fiscal
23 year.

24 (4) RULE OF CONSTRUCTION.—The ratios of
25 contributions described in paragraph (3) shall be de-

1 terminated at the beginning of a fiscal year and may
2 not be determined on a project-by-project basis.

3 (b) ELIGIBLE FOREIGN COUNTRIES.—A foreign
4 country described in this subsection is a country that is
5 designated by the Secretary of State, with the concurrence
6 of the Secretary of Defense, and is eligible to receive as-
7 sistance under one or more of the provisions of law de-
8 scribed in subsection (d).

9 (c) PURPOSE OF PROGRAM.—The program author-
10 ized under subsection (a) may provide assistance to en-
11 hance the capabilities of military forces, and other security
12 forces that conduct border and maritime security, and
13 counterterrorism operations, as well as the government
14 agencies responsible for such forces, in order to strengthen
15 a foreign country's national and regional security interests
16 consistent with United States foreign policy interests.

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

19 (1) Section 1206 of the National Defense Au-
20 thorization Act for Fiscal Year 2006 (Public Law
21 109–163; 119 Stat. 3456; relating to program to
22 build the capacity of foreign military forces).

23 (2) Section 1033 of the National Defense Au-
24 thorization Act for Fiscal Year 1998 (Public Law
25 105–85; 111 Stat. 1881; relating to authority to

1 provide additional support for counter-drug activities
2 of other countries).

3 (3) Amounts authorized to be appropriated by
4 section 301 for operation and maintenance, Defense-
5 wide activities, and available for the Defense Secu-
6 rity Cooperation Agency for the Warsaw Initiative
7 Funds (WIF) for the participation of the North At-
8 lantic Treaty Organization (NATO) members in the
9 exercises and programs of the Partnership for Peace
10 program of the North Atlantic Treaty Organization.

11 (4) Section 23 of the Arms Export Control Act
12 (22 U.S.C. 2763; relating to foreign military financ-
13 ing program).

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

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

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

24 (e) FORMULATION AND EXECUTION OF PROGRAM.—

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

3 (A) shall be jointly formulated by the Sec-
4 retary of State and the Secretary of Defense;
5 and

6 (B) shall, prior to its implementation, be
7 approved by the Secretary of State, with the
8 concurrence of the Secretary of Defense.

9 (2) REQUIRED ELEMENTS.—The program au-
10 thORIZED under subsection (a) shall include elements
11 that promote—

12 (A) observance of and respect for human
13 rights and fundamental freedoms; and

14 (B) respect for legitimate civilian author-
15 ity.

16 (f) RELATED AUTHORITIES.—

17 (1) IN GENERAL.—The program authorized
18 under subsection (a) shall be—

19 (A) jointly financed by the Secretary of
20 State and the Secretary of Defense through
21 amounts contributed to the fund under sub-
22 section (a)(2) from one or more provisions of
23 law described in subsection (d) under which the
24 foreign country is eligible to receive assistance;
25 and

1 (B) carried out under the authorities of
2 such provisions of law and the authorities of
3 this section.

4 (2) ADMINISTRATIVE AUTHORITIES.—Funds
5 made available under a program authorized under
6 subsection (a) shall be subject to the same adminis-
7 trative authorities as apply to funds made available
8 to carry out the Foreign Assistance Act of 1961 (22
9 U.S.C. 2151 et seq.).

10 (3) LIMITATION ON ELIGIBLE COUNTRIES.—
11 The program authorized under subsection (a) may
12 not include the provision of assistance to—

13 (A) any foreign country that is otherwise
14 prohibited from receiving such assistance under
15 any other provision of law; or

16 (B) Iraq, Afghanistan, or Pakistan.

17 (g) CONGRESSIONAL NOTIFICATION.—

18 (1) IN GENERAL.—Not less than 15 days before
19 implementing an activity under the program author-
20 ized under subsection (a), the Secretary of State,
21 with the concurrence of the Secretary of Defense,
22 shall submit to the congressional committees speci-
23 fied in paragraph (2) a notification of—

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

1 (B) the budget, implementation timeline
2 with milestones, and completion date for the ac-
3 tivity.

4 (2) SPECIFIED CONGRESSIONAL COMMIT-
5 TEES.—The congressional committees specified in
6 this paragraph are—

7 (A) the Committee on Armed Services, the
8 Committee on Foreign Relations, and the Com-
9 mittee on Appropriations of the Senate; and

10 (B) the Committee on Armed Services, the
11 Committee on Foreign Affairs, and the Com-
12 mittee on Appropriations of the House of Rep-
13 resentatives.

14 (h) RULE OF CONSTRUCTION.—Nothing in this sec-
15 tion shall be construed to constitute an authorization or
16 extension of any of the provisions of law described in sub-
17 section (d)

18 (i) TERMINATION OF PROGRAM.—The authority to
19 carry out the program authorized under subsection (a) ter-
20 minates at the close of September 30, 2015. An activity
21 under the program directed before that date may be com-
22 pleted after that date, but only using funds made available
23 for fiscal years 2012 through 2015.

1 **SEC. 925. INTERNATIONAL MILITARY EDUCATION AND**
2 **TRAINING.**

3 (a) LIMITATIONS.—

4 (1) CHAD.—The President may not use funds
5 made available to carry out chapter 5 of part II of
6 the Foreign Assistance Act of 1961 (22 U.S.C. 2347
7 et seq.) for fiscal year 2012 for assistance to Chad
8 until the President certifies to the appropriate con-
9 gressional committees that the Government of Chad
10 has taken credible and verifiable steps to implement
11 a plan of action to end the recruitment and use of
12 child soldiers, including the demobilization of child
13 soldiers.

14 (2) EQUATORIAL GUINEA AND SOMALIA.—The
15 President may not use funds made available to carry
16 out chapter 5 of part II of the Foreign Assistance
17 Act of 1961 (22 U.S.C. 2347 et seq.) for fiscal year
18 2012 for assistance to Equatorial Guinea or Soma-
19 lia.

20 (3) TRAINING.—The President may use funds
21 made available to carry out chapter 5 of part II of
22 the Foreign Assistance Act of 1961 (22 U.S.C. 2347
23 et seq.) for fiscal year 2012 for assistance to Angola,
24 Cameroon, the Central African Republic, Chad, Cote
25 d'Ivoire, Guinea, or Zimbabwe only for training re-
26 lated to international peacekeeping operations or ex-

1 panded international military education and train-
2 ing.

3 (4) NOTIFICATION.—

4 (A) IN GENERAL.—The President shall no-
5 tify the appropriate congressional committees at
6 least 15 days in advance of making funds de-
7 scribed in subparagraph (B) available for as-
8 sistance to Angola, Bangladesh, Cameroon, the
9 Central African Republic, Chad, Cote d'Ivoire,
10 Democratic Republic of the Congo, Ethiopia,
11 Guatemala, Guinea, Haiti, Kenya, Libya,
12 Nepal, Nigeria, or Sri Lanka. A notification
13 under this subparagraph shall include a detailed
14 description of activities that are proposed to be
15 carried out using such assistance.

16 (B) FUNDS DESCRIBED.—Funds referred
17 to in subparagraph (A) are funds made avail-
18 able to carry out chapter 5 of part II of the
19 Foreign Assistance Act of 1961 (22 U.S.C.
20 2347 et seq.) for fiscal year 2012.

21 (5) ENTERTAINMENT ALLOWANCES.—The
22 President may use not more than \$55,000 of funds
23 made available to carry out chapter 5 of part II of
24 the Foreign Assistance Act of 1961 (22 U.S.C. 2347

1 et seq.) for fiscal year 2012 for entertainment allow-
2 ances.

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

13 **PART III—ARMS EXPORT CONTROL ACT**

14 **AMENDMENTS AND RELATED PROVISIONS**

15 **SEC. 931. INCREASED FLEXIBILITY FOR USE OF DEFENSE**

16 **TRADE CONTROL REGISTRATION FEES.**

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

20 (1) in the first sentence—

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

23 (B) by striking “Office” and inserting “Di-
24 rectorate”; and

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

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

6 “(1) management;

7 “(2) licensing;

8 “(3) compliance;

9 “(4) policy activities; and

10 “(5) public outreach.”.

