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*Foreign Relations Authorization, FY2006 and FY2007: An  
Overview*

Susan B. Epstein, Foreign Affairs, Defense, and Trade Division

September 15, 2005

**Abstract.** Congressman Christopher H. Smith introduced H.R. 2601 on May 24, 2005. The Subcommittee on Africa, Global Human Rights and International Relations held a markup session on May 26 and forwarded the bill on to the full committee the same day. The House International Relations Committee held markup sessions on June 8 and 9. The House International Relations Committee completed its full committee markup on June 9, 2005. The bill was reported on July 13 (H.Rept. 109-168). House floor debate occurred the week of July 18, 2005. Earlier in 2005, Senator Lugar introduced a Senate version of the foreign relations authorization legislation (S. 600) on March 10. The measure was reported to the Senate the same day (S.Rept. 109-35). On April 5 and 6, the Senate debated the bill at which time the combination of numerous amendments on the bill, world events (the death of the Pope), nominations, and filibusters on judges put off action on the measure.

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## Foreign Relations Authorization, FY2006 and FY2007: An Overview

**Updated September 15, 2005**

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Specialist in Foreign Policy and Trade  
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# Foreign Relations Authorization, FY2006 and FY2007: An Overview

## Summary

The foreign *relations* authorization process dovetails with the annual appropriation process for the Department of State, foreign policy, and foreign assistance. Congress is required by law to authorize the spending of appropriations for the State Department and foreign policy activities every two years. The last time Congress passed a stand-alone foreign relations authorization bill was in FY2003 (P.L. 107-228).

Foreign *assistance* authorization measures (such as authorization for the U.S. Agency for International Development, economic and military assistance to foreign countries, and international population programs) typically have been merged into the State Department authorization legislation since 1985. Since that time, Congress has not passed a stand-alone foreign assistance authorization bill.

On March 10, 2005, Senator Lugar introduced S. 600. The bill includes appropriations for the Department of State, international broadcasting, the Peace Corps, and foreign assistance programs for FY2006 and FY2007. In early April, the Senate debated S. 600 on the Senate floor. The measure is stalled for now with the introduction of numerous floor amendments.

Congressman Christopher H. Smith introduced a foreign relations authorization bill (H.R. 2601) on May 24, 2005. The bill was marked up at the subcommittee and full committee level in late May and early June. House floor action occurred the week of July 18<sup>th</sup>.

The House and Senate legislation contain similar titles regarding authorization language for the Department of State, international organizations, and international broadcasting; State Department organization and personnel issues, and miscellaneous reporting requirements. S. 600 goes beyond H.R. 2601 on foreign assistance authorization and numerous other foreign policy issues including avian flu, debt relief, global pathogen surveillance, safe water, and reconstruction and stabilization initiatives. Issues covered in H.R. 2601, but not significantly in S. 600 include democracy promotion, U.N. reform, strategic export controls, missile and nuclear nonproliferation measures, and World Bank loans to Iran.

This report will be updated as legislative action occurs.

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**Division abbreviations:** RSI = Resources, Science, and Industry Division;  
 DSP = Domestic Social Policy Division; FDT = Foreign Affairs, Defense, and Trade Division.

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# Foreign Relations Authorization, FY2006 and FY2007: An Overview

## Most Recent Developments

Congressman Christopher H. Smith introduced H.R. 2601 on May 24, 2005. The Subcommittee on Africa, Global Human Rights and International Relations held a markup session on May 26 and forwarded the bill on to the full committee the same day. The House International Relations Committee held markup sessions on June 8 and 9. The House International Relations Committee completed its full committee markup on June 9, 2005. The bill was reported on July 13 (H.Rept. 109-168). House floor debate occurred the week of July 18, 2005.

Earlier in 2005, Senator Lugar introduced a Senate version of the foreign relations authorization legislation (S. 600) on March 10. The measure was reported to the Senate the same day (S.Rept. 109-35). On April 5 and 6, the Senate debated the bill at which time the combination of numerous amendments on the bill, world events (the death of the Pope), nominations, and filibusters on judges put off action on the measure.

## Introduction

Congress is required by law to authorize the spending of appropriations for the State Department and foreign policy activities every two years. The authorization acts as a ceiling for the appropriations. The foreign relations authorization process dovetails with the annual appropriation process for the Department of State (within the Science, State, Justice, Commerce and Related Agency Appropriation in the House and the State-Foreign Operations Appropriation in the Senate) and foreign assistance activities (within the Foreign Operations Appropriation in both House and Senate).

