

109<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5911

To establish the United States Commission to Monitor Slavery and its  
Eradication in Sudan.

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IN THE HOUSE OF REPRESENTATIVES

JULY 26, 2006

Mr. SMITH of New Jersey introduced the following bill; which was referred  
to the Committee on International Relations

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## A BILL

To establish the United States Commission to Monitor  
Slavery and its Eradication in Sudan.

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 “Eradication of Slavery  
5 in Sudan Act of 2006”.

6       **SEC. 2. ESTABLISHMENT AND COMPOSITION.**

7       (a) IN GENERAL.—There is established the United  
8 States Commission to Monitor Slavery and its Eradication  
9 in Sudan (in this Act referred to as the “Commission”).

10       (b) MEMBERSHIP.—

1           (1) APPOINTMENT.—The Commission shall be  
2           composed of six members, who shall be United  
3           States citizens who are not employees of the Federal  
4           Government, and who shall be appointed as follows:

5                   (A) One member of the Commission shall  
6                   be appointed by the President.

7                   (B) Two members of the Commission shall  
8                   be appointed by the President pro tempore of  
9                   the Senate, of whom one shall be appointed  
10                  upon the recommendation of the leader in the  
11                  Senate of the political party that is not the po-  
12                  litical party of the President, and of whom shall  
13                  be appointed upon the recommendation of the  
14                  leader in the Senate of the other political party.

15                  (C) Two members of the Commission shall  
16                  be appointed by the Speaker of the House of  
17                  Representatives, of whom shall be appointed  
18                  upon the recommendation of the leader in the  
19                  House of the political party that is not the po-  
20                  litical party of the President, and of whom one  
21                  shall be appointed upon the recommendation of  
22                  the leader in the House of the other political  
23                  party.

24           (2) SELECTION.—

1           (A) IN GENERAL.—Members of the Com-  
2 mission shall be selected from among distin-  
3 guished individuals noted for their knowledge  
4 and experience in fields relevant to the issues of  
5 abduction and enslavement of persons in  
6 Sudan, human rights, and international law.

7           (B) SECURITY CLEARANCES.—Each mem-  
8 ber of the Commission shall be required to ob-  
9 tain an appropriate security clearance necessary  
10 to carry out the purposes of this Act.

11          (3) TIME OF APPOINTMENT.—The appoint-  
12 ments required under paragraph (1) shall be made  
13 not later than 90 days after the date of the enact-  
14 ment of this Act.

15          (c) TERM OF OFFICE.—The term of office of each  
16 member of the Commission shall be three years. Members  
17 of the Commission shall be eligible for reappointment to  
18 a second term.

19          (d) TIME FOR MEETINGS AND ELECTIONS OF  
20 CHAIR.—

21           (1) INITIAL MEETING.—Not later than 60 days  
22 after all the appointments have been made under  
23 subsection (b), the Commission shall hold its initial  
24 meeting.

1           (2) ELECTION OF CHAIR.—A majority of the  
2 members of the Commission present and voting at  
3 the initial meeting shall elect the Chair of the Com-  
4 mission.

5           (3) SUBSEQUENT MEETINGS.—Each year the  
6 Commission shall meet at the call of the Chair or,  
7 if no Chair has been elected for that calendar year,  
8 at the call of three voting members of the Commis-  
9 sion.

10          (4) SUBSEQUENT ELECTIONS OF CHAIR.—At  
11 the first meeting of the Commission in each calendar  
12 year, a majority of the members of the Commission  
13 present and voting shall elect the Chair of the Com-  
14 mission.

15          (e) EXECUTIVE DIRECTOR.—Not later than 60 days  
16 after the initial meeting under subsection (d)(1), the  
17 Chair, in consultation with the members of the Commis-  
18 sion, shall hire an Executive Director.

19          (f) DUTIES OF EXECUTIVE DIRECTOR.—The Execu-  
20 tive Director hired under subsection (e) shall—

21               (1) prepare a workplan for the Commission's  
22 duties under section 3;

23               (2) devise a budget for the annual operations of  
24 the Commission;

1           (3) hire staff and consultants for the Commis-  
2           sion;

3           (4) develop working relationships with like-  
4           minded civil society organizations; and

5           (5) work with the General Services Administra-  
6           tion to identify offices for the Commission and take  
7           all necessary actions for the Commission to occupy  
8           its space, acquire equipment, and secure all nec-  
9           essary services.

10          (g) QUORUM.—Three voting members of the Com-  
11          mission shall constitute a quorum for purposes of con-  
12          ducting the affairs of the Commission.

13          (h) VACANCIES.—Any vacancy of the Commission  
14          shall not affect its powers, but shall be filled in the manner  
15          in which the original appointment was made.

16          (i) ADMINISTRATIVE SUPPORT.—The President shall  
17          provide working space for the Commission at no cost  
18          through the General Services Administration.

19          (j) FUNDING.—Members of the Commission shall be  
20          allowed travel expenses, including per diem in lieu of sub-  
21          sistence, at rates authorized for employees of agencies  
22          under subchapter I of chapter 57 of title 5, United States  
23          Code, while away from their homes or regular places of  
24          business in the performance of services for the Commis-  
25          sion.

1 **SEC. 3. DUTIES OF THE COMMISSION.**

2 (a) IN GENERAL.—The Commission shall have as its  
3 primary responsibility—

4 (1) reporting on progress made by the Govern-  
5 ment of Sudan and nongovernmental organizations  
6 in identifying the location of slaves in Sudan and en-  
7 suring their freedom;

8 (2) working with the Government of Sudan to  
9 ensure safe passage of freed slaves and family reuni-  
10 fication;

11 (3) documenting existing cases of slavery and  
12 working to prevent new cases from occurring;

13 (4) ensuring that former slaves have access to  
14 basic education and skill training, as well as medical,  
15 social, and psychological support needed for their ef-  
16 fective rehabilitation and reintegration into society;  
17 and

18 (5) ensuring that those individuals responsible  
19 for slavery are brought to justice.

20 (b) HEARINGS AND SESSIONS.—The Commission  
21 may, for the purpose of carrying out its duties under this  
22 Act, hold hearings, sit and act at times and places, take  
23 testimony, and receive evidence as the Commission deter-  
24 mines necessary.

25 (c) POLICY REVIEW AND RECOMMENDATIONS IN RE-  
26 SPONSE TO FAILURE TO ERADICATE SLAVERY.—The

1 Commission, in evaluating United States Government poli-  
2 cies in response to the failure of the Government of Sudan  
3 to eradicate slavery, shall consider and recommend options  
4 for actions to be taken by the United States Government  
5 with respect to the Government of Sudan, including diplo-  
6 matic inquiries, diplomatic protest, official public protest,  
7 demarche of protest, condemnation within multilateral  
8 fora, delay or cancellation of cultural or scientific ex-  
9 changes, delay or cancellation of working, official, or state  
10 visits, reduction or termination of certain assistance  
11 funds, imposition of targeted or broad trade sanctions,  
12 and withdrawal of the chief of mission.

13 (d) POLICY REVIEW AND RECOMMENDATIONS IN RE-  
14 SPONSE TO PROGRESS.—The Commission may make pol-  
15 icy recommendations to the Secretary of State with re-  
16 spect to matters involving the eradication of slavery in  
17 Sudan. The Commission shall consider and recommend  
18 policy options, including private commendation, diplomatic  
19 commendation, official public commendation, commenda-  
20 tion within multilateral fora, an increase in cultural or sci-  
21 entific exchanges or both, termination or reduction of ex-  
22 isting Presidential actions, an increase in certain assist-  
23 ance funds, and invitations for working, official, or state  
24 visits.

1 **SEC. 4. REPORT OF THE COMMISSION.**

2 (a) IN GENERAL.—Not later than October 1st of  
3 each year, the Commission shall submit to the Secretary  
4 of State a report on the efforts of the Commission with  
5 respect to its duties under subsection (a) of section 3, in-  
6 cluding its recommendations for United States policy op-  
7 tions based on its evaluations under subsections (c) and  
8 (d) of such section.

9 (b) CLASSIFIED FORM OF REPORT.—The report may  
10 be submitted in classified form, together with a public  
11 summary of recommendations, if the classification of in-  
12 formation would further the purposes of this Act.

13 (c) INDIVIDUAL OR DISSENTING VIEWS.—Each  
14 member of the Commission may include the individual or  
15 dissenting views of the member.

16 **SEC. 5. APPLICABILITY OF OTHER LAWS.**

17 The Federal Advisory Committee Act (5 U.S.C. App.)  
18 shall not apply to the Commission.

19 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

20 (a) IN GENERAL.—There are authorized to be appro-  
21 priated to the Commission \$1,000,000 for fiscal year 2007  
22 and \$1,500,000 for fiscal year 2008 to carry out the pur-  
23 poses of this Act.

24 (b) AVAILABILITY OF FUNDS.—Amounts authorized  
25 to be appropriated under subparagraph (a) are authorized

1 to remain available until expended but not later than the  
2 date of the termination of the Commission.

3 **SEC. 7. TERMINATION.**

4       The Commission shall terminate six years after the  
5 initial appointment of all of the members of the Commis-  
6 sion.

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