11 (b) CONFORMING AMENDMENT.—Section
12 38(b)(3)(A) of the Arms Export Control Act (22 U.S.C.
13 2778(b)(3)(A)) is amended to read as follows:

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

20 “(i) management;

21 “(ii) licensing;

22 “(iii) compliance;

23 “(iv) policy activities; and

24 “(v) public outreach.”.

1 **SEC. 932. INCREASE IN CONGRESSIONAL NOTIFICATION**
2 **THRESHOLDS.**

3 (a) FOREIGN MILITARY SALES.—

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

7 (A) in paragraph (1)—

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

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

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

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

17 (C) by striking “The letter of offer shall
18 not be issued” and all that follows through “en-
19 acts a joint resolution” and inserting the fol-
20 lowing:

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

22 “(A) with respect to a proposed sale of any
23 defense articles or defense services under this
24 Act for \$200,000,000 or more, any design and
25 construction services for \$300,000,000 or more,
26 or any major defense equipment for

1 \$75,000,000 or more, to the North Atlantic
2 Treaty Organization (NATO), any member
3 country of NATO, Japan, Australia, the Repub-
4 lic of Korea, Israel, or New Zealand, if Con-
5 gress, within 15 calendar days after receiving
6 such certification, or

7 “(B) with respect to a proposed sale of any
8 defense articles or services under this Act for
9 \$100,000,000 or more, any design and con-
10 struction services for \$200,000,000 or more, or
11 any major defense equipment for \$50,000,000
12 or more, to any other country or organization,
13 if Congress, within 30 calendar days after re-
14 ceiving such certification,
15 enacts a joint resolution”.

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

19 (A) in subsection (b)—

20 (i) in paragraph (6)(C) (as redesign-
21 ated), by striking “Subject to paragraph
22 (6), if” and inserting “If”; and

23 (ii) by striking paragraph (7) (as re-
24 designated); and

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

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

6 (1) in paragraph (1)—

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

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

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

13 (2) in paragraph (2)—

14 (A) in subparagraph (A)—

15 (i) by inserting after “for an export”
16 the following: “of any major defense equip-
17 ment sold under a contract in the amount
18 of \$75,000,000 or more or of defense arti-
19 cles or defense services sold under a con-
20 tract in the amount of \$200,000,000 or
21 more, (or, in the case of a defense article
22 that is a firearm controlled under category
23 I of the United States Munitions List,
24 \$1,000,000 or more)”;

1 (ii) by striking “Organization,” and
2 inserting “Organization (NATO),” and by
3 further striking “that Organization” and
4 inserting “NATO”; and

5 (B) in subparagraph (C), by inserting after
6 “license” the following: “for an export of any
7 major defense equipment sold under a contract
8 in the amount of \$50,000,000 or more or of de-
9 fense articles or defense services sold under a
10 contract in the amount of \$100,000,000 or
11 more, (or, in the case of a defense article that
12 is a firearm controlled under category I of the
13 United States Munitions List, \$1,000,000 or
14 more)”;

15 (3) by striking paragraph (5); and

16 (4) by redesignating paragraph (6) as para-
17 graph (5).

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

19 Section 21(m)(1)(B) of the Arms Export Control Act
20 (22 U.S.C. 2761(m)(1)(B)) is amended by adding at the
21 end before the semi-colon the following: “, unless the Sec-
22 retary of State has provided prior approval of such re-
23 transfer”.

1 **SEC. 934. ANNUAL ESTIMATE AND JUSTIFICATION FOR**
2 **SALES PROGRAM.**

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

9 **SEC. 935. UPDATING AND CONFORMING PENALTIES FOR**
10 **VIOLATIONS OF SECTIONS 38 AND 39 OF THE**
11 **ARMS EXPORT CONTROL ACT.**

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

15 “(c) VIOLATIONS OF THIS SECTION AND SECTION
16 39.—

17 “(1) UNLAWFUL ACTS.—It shall be unlawful
18 for any person to violate, attempt to violate, conspire
19 to violate, or cause a violation of any provision of
20 this section or section 39, or any rule or regulation
21 issued under either section, or a treaty referred to
22 in subsection (j)(1)(c)(i), including any rule or regu-
23 lation issued to implement or enforce a treaty re-
24 ferred to in subsection (j)(1)(c)(i) or an imple-
25 menting arrangement pursuant to such a treaty, or
26 who, in a registration or license application or re-

1 quired report, makes any untrue statement of a ma-
2 terial fact or omits to state a material fact required
3 to be stated therein or necessary to make the state-
4 ments therein not misleading.

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

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

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

12 (b) MECHANISMS TO IDENTIFY VIOLATORS.—Section
13 38(g) of the Arms Export Control Act (22 U.S.C.
14 2778(g)) is amended—

15 (1) in paragraph (1)—

16 (A) in subparagraph (A)—

17 (i) in the matter preceding clause (i),
18 by inserting “or otherwise charged” after
19 “indictment”;

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

22 (iii) by adding at the end the fol-
23 lowing:

1 “(xiii) section 542 of title 18, United
2 States Code, relating to entry of goods by
3 means of false statements;

4 “(xiv) section 554 of title 18, United
5 States Code, relating to smuggling goods
6 from the United States;

7 “(xv) section 1831 of title 18, United
8 States Code, relating to economic espio-
9 nage;

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

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

17 “(xviii) section 2339B of title 18,
18 United States Code, relating to providing
19 material support or resources to dedicated
20 foreign terrorist organizations; or

21 “(xix) section 2339C and D of title
22 18, United States Code, relating to financ-
23 ing terrorism and receiving terrorism
24 training;” and

1 (B) in subparagraph (B), by inserting “or
2 otherwise charged” after “indictment”; and

3 (2) in paragraph (3)(A), by inserting “or other-
4 wise charged” after “indictment”.

5 (c) EFFECTIVE DATE.—The amendment made by
6 subsection (a) shall take effect on the date of the enact-
7 ment of this Act and shall apply with respect to violations
8 of sections 38 and 39 of the Arms Export Control Act
9 committed on or after that date.

10 **SEC. 936. CLARIFICATION OF PROHIBITIONS RELATING TO**
11 **STATE SPONSORS OF TERRORISM AND THEIR**
12 **NATIONALS.**

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

15 (1) by inserting “or to the nationals of that
16 country whose substantive contacts with that coun-
17 try give reasonable grounds for raising risk of diver-
18 sion, regardless of whether such persons maintain
19 such nationality or the nationality of another coun-
20 try not covered by this section” after “with respect
21 to a country.”; and

22 (2) by adding at the end the following: “For
23 purposes of this subsection, the term ‘national’
24 means an individual who acquired citizenship by
25 birth from a country that is subject to section 126.1

1 of title 22, Code of Federal Regulations (or any suc-
2 cessor regulations).”.

3 **SEC. 937. EXEMPTION FOR TRANSACTIONS WITH COUN-**
4 **TRIES SUPPORTING ACTS OF INTER-**
5 **NATIONAL TERRORISM.**

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

8 (1) in the heading—

9 (A) by striking “EXEMPTION” and insert-
10 ing “EXEMPTIONS”; and

11 (B) by adding “AND CERTAIN FEDERAL
12 LAW ENFORCEMENT ACTIVITIES” after “RE-
13 PORTING REQUIREMENTS”; and

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

18 **SEC. 938. REPORT ON FOREIGN MILITARY FINANCING PRO-**
19 **GRAM.**

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

23 “(i) REPORT.—

24 “(1) IN GENERAL.—The President shall trans-
25 mit to the appropriate congressional committees as

1 part of the supporting materials of the annual con-
2 gressional budget justification a report on the imple-
3 mentation of this section for the prior fiscal year.

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

7 “(A) The extent to which the use of the
8 authority of this section is based on a well-for-
9 mulated and realistic assessments of the capa-
10 bility requirements of foreign countries and
11 international organizations.

12 “(B) The extent to which the provision of
13 grants under the authority of this section are
14 consistent with United States conventional arms
15 transfer policy.

16 “(C) The extent to which the Department
17 of State has developed and implemented specific
18 plans to monitor and evaluate outcomes under
19 the authority of this section, including at least
20 one country or international organization as-
21 sessment each fiscal year.

22 “(3) APPROPRIATE CONGRESSIONAL COMMIT-
23 TEES.—In this subsection, the term ‘appropriate
24 congressional committees’ means—

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

4 “(B) the Committee on Appropriations and
5 the Committee on Foreign Relations of the Sen-
6 ate.”.

7 **SEC. 939. CONGRESSIONAL NOTIFICATION OF REGULA-**
8 **TIONS AND AMENDMENTS TO REGULATIONS**
9 **UNDER SECTION 38 OF THE ARMS EXPORT**
10 **CONTROL ACT.**

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

14 “(k) **CONGRESSIONAL NOTIFICATION.**—The Presi-
15 dent shall submit to the Committee on Foreign Affairs of
16 the House of Representatives and the Committee on For-
17 eign Relations of the Senate a copy of regulations or
18 amendments to regulations issued to carry out this section
19 at least 30 days before publication of the regulations or
20 amendments in the Federal Register unless, after con-
21 sulting with such Committees, the President determines
22 that there is an emergency that requires a shorter period
23 of time.”.

24 (b) **EFFECTIVE DATE.**—The amendment made by
25 subsection (a) takes effect on the date of the enactment

1 of this Act and applies with respect the issuance of regula-
2 tions or amendments to regulations made on or after the
3 date of the enactment of this Act.

4 **Subtitle B—Security Assistance**
5 **and Related Matters**

6 **PART I—ISRAEL**

7 **SEC. 941. REPORT ON UNITED STATES COMMITMENTS TO**
8 **THE SECURITY OF ISRAEL.**

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

13 (1) a complete, unedited, and unredacted copy
14 of each assurance made by United States Govern-
15 ment officials to officials of the Government of Israel
16 regarding Israel's security and maintenance of
17 Israel's qualitative military edge provided in con-
18 junction with exports under the Arms Export Con-
19 trol Act (22 U.S.C. 2751 et seq.) for the period be-
20 ginning on January 1, 1975, and ending on the date
21 of the enactment of this Act; and

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

25 (b) SUBSEQUENT REPORTS.—

1 (1) NEW ASSURANCES AND REVISIONS.—The
2 President shall transmit to the appropriate congress-
3 sional committees a report that contains the infor-
4 mation required under subsection (a) with respect
5 to—

6 (A) each assurance described in subsection
7 (a) made on or after the date of enactment of
8 this Act; or

9 (B) revisions to any assurance described in
10 subsection (a) or subparagraph (A) of this
11 paragraph, within 15 days of the new assurance
12 or revision being conveyed.

13 (2) 5-YEAR REPORTS.—Not later than 5 years
14 after the date of the enactment of this Act, and
15 every 5 years thereafter, the President shall trans-
16 mit to the appropriate congressional committees a
17 report that contains the information required under
18 subsection (a) with respect to each assurance de-
19 scribed in subsection (a) or paragraph (1)(A) of this
20 subsection and revisions to any assurance described
21 in subsection (a) or paragraph (1)(A) of this sub-
22 section during the preceding 5-year period.

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

1 **SEC. 942. CLARIFICATION OF CERTIFICATION REQUIRE-**
2 **MENTS RELATING TO ISRAEL'S QUALITATIVE**
3 **MILITARY EDGE.**

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

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

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

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

14 (2) fully utilize, so far as possible, the missile
15 defense capabilities and resources of the United
16 States to fully assist, support, and improve the de-
17 fenses of Israel to provide robust, layered protection
18 against ballistic missile, and medium and short
19 range projectile attack;

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

24 (4) provide assistance to aid the system devel-
25 opment of the Missile Defense Agency and Israel
26 Missile Defense Organization joint program to de-

1 velop a short-range ballistic missile defense capa-
2 bility, David's Sling weapon system, and integrate
3 the weapon system with the ballistic missile defense
4 system and force protection efforts of the United
5 States; and

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

9 (b) AUTHORIZATION OF ASSISTANCE.—Of the
10 amounts authorized to be appropriated under section
11 513(c) of the Security Assistance Act of 2000 (Public Law
12 106–280; 114 Stat. 856), as amended by section 1221(a)
13 of the Security Assistance Act of 2002 (division B of Pub-
14 lic Law 107–228; 116 Stat. 1430) and further amended
15 by section 101(b)(2) of this Act, the Secretary of State,
16 in coordination with the Secretary of Defense, is author-
17 ized to provide assistance to the Government of Israel for
18 the procurement, maintenance, and sustainment of the
19 Iron Dome Air Defense Missile System for purposes of
20 intercepting short-range rockets, missiles, and mortars
21 launched against Israel, and other activities.

22 (c) REPORT.—

23 (1) IN GENERAL.—Not later than 180 days
24 after the date of the enactment of this Act, and an-
25 nually thereafter in connection with the submission

1 of congressional presentation materials for the for-
2 eign operations appropriations and defense appro-
3 priations budget request, the Secretary of State, in
4 consultation with the Secretary of Defense, shall
5 submit to the appropriate congressional committees
6 a report regarding the activities authorized under
7 subsection (b).

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

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

15 (A) the Committee on Foreign Affairs and
16 the Committee on Armed Services of the House
17 of Representatives; and

18 (B) the Committee on Foreign Relations
19 and the Committee on Armed Services in the
20 Senate.

21 **PART II—EGYPT**

22 **SEC. 951. LIMITATION ON SECURITY ASSISTANCE TO THE** 23 **GOVERNMENT OF EGYPT.**

24 (a) LIMITATION.—None of the funds made available
25 to carry out this title may be used to provide United

1 States security assistance to the Government of Egypt un-
2 less a certification described in subsection (b) is in effect.

3 (b) CERTIFICATION.—A certification described in this
4 subsection is a certification transmitted by the President
5 to the appropriate congressional committees that contains
6 a determination of the President that—

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

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

12 (3) the Government of Egypt is detecting and
13 destroying the smuggling network and tunnels be-
14 tween Egypt and the Gaza strip.

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

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

23 (2) if the President is unable to make such a
24 recertification, the President shall transmit to the

1 appropriate congressional committees a report that
2 contains the reasons therefor.

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

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

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

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

18 **SEC. 952. REPORT ON SECURITY ASSISTANCE TO THE GOV-**
19 **ERNMENT OF EGYPT.**

20 (a) IN GENERAL.—Not later than 180 days after the
21 date of the enactment of this Act, the Secretary of State,
22 in coordination with the Secretary of Defense, shall submit
23 to the appropriate congressional committees a report that
24 includes the following:

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

5 (2) A description of biennial outlays of United
6 States security assistance to the Government of
7 Egypt for the purposes of strategic planning, train-
8 ing, provision of equipment, and construction of fa-
9 cilities, including funding streams.

10 (3) A description of vetting and end-user moni-
11 toring systems in place by both Egypt and the
12 United States for defense articles and training pro-
13 vided by the United States, to include human rights
14 vetting.

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

17 (A) fully implement the Egypt-Israel peace
18 treaty;

19 (B) detect and destroy the smuggling net-
20 work and tunnels between Egypt and the Gaza
21 strip;

22 (C) repudiate, combat, and stop incitement
23 to violence against the United States and
24 United States citizens and prohibit the trans-
25 mission within its domains of satellite television

1 or radio channels that broadcast such incite-
2 ment; and

3 (D) adopt and implement legal reforms
4 that protect the religious and democratic free-
5 doms of all citizens and residents of Egypt.

6 (5) Recommendations, including with respect to
7 required resources and actions, to maximize the ef-
8 fectiveness of United States security assistance pro-
9 vided to Egypt.

10 (b) GAO REPORT.—Not later than 120 days after
11 the date of the submission of the report required under
12 subsection (a), the Comptroller General of the United
13 States shall submit to the appropriate congressional com-
14 mittees a report that—

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

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

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

23 (1) the Committee on Foreign Affairs and the
24 Committee on Armed Services of the House of Rep-
25 resentatives; and

1 (4) to continue to provide financial and mate-
2 rial assistance to support the sovereignty, territorial
3 integrity, unity, and political independence of Leb-
4 anon under the sole and exclusive authority of the
5 Government of Lebanon.

6 **SEC. 962. LIMITATION ON SECURITY ASSISTANCE TO THE**
7 **GOVERNMENT OF LEBANON.**

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

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

16 (1) no member of Hezbollah or any other a for-
17 eign terrorist organization serves in any policy posi-
18 tion in a ministry, agency, or instrumentality of the
19 Government of Lebanon;

20 (2) there exists within the Government of Leb-
21 anon comprehensive anti-terrorism vetting and
22 tracking procedures for all Lebanese security forces
23 personnel benefitting from United States security as-
24 sistance programs;

1 (3) all ministries of the Government of Lebanon
2 and operations that directly or indirectly benefit
3 from United States security assistance programs are
4 financially transparent and accountable;

5 (4) the Government of Lebanon—

6 (A) is dismantling the infrastructure of all
7 foreign terrorist organizations and related mili-
8 tias and is confiscating unauthorized weapons;

9 (B) has taken other actions in full compli-
10 ance with United Nations Security Council Res-
11 olutions 1559, 1585, 1701, 1757, and other
12 international obligations; and

13 (C) is fully cooperating with the Special
14 Tribunal for Lebanon;

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

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

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

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

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

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

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

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

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

1 **SEC. 963. REPORT ON SECURITY ASSISTANCE TO THE GOV-**
2 **ERNMENT OF LEBANON.**

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 committees of Congress 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 Leb-
11 anon, including arms sales to the Government of
12 Lebanon, and a strategy for achieving those objec-
13 tives.

14 (2) A description of biennial outlays for United
15 States security assistance, including arms sales, to
16 the Government of Lebanon for the purposes of stra-
17 tegic planning, training, provision of equipment, and
18 construction of facilities, including funding streams.

19 (3) A breakdown of contributions and assist-
20 ance provided by the United States, international or-
21 ganizations, and other nations and entities to the
22 Government of Lebanon, including the Ministry of
23 Defense, the Ministry of Interior, the armed forces
24 of Lebanon, the Internal Security Forces, the Gen-
25 eral Security Directorate, the General Directorate of

1 State Security, Lebanese Military Intelligence, and
2 other organizations or agencies.

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

8 (5) A description of metrics utilized by the
9 United States Government for measuring whether
10 United States security assistance has improved the
11 capacity of the Government of Lebanon security
12 forces to operate.

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

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

20 (1) the Committee on Foreign Affairs and the
21 Committee on Armed Services of the House of Rep-
22 resentatives; and

23 (2) the Committee on Foreign Relations and
24 the Committee on Armed Services in the Senate.

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

2 In this part, the term “Government of Lebanon”
3 means any person, agent, instrumentality, or official of,
4 is affiliated with, or is serving as a representative of the
5 Government of Lebanon.

6 **PART IV—PALESTINIAN AUTHORITY**

7 **SEC. 971. LIMITATION ON SECURITY ASSISTANCE TO THE**
8 **PALESTINIAN AUTHORITY.**

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

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

17 (1) no member of Hamas or any other foreign
18 terrorist organization serves in any policy position in
19 a ministry, agency, or instrumentality of the Pales-
20 tinian Authority;

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

25 (3) all Palestinian Authority ministries and op-
26 erations that directly or indirectly benefit from secu-

1 rity assistance are financially transparent and ac-
2 countable;

3 (4) the Palestinian Authority is dismantling all
4 foreign terrorist organizations infrastructure, confis-
5 cating unauthorized weapons, thwarting and pre-
6 empting terrorist attacks, and fully cooperating with
7 Israel's security services;

8 (5) the Palestinian Authority is fully imple-
9 menting necessary institutional reforms within the
10 Ministry of Interior and within the judicial sector;

11 (6) the Palestinian Authority has halted all
12 anti-Israel incitement in Palestinian Authority-con-
13 trolled electronic and print media and in schools,
14 mosques, and other institutions it controls, and is
15 replacing these materials, including textbooks, with
16 materials that promote tolerance, peace, and coexist-
17 ence with Israel;

18 (7) there exists within the Palestinian Authority
19 comprehensive anti-terrorism vetting and tracking
20 procedures for all Palestinian Security Forces per-
21 sonnel benefitting from United States security as-
22 sistance; and

23 (8) the Palestinian Authority has and continues
24 to publicly acknowledge Israel's right to exist as a
25 Jewish state.

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

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

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

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

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

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

22 (3) the United States has established and im-
23 plemented comprehensive procedures to vet all re-
24 cipients of United States security assistance to en-

1 sure that no recipients are members of, or affiliated
2 with, a foreign terrorist organization.

3 **SEC. 972. REPORT ON SECURITY ASSISTANCE TO THE PAL-**
4 **ESTINIAN AUTHORITY.**

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

9 (1) A description of the strategic objectives of
10 the United States regarding the provision of United
11 States security assistance to the Palestinian Author-
12 ity, and a strategy for achieving those objectives.

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

18 (3) A breakdown of contributions and assist-
19 ance provided by the United States, international or-
20 ganizations, and other nations and entities to the
21 Palestinian Authority Ministry of Interior, Civil Po-
22 lice, National Security Force, the Preventative Secu-
23 rity, the General Intelligence Service, Military Intel-
24 ligence, the Presidential Security Service/Presi-
25 dential Guard, and other units.

1 (4) A description of vetting and end-user moni-
2 toring systems in place by the Palestinian Authority,
3 the United States, international organizations, and
4 other nations and entities providing security assist-
5 ance to the Palestinian Authority.

6 (5) A description of contingency options for re-
7 structuring security assistance and reconfiguring the
8 mission of the United States Security Coordinator.

9 (6) A description of metrics utilized by the
10 United States Government for measuring whether
11 security assistance and security cooperation pro-
12 grams have improved the capacity of the Palestinian
13 Authority security forces to operate.

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

18 **SEC. 973. PALESTINIAN AUTHORITY DEFINED.**

19 In this part, the term “Palestinian Authority” in-
20 cludes any agency or instrumentality of the Palestinian
21 Authority, including any entity that is controlled by the
22 Palestinian Authority, or any successor Palestinian gov-
23 erning entity, including the Palestinian Legislative Coun-
24 cil.

1 **PART V—PAKISTAN**

2 **SEC. 981. AUTHORIZATION OF APPROPRIATIONS.**

3 (a) AUTHORIZATION OF APPROPRIATIONS.—

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

8 (2) AVAILABILITY OF FUNDS.—Section 102(b)
9 of the Enhanced Partnership with Pakistan Act of
10 2009 (22 U.S.C. 8412(b)) is amended—

11 (A) by striking “AVAILABILITY OF
12 FUNDS” and all that follows through “Of the
13 amounts” and inserting “AVAILABILITY OF
14 FUNDS.—Of the amounts”;

15 (B) by striking “subsection (a)” and all
16 that follows and inserting the following: “sub-
17 section (a), none of the amounts appropriated
18 for assistance to Pakistan may be made avail-
19 able for assistance to Pakistan unless the Sec-
20 retary of State submits to the appropriate con-
21 gressional committees during such fiscal year—

22 “(1) a certification that assistance provided to
23 Pakistan under this title or the Foreign Assistance
24 Act of 1961 to date has made or is making measur-
25 able progress toward achieving the principal objec-
26 tives of United States assistance to Pakistan con-

1 tained in the Pakistan Assistance Strategy Report
2 and a memorandum explaining the reasons justifying
3 the certification; and

4 “(2) the certification required under section
5 203(c).”; and

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

7 (3) WAIVER; SENSE OF CONGRESS ON FOREIGN
8 ASSISTANCE FUNDS.—Section 102 of the Enhanced
9 Partnership with Pakistan Act of 2009 (22 U.S.C.
10 8412) is amended by striking subsections (c) and
11 (d).

12 (b) EFFECTIVE DATE.—The amendments made by
13 subsection (a) take effect on the date of the enactment
14 of this Act and apply with respect to amounts appro-
15 priated for the purposes of providing assistance to Paki-
16 stan under title I of the Enhanced Partnership with Paki-
17 stan Act of 2009 and providing assistance to Pakistan
18 under the Foreign Assistance Act of 1961 for each of the
19 fiscal years 2012, 2013, and 2014.

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

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

24 (1) by striking “, under the direction of the
25 President,” each place it appears and inserting “, in

1 consultation with the Secretary of Defense and the
2 Director of National Intelligence,”;

3 (2) in subsection (c)(2)—

4 (A) in the matter preceding subparagraph

5 (A)—

6 (i) by striking “significant efforts to-
7 wards” and inserting “demonstrable
8 progress in”;

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

10 and

11 (iii) by striking “has made progress
12 on matters such as”

13 (B) by redesignating subparagraphs (A),
14 (B), and (C), as subparagraphs (C), (D), and
15 (E), respectively;

16 (C) by inserting before subparagraph (C)
17 (as redesignated) the following:

18 “(A) is fully assisting the United States
19 with investigating the existence of an official or
20 unofficial support network in Pakistan for
21 Osama Bin Laden, including by providing the
22 United States with direct access to Osama Bin
23 Laden’s relatives in Pakistan and to Osama Bin
24 Laden’s former compound in Abottabad and
25 any materials therein;

1 “(B) is facilitating the issuance of entry
2 and exit visas for official United States visitors
3 engaged in counterterrorism efforts and train-
4 ing or other cooperative programs and projects
5 in Pakistan;”;

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

8 (E) in subparagraph (D) (as redesign-
9 ated)—

10 (i) by inserting “is” before “pre-
11 venting”;

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

14 (iii) by adding at the end before the
15 semicolon the following: “and eliminating
16 improvised explosive device (IED) net-
17 works”; and

18 (iv) by striking “and” at the end;

19 (F) in subparagraph (E) (as redesign-
20 ated)—

21 (i) by inserting “is” before “strengthen-
22 ing”; and

23 (ii) by inserting “and fully imple-
24 menting” before “counterterrorism”; and

1 (G) by adding after subparagraph (E) (as
2 redesignated) the following:

3 “(F) is using defense articles and defense
4 services provided by the United States under
5 the Foreign Military Sales program according
6 to the end-use purposes, security requirements,
7 and other terms and conditions agreed to by the
8 United States at the time of transfer or by sub-
9 sequent agreement; and”;

10 (3) by striking subsection (e);

11 (4) by redesignating subsection (f) as sub-
12 section (e); and

13 (5) in subsection (e) (as redesignated), in para-
14 graph (1), by striking “the Committee on Oversight
15 and Government Reform,”.

16 (b) **EFFECTIVE DATE.**—The amendments made by
17 subsection (a) take effect on the date of the enactment
18 of this Act and apply with respect to the provision of secu-
19 rity-related assistance to Pakistan in each of the fiscal
20 years 2012, 2013, and 2014.

21 **SEC. 983. STRATEGY REPORTS.**

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

24 (1) in the matter preceding paragraph (1), by
25 striking “Not later than 45 days after the date of

1 enactment of this Act” and inserting “For each of
2 the fiscal years 2012, 2013, and 2014,”;

3 (2) in paragraph (1), by inserting “United
4 States strategic objectives in Pakistan and” after “A
5 description of”;

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

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

9 (5) by amending paragraph (7) to read as fol-
10 lows:

11 “(7) Progress toward creating a searchable
12 Internet database and other public communications
13 strategies that will provide the people of the United
14 States and the people of Pakistan with updated and
15 accurate information on proposed spending plans,
16 disbursements of assistance, and results achieved
17 using funds authorized under title I of this Act.”;
18 and

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

20 “(8) Progress toward meeting the recommenda-
21 tions of audits, reviews, and investigations completed
22 by the General Accountability Office and by the Of-
23 fice of Inspector General of the United States Agen-
24 cy for International Development, the Department of
25 State, and the Department of Defense.

1 tracking procedures for all Yemeni security forces
2 personnel benefitting from United States security as-
3 sistance;

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

8 (5) the Government of Yemen is not complicit
9 in human rights abuses.

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

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

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

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

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

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

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

12 **SEC. 992. REPORT ON SECURITY ASSISTANCE TO THE GOV-**
13 **ERNMENT OF YEMEN.**

14 (a) IN GENERAL.—Not later than 180 days after the
15 date of the enactment of this Act, the Secretary of State,
16 in coordination with the Secretary of Defense, shall submit
17 to the appropriate congressional committees a report that
18 includes the following:

19 (1) A description of the strategic objectives of
20 the United States regarding the provision of United
21 States security assistance to the Government of
22 Yemen.

23 (2) A threat assessment for the Yemen.

24 (3) A description of biennial outlays of United
25 States security assistance to the Government of

1 Yemen for the purposes of strategic planning, train-
2 ing, provision of equipment, and construction of fa-
3 cilities, including funding streams.

4 (4) A description of vetting and end-user moni-
5 toring systems in place by both Yemen and the
6 United States for defense articles and training pro-
7 vided by the United States, to include human rights
8 vetting.

9 (5) A description of actions that the Govern-
10 ment of Yemen is taking to combat foreign terrorist
11 organizations; and

12 (6) Recommendations, including with respect to
13 required resources and actions, to maximize the ef-
14 fectiveness of United States security assistance to
15 the Government of Yemen.

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

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

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

1 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
2 FINED.—In this section, the term “appropriate congress-
3 sional committees” means—

4 (1) the Committee on Foreign Affairs and the
5 Committee on Armed Services of the House of Rep-
6 resentatives; and

7 (2) the Committee on Foreign Relations and
8 the Committee on Armed Services in the Senate.

9 **SEC. 993. GOVERNMENT OF YEMEN DEFINED.**

10 In this part, the term “Government of Yemen” means
11 any person, agent, instrumentality, or official of, is affili-
12 ated with, or is serving as a representative of the Govern-
13 ment of Yemen.

14 **PART VII—MISCELLANEOUS PROVISIONS**

15 **SEC. 994. DEFINITIONS.**

16 Except as otherwise provided, in this subtitle:

17 (1) APPROPRIATE CONGRESSIONAL COMMIT-
18 TEES.—The term “appropriate congressional com-
19 mittees” means—

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

23 (B) the Committee on Foreign Relations
24 and the Committee on Appropriations of the
25 Senate.

1 (2) FOREIGN TERRORIST ORGANIZATION.—The
2 term “foreign terrorist organization” means an or-
3 ganization designated as a foreign terrorist organiza-
4 tion by the Secretary of State in accordance with
5 section 219(a) of the Immigration and Nationality
6 Act (8 U.S.C. 1189(a)).

7 (3) QUALITATIVE MILITARY EDGE.—The term
8 “qualitative military edge” has the meaning given
9 the term in section 36(h)(2) of the Arms Export
10 Control Act (22 U.S.C. 2776(h)(2)).

11 (4) UNITED STATES SECURITY ASSISTANCE.—
12 The term “United States security assistance” means
13 assistance authorized under part II of the Foreign
14 Assistance Act of 1961, the Arms Export Control
15 Act, or any other Act under which the United States
16 provides defense articles, military training, or other
17 defense-related services by grant, loan, credit, or
18 cash sales in furtherance of national policies and ob-
19 jectives.

20 **SEC. 994A. REPORT ON POLICE TRAINING.**

21 (a) IN GENERAL.—Not later than 180 days after the
22 date of the enactment of this Act, the President shall, in
23 coordination with the heads of relevant Federal depart-
24 ments and agencies, submit to the Committee on Foreign
25 Affairs of the House of Representative and the Committee

1 on Foreign Relations of the Senate a report on current
2 overseas civilian police training in countries or regions
3 that are at risk of, in, or are in transition from, conflict
4 or civil strife.

5 (b) MATTERS TO BE INCLUDED.—The report re-
6 quired under subsection (a) shall contain information on
7 the following:

8 (1) The coordination, communication, program
9 management, and policy implementation among the
10 United States civilian police training programs in
11 countries or regions that are at risk of, in, or are
12 in transition from, conflict or civil strife.

13 (2) The number of private contractors con-
14 ducting such training, and the quality and cost of
15 such private contractors.

16 (3) An assessment of pre-training procedures
17 for verification of police candidates to adequately as-
18 sess their aptitude, professional skills, integrity, and
19 other qualifications that are essential to law enforce-
20 ment work.

21 (4) An analysis of the practice of using existing
22 Federal police entities to provide civilian police
23 training in countries or regions that are at risk of,
24 in, or are in transition from, conflict or civil strife,
25 along with the subject matter expertise that each

1 such entity may provide to meet local needs in lieu
2 of the use of private contractors.

3 (5) Recommendations, including recommenda-
4 tions relating to required resources and actions, to
5 maximize the effectiveness and interagency coordina-
6 tion and the adequate provision of civilian police
7 training programs in countries or regions that are at
8 risk of, in, or are in transition from, conflict or civil
9 strife.

10 **SEC. 994B. AUDITS OF UNITED STATES ASSISTANCE TO**
11 **IRAQ.**

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

13 (1) The Office of the Special Inspector General
14 for Iraq Reconstruction (SIGIR) has conducted au-
15 dits of the activities of the Department of State and
16 the Department of Defense and the United States
17 Agency for International Development in Iraq which
18 have proved invaluable to Congress, senior Adminis-
19 tration officials, and the American people.

20 (2) SIGIR has authority under existing law to
21 audit all United States-funded reconstruction assist-
22 ance in Iraq regardless of funding source.

23 (3) United States assistance to Iraq, under the
24 conditions now in existence or which may be antici-
25 pated to be in existence through December 2012

1 should be considered to be “reconstruction assist-
2 ance”.

3 (4) SIGIR’s audits of the police training pro-
4 gram, and of military assistance through the Iraq
5 Security Forces Fund, have been of particular value.

6 (5) SIGIR should audit military, security, and
7 economic assistance to Iraq during the term of
8 SIGIR’s existence, including assistance which may
9 be provided under the Foreign Military Financing
10 program or the Police Development Program.

11 (6) SIGIR’s audits should cover such aspects of
12 assistance programs as may be in the opinion of the
13 Inspector General necessary or desirable under sec-
14 tion 6(a) of the Inspector General Act of 1978 or
15 section 3001 of Public Law 108–106, including any
16 programs, activities, or facilities funded in whole or
17 part by amounts made available for assistance to
18 Iraq or which relate to such programs, activities, or
19 facilities.

20 (7) SIGIR coordinates its audits with other In-
21 spectors General and the Government Accountability
22 Office to avoid duplication of effort.

23 (8) SIGIR should continue to report on United
24 States assistance to Iraq in its Quarterly Reports to
25 Congress.

1 (b) COOPERATION WITH SIGIR.—The Secretary of
2 State shall fully and unreservedly cooperate with audits
3 conducted by the SIGIR and with any information re-
4 quests which in the opinion of the SIGIR are required to
5 comply with requirements imposed on the SIGIR by law.

6 **SEC. 994C. SENSE OF CONGRESS.**

7 It is the sense of Congress that—

8 (1) the European Union should continue its ban
9 on all arms exports to the People’s Republic of
10 China;

11 (2) the President should raise United States ob-
12 jections to the potential lifting of the European
13 Union arms embargo against the People’s Republic
14 of China;

15 (3) the United States Government should make
16 clear in discussions with the governments of coun-
17 tries in the European Union that a lifting of the Eu-
18 ropean Arms Embargo on arms sales to the People’s
19 Republic of China would potentially adversely affect
20 transatlantic defense cooperation, including future
21 transfers of United States military technology, serv-
22 ices, and equipment to European Union countries;

23 (4) the European Union should make legally
24 binding and enforceable its Code of Conduct for
25 Arms Exports;

1 (5) human rights abuses in the People’s Repub-
2 lic of China remain a matter of concern for United
3 States foreign policy;

4 (6) the continuing military build-up of the Gov-
5 ernment of the People’s Republic of China aimed at
6 Taiwan and the ongoing weapon of mass
7 destruction- and missile-related proliferation of
8 state-sponsored companies in China are matters of
9 grave concern to United States foreign and national
10 security policy; and

11 (7) the United States Government and the Eu-
12 ropean Union should work cooperatively to develop a
13 common strategy to limit sensitive technologies ex-
14 ported to the People’s Republic of China, seek im-
15 provement in the human rights conditions in and the
16 export control practices of the People’s Republic of
17 China, as well as an end to the ongoing proliferation
18 of weapons of mass destruction and ballistic missile
19 related technology from China to state sponsors of
20 terrorism.

21 **Subtitle C—Peacekeeping** 22 **Operations**

23 **SEC. 995. PEACEKEEPING OPERATIONS.**

24 (a) **AUTHORITY.**—

1 (1) IN GENERAL.—Section 551 of the Foreign
2 Assistance Act of 1961 (22 U.S.C. 2348) is amend-
3 ed—

4 (A) in the first sentence, by striking “The
5 President” and inserting “(A) The President”;
6 and

7 (B) by inserting the following new sub-
8 section:

9 “(b) Assistance authorized to be appropriated under
10 this chapter may also be used, notwithstanding section
11 660, to provide assistance to enhance the capacity of for-
12 eign civilian security forces, including gendarmes, to par-
13 ticipate in peacekeeping operations.”.

14 (2) DISARMAMENT AND REINTEGRATION.—

15 (A) IN GENERAL.—Notwithstanding any
16 other provision of law, regulation, or Executive
17 order, funds authorized to be appropriated by
18 this Act and any similar provision of law for
19 peacekeeping operations may be made available
20 to support programs to disarm, demobilize, and
21 reintegrate into civilian society former members
22 of foreign terrorist organizations.

23 (B) CONSULTATION.—The Secretary of
24 State shall consult with the appropriate con-

1 gressional committees prior to obligating or ex-
2 pending funds pursuant to this subsection.

3 (C) DEFINITION.—In this paragraph, the
4 term “foreign terrorist organization” means an
5 organization designated as a terrorist organiza-
6 tion under section 219(a) of the Immigration
7 and Nationality Act (8 U.S.C. 1189(a)).

8 (b) LIMITATION.—Section 404(a) of the Child Soldier
9 Prevention Act of 2008 (Public Law 110–457; 22 U.S.C.
10 2370c-1(a)) is amended by striking “section 516 or 541
11 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j
12 or 2347)” and inserting “sections 516, 541, or 551 of the
13 Foreign Assistance Act of 1961 (22 U.S.C. 2321j, 2347,
14 or 2348)”.

15 (c) NOTIFICATION AND REPORTING REQUIRE-
16 MENTS.—

17 (1) NOTIFICATION.—The Secretary of State
18 shall notify the Committee on Foreign Affairs of the
19 House of Representatives and the Committee on
20 Foreign Relations of the Senate at least 15 days be-
21 fore any funds authorized under this section are
22 made available.

23 (2) REPORTS.—Not later than March 30, 2012,
24 and the end of each fiscal quarter, the Secretary of
25 State shall submit to the Committee on Foreign Af-

1 ty Organization (NATO) member countries (other than
2 the United States) to non-NATO member countries, which
3 includes the following:

4 (1) A detailed political-strategic analysis of po-
5 tential dangers such sales and financing might pose
6 to the integrity of the NATO alliance.

7 (2) A list of any abuses or incidents involving
8 such sales and financing to countries potentially hos-
9 tile to the NATO alliance.

10 (3) An analysis of the potential for such sales
11 and financing made during the past five years to the
12 Russian Federation to adversely affect the long-term
13 solidarity of the NATO alliance.

14 (b) NATO COOPERATION.—The Secretary of State
15 shall seek the cooperation and input of NATO’s Economic
16 Secretariat in preparing the report required under sub-
17 section (b).

18 (c) FORM.—The report required under subsection (a)
19 shall be submitted in unclassified form (including as much
20 detail as possible), but may contain a classified annex.

21 (d) APPROPRIATE CONGRESSIONAL COMMITTEES
22 DEFINED.—In this section, the term “appropriate con-
23 gressional committees” means—

1 (1) the Committee on Foreign Affairs of the
2 House of Representative and the Committee on For-
3 eign Relations of the Senate; and

4 (2) the congressional defense committees (as
5 defined in section 101(a)(16) of title 10, United
6 States Code).

7 **SEC. 996A. REPORT ON TASK FORCE FOR BUSINESS AND**
8 **STABILITY OPERATIONS IN AFGHANISTAN.**

9 (a) REPORT.—The Secretary of State, with the con-
10 currence of the Secretary of Defense, and in coordination
11 with the Administrator for the United States Agency for
12 International Development, shall submit to the appro-
13 priate congressional committees a report that contains a
14 detailed plan to provide for the transition of the activities
15 of the Task Force for Business and Stability Operations
16 in Afghanistan from the Department of Defense to the
17 Department of State and the United States Agency for
18 International Development.

19 (b) APPROPRIATE CONGRESSIONAL COMMITTEES
20 DEFINED.—In this section, the term “appropriate con-
21 gressional committees” means—

22 (1) the Committee on Foreign Affairs of the
23 House of Representative and the Committee on For-
24 eign Relations of the Senate; and

1 (2) the congressional defense committees (as
2 defined in section 101(a)(16) of title 10, United
3 States Code).

4 **SEC. 996B. BRIEFINGS RELATING TO PUBLIC LAW 107-40.**

5 (a) BRIEFINGS ON ACTIVITIES.—Not later than 120
6 days after the date of the enactment of this Act, and quar-
7 terly thereafter, the Secretary of Defense shall provide a
8 briefing to the appropriate congressional committees on
9 military activities, including cyber activities, carried out
10 pursuant to the Authorization for Use of Military Force
11 (50 U.S.C. 1541 note; Public Law 107-40).

12 (b) APPROPRIATE CONGRESSIONAL COMMITTEES
13 DEFINED.—In this section, the term “appropriate con-
14 gressional committees” means—

15 (1) the Committee on Appropriations, the Com-
16 mittee on Armed Services, and the Committee on
17 Foreign Affairs of the House of Representatives;
18 and

19 (2) the Committee on Appropriations, the Com-
20 mittee on Armed Services, and the Committee on
21 Foreign Relations of the Senate.

1 **TITLE X—PEACE CORPS VOLUN-**
2 **TEER SERVICE PROTECTION**

3 **SEC. 1001. SEXUAL ASSAULT COMPLAINTS IN THE PEACE**
4 **CORPS.**

5 (a) SENSE OF CONGRESS.—It is the sense of Con-
6 gress that the Peace Corps has begun responding to con-
7 cerns related to its handling of sexual assault complaints
8 from its volunteers that have been the subject of media
9 reports and oversight hearings, including by the hiring of
10 a Victim’s Advocate.

11 (b) STATEMENT OF CONGRESS.—Congress looks for-
12 ward to working cooperatively with the Peace Corps on
13 additional, necessary steps to protect volunteers, including
14 the enactment and implementation of this title.

15 **SEC. 1002. PEACE CORPS VOLUNTEER PROTECTION.**

16 The Peace Corps Act is amended by inserting after
17 section 8 (22 U.S.C. 2507) the following new sections:

18 “SAFETY AND SECURITY AGREEMENT REGARDING PEACE
19 CORPS VOLUNTEERS SERVING IN FOREIGN COUNTRIES

20 “SEC. 8A. (a) IN GENERAL.—Not later than six
21 months after the date of the enactment of this section,
22 the Director of the Peace Corps shall consult with the As-
23 sistant Secretary of State for Diplomatic Security and
24 enter into a memorandum of understanding that specifies
25 the duties and obligations of the Peace Corps and the Bu-

1 reau of Diplomatic Security of the Department of State
2 with respect to the protection of Peace Corps volunteers
3 and staff members serving in foreign countries, including
4 with respect to investigations of safety and security inci-
5 dents and crimes committed against such volunteers and
6 staff members.

7 “(b) INSPECTOR GENERAL REVIEW.—

8 “(1) REVIEW.—The Inspector General of the
9 Peace Corps shall review the memorandum of under-
10 standing described in subsection (a) and be afforded
11 the opportunity to recommend changes that advance
12 the safety and security of Peace Corps volunteers be-
13 fore its entry into force.

14 “(2) REPORT.—The Director of the Peace
15 Corps shall consider all recommendations of the In-
16 spector General of the Peace Corps regarding the
17 memorandum of understanding described in sub-
18 section (a). If the Director enters into such memo-
19 randum without addressing a recommendation of the
20 Inspector General, the Director shall submit to the
21 Inspector General an explanation relating thereto.

22 “(3) FAILURE TO MEET DEADLINE.—

23 “(A) REQUIREMENT TO SUBMIT RE-
24 PORT.—If, by the date that is 6 months after
25 the date of the enactment of this section, the

1 Director of the Peace Corps is unable to obtain
2 agreement with the Assistant Secretary of State
3 for Diplomatic Security and certification by the
4 Inspector General of the Peace Corps, the Di-
5 rector shall submit to the committees of Con-
6 gress specified in subparagraph (C) a report ex-
7 plaining the reasons for such failure.

8 “(B) LIMITATION ON FUNDS.—If, by the
9 date that is 9 months after the date of the en-
10 actment of this section, the memorandum of
11 understanding described in subsection (a) has
12 not entered into force, no funds available to the
13 Peace Corps may be obligated or expended to
14 extend to Peace Corps volunteers invitations for
15 service or to deploy Peace Corps trainees over-
16 seas unless the Director of the Peace Corps cer-
17 tifies to the committees of Congress specified in
18 subparagraph (C) that—

19 “(i) significant progress is being made
20 toward finalizing such memorandum; and

21 “(ii) the Peace Corps is using best ef-
22 forts to provide volunteers with the train-
23 ing, support, and information they need to
24 stay safe and secure.

1 of the Peace Corps shall provide such trainee with training
2 tailored to such country, including cultural training relat-
3 ing to gender relations, risk-reduction strategies, a safety
4 plan in the event of an assault, treatment available in such
5 country (such as forensic rape exams, PEP for HIV expo-
6 sure, STD screening, and pregnancy testing), MedEvac
7 procedures, and information regarding the legal process
8 for pressing charges against an attacker.

9 “(d) HISTORICAL ANALYSIS.—The Director of the
10 Peace Corps shall provide each applicant for enrollment
11 with a historical analysis of crimes and risks against vol-
12 unteers in the country in which the applicant has been
13 invited to serve.

14 “(e) CONTACT INFORMATION.—The Director of the
15 Peace Corps shall provide each trainee, before each such
16 trainee enrolls as a volunteer, with—

17 “(1) the contact information of the Inspector
18 General of the Peace Corps for purposes of reporting
19 violations of the sexual assault protocol under sec-
20 tion 8C or any other criminal or administrative
21 wrongdoing by volunteers, personnel (including ex-
22 perts and consultants), or other individuals (includ-
23 ing contractors) who do business with the Peace
24 Corps; and

1 “(2) clear, written guidelines regarding whom
2 to contact, including the direct telephone number for
3 a victim advocate and what steps to take in the
4 event of a sexual assault.

5 “(f) DEFINITIONS.—In this section and sections 8C
6 through 8I:

7 “(1) ASSAULT.—

8 “(A) IN GENERAL.—The term ‘assault’
9 means an act that—

10 “(i) creates an apprehension in an in-
11 dividual of an imminent, harmful, or offen-
12 sive contact; or

13 “(ii) is a harmful or offensive touch-
14 ing.

15 “(B) INCLUSION.—The term ‘assault’ in-
16 cludes stalking and sexual assault.

17 “(2) SEXUAL ASSAULT.—The term ‘sexual as-
18 sault’ means any conduct described in chapter 109A
19 of title 18, United States Code, relating to aggra-
20 vated sexual abuse, sexual abuse, and sexual contact,
21 whether or not the conduct occurs in the special
22 maritime and territorial jurisdiction of the United
23 States, and includes both assaults committed by of-
24 fenders who are strangers to the victim and assaults

1 committed by offenders who are known or related by
2 blood or marriage to the victim.

3 “(3) STALKING.—The term ‘stalking’ means
4 engaging in a course of conduct directed at a spe-
5 cific person that would cause a reasonable person
6 to—

7 “(A) fear for his or her safety or the safety
8 of others; or

9 “(B) suffer substantial emotional distress.

10 “SEXUAL ASSAULT PROTOCOL AND GUIDELINES

11 “SEC. 8C. (a) IN GENERAL.—The Director of the
12 Peace Corps shall develop and implement comprehensive
13 sexual assault protocol and guidelines that—

14 “(1) conform to best practices in the sexual as-
15 sault field; and

16 “(2) are applicable to all posts at which volun-
17 teers serve.

18 “(b) DEVELOPMENT AND CONSULTATION WITH EX-
19 PERTS.—In developing the sexual assault policy under
20 subsection (a), the Director of the Peace Corps shall con-
21 sult with and incorporate, as appropriate, the rec-
22 ommendations and views of experts in the sexual assault
23 field.

24 “(c) ELEMENTS.—The sexual assault protocol and
25 guidelines developed under subsection (a) shall include, at

1 a minimum, the following services with respect to a volun-
2 teer who has been a victim of sexual assault:

3 “(1) Protection of such volunteer’s confiden-
4 tiality.

5 “(2) Provision of a victim’s advocate to such
6 volunteer.

7 “(3) Provision of a sexual assault forensic evi-
8 dence kit to such volunteer upon request.

9 “(4) Provision of emergency health care to such
10 volunteer, including, to the greatest extent prac-
11 ticable, a choice of medical providers and a mecha-
12 nism for such volunteer to evaluate such provider.

13 “(5) Provision of counseling and psychiatric
14 medication.

15 “(6) Completion of a safety and treatment plan
16 with such volunteer.

17 “(7) Evacuation of such volunteer, accompanied
18 by a Peace Corps staffer at the request of such vol-
19 unteer.

20 “(8) An explanation to such volunteer of avail-
21 able law enforcement, prosecutorial options, and
22 legal representation.

23 “(d) DISTRIBUTION AND TRAINING.—The Director
24 of the Peace Corps shall distribute to and train all in-

1 country staff regarding the sexual assault protocol and
2 guidelines developed under subsection (a).

3 “(e) REMOVAL AND ASSESSMENT AND EVALUA-
4 TION.—

5 “(1) IN GENERAL.—If a volunteer feels at risk
6 of imminent bodily harm and requests removal from
7 the site in which such volunteer is serving, the Di-
8 rector of the Peace Corps shall, as expeditiously as
9 practical after receiving such request, remove such
10 volunteer from such site. If the Director of the
11 Peace Corps receives such a request, the Director of
12 the Peace Corps shall assess and evaluate the safety
13 of such site and may not assign another volunteer
14 to such site until such time as such assessment and
15 evaluation is complete and such site has been deter-
16 mined to be safe.

17 “(2) DETERMINATION OF SITE AS UNSAFE.—
18 Volunteers may remain at a site during an assess-
19 ment and evaluation under paragraph (1). If the Di-
20 rector the Peace Corps determines that a site is un-
21 safe, the Director of the Peace Corps shall, as expe-
22 ditiously as practical, remove all volunteers from
23 such site.

24 “(f) SEXUAL ASSAULT RESPONSE TEAMS.—The Di-
25 rector of the Peace Corps shall establish sexual assault

1 response teams, including Safety and Security Officers,
2 medical staff, and a victim advocate, that can respond to
3 reports of sexual assault against a volunteer.

4 “(g) CASE REVIEW.—The Director of the Peace
5 Corps shall conduct case reviews of a statistically signifi-
6 cant number of cases on a quarterly basis to determine
7 if proper procedures were followed in accordance with the
8 sexual assault protocols and guidelines developed under
9 subsection (a) and including the elements specified in sub-
10 section (c).

11 “(h) TRACKING AND RECORDING.—The Director of
12 the Peace Corps shall establish a global tracking and re-
13 cording system to track and record incidents of assault
14 against volunteers.

15 “(i) PROHIBITION ON COMBINING INCIDENTS.—The
16 Director of the Peace Corps may not combine into one
17 incident for purposes of tracking and recording under sub-
18 section (h) reports by different volunteers of assault
19 against such volunteers even if such assaults were com-
20 mitted by one individual against such volunteers at any
21 one time.

22 “(j) ALTERNATIVE SYSTEMS.—The Director of the
23 Peace Corps shall establish an alternative reporting sys-
24 tem and hotline access system through which volunteers
25 who are victims of assault can report and receive support

1 on an anonymous basis. Such alternative systems shall be
2 published in the Volunteer Handbook.

3 “VICTIMS ADVOCATES

4 “SEC. 8D. (a) VICTIMS ADVOCATES.—

5 “(1) IN GENERAL.—The Director of the Peace Corps
6 shall assign a certified victims advocate in Peace Corps
7 headquarters who shall report directly to the Director. The
8 Director of the Peace Corps shall assign such additional
9 certified victims advocates to assist such victims advocate
10 as the Director determines necessary. Such additional vic-
11 tims advocates shall have regional expertise and may be
12 posted abroad if such victims advocate determines that
13 such is necessary.

14 “(2) SENSE OF CONGRESS.—It is the sense of Con-
15 gress that the Director of the Peace Corps should assign
16 three additional certified victims advocates to assist the
17 certified victims advocate under paragraph (1).

18 “(3) PROHIBITION.—Peace Corps Medical Officers,
19 Safety and Security Officers, and program staff may not
20 serve as victims advocates. The victims advocate and addi-
21 tional victims advocates may not have any other duties
22 in the Peace Corps.

23 “(4) EXEMPTION.—The victims advocate and addi-
24 tional victims advocates shall be exempt from the five year
25 rule on appointments and assignments under section 7.

1 “(b) RESPONSIBILITIES.—The victims advocate and
2 additional victims advocates shall help develop and imple-
3 ment the sexual assault risk-reduction and response train-
4 ing described in section 8B and the sexual assault protocol
5 and guidelines described in section 8C and ensure such
6 training and such protocol and guidelines are being prop-
7 erly updated and followed. The victims advocate and addi-
8 tional victims advocates shall assist volunteers who are vic-
9 tims of assault by making such victims aware of the serv-
10 ices specified in section 8C(c) available to them and facili-
11 tating their access to such services.

12 “(c) STATUS UPDATES.—The victims advocate and
13 additional victims advocates shall provide to volunteers
14 who are victims of assault regular updates on the status
15 of their cases if such volunteers have opted to pursue pros-
16 ecution.

17 “(d) TRANSITION.—A victims advocate who is work-
18 ing with a volunteer who is a victim of assault and who
19 relocates back to the United States shall assist such volun-
20 teer to receive the services specified in section 8C(c) re-
21 quired by such volunteer, including through the duration
22 of the claim with the Department of Labor, even after
23 such volunteer is medically separated.

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 porting, 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 Corp’s 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 There is authorized to be appropriated for the Peace
12 Corps \$375,000,000 for fiscal year 2012, of which not less
13 than \$4,637,000 is authorized to be appropriated for the
14 Office of the Inspector General of the Peace Corps.