In the past 10 years, Congress has had an inconsistent record on getting a stand-alone foreign relations authorization bill passed and signed into law. During the two decades prior to the government shutdown of November 1995, virtually every Congress enacted stand-alone foreign relations authorization laws. Since 1995, however, Congress has waived the requirement to provide authorization prior to expenditures more times than it has met the requirement. The most recently-enacted stand-alone authorization Act was for FY2003 (P.L. 107-228/ H.R. 1646) signed September 30, 2002. (See Appendix II for foreign relations authorization history.)

Since foreign relations authorization legislation is typically passed the first session of each Congress, the Senate Foreign Relation Committee and the House

International Relations Committee of the 109<sup>th</sup> Congress began working on their bills early in 2005. The foreign relations authorization legislation typically provides authority for State Department spending for such activities as salaries and other operating expenses, passport and visa processing, embassy and Foreign Service activities, as well as public diplomacy and international broadcasting. In addition, the legislation often becomes a convenient vehicle for numerous foreign policy-related issues, such as nonproliferation, human rights, international family planning policy, and international health and environment issues. Congress can influence U.S. foreign policy regarding specific regions or countries via this biannual legislation, as well.

The foreign relations authorization bills introduced in the 109<sup>th</sup> Congress House and Senate differ significantly. Both contain similar provisions for the State Department spending levels, the operation, organization and personnel of State. S. 600 goes beyond that to include titles on: 1) authorizing foreign assistance programs, 2) radiological terrorism security, 3) global pathogen surveillance, 4) safe water, 5) protection of vulnerable populations during humanitarian emergencies, and 6) reconstruction and stabilization issues. H.R. 2601 includes measures on: 1) democracy promotion, 2) U.N. reform, 3) export controls and security assistance, and 4) nonproliferation. Because of Congress' inability to get an authorization bill to the President's desk in some Congresses, some Members in both House and Senate Committees are determined to produce foreign policy authorization legislation this year, since they see it as one of their primary responsibilities.

## **Selected Measures in Both H.R. 2601 and S. 600**

Titles in both bills include State Department Authorizations of Appropriations; State Department Authorities and Activities; Organization and Personnel of the Department of State, International Organizations; and International Broadcasting (Board of Governors). The two bills have no foreign assistance measures in common, as there are no substantive foreign assistance provisions in the H.R. 2601.

### **State Department Authorizations of Appropriations**

By law, authorization to spend funds for foreign policy agencies and programs is required prior to expenditure of Foreign Operations and State Department appropriations. In effect, the authorizing legislation sets spending ceilings for the foreign policy agency appropriations for the next two years. (See **Table 1** in Appendix III of this report.)

*CRS Products:*

CRS Report RL31370, *State Department and Related Agencies: FY2005 Appropriations and FY2006 Request.*



## State Department Authorities and Activities

In addition to providing the required authority for the Department of State and related agencies to spend specified levels of appropriations (see **Table 1** in the Appendix for appropriation and authorization levels), H.R. 2601 and S. 600 both contain measures ranging from authorizing an international litigation fund, medical reimbursement issues, accountability review boards not required to convene in the case of serious injury or loss of life in Afghanistan or Iraq, and the designation of the federal building in Kingston, Jamaica to be referred to as the Colin L. Powell Residential Plaza. On these issues, both bills have similar provisions, none of which appear controversial at this time.

Sec. 214 of S. 600 has a provision giving authority to the Secretary of State to enhance the U.S. diplomacy center with museum and educational outreach services. Sec. 215 of the bill would require the Secretary of State to establish scholarship programs with colleges and universities primarily within eligible countries for students to pursue degree programs and English language proficiency in the Islamic world. The House does not have a comparable measure.

Section 215 of H.R. 2601, on the other hand, contains a provision to make \$5 million available for Cuban human rights dissidents, pro-democracy activists, and independent civil society members to participate in the Fulbright, Humphrey, and other exchange programs. The Senate has no comparable language.

## Organization and Personnel of the Department of State

Education allowances, increased post differential and danger pay allowances, home leave, the Fellowship Hope Program, suspension of Foreign Service members without pay, limited appointments in the Foreign Service, are in both H.R. 2601 and S. 600.

## International Broadcasting

The Broadcasting Board of Governors (BBG) was established by the U.S. International Broadcasting Act of 1994 (P.L. 103-236, Title III) to consolidate the international broadcasting activities of the U.S. government, while maintaining international broadcasting as an activity independent from the former U.S. Information Agency (USIA) and the Department of State. The BBG consists of a 9-member board appointed by the President with the advice and consent of the Senate. Its responsibilities include direction and oversight of all nonmilitary international broadcasting, including the Voice of America, Radio Free Europe/Radio Liberty, Cuba Broadcasting, Radio Free Asia, and the Middle East Broadcasting Network.

**Middle East Broadcasting.**<sup>1</sup> The Middle East Broadcasting Networks (MBN) consist of two TV channels — Alhurra and Alhurra Iraq — and Radio Sawa. All three entities, established by the Broadcasting Board of Governors to promote

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<sup>1</sup> Prepared by Susan B. Epstein, Specialist in Foreign Policy and Trade, Foreign Affairs, Defense, and Trade Division.

U.S. views and counter U.S.-perceived distortions in existing regional broadcasting, began broadcasting in FY2004.

Virtually identical measures in both H.R. 2601 and S. 600 would authorize grants that are made for broadcasting activities under the U.S. International Broadcasting Act of 1994 (P.L. 103-236, Title III) to be extended to the Middle East Broadcasting Networks, subject to specified limitations and restrictions. For example, the BBG must take responsibility for the direction of the MBN, the MBN shall not be deemed a federal agency or instrumentality, and the MBN is subject to financial and inspector general audits.

*CRS Products:*

CRS Report RS21565, *The Middle East Television Network: An Overview*.

**Cuba Broadcasting.**<sup>2</sup> U.S.-government sponsored radio and television broadcasts to Cuba — Radio and TV Marti — began in 1985 and 1990 respectively, and have had the objective of providing accurate and uncensored news to the Cuban people. From FY1984 through FY2005, Congress has appropriated about \$493 million for broadcasting to Cuba, with about \$300 million for Radio Marti and \$193 million for TV Marti. Cuban jamming of the broadcasts — especially TV Marti — has been a problem since their inception. Critics assert that TV Marti has no audience because of the jamming. In May 2004, the Bush Administration’s Commission for Assistance for a Free Cuba called for the immediate deployment of the EC-130E/J Commando Solo airborne platform<sup>3</sup> for airborne radio and television broadcasts to Cuba in order to overcome Cuban jamming. The aircraft has been used periodically since August 2004 to transmit Radio and TV Marti programming. The Commission also called for funds “to acquire and refit a dedicated airborne platform for full-time transmission of Radio and TV Marti into Cuba.” This would not be a military aircraft, but an aircraft acquired and operated by the Broadcasting Board of Governors’ Office of Cuba Broadcasting (OCB).

For FY2006, the Administration is requesting \$37.7 million for Cuba broadcasting, about a \$10 million increase from the \$27.6 million appropriated for FY2005. The increase is for the Broadcasting Board of Governors to acquire and outfit an aircraft for dedicated airborne radio and television broadcasts to Cuba. According to the budget request, the aircraft would support 4 hours a day of Radio and TV Marti broadcasts with the goal of overcoming Cuban government jamming.

Both H.R. 2601 and S. 600, in Section 503 of each bill, would authorize the OCB to use additional AM frequencies as well as FM and shortwave frequencies for

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<sup>2</sup> Prepared by Mark P. Sullivan, Specialist in Latin American Affairs.

<sup>3</sup> Flown by the Air Force Special Operations Wing at Harrisburg, Pennsylvania, the aircraft are specialized assets that have been used to conduct information operations, psychological operations, and civil affairs broadcasts worldwide including Grenada in 1983, Operation Desert Storm in 1990-1991, Kosovo in 1999, and more recently in Operation Enduring Freedom in Afghanistan and Operation Iraqi Freedom. See U.S. Air Force Fact Sheet, “EC-130E/J COMMANDO SOLO,” April 2003.

Radio Marti in order to help overcome Cuban jamming. H.R. 2601 (Section 106) would authorize the Administration's full request of \$37.7 million for Cuba broadcasting for FY2006 and \$29.9 million for FY2007, including funds for an aircraft to improve radio and television transmission and reception. S. 600 (Section 111) would authorize funding for Cuba broadcasting under the International Broadcasting Operations account, but without a specific earmark. During Senate floor consideration of S. 600 on April 6, 2005, the Senate rejected S.Amdt. 284 (Dorgan), by a vote of 65-35 that would have prohibited funds from being used for television broadcasting to Cuba.

In other legislative action, the report to the House-passed version of H.R. 2862 (H.Rept. 109-118), the FY2006 Science, State, Justice, Commerce, and Related Agencies Appropriations Act, includes a committee recommendation for \$27.9 million for Cuba broadcasting, \$10 million below the Administration's request. According to the report, the Committee does not provide funding for an aircraft to transmit Radio and TV Marti programming, but assumes the continuation of periodic Commando Solo flights, operating within U.S. air space, for such transmissions. The House approved H.R. 2862 on June 16, 2005. In the Senate, appropriations for Cuba broadcasting is included in the Senate version of the FY2006 Foreign Operations appropriations bill, H.R. 3057 (S.Rept. 109-96). As approved by the Senate on July 20, 2005, the bill would provide \$37.7 million for Cuba broadcasting, including funds for an aircraft to transmit Radio and TV Marