

108TH CONGRESS
2D SESSION

S. 2144

To authorize appropriations for the Department of State and international broadcasting activities for fiscal year 2005, for the Peace Corps for fiscal years 2005 through 2007, for foreign assistance programs for fiscal year 2005, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 27, 2004

Mr. LUGAR introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To authorize appropriations for the Department of State and international broadcasting activities for fiscal year 2005, for the Peace Corps for fiscal years 2005 through 2007, for foreign assistance programs for fiscal year 2005, 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 Affairs Au-
5 thorization Act, Fiscal Year 2005”.

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

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

5 (1) Division A—Foreign Relations Authoriza-
 6 tions.

7 (2) Division B—Foreign Assistance Authoriza-
 8 tions.

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

Sec. 1. Short title.

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

Sec. 3. Definitions.

DIVISION A—FOREIGN RELATIONS AUTHORIZATIONS

Sec. 100. Short title.

TITLE I—AUTHORIZATIONS OF APPROPRIATIONS

Subtitle A—Department of State

Sec. 101. Administration of foreign affairs.

Sec. 102. United States educational, cultural, and public diplomacy programs.

Sec. 103. International organizations and conferences.

Sec. 104. International commissions.

Sec. 105. Migration and refugee assistance.

Subtitle B—United States International Broadcasting Activities

Sec. 111. Authorizations of appropriations.

TITLE II—DEPARTMENT OF STATE AUTHORITIES AND
 ACTIVITIES

Subtitle A—Basic Authorities and Activities

Sec. 201. Interference with protective functions.

Sec. 202. Authority to issue administrative subpoenas.

Sec. 203. Enhanced Department of State authority for uniformed security offi-
 cers.

Sec. 204. Prohibition on transfer of certain visa processing fees.

Sec. 205. Reimbursement from United States Olympic Committee.

Subtitle B—Educational, Cultural, and Public Diplomacy Authorities

- Sec. 211. Authority to promote biotechnology.
- Sec. 212. The United States Diplomacy Center.
- Sec. 213. Latin America Civilian Government Security Program.

TITLE III—ORGANIZATION AND PERSONNEL OF THE DEPARTMENT OF STATE

- Sec. 301. Fellowship of Hope Program.
- Sec. 302. Cost-of-living allowances.
- Sec. 303. Additional authority for waiver of annuity limitations on reemployed Foreign Service annuitants.
- Sec. 304. Home leave.
- Sec. 305. Increased limits applicable to post differentials and danger pay allowances.
- Sec. 306. Suspension of Foreign Service members without pay.
- Sec. 307. Claims for lost pay.
- Sec. 308. Repeal of requirement for recertification process for members of the Senior Foreign Service.
- Sec. 309. Deadline for issuance of regulations regarding retirement credit for Government service performed abroad.
- Sec. 310. Separation of lowest ranked Foreign Service members.
- Sec. 311. Disclosure requirements applicable to proposed recipients of the personal rank of ambassador or minister.
- Sec. 312. Provision of living quarters and allowances to the United States Representatives to the United Nations.

TITLE IV—INTERNATIONAL ORGANIZATIONS

- Sec. 401. Limitation on the United States share of assessments for United Nations Peacekeeping Operations after calendar year 2004.
- Sec. 402. Report to Congress on implementation of the Brahimi report.
- Sec. 403. Membership on United Nations councils and commissions.

TITLE V—DESIGNATION OF FOREIGN TERRORIST ORGANIZATIONS

- Sec. 501. Designation of foreign terrorist organizations.

TITLE VI—STRENGTHENING UNITED STATES OUTREACH

Subtitle A—Public Diplomacy

- Sec. 601. Plans, reports, and budget documents.
- Sec. 602. Training.
- Sec. 603. Report on foreign language briefings.

Subtitle B—Strengthening United States Educational and Cultural Exchange Programs in the Islamic World

- Sec. 611. Definitions.
- Sec. 612. Expansion of educational and cultural exchanges.
- Sec. 613. Secondary exchange program.
- Sec. 614. Authorization of appropriations.

Subtitle C—Fellowship Program

- Sec. 621. Short title.
- Sec. 622. Fellowship program.

- Sec. 623. Fellowships.
- Sec. 624. Administrative provisions.

TITLE VII—INTERNATIONAL PARENTAL CHILD ABDUCTION PREVENTION

- Sec. 701. Short title.
- Sec. 702. Inadmissibility of aliens supporting international child abductors and relatives of such abductors.

TITLE VIII—MISCELLANEOUS PROVISIONS

- Sec. 801. Repeal of requirement for semiannual report on extradition of narcotics traffickers.
- Sec. 802. Technical amendments to the United States International Broadcasting Act of 1994.
- Sec. 803. Fellowships for multidisciplinary training on nonproliferation issues.
- Sec. 804. Requirement for report on United States policy toward Haiti.
- Sec. 805. Limitation on use of funds relating to United States policy with respect to Jerusalem as the Capital of Israel.
- Sec. 806. Requirement for additional report concerning efforts to promote Israel's diplomatic relations with other countries.
- Sec. 807. United States policy regarding the recognition of a Palestinian State.
- Sec. 808. Middle East Broadcasting Network.
- Sec. 809. Sense of Congress relating to Magen David Adom Society.
- Sec. 810. Extension of authorization of appropriation for the United States Commission on International Religious Freedom.

TITLE IX—PEACE CORPS CHARTER FOR THE 21ST CENTURY

- Sec. 901. Short title.
- Sec. 902. Findings.
- Sec. 903. Definitions.
- Sec. 904. Strengthened independence of the Peace Corps.
- Sec. 905. Reports and consultations.
- Sec. 906. Increasing the number of volunteers.
- Sec. 907. Special volunteer recruitment and placement for countries whose governments are seeking to foster greater understanding between their citizens and the United States.
- Sec. 908. Global infectious diseases initiative.
- Sec. 909. Peace Corps National Advisory Council.
- Sec. 910. Readjustment allowances.
- Sec. 911. Programs and projects of returned Peace Corps volunteers to promote the goals of the Peace Corps.
- Sec. 912. Authorization of appropriations.

DIVISION B—FOREIGN ASSISTANCE AUTHORIZATIONS

- Sec. 2001. Short title.

TITLE XXI—AUTHORIZATION OF APPROPRIATIONS

Subtitle A—Development Assistance and Related Programs Authorizations

- Sec. 2101. Development assistance.
- Sec. 2102. Child Survival and Health Programs Fund.
- Sec. 2103. Development credit authority.

- Sec. 2104. Program to provide technical assistance to foreign governments and foreign central banks of developing or transitional countries.
- Sec. 2105. International organizations and programs.
- Sec. 2106. Continued availability of certain funds withheld from international organizations.
- Sec. 2107. International disaster assistance.
- Sec. 2108. Transition initiatives.
- Sec. 2109. Assistance for the independent states of the former Soviet Union.
- Sec. 2110. Assistance for Eastern Europe and the Baltic States.
- Sec. 2111. Operating expenses of the United States Agency for International Development.
- Sec. 2112. Capital investment funds for the United States Agency for International Development.
- Sec. 2113. Millennium Challenge assistance.

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

- Sec. 2121. International narcotics control and law enforcement.
- Sec. 2122. Economic support fund.
- Sec. 2123. International military education and training.
- Sec. 2124. Peacekeeping operations.
- Sec. 2125. Nonproliferation, anti-terrorism, demining, and related assistance.
- Sec. 2126. Foreign military financing program.

Subtitle C—Independent Agencies Authorizations

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

TITLE XXII—AMENDMENTS TO GENERAL FOREIGN ASSISTANCE
AUTHORITIES

Subtitle A—Foreign Assistance Act Amendments and Related Provisions

- Sec. 2201. Development policy.
- Sec. 2202. Assistance for nongovernmental organizations.
- Sec. 2203. Authority for use of funds for unanticipated contingencies.
- Sec. 2204. Authority to accept lethal excess property.
- Sec. 2205. Reconstruction assistance under international disaster assistance authority.
- Sec. 2206. Funding authorities for assistance for the independent states of the former Soviet Union.
- Sec. 2207. Waiver of net proceeds resulting from disposal of United States defense articles provided to a foreign country on a grant basis.
- Sec. 2208. Transfer of certain obsolete or surplus defense articles in the war reserve stockpiles for allies to Israel.
- Sec. 2209. Additions to war reserve stockpiles for allies for fiscal years 2004 and 2005.
- Sec. 2210. Restrictions on economic support funds for Lebanon.
- Sec. 2211. Administration of justice.
- Sec. 2212. Demining programs.
- Sec. 2213. Special waiver authority.
- Sec. 2214. Prohibition of assistance for countries in default.
- Sec. 2215. Military coups.
- Sec. 2216. Designation of position for which appointee is nominated.

- Sec. 2217. Exceptions to requirement for congressional notification of program changes.
- Sec. 2218. Commitments for expenditures of funds.
- Sec. 2219. Alternative dispute resolution.
- Sec. 2220. Administrative authorities.
- Sec. 2221. Assistance for law enforcement forces.
- Sec. 2222. Special debt relief for the poorest.
- Sec. 2223. Congo Basin Forest Partnership.
- Sec. 2224. Landmine clearance programs.
- Sec. 2225. Middle East Foundation.

Subtitle B—Arms Export Control Act Amendments and Related Provisions

- Sec. 2231. Thresholds for advance notice to Congress of sales or upgrades of defense articles, design and construction services, and major defense equipment.
- Sec. 2232. Clarification of requirement for advance notice to Congress of comprehensive export authorizations.
- Sec. 2233. Exception to bilateral agreement requirements for transfers of defense items.
- Sec. 2234. Authority to provide cataloging data and services to non-NATO countries.
- Sec. 2235. Freedom Support Act permanent waiver authority.
- Sec. 2236. Extension of Pakistan waivers.
- Sec. 2237. Consolidation of reports on nonproliferation in South Asia.
- Sec. 2238. Haitian Coast Guard.
- Sec. 2239. Marketing information for commercial communications satellites.
- Sec. 2240. Transfer of certain naval vessels.

TITLE XXIII—RADIOLOGICAL TERRORISM SECURITY

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

TITLE XXIV—GLOBAL PATHOGEN SURVEILLANCE

- Sec. 2401. Short title.
- Sec. 2402. Findings; purpose.
- Sec. 2403. Definitions.
- Sec. 2404. Priority for certain countries.
- Sec. 2405. Restriction.
- Sec. 2406. Fellowship program.
- Sec. 2407. In-country training in laboratory techniques and syndrome surveillance.
- Sec. 2408. Assistance for the purchase and maintenance of public health laboratory equipment.
- Sec. 2409. Assistance for improved communication of public health information.
- Sec. 2410. Assignment of public health personnel to United States missions and international organizations.
- Sec. 2411. Expansion of certain United States Government laboratories abroad.
- Sec. 2412. Assistance for regional health networks and expansion of foreign epidemiology training programs.
- Sec. 2413. Authorization of appropriations.

TITLE XXV—REPORTING REQUIREMENTS AND OTHER MATTERS

Subtitle A—Elimination and Modification of Certain Reporting Requirements

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

Subtitle B—Other Matters

- Sec. 2511. Certain claims for expropriation by the Government of Nicaragua.
 Sec. 2512. Amendments to the Arms Control and Disarmament Act.
 Sec. 2513. Support for Sierra Leone.
 Sec. 2514. Support for independent media in Ethiopia.
 Sec. 2515. Support for Somalia.
 Sec. 2516. Support for Central African States.
 Sec. 2517. African contingency operations training and assistance program.
 Sec. 2518. Condition on the provision of certain funds to Indonesia.
 Sec. 2519. Assistance to combat HIV/AIDS in certain countries of the Caribbean region.
 Sec. 2520. Repeal of obsolete assistance authority.
 Sec. 2521. Technical corrections.

1 SEC. 3. DEFINITIONS.

2 In this Act:

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

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

11 (3) SECRETARY.—Except as otherwise provided
 12 in this Act, the term “Secretary” means the Sec-
 13 retary of State.

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

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

4 This division may be cited as the “Foreign Relations
5 Authorization Act, Fiscal Year 2005”.

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

8 **Subtitle A—Department of State**

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

10 The following amounts are authorized to be appro-
11 priated for the Department under “Administration of For-
12 eign Affairs” to carry out the authorities, functions, du-
13 ties, and responsibilities in the conduct of foreign affairs
14 of the United States, and for other purposes authorized
15 by law:

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

17 (A) **AUTHORIZATION OF APPROPRIA-**
18 **TIONS.—**For “Diplomatic and Consular Pro-
19 grams”, \$4,293,004,000 for the fiscal year
20 2005.

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

22 Of the amounts authorized to be appropriated
23 by subparagraph (A), \$658,701,000 for the fis-
24 cal year 2005 is authorized to made available
25 for worldwide security upgrades.

1 (2) CAPITAL INVESTMENT FUND.—For “Cap-
2 ital Investment Fund”, \$155,100,000 for the fiscal
3 year 2005.

4 (3) EMBASSY SECURITY, CONSTRUCTION AND
5 MAINTENANCE.—For “Embassy Security, Construc-
6 tion and Maintenance”, \$1,569,000,000 for the fis-
7 cal year 2005.

8 (4) REPRESENTATION ALLOWANCES.—For
9 “Representation Allowances”, \$8,640,000 for the
10 fiscal year 2005.

11 (5) PROTECTION OF FOREIGN MISSIONS AND
12 OFFICIALS.—For “Protection of Foreign Missions
13 and Officials”, \$9,600,000 for the fiscal year 2005.

14 (6) EMERGENCIES IN THE DIPLOMATIC AND
15 CONSULAR SERVICE.—For “Emergencies in the Dip-
16 lomatic and Consular Service”, \$7,000,000 for the
17 fiscal year 2005.

18 (7) REPATRIATION LOANS.—For “Repatriation
19 Loans”, \$1,219,000 for the fiscal year 2005.

20 (8) PAYMENT TO THE AMERICAN INSTITUTE IN
21 TAIWAN.—For “Payment to the American Institute
22 in Taiwan”, \$19,482,000 for the fiscal year 2005.

23 (9) OFFICE OF THE INSPECTOR GENERAL.—
24 For “Office of the Inspector General”, \$31,435,000
25 for the fiscal year 2005.

1 **SEC. 102. UNITED STATES EDUCATIONAL, CULTURAL, AND**
2 **PUBLIC DIPLOMACY PROGRAMS.**

3 (a) AUTHORIZATION OF APPROPRIATIONS.—

4 (1) IN GENERAL.—The following amounts are
5 authorized to be appropriated for the Department to
6 carry out public diplomacy programs of the Depart-
7 ment under the United States Information and Edu-
8 cational Exchange Act of 1948, the Mutual Edu-
9 cational and Cultural Exchange Act of 1961, Reor-
10 ganization Plan Number 2 of 1977, the Foreign Af-
11 fairs Reform and Restructuring Act of 1998, the
12 Center for Cultural and Technical Interchange Be-
13 tween East and West Act of 1960, the Dante B.
14 Fascell North-South Center Act of 1991, and the
15 National Endowment for Democracy Act, and to
16 carry out other authorities in law consistent with the
17 purposes of such Acts:

18 (A) EDUCATIONAL AND CULTURAL EX-
19 CHANGE PROGRAMS.—For “Educational and
20 Cultural Exchange Programs”, \$375,346,000
21 for the fiscal year 2005.

22 (B) NATIONAL ENDOWMENT FOR DEMOC-
23 RACY.—For the “National Endowment for De-
24 mocracy”, \$80,000,000 for the fiscal year 2005.

25 (C) CENTER FOR CULTURAL AND TECH-
26 NICAL INTERCHANGE BETWEEN EAST AND

1 WEST.—For the “Center for Cultural and Tech-
2 nical Interchange Between East and West”,
3 \$13,709,000 for the fiscal year 2005.

4 (D) DANTE B. FASCELL NORTH-SOUTH
5 CENTER.—For the “Dante B. Fascell North-
6 South Center”, \$2,000,000 for the fiscal year
7 2005.

8 (2) SPECIFIC EDUCATIONAL AND CULTURAL
9 EXCHANGE PROGRAMS.—

10 (A) FULBRIGHT ACADEMIC EXCHANGE
11 PROGRAMS.—Of the amount authorized to be
12 appropriated by paragraph (1)(A),
13 \$150,000,000 for the fiscal year 2005 is au-
14 thorized to be made available for the “Fulbright
15 Academic Exchange Programs”.

16 (B) VIETNAM EDUCATION FOUNDATION.—
17 Of the amount made available by subparagraph
18 (A), \$5,000,000 for the fiscal year 2005 is au-
19 thorized to be made available to the Vietnam
20 Education Foundation established in section
21 204 of the Vietnam Education Foundation Act
22 of 2000 (22 U.S.C. 2452 note).

23 (b) ASIA FOUNDATION.—Section 404 of The Asia
24 Foundation Act (22 U.S.C. 4403) is amended to read as
25 follows:

1 to carry out other authorities in law consistent with
2 such purposes.

3 (2) AVAILABILITY OF FUNDS.—Funds appro-
4 priated pursuant to paragraph (1) are authorized to
5 be available until September 30, 2006.

6 (c) FOREIGN CURRENCY EXCHANGE RATES.—

7 (1) AUTHORIZATION OF APPROPRIATION.—In
8 addition to amounts authorized to be appropriated
9 by subsection (a), there is authorized to be appro-
10 priated for the Department such sums as may be
11 necessary for the fiscal year 2005 to offset adverse
12 fluctuations in foreign currency exchange rates.

13 (2) AVAILABILITY OF FUNDS.—Amounts appro-
14 priated under this subsection shall be available for
15 obligation and expenditure only to the extent that
16 the Director of the Office of Management and Budg-
17 et determines and certifies to the appropriate con-
18 gressional committees that such amounts are nec-
19 essary due to such fluctuations.

20 **SEC. 104. INTERNATIONAL COMMISSIONS.**

21 (a) IN GENERAL.—The following amounts are au-
22 thorized to be appropriated under “International Commis-
23 sions” for the Department to carry out the authorities,
24 functions, duties, and responsibilities in the conduct of the
25 foreign affairs of the United States with respect to inter-

1 national commissions and for other purposes authorized
2 by law:

3 (1) INTERNATIONAL BOUNDARY AND WATER
4 COMMISSION, UNITED STATES AND MEXICO.—For
5 “International Boundary and Water Commission,
6 United States and Mexico”—

7 (A) for “Salaries and Expenses”,
8 \$30,300,000 for the fiscal year 2005; and

9 (B) for “Construction”, \$8,545,000 for the
10 fiscal year 2005.

11 (2) INTERNATIONAL BOUNDARY COMMISSION,
12 UNITED STATES AND CANADA.—For “International
13 Boundary Commission, United States and Canada”,
14 \$1,210,000 for the fiscal year 2005.

15 (3) INTERNATIONAL JOINT COMMISSION.—For
16 “International Joint Commission”, \$7,498,000 for
17 the fiscal year 2005.

18 (4) INTERNATIONAL FISHERIES COMMISS-
19 SIONS.—For “International Fisheries Commissions”,
20 \$20,800,000 for the fiscal year 2005.

21 (b) BORDER ENVIRONMENT COOPERATION COMMIS-
22 SION.—Notwithstanding paragraph (2) of section 533(a)
23 of the North American Free Trade Agreement Implemen-
24 tation Act (19 U.S.C. 3473(a)(2)), there are authorized
25 to be appropriated to the President not more than

1 \$2,048,000 for the United States contributions to the
2 budget of the Border Environment Cooperation Commis-
3 sion for the fiscal year 2005.

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

5 (a) IN GENERAL.—There is authorized to be appro-
6 priated for “Migration and Refugee Assistance” for au-
7 thorized activities, \$729,789,000 for the fiscal year 2005.

8 (b) REFUGEES RESETTLING IN ISRAEL.—Of the
9 amount authorized to be appropriated by subsection (a),
10 \$50,000,000 is authorized to be available for the fiscal
11 year 2005 for the resettlement of refugees in Israel.

12 **Subtitle B—United States Inter-**
13 **national Broadcasting Activities**

14 **SEC. 111. AUTHORIZATIONS OF APPROPRIATIONS.**

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

1 (1) INTERNATIONAL BROADCASTING OPER-
2 ATIONS.—For “International Broadcasting Oper-
3 ations”, \$575,740,000 for the fiscal year 2005.

4 (2) BROADCASTING CAPITAL IMPROVEMENTS.—
5 For “Broadcasting Capital Improvements”,
6 \$8,560,000 for the fiscal year 2005.

7 **TITLE II—DEPARTMENT OF**
8 **STATE AUTHORITIES AND AC-**
9 **TIVITIES**
10 **Subtitle A—Basic Authorities and**
11 **Activities**

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

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

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

16 “Whoever knowingly and willfully obstructs, resists,
17 or interferes with a Federal law enforcement agent en-
18 gaged, within the United States or the special maritime
19 territorial jurisdiction of the United States, in the per-
20 formance of the protective functions authorized by section
21 37 of the State Department Basic Authorities Act of 1956
22 (22 U.S.C. 2709) or section 103 of the Diplomatic Secu-
23 rity Act (22 U.S.C. 4802) shall be fined under this title
24 or imprisoned not more than one year, or both.”.

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

“117. Interference with certain protective functions.”.

4 **SEC. 202. AUTHORITY TO ISSUE ADMINISTRATIVE SUB-**
 5 **POENAS.**

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

9 “(d) ADMINISTRATIVE SUBPOENAS.—

10 “(1) IN GENERAL.—If the Secretary determines
 11 that there is an imminent threat against a person,
 12 foreign mission, or international organization pro-
 13 tected under the authority of subsection (a)(3), the
 14 Secretary may issue in writing, and cause to be
 15 served, a subpoena requiring—

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

18 “(B) testimony by the custodian of the
 19 items required to be produced concerning the
 20 production and authenticity of those items.

21 “(2) REQUIREMENTS.—

22 “(A) RETURN DATE.—A subpoena under
 23 this subsection shall describe the items required
 24 to be produced and shall specify a return date
 25 within a reasonable period of time within which

1 the requested items may be assembled and
2 made available. The return date specified may
3 not be less than 24 hours after service of the
4 subpoena.

5 “(B) NOTIFICATION TO ATTORNEY GEN-
6 ERAL.—As soon as practicable following the
7 issuance of a subpoena under this subsection,
8 the Secretary shall notify the Attorney General
9 of its issuance.

10 “(C) OTHER REQUIREMENTS.—The fol-
11 lowing provisions of section 3486 of title 18,
12 United States Code, shall apply to the exercise
13 of the authority of paragraph (1):

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

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

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

20 “(4) ANNUAL REPORT.—Not later than Feb-
21 ruary 1 of each year, the Secretary shall submit to
22 the Committee on Foreign Relations of the Senate
23 and the Committee on International Relations of the
24 House of Representatives a report regarding the ex-

1 exercise of the authority under this subsection during
 2 the previous calendar year.”.

3 **SEC. 203. ENHANCED DEPARTMENT OF STATE AUTHORITY**
 4 **FOR UNIFORMED SECURITY OFFICERS.**

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

8 **“SEC. 37A. PROTECTION OF BUILDINGS AND AREAS IN THE**
 9 **UNITED STATES BY DESIGNATED LAW EN-**
 10 **FORCEMENT OFFICERS.**

11 “(a) DESIGNATION OF LAW ENFORCEMENT OFFI-
 12 CERS.—The Secretary of State may designate Department
 13 of State uniformed guards as law enforcement officers for
 14 duty in connection with the protection of buildings and
 15 areas within the United States for which the Department
 16 of State provides protective services, including duty in
 17 areas outside the property to the extent necessary to pro-
 18 tect the property and persons on the property.

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

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

24 “(2) carry firearms; and

1 “(3) make arrests without warrant for any of-
2 fense against the United States committed in the of-
3 ficer’s presence, or for any felony cognizable under
4 the laws of the United States if the officer has rea-
5 sonable grounds to believe that the person to be ar-
6 rested has committed or is committing such felony
7 in connection with the buildings and areas, or per-
8 sons, for which the Department of State is providing
9 protective services.

10 “(c) REGULATIONS.—(1) The Secretary of State may
11 prescribe regulations necessary for the administration of
12 buildings and areas within the United States for which
13 the Department of State provides protective services. The
14 regulations may include reasonable penalties, within the
15 limits prescribed in subsection (d), for violations of the
16 regulations.

17 “(2) The Secretary shall consult with the Secretary
18 of Homeland Security in prescribing the regulations under
19 paragraph (1).

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

22 “(d) PENALTIES.—A person violating a regulation
23 prescribed under subsection (c) shall be fined under title
24 18, United States Code, or imprisoned for not more than
25 30 days, or both.

1 “(e) TRAINING OFFICERS.—The Secretary of State
2 may also designate firearms and explosives training offi-
3 cers as law enforcement officers under subsection (a) for
4 the limited purpose of safeguarding firearms, ammunition,
5 and explosives that are located at firearms and explosives
6 training facilities approved by the Secretary or are in tran-
7 sit between training facilities and Department of State
8 weapons and munitions vaults.

9 “(f) ATTORNEY GENERAL APPROVAL.—The powers
10 granted to officers designated under this section shall be
11 exercised in accordance with guidelines approved by the
12 Attorney General.

13 “(g) RELATIONSHIP TO OTHER AUTHORITY.—Noth-
14 ing in this section shall be construed to affect the author-
15 ity of the Secretary of Homeland Security, the Adminis-
16 trator of General Services, or any Federal law enforcement
17 agency.”.

18 **SEC. 204. PROHIBITION ON TRANSFER OF CERTAIN VISA**
19 **PROCESSING FEES.**

20 Section 140(a)(2) of the Foreign Relations Author-
21 ization Act, Fiscal Years 1994 and 1995 (8 U.S.C. 1351
22 note) is amended in the second sentence by inserting be-
23 fore the period at the end the following: “and shall not
24 be transferred to any other agency, except that funds may
25 be transferred by the Secretary for the procurement of

1 goods and services from other departments or agencies
 2 pursuant to section 1535 of title 31, United States Code”.

3 **SEC. 205. REIMBURSEMENT FROM UNITED STATES OLYM-**
 4 **PIC COMMITTEE.**

5 (a) IN GENERAL.—The Secretary shall seek, to the
 6 extent practicable, reimbursement from the United States
 7 Olympic Committee for security provided to the United
 8 States Olympic Team by Diplomatic Security Special
 9 Agents during the 2004 Summer Olympics.

10 (b) OFFSETTING RECEIPT.—Reimbursements pro-
 11 vided under subsection (a) shall be deposited as an offset-
 12 ting receipt to the appropriate Department account.

13 (c) AVAILABILITY OF FUNDS.—Funds collected
 14 under the authority in subsection (a) shall remain avail-
 15 able for obligation until September 30, 2005.

16 **Subtitle B—Educational, Cultural,**
 17 **and Public Diplomacy Authorities**

18 **SEC. 211. AUTHORITY TO PROMOTE BIOTECHNOLOGY.**

19 The Secretary is authorized to support, by grants, co-
 20 operative agreements, or contracts, outreach and public di-
 21 plomacy activities regarding the benefits of agricultural
 22 biotechnology and science-based regulatory systems, and
 23 the application of agricultural biotechnology for trade and
 24 development purposes. The total amount of grants made

1 pursuant to this authority in a fiscal year shall not exceed
2 \$500,000.

3 **SEC. 212. THE UNITED STATES DIPLOMACY CENTER.**

4 Title I of the State Department Basic Authorities Act
5 of 1956 is amended by adding after section 58 (22 U.S.C.
6 2730) the following new section:

7 **“SEC. 59. THE UNITED STATES DIPLOMACY CENTER.**

8 “(a) ACTIVITIES.—

9 “(1) SUPPORT AUTHORIZED.—The Secretary of
10 State is authorized to provide by contract, grant, or
11 otherwise, for the performance of appropriate mu-
12 seum visitor and educational outreach services, in-
13 cluding organizing conference activities, museum
14 shop services, and food services, in the public exhibit
15 and related space utilized by the United States Di-
16 plomacy Center (in this section referred to as the
17 ‘Center’).

18 “(2) PAYMENT OF EXPENSES.—The Secretary
19 may pay all reasonable expenses of conference activi-
20 ties conducted by the Center, including refreshments
21 and reimbursement of travel expenses incurred by
22 participants.

23 “(3) RECOVERY OF COSTS.—Any revenues gen-
24 erated under the authority of paragraph (1) for vis-
25 itor services may be retained, as a recovery of the

1 costs of operating the Center, and credited to any
2 Department of State appropriation.

3 “(b) DISPOSITION OF UNITED STATES DIPLOMACY
4 CENTER ARTIFACTS AND MATERIALS.—

5 “(1) PROPERTY OF SECRETARY.—All historic
6 documents, artifacts, or other articles permanently
7 acquired by the Department of State and deter-
8 mined by the Secretary to be suitable for display in
9 the Center shall be considered to be the property of
10 the Secretary in the Secretary’s official capacity and
11 shall be subject to disposition solely in accordance
12 with this subsection.

13 “(2) SALE OR TRADE.—Whenever the Secretary
14 makes the determination under paragraph (3) with
15 respect to an item, the Secretary may sell at fair
16 market value, trade, or transfer the item, without re-
17 gard to the requirements of subtitle I of title 40,
18 United States Code. The proceeds of any such sale
19 may be used solely for the advancement of the Cen-
20 ter’s mission and may not be used for any purpose
21 other than the acquisition and direct care of collec-
22 tions.

23 “(3) DETERMINATIONS PRIOR TO SALE OR
24 TRADE.—The determination referred to in para-

1 graph (2), with respect to an item, is a determina-
2 tion that—

3 “(A) the item no longer serves to further
4 the purposes of the Center established in the
5 collections management policy of the Center; or

6 “(B) in order to maintain the standards of
7 the collections of the Center, the sale or ex-
8 change of the item would be a better use of the
9 item.

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

15 **SEC. 213. LATIN AMERICA CIVILIAN GOVERNMENT SECU-**
16 **RITY PROGRAM.**

17 The Secretary is authorized to establish, through an
18 institution of higher education in the United States that
19 has prior experience in the field, an educational program
20 designed to promote civilian control of government min-
21 istries in Latin America that perform national security
22 functions by teaching and reinforcing among young pro-
23 fessionals from countries in Latin America the analytical
24 skills, knowledge of civil institutions, and leadership skills

1 necessary to manage national security functions within a
2 democratic civil society.

3 **TITLE III—ORGANIZATION AND**
4 **PERSONNEL OF THE DEPART-**
5 **MENT OF STATE**

6 **SEC. 301. FELLOWSHIP OF HOPE PROGRAM.**

7 (a) FELLOWSHIP AUTHORIZED.—Chapter 5 of title
8 I of the Foreign Service Act of 1980 (22 U.S.C. 3981
9 et seq.) is amended by adding at the end the following
10 new section:

11 “SEC. 506. FELLOWSHIP OF HOPE.—(a) The Sec-
12 retary is authorized to establish the Fellowship of Hope
13 Program. Under the program, the Secretary may assign
14 a member of the Service, for not more than one year, to
15 a position with any designated country or designated enti-
16 ty that permits an employee to be assigned to a position
17 with the Department.

18 “(b) The salary and benefits of a member of the Serv-
19 ice shall be paid as described in subsection (b) of section
20 503 during a period in which such member is participating
21 in the Fellowship of Hope Program. The salary and bene-
22 fits of an employee of a designated country or designated
23 entity participating in such program shall be paid by such
24 country or entity during the period in which such employee
25 is participating in the program.

1 “(c) In this section:

2 “(1) The term ‘designated country’ means a
3 member country of—

4 “(A) the North Atlantic Treaty Organiza-
5 tion; or

6 “(B) the European Union.

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

8 “(A) the North Atlantic Treaty Organiza-
9 tion; or

10 “(B) the European Union.”.

11 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

12 Such Act is amended—

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

14 (A) in the section heading, by striking
15 “AND” and inserting “FOREIGN GOVERN-
16 MENTS, OR”; and

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

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

21 (A) by striking the item relating to section
22 503 and inserting the following:

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

23 and

1 (B) by inserting after the item relating to
2 section 505 the following:

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

3 **SEC. 302. COST-OF-LIVING ALLOWANCES.**

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

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

7 (A) by inserting “activities required for
8 successful completion of a grade or course and”
9 after “(including”;

10 (B) by striking “not to exceed the total
11 cost to the Government of the dependent at-
12 tending an adequate school in the nearest local-
13 ity where an adequate school is available” and
14 inserting “subject to the approval of the head
15 of the agency involved”;

16 (2) by striking subparagraph (B) and inserting
17 the following:

18 “(B) The travel expenses of dependents of
19 an employee to and from a secondary, post-sec-
20 ondary, or post-baccalaureate educational insti-
21 tution, not to exceed 1 annual trip each way for
22 each dependent, except that an allowance pay-
23 ment under subparagraph (A) of this paragraph
24 may not be made for a dependent during the 12
25 months following the arrival of the dependent

1 at the selected educational institution under au-
2 thority contained in this subparagraph.”; and
3 (3) by adding at the end the following new sub-
4 paragraph:

5 “(D) Allowances provided pursuant to sub-
6 paragraphs (A) and (B) may include, at the
7 election of the employee, payment or reimburse-
8 ment of the costs incurred to store baggage for
9 the employee’s dependent at or in the vicinity of
10 the dependent’s school during the dependent’s
11 annual trip between the school and the employ-
12 ee’s duty station, except that such payment or
13 reimbursement may not exceed the cost that the
14 Government would incur to transport the bag-
15 gage with the dependent in connection with the
16 annual trip, and such payment or reimburse-
17 ment shall be in lieu of transportation of the
18 baggage.”.

19 **SEC. 303. ADDITIONAL AUTHORITY FOR WAIVER OF ANNU-**
20 **ITY LIMITATIONS ON REEMPLOYED FOREIGN**
21 **SERVICE ANNUITANTS.**

22 Section 824(g) of the Foreign Service Act of 1980
23 (22 U.S.C. 4064(g)) is amended to read as follows:

1 “(g) The Secretary of State may waive the applica-
2 tion of subsections (a) through (d) on a case-by-case basis
3 for an annuitant reemployed on a temporary basis—

4 “(1) if, and for so long as, such waiver is nec-
5 essary due to an emergency involving a direct threat
6 to life or property or other unusual circumstances;
7 or

8 “(2) if the annuitant is employed in a position
9 for which there is exceptional difficulty in recruiting
10 or retaining a qualified employee.”.

11 **SEC. 304. HOME LEAVE.**

12 Chapter 9 of title I of the Foreign Service Act of
13 1980 is amended—

14 (1) in section 901(6) (22 U.S.C. 4081(6)), by
15 striking “unbroken by home leave” both places that
16 it appears; and

17 (2) in section 903(a) (22 U.S.C. 4083(a)), by
18 striking “18 months” in the first sentence and in-
19 serting “12 months”.

20 **SEC. 305. INCREASED LIMITS APPLICABLE TO POST DIF-**
21 **FERENTIALS AND DANGER PAY ALLOW-**
22 **ANCES.**

23 (a) **REPEAL OF LIMITED-SCOPE EFFECTIVE DATE**
24 **FOR PREVIOUS INCREASE.**—Subsection (c) of section 591
25 of the Foreign Operations, Export Financing, and Related

1 Programs Appropriations Act, 2004 (division D of Public
2 Law 108–199) is repealed.

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

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

15 **SEC. 306. SUSPENSION OF FOREIGN SERVICE MEMBERS**
16 **WITHOUT PAY.**

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

20 “(c)(1) The Secretary may suspend a member of the
21 Foreign Service without pay when there is reasonable
22 cause to believe that the member has committed a crime
23 for which a sentence of imprisonment may be imposed and
24 there is a connection between the conduct and the effi-
25 ciency of the Foreign Service.

1 “(2) Any member of the Foreign Service for which
2 a suspension is proposed shall be entitled to—

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

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

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

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

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

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

17 “(A) the review by the Foreign Service Griev-
18 ance Board shall be limited to a determination of
19 whether the reasonable cause requirement has been
20 fulfilled and whether there is a connection between
21 the conduct and the efficiency of the Foreign Serv-
22 ice; and

23 “(B) the Foreign Service Grievance Board may
24 not exercise the authority provided under section
25 1106(8) of the Act (22 U.S.C. 4136(8)).

1 “(5) In this subsection:

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

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

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

11 “(B) The term ‘suspend’ or ‘suspension’ means
12 the placing of a member of the Foreign Service, for
13 disciplinary reasons, in a temporary status without
14 duties.”.

15 (b) CONFORMING AND CLERICAL AMENDMENTS.—

16 (1) AMENDMENT OF SECTION HEADING.—Such
17 section, as amended by subsection (a), is further
18 amended by inserting “; **SUSPENSION**” before the
19 period at the end.

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

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

1 **SEC. 307. CLAIMS FOR LOST PAY.**

2 (a) IN GENERAL.—Section 2 of the State Depart-
3 ment Basic Authorities Act of 1956 (22 U.S.C. 2669) is
4 amended by adding at the end the following:

5 “(o) make administrative corrections or adjust-
6 ments to an employee’s pay, allowances, or differen-
7 tials, resulting from mistakes or retroactive per-
8 sonnel actions, as well as provide back pay and other
9 categories of payments under section 5596 of title 5,
10 United States Code, as part of the settlement or
11 compromise of administrative claims or grievances
12 filed against the Department.”.

13 (b) TECHNICAL AND CONFORMING AMENDMENTS.—
14 Such section is further amended—

15 (1) in subsection (k), by striking “and”;

16 (2) by transferring subsection (m) within such
17 section to appear after subsection (l);

18 (3) in subsections (l) and (m), by striking the
19 period at the end of each subsection and inserting
20 a semicolon; and

21 (4) in subsection (n), by striking the period at
22 the end and inserting a semicolon and “and”.

1 **SEC. 308. REPEAL OF REQUIREMENT FOR RECERTIFI-**
2 **CATION PROCESS FOR MEMBERS OF THE**
3 **SENIOR FOREIGN SERVICE.**

4 Section 305(d) of the Foreign Service Act of 1980
5 (22 U.S.C. 3945(d)) is repealed.

6 **SEC. 309. DEADLINE FOR ISSUANCE OF REGULATIONS RE-**
7 **GARDING RETIREMENT CREDIT FOR GOV-**
8 **ERNMENT SERVICE PERFORMED ABROAD.**

9 Section 321(f) of the Foreign Relations Authorization
10 Act, Fiscal Year 2003 (5 U.S.C. 8411 note) is amended
11 by inserting “, not later than 60 days after the date of
12 the enactment of the Foreign Relations Authorization Act,
13 Fiscal Year 2005,” after “regulations”.

14 **SEC. 310. SEPARATION OF LOWEST RANKED FOREIGN**
15 **SERVICE MEMBERS.**

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

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

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

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

1 **SEC. 311. DISCLOSURE REQUIREMENTS APPLICABLE TO**
2 **PROPOSED RECIPIENTS OF THE PERSONAL**
3 **RANK OF AMBASSADOR OR MINISTER.**

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

10 **SEC. 312. PROVISION OF LIVING QUARTERS AND ALLOW-**
11 **ANCES TO THE UNITED STATES REPRESENT-**
12 **ATIVES TO THE UNITED NATIONS.**

13 Section 9 of the United Nations Participation Act of
14 1945 (22 U.S.C. 287e–1) is amended to read as follows:

15 “SEC. 9. (a) The Secretary of State may, under such
16 regulations as the Secretary shall prescribe, and notwith-
17 standing subsections (a) and (b) of section 3324 of title
18 31, United States Code, and section 5536 of title 5,
19 United States Code—

20 “(1) make available to the Permanent Rep-
21 resentative of the United States to the United Na-
22 tions and the Deputy Permanent Representative of
23 the United States to the United Nations—

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

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

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

9 “(A) not more than 40 members of the
10 Foreign Service assigned to the United States
11 Mission to the United Nations or other United
12 States representatives to the United Nations;
13 and

14 “(B) not more than 2 employees who serve
15 at the pleasure of the Permanent Representa-
16 tive of the United States to the United Nations;
17 and

18 “(3) provide an allowance, as the Secretary con-
19 siders appropriate, to each Delegate and Alternate
20 Delegate of the United States to any session of the
21 General Assembly of the United Nations who is not
22 a permanent member of the staff of the United
23 States Mission to the United Nations, in order to
24 compensate each such Delegate or Alternate Dele-

1 gate for necessary housing and subsistence expenses
2 with respect to attending any such session.

3 “(b) The Secretary may not make available living
4 quarters or allowances under subsection (a) to an em-
5 ployee who is occupying living quarters that are owned by
6 such employee.

7 “(c) Living quarters and allowances provided under
8 subsection (a) shall be considered for all purposes as au-
9 thorized—

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

12 “(2) by section 5913 of title 5, United States
13 Code.

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

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

3 **SEC. 401. LIMITATION ON THE UNITED STATES SHARE OF**
4 **ASSESSMENTS FOR UNITED NATIONS PEACE-**
5 **KEEPING OPERATIONS AFTER CALENDAR**
6 **YEAR 2004.**

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

11 “(v) For assessments made during a
12 calendar year after calendar year 2004,
13 27.40 percent.”.

14 **SEC. 402. REPORT TO CONGRESS ON IMPLEMENTATION OF**
15 **THE BRAHIMI REPORT.**

16 (a) REQUIREMENT.—Not later than 120 days after
17 the date of the enactment of this Act, the Secretary shall
18 submit to the appropriate congressional committees a re-
19 port assessing the progress made to implement the rec-
20 ommendations set out in the Report of the Panel on
21 United Nations Peace Operations, transmitted from the
22 Secretary General of the United Nations to the President
23 of the General Assembly and the President of the Security
24 Council on August 21, 2000 (referred to in this section
25 as the “Report”).

1 (b) CONTENT.—The report required by subsection

2 (a) shall include—

3 (1) an assessment of the United Nations
4 progress toward implementing the recommendations
5 set out in the Report;

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

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

16 **SEC. 403. MEMBERSHIP ON UNITED NATIONS COUNCILS**
17 **AND COMMISSIONS.**

18 (a) IN GENERAL.—Section 408 of the Department of
19 State Authorization Act, Fiscal Year 2003 (22 U.S.C. 287
20 note) is amended—

21 (1) by striking “and” at the end of paragraph

22 (2);

23 (2) by striking paragraph (3) and inserting the
24 following:

1 “(3) to prevent membership on the United Na-
2 tions Commission on Human Rights or the United
3 Nations Security Council by—

4 “(A) any member nation the government
5 of which, in the judgment of the Secretary,
6 based on the Department’s Annual Country Re-
7 ports on Human Rights and the Annual Report
8 on International Report on Religious Freedom,
9 consistently violates internationally recognized
10 human rights or has engaged in or tolerated
11 particularly severe violations of religious free-
12 dom in that country; or

13 “(B) any member nation the government
14 of which, as determined by the Secretary—

15 “(i) is a sponsor of terrorism; or

16 “(ii) is the subject of United Nations
17 sanctions; and”; and

18 (3) by adding at the end the following new
19 paragraph:

20 “(4) to advocate that the government of any
21 member nation that the Secretary determines is a
22 sponsor of terrorism or is the subject of United Na-
23 tions sanctions is not elected to a leadership position
24 in the United Nations General Assembly, the United
25 Nations Commission on Human Rights, the United

1 Nations Security Council, or any other entity of the
2 United Nations.”.

3 (b) CONFORMING AMENDMENT.—The heading of sec-
4 tion 408 is amended to read as follows:

5 **“SEC. 408. MEMBERSHIP ON UNITED NATIONS COMMIS-**
6 **SIONS AND COUNCILS AND THE INTER-**
7 **NATIONAL NARCOTICS CONTROL BOARD.”.**

8 **TITLE V—DESIGNATION OF FOR-**
9 **EIGN TERRORIST ORGANIZA-**
10 **TIONS**

11 **SEC. 501. DESIGNATION OF FOREIGN TERRORIST ORGANI-**
12 **ZATIONS.**

13 (a) PERIOD OF DESIGNATION.—Section 219(a)(4) of
14 the Immigration and Nationality Act (8 U.S.C.
15 1189(a)(4)) is amended—

16 (1) in subparagraph (A)—

17 (A) by striking “Subject to paragraphs (5)
18 and (6), a” and inserting “A”; and

19 (B) by striking “for a period of 2 years be-
20 ginning on the effective date of the designation
21 under paragraph (2)(B)” and inserting “until
22 revoked under paragraph (5) or (6) or set aside
23 pursuant to subsection (c)”;

24 (2) by striking subparagraph (B) and inserting
25 the following:

1 “(B) REVIEW OF DESIGNATION UPON PE-
2 TITION.—

3 “(i) IN GENERAL.—The Secretary
4 shall review the designation of a foreign
5 terrorist organization under the procedures
6 set forth in clauses (iii) and (iv) if the des-
7 ignated organization files a petition for
8 revocation within the petition period after
9 described in clause (ii).

10 “(ii) PETITION PERIOD.—For pur-
11 poses of clause (i)—

12 “(I) if the designated organiza-
13 tion has not previously filed a petition
14 for revocation under this subpara-
15 graph, the petition period begins 2
16 years after the date on which the des-
17 ignation was made; or

18 “(II) if the designated organiza-
19 tion has previously filed a petition for
20 revocation under this subparagraph,
21 the petition period begins 2 years
22 after the date of the determination
23 made under clause (iv) on that peti-
24 tion.

1 “(iii) PROCEDURES.—Any foreign ter-
2 rorist organization that submits a petition
3 for revocation under this subparagraph
4 must provide evidence in that petition that
5 the relevant circumstances described in
6 paragraph (1) have changed in such a
7 manner as to warrant revocation with re-
8 spect to the organization.

9 “(iv) DETERMINATION.—

10 “(I) IN GENERAL.—Not later
11 than 180 days after receiving a peti-
12 tion for revocation submitted under
13 this subparagraph, the Secretary shall
14 make a determination as to such rev-
15 ocation.

16 “(II) CLASSIFIED INFORMA-
17 TION.—The Secretary may consider
18 classified information in making a de-
19 termination in response to a petition
20 for revocation. Classified information
21 shall not be subject to disclosure for
22 such time as it remains classified, ex-
23 cept that such information may be
24 disclosed to a court ex parte and in

1 camera for purposes of judicial review
2 under subsection (c).

3 “(III) PUBLICATION OF DETER-
4 MINATION.—A determination made by
5 the Secretary under this clause shall
6 be published in the Federal Register.

7 “(IV) PROCEDURES.—Any rev-
8 ocation by the Secretary shall be
9 made in accordance with paragraph
10 (6).”; and

11 (3) by adding at the end the following:

12 “(C) OTHER REVIEW OF DESIGNATION.—

13 “(i) IN GENERAL.—If in a 4-year pe-
14 riod no review has taken place under sub-
15 paragraph (B), the Secretary shall review
16 the designation of the foreign terrorist or-
17 ganization in order to determine whether
18 such designation should be revoked pursu-
19 ant to paragraph (6). Such review shall be
20 completed not later than 180 days after
21 the end of such 4-year period.

22 “(ii) PROCEDURES.—If a review does
23 not take place pursuant to subparagraph
24 (B) in response to a petition for revocation
25 that is filed in accordance with that sub-

1 paragraph, then the review shall be con-
2 ducted pursuant to procedures established
3 by the Secretary. The results of such re-
4 view and the applicable procedures shall
5 not be reviewable in any court.

6 “(iii) PUBLICATION OF RESULTS OF
7 REVIEW.—The Secretary shall publish any
8 determination made pursuant to this sub-
9 paragraph in the Federal Register.”.

10 (b) ALIASES.—Section 219 of the Immigration and
11 Nationality Act (8 U.S.C. 1189), as amended by sub-
12 section (a), is further amended—

13 (1) by redesignating subsections (b) and (c) as
14 subsections (c) and (d), respectively; and

15 (2) by inserting after subsection (a) the fol-
16 lowing new subsection (b):

17 “(b) AMENDMENTS TO A DESIGNATION.—

18 “(1) IN GENERAL.—The Secretary may amend
19 a designation under this subsection if the Secretary
20 finds that the organization has changed its name,
21 adopted a new alias, dissolved and then reconsti-
22 tuted itself under a different name or names, or
23 merged with another organization.

24 “(2) PROCEDURE.—Amendments made to a
25 designation in accordance with paragraph (1) shall

1 be effective upon publication in the Federal Register.
2 Subparagraphs (B) and (C) of subsection (a)(2)
3 shall apply to an amended designation upon such
4 publication. Paragraphs (2)(A)(i), (4), (5), (6), (7),
5 and (8) of subsection (a) shall also apply to an
6 amended designation.

7 “(3) ADMINISTRATIVE RECORD.—The adminis-
8 trative record shall be corrected to include the
9 amendments as well as any additional relevant infor-
10 mation that supports those amendments.

11 “(4) CLASSIFIED INFORMATION.—The Sec-
12 retary may consider classified information in amend-
13 ing a designation in accordance with this subsection.
14 Classified information shall not be subject to disclo-
15 sure for such time as it remains classified, except
16 that such information may be disclosed to a court ex
17 parte and in camera for purposes of judicial review
18 under subsection (c).”.

19 (c) TECHNICAL AND CONFORMING AMENDMENTS.—
20 Section 219 of the Immigration and Nationality Act (8
21 U.S.C. 1189), as amended by subsection (b), is further
22 amended—

23 (1) in subsection (a)—

24 (A) in paragraph (3)(B), by striking “sub-
25 section (b)” and inserting “subsection (c)”;

1 (B) in paragraph (6)(A)—

2 (i) in the matter preceding clause (i),
3 by striking “or a redesignation made under
4 paragraph (4)(B)” and inserting “at any
5 time, and shall revoke a designation upon
6 completion of a review conducted pursuant
7 to subparagraphs (B) and (C) of para-
8 graph (4)”; and

9 (ii) in clause (i), by striking “or redesi-
10 gnation”;

11 (C) in paragraph (7), by striking “, or the
12 revocation of a redesignation under paragraph
13 (6),”; and

14 (D) in paragraph (8)—

15 (i) by striking “, or if a redesignation
16 under this subsection has become effective
17 under paragraph (4)(B),”; and

18 (ii) by striking “or redesignation”;

19 and

20 (2) in subsection (c), as so redesignated—

21 (A) in paragraph (1), by striking “of the
22 designation in the Federal Register,” and all
23 that follows through “review of the designa-
24 tion” and inserting “in the Federal Register of
25 a designation, an amended designation, or a de-

1 termination in response to a petition for revoca-
2 tion, the designated organization may seek judi-
3 cial review”;

4 (B) in paragraph (2), by inserting
5 “, amended designation, or determination in re-
6 sponse to a petition for revocation” after “des-
7 ignation”;

8 (C) in paragraph (3), by inserting
9 “, amended designation, or determination in re-
10 sponse to a petition for revocation” after “des-
11 ignation”; and

12 (D) in paragraph (4), by inserting
13 “, amended designation, or determination in re-
14 sponse to a petition for revocation” after “des-
15 ignation” each place that term appears.

16 (d) SAVINGS PROVISION.—For purposes of applying
17 section 219 of the Immigration and Nationality Act (8
18 U.S.C. 1189) on or after the date of enactment of this
19 Act, the term “designation”, as used in that section, in-
20 cludes all redesignations made pursuant to section
21 219(a)(4)(B) of the Immigration and Nationality Act (8
22 U.S.C. 1189(a)(4)(B)) prior to the date of enactment of
23 this Act, and such redesignations shall continue to be ef-
24 fective until revoked as provided in paragraph (5) or (6)

1 of section 219(a) of the Immigration and Nationality Act
2 (8 U.S.C. 1189(a) (5) or (6)).

3 **TITLE VI—STRENGTHENING**
4 **UNITED STATES OUTREACH**
5 **Subtitle A—Public Diplomacy**

6 **SEC. 601. PLANS, REPORTS, AND BUDGET DOCUMENTS.**

7 (a) REQUIREMENTS UNDER THE UNITED STATES
8 INFORMATION AND EDUCATIONAL EXCHANGE ACT OF
9 1948.—

10 (1) REQUIREMENTS.—Section 502 of the
11 United States Information and Educational Ex-
12 change Act of 1948 (22 U.S.C. 1462) is amended to
13 read as follows:

14 “SEC. 502. (a) INTERNATIONAL INFORMATION
15 STRATEGY.—The President shall develop and report to
16 the Committee on Foreign Relations of the Senate and
17 the Committee on International Relations of the House
18 of Representatives an international information strategy.
19 The international information strategy shall consist of
20 public information plans designed for major regions of the
21 world, including a focus on regions with significant Mus-
22 lim populations.

23 “(b) NATIONAL SECURITY STRATEGY.—In the prepa-
24 ration of the annual report required by section 108 of the
25 National Security Act of 1947 (50 U.S.C. 404a), the

1 President shall ensure that the report includes a com-
2 prehensive discussion of how public diplomacy activities
3 are integrated into the national security strategy of the
4 United States, and how such activities are designed to ad-
5 vance the goals and objectives identified in the report pur-
6 suant to section 108(b)(1) of that Act.

7 “(c) PLANS REGARDING DEPARTMENT ACTIVI-
8 TIES.—

9 “(1) STRATEGIC PLAN.—In the updated and re-
10 vised strategic plan for program activities of the De-
11 partment required to be submitted under section
12 306 of title 5, United States Code, the Secretary
13 shall identify how public diplomacy activities of the
14 Department are designed to advance each strategic
15 goal identified in the plan.

16 “(2) ANNUAL PERFORMANCE PLAN.—The Sec-
17 retary shall ensure that each annual performance
18 plan for the Department required by section 1115 of
19 title 31, United States Code, includes a detailed dis-
20 cussion of public diplomacy activities of the Depart-
21 ment.

22 “(3) BUREAU AND MISSION PERFORMANCE
23 PLAN.—The Secretary shall ensure that each re-
24 gional bureau’s performance plan, and other bureau
25 performance plans as appropriate, and each mission

1 performance plan, under regulations of the Depart-
2 ment, includes a public diplomacy component.”.

3 (2) CONFORMING AMENDMENT.—The heading
4 for such section is amended to read as follows:

5 “PLANS, REPORTS, AND BUDGET DOCUMENTS”.

6 (b) DEADLINE FOR REPORTING INTERNATIONAL IN-
7 FORMATION STRATEGY.—Not later than 180 days after
8 the date of the enactment of this Act, the President shall
9 report to the appropriate congressional committees the
10 international information strategy described in subsection
11 (a) of section 502 of the United States Information and
12 Educational Exchange Act of 1948 (22 U.S.C. 1462), as
13 amended by subsection (a).

14 **SEC. 602. TRAINING.**

15 (a) IN GENERAL.—Chapter 7 of title I of the Foreign
16 Service Act of 1980 (22 U.S.C. 4021 et seq.) is amended
17 by adding at the end the following new section:

18 **“SEC. 709. PUBLIC DIPLOMACY TRAINING.**

19 “The Secretary shall ensure that public diplomacy is
20 an important component of training at all levels of the
21 Foreign Service.”.

22 (b) JUNIOR OFFICER TRAINING.—Section 703(b) of
23 the Foreign Service Act of 1980 (22 U.S.C. 4023(b)) is
24 amended in the first sentence by inserting “public diplo-
25 macy,” before “consular”.

26 (c) AMENDMENTS TO TABLE OF CONTENTS.—

1 (1) CONFORMING AMENDMENT.—The table of
2 contents in section 2 of the Foreign Service Act of
3 1980 is amended by inserting at the end of items re-
4 lating to chapter 7 the following new item:

“Sec. 709. Public diplomacy training.”.

5 (2) TECHNICAL AMENDMENT.—Such table of
6 contents is further amended by inserting after the
7 item relating to section 707 the following new item:

“Sec. 708. Training for Foreign Service officers.”.

8 **SEC. 603. REPORT ON FOREIGN LANGUAGE BRIEFINGS.**

9 Not later than 90 days after the date of enactment
10 of this Act, the Secretary shall submit a report to the ap-
11 propriate congressional committees containing an evalua-
12 tion of the feasibility of conducting regular, televised brief-
13 ings by personnel of the Department about United States
14 foreign policy in major foreign languages, including Ara-
15 bic, Farsi, Chinese, French, and Spanish.

16 **Subtitle B—Strengthening United**
17 **States Educational and Cultural**
18 **Exchange Programs in the Is-**
19 **lamic World**

20 **SEC. 611. DEFINITIONS.**

21 In this subtitle:

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

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

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

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

11 (3) UNITED STATES ENTITY.—The term
12 “United States entity” means an entity that is orga-
13 nized under laws of a State, the District of Colum-
14 bia, the Commonwealth of Puerto Rico, Guam, the
15 United States Virgin Islands, the Commonwealth of
16 the Northern Mariana Islands, or American Samoa.

17 (4) UNITED STATES SPONSORING ORGANIZA-
18 TION.—The term “United States sponsoring organi-
19 zation” means a nongovernmental organization
20 based in the United States and controlled by a cit-
21 izen of the United States or a United States entity
22 that is designated by the Secretary, pursuant to reg-
23 ulations, to carry out a program authorized by sec-
24 tion 612.

1 **SEC. 612. EXPANSION OF EDUCATIONAL AND CULTURAL**
2 **EXCHANGES.**

3 (a) STATEMENT OF POLICY.—The purpose of this
4 section is to provide for the expansion of international
5 educational and cultural exchange programs with eligible
6 countries.

7 (b) SPECIFIC PROGRAMS.—In carrying out the pur-
8 pose of this section, the Secretary is authorized to conduct
9 or initiate the following programs in eligible countries:

10 (1) FULBRIGHT EXCHANGE PROGRAM.—The
11 Secretary is authorized to substantially increase the
12 number of awards under the J. William Fulbright
13 Educational Exchange Program. The Secretary shall
14 take all appropriate steps to increase support for
15 such program in eligible countries in order to en-
16 hance academic and scholarly exchanges with those
17 countries.

18 (2) HUBERT H. HUMPHREY FELLOWSHIPS.—
19 The Secretary is authorized to substantially increase
20 the number of Hubert H. Humphrey Fellowships
21 awarded to candidates from eligible countries.

22 (3) SISTER INSTITUTIONS PROGRAMS.—The
23 Secretary is authorized to encourage the establish-
24 ment of “sister institution” programs between
25 United States and foreign institutions (including cit-
26 ies and municipalities) in eligible countries, in order

1 to enhance mutual understanding at the community
2 level.

3 (4) LIBRARY TRAINING EXCHANGES.—The Sec-
4 retary is authorized to develop a demonstration pro-
5 gram to assist governments in eligible countries to
6 establish or upgrade their public library systems to
7 improve literacy. The program may include training
8 in the library sciences.

9 (5) INTERNATIONAL VISITORS PROGRAM.—The
10 Secretary is authorized to expand the number of
11 participants in the International Visitors Program
12 from eligible countries.

13 (6) YOUTH AMBASSADORS.—The Secretary is
14 authorized to establish a program for visits by mid-
15 dle and secondary school students to the United
16 States during school holidays in their home country
17 for periods not to exceed 4 weeks. Participating stu-
18 dents shall reflect the economic and geographic di-
19 versity of their countries. Activities shall include cul-
20 tural and educational activities designed to famil-
21 iarize participating students with American society
22 and values.

23 (7) EDUCATIONAL REFORM.—The Secretary is
24 authorized to enhance programs that seek to im-
25 prove the quality of primary and secondary school

1 systems in eligible countries and promote civic edu-
2 cation, to foster understanding of the United States,
3 and through teacher exchanges, teacher training,
4 textbook modernization, and other efforts.

5 (8) PROMOTION OF RELIGIOUS FREEDOM.—The
6 Secretary is authorized to establish a program to
7 promote dialogue and exchange among leaders and
8 scholars of all faiths from the United States and eli-
9 gible countries.

10 (9) BRIDGING THE DIGITAL DIVIDE.—The Sec-
11 retary is authorized to establish a program to help
12 foster access to information technology among un-
13 derserved populations and civil society groups in eli-
14 gible countries.

15 (10) SPORTS DIPLOMACY.—The Secretary is
16 authorized to expand efforts to promote United
17 States public diplomacy interests in eligible countries
18 and elsewhere through sports diplomacy. Initiatives
19 under this program may include—

20 (A) bilateral exchanges to train athletes or
21 teams;

22 (B) bilateral exchanges to assist countries
23 in establishing or improving their sports,
24 health, or physical education programs;

1 (C) providing assistance to athletic gov-
2 erning bodies in the United States to support
3 efforts of such organizations to foster coopera-
4 tion with counterpart organizations abroad; and

5 (D) utilizing United States professional
6 athletes and other well-known United States
7 sports personalities in support of public diplo-
8 macy goals and activities.

9 (11) COLLEGE SCHOLARSHIPS.—

10 (A) IN GENERAL.—The Secretary is au-
11 thorized to establish a program to offer scholar-
12 ships to permit an individual to attend an eligi-
13 ble college or university if such individual—

14 (i) has graduated from secondary
15 school; and

16 (ii) is a citizen or resident of an eligi-
17 ble country.

18 (B) ELIGIBLE COLLEGE OR UNIVERSITY
19 DEFINED.—In this paragraph the term “eligible
20 college or university” means a college or univer-
21 sity that—

22 (i) is primarily located in an eligible
23 country;

1 (ii) is organized under laws of the
2 United States, a State, or the District of
3 Columbia;

4 (iii) is accredited by an accrediting
5 agency recognized by the Secretary of Edu-
6 cation; and

7 (iv) is not controlled by the govern-
8 ment of an eligible country.

9 **SEC. 613. SECONDARY EXCHANGE PROGRAM.**

10 (a) IN GENERAL.—The Secretary is authorized to es-
11 tablish an international exchange visitor program, modeled
12 on the Future Leaders Exchange Program, under which
13 eligible secondary school students from eligible countries
14 would—

15 (1) attend public secondary school in the
16 United States;

17 (2) live with a host family in the United States;
18 and

19 (3) participate in activities designed to promote
20 a greater understanding of United States and Is-
21 lamic values and culture.

22 (b) ELIGIBILITY CRITERIA FOR STUDENTS.—A stu-
23 dent is eligible to participate in the program authorized
24 under subsection (a) if the student—

25 (1) is from an eligible country;

1 (2) is at least 15 years of age but not more
2 than 18 years and 6 months of age at the time of
3 enrollment in the program;

4 (3) is enrolled in a secondary school in an eligi-
5 ble country;

6 (4) has completed not more than 11 years of
7 primary and secondary education, exclusive of kin-
8 dergarten;

9 (5) demonstrates maturity, good character, and
10 scholastic aptitude, and has the proficiency in the
11 English language necessary to participate in the pro-
12 gram;

13 (6) has not previously participated in an ex-
14 change program in the United States sponsored by
15 the United States Government; and

16 (7) is not inadmissible under the Immigration
17 and Nationality Act (8 U.S.C. 1101 et seq.) or any
18 other law related to immigration and nationality.

19 (c) PROGRAM REQUIREMENTS.—The program au-
20 thorized by subsection (a) shall satisfy the following re-
21 quirements:

22 (1) COMPLIANCE WITH “J” VISA REQUIRE-
23 MENTS.—Participants in the program shall satisfy
24 all requirements applicable to the admission of non-
25 immigrant aliens described in section 101(a)(15)(J)

1 of the Immigration and Nationality Act (8 U.S.C.
2 1101(a)(15)(J)). The program shall be considered a
3 designated exchange visitor program for purposes of
4 the application of section 641 of the Illegal Immi-
5 gration Reform and Immigrant Responsibility Act of
6 1996 (8 U.S.C. 1372).

7 (2) BROAD PARTICIPATION.—Whenever appro-
8 priate, special provisions shall be made to ensure the
9 broadest possible participation in the program, par-
10 ticularly among females and less advantaged citizens
11 of eligible countries.

12 (3) REGULAR REPORTING TO THE SEC-
13 RETARY.—Each United States sponsoring organiza-
14 tion shall report regularly to the Secretary informa-
15 tion about the progress made by the organization in
16 implementation of the program.

17 **SEC. 614. AUTHORIZATION OF APPROPRIATIONS.**

18 Of the amounts authorized to be appropriated for
19 educational and cultural exchange programs under section
20 102(a), there is authorized to be made available to the
21 Department \$30,000,000 for the fiscal year 2005 to carry
22 out programs authorized by this subtitle.

1 **Subtitle C—Fellowship Program**

2 **SEC. 621. SHORT TITLE.**

3 This subtitle may be cited as the “Edward R. Murrow
4 Fellowship Act”.

5 **SEC. 622. FELLOWSHIP PROGRAM.**

6 (a) ESTABLISHMENT.—There is established a fellow-
7 ship program pursuant to which the Broadcasting Board
8 of Governors shall provide fellowships to foreign national
9 journalists while they serve, for a period of not more than
10 6 months, in positions at the Voice of America, RFE/RL,
11 Incorporated, or Radio Free Asia.

12 (b) DESIGNATION OF FELLOWSHIPS.—Fellowships
13 under this subtitle shall be known as “Edward R. Murrow
14 Fellowships”.

15 (c) PURPOSE OF THE FELLOWSHIPS.—Fellowships
16 under this subtitle shall be provided in order to allow each
17 recipient (in this subtitle referred to as a “Fellow”) to
18 serve on a short-term basis at the Voice of America, RFE/
19 RL, Incorporated, or Radio Free Asia in order to obtain
20 direct exposure to the operations of professional journal-
21 ists.

22 **SEC. 623. FELLOWSHIPS.**

23 (a) LIMITATION.—Not more than 20 fellowships may
24 be provided under this subtitle each fiscal year.

1 (b) REMUNERATION.—The Broadcasting Board of
 2 Governors shall determine, taking into consideration the
 3 position in which each Fellow will serve and the Fellow’s
 4 experience and expertise, the amount of remuneration the
 5 Fellow will receive for service under this subtitle.

6 (c) HOUSING AND TRANSPORTATION.—The Broad-
 7 casting Board of Governors shall, pursuant to regula-
 8 tions—

9 (1) provide housing for each Fellow while the
 10 Fellow is serving abroad, including housing for fam-
 11 ily members if appropriate; and

12 (2) pay the costs and expenses incurred by each
 13 Fellow for travel between the journalist’s country of
 14 nationality or last habitual residence and the offices
 15 of the Voice of America, RFE/RL, Incorporated, or
 16 Radio Free Asia and the country in which the Fel-
 17 low serves, including (where appropriate) for travel
 18 of family members.

19 **SEC. 624. ADMINISTRATIVE PROVISIONS.**

20 (a) DETERMINATIONS.—The Broadcasting Board of
 21 Governors shall determine which of the individuals se-
 22 lected by the Board will serve at Voice of America, RFE/
 23 RL, Incorporated, or Radio Free Asia and the position
 24 in which each will serve.

25 (b) AUTHORITIES.—Fellows may be employed—

1 (1) under a temporary appointment in the Civil
2 Service;

3 (2) under a limited appointment in the Foreign
4 Service; or

5 (3) by contract under the provisions of section
6 2(c) of the State Department Basic Authorities Act
7 of 1956 (22 U.S.C. 2669(c)).

8 (c) FUNDING.—Funds available to the Broadcasting
9 Board of Governors shall be used for the expenses in-
10 curred in carrying out this subtitle.

11 **TITLE VII—INTERNATIONAL PA-**
12 **RENTAL CHILD ABDUCTION**
13 **PREVENTION**

14 **SEC. 701. SHORT TITLE.**

15 This title may be cited as the “International Parental
16 Child Abduction Prevention Act of 2004”.

17 **SEC. 702. INADMISSIBILITY OF ALIENS SUPPORTING INTER-**
18 **NATIONAL CHILD ABDUCTORS AND REL-**
19 **ATIVES OF SUCH ABDUCTORS.**

20 (a) IN GENERAL.—Section 212(a)(10)(C)(ii) of the
21 Immigration and Nationality Act (8 U.S.C.
22 1182(a)(10)(C)(ii)) is amended by striking subclause (III)
23 and inserting the following:

24 “(III) is a spouse (other than a
25 spouse who is the parent of the ab-

1 ducted child), son or daughter (other
2 than the abducted child), grandson or
3 granddaughter (other than the ab-
4 ducted child), parent, grandparent,
5 sibling, cousin, uncle, aunt, nephew,
6 or niece of an alien described in clause
7 (i), or is a spouse of the abducted
8 child described in clause (i), if such
9 person has been designated by the
10 Secretary of State, at the Secretary of
11 State's sole and unreviewable discre-
12 tion,

13 is inadmissible until the child described in
14 clause (i) is surrendered to the person
15 granted custody by the order described in
16 that clause, and such person and child are
17 permitted to return to the United States or
18 such person's place of residence, or until
19 the abducted child is 21 years of age.”.

20 (b) AUTHORITY TO CANCEL CERTAIN DESIGNA-
21 TIONS; IDENTIFICATION OF ALIENS SUPPORTING ABDUC-
22 TORS AND RELATIVES OF ABDUCTORS; ENTRY OF AB-
23 DUCTORS AND OTHER INADMISSIBLE ALIENS IN THE
24 CONSULAR LOOKOUT AND SUPPORT SYSTEM.—Section
25 212(a)(10)(C) of the Immigration and Nationality Act (8

1 U.S.C. 1182(a)(10)(C) is amended by adding at the end
2 the following:

3 “(iv) AUTHORITY TO CANCEL CER-
4 TAIN DESIGNATIONS.—The Secretary of
5 State may, at the Secretary of State’s sole
6 and unreviewable discretion, at any time,
7 cancel a designation made pursuant to
8 clause (ii)(III).

9 “(v) IDENTIFICATION OF ALIENS SUP-
10 PORTING ABDUCTORS AND RELATIVES OF
11 ABDUCTORS.—In all instances in which the
12 Secretary of State knows that an alien has
13 committed an act described in clause (i),
14 the Secretary of State shall take appro-
15 priate action to identify the individuals
16 who are potentially inadmissible under
17 clause (ii).

18 “(vi) ENTRY OF ABDUCTORS AND
19 OTHER INADMISSIBLE PERSONS IN CON-
20 SULAR LOOKOUT AND SUPPORT SYSTEM.—
21 In all instances in which the Secretary of
22 State knows that an alien has committed
23 an act described in clause (i), the Sec-
24 retary of State shall take appropriate ac-
25 tion to cause the entry into the Consular

1 Lookout and Support System of the name
2 or names of, and identifying information
3 about, such individual and of any persons
4 identified pursuant to clause (v) as poten-
5 tially inadmissible under clause (ii).

6 “(vii) DEFINITIONS.—In this subpara-
7 graph:

8 “(I) CHILD.—The term ‘child’
9 means a person under 21 years of age
10 regardless of marital status.

11 “(II) SIBLING.—The term ‘sib-
12 ling’ includes step-siblings and half-
13 siblings.”.

14 (c) ANNUAL REPORT.—

15 (1) IN GENERAL.—Not later than 180 days
16 after the date of enactment of this Act, and each
17 February 1 thereafter for 4 years, the Secretary
18 shall submit to the Committee on International Re-
19 lations and the Committee on the Judiciary of the
20 House of Representatives, and the Committee on
21 Foreign Relations and the Committee on the Judici-
22 ary of the Senate, an annual report that describes
23 the operation of section 212(a)(10)(C) of the Immi-
24 gration and Nationality Act (8 U.S.C.

1 1182(a)(10)(C)), as amended by this section, during
2 the prior calendar year to which the report pertains.

3 (2) CONTENT.—Each annual report submitted
4 in accordance with paragraph (1) shall specify, to
5 the extent that corresponding data is reasonably
6 available, the following:

7 (A) The number of cases known to the
8 Secretary, disaggregated according to the na-
9 tionality of the aliens concerned, in which a visa
10 was denied to an applicant on the basis of the
11 inadmissibility of the applicant under section
12 212(a)(10)(C) of the Immigration and Nation-
13 ality Act (as so amended) during the reporting
14 period.

15 (B) The cumulative total number of cases
16 known to the Secretary, disaggregated accord-
17 ing to the nationality of the aliens concerned, in
18 which a visa was denied to an applicant on the
19 basis of the inadmissibility of the applicant
20 under section 212(a)(10)(C) of the Immigration
21 and Nationality Act (as so amended) since the
22 beginning of the first reporting period.

23 (C) The number of cases known to the
24 Secretary, disaggregated according to the na-
25 tionality of the aliens concerned, in which the

1 name of an alien was placed in the Consular
2 Lookout and Support System on the basis of
3 the inadmissibility of the alien or potential in-
4 admissibility under section 212(a)(10)(C) of the
5 Immigration and Nationality Act (as so amend-
6 ed) during the reporting period.

7 (D) The cumulative total number of
8 names, disaggregated according to the nation-
9 ality of the aliens concerned, known to the Sec-
10 retary to appear in the Consular Lookout and
11 Support System on the basis of the inadmis-
12 sibility of the alien or potential inadmissibility
13 under section 212(a)(10)(C) of the Immigration
14 and Nationality Act (as so amended) at the end
15 of the reporting period.

16 **TITLE VIII—MISCELLANEOUS** 17 **PROVISIONS**

18 **SEC. 801. REPEAL OF REQUIREMENT FOR SEMIANNUAL RE-** 19 **PORT ON EXTRADITION OF NARCOTICS TRAF-** 20 **FICKERS.**

21 Section 3203 of the Emergency Supplemental Act,
22 2000 (division B of Public Law 106–246; 114 Stat. 575)
23 is repealed.

1 **SEC. 802. TECHNICAL AMENDMENTS TO THE UNITED**
2 **STATES INTERNATIONAL BROADCASTING**
3 **ACT OF 1994.**

4 Section 304(c) of the United States International
5 Broadcasting Act of 1994 (22 U.S.C. 6203(c)) is amend-
6 ed—

7 (1) in the first sentence, by striking “Direc-
8 tor’s” and inserting “Secretary’s”; and

9 (2) in the last sentence, by striking “Director”
10 and inserting “Secretary”.

11 **SEC. 803. FELLOWSHIPS FOR MULTIDISCIPLINARY TRAIN-**
12 **ING ON NONPROLIFERATION ISSUES.**

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

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

21 (1) has completed undergraduate education;
22 and

23 (2) is qualified (as determined by the Sec-
24 retary).

25 (c) APPROPRIATE GRADUATE PROGRAM DEFINED.—
26 In this section, the term “appropriate graduate program”

1 means a graduate level program that provides for the mul-
2 tidisciplinary study of issues relating to weapons non-
3 proliferation and includes training in—

- 4 (1) diplomacy;
- 5 (2) arms control;
- 6 (3) multilateral export controls; or
- 7 (4) threat reduction assistance.

8 (d) AVAILABILITY OF FUNDS.—Of the amounts au-
9 thorized to be appropriated for educational and cultural
10 exchange programs under section 102, \$2,000,000 may be
11 available to carry out this section.

12 **SEC. 804. REQUIREMENT FOR REPORT ON UNITED STATES**
13 **POLICY TOWARD HAITI.**

14 (a) FINDINGS.—Congress makes the following find-
15 ings:

16 (1) Haiti is plagued by chronic political insta-
17 bility, economic and political crises, and significant
18 social challenges.

19 (2) The United States has a political and eco-
20 nomic interest and a humanitarian and moral re-
21 sponsibility in assisting the Government and people
22 of Haiti in resolving the country's problems and
23 challenges.

24 (3) The situation in Haiti is increasingly cause
25 for alarm and concern, and a sustained, coherent,

1 and active approach by the United States Govern-
2 ment is needed to make progress toward resolving
3 Haiti's political and economic crises.

4 (b) REQUIREMENT FOR REPORT.—Not later than 60
5 days after the date of enactment of this Act, the Sec-
6 retary, in consultation with the Secretary of the Treasury,
7 shall submit to the appropriate congressional committees
8 a report that describes United States policy toward Haiti.
9 The report shall include the following:

10 (1) A description of the activities carried out by
11 the United States Government to resolve Haiti's po-
12 litical crisis and to promote the holding of free and
13 fair elections in Haiti at the earliest possible date.

14 (2) A description of the activities that the
15 United States Government anticipates initiating to
16 resolve the political crisis and promote free and fair
17 elections in Haiti.

18 (3) An assessment of whether Resolution 822
19 issued by the Permanent Council of the Organiza-
20 tion of American States on September 4, 2002, is
21 still an appropriate framework for a multilateral ap-
22 proach to resolving the political and economic crises
23 in Haiti, and of the likelihood that the Organization
24 of American States or other international institution

1 will develop a new framework to replace Resolution
2 822.

3 (4) A description of the status of efforts to re-
4 lease the approximately \$146,000,000 in loan funds
5 that have been approved by the Inter-American De-
6 velopment Bank to Haiti for the purposes of reha-
7 bilitating rural roads, reorganizing the health sector,
8 improving potable water supply and sanitation, and
9 providing basic education, a description of any ob-
10 stacles that are delaying the loan funds from being
11 released as described in the schedules to such loans,
12 and recommendations for overcoming such obstacles.

13 **SEC. 805. LIMITATION ON USE OF FUNDS RELATING TO**
14 **UNITED STATES POLICY WITH RESPECT TO**
15 **JERUSALEM AS THE CAPITAL OF ISRAEL.**

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

22 (b) LIMITATION ON USE OF FUNDS FOR PUBLICA-
23 TIONS.—None of the funds authorized to be appropriated
24 by this division may be available for the publication of any
25 official document of the United States that lists countries

1 including Israel, and their capital cities unless the publica-
 2 tion identifies Jerusalem as the capital of Israel.

3 **SEC. 806. REQUIREMENT FOR ADDITIONAL REPORT CON-**
 4 **CERNING EFFORTS TO PROMOTE ISRAEL'S**
 5 **DIPLOMATIC RELATIONS WITH OTHER COUN-**
 6 **TRIES.**

7 Section 215(b) of the Foreign Relations Authoriza-
 8 tion Act, Fiscal Year 2003 (Public Law 107–228; 116
 9 Stat. 1366) is amended by inserting “and again not later
 10 than 60 days after the date of the enactment of the For-
 11 eign Relations Authorization Act, Fiscal Year 2005,” after
 12 “Act,” in the matter preceding paragraph (1).

13 **SEC. 807. UNITED STATES POLICY REGARDING THE REC-**
 14 **OGNITION OF A PALESTINIAN STATE.**

15 Congress reaffirms the policy of the United States as
 16 articulated in President George W. Bush’s speech of June
 17 24, 2002, regarding the criteria for recognizing a Pales-
 18 tinian state. Congress reiterates the President’s statement
 19 that the United States will not recognize a Palestinian
 20 state until the Palestinians elect new leadership that—

21 (1) is not compromised by terrorism;

22 (2) demonstrates, over time, a firm and tan-
 23 gible commitment to peaceful co-existence with the
 24 State of Israel and an end to anti-Israel incitement;

25 and

1 (3) takes appropriate measures to counter ter-
2 rorism and terrorist financing in the West Bank and
3 Gaza, including dismantling terrorist infrastruc-
4 tures, confiscating unlawful weaponry, and estab-
5 lishing a new security entity that cooperates fully
6 with appropriate Israeli security organizations.

7 **SEC. 808. MIDDLE EAST BROADCASTING NETWORK.**

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

12 **“SEC. 310. MIDDLE EAST BROADCASTING NETWORK.**

13 “(a) **AUTHORITY.**—Grants authorized under section
14 305 shall be available to make annual grants to a Middle
15 East Broadcasting Network for the purpose of carrying
16 out radio and television broadcasting to the Middle East
17 region.

18 “(b) **FUNCTION.**—The Middle East Broadcasting
19 Network shall provide radio and television programming
20 to the Middle East region consistent with the broadcasting
21 standards and broadcasting principles set forth in section
22 303 of this Act.

23 “(c) **GRANT AGREEMENT.**—Any grant agreement or
24 grants under this section shall be subject to the following
25 limitations and restrictions:

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

5 “(A) the Board of Directors of the Middle
6 East Broadcasting Network shall consist of the
7 members of the Broadcasting Board of Gov-
8 ernors established under section 304 and of no
9 other members; and

10 “(B) such Board of Directors shall make
11 all major policy determinations governing the
12 operation of the Middle East Broadcasting Net-
13 work, and shall appoint and fix the compensa-
14 tion of such managerial officers and employees
15 of the Middle East Broadcasting Network as it
16 considers necessary to carry out the purposes of
17 the grant provided under this title, except that
18 no officer or employee may be paid a salary or
19 other compensation in excess of the rate of pay
20 payable for level III of the Executive Schedule
21 under section 5314 of title 5, United States
22 Code.

23 “(2) Any grant agreement under this section
24 shall require that any contract entered into by the
25 Middle East Broadcasting Network shall specify that

1 obligations are assumed by the Middle East Broad-
2 casting Network and not the United States Govern-
3 ment.

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

9 “(4) Grants awarded under this section shall be
10 made pursuant to a grant agreement which requires
11 that grant funds be used only for activities con-
12 sistent with this section, and that failure to comply
13 with such requirements shall permit the grant to be
14 terminated without fiscal obligation to the United
15 States.

16 “(5) Duplication of language services and tech-
17 nical operations between the Middle East Broad-
18 casting Network (including Radio Sawa), RFE/RL,
19 and the International Broadcasting Bureau will be
20 reduced to the extent appropriate, as determined by
21 the Board.

22 “(d) NOT A FEDERAL AGENCY OR INSTRUMEN-
23 TIALITY.—Nothing in this title may be construed to make
24 the Middle East Broadcasting Network a Federal agency
25 or instrumentality, nor shall the officers or employees of

1 the Middle East Broadcasting Network be deemed to be
2 officers or employees of the United States Government.

3 “(e) AUDIT AUTHORITY.—

4 “(1) IN GENERAL.—Such financial transactions
5 of the Middle East Broadcasting Network as relate
6 to functions carried out under this section may be
7 audited by the General Accounting Office in accord-
8 ance with such principles and procedures and under
9 such rules and regulations as may be prescribed by
10 the Comptroller General of the United States. Any
11 such audit shall be conducted at the place or places
12 where accounts of the Middle East Broadcasting
13 Network are normally kept.

14 “(2) ACCESS TO RECORDS.—Representatives of
15 the General Accounting Office shall have access to
16 all books, accounts, records, reports, files, papers,
17 and property belonging to or in use by the Middle
18 East Broadcasting Network pertaining to such fi-
19 nancial transactions as necessary to facilitate an
20 audit. Such representatives shall be afforded full fa-
21 cilities for verifying transactions with any assets
22 held by depositories, fiscal agents, and custodians.
23 All such books, accounts, records, reports, files, pa-
24 pers, and property of the Middle East Broadcasting

1 Network shall remain in the custody of the Middle
2 East Broadcasting Network.

3 “(3) INSPECTOR GENERAL.—Notwithstanding
4 any other provisions of law, the Inspector General
5 for the Department of State and the Broadcasting
6 Board of Governors is authorized to exercise the au-
7 thorities of the Inspector General Act of 1978 with
8 respect to the Middle East Broadcasting Network.”.

9 (b) CONFORMING AMENDMENTS.—

10 (1) AUTHORITIES OF BOARD.—Section 305 of
11 the United States International Broadcasting Act of
12 1994 (22 U.S.C. 6204), is amended—

13 (A) in paragraph (5) of subsection (a), by
14 striking “and 309” and inserting “, 309, and
15 310”;

16 (B) in paragraph (6) of subsection (a), by
17 striking “and 309” and inserting “, 309, and
18 310”; and

19 (C) in subsection (c), by striking “and
20 309” and by inserting “, 309, and 310”.

21 (2) INTERNATIONAL BROADCASTING BUREAU.—
22 Section 307 of the United States International
23 Broadcasting Act of 1994 (22 U.S.C. 6206), is
24 amended—

1 (A) in subsection (a), by striking “and
2 309” and inserting “, 309, and 310”; and

3 (B) in subsection (c), by inserting “, and
4 Middle East Broadcasting Network,” after
5 “Asia”.

6 (3) IMMUNITY FOR LIABILITY.—Section 304(g)
7 of the United States International Broadcasting Act
8 of 1994 (22 U.S.C. 6203(g)), is amended—

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

11 (B) by adding “, and Middle East Broad-
12 casting Network” after “Asia”.

13 (4) CREDITABLE SERVICE.—Section
14 8332(b)(11) of title 5, United States Code, is
15 amended by adding “the Middle East Broadcasting
16 Network;” after “the Asia Foundation;”.

17 **SEC. 809. SENSE OF CONGRESS RELATING TO MAGEN**
18 **DAVID ADOM SOCIETY.**

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

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

3 **SEC. 810. EXTENSION OF AUTHORIZATION OF APPROPRIA-**
4 **TION FOR THE UNITED STATES COMMISSION**
5 **ON INTERNATIONAL RELIGIOUS FREEDOM.**

6 (a) IN GENERAL.—Subsection (a) of section 207 of
7 the International Religious Freedom Act of 1998 (22
8 U.S.C. 6435(a)) is amended by striking “2003” and in-
9 serting “2005”.

10 (b) TECHNICAL AMENDMENT.—Subsection (b) of
11 such section is amended by striking “subparagraph” and
12 inserting “subsection”.

13 **TITLE IX—PEACE CORPS CHAR-**
14 **TER FOR THE 21ST CENTURY**

15 **SEC. 901. SHORT TITLE.**

16 This title may be cited as the “Peace Corps Charter
17 for the 21st Century Act”.

18 **SEC. 902. FINDINGS.**

19 Congress makes the following findings:

20 (1) The Peace Corps was established in 1961 to
21 promote world peace and friendship through the
22 service of United States volunteers abroad.

23 (2) The Peace Corps has sought to fulfill three
24 goals, as follows:

1 (A) To help people in developing nations
2 meet basic needs.

3 (B) To promote understanding of Amer-
4 ica's values and ideals abroad.

5 (C) To promote an understanding of other
6 peoples by Americans.

7 (3) The three goals, which are codified in the
8 Peace Corps Act, have guided the Peace Corps and
9 its volunteers over the years, and worked in concert
10 to promote global acceptance of the principles of
11 international peace and nonviolent coexistence
12 among peoples of diverse cultures and systems of
13 government.

14 (4) Since its establishment, approximately
15 165,000 Peace Corps volunteers have served in 135
16 countries.

17 (5) After more than 40 years of operation, the
18 Peace Corps remains the world's premier inter-
19 national service organization dedicated to promoting
20 grassroots development.

21 (6) The Peace Corps remains committed to
22 sending well trained and well supported Peace Corps
23 volunteers overseas to promote peace, friendship,
24 and international understanding.

1 (7) The Peace Corps operates in 70 countries
2 with 7,000 Peace Corps volunteers.

3 (8) The Peace Corps is an independent agency,
4 and therefore no Peace Corps personnel or volun-
5 teers should be used to accomplish any goal other
6 than the goals established by the Peace Corps Act.

7 (9) The Crisis Corps has been an effective tool
8 in harnessing the skills and talents for returned
9 Peace Corps volunteers and should be expanded to
10 utilize to the maximum extent the talent pool of re-
11 turned Peace Corps volunteers.

12 (10) There is deep misunderstanding and mis-
13 information about the values and ideals of the
14 United States in many parts of the world, particu-
15 larly those with substantial Muslim populations, and
16 a greater Peace Corps presence in such places could
17 foster greater understanding and tolerance.

18 (11) Congress has declared that the Peace
19 Corps should be expanded to sponsor a minimum of
20 10,000 Peace Corps volunteers.

21 (12) President George W. Bush has called for
22 the doubling of the number of Peace Corps volun-
23 teers in service.

24 (13) Any expansion of the Peace Corps must
25 not jeopardize the quality of the Peace Corps volun-

1 teer experience, and therefore can only be accom-
2 plished by an appropriate increase in field and head-
3 quarters support staff.

4 (14) In order to ensure that proposed expansion
5 of the Peace Corps preserves the integrity of the
6 program and the security of volunteers, the inte-
7 grated Planning and Budget System supported by
8 the Office of Planning and Policy Analysis should
9 continue its focus on strategic planning.

10 (15) A streamlined, bipartisan National Peace
11 Corps Advisory Council composed of distinguished
12 returned Peace Corps volunteers and other individ-
13 uals, with diverse backgrounds and expertise, can be
14 a source of ideas and suggestions that may be useful
15 to the Director of the Peace Corps in discharging
16 the Director's duties and responsibilities.

17 **SEC. 903. DEFINITIONS.**

18 In this title:

19 (1) **DIRECTOR.**—The term “Director” means
20 the Director of the Peace Corps.

21 (2) **PEACE CORPS VOLUNTEER.**—The term
22 “Peace Corps volunteer” means a volunteer or a vol-
23 unteer leader under the Peace Corps Act (22 U.S.C.
24 2501 et seq.).

1 (3) RETURNED PEACE CORPS VOLUNTEER.—

2 The term “returned Peace Corps volunteer” means
3 a person who has been certified by the Director as
4 having served satisfactorily as a Peace Corps volun-
5 teer.

6 **SEC. 904. STRENGTHENED INDEPENDENCE OF THE PEACE**
7 **CORPS.**

8 (a) RECRUITMENT OF VOLUNTEERS.—Section 2A of
9 the Peace Corps Act (22 U.S.C. 2501–1) is amended by
10 adding at the end the following new sentence: “As the
11 Peace Corps is an independent agency, all recruiting of
12 volunteers shall be undertaken primarily by the Peace
13 Corps.”.

14 (b) DETAILS AND ASSIGNMENTS.—Section 5(g) of
15 the Peace Corps Act (22 U.S.C. 2504(g)) is amended by
16 inserting after “*Provided, That*” the following: “such de-
17 tail or assignment does not contradict the standing of
18 Peace Corps volunteers as being independent: *Provided*
19 *further, That*”.

20 **SEC. 905. REPORTS AND CONSULTATIONS.**

21 (a) ANNUAL REPORTS; CONSULTATIONS ON NEW
22 INITIATIVES.—The Peace Corps Act is amended by strik-
23 ing the heading for section 11 (22 U.S.C. 2510) and all
24 that follows through the end of such section and inserting
25 the following:

1 **“SEC. 11. ANNUAL REPORTS; CONSULTATIONS ON NEW INI-**
2 **TIATIVES.**

3 “(a) ANNUAL REPORTS.—The Director shall trans-
4 mit to Congress, at least once in each fiscal year, a report
5 on operations under this Act. Each report shall contain—

6 “(1) a description of efforts undertaken to im-
7 prove coordination of activities of the Peace Corps
8 with activities of international voluntary service or-
9 ganizations, such as the United Nations volunteer
10 program, and of host country voluntary service orga-
11 nizations, including—

12 “(A) a description of the purpose and
13 scope of any development project which the
14 Peace Corps undertook during the preceding
15 fiscal year as a joint venture with any such
16 international or host country voluntary service
17 organizations; and

18 “(B) recommendations for improving co-
19 ordination of development projects between the
20 Peace Corps and any such international or host
21 country voluntary service organizations;

22 “(2) a description of—

23 “(A) any major new initiatives that the
24 Peace Corps has under review for the upcoming
25 fiscal year, and any major initiatives that were

1 undertaken in the previous fiscal year that were
2 not included in prior reports to Congress;

3 “(B) the rationale for undertaking such
4 new initiatives;

5 “(C) an estimate of the cost of such initia-
6 tives; and

7 “(D) any impact such initiatives may have
8 on the safety of volunteers; and

9 “(3) a description of standard security proce-
10 dures for any country in which the Peace Corps op-
11 erates programs or is considering doing so, as well
12 as any special security procedures contemplated be-
13 cause of changed circumstances in specific countries,
14 and assessing whether security conditions would be
15 enhanced—

16 “(A) by collocating volunteers with inter-
17 national or local nongovernmental organiza-
18 tions; or

19 “(B) with the placement of multiple volun-
20 teers in one location.

21 “(b) CONSULTATIONS ON NEW INITIATIVES.—The
22 Director of the Peace Corps should consult with the Com-
23 mittee on Foreign Relations of the Senate and the Com-
24 mittee on International Relations of the House of Rep-
25 resentatives with respect to any major new initiatives not

1 previously discussed in the latest annual report submitted
2 to Congress under subsection (a) or in budget presen-
3 tations. Whenever possible, such consultations should take
4 place prior to the initiation of such initiatives, but in any
5 event as soon as is practicable thereafter.”.

6 (b) ONE-TIME REPORT ON STUDENT LOAN FOR-
7 GIVENESS PROGRAMS.—Not later than 30 days after the
8 date of the enactment of this Act, the Director shall sub-
9 mit to the appropriate congressional committees a report
10 containing—

11 (1) a description of the student loan forgiveness
12 programs currently available to Peace Corps volun-
13 teers upon completion of their service;

14 (2) a comparison of such programs with other
15 Government-sponsored student loan forgiveness pro-
16 grams; and

17 (3) recommendations for any additional student
18 loan forgiveness programs that could attract more
19 applicants from more low- and middle-income appli-
20 cants facing high student loan obligations.

21 **SEC. 906. INCREASING THE NUMBER OF VOLUNTEERS.**

22 (a) REQUIREMENT.—The Director shall develop a
23 plan to increase the number of Peace Corps volunteers to
24 a number that is not less than twice the number of Peace

1 Corps volunteers who were enrolled in the Peace Corps
2 on September 30, 2002.

3 (b) REPORT ON INCREASING THE NUMBER OF VOL-
4 UNTEERS.—

5 (1) INITIAL REPORT.—Not later than 30 days
6 after the date of the enactment of this Act, the Di-
7 rector shall submit to the appropriate congressional
8 committees a report describing in detail the Direc-
9 tor’s plan for increasing the number of Peace Corps
10 volunteers as described in subsection (a), including
11 a five-year budget plan for funding such increase in
12 the number of volunteers.

13 (2) SUBSEQUENT REPORTS.—Not later than
14 January 31 of each year in which the number of
15 Peace Corps volunteers is less than twice the num-
16 ber of Peace Corps volunteers who were enrolled in
17 the Peace Corps on September 30, 2002, the Direc-
18 tor shall submit to the appropriate congressional
19 committees an update on the report described in
20 paragraph (1).

1 **SEC. 907. SPECIAL VOLUNTEER RECRUITMENT AND PLACE-**
2 **MENT FOR COUNTRIES WHOSE GOVERN-**
3 **MENTS ARE SEEKING TO FOSTER GREATER**
4 **UNDERSTANDING BETWEEN THEIR CITIZENS**
5 **AND THE UNITED STATES.**

6 (a) REPORT.—Not later than 60 days after the date
7 of the enactment of this Act, the Director shall submit
8 to the appropriate congressional committees a report de-
9 scribing the initiatives that the Peace Corps intends to
10 pursue with eligible countries where the presence of Peace
11 Corps volunteers would facilitate a greater understanding
12 that there exists a universe of commonly shared human
13 values and aspirations. Such report shall include—

14 (1) a description of the recruitment strategies
15 to be employed by the Peace Corps to recruit and
16 train volunteers with the appropriate language skills
17 and interest in serving in such countries; and

18 (2) a list of the countries that the Director has
19 determined should be priorities for special recruit-
20 ment and placement of Peace Corps volunteers.

21 (b) USE OF RETURNED PEACE CORPS VOLUN-
22 TEERS.—Notwithstanding any other provision of law, the
23 Director is authorized and strongly urged to utilize the
24 services of returned Peace Corps volunteers having lan-
25 guage and cultural expertise, including those returned
26 Peace Corps volunteers who may have served previously

1 in countries with substantial Muslim populations, in order
2 to open or reopen Peace Corps programs in such coun-
3 tries.

4 **SEC. 908. GLOBAL INFECTIOUS DISEASES INITIATIVE.**

5 The Director, in cooperation with international public
6 health experts such as experts of the Centers for Disease
7 Control and Prevention, the National Institutes of Health,
8 the World Health Organization, the Pan American Health
9 Organization, and local public health officials, shall de-
10 velop a program of training for all Peace Corps volunteers
11 in the areas of education, prevention, and treatment of
12 infectious diseases in order to ensure that all Peace Corps
13 volunteers make a contribution to the global campaign
14 against such diseases.

15 **SEC. 909. PEACE CORPS NATIONAL ADVISORY COUNCIL.**

16 Section 12 of the Peace Corps Act (22 U.S.C. 2511)
17 is amended—

18 (1) in subsection (b)(2) by striking subpara-
19 graph (D) and inserting the following:

20 “(D) make recommendations for utilizing the
21 expertise of returned Peace Corps volunteers in ful-
22 filling the goals of the Peace Corps.”;

23 (2) in subsection (c)(2)—

24 (A) in subparagraph (A)—

1 (i) in the first sentence, by striking
2 “fifteen” and inserting “seven”; and

3 (ii) by striking the second sentence
4 and inserting the following: “Four of the
5 members shall be former Peace Corps vol-
6 unteers, at least one of whom shall have
7 been a former staff member abroad or in
8 the Washington headquarters, and not
9 more than four shall be members of the
10 same political party.”;

11 (B) by striking subparagraph (D) and in-
12 serting the following:

13 “(D) The members of the Council shall be appointed
14 for 2-year terms.”;

15 (C) by striking subparagraphs (B) and
16 (H); and

17 (D) by redesignating subparagraphs (C),
18 (D), (E), (F), (G), and (I) as subparagraphs
19 (B), (C), (D), (E), (F), and (G), respectively;

20 (3) by striking subsection (g) and inserting the
21 following:

22 “(g) CHAIR.—The President shall designate one of
23 the voting members of the Council as Chair, who shall
24 serve in that capacity for a period not to exceed two
25 years.”;

1 (4) by striking subsection (h) and inserting the
2 following:

3 “(h) MEETINGS.—The Council shall hold a regular
4 meeting during each calendar quarter at a date and time
5 to be determined by the Chair of the Council.”; and

6 (5) by striking subsection (i) and inserting the
7 following:

8 “(i) REPORT.—Not later than July 30 of each year,
9 the Council shall submit a report to the President and the
10 Director of the Peace Corps describing how the Council
11 has carried out its functions under subsection (b)(2).”.

12 **SEC. 910. READJUSTMENT ALLOWANCES.**

13 (a) INCREASED RATES.—The Peace Corps Act is
14 amended—

15 (1) in section 5(c) (22 U.S.C. 2504(c)), by
16 striking “\$125” and inserting “\$275”; and

17 (2) in section 6(1) (22 U.S.C. 2505(1)), by
18 striking “\$125” and inserting “\$275”.

19 (b) EFFECTIVE DATE.—The amendments made by
20 subsection (a) shall take effect on the first day of the first
21 month that begins on or after the date of the enactment
22 of this Act.

1 **SEC. 911. PROGRAMS AND PROJECTS OF RETURNED PEACE**
2 **CORPS VOLUNTEERS TO PROMOTE THE**
3 **GOALS OF THE PEACE CORPS.**

4 (a) PURPOSE.—The purpose of this section is to pro-
5 vide support for returned Peace Corps volunteers to de-
6 velop and carry out programs and projects to promote the
7 third purpose of the Peace Corps Act, as set forth in sec-
8 tion 2(a) of that Act (22 U.S.C. 2501(a)), relating to pro-
9 moting an understanding of other peoples on the part of
10 the American people.

11 (b) GRANTS TO CERTAIN NONPROFIT CORPORA-
12 TIONS.—

13 (1) GRANT AUTHORITY.—The Chief Executive
14 Officer of the Corporation for National and Commu-
15 nity Service established by section 191 of the Na-
16 tional and Community Service Act of 1990 (42
17 U.S.C. 12651) (hereafter in the section referred to
18 as the “Corporation”) shall award grants on a com-
19 petitive basis to private nonprofit corporations for
20 the purpose of enabling returned Peace Corps volun-
21 teers to use their knowledge and expertise to develop
22 programs and projects to carry out the purpose de-
23 scribed in subsection (a).

24 (2) PROGRAMS AND PROJECTS.—The programs
25 and projects that may receive grant funds under this
26 section include—

1 (A) educational programs designed to en-
2 rich the knowledge and interest of elementary
3 school and secondary school students in the ge-
4 ography and cultures of other countries where
5 the volunteers have served;

6 (B) projects that involve partnerships with
7 local libraries to enhance community knowledge
8 about other peoples and countries; and

9 (C) audio-visual projects that utilize mate-
10 rials collected by the volunteers during their
11 service that would be of educational value to
12 communities.

13 (3) ELIGIBILITY.—To be eligible for a grant
14 under this section, a nonprofit corporation shall have
15 a board of directors composed of returned Peace
16 Corps volunteers with a background in community
17 service, education, or health. The nonprofit corpora-
18 tion shall meet all management requirements that
19 the Corporation determines appropriate and pre-
20 scribes as conditions for eligibility for the grant.

21 (c) GRANT REQUIREMENTS.—A grant under this sec-
22 tion shall be made pursuant to a grant agreement between
23 the Corporation and the nonprofit corporation that—

24 (1) requires grant funds be used only to sup-
25 port programs and projects to carry out the purpose

1 described in subsection (a) through the funding of
2 proposals submitted by returned Peace Corps volun-
3 teers (either individually or cooperatively with other
4 returned volunteers);

5 (2) requires the nonprofit corporation to give
6 preferential consideration to proposals submitted by
7 returned Peace Corps volunteers that request less
8 than \$100,000 to carry out a program or project;

9 (3) requires that not more than 20 percent of
10 the grant funds made available to the nonprofit cor-
11 poration be used for the salaries, overhead, or other
12 administrative expenses of the nonprofit corporation;

13 (4) prohibits the nonprofit corporation from re-
14 ceiving grant funds for more than 2 years unless,
15 beginning in the third year, the nonprofit corpora-
16 tion makes available, to carry out the programs or
17 projects that receive grant funds during that year,
18 non-Federal contributions—

19 (A) in an amount not less than \$2 for
20 every \$3 of Federal funds provided through the
21 grant; and

22 (B) provided directly or through donations
23 from private entities, in cash or in kind, fairly
24 evaluated, including plant, equipment, or serv-
25 ices; and

1 (5) requires the nonprofit corporation to man-
2 age, monitor, and report to the Corporation on the
3 progress of each program or project for which the
4 nonprofit corporation provides funding from a grant
5 under this section.

6 (d) STATUS OF THE FUND.—Nothing in this section
7 shall be construed to make any nonprofit corporation sup-
8 ported under this section an agency or establishment of
9 the Federal Government or to make any member of the
10 board of directors or any officer or employee of such non-
11 profit corporation an officer or employee of the United
12 States.

13 (e) FACTORS IN AWARDING GRANTS.—In deter-
14 mining the number of nonprofit corporations to receive
15 grants under this section for any fiscal year, the Corpora-
16 tion shall—

17 (1) consider the need to minimize overhead
18 costs and maximize resources available to fund pro-
19 grams and projects; and

20 (2) seek to ensure that programs and projects
21 receiving grant funds are carried out across a broad
22 geographical distribution.

23 (f) CONGRESSIONAL OVERSIGHT.—Grant recipients
24 under this section shall be subject to the appropriate over-
25 sight procedures of Congress.

1 (g) FUNDING.—

2 (1) IN GENERAL.—In addition to any other
3 funds made available to the Corporation under any
4 other provision of law, there is authorized to be ap-
5 propriated to the Corporation to carry out this sec-
6 tion, \$10,000,000.

7 (2) AVAILABILITY.—Amounts appropriated pur-
8 suant to paragraph (1) are authorized to remain
9 available until expended.

10 **SEC. 912. AUTHORIZATION OF APPROPRIATIONS.**

11 Section 3(b)(1) of the Peace Corps Act (22 U.S.C.
12 2502(b)(1)) is amended by striking “\$270,000,000” and
13 all that follows through “2003” and inserting
14 “\$351,000,000 for fiscal year 2005, \$443,000,000 for fis-
15 cal year 2006, and \$485,000,000 for fiscal year 2007”.

16 **DIVISION B—FOREIGN**
17 **ASSISTANCE AUTHORIZATIONS**

18 **SEC. 2001. SHORT TITLE.**

19 This division may be cited as the “Foreign Assistance
20 Authorization Act, Fiscal Year 2005”.

1 **TITLE XXI—AUTHORIZATION OF**
 2 **APPROPRIATIONS**
 3 **Subtitle A—Development Assist-**
 4 **ance and Related Programs Au-**
 5 **thorizations**

6 **SEC. 2101. DEVELOPMENT ASSISTANCE.**

7 (a) AUTHORIZATION OF APPROPRIATIONS.—There is
 8 authorized to be appropriated to the President for “Devel-
 9 opment Assistance”, \$1,346,000,000 for fiscal year 2005
 10 to carry out sections 103, 105, 106, and 496 of the For-
 11 eign Assistance Act of 1961 (22 U.S.C. 2151a, 2151c,
 12 2151d, and 2293).

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

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

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

19 (c) REPEAL OF OBSOLETE AUTHORIZATIONS.—

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

24 (A) by striking “(a)(1)” and inserting
 25 “(a)”;

1 (B) by striking paragraphs (2) and (3);
2 and

3 (C) by redesignating subparagraphs (A),
4 (B), and (C), as paragraphs (1), (2), and (3),
5 respectively.

6 (2) EDUCATION AND HUMAN RESOURCES DE-
7 VELOPMENT.—Section 105(a) of such Act (22
8 U.S.C. 2151c(a)) is amended by striking the second
9 sentence.

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

14 (d) TECHNICAL AMENDMENT OF DEVELOPMENT
15 FUND FOR AFRICA.—Section 497 of the Foreign Assist-
16 ance Act of 1961 (22 U.S.C. 2294) is amended by striking
17 “AUTHORIZATIONS OF APPROPRIATIONS FOR THE DE-
18 VELOPMENT FUND FOR AFRICA.—” and inserting
19 “AVAILABILITY OF FUNDS.—”.

20 **SEC. 2102. CHILD SURVIVAL AND HEALTH PROGRAMS**
21 **FUND.**

22 (a) AUTHORIZATION OF APPROPRIATIONS.—There
23 are authorized to be appropriated to the President for
24 “Child Survival and Health Programs Fund”,
25 \$1,620,000,000 for fiscal year 2005 to carry out sections

1 104 and 496 of the Foreign Assistance Act of 1961 (22
2 U.S.C. 2151b and 2293). Amounts authorized to be ap-
3 propriated under this section are in addition to amounts
4 available under other provisions of law to combat the
5 human immunodeficiency virus (HIV) or the acquired im-
6 mune deficiency syndrome (AIDS).

7 (b) FAMILY PLANNING PROGRAMS.—Of the amount
8 authorized to be appropriated under subsection (a),
9 \$346,000,000 may be used for assistance under sections
10 104(b) and 496(i)(3) of the Foreign Assistance Act of
11 1961 (22 U.S.C. 2151b(b) and 2293(i)(3)).

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

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

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

18 (d) REPEAL OF OBSOLETE AUTHORIZATIONS AND
19 TECHNICAL AMENDMENTS.—Section 104(c) of the For-
20 eign Assistance Act of 1961 (22 U.S.C. 2151b(c)) is
21 amended—

22 (1) in paragraph (2)—

23 (A) by striking subparagraphs (B) and
24 (C); and

1 (B) by striking “(2)(A)” and inserting
2 “(2)”; and
3 (2) in paragraph (3), by striking the last sen-
4 tence.

5 **SEC. 2103. DEVELOPMENT CREDIT AUTHORITY.**

6 Chapter 1 of part I of the Foreign Assistance Act
7 of 1961 (22 U.S.C. 2151 et seq.) is amended by inserting
8 after section 108 (22 U.S.C. 2151f) the following:

9 **“SEC. 108A. DEVELOPMENT CREDIT AUTHORITY.**

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

12 “(1) Developing countries often have large re-
13 serves of privately held capital that are not being
14 adequately mobilized and invested due to weak fi-
15 nancial institutions and other market imperfections
16 in such countries.

17 “(2) Partial loan guarantees, particularly when
18 used as an integral part of a development strategy,
19 are useful to leverage local private capital for devel-
20 opment while reforming and strengthening devel-
21 oping country financial markets.

22 “(3) Requiring risk-sharing guarantees and lim-
23 iting guarantee assistance to private lenders encour-
24 ages such lenders to provide appropriate oversight
25 and management of development projects funded

1 with loans made by such lenders and, thereby, maxi-
2 mize the benefit which such projects will achieve.

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

8 “(c) AUTHORITY.—To carry out the policy set forth
9 in subsection (b), the President is authorized to provide
10 assistance in the form of loans and partial loan guarantees
11 to private lenders in developing countries to achieve the
12 economic development purposes of the provisions of this
13 part.

14 “(d) PRIORITY FOR ASSISTANCE.—The President, in
15 providing assistance under this section, shall give priority
16 to providing partial loan guarantees made pursuant to the
17 authority in subsection (c) that are used in transactions
18 in which the financial risk of loss to the United States
19 Government under such guarantee does not exceed the fi-
20 nancial risk of loss of the private lender that receives such
21 guarantee.

22 “(e) TERMS AND CONDITIONS.—Assistance provided
23 under this section shall be provided on such terms and
24 conditions as the President determines appropriate.

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

7 “(g) PROCUREMENT PROVISIONS.—Assistance may
8 be provided under this section notwithstanding section
9 604(a).

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

19 “(i) AVAILABILITY OF FUNDS.—

20 “(1) IN GENERAL.—Of the amounts authorized
21 to be available for the purposes of part I of this Act
22 and for the Support for Eastern European Democ-
23 racy (SEED) Act of 1989 (22 U.S.C. 5401 et seq.),
24 not more than \$21,000,000 for fiscal year 2005 may
25 be made available to carry out this section.

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

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

10 “(j) AUTHORIZATION OF APPROPRIATIONS.—

11 “(1) IN GENERAL.—There is authorized to be
12 appropriated for administrative expenses to carry
13 out this section \$8,000,000 for fiscal year 2005.

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

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

1 **SEC. 2104. PROGRAM TO PROVIDE TECHNICAL ASSISTANCE**
2 **TO FOREIGN GOVERNMENTS AND FOREIGN**
3 **CENTRAL BANKS OF DEVELOPING OR TRAN-**
4 **SITIONAL COUNTRIES.**

5 Section 129(j)(1) of the Foreign Assistance Act of
6 1961 (22 U.S.C. 2151aa(j)(1)) is amended by striking
7 “\$5,000,000 for fiscal year 1999” and inserting
8 “\$17,500,000 for fiscal year 2005”.

9 **SEC. 2105. INTERNATIONAL ORGANIZATIONS AND PRO-**
10 **GRAMS.**

11 (a) **AUTHORIZATION OF APPROPRIATIONS.**—Section
12 302 of the Foreign Assistance Act of 1961 (22 U.S.C.
13 2222) is amended by striking subsections (a) through (j)
14 and inserting the following:

15 “(a) There is authorized to be appropriated to the
16 President \$304,450,000 for fiscal year 2005 for grants to
17 carry out the purposes of this chapter. Amounts appro-
18 priated pursuant to the authorization of appropriations in
19 this section are in addition to amounts otherwise available
20 for such purposes.”.

21 (b) **CONFORMING AMENDMENTS.**—Such section is
22 further amended—

23 (1) in the heading, by striking “**AUTHORIZA-**
24 **TION.—**” and inserting “**AUTHORIZATION OF AP-**
25 **PROPRIATIONS.—**”; and

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

3 **SEC. 2106. CONTINUED AVAILABILITY OF CERTAIN FUNDS**

4 **WITHHELD FROM INTERNATIONAL ORGANI-**
5 **ZATIONS.**

6 Section 307 of the Foreign Assistance Act of 1961
7 (22 U.S.C. 2227) is amended by adding at the end the
8 following new subsection:

9 “(e) Funds available in any fiscal year to carry out
10 the provisions of this chapter that are returned or not
11 made available for organizations and programs because of
12 the application of this section shall remain available for
13 obligation until September 30 of the fiscal year after the
14 fiscal year for which such funds are appropriated.”.

15 **SEC. 2107. INTERNATIONAL DISASTER ASSISTANCE.**

16 Section 492(a) of the Foreign Assistance Act of 1961
17 (22 U.S.C. 2292a(a)) is amended by striking
18 “\$25,000,000 for fiscal year 1986 and \$25,000,000 for
19 fiscal year 1987” and inserting “\$385,500,000 for fiscal
20 year 2005”.

21 **SEC. 2108. TRANSITION INITIATIVES.**

22 Section 494 of the Foreign Assistance Act of 1961
23 (22 U.S.C. 2292c) is amended to read as follows:

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

2 “(a) TRANSITION AND DEVELOPMENT ASSIST-
3 ANCE.—The President is authorized to furnish assistance
4 to support the transition to democracy and to long-term
5 development in accordance with the general authority con-
6 tained in section 491, including assistance to—

7 “(1) develop, strengthen, or preserve democratic
8 institutions and processes;

9 “(2) revitalize basic infrastructure; and

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

11 “(b) AUTHORIZATION OF APPROPRIATIONS.—There
12 is authorized to be appropriated to the President
13 \$62,800,000 for fiscal year 2005 to carry out this section.

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

16 “(1) are authorized to remain available until ex-
17 pended; and

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

20 **SEC. 2109. ASSISTANCE FOR THE INDEPENDENT STATES OF**
21 **THE FORMER SOVIET UNION.**

22 (a) AUTHORIZATION OF APPROPRIATIONS.—There is
23 authorized to be appropriated to the President for “Assist-
24 ance for the Independent States of the Former Soviet
25 Union”, \$575,000,000 for fiscal year 2005 to carry out

1 chapters 11 and 12 of part I of the Foreign Assistance
2 Act of 1961 (22 U.S.C. 2295 et seq. and 2296 et seq.).

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

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

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

9 **SEC. 2110. ASSISTANCE FOR EASTERN EUROPE AND THE**
10 **BALTIC STATES.**

11 (a) AUTHORIZATION OF APPROPRIATIONS.—There is
12 authorized to be appropriated to the President for “Assist-
13 ance for Eastern Europe and the Baltic States”
14 \$415,000,000 for fiscal year 2005 to carry out the Sup-
15 port for East European Democracy (SEED) Act of 1989
16 (22 U.S.C. 5401 et seq.), and the Foreign Assistance Act
17 of 1961 (22 U.S.C. 2151 et seq.).

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

20 (1) are authorized to remain available until ex-
21 pended;

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

24 (3) may be made available notwithstanding any
25 other provision of law; and

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

6 **SEC. 2111. OPERATING EXPENSES OF THE UNITED STATES**

7 **AGENCY FOR INTERNATIONAL DEVELOP-**
8 **MENT.**

9 (a) **AUTHORIZATION OF APPROPRIATIONS.**—Section
10 667 of the Foreign Assistance Act of 1961 (22 U.S.C.
11 2427) is amended—

12 (1) in subsection (a)—

13 (A) by striking paragraph (1) and insert-
14 ing the following:

15 “(1) \$623,400,000 for the fiscal year 2005 for
16 necessary operating expenses of the United States
17 Agency for International Development; and”

18 (B) in paragraph (2) of such subsection,
19 by striking “agency” and inserting “Agency”;

20 (2) by redesignating subsection (b) as sub-
21 section (c); and

22 (3) by inserting after subsection (a) the fol-
23 lowing new subsection (b):

1 “(b) There are authorized to be appropriated to the
2 President, in addition to funds available under subsection
3 (a) or any other provision of law for such purposes—

4 “(1) \$36,400,000 for fiscal year 2005 for nec-
5 essary operating expenses of the Office of Inspector
6 General of the United States Agency for Inter-
7 national Development; and

8 “(2) such amounts as may be necessary for in-
9 creases in pay, retirement, and other employee bene-
10 fits authorized by law for the employees of such Of-
11 fice, and for other nondiscretionary costs of such Of-
12 fice.”.

13 (b) CONFORMING AMENDMENT.—The heading of sec-
14 tion 667 of the Foreign Assistance Act of 1961 (22 U.S.C.
15 2427) is amended by striking “EXPENSES.—” and insert-
16 ing “EXPENSES OF THE UNITED STATES AGENCY FOR
17 INTERNATIONAL DEVELOPMENT.—”.

18 **SEC. 2112. CAPITAL INVESTMENT FUNDS FOR THE UNITED**
19 **STATES AGENCY FOR INTERNATIONAL DE-**
20 **VELOPMENT.**

21 There is authorized to be appropriated to the Admin-
22 istrator of the United States Agency for International De-
23 velopment \$64,800,000 for the fiscal year 2005 for over-
24 seas construction and related costs and for enhancement
25 of information technology and related investments.

1 **SEC. 2113. MILLENNIUM CHALLENGE ASSISTANCE.**

2 Section 619(a) of the Millennium Challenge Act of
3 2003 (title VI of division D of Public Law 108–199) is
4 amended to read as follows:

5 “(a) AUTHORIZATION OF APPROPRIATIONS.—There
6 are authorized to be appropriated to carry out this title—

7 “(1) such sums as may be necessary for fiscal
8 year 2004; and

9 “(2) \$2,000,000,000 for fiscal year 2005.”.

10 **Subtitle B—Counternarcotics, Se-**
11 **curity Assistance, and Related**
12 **Programs Authorizations**

13 **SEC. 2121. INTERNATIONAL NARCOTICS CONTROL AND LAW**
14 **ENFORCEMENT.**

15 (a) AUTHORIZATION OF APPROPRIATIONS FOR FIS-
16 CAL YEAR 2005.—Paragraph (1) of section 482(a) of the
17 Foreign Assistance Act of 1961 (22 U.S.C. 2291a(a)) is
18 amended by striking “\$147,783,000” and all that follows
19 and inserting “\$1,089,820,000 for fiscal year 2005, of
20 which \$731,000,000 is authorized to be appropriated for
21 the Andean Counterdrug Initiative.”.

22 (b) AVAILABILITY OF FUNDS FOR COLOMBIA.—That
23 section is further amended by adding at the end the fol-
24 lowing new paragraphs:

25 “(3) Notwithstanding any other provision of law,
26 amounts authorized to be appropriated to carry out the

1 purposes of section 481 for fiscal year 2005, and amounts
2 appropriated for fiscal years before fiscal year 2005 for
3 purposes of such section that remain available for obliga-
4 tion, may be used to furnish assistance to the Government
5 of Colombia—

6 “(A) to support a unified campaign against
7 narcotics trafficking and terrorist activities; and

8 “(B) to take actions to protect human health
9 and welfare in emergency circumstances, including
10 undertaking rescue operations.

11 “(4) Assistance furnished to the Government of Co-
12 lombia under this section—

13 “(A) shall be subject to the limitations on
14 the assignment of United States personnel in
15 Colombia under subsections (b) through (d) of
16 section 3204 of the Emergency Supplemental
17 Act, 2000 (division B of Public Law 106–246;
18 114 Stat. 576);

19 “(B) shall be subject to the condition that
20 no United States Armed Forces personnel and
21 no employees of United States contractors par-
22 ticipate in any combat operation in connection
23 with such assistance; and

24 “(C) shall be subject to the condition that
25 the Government of Colombia is fulfilling its

1 commitment to the United States with respect
2 to its human rights practices, including the spe-
3 cific conditions set forth in subparagraphs (A)
4 through (E) of section 564(a)(2) of the Foreign
5 Operations, Export Financing, and Related
6 Programs Appropriations Act, 2003 (division E
7 of Public Law 108–7; 117 Stat. 205).”.

8 **SEC. 2122. ECONOMIC SUPPORT FUND.**

9 (a) AUTHORIZATION OF APPROPRIATIONS.—Section
10 532(a) of the Foreign Assistance Act of 1961 (22 U.S.C.
11 2346a(a)) is amended to read as follows:

12 “(a) There is authorized to be appropriated to the
13 President to carry out the purposes of this chapter
14 \$2,520,000,000 for fiscal year 2005.”.

15 (b) AUTHORIZATION OF ASSISTANCE FOR ISRAEL.—
16 Section 513(b)(1) of the Security Assistance Act of 2000
17 (Public Law 106–280; 114 Stat. 856), as amended by sec-
18 tion 1221(a) of the Security Assistance Act of 2002 (divi-
19 sion B of Public Law 107–228; 116 Stat. 1430), is further
20 amended—

21 (1) by striking “each of the fiscal years 2002
22 and 2003” and inserting “fiscal year 2005”; and

23 (2) by striking “each such” and inserting
24 “such”.

1 (c) AUTHORIZATION OF ASSISTANCE FOR EGYPT.—
2 Section 514(b)(1) of the Security Assistance Act of 2000
3 (114 Stat. 857), as amended by section 1221(b) of the
4 Security Assistance Act of 2002 (116 Stat. 1430), is fur-
5 ther amended—

6 (1) by striking “each of the fiscal years 2002
7 and 2003” and inserting “fiscal year 2005”; and

8 (2) by striking “each such” and inserting
9 “such”.

10 **SEC. 2123. INTERNATIONAL MILITARY EDUCATION AND**
11 **TRAINING.**

12 Section 542 of the Foreign Assistance Act of 1961
13 (22 U.S.C. 2347a) is amended by striking “There are au-
14 thorized” and all that follows through “fiscal year 1987”
15 and inserting “There is authorized to be appropriated to
16 the President to carry out the purposes of this chapter
17 \$89,730,000 for the fiscal year 2005”.

18 **SEC. 2124. PEACEKEEPING OPERATIONS.**

19 Section 552(a) of the Foreign Assistance Act of 1961
20 (22 U.S.C. 2348a(a)) is amended by striking “There are
21 authorized” and all that follows through “fiscal year
22 1987” and inserting “There is authorized to be appro-
23 priated to the President to carry out the purposes of this
24 chapter, in addition to amounts otherwise available for
25 such purposes, \$104,000,000 for the fiscal year 2005”.

1 **SEC. 2125. NONPROLIFERATION, ANTI-TERRORISM,**
2 **DEMINEING, AND RELATED ASSISTANCE.**

3 (a) AUTHORIZATION OF APPROPRIATIONS.—There is
4 authorized to be appropriated to the President for fiscal
5 year 2005, \$485,200,000 for Nonproliferation, Anti-Ter-
6 rorism, Demining, and Related Programs for the purpose
7 of carrying out nonproliferation, anti-terrorism, demining,
8 and related programs and activities under—

9 (1) chapter 8 of part II of the Foreign Assist-
10 ance Act of 1961 (22 U.S.C. 2349aa et seq.);

11 (2) chapter 9 of part II of the Foreign Assist-
12 ance Act of 1961 (22 U.S.C. 2349bb et seq.);

13 (3) section 551 of the Foreign Assistance Act
14 of 1961 (22 U.S.C. 2348), as amended by section
15 2212 of this Act, to the extent such assistance is
16 used for activities identified in the last sentence of
17 that section, including not to exceed \$675,000 for
18 administrative expenses related to such activities,
19 which amount shall be in addition to funds otherwise
20 made available for such purposes;

21 (4) section 504 of the FREEDOM Support Act
22 (22 U.S.C. 5854) and programs under the Non-
23 proliferation and Disarmament Fund to promote bi-
24 lateral and multilateral activities relating to non-
25 proliferation and disarmament, notwithstanding any
26 other provision of law, including, when in the na-

1 tional security interests of the United States, with
2 respect to international organizations and countries
3 other than the independent states of the former So-
4 viet Union;

5 (5) section 23 of the Arms Export Control Act
6 (22 U.S.C. 2763), for demining activities, the clear-
7 ance of unexploded ordnance, the destruction of
8 small arms, and related activities, notwithstanding
9 any other provision of law;

10 (6) section 301 of the Foreign Assistance Act
11 of 1961 (22 U.S.C. 2221);

12 (7) the Radiological Terrorism Security Act of
13 2004 under title XXIII of this Act; and

14 (8) the Global Pathogen Surveillance Act of
15 2004 under title XXIV of this Act.

16 (b) AVAILABILITY.—Amounts appropriated under
17 this section for the purpose specified in subsection (a)—

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

20 (2) are in addition to amounts otherwise avail-
21 able for that purpose.

22 **SEC. 2126. FOREIGN MILITARY FINANCING PROGRAM.**

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

1 Act (22 U.S.C. 2763), \$4,957,500,000 for fiscal year
2 2005.

3 (b) ASSISTANCE FOR ISRAEL.—Section 513(c) of the
4 Security Assistance Act of 2000 (Public Law 106–280;
5 114 Stat. 856), as amended by section 1221(a) of the Se-
6 curity Assistance Act of 2002 (division B of Public Law
7 107–228; 116 Stat. 1430), is further amended—

8 (1) in paragraph (1)—

9 (A) by striking “each of the fiscal years
10 2002 and 2003” and inserting “fiscal year
11 2005”; and

12 (B) by striking “each such” and inserting
13 “such”;

14 (2) in paragraph (3), by striking “Funds au-
15 thorized” and all that follows through “later.” and
16 inserting “Funds authorized to be available for
17 Israel under subsection (b)(1) and paragraph (1) for
18 fiscal year 2005 shall be disbursed not later than 30
19 days after the date of the enactment of an Act mak-
20 ing appropriations for foreign operations, export fi-
21 nancing, and related programs for fiscal year 2005,
22 or October 31, 2004, whichever is later”; and

23 (3) in paragraph (4)—

24 (A) by striking “fiscal years 2002 and
25 2003” and inserting “fiscal year 2005”; and

1 (B) by striking “\$535,000,000 for fiscal
2 year 2002 and not less than \$550,000,000 for
3 fiscal year 2003” and inserting
4 “\$580,000,000”.

5 (c) ASSISTANCE FOR EGYPT.—Section 514 of the Se-
6 curity Assistance Act of 2000 (114 Stat. 857), as amend-
7 ed by section 1221(b) of the Security Assistance Act of
8 2002 (116 Stat. 1430), is further amended—

9 (1) in subsection (c) by striking “each of the
10 fiscal years 2002 and 2003” and inserting “for fis-
11 cal year 2005”; and

12 (2) in subsection (e), by striking “Funds esti-
13 mated” and all that follows through “of the respec-
14 tive fiscal year, whichever is later” and inserting the
15 following: “Funds estimated to be outlayed for
16 Egypt under subsection (c) during fiscal year 2005
17 shall be disbursed to an interest-bearing account for
18 Egypt in the Federal Reserve Bank of New York not
19 later than 30 days after the date of the enactment
20 of an Act making appropriations for foreign oper-
21 ations, export financing, and related programs for
22 fiscal year 2005, or by October 31, 2004, whichever
23 is later”.

1 **Subtitle C—Independent Agencies**
 2 **Authorizations**

3 **SEC. 2131. INTER-AMERICAN FOUNDATION.**

4 Section 401(s)(2) of the Foreign Assistance Act of
 5 1969 (22 U.S.C. 290f(s)(2)) is amended by striking
 6 “There are authorized to be appropriated \$28,000,000 for
 7 fiscal year 1992 and \$31,000,000 for fiscal year 1993”
 8 and inserting “There is authorized to be appropriated
 9 \$15,185,000 for fiscal year 2005”.

10 **SEC. 2132. AFRICAN DEVELOPMENT FOUNDATION.**

11 The first sentence of section 510 of the International
 12 Security and Development Cooperation Act of 1980 (22
 13 U.S.C. 290h–8) is amended by striking “\$3,872,000 for
 14 fiscal year 1986 and \$3,872,000 for fiscal year 1987” and
 15 inserting “\$17,000,000 for fiscal year 2005”.

16 **TITLE XXII—AMENDMENTS TO**
 17 **GENERAL FOREIGN ASSIST-**
 18 **ANCE AUTHORITIES**

19 **Subtitle A—Foreign Assistance Act**
 20 **Amendments and Related Provi-**
 21 **sions**

22 **SEC. 2201. DEVELOPMENT POLICY.**

23 Section 102(b) of the Foreign Assistance Act of 1961
 24 (22 U.S.C. 2151–1(b)) is amended—

25 (1) in paragraph (5), by—

1 (A) striking “development; and” and in-
2 serting “development;”; and

3 (B) inserting before the period at the end
4 the following: “; democracy and the rule of law;
5 and economic growth and the building of trade
6 capacity”; and

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

9 “(18) The United States development assist-
10 ance program should take maximum advantage of
11 the increased participation of United States private
12 foundations, business enterprises, and private citi-
13 zens in funding international development activities.
14 The program should utilize the development experi-
15 ence and expertise of its personnel, its access to
16 host-country officials, and its overseas presence to
17 facilitate public-private alliances and to leverage pri-
18 vate sector resources toward the achievement of de-
19 velopment assistance objectives.”.

20 **SEC. 2202. ASSISTANCE FOR NONGOVERNMENTAL ORGANI-**
21 **ZATIONS.**

22 Section 123(e) of the Foreign Assistance Act of 1961
23 (22 U.S.C. 2151u(e)) is amended to read as follows:

24 “(e)(1) Restrictions contained in this or any other
25 Act with respect to assistance for a country shall not be

1 construed to restrict assistance in support of programs of
2 nongovernmental organizations from—

3 “(A) funds made available to carry out this
4 chapter and chapters 10, 11, and 12 of part I (22
5 U.S.C. 2293 et seq.) and chapter 4 of part II (22
6 U.S.C. 2346 et seq.); or

7 “(B) funds made available for economic assist-
8 ance activities under the Support for East European
9 Democracy (SEED) Act of 1989 (22 U.S.C. 5401 et
10 seq.).

11 “(2) The President shall submit to Congress, in ac-
12 cordance with section 634A (22 U.S.C. 2394–1), advance
13 notice of an intent to obligate funds under the authority
14 of this subsection to furnish assistance in support of pro-
15 grams of nongovernmental organizations.

16 “(3) Assistance may not be furnished through non-
17 governmental organizations to the central government of
18 a country under the authority of this subsection, but as-
19 sistance may be furnished to local, district, or subnational
20 government entities under such authority.”.

21 **SEC. 2203. AUTHORITY FOR USE OF FUNDS FOR UNANTICI-**
22 **PATED CONTINGENCIES.**

23 Section 451(a)(1) of the Foreign Assistance Act of
24 1961 (22 U.S.C. 2261(a)(1)) is amended—

1 (1) by inserting “or the Arms Export Control
2 Act (22 U.S.C. 2751 et seq.)” after “chapter 1 of
3 this part”); and

4 (2) by striking “\$25,000,000” and inserting
5 “\$50,000,000”.

6 **SEC. 2204. AUTHORITY TO ACCEPT LETHAL EXCESS PROP-**
7 **ERTY.**

8 Section 482(g) of the Foreign Assistance Act of 1961
9 (22 U.S.C. 2191a(g)) is amended—

10 (1) by striking “(g) EXCESS PROPERTY.—For”
11 and inserting the following:

12 “(g) EXCESS PROPERTY.—

13 “(1) AUTHORITY.—For”;

14 (2) by striking “nonlethal” and inserting “(in-
15 cluding lethal or nonlethal property)”); and

16 (3) by adding at the end the following new
17 paragraph:

18 “(2) NOTIFICATION.—Before obligating any
19 funds to obtain lethal excess property under para-
20 graph (1), the Secretary shall submit a notification
21 of such action to Congress in accordance with the
22 procedures set forth in section 634A.”.

1 **SEC. 2205. RECONSTRUCTION ASSISTANCE UNDER INTER-**
2 **NATIONAL DISASTER ASSISTANCE AUTHOR-**
3 **ITY.**

4 Section 491 of the Foreign Assistance Act of 1961
5 (22 U.S.C. 2292) is amended—

6 (1) in subsection (a), by striking “disasters.”
7 and inserting “disasters and for programs of recon-
8 struction following such disasters.”;

9 (2) in subsection (b), by inserting “programs of
10 reconstruction following disasters,” after “prepared-
11 ness,”; and

12 (3) in subsection (c), by striking “relief and re-
13 habilitation” and inserting “relief, rehabilitation,
14 and reconstruction assistance”.

15 **SEC. 2206. FUNDING AUTHORITIES FOR ASSISTANCE FOR**
16 **THE INDEPENDENT STATES OF THE FORMER**
17 **SOVIET UNION.**

18 Chapter 11 of part I of the Foreign Assistance Act
19 of 1961 (22 U.S.C. 2295 et seq.) is amended—

20 (1) in section 498B(j)(1) (22 U.S.C.
21 2295b(j)(1))—

22 (A) by striking “authorized to be appro-
23 priated for fiscal year 1993 by” and inserting
24 “made available to carry out”; and

25 (B) by striking “appropriated for fiscal
26 year 1993”; and

1 (2) in section 498C(b)(1) (22 U.S.C.
2 2295c(b)(1)), by striking “under subsection (a)” and
3 inserting “to carry out this chapter”.

4 **SEC. 2207. WAIVER OF NET PROCEEDS RESULTING FROM**
5 **DISPOSAL OF UNITED STATES DEFENSE AR-**
6 **TICLES PROVIDED TO A FOREIGN COUNTRY**
7 **ON A GRANT BASIS.**

8 Section 505(f) of the Foreign Assistance Act of 1961
9 (22 U.S.C. 2314(f)) is amended by striking “In the case
10 of items which were delivered prior to 1985, the” in the
11 second sentence and inserting “The”.

12 **SEC. 2208. TRANSFER OF CERTAIN OBSOLETE OR SURPLUS**
13 **DEFENSE ARTICLES IN THE WAR RESERVE**
14 **STOCKPILES FOR ALLIES TO ISRAEL.**

15 (a) TRANSFERS FOR CONCESSIONS.—

16 (1) AUTHORITY.—Notwithstanding section 514
17 of the Foreign Assistance Act of 1961 (22 U.S.C.
18 2231h), the President may transfer to Israel, in ex-
19 change for concessions to be negotiated by the Sec-
20 retary of Defense, with the concurrence of the Sec-
21 retary, any or all of the items described in para-
22 graph (2).

23 (2) COVERED ITEMS.—The items referred to in
24 paragraph (1) are armor, artillery, automatic weap-

1 ons ammunition, missiles, and other munitions
2 that—

3 (A) are obsolete or surplus items;

4 (B) are in the inventory of the Department
5 of Defense;

6 (C) are intended for use as reserve stocks
7 for Israel; and

8 (D) as of the date of enactment of this
9 Act, are located in a stockpile in Israel.

10 (b) VALUE OF CONCESSIONS.—The value of conces-
11 sions negotiated pursuant to subsection (a) shall be at
12 least equal to the fair market value of the items trans-
13 ferred. The concessions may include cash compensation,
14 services, waiver of charges otherwise payable by the
15 United States, and other items of value.

16 (c) ADVANCE NOTIFICATION OF TRANSFERS.—Not
17 later than 30 days before making a transfer under the
18 authority of this section, the President shall transmit a
19 notification of the proposed transfer to the Committees on
20 Foreign Relations and Armed Services of the Senate and
21 the Committees on International Relations and Armed
22 Services of the House of Representatives. The notification
23 shall identify the items to be transferred and the conces-
24 sions to be received.

1 (d) EXPIRATION OF AUTHORITY.—No transfer may
2 be made under the authority of this section more than 5
3 years after the date of the enactment of this Act.

4 **SEC. 2209. ADDITIONS TO WAR RESERVE STOCKPILES FOR**
5 **ALLIES FOR FISCAL YEARS 2004 AND 2005.**

6 Section 514(b)(2) of the Foreign Assistance Act of
7 1961 (22 U.S.C. 2321h(b)(2)) is amended—

8 (1) in subparagraph (A), by striking “for fiscal
9 year 2003” and inserting “for each of fiscal years
10 2004 and 2005”; and

11 (2) in subparagraph (B), by striking “for fiscal
12 year 2003” and inserting “for a fiscal year”.

13 **SEC. 2210. RESTRICTIONS ON ECONOMIC SUPPORT FUNDS**
14 **FOR LEBANON.**

15 Section 1224 of the Foreign Relations Authorization
16 Act, Fiscal Year 2003 (22 U.S.C. 2346 note) is amended
17 by adding at the end the following subsection:

18 “(c) EXCEPTION.—Subsection (a) does not apply to
19 assistance made available to address the needs of southern
20 Lebanon.”.

21 **SEC. 2211. ADMINISTRATION OF JUSTICE.**

22 Section 534 of the Foreign Assistance Act of 1961
23 (22 U.S.C. 2346c) is amended—

24 (1) in subsection (a), by striking “in countries
25 in Latin America and the Caribbean”;

1 (2) in subsection (b)(3)—

2 (A) in subparagraph (C), by striking
3 “and”;

4 (B) in subparagraph (D), by inserting
5 “and”; and

6 (C) by adding at the end the following new
7 subparagraph:

8 “(E) programs to enhance the protection
9 of participants in judicial cases;”;

10 (3) by striking subsection (c);

11 (4) in subsection (e), by striking the second and
12 third sentences; and

13 (5) by redesignating subsections (d) and (e) as
14 subsections (c) and (d), respectively.

15 **SEC. 2212. DEMINING PROGRAMS.**

16 (a) CLARIFICATION OF AUTHORITY.—Section 551 of
17 the Foreign Assistance Act of 1961 (22 U.S.C. 2348) is
18 amended—

19 (1) in the second sentence, by striking “Such
20 assistance may include reimbursements” and insert-
21 ing “Such assistance may include the following:

22 “(1) Reimbursements”; and

23 (2) by adding at the end the following:

24 “(2) Demining activities, clearance of
25 unexploded ordnance, destruction of small arms, and

1 related activities, notwithstanding any other provi-
2 sion of law.”.

3 (b) DISPOSAL OF DEMINING EQUIPMENT.—Notwith-
4 standing any other provision of law, demining equipment
5 available to the United States Agency for International
6 Development and the Department and used in support of
7 the clearance of landmines and unexploded ordnance for
8 humanitarian purposes, may be disposed of on a grant
9 basis in foreign countries, subject to such terms and condi-
10 tions as the President determines appropriate.

11 (c) LANDMINE AWARENESS PROGRAM FOR THE
12 CHILDREN OF AFGHANISTAN AND OTHER CHILDREN AT
13 RISK IN AREAS OF CONFLICT.—

14 (1) FINDINGS.—Congress makes the following
15 findings:

16 (A) Most landmines in Afghanistan were
17 laid between 1980 and 1992.

18 (B) Additional landmines were laid be-
19 tween 1992 and 1996, during the conflict be-
20 tween the Taliban and the Northern Alliance.

21 (C) United States bombings against the
22 Taliban in 2001 and 2002 further increased the
23 unexploded ordnance and cluster bombs
24 throughout Afghanistan.

1 (D) The clearance of landmines is a slow
2 and expensive process.

3 (E) Certain types of landmines and other
4 unexploded ordinance are small, brightly col-
5 ored, and attractive to children.

6 (F) More than 150 Afghans, many of them
7 children, are injured every month by these
8 weapons.

9 (G) In 2003, reconstituted Taliban forces
10 have sought out and attacked workers clearing
11 landmines, in an attempt to discredit the Gov-
12 ernment of President Karzai and the United
13 States military presence.

14 (H) In May 2003, after a string of Taliban
15 attacks in which mine removal workers were
16 killed or seriously injured, the United Nations
17 suspended all mine-clearing operations in much
18 of southern Afghanistan.

19 (I) Effective landmine awareness programs
20 targeted to children could save lives in Afghani-
21 stan and in other areas of conflict where
22 unexploded ordinance are a danger to the safety
23 of children.

24 (2) AUTHORIZATION.—The President is author-
25 ized to furnish assistance to fund innovative pro-

1 grams designed to educate children in Afghanistan
2 and other affected areas about the dangers of land-
3 mines and other unexploded ordinances, especially
4 those proposed by organizations with extensive back-
5 ground in children’s educational programs.

6 (3) **AUTHORIZATION OF APPROPRIATIONS.**—In
7 addition to funds otherwise authorized to be appro-
8 priated for demining and related activities under the
9 Foreign Assistance Act of 1961 (22 U.S.C. 2151 et
10 seq.), there are authorized to be appropriated for fis-
11 cal year 2005 such sums as may be necessary to
12 carry out the purposes of this subsection.

13 **SEC. 2213. SPECIAL WAIVER AUTHORITY.**

14 (a) **REVISION OF AUTHORITY.**—Section 614 of the
15 Foreign Assistance Act of 1961 (22 U.S.C. 2364) is
16 amended in subsection (a) by—

17 (1) striking paragraphs (1) and (2) and insert-
18 ing the following new paragraph:

19 “(1) The President may authorize any assistance,
20 sale, or other action under this Act, the Arms Export Con-
21 trol Act (22 U.S.C. 2751 et seq.), or any other law that
22 authorizes the furnishing of foreign assistance or the ap-
23 propriation of funds for foreign assistance, without regard
24 to any of the provisions described in subsection (b) if the
25 President determines, and notifies the Committees on For-

1 eign Relations and Appropriations of the Senate and the
2 Committees on International Relations and Appropria-
3 tions of the House of Representatives in writing—

4 “(A) with respect to assistance or other actions
5 under chapter 2 or 5 of part II of this Act, or sales
6 or other actions under the Arms Export Control Act
7 (22 U.S.C. 2751 et seq.), that to do so is vital to
8 the national security interests of the United States;
9 and

10 “(B) with respect to other assistance or actions,
11 that to do so is important to the security interests
12 of the United States.”; and

13 (2) redesignating paragraphs (3), (4), and (5)
14 as paragraphs (2), (3), and (4), respectively.

15 (b) INCREASED LIMITATION ON SINGLE COUNTRY
16 ALLOCATION.—Subsection (a)(3)(C) of such section, as
17 redesignated, is amended by striking “\$50,000,000” and
18 inserting “\$75,000,000”.

19 (c) REPEAL OF PROVISIONS RELATING TO GERMANY
20 AND A CERTIFICATION REQUIREMENT.—Section 614 of
21 such Act is further amended by striking subsections (b)
22 and (c).

23 (d) INAPPLICABLE OR WAIVABLE LAWS.—Such sec-
24 tion, as amended by subsection (c), is further amended
25 by adding at the end the following:

1 “(b) INAPPLICABLE OR WAIVABLE LAWS.—The pro-
2 visions referred to in paragraphs (1) and (2) of subsection
3 (a) are those set forth in any of the following:

4 “(1) Any provision of this Act.

5 “(2) Any provision of the Arms Export Control
6 Act (22 U.S.C. 2751 et seq.).

7 “(3) Any provision of law that authorizes the
8 furnishing of foreign assistance or appropriates
9 funds for foreign assistance.

10 “(4) Any other provision of law that restricts
11 assistance, sales or leases, or other action under a
12 provision of law referred to in paragraph (1), (2), or
13 (3).

14 “(5) Any provision of law that relates to re-
15 cepts and credits accruing to the United States.”.

16 **SEC. 2214. PROHIBITION OF ASSISTANCE FOR COUNTRIES**
17 **IN DEFAULT.**

18 (a) CLARIFICATION OF PROHIBITED RECIPIENTS.—
19 Section 620(q) of the Foreign Assistance Act of 1961 (22
20 U.S.C. 2370(q)) is amended—

21 (1) by striking “any country” and inserting
22 “the government of any country”; and

23 (2) by striking “such country” each place it ap-
24 pears and inserting “such government”.

1 (b) PERIOD OF PROHIBITION.—Such section 620(q)
2 is further amended by striking “six calendar months” and
3 inserting “one year”.

4 **SEC. 2215. MILITARY COUPS.**

5 Section 620 of the Foreign Assistance Act of 1961
6 (22 U.S.C. 2370) is amended by inserting after subsection
7 (l) the following new subsection (m):

8 “(m)(1) No assistance may be furnished under this
9 Act or the Arms Export Control Act (22 U.S.C. 2751 et
10 seq.) for the government of a country if the duly elected
11 head of government for such country is deposed by decree
12 or military coup. The prohibition in the preceding sentence
13 shall cease to apply to a country if the President deter-
14 mines and certifies to the Committee on Foreign Relations
15 of the Senate and the Committee on International Rela-
16 tions of the House of Representatives that after the termi-
17 nation of assistance a democratically elected government
18 for such country has taken office.

19 “(2) Paragraph (1) does not apply to assistance to
20 promote democratic elections or public participation in
21 democratic processes.

22 “(3) The President may waive the application of
23 paragraph (1), and any comparable provision of law, to
24 a country upon determining that it is important to the
25 national security interest of the United States to do so.”.

1 **SEC. 2216. DESIGNATION OF POSITION FOR WHICH AP-**
 2 **POINTEE IS NOMINATED.**

3 Section 624 of the Foreign Assistance Act of 1961
 4 (22 U.S.C. 2584) is amended by inserting after subsection
 5 (c) the following new subsection (d):

6 “(d) **NOMINATION OF OFFICERS.**—Whenever the
 7 President submits to the Senate a nomination of an indi-
 8 vidual for appointment to a position authorized under sub-
 9 section (a), the President shall designate the particular po-
 10 sition in the agency for which the individual is nomi-
 11 nated.”.

12 **SEC. 2217. EXCEPTIONS TO REQUIREMENT FOR CONGRES-**
 13 **SIONAL NOTIFICATION OF PROGRAM**
 14 **CHANGES.**

15 Section 634A(b) of the Foreign Assistance Act of
 16 1961 (22 U.S.C. 2394–1(b)) is amended—

17 (1) by striking “or” at the end of paragraph
 18 (1);

19 (2) by striking the period at the end of para-
 20 graph (2) and inserting a semicolon; and

21 (3) by adding at the end the following new
 22 paragraphs:

23 “(3) of funds if the advance notification would
 24 pose a substantial risk to human health or welfare,
 25 but such notification shall be provided to the com-

1 mittees of Congress named in subsection (a) not
2 later than 3 days after the action is taken; or

3 “(4) of funds made available under section 23
4 of the Arms Export Control Act (22 U.S.C. 2763)
5 for the provision of major defense equipment (other
6 than conventional ammunition), aircraft, ships, mis-
7 siles, or combat vehicles in quantities not in excess
8 of 20 percent of the quantities previously justified
9 under section 25 of such Act (22 U.S.C. 2765).”.

10 **SEC. 2218. COMMITMENTS FOR EXPENDITURES OF FUNDS.**

11 Section 635(h) of the Foreign Assistance Act of 1961
12 (22 U.S.C. 2395(h)) is amended by striking “available”
13 and all that follows through “may,” and inserting “made
14 available under this Act may,”.

15 **SEC. 2219. ALTERNATIVE DISPUTE RESOLUTION.**

16 Section 635(i) of the Foreign Assistance Act of 1961
17 (22 U.S.C. 2395(i)) is amended to read as follows:

18 “(i) Notwithstanding any other provision of law,
19 claims arising as a result of operations under this Act may
20 be settled (including by use of alternative dispute resolu-
21 tion procedures) or arbitrated with the consent of the par-
22 ties. Payment made pursuant to any such settlement or
23 arbitration shall be final and conclusive.”.

1 **SEC. 2220. ADMINISTRATIVE AUTHORITIES.**

2 Section 636 of the Foreign Assistance Act of 1961
3 (22 U.S.C. 2396) is amended—

4 (1) in subsection (a)—

5 (A) in paragraph (3), by—

6 (i) striking “abroad”; and

7 (ii) striking “Civil Service Commis-
8 sion” and inserting “Office of Personnel
9 Management”;

10 (B) by striking paragraph (5) and insert-
11 ing the following:

12 “(5) purchase and hire of passenger motor vehi-
13 cles;”; and

14 (C) in paragraph (10), by striking “for not
15 to exceed ten years”;

16 (2) in subsection (e), by striking “not to exceed
17 \$6,000,000 of the”; and

18 (3) in subsection (d), by striking “Not to ex-
19 ceed \$2,500,000 of funds” and inserting “Funds”.

20 **SEC. 2221. ASSISTANCE FOR LAW ENFORCEMENT FORCES.**

21 Section 660 of the Foreign Assistance Act of 1961
22 (22 U.S.C. 2420) is amended—

23 (1) in subsection (b)—

24 (A) in paragraph (6), by striking “and the
25 provision of professional” and all that follows
26 through “democracy” and inserting “including

1 any regional, district, municipal, or other sub-
2 national entity emerging from instability”;

3 (B) by striking the period at the end of
4 paragraph (7) and inserting a semicolon; and

5 (C) by adding at the end the following new
6 paragraphs:

7 “(8) with respect to assistance to combat cor-
8 ruption in furtherance of the objectives for which
9 programs are authorized to be established under sec-
10 tion 133 of this Act (22 U.S.C. 2152c);

11 “(9) with respect to the provision of profes-
12 sional public safety training, including training in
13 internationally recognized standards of human
14 rights, the rule of law, and the promotion of civilian
15 police roles that support democracy; and

16 “(10) with respect to assistance to combat traf-
17 ficking in persons.”; and

18 (2) by striking subsection (d) and inserting the
19 following:

20 “(d) Subsection (a) does not apply to assistance for
21 law enforcement forces for which the Secretary, on a case-
22 by-case basis, determines that it is important to the na-
23 tional interest of the United States to furnish such assist-
24 ance and submits to the committees of the Congress re-
25 ferred to in subsection (a) of section 634A of this Act (22

1 U.S.C. 2394–1) an advance notification of the obligation
2 of funds for such assistance in accordance with such sec-
3 tion 634A.”.

4 **SEC. 2222. SPECIAL DEBT RELIEF FOR THE POOREST.**

5 The Foreign Assistance Act of 1961 is amended by
6 adding at the end the following:

7 “PART VI—SPECIAL DEBT RELIEF FOR THE
8 POOREST

9 **“SEC. 901. SPECIAL DEBT RELIEF FOR THE POOREST.**

10 “(a) **AUTHORITY.**—Subject to subsections (b) and
11 (c), the President may reduce amounts owed to the United
12 States (or any agency of the United States) by an eligible
13 country as a result of any of the following transactions:

14 “(1) Concessional loans extended under part I
15 of this Act, or chapter 4 of part II of this Act, or
16 antecedent foreign economic assistance laws.

17 “(2) Guarantees issued under sections 221 and
18 222 of this Act.

19 “(3) Credits extended or guarantees issued
20 under the Arms Export Control Act (22 U.S.C.
21 2751 et seq.).

22 “(4) Any obligation, or portion of such obliga-
23 tion, to pay for purchases of United States agricul-
24 tural commodities guaranteed by the Commodity

1 Credit Corporation under export credit guarantee
2 programs authorized pursuant to—

3 “(A) section 5(f) of the Commodity Credit
4 Corporation Charter Act (15 U.S.C. 714c(f));

5 “(B) section 201(b) of the Agricultural
6 Trade Act of 1978 (7 U.S.C. 5621(b)); or

7 “(C) section 202 of the Agricultural Trade
8 Act of 1978 (7 U.S.C. 5622).

9 “(b) GENERAL LIMITATIONS.—

10 “(1) EXCLUSIVE CONDITIONS.—The authority
11 provided in subsection (a) may be exercised—

12 “(A) only to implement multilateral official
13 debt relief and referendum agreements, com-
14 monly referred to as ‘Paris Club Agreed Min-
15 utes’;

16 “(B) only in such amounts or to such ex-
17 tent as is provided in advance in appropriations
18 Acts; and

19 “(C) only with respect to countries with
20 heavy debt burdens that—

21 “(i) are eligible to borrow from the
22 International Development Association, but
23 not from the International Bank for Re-
24 construction and Development, commonly
25 referred to as ‘IDA-only’ countries; and

1 “(ii) are not determined ineligible
2 under subsection (c).

3 “(2) ADVANCE NOTIFICATION OF CONGRESS.—
4 The authority provided by subsection (a) shall be
5 subject to the requirements of section 634A of this
6 Act (22 U.S.C. 2394–1).

7 “(c) ELIGIBILITY LIMITATIONS.—The authority pro-
8 vided by subsection (a) may be exercised only with respect
9 to a country the government of which, as determined by
10 the President—

11 “(1) does not make an excessive level of mili-
12 tary expenditures;

13 “(2) has not repeatedly provided support for
14 acts of international terrorism;

15 “(3) is not failing to cooperate on international
16 narcotics control matters;

17 “(4) does not engage, through its military or
18 security forces or by other means, in a consistent
19 pattern of gross violations of internationally recog-
20 nized human rights; and

21 “(5) is not ineligible for assistance under sec-
22 tion 527 of the Foreign Relations Authorization Act,
23 Fiscal Years 1994 and 1995 (22 U.S.C. 2370a).

24 “(d) CERTAIN PROHIBITIONS INAPPLICABLE.—A re-
25 duction of debt pursuant to subsection (a) may not be con-

1 sidered assistance for purposes of any provision of law lim-
2 iting assistance to a country. The authority provided in
3 subsection (a) may be exercised notwithstanding section
4 620(r) of this Act (22 U.S.C. 2370(r)) or section 321 of
5 the International Development and Food Assistance Act
6 of 1975 (22 U.S.C. 2220a note).”.

7 **SEC. 2223. CONGO BASIN FOREST PARTNERSHIP.**

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

10 (1) Deforestation and environmental degrada-
11 tion in the Congo Basin in central Africa pose a
12 major threat to the wellbeing and livelihood of the
13 African people and to the world at large.

14 (2) It is in the national interest of the United
15 States to assist the countries of the Congo Basin to
16 reduce the rate of forest degradation and loss of bio-
17 diversity.

18 (3) The Congo Basin Forest Partnership, an
19 initiative involving the Central Africa Regional Pro-
20 gram for the Environment of the United States
21 Agency for International Development, and also the
22 Department, the United States Fish and Wildlife
23 Service, the National Park Service, the National
24 Forest Service, and National Aeronautics and Space
25 Administration, was established to address in a vari-

1 ety of ways the environmental conditions in the
2 Congo Basin.

3 (4) In partnership with nongovernmental envi-
4 ronmental groups, the Congo Basin Forest Partner-
5 ship will foster improved conservation and manage-
6 ment of natural resources through programs at the
7 local, national, and regional levels to help reverse the
8 environmental degradation of the Congo Basin.

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

11 (1) the Congo Basin Forest Partnership pro-
12 gram represents a significant effort at addressing
13 the complex environmental and development chal-
14 lenges in the Congo Basin; and

15 (2) the President should make available for fis-
16 cal year 2005 at least the total level of assistance
17 that the President requested for such fiscal year for
18 all agencies participating in the Congo Basin Forest
19 Partnership program for fiscal year 2005.

20 **SEC. 2224. LANDMINE CLEARANCE PROGRAMS.**

21 The Secretary is authorized to support cooperative
22 arrangements commonly known as public-private partner-
23 ships for landmine clearance programs by grant or cooper-
24 ative agreement.

1 **SEC. 2225. MIDDLE EAST FOUNDATION.**

2 (a) **PURPOSES.**—The purposes of this section are to
3 support, through the provision of grants, technical assist-
4 ance, training, and other programs, in the countries of the
5 Middle East, the expansion of—

6 (1) civil society;

7 (2) opportunities for political participation for
8 all citizens;

9 (3) protections for internationally recognized
10 human rights, including the rights of women;

11 (4) educational system reforms;

12 (5) independent media;

13 (6) policies that promote economic opportunities
14 for citizens;

15 (7) the rule of law; and

16 (8) democratic processes of government.

17 (b) **MIDDLE EAST FOUNDATION.**—

18 (1) **DESIGNATION.**—The Secretary is author-
19 ized to designate an appropriate private, nonprofit
20 organization that is organized or incorporated under
21 the laws of the United States or of a State as the
22 Middle East Foundation (referred to in this section
23 as the “Foundation”).

24 (2) **FUNDING.**—The Secretary is authorized to
25 provide funding to the Foundation through the Mid-
26 dle East Partnership Initiative of the Department.

1 The Foundation shall use amounts provided under
2 this paragraph to carry out the purposes of this sec-
3 tion, including through making grants and providing
4 other assistance to entities to carry out programs for
5 such purposes.

6 (3) NOTIFICATION TO CONGRESSIONAL COMMIT-
7 TEES.—The Secretary shall notify the Committee on
8 Foreign Relations of the Senate and the Committee
9 on International Relations of the House of Rep-
10 resentatives before designating an appropriate orga-
11 nization as the Foundation.

12 (c) GRANTS FOR PROJECTS.—

13 (1) FOUNDATION TO MAKE GRANTS.—The Sec-
14 retary shall enter into an agreement with the Foun-
15 dation that requires the Foundation to use the funds
16 provided under subsection (b)(2) to make grants to
17 persons (other than governments or government en-
18 tities) located in the Middle East or working with
19 local partners based in the Middle East to carry out
20 projects that support the purposes specified in sub-
21 section (a).

22 (2) CENTER FOR PUBLIC POLICY.—Under the
23 agreement described in paragraph (1), the Founda-
24 tion may make a grant to an institution of higher
25 education located in the Middle East to create a cen-

1 ter for public policy for the purpose of permitting
2 scholars and professionals from the countries of the
3 Middle East and from other countries, including the
4 United States, to carry out research, training pro-
5 grams, and other activities to inform public policy-
6 making in the Middle East and to promote broad
7 economic, social, and political reform for the people
8 of the Middle East.

9 (3) APPLICATIONS FOR GRANTS.—An entity
10 seeking a grant from the Foundation under this sec-
11 tion shall submit an application to the head of the
12 Foundation at such time, in such manner, and in-
13 cluding such information as the head of the Founda-
14 tion may reasonably require.

15 (d) PRIVATE CHARACTER OF THE FOUNDATION.—

16 Nothing in this section shall be construed to—

17 (1) make the Foundation an agency or estab-
18 lishment of the United States Government, or to
19 make the officers or employees of the Foundation of-
20 ficers or employees of the United States for purposes
21 of title 5, United States Code; or

22 (2) to impose any restriction on the Founda-
23 tion's acceptance of funds from private and public
24 sources in support of its activities consistent with
25 the purposes of this section.

1 (e) LIMITATION ON PAYMENTS TO FOUNDATION
2 PERSONNEL.—No part of the funds provided to the Foun-
3 dation under this section shall inure to the benefit of any
4 officer or employee of the Foundation, except as salary
5 or reasonable compensation for services.

6 (f) RETENTION OF INTEREST.—The Foundation may
7 hold funds provided under this section in interest-bearing
8 accounts prior to the disbursement of such funds to carry
9 out the purposes of this section, and may retain for use
10 for such purposes any interest earned without returning
11 such interest to the Treasury of the United States and
12 without further appropriation by Congress.

13 (g) FINANCIAL ACCOUNTABILITY.—

14 (1) INDEPENDENT PRIVATE AUDITS OF THE
15 FOUNDATION.—The accounts of the Foundation
16 shall be audited annually in accordance with gen-
17 erally accepted auditing standards by independent
18 certified public accountants or independent licensed
19 public accountants certified or licensed by a regu-
20 latory authority of a State or other political subdivi-
21 sion of the United States. The report of the inde-
22 pendent audit shall be included in the annual report
23 required by subsection (h).

24 (2) GAO AUDITS.—The financial transactions
25 undertaken pursuant to this section by the Founda-

1 tion may be audited by the General Accounting Of-
2 fice in accordance with such principles and proce-
3 dures and under such rules and regulations as may
4 be prescribed by the Comptroller General of the
5 United States.

6 (3) AUDITS OF GRANT RECIPIENTS.—

7 (A) IN GENERAL.—A recipient of a grant
8 from the Foundation shall agree to permit an
9 audit of the books and records of such recipient
10 related to the use of the grant funds.

11 (B) RECORDKEEPING.—Such recipient
12 shall maintain appropriate books and records to
13 facilitate an audit referred to subparagraph
14 (A), including—

15 (i) separate accounts with respect to
16 the grant funds;

17 (ii) records that fully disclose the use
18 of the grant funds;

19 (iii) records describing the total cost
20 of any project carried out using grant
21 funds; and

22 (iv) the amount and nature of any
23 funds received from other sources that
24 were combined with the grant funds to
25 carry out a project.

1 (h) ANNUAL REPORTS.—Not later than January 31,
 2 2006, and annually thereafter, the Foundation shall sub-
 3 mit to Congress and make available to the public an an-
 4 nual report that includes, for the fiscal year prior to the
 5 fiscal year in which the report is submitted, a comprehen-
 6 sive and detailed description of—

7 (1) the operations and activities of the Founda-
 8 tion that were carried out using funds provided
 9 under this section;

10 (2) grants made by the Foundation to other en-
 11 tities with funds provided under this section;

12 (3) other activities of the Foundation to further
 13 the purposes of this section; and

14 (4) the financial condition of the Foundation.

15 **Subtitle B—Arms Export Control**
 16 **Act Amendments and Related**
 17 **Provisions**

18 **SEC. 2231. THRESHOLDS FOR ADVANCE NOTICE TO CON-**
 19 **GRESS OF SALES OR UPGRADES OF DEFENSE**
 20 **ARTICLES, DESIGN AND CONSTRUCTION**
 21 **SERVICES, AND MAJOR DEFENSE EQUIP-**
 22 **MENT.**

23 (a) LETTERS OF OFFER TO SELL.—Subsection (b)
 24 of section 36 of the Arms Export Control Act (22 U.S.C.
 25 2776) is amended—

1 (1) in the first sentence of paragraph (1)—

2 (A) by striking “Subject to paragraph (6),
3 in” and inserting “In”;

4 (B) by striking “\$50,000,000” and insert-
5 ing “\$100,000,000”;

6 (C) by striking “services for
7 \$200,000,000” and inserting “services for
8 \$350,000,000”;

9 (D) by striking “\$14,000,000” and insert-
10 ing “\$50,000,000”; and

11 (E) by inserting “and in other cases if the
12 President determines it is appropriate,” before
13 “before such letter”;

14 (2) in the first sentence of paragraph (5)(C)—

15 (A) by striking “Subject to paragraph (6),
16 if” and inserting “If”;

17 (B) by striking “\$14,000,000” and insert-
18 ing “\$50,000,000”;

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

21 (D) by striking “or \$200,000,000” and in-
22 serting “or \$350,000,000”; and

23 (E) by inserting “and in other cases if the
24 President determines it is appropriate,” before
25 “then the President”; and

1 (3) by striking paragraph (6).

2 (b) EXPORT LICENSES.—Subsection (c) of section 36
3 of the Arms Export Control Act (22 U.S.C. 2776) is
4 amended—

5 (1) in the first sentence of paragraph (1)—

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

8 (B) by striking “\$14,000,000” and insert-
9 ing “\$50,000,000”;

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

12 (D) by inserting “and in other cases if the
13 President determines it is appropriate,” before
14 “before issuing such”;

15 (2) in the last sentence of paragraph (2), by
16 striking “(A) and (B)” and inserting “(A), (B), and
17 (C)”;

18 (3) by striking paragraph (5).

19 (c) PRESIDENTIAL CONSENT.—Section 3(d) of the
20 Arms Export Control Act (22 U.S.C. 2753(d)) is amend-
21 ed—

22 (1) in paragraphs (1) and (3)(A)—

23 (A) by striking “Subject to paragraph (5),
24 the” and inserting “The”;

1 (B) by striking “\$14,000,000” and insert-
2 ing “\$50,000,000”; and

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

5 (2) by striking paragraph (5).

6 **SEC. 2232. CLARIFICATION OF REQUIREMENT FOR AD-**
7 **VANCE NOTICE TO CONGRESS OF COM-**
8 **PREHENSIVE EXPORT AUTHORIZATIONS.**

9 Subsection (d) of section 36 of the Arms Export Con-
10 trol Act (22 U.S.C. 2776) is amended—

11 (1) in paragraph (1)—

12 (A) by inserting “(A)” after “(1)”;

13 (B) by striking “this subsection” and in-
14 serting “this subparagraph”; and

15 (C) by adding at the end the following new
16 subparagraph:

17 “(B) Notwithstanding section 27(g), in the case of
18 a comprehensive authorization described in section 126.14
19 of title 22, Code of Federal Regulations (or any cor-
20 responding similar regulation) for the proposed export of
21 defense articles or defense services in an amount that ex-
22 ceeds a limitation set forth in subsection (c)(1), before the
23 comprehensive authorization is approved or the addition
24 of a foreign government or other foreign partner to the
25 comprehensive authorization is approved, the President

1 shall submit a certification with respect to the comprehen-
2 sive authorization in a manner similar to the certification
3 required under subsection (c)(1) of this section and con-
4 taining comparable information, except that the last sen-
5 tence of such subsection shall not apply to certifications
6 submitted pursuant to this subparagraph.”; and

7 (2) in paragraph (4), by striking “Approval for
8 an agreement subject to paragraph (1) may not be
9 given under section 38” and inserting “Approval for
10 an agreement subject to paragraph (1)(A), or for a
11 comprehensive authorization subject to paragraph
12 (1)(B), may not be given under section 38 or section
13 126.14 of title 22, Code of Federal Regulations (or
14 any corresponding similar regulation), as the case
15 may be,”.

16 **SEC. 2233. EXCEPTION TO BILATERAL AGREEMENT RE-**
17 **QUIREMENTS FOR TRANSFERS OF DEFENSE**
18 **ITEMS.**

19 (a) FINDINGS.—Congress makes the following find-
20 ings:

21 (1) Close defense cooperation between the
22 United States and each of the United Kingdom and
23 Australia requires interoperability among the armed
24 forces of those countries.

1 (2) The need for interoperability must be bal-
2 anced with the need for appropriate and effective
3 regulation of trade in defense items.

4 (3) The Arms Export Control Act (22 U.S.C.
5 2751 et seq.) authorizes the executive branch to ad-
6 minister arms export policies enacted by Congress in
7 the exercise of its constitutional power to regulate
8 commerce with foreign nations.

9 (4) The executive branch has exercised its au-
10 thority under the Arms Export Control Act, in part,
11 through the International Traffic in Arms Regula-
12 tions.

13 (5) Agreements to gain exemption from the
14 International Traffic in Arms Regulations must be
15 submitted to Congress for review.

16 (b) DEFINITIONS.—In this section:

17 (1) DEFENSE ITEMS.—The term “defense
18 items” has the meaning given the term in section 38
19 of the Arms Export Control Act (22 U.S.C. 2778).

20 (2) INTERNATIONAL TRAFFIC IN ARMS REGULA-
21 TIONS.—The term “International Traffic in Arms
22 Regulations” means the regulations maintained
23 under parts 120 through 130 of title 22, Code of
24 Federal Regulations, and any successor regulations.

1 (c) EXCEPTIONS FROM BILATERAL AGREEMENT RE-
2 QUIREMENTS.—

3 (1) IN GENERAL.—Subsection (j) of section 38
4 of the Arms Export Control Act (22 U.S.C. 2778)
5 is amended—

6 (A) by redesignating paragraph (4) as
7 paragraph (5); and

8 (B) by inserting after paragraph (3) the
9 following new paragraph (4):

10 “(4) EXCEPTIONS FROM BILATERAL AGREE-
11 MENT REQUIREMENTS.—

12 “(A) AUSTRALIA.—Subject to the provi-
13 sions of section 2233 of the Foreign Assistance
14 Authorization Act, Fiscal Year 2005, the re-
15 quirements for a bilateral agreement described
16 in paragraph (2)(A) shall not apply to a bilat-
17 eral agreement between the United States Gov-
18 ernment and the Government of Australia with
19 respect to transfers or changes in end use of
20 defense items within Australia that will remain
21 subject to the licensing requirements of this Act
22 after such agreement enters into force.

23 “(B) UNITED KINGDOM.—Subject to the
24 provisions of section 2233 of the Foreign As-
25 sistance Authorization Act, Fiscal Year 2005,

1 the requirements for a bilateral agreement de-
2 scribed in paragraphs (1)(A)(ii), (2)(A)(i), and
3 (2)(A)(ii) shall not apply to a bilateral agree-
4 ment between the United States Government
5 and the Government of the United Kingdom for
6 an exemption from the licensing requirements
7 of this Act.”.

8 (2) CONFORMING AMENDMENT.—Paragraph (2)
9 of such subsection is amended in the matter pre-
10 ceeding subparagraph (A) by striking “A bilateral
11 agreement” and inserting “Except as provided in
12 paragraph (4), a bilateral agreement”.

13 (d) CERTIFICATIONS.—Not later than 30 days before
14 authorizing an exemption from the licensing requirements
15 of the International Traffic in Arms Regulations in ac-
16 cordance with any bilateral agreement entered into with
17 the United Kingdom or Australia under section 38(j) of
18 the Arms Export Control Act (22 U.S.C. 2778(j)), as
19 amended by subsection (c), the President shall certify to
20 the appropriate congressional committees that such agree-
21 ment—

22 (1) is in the national interest of the United
23 States and will not in any way affect the goals and
24 policy of the United States under section 1 of the
25 Arms Export Control Act (22 U.S.C. 2751);

1 (2) does not adversely affect the efficacy of the
2 International Traffic in Arms Regulations to provide
3 consistent and adequate controls for licensed exports
4 of United States defense items; and

5 (3) will not adversely affect the duties or re-
6 quirements of the Secretary under the Arms Export
7 Control Act.

8 (e) NOTIFICATION OF BILATERAL LICENSING EX-
9 EMPTIONS.—Not later than 30 days before authorizing an
10 exemption from the licensing requirements of the Inter-
11 national Traffic in Arms Regulations in accordance with
12 any bilateral agreement entered into with the United
13 Kingdom or Australia under section 38(j) of the Arms Ex-
14 port Control Act (22 U.S.C. 2778(j)), as amended by sub-
15 section (c), the President shall submit to the appropriate
16 congressional committees the text of the regulations that
17 authorize such a licensing exemption.

18 (f) REPORT ON CONSULTATION ISSUES.—Not later
19 than one year after the date of the enactment of this Act
20 and annually thereafter for each of the following 5 years,
21 the President shall submit to the appropriate congres-
22 sional committees a report on issues raised during the pre-
23 vious year in consultations conducted under the terms of
24 any bilateral agreement entered into with Australia under
25 section 38(j) of the Arms Export Control Act, or under

1 the terms of any bilateral agreement entered into with the
2 United Kingdom under such section, for exemption from
3 the licensing requirements of the Arms Export Control Act
4 (22 U.S.C. 2751 et seq.). Each report shall contain—

5 (1) detailed information on any notifications or
6 consultations between the United States and the
7 United Kingdom under the terms of any agreement
8 with the United Kingdom, or between the United
9 States and Australia under the terms of any agree-
10 ment with Australia, concerning the modification,
11 deletion, or addition of defense items on the United
12 States Munitions List, the United Kingdom Military
13 List, or the Australian Defense and Strategic Goods
14 List;

15 (2) a list of all United Kingdom or Australia
16 persons and entities that have been designated as
17 qualified persons eligible to receive United States or-
18 igin defense items exempt from the licensing require-
19 ments of the Arms Export Control Act under the
20 terms of such agreements, and listing any modifica-
21 tion, deletion, or addition to such lists, pursuant to
22 the requirements of any agreement with the United
23 Kingdom or any agreement with Australia;

24 (3) detailed information on consultations or
25 steps taken pursuant to any agreement with the

1 United Kingdom or any agreement with Australia
2 concerning cooperation and consultation with either
3 government on the effectiveness of the defense trade
4 control systems of such government;

5 (4) detailed information on provisions and pro-
6 cedures undertaken pursuant to—

7 (A) any agreement with the United King-
8 dom with respect to the handling of United
9 States origin defense items exempt from the li-
10 censing requirements of the Arms Export Con-
11 trol Act by persons and entities qualified to re-
12 ceive such items in the United Kingdom; and

13 (B) any agreement with Australia with re-
14 spect to the handling of United States origin
15 defense items exempt from the licensing re-
16 quirements of the Arms Export Control Act by
17 persons and entities qualified to receive such
18 items in Australia;

19 (5) detailed information on any new under-
20 standings, including the text of such understandings,
21 between the United States and the United Kingdom
22 concerning retransfer of United States origin de-
23 fense items made pursuant to any agreement with
24 the United Kingdom to gain exemption from the li-

1 censing requirements of the Arms Export Control
2 Act;

3 (6) detailed information on consultations with
4 the Government of the United Kingdom or the Gov-
5 ernment of Australia concerning the legal enforce-
6 ment of any such agreements;

7 (7) detailed information on United States origin
8 defense items with respect to which the United
9 States has provided an exception under the Memo-
10 randum of Understanding between the United States
11 and the United Kingdom and any agreement be-
12 tween the United States and Australia from the re-
13 quirement for United States Government re-export
14 consent that was not provided for under United
15 States laws and regulations in effect on the date of
16 the enactment of this Act; and

17 (8) detailed information on any significant con-
18 cerns that have arisen between the Government of
19 Australia or the Government of the United Kingdom
20 and the United States Government concerning any
21 aspect of any bilateral agreement between such
22 country and the United States to gain exemption
23 from the licensing requirements of the Arms Export
24 Control Act.

25 (g) SPECIAL NOTIFICATIONS.—

1 (1) REQUIRED NOTIFICATIONS.—The Secretary
2 shall notify the appropriate congressional commit-
3 tees, in a manner consistent with ongoing efforts to
4 investigate and bring civil or criminal charges re-
5 garding such matters, not later than 90 days after
6 receiving any credible information regarding an un-
7 authorized end-use or diversion of United States ex-
8 ports of goods or services made pursuant to any
9 agreement with a country to gain exemption from
10 the licensing requirements of the Arms Export Con-
11 trol Act. The notification shall be made in a manner
12 that is consistent with any ongoing efforts to inves-
13 tigate and commence civil actions or criminal pros-
14 ecutions regarding such matters and may be made
15 in classified or unclassified form.

16 (2) CONTENT.—The notification regarding an
17 unauthorized end-use or diversion of goods or serv-
18 ices under paragraph (1) shall include—

19 (A) a description of the goods or services;

20 (B) the United States origin of the good or
21 service;

22 (C) the authorized recipient of the good or
23 service;

24 (D) a detailed description of the unauthor-
25 ized end-use or diversion, including any knowl-

1 edge by the United States exporter of such un-
2 authorized end-use or diversion;

3 (E) any enforcement action taken by the
4 Government of the United States; and

5 (F) any enforcement action taken by the
6 government of the recipient nation.

7 **SEC. 2234. AUTHORITY TO PROVIDE CATALOGING DATA**
8 **AND SERVICES TO NON-NATO COUNTRIES.**

9 Section 21(h)(2) of the Arms Export Control Act (22
10 U.S.C. 2761(h)(2)) is amended by striking “to the North
11 Atlantic Treaty Organization or to any member govern-
12 ment of that Organization if that Organization or member
13 government” and inserting “to the North Atlantic Treaty
14 Organization, to any member government of that Organi-
15 zation, or to the government of any other country if that
16 Organization, member government, or other government”.

17 **SEC. 2235. FREEDOM SUPPORT ACT PERMANENT WAIVER**
18 **AUTHORITY.**

19 (a) **AUTHORITY TO WAIVE RESTRICTIONS AND ELI-**
20 **GIBILITY REQUIREMENTS.**—If the President submits the
21 certification and report described in subsection (b) with
22 respect to an independent state of the former Soviet Union
23 for a fiscal year, funds may be obligated and expended
24 during that fiscal year under sections 503 and 504 of the
25 FREEDOM Support Act (22 U.S.C. 5853 and 5854) for

1 assistance or other programs and activities for that state
2 even if that state has not met one or more of the require-
3 ments for eligibility under paragraphs (1) through (4) of
4 section 502 of such Act (22 U.S.C. 5852).

5 (b) CERTIFICATION AND REPORT.—

6 (1) IN GENERAL.—The certification and report
7 referred to in subsection (a) are a written certifi-
8 cation submitted by the President to Congress that
9 the waiver of the restriction under such section 502
10 and the requirements in that section during the fis-
11 cal year covered by such certification is important to
12 the national security interests of the United States,
13 together with a report containing the following:

14 (A) A description of the activity or activi-
15 ties that prevent the President from certifying
16 that the state is committed to the matters set
17 forth in the provisions of law specified in sub-
18 section (a) in such fiscal year.

19 (B) An explanation of why the waiver is
20 important to the national security interests of
21 the United States.

22 (C) A description of the strategy, plan, or
23 policy of the President for promoting the com-
24 mitment of the state to, and compliance by the

1 state with, such matters, notwithstanding the
2 waiver.

3 (2) FORM OF REPORT.—A report under para-
4 graph (1) shall be submitted in unclassified form,
5 but may include a classified annex.

6 **SEC. 2236. EXTENSION OF PAKISTAN WAIVERS.**

7 The Act entitled “An Act to authorize the President
8 to exercise waivers of foreign assistance restrictions with
9 respect to Pakistan through September 30, 2003, and for
10 other purposes”, approved October 27, 2001 (Public Law
11 107–57; 115 Stat. 403), as amended by section 2213 of
12 the Emergency Supplemental Appropriations Act for De-
13 fense and for the Reconstruction of Iraq and Afghanistan,
14 2004 (Public Law 108–106; 117 Stat. 1232), is further
15 amended—

16 (1) in section 1(b)—

17 (A) in the heading, by striking “2004” and
18 inserting “2005”; and

19 (B) in paragraph (1), by striking “2004”
20 and inserting “2005”;

21 (2) in section 3(2), by striking “and 2004,”
22 and inserting “2004, and 2005,”; and

23 (3) in section 6, by striking “2004” and insert-
24 ing “2005”.

1 **SEC. 2237. CONSOLIDATION OF REPORTS ON NON-**
2 **PROLIFERATION IN SOUTH ASIA.**

3 Section 1601(c) of the Foreign Relations Authoriza-
4 tion Act, Fiscal Year 2003 is amended to read as follows:

5 “(c) REPORT.—The report required to be submitted
6 to Congress not later than April 1, 2005 pursuant to sec-
7 tion 620F(c) of the Foreign Assistance Act of 1961 (22
8 U.S.C. 2376(c)) shall include a description of the efforts
9 of the United States Government to achieve the objectives
10 described in subsections (a) and (b), the progress made
11 toward achieving such objectives, and the likelihood that
12 such objectives will be achieved by September 30, 2005.”.

13 **SEC. 2238. HAITIAN COAST GUARD.**

14 The Government of Haiti shall be eligible to purchase
15 defense articles and services for the Haitian Coast Guard
16 under the Arms Export Control Act (22 U.S.C. 2751 et
17 seq.), subject to the prior notification requirements under
18 section 634A of the Foreign Assistance Act of 1961 (22
19 U.S.C. 2394–1).

20 **SEC. 2239. MARKETING INFORMATION FOR COMMERCIAL**
21 **COMMUNICATIONS SATELLITES.**

22 (a) IN GENERAL.—A license shall not be required
23 under section 38 of the Arms Export Control Act (22
24 U.S.C. 2778) for the transfer of marketing information
25 for the purpose of providing information directly related
26 to the sale of commercial communications satellites and

1 related parts to a member country of the North Atlantic
2 Treaty Organization (NATO) and Australia, Japan, and
3 New Zealand.

4 (b) **MARKETING INFORMATION.**—In this section, the
5 term “marketing information” means data that a seller
6 must provide to a potential customer (including a foreign
7 end-user) that will enable the customer to make a pur-
8 chase decision to award a contract for goods or services,
9 including system description, functional information, price
10 and schedule information, information required for instal-
11 lation, operation, maintenance, and repair, and includes
12 that level of data necessary to ensure safe use of the prod-
13 uct, but does not include sensitive encryption and source
14 code data, detailed design data, engineering analysis, or
15 manufacturing know-how.

16 (c) **EXCEPTION.**—Nothing in this section shall ex-
17 empt commercial communications satellites from any li-
18 censing requirement under section 38 of the Arms Export
19 Control Act (22 U.S.C. 2778) for defense items and de-
20 fense services, except as described in subsection (a).

21 **SEC. 2240. TRANSFER OF CERTAIN NAVAL VESSELS.**

22 (a) **AUTHORITY TO TRANSFER BY GRANT.**—

23 (1) **AUTHORITY.**—The President is authorized
24 to transfer vessels to foreign countries on a grant

1 basis under section 516 of the Foreign Assistance
2 Act of 1961 (22 U.S.C. 2321(j)) as follows:

3 (A) The OLIVER HAZARD PERRY class
4 guided missile frigate USS GEORGE PHILIP
5 (FFG 12) to the Government of Bahrain.

6 (B) The OLIVER HAZARD PERRY class
7 guided missile frigate USS SIDES (FFG 14) to
8 the Government of Portugal.

9 (2) GRANTS NOT COUNTED AGAINST AGGRE-
10 GATE VALUE OF TRANSFERRED EXCESS DEFENSE
11 ARTICLES.—The value of a vessel transferred to an-
12 other country on a grant basis under section 516 of
13 the Foreign Assistance Act of 1961 (22 U.S.C.
14 2321j) pursuant to authority provided by paragraph
15 (1) shall not be counted for the purposes of sub-
16 section (g) of that section in the aggregate value of
17 excess defense articles transferred to countries under
18 that section in any fiscal year.

19 (b) COSTS OF TRANSFERS.—Any expense incurred by
20 the United States in connection with a transfer authorized
21 to be made on a grant basis under subsection (a) shall
22 be charged to the recipient (notwithstanding section
23 516(e)(1) of the Foreign Assistance Act of 1961 (2 U.S.C.
24 2321j(e)(1))).

1 (c) **AUTHORITY TO TRANSFER BY SALE.**—The Presi-
 2 dent is authorized to transfer the **SPRUANCE** class de-
 3 stroyer **FLETCHER** (DD 992) to the Government of
 4 Chile on a sales basis under section 21 of the Arms Export
 5 Control Act (22 U.S.C. 2761).

6 (d) **REPAIR AND REFURBISHMENT IN UNITED**
 7 **STATES SHIPYARDS.**—To the maximum extent prac-
 8 ticable, the President shall require, as a condition of the
 9 transfer of a vessel under this section, that the country
 10 to which the vessel is transferred have such repair or re-
 11 furbishment of the vessel as is needed, before the vessel
 12 joins the naval forces of that country, performed at a ship-
 13 yard located in the United States, including a United
 14 States Navy shipyard.

15 (e) **EXPIRATION OF AUTHORITY.**—The authority to
 16 transfer a vessel under this section shall expire on the date
 17 at the end of the 2-year period beginning on the date of
 18 the enactment of this Act.

19 **TITLE XXIII—RADIOLOGICAL**
 20 **TERRORISM SECURITY**

21 **SEC. 2301. SHORT TITLE.**

22 This title may be cited as the “Radiological Ter-
 23 rorism Security Act of 2004”.

24 **SEC. 2302. DEFINITIONS.**

25 In this title:

1 (1) BYPRODUCT MATERIAL.—The term “by-
2 product material” has the meaning given the term in
3 section 11 e. of the Atomic Energy Act of 1954 (42
4 U.S.C. 2014(e)).

5 (2) IAEA.—The term “IAEA” means the
6 International Atomic Energy Agency.

7 (3) RADIOACTIVE MATERIAL.—The term “ra-
8 dioactive material” means—

9 (A) source material and special nuclear
10 material, but does not include natural or de-
11 pleted uranium;

12 (B) nuclear byproduct material;

13 (C) material made radioactive by bombard-
14 ment in an accelerator; and

15 (D) all refined isotopes of radium.

16 (4) SOURCE MATERIAL.—The term “source ma-
17 terial” has the meaning given the term in section 11
18 z. of the Atomic Energy Act of 1954 (42 U.S.C.
19 2014(z)).

20 (5) SPECIAL NUCLEAR MATERIAL.—The term
21 “special nuclear material” has the meaning given
22 the term in section 11 aa. of the Atomic Energy Act
23 of 1954 (42 U.S.C. 2014(aa)).

1 **SEC. 2303. EMBASSY THREAT ASSESSMENT REPORTS.**

2 (a) **REPORTS REQUIRED.**—The Secretary shall, at
3 the times specified in subsection (c), submit to the appro-
4 priate congressional committees a report—

5 (1) detailing the preparations made at United
6 States diplomatic missions abroad to detect and
7 mitigate a radiological attack on United States mis-
8 sions and other United States facilities under the
9 control of the Secretary;

10 (2) setting forth a rank-ordered list of the Sec-
11 retary's priorities for improving radiological security
12 and consequence management at United States mis-
13 sions; and

14 (3) providing a rank-ordered list of the missions
15 where such improvement is most important.

16 (b) **BUDGET REQUEST.**—Each report under sub-
17 section (a) shall also include a proposed budget to carry
18 out the improvements listed in such report pursuant to
19 subsection (a)(2).

20 (c) **TIMING.**—

21 (1) **FIRST REPORT.**—The first report under
22 subsection (a) shall be submitted not later than 180
23 days after the date of the enactment of this Act.

24 (2) **SUBSEQUENT REPORTS.**—Subsequent re-
25 ports under subsection (a) shall be submitted with
26 the budget justification materials submitted by the

1 Secretary to Congress in support of the budget of
2 the President for the fiscal year (as submitted under
3 section 1105(a) of title 31, United States Code) for
4 each fiscal year after fiscal year 2005.

5 (d) FORM.—Each report shall be submitted in un-
6 classified form, but may include a classified annex.

7 **SEC. 2304. FOREIGN FIRST RESPONDERS.**

8 (a) IN GENERAL.—The Secretary is authorized to as-
9 sist foreign countries, or to propose that the IAEA assist
10 foreign countries, in the development of appropriate na-
11 tional response plans and the training of first responders
12 to—

13 (1) detect, identify, and characterize radioactive
14 material;

15 (2) understand the hazards posed by radioactive
16 contamination;

17 (3) understand the risks encountered at various
18 dose rates;

19 (4) enter contaminated areas safely and speed-
20 ily; and

21 (5) evacuate persons within a contaminated
22 area.

23 (b) CONSIDERATIONS.—In carrying out activities
24 under subsection (a), the Secretary shall take into account

1 the findings of the threat assessment reports required by
2 section 2303.

3 **SEC. 2305. AVAILABILITY OF FUNDS.**

4 Of the funds appropriated under this Act for Non-
5 proliferation, Anti-terrorism, Demining, and Related Pro-
6 grams, there is authorized to be appropriated to the Presi-
7 dent for fiscal year 2005, \$2,000,000 to carry out this
8 title.

9 **TITLE XXIV—GLOBAL**
10 **PATHOGEN SURVEILLANCE**

11 **SEC. 2401. SHORT TITLE.**

12 This title may be cited as the “Global Pathogen Sur-
13veillance Act of 2004”.

14 **SEC. 2402. FINDINGS; PURPOSE.**

15 (a) FINDINGS.—Congress makes the following find-
16 ings:

17 (1) Bioterrorism poses a grave national security
18 threat to the United States. The insidious nature of
19 the threat, the likely delayed recognition in the event
20 of an attack, and the underpreparedness of the do-
21 mestic public health infrastructure may produce cat-
22 astrophic consequences following a biological weap-
23 ons attack upon the United States.

24 (2) A contagious pathogen engineered as a bio-
25 logical weapon and developed, tested, produced, or

1 released in another country can quickly spread to
2 the United States. Given the realities of inter-
3 national travel, trade, and migration patterns, a
4 dangerous pathogen released anywhere in the world
5 can spread to United States territory in a matter of
6 days, before any effective quarantine or isolation
7 measures can be implemented.

8 (3) To effectively combat bioterrorism and en-
9 sure that the United States is fully prepared to pre-
10 vent, diagnose, and contain a biological weapons at-
11 tack, measures to strengthen the domestic public
12 health infrastructure and improve domestic surveil-
13 lance and monitoring, while absolutely essential, are
14 not sufficient.

15 (4) The United States should enhance coopera-
16 tion with the World Health Organization, regional
17 health organizations, and individual countries, in-
18 cluding data sharing with appropriate United States
19 departments and agencies, to help detect and quickly
20 contain infectious disease outbreaks or bioterrorism
21 agents before they can spread.

22 (5) The World Health Organization (WHO) has
23 done an impressive job in monitoring infectious dis-
24 ease outbreaks around the world, including the re-
25 cent emergence of the Severe Acute Respiratory

1 Syndrome (SARS) epidemic, particularly with the
2 establishment in April 2000 of the Global Outbreak
3 Alert and Response network.

4 (6) The capabilities of the World Health Orga-
5 nization are inherently limited by the quality of the
6 data and information it receives from member coun-
7 tries, the narrow range of diseases (plague, cholera,
8 and yellow fever) upon which its disease surveillance
9 and monitoring is based, and the consensus process
10 it uses to add new diseases to the list. Developing
11 countries in particular often cannot devote the nec-
12 essary resources to build and maintain public health
13 infrastructures.

14 (7) In particular, developing countries could
15 benefit from—

16 (A) better trained public health profes-
17 sionals and epidemiologists to recognize disease
18 patterns;

19 (B) appropriate laboratory equipment for
20 diagnosis of pathogens;

21 (C) disease reporting based on symptoms
22 and signs (known as “syndrome surveillance”),
23 affording the earliest possible opportunity to
24 conduct an effective response;

1 (D) a narrowing of the existing technology
2 gap in syndrome surveillance capabilities and
3 real-time information dissemination to public
4 health officials; and

5 (E) appropriate communications equip-
6 ment and information technology to efficiently
7 transmit information and data within national
8 and regional health networks, including inex-
9 pensive, Internet-based Geographic Information
10 Systems (GIS) and relevant telephone-based
11 systems for early recognition and diagnosis of
12 diseases.

13 (8) An effective international capability to mon-
14 itor and quickly diagnose infectious disease out-
15 breaks will offer dividends not only in the event of
16 biological weapons development, testing, production,
17 and attack, but also in the more likely cases of natu-
18 rally occurring infectious disease outbreaks that
19 could threaten the United States. Furthermore, a
20 robust surveillance system will serve to deter ter-
21 rorist use of biological weapons, as early detection
22 will help mitigate the intended effects of such malev-
23 olent uses.

24 (b) PURPOSE.—The purposes of this title are as fol-
25 lows:

1 (1) To enhance the capability and cooperation
2 of the international community, including the World
3 Health Organization and individual countries,
4 through enhanced pathogen surveillance and appro-
5 priate data sharing, to detect, identify, and contain
6 infectious disease outbreaks, whether the cause of
7 those outbreaks is intentional human action or nat-
8 ural in origin.

9 (2) To enhance the training of public health
10 professionals and epidemiologists from eligible devel-
11 oping countries in advanced Internet-based and
12 other electronic syndrome surveillance systems, in
13 addition to traditional epidemiology methods, so that
14 they may better detect, diagnose, and contain infec-
15 tious disease outbreaks, especially those due to
16 pathogens most likely to be used in a biological
17 weapons attack.

18 (3) To provide assistance to developing coun-
19 tries to purchase appropriate public health labora-
20 tory equipment necessary for infectious disease sur-
21 veillance and diagnosis.

22 (4) To provide assistance to developing coun-
23 tries to purchase appropriate communications equip-
24 ment and information technology, including, as ap-
25 propriate, relevant computer equipment, Internet

1 connectivity mechanisms, and telephone-based appli-
2 cations to effectively gather, analyze, and transmit
3 public health information for infectious disease sur-
4 veillance and diagnosis.

5 (5) To make available greater numbers of
6 United States Government public health profes-
7 sionals to international health organizations, re-
8 gional health networks, and United States diplo-
9 matic missions where appropriate.

10 (6) To establish “lab-to-lab” cooperative rela-
11 tionships between United States public health lab-
12 oratories and established foreign counterparts.

13 (7) To expand the training and outreach activi-
14 ties of overseas United States laboratories, including
15 Centers for Disease Control and Prevention and De-
16 partment of Defense entities, to enhance the disease
17 surveillance capabilities of developing countries.

18 (8) To provide appropriate technical assistance
19 to existing regional health networks and, where ap-
20 propriate, seed money for new regional networks.

21 **SEC. 2403. DEFINITIONS.**

22 In this title:

23 (1) **BIOLOGICAL WEAPONS CONVENTION.**—The
24 term “Biological Weapons Convention” means the
25 Convention on the Prohibition of the Development,

1 Production and Stockpiling of Bacteriological (Bio-
2 logical) and Toxin Weapons and on Their Destruc-
3 tion, signed at Washington, London, and Moscow
4 April 10, 1972.

5 (2) ELIGIBLE DEVELOPING COUNTRY.—The
6 term “eligible developing country” means any devel-
7 oping country that—

8 (A) has agreed to the objective of fully
9 complying with requirements of the World
10 Health Organization on reporting public health
11 information on outbreaks of infectious diseases;

12 (B) has not been determined by the Sec-
13 retary, for purposes of section 40 of the Arms
14 Export Control Act (22 U.S.C. 2780), section
15 620A of the Foreign Assistance Act of 1961
16 (22 U.S.C. 2371), or section 6(j) of the Export
17 Administration Act of 1979 (50 U.S.C. App.
18 2405), to have repeatedly provided support for
19 acts of international terrorism, unless the Sec-
20 retary exercises a waiver certifying that it is in
21 the national interest of the United States to
22 provide assistance under the provisions of this
23 title; and

24 (C) is a state party to the Biological
25 Weapons Convention.

1 (3) ELIGIBLE NATIONAL.—The term “eligible
2 national” means any citizen or national of an eligible
3 developing country who is eligible to receive a visa
4 under the provisions of the Immigration and Nation-
5 ality Act (8 U.S.C. 1101 et seq.).

6 (4) INTERNATIONAL HEALTH ORGANIZATION.—
7 The term “international health organization” in-
8 cludes the World Health Organization and the Pan
9 American Health Organization.

10 (5) LABORATORY.—The term “laboratory”
11 means a facility for the biological, microbiological,
12 serological, chemical, immuno-hematological,
13 hematological, biophysical, cytological, pathological,
14 or other examination of materials derived from the
15 human body for the purpose of providing informa-
16 tion for the diagnosis, prevention, or treatment of
17 any disease or impairment of, or the assessment of
18 the health of, human beings.

19 (6) SELECT AGENT.—The term “select agent”
20 has the meaning given such term for purposes of
21 section 72.6 of title 42, Code of Federal Regula-
22 tions.

23 (7) SYNDROME SURVEILLANCE.—The term
24 “syndrome surveillance” means the recording of
25 symptoms (patient complaints) and signs (derived

1 from physical examination) combined with simple ge-
2 ographic locators to track the emergence of a disease
3 in a population.

4 **SEC. 2404. PRIORITY FOR CERTAIN COUNTRIES.**

5 Priority in the provision of United States assistance
6 for eligible developing countries under all the provisions
7 of this title shall be given to those countries that permit
8 personnel from the World Health Organization and the
9 Centers for Disease Control and Prevention to investigate
10 outbreaks of infectious diseases on their territories, pro-
11 vide early notification of disease outbreaks, and provide
12 pathogen surveillance data to appropriate United States
13 departments and agencies in addition to international
14 health organizations.

15 **SEC. 2405. RESTRICTION.**

16 Notwithstanding any other provision of this title, no
17 foreign nationals participating in programs authorized
18 under this title shall have access, during the course of such
19 participation, to select agents that may be used as, or in,
20 a biological weapon, except in a supervised and controlled
21 setting.

22 **SEC. 2406. FELLOWSHIP PROGRAM.**

23 (a) ESTABLISHMENT.—There is established a fellow-
24 ship program (in this section referred to as the “pro-
25 gram”) under which the Secretary, in consultation with

1 the Secretary of Health and Human Services and subject
2 to the availability of appropriations, shall award fellow-
3 ships to eligible nationals to pursue public health edu-
4 cation or training, as follows:

5 (1) MASTER OF PUBLIC HEALTH DEGREE.—
6 Graduate courses of study leading to a master of
7 public health degree with a concentration in epidemi-
8 ology from an institution of higher education in the
9 United States with a Center for Public Health Pre-
10 paredness, as determined by the Centers for Disease
11 Control and Prevention.

12 (2) ADVANCED PUBLIC HEALTH EPIDEMIOLOGY
13 TRAINING.—Advanced public health training in epi-
14 demiology to be carried out at the Centers for Dis-
15 ease Control and Prevention (or equivalent State fa-
16 cility), or other Federal facility (excluding the De-
17 partment of Defense or United States National Lab-
18 oratories), for a period of not less than 6 months or
19 more than 12 months.

20 (b) SPECIALIZATION IN BIOTERRORISM.—In addition
21 to the education or training specified in subsection (a),
22 each recipient of a fellowship under this section (in this
23 section referred to as a “fellow”) may take courses of
24 study at the Centers for Disease Control and Prevention

1 or at an equivalent facility on diagnosis and containment
2 of likely bioterrorism agents.

3 (c) FELLOWSHIP AGREEMENT.—

4 (1) IN GENERAL.—In awarding a fellowship
5 under the program, the Secretary, in consultation
6 with the Secretary of Health and Human Services,
7 shall require the recipient to enter into an agree-
8 ment under which, in exchange for such assistance,
9 the recipient—

10 (A) will maintain satisfactory academic
11 progress (as determined in accordance with reg-
12 ulations issued by the Secretary and confirmed
13 in regularly scheduled updates to the Secretary
14 from the institution providing the education or
15 training on the progress of the recipient’s edu-
16 cation or training);

17 (B) will, upon completion of such edu-
18 cation or training, return to the recipient’s
19 country of nationality or last habitual residence
20 (so long as it is an eligible developing country)
21 and complete at least four years of employment
22 in a public health position in the government or
23 a nongovernmental, not-for-profit entity in that
24 country or, with the approval of the Secretary,
25 complete part or all of this requirement through

1 service with an international health organiza-
2 tion without geographic restriction; and

3 (C) agrees that, if the recipient is unable
4 to meet the requirements described in subpara-
5 graph (A) or (B), the recipient will reimburse
6 the United States for the value of the assist-
7 ance provided to the recipient under the fellow-
8 ship, together with interest at a rate deter-
9 mined in accordance with regulations issued by
10 the Secretary but not higher than the rate gen-
11 erally applied in connection with other Federal
12 loans.

13 (2) WAIVERS.—The Secretary may waive the
14 application of paragraph (1)(B) and (1)(C) if the
15 Secretary determines that it is in the national inter-
16 est of the United States to do so.

17 (d) IMPLEMENTATION.—The Secretary, in consulta-
18 tion with the Secretary of Health and Human Services,
19 is authorized to enter into an agreement with any eligible
20 developing country under which the country agrees—

21 (1) to establish a procedure for the nomination
22 of eligible nationals for fellowships under this sec-
23 tion;

1 (2) to guarantee that a fellow will be offered a
2 professional public health position within the country
3 upon completion of his studies; and

4 (3) to certify to the Secretary when a fellow has
5 concluded the minimum period of employment in a
6 public health position required by the fellowship
7 agreement, with an explanation of how the require-
8 ment was met.

9 (e) PARTICIPATION OF UNITED STATES CITIZENS.—

10 On a case-by-case basis, the Secretary may provide for the
11 participation of United States citizens under the provi-
12 sions of this section if the Secretary determines that it
13 is in the national interest of the United States to do so.
14 Upon completion of such education or training, a United
15 States recipient shall complete at least 5 years of employ-
16 ment in a public health position in an eligible developing
17 country or an international health organization.

18 **SEC. 2407. IN-COUNTRY TRAINING IN LABORATORY TECH-**

19 **NIQUES AND SYNDROME SURVEILLANCE.**

20 (a) IN GENERAL.—In conjunction with the Centers
21 for Disease Control and Prevention and the Department
22 of Defense, the Secretary shall, subject to the availability
23 of appropriations, support short training courses in-coun-
24 try (not in the United States) for laboratory technicians
25 and other public health personnel from eligible developing

1 countries in laboratory techniques relating to the identi-
2 fication, diagnosis, and tracking of pathogens responsible
3 for possible infectious disease outbreaks. Training under
4 this section may be conducted in overseas facilities of the
5 Centers for Disease Control and Prevention or in Overseas
6 Medical Research Units of the Department of Defense, as
7 appropriate. The Secretary shall coordinate such training
8 courses, where appropriate, with the existing programs
9 and activities of the World Health Organization.

10 (b) TRAINING IN SYNDROME SURVEILLANCE.—In
11 conjunction with the Centers for Disease Control and Pre-
12 vention and the Department of Defense, the Secretary
13 shall, subject to the availability of appropriations, estab-
14 lish and support short training courses in-country (not in
15 the United States) for public health personnel from eligi-
16 ble developing countries in techniques of syndrome surveil-
17 lance reporting and rapid analysis of syndrome informa-
18 tion using Geographic Information System (GIS) and
19 other Internet-based tools. Training under this subsection
20 may be conducted via the Internet or in appropriate facili-
21 ties as determined by the Secretary. The Secretary shall
22 coordinate such training courses, where appropriate, with
23 the existing programs and activities of the World Health
24 Organization.

1 **SEC. 2408. ASSISTANCE FOR THE PURCHASE AND MAINTENANCE OF PUBLIC HEALTH LABORATORY EQUIPMENT.**

2
3
4 (a) **AUTHORIZATION.**—The President is authorized,
5 on such terms and conditions as the President may deter-
6 mine, to furnish assistance to eligible developing countries
7 to purchase and maintain public health laboratory equip-
8 ment described in subsection (b).

9 (b) **EQUIPMENT COVERED.**—Equipment described in
10 this subsection is equipment that is—

11 (1) appropriate, where possible, for use in the
12 intended geographic area;

13 (2) necessary to collect, analyze, and identify
14 expeditiously a broad array of pathogens, including
15 mutant strains, which may cause disease outbreaks
16 or may be used as a biological weapon;

17 (3) compatible with general standards set forth,
18 as appropriate, by the World Health Organization
19 and the Centers for Disease Control and Prevention,
20 to ensure interoperability with regional and inter-
21 national public health networks; and

22 (4) not defense articles or defense services as
23 those terms are defined under section 47 of the
24 Arms Export Control Act (22 U.S.C. 2794).

25 (c) **RULE OF CONSTRUCTION.**—Nothing in this sec-
26 tion shall be construed to exempt the exporting of goods

1 and technology from compliance with applicable provisions
2 of the Export Administration Act of 1979 (50 U.S.C. App.
3 2401 et seq.) (or successor statutes).

4 (d) LIMITATION.—Amounts appropriated to carry
5 out this section shall not be made available for the pur-
6 chase from a foreign country of equipment that, if made
7 in the United States, would be subject to the Arms Export
8 Control Act (22 U.S.C. 2751 et seq.) or likely be barred
9 or subject to special conditions under the Export Adminis-
10 tration Act of 1979 (50 U.S.C. App. 2401 et seq.) (or
11 successor statutes).

12 (e) HOST COUNTRY'S COMMITMENTS.—The assist-
13 ance provided under this section shall be contingent upon
14 the host country's commitment to provide the resources,
15 infrastructure, and other assets required to house, main-
16 tain, support, secure, and maximize use of this equipment
17 and appropriate technical personnel.

18 **SEC. 2409. ASSISTANCE FOR IMPROVED COMMUNICATION**
19 **OF PUBLIC HEALTH INFORMATION.**

20 (a) ASSISTANCE FOR PURCHASE OF COMMUNICATION
21 EQUIPMENT AND INFORMATION TECHNOLOGY.—The
22 President is authorized to provide, on such terms and con-
23 ditions as the President may determine, assistance to eligi-
24 ble developing countries for the purchase and maintenance
25 of communications equipment and information technology

1 described in subsection (b), and supporting equipment,
2 necessary to effectively collect, analyze, and transmit pub-
3 lic health information.

4 (b) COVERED EQUIPMENT.—Equipment (and infor-
5 mation technology) described in this subsection is equip-
6 ment that—

7 (1) is suitable for use under the particular con-
8 ditions of the area of intended use;

9 (2) meets appropriate World Health Organiza-
10 tion standards to ensure interoperability with like
11 equipment of other countries and international
12 health organizations; and

13 (3) is not defense articles or defense services as
14 those terms are defined under section 47 of the
15 Arms Export Control Act (22 U.S.C. 2794).

16 (c) RULE OF CONSTRUCTION.—Nothing in this sec-
17 tion shall be construed to exempt the exporting of goods
18 and technology from compliance with applicable provisions
19 of the Export Administration Act of 1979 (50 U.S.C. App.
20 2401 et seq.) (or successor statutes).

21 (d) LIMITATION.—Amounts appropriated to carry
22 out this section shall not be made available for the pur-
23 chase from a foreign country of equipment that, if made
24 in the United States, would be subject to the Arms Export
25 Control Act or likely be barred or subject to special condi-

1 tions under the Export Administration Act of 1979 (50
2 U.S.C. App. 2401 et seq.) (or successor statutes).

3 (e) ASSISTANCE FOR STANDARDIZATION OF REPORT-
4 ING.—The President is authorized to provide, on such
5 terms and conditions as the President may determine,
6 technical assistance and grant assistance to international
7 health organizations to facilitate standardization in the re-
8 porting of public health information between and among
9 developing countries and international health organiza-
10 tions.

11 (f) HOST COUNTRY'S COMMITMENTS.—The assist-
12 ance provided under this section shall be contingent upon
13 the host country's commitment to provide the resources,
14 infrastructure, and other assets required to house, sup-
15 port, maintain, secure, and maximize use of this equip-
16 ment and appropriate technical personnel.

17 **SEC. 2410. ASSIGNMENT OF PUBLIC HEALTH PERSONNEL**
18 **TO UNITED STATES MISSIONS AND INTER-**
19 **NATIONAL ORGANIZATIONS.**

20 (a) IN GENERAL.—Upon the request of a United
21 States chief of diplomatic mission or an international
22 health organization, and with the concurrence of the Sec-
23 retary, the head of a Federal agency may assign to the
24 respective United States mission or organization any offi-
25 cer or employee of the agency occupying a public health

1 position within the agency for the purpose of enhancing
2 disease and pathogen surveillance efforts in developing
3 countries.

4 (b) REIMBURSEMENT.—The costs incurred by a Fed-
5 eral agency by reason of the detail of personnel under sub-
6 section (a) may be reimbursed to that agency out of the
7 applicable appropriations account of the Department if the
8 Secretary determines that the relevant agency may other-
9 wise be unable to assign such personnel on a non-reim-
10 bursable basis.

11 **SEC. 2411. EXPANSION OF CERTAIN UNITED STATES GOV-**
12 **ERNMENT LABORATORIES ABROAD.**

13 (a) IN GENERAL.—Subject to the availability of ap-
14 propriations, the Centers for Disease Control and Preven-
15 tion and the Department of Defense shall each—

16 (1) increase the number of personnel assigned
17 to laboratories of the Centers or the Department, as
18 appropriate, located in eligible developing countries
19 that conduct research and other activities with re-
20 spect to infectious diseases; and

21 (2) expand the operations of those laboratories,
22 especially with respect to the implementation of on-
23 site training of foreign nationals and regional out-
24 reach efforts involving neighboring countries.

1 (b) COOPERATION AND COORDINATION BETWEEN
 2 LABORATORIES.—Subsection (a) shall be carried out in
 3 such a manner as to foster cooperation and avoid duplica-
 4 tion between and among laboratories.

5 (c) RELATION TO CORE MISSIONS AND SECURITY.—
 6 The expansion of the operations of overseas laboratories
 7 of the Centers or the Department under this section shall
 8 not—

9 (1) detract from the established core missions
 10 of the laboratories; or

11 (2) compromise the security of those labora-
 12 tories, as well as their research, equipment, exper-
 13 tise, and materials.

14 **SEC. 2412. ASSISTANCE FOR REGIONAL HEALTH NETWORKS**
 15 **AND EXPANSION OF FOREIGN EPIDEMI-**
 16 **LOGY TRAINING PROGRAMS.**

17 (a) AUTHORITY.—The President is authorized, on
 18 such terms and conditions as the President may deter-
 19 mine, to provide assistance for the purposes of—

20 (1) enhancing the surveillance and reporting ca-
 21 pabilities of the World Health Organization and ex-
 22 isting regional health networks; and

23 (2) developing new regional health networks.

24 (b) EXPANSION OF FOREIGN EPIDEMIOLOGY TRAIN-
 25 ING PROGRAMS.—The Secretary of Health and Human

1 Services is authorized to establish new country or regional
2 Foreign Epidemiology Training Programs in eligible devel-
3 oping countries.

4 **SEC. 2413. AUTHORIZATION OF APPROPRIATIONS.**

5 (a) AUTHORIZATION OF APPROPRIATIONS.—

6 (1) IN GENERAL.—Of the amounts authorized
7 to be appropriated under this division for Non-
8 proliferation, Anti-terrorism, Demining and Related
9 Programs, there is authorized to be appropriated
10 \$35,000,000 for the fiscal year 2005 to carry out
11 this title.

12 (2) ALLOCATION OF FUNDS.—Of the amounts
13 made available under paragraph (1)—

14 (A) \$25,000,000 for the fiscal year 2005 is
15 authorized to be available to carry out sections
16 2406, 2407, 2408, and 2409;

17 (B) \$500,000 for the fiscal year 2005 is
18 authorized to be available to carry out section
19 2410;

20 (C) \$2,500,000 for the fiscal year 2005 is
21 authorized to be available to carry out section
22 2411; and

23 (D) \$7,000,000 for the fiscal year 2005 is
24 authorized to be available to carry out section
25 2412.

1 (b) AVAILABILITY OF FUNDS.—The amount appro-
 2 priated pursuant to subsection (a) is authorized to remain
 3 available until expended.

4 (c) REPORTING REQUIREMENT.—Not later than 90
 5 days after the date of enactment of this title, the Secretary
 6 shall submit a report, in conjunction with the Secretary
 7 of Health and Human Services and the Secretary of De-
 8 fense, containing—

9 (1) a description of the implementation of pro-
 10 grams under this title; and

11 (2) an estimate of the level of funding required
 12 to carry out those programs at a sufficient level.

13 **TITLE XXV—REPORTING RE-**
 14 **QUIREMENTS AND OTHER**
 15 **MATTERS**

16 **Subtitle A—Elimination and Modi-**
 17 **fication of Certain Reporting**
 18 **Requirements**

19 **SEC. 2501. ANNUAL REPORT ON TERRITORIAL INTEGRITY.**

20 Section 560 of the Foreign Operations, Export Fi-
 21 nancing, and Related Programs Appropriations Act, 1994
 22 (titles I through V of Public Law 103–87; 107 Stat. 966)
 23 is amended by striking subsection (g).

1 **SEC. 2502. ANNUAL REPORTS ON ACTIVITIES IN COLOMBIA.**

2 Section 694 of the Foreign Relations Authorization
3 Act, Fiscal Year 2003 (Public Law 107–228; 116 Stat.
4 1415; 22 U.S.C. 2291 note) is amended by adding at the
5 end the following:

6 “(c) REPORT CONSOLIDATION.—The Secretary may
7 satisfy the annual reporting requirements of this section
8 by incorporating the required information with the annual
9 report submitted pursuant to section 489(a) of the For-
10 eign Assistance Act of 1961 (22 U.S.C. 2291h(a)).”.

11 **SEC. 2503. ANNUAL REPORT ON FOREIGN MILITARY TRAIN-**
12 **ING.**

13 Subsection (a)(1) of section 656 of the Foreign As-
14 sistance Act of 1961 (22 U.S.C. 2416) is amended by
15 striking “January 31” and inserting “March 1”.

16 **SEC. 2504. REPORT ON HUMAN RIGHTS IN HAITI.**

17 Section 616(c) of the Departments of Commerce,
18 Justice, and State, the Judiciary, and Related Agencies
19 Appropriations Act, 1999 (section 101(b) of division A of
20 Public Law 105–277; 112 Stat. 2681–114), is amended—

21 (1) in paragraph (2), by striking “not later
22 than 3 months after the date of enactment of this
23 Act” and inserting “as part of the annual report
24 submitted under paragraph (4) of this subsection”;
25 and

1 (2) in paragraph (3), by inserting “, as part of
2 the annual report submitted under paragraph (4) of
3 this subsection,” after “the appropriate congress-
4 sional committees”.

5 **Subtitle B—Other Matters**

6 **SEC. 2511. CERTAIN CLAIMS FOR EXPROPRIATION BY THE** 7 **GOVERNMENT OF NICARAGUA.**

8 Section 527 of the Foreign Relations Authorization
9 Act, Fiscal Years 1994 and 1995 (22 U.S.C. 2370a) is
10 amended by adding at the end the following new sub-
11 section:

12 “(i) CERTAIN CLAIMS FOR EXPROPRIATION BY THE
13 GOVERNMENT OF NICARAGUA.—

14 “(1) MATTERS NOT TO BE CONSIDERED.—Any
15 action described in subsection (a)(1) that was taken
16 by the Government of Nicaragua during the period
17 beginning on January 1, 1956, and ending on Janu-
18 ary 9, 2002, may not be considered in implementing
19 the prohibition under subsection (a) unless the ac-
20 tion has been presented in accordance with the pro-
21 cedure set forth in paragraph (2).

22 “(2) ACTIONS PRESENTED.—An action shall be
23 deemed presented for purposes of paragraph (1) if,
24 not later than 120 days after the date prescribed

1 under paragraph (3), a written description of the ac-
2 tion is—

3 “(A) submitted to the Secretary of State
4 by a United States person; and

5 “(B) received by the Department of State
6 at—

7 “(i) the headquarters of the Depart-
8 ment of State in Washington, District of
9 Columbia; or

10 “(ii) the Embassy of the United
11 States of America to Nicaragua.

12 “(3) TIME FOR PRESENTATION.—The Secretary
13 of State shall prescribe the date on which the pres-
14 entation deadline is based for the purposes of para-
15 graph (2) and shall publish a notice of such date in
16 the Federal Register. The prescribed date may be
17 any date selected by the Secretary in the Secretary’s
18 sole discretion, except that such date may not be the
19 date on which this subsection takes effect or any
20 date before such effective date.”.

21 **SEC. 2512. AMENDMENTS TO THE ARMS CONTROL AND DIS-**
22 **ARMAMENT ACT.**

23 (a) VERIFICATION OF COMPLIANCE.—Section 306(a)
24 of the Arms Control and Disarmament Act (22 U.S.C.
25 2577(a)) is amended by inserting “or other formal com-

1 mitment” after “agreement” each place it appears in
2 paragraphs (1) and (2).

3 (b) ANNUAL REPORTS TO CONGRESS.—

4 (1) REQUIREMENT FOR REPORTS.—Section 403
5 of the Arms Control and Disarmament Act (22
6 U.S.C. 2593a) is amended to read as follows:

7 “SEC. 403. (a) REPORT ON OBJECTIVES AND NEGOTIATIONS.—Not later than April 15 of each year, the
8 President shall submit to the Speaker of the House of
9 Representatives and to the Chairman of the Committee
10 on Foreign Relations of the Senate a report prepared by
11 the Secretary of State in consultation with the Secretary
12 of Defense, the Secretary of Energy, the Director of Central
13 Intelligence, and the Chairman of the Joint Chiefs
14 of Staff on the status of United States policy and actions
15 with respect to arms control, nonproliferation, and disarmament.
16 Such report shall include—

17
18 “(1) a detailed statement concerning the arms
19 control, nonproliferation, and disarmament objectives
20 of the executive branch of Government for the
21 forthcoming year; and

22 “(2) a detailed assessment of the status of any
23 ongoing arms control, nonproliferation, or disarmament
24 negotiations, including a comprehensive description
25 of negotiations or other activities during

1 the preceding year and an appraisal of the status
2 and prospects for the forthcoming year.

3 “(b) REPORT ON COMPLIANCE.—Not later than April
4 15 of each year, the President shall submit to the Speaker
5 of the House of Representatives and to the Chairman of
6 the Committee on Foreign Relations of the Senate a re-
7 port prepared by the Secretary of State with the concur-
8 rence of the Director of Central Intelligence and in con-
9 sultation with the Secretary of Defense, the Secretary of
10 Energy, and the Chairman of the Joint Chiefs of Staff
11 on the status of United States policy and actions with re-
12 spect to arms control, nonproliferation, and disarmament
13 compliance. Such report shall include—

14 “(1) a detailed assessment of adherence of the
15 United States to obligations undertaken in arms
16 control, nonproliferation, and disarmament agree-
17 ments, including information on the policies and or-
18 ganization of each relevant agency or department of
19 the United States to ensure adherence to such obli-
20 gations, a description of national security programs
21 with a direct bearing on questions of adherence to
22 such obligations and of steps being taken to ensure
23 adherence, and a compilation of any substantive
24 questions raised during the preceding year and any
25 corrective action taken;

1 “(2) a detailed assessment of the adherence of
2 other nations to obligations undertaken in all arms
3 control, nonproliferation, and disarmament agree-
4 ments or commitments, including the Missile Tech-
5 nology Control Regime, to which the United States
6 is a participating state, including information on ac-
7 tions taken by each nation with regard to the size,
8 structure, and disposition of its military forces in
9 order to comply with arms control, nonproliferation,
10 or disarmament agreements or commitments, and
11 shall include, in the case of each agreement or com-
12 mitment about which compliance questions exist—

13 “(A) a description of each significant issue
14 raised and efforts made and contemplated with
15 the other participating state to seek resolution
16 of the difficulty;

17 “(B) an assessment of damage, if any, to
18 the United States security and other interests;

19 “(C) recommendations as to any steps that
20 should be considered to redress any damage to
21 United States national security and to reduce
22 compliance problems; and

23 “(D) for states that are not parties to such
24 agreements or commitments, a description of
25 activities of concern carried out by such states

1 and efforts underway to bring such states into
2 adherence with such agreements or commit-
3 ments;

4 “(3) a discussion of any material noncompliance
5 by foreign governments with their binding commit-
6 ments to the United States with respect to the pre-
7 vention of the spread of nuclear explosive devices (as
8 defined in section 830(4) of the Nuclear Prolifera-
9 tion Prevention Act of 1994 (22 U.S.C. 6305(4)) by
10 non-nuclear-weapon states (as defined in section
11 830(5) of that Act (22 U.S.C. 6305(5)) or the ac-
12 quisition by such states of unsafeguarded special nu-
13 clear material (as defined in section 830(8) of that
14 Act (22 U.S.C. 6305(8)), including—

15 “(A) a net assessment of the aggregate
16 military significance of all such violations;

17 “(B) a statement of the compliance policy
18 of the United States with respect to violations
19 of those commitments; and

20 “(C) what actions, if any, the President
21 has taken or proposes to take to bring any na-
22 tion committing such a violation into compli-
23 ance with those commitments; and

24 “(4) a specific identification, to the maximum
25 extent practicable in unclassified form, of each and

1 every question that exists with respect to compliance
2 by other countries with arms control, nonprolifera-
3 tion, and disarmament agreements and other formal
4 commitments with the United States.

5 “(c) CHEMICAL WEAPONS CONVENTION COMPLI-
6 ANCE REPORT REQUIREMENT SATISFIED.—The report
7 submitted pursuant to subsection (b) shall include the in-
8 formation necessary to satisfy Condition 10(C) of the reso-
9 lution of advice and consent to the Convention on the Pro-
10 hibition of Development, Production, Stockpiling and Use
11 of Chemical Weapons and on Their Destruction, with an-
12 nexes, done at Paris, January 13, 1993, and entered into
13 force April 29, 1997 (T. Doc. 103–21), approved by the
14 Senate on April 24, 1997.

15 “(d) CLASSIFICATION OF REPORT.—The reports re-
16 quired by this section shall be submitted in unclassified
17 form, with classified annexes, as appropriate. The report
18 portions described in paragraphs (2) and (3) of subsection
19 (b) shall summarize in detail, at least in classified an-
20 nexes, the information, analysis, and conclusions relevant
21 to possible noncompliance by other nations that are pro-
22 vided by United States intelligence agencies.

23 “(e) REPORTING CONSECUTIVE NONCOMPLIANCE.—
24 If the President in consecutive reports submitted to the
25 Congress under subsection (b) reports that any nation is

1 not in full compliance with its binding nonproliferation
2 commitments to the United States, then the President
3 shall include in the second such report an assessment of
4 what actions are necessary to compensate for such viola-
5 tions.

6 “(f) **ADDITIONAL REQUIREMENT.**—Each report re-
7 quired by subsection (b) shall include a discussion of each
8 significant issue described in subsection (b)(4) that was
9 contained in a previous report issued under this section
10 during 1995, or after December 31, 1995, until the ques-
11 tion or concern has been resolved and such resolution has
12 been reported in detail to the Committee on Foreign Rela-
13 tions and the Select Committee on Intelligence of the Sen-
14 ate and the Committee on International Relations and the
15 Permanent Select Committee on Intelligence of the House
16 of Representatives.”.

17 (2) **CONFORMING AMENDMENT.**—The heading
18 of such section is amended to read as follows:

19 “ANNUAL REPORTS TO CONGRESS”.

20 **SEC. 2513. SUPPORT FOR SIERRA LEONE.**

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

23 (1) As of January 1, 2004, the United States
24 had provided a total of \$634,000,000 to the United
25 Nations Mission in Sierra Leone and to Operation

1 Focus Relief for the purpose of bringing peace and
2 stability to Sierra Leone.

3 (2) In fiscal year 2004, Congress appropriated
4 \$68,733,000 to support the United Nations Mission
5 in Sierra Leone, and the President has requested
6 \$33,011,000 for fiscal year 2005 to support such
7 Mission.

8 (b) SENSE OF CONGRESS.—It is the sense of Con-
9 gress that the considerable United States investment in
10 stability in Sierra Leone should be secured through appro-
11 priate support for activities aimed at enhancing Sierra
12 Leone’s long-term prospect for peaceful development.

13 (c) AVAILABILITY OF FUNDS.—Of the amounts made
14 available under chapter 1 of part I of the Foreign Assist-
15 ance Act of 1961 (22 U.S.C. 2151 et seq.) or chapter 4
16 of part II of such Act (22 U.S.C. 2346 et seq.), up to
17 \$12,000,000 may be made available in fiscal year 2005
18 to support programs for Sierra Leone—

19 (1) to increase access to primary and secondary
20 education in rural areas;

21 (2) designed to alleviate poverty; and

22 (3) to eliminate government corruption.

1 **SEC. 2514. SUPPORT FOR INDEPENDENT MEDIA IN ETHI-**
2 **OPIA.**

3 Of the amounts made available under chapter 1 of
4 part I of the Foreign Assistance Act of 1961 (22 U.S.C.
5 2151 et seq.), such sums as are necessary may be made
6 available in fiscal year 2005 to support independent media
7 in Ethiopia, including providing support to—

- 8 (1) strengthen the capacity of journalists; and
9 (2) increase access to printing facilities by indi-
10 viduals who work in the print media.

11 **SEC. 2515. SUPPORT FOR SOMALIA.**

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

14 (1) the United States should work—

15 (A) to support efforts to strengthen state
16 capacity in Somalia;

17 (B) to curtail opportunities for terrorists
18 and other international criminals in Somalia;

19 (C) to engage sectors of Somali society
20 that are working to improve the conditions of
21 the Somali people; and

22 (D) to provide alternatives to extremist in-
23 fluences in Somalia by vigorously pursuing
24 small-scale human development initiatives; and

25 (2) supporting stability in Somalia is in the na-
26 tional interest of the United States.

1 (b) REPORT.—

2 (1) REQUIREMENT.—Not later than 6 months
3 after the date of enactment of this Act, the Sec-
4 retary shall report to the Committee on Foreign Re-
5 lations of the Senate and the Committee on Inter-
6 national Relations of the House of Representatives
7 on the strategy for engaging with pockets of com-
8 petence within the borders of Somalia to both
9 strengthen local capacity and to establish incentives
10 for other communities to seek stability.

11 (2) CONTENT.—The report shall—

12 (A) outline a multi-year strategy for in-
13 creasing—

14 (i) access to primary and secondary
15 education and basic health care services,
16 including projected staffing and resource
17 needs in light of Somalia’s current capac-
18 ity;

19 (ii) support for the efforts underway
20 to establish clear systems for effective reg-
21 ulation and monitoring of Somali remit-
22 tance companies; and

23 (iii) support initiatives to rehabilitate
24 Somalia’s livestock export sector; and

1 (B) evaluate the feasibility of using the
2 Ambassador’s Fund for Cultural Preservation
3 to support Somalia’s cultural heritage, includ-
4 ing the oral traditions of the Somali people.

5 **SEC. 2516. SUPPORT FOR CENTRAL AFRICAN STATES.**

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

8 (1) In recent years, the Central African States
9 of Burundi, the Democratic Republic of the Congo,
10 Rwanda, and Uganda have all been involved in over-
11 lapping conflicts that have destabilized the region
12 and contributed to the deaths of millions of civilians.

13 (2) The Department’s 2002 Country Report on
14 Human Rights Practices in Burundi states that,
15 “impunity for those who committed serious human
16 rights violations, and the continuing lack of account-
17 ability for those who committed past abuses, re-
18 mained key factors in the country’s continuing insta-
19 bility.”

20 (3) The Department’s 2002 Country Report on
21 Human Rights Practices in the Democratic Republic
22 of the Congo states that, “the judiciary continued to
23 be underfunded, inefficient, and corrupt. It largely
24 was ineffective as a deterrent to human rights
25 abuses or as a corrective force.”

1 (4) The Department’s 2002 Country Report on
2 Human Rights Practices in Rwanda states that
3 “there were credible reports that Rwandan Defense
4 Force units operating in the [Democratic Republic
5 of the Congo] committed deliberate unlawful killings
6 and other serious abuses, and impunity remained a
7 problem,” and that “the Government continued to
8 conduct genocide trials at a slow pace.”

9 (5) The Department’s 2002 Country Report on
10 Human Rights Practices in Uganda states that “se-
11 curity forces used excessive force, at times resulting
12 in death, and committed or failed to prevent
13 extrajudicial killings of suspected rebels and civil-
14 ians. The Government enacted measures to improve
15 the discipline and training of security forces and
16 punished some security force officials who were
17 guilty of abuses; however, abuses by the security
18 forces remained a problem.”

19 (6) Ongoing human rights abuses in the Demo-
20 cratic Republic of the Congo, including ethnically-
21 based conflict, threaten the integrity and viability of
22 the Congolese peace process.

23 (b) STATEMENT OF POLICY.—It is the policy of the
24 United States Government to support—

1 (1) efforts aimed at accounting for the grave
2 human rights abuses and crimes against humanity
3 that have taken place throughout the central African
4 region since 1993;

5 (2) programs to encourage reconciliation in
6 communities affected by such crimes; and

7 (3) efforts aimed at preventing such crimes in
8 the future.

9 (c) REPORT.—Not later than 180 days after the date
10 of enactment of this Act, the Secretary shall submit to
11 the appropriate congressional committees a report on the
12 actions taken by the United States Government to imple-
13 ment the policy set out in subsection (b).

14 (d) AUTHORIZATION.—Of the amounts made avail-
15 able under chapter 4 of part II of the Foreign Assistance
16 Act of 1961 (22 U.S.C. 2346 et seq.), up to \$12,000,000
17 may be made available for fiscal year 2005 to support the
18 development of responsible justice and reconciliation
19 mechanisms in the Democratic Republic of the Congo,
20 Rwanda, Burundi, and Uganda, including programs to in-
21 crease awareness of gender-based violence and to improve
22 local capacity to prevent and respond to such violence.

1 **SEC. 2517. AFRICAN CONTINGENCY OPERATIONS TRAINING**
2 **AND ASSISTANCE PROGRAM.**

3 (a) AVAILABILITY OF FUNDS.—Of the amounts made
4 available under chapter 6 of part II of the Foreign Assist-
5 ance Act of 1961 (22 U.S.C 2348 et seq.), \$15,000,000
6 may be made available in fiscal year 2005 to support the
7 African Contingency Operations Training and Assistance
8 program (in this section referred to as “ACOTA”) to en-
9 hance the capacity of African militaries to participate in
10 peace support operations.

11 (b) ELIGIBILITY FOR PARTICIPATION.—

12 (1) CRITERIA.—Countries receiving ACOTA
13 support shall be selected on the basis of—

14 (A) the country’s willingness to participate
15 in peace support operations;

16 (B) the country’s military capability;

17 (C) the country’s democratic governance;

18 (D) the nature of the relations between the
19 civil and military authorities within the country;

20 (E) the human rights record of the coun-
21 try, with particular attention paid to the record
22 of the military; and

23 (F) the relations between the country and
24 its neighboring states.

1 (2) ELIGIBILITY REVIEW.—The eligibility sta-
2 tus of participating countries shall be reviewed at
3 least annually.

4 (c) SENSE OF CONGRESS ON LOCAL CONSULTA-
5 TIONS.—It is the sense of Congress that the Department
6 should—

7 (1) provide information about the nature and
8 purpose of ACOTA training to nationals of a coun-
9 try participating in ACOTA, including parliamentar-
10 ians and nongovernmental humanitarian and human
11 rights organizations; and

12 (2) to the extent possible, provide such informa-
13 tion prior to the beginning of ACOTA training ac-
14 tivities in such country.

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

17 (1) the Department and other relevant depart-
18 ments and agencies should monitor the performance
19 and conduct of military units that receive ACOTA
20 training or support; and

21 (2) the Department should provide to the ap-
22 propriate congressional committees an annual report
23 on the information gained through such monitoring.

1 **SEC. 2518. CONDITION ON THE PROVISION OF CERTAIN**
2 **FUNDS TO INDONESIA.**

3 (a) **CONDITION ON ASSISTANCE.**—Subject to sub-
4 section (c), no funds made available under section 23 of
5 the Arms Export Control Act (22 U.S.C. 2763) or chapter
6 5 of part II of the Foreign Assistance Act of 1961 (22
7 U.S.C. 2347 et seq.) in fiscal year 2005, other than funds
8 made available for expanded military education and train-
9 ing under such chapter, may be available for a program
10 that involves the Government of Indonesia or the Indo-
11 nesian Armed Forces until the President makes the certifi-
12 cation described in subsection (b).

13 (b) **CERTIFICATION.**—The certification referred to in
14 subsection (a) is a certification submitted by the President
15 to the appropriate congressional committees that the Gov-
16 ernment of Indonesia and the Indonesian Armed Forces
17 are taking effective measures, including cooperating with
18 the Director of the Federal Bureau of Investigation—

19 (1) to conduct a full investigation of the attack
20 on United States citizens in West Papua, Indonesia
21 on August 31, 2002; and

22 (2) to criminally prosecute the individuals re-
23 sponsible for such attack.

24 (c) **LIMITATION.**—Nothing in this section shall pro-
25 hibit the United States Government from continuing to
26 conduct programs or training with the Indonesian Armed

1 Forces, including counter-terrorism training, officer visits,
2 port visits, or educational exchanges that are being con-
3 ducted on the date of the enactment of this Act.

4 **SEC. 2519. ASSISTANCE TO COMBAT HIV/AIDS IN CERTAIN**
5 **COUNTRIES OF THE CARIBBEAN REGION.**

6 Section 1(f)(2)(B)(ii)(VII) of the State Department
7 Basic Authorities Act of 1956 (22 U.S.C.
8 2651a(f)(2)(B)(ii)(VII)) is amended by inserting after
9 “Zambia,” the following: “Antigua and Barbuda, the Ba-
10 hamas, Barbados, Belize, Dominica, Grenada, Jamaica,
11 Montserrat, Saint Kitts and Nevis, Saint Vincent and the
12 Grenadines, Saint Lucia, Suriname, Trinidad and Tobago,
13 Dominican Republic,”.

14 **SEC. 2520. REPEAL OF OBSOLETE ASSISTANCE AUTHORITY.**

15 Sections 495 through 495K of the Foreign Assistance
16 Act of 1961 (22 U.S.C. 2292f through 2292q) are re-
17 pealed.

18 **SEC. 2521. TECHNICAL CORRECTIONS.**

19 (a) **ERROR IN ENROLLMENT.**—Effective as of No-
20 vember 21, 1990, as if included therein, section 10(a)(1)
21 of Public Law 101–623 (104 Stat. 3356), relating to an
22 amendment of section 610(a) of the Foreign Assistance
23 Act of 1961 (22 U.S.C. 2360(a)), is amended by striking
24 “‘part I’ ” and inserting “‘part I)’ ”.

1 (b) REDESIGNATION OF DUPLICATIVELY NUMBERED
2 SECTION.—Section 620G of the Foreign Assistance Act
3 of 1961, as added by section 149 of Public Law 104–164
4 (110 Stat. 1436; 22 U.S.C. 2378a), is redesignated as sec-
5 tion 620J.

6 (c) CORRECTION OF SHORT TITLE.—Effective as of
7 September 30, 1961, as if included therein, section 111
8 of Public Law 87–329 (75 Stat. 719; 22 U.S.C. 2151
9 note) is amended by striking “The Foreign” and insert-
10 ing “the ‘Foreign’”.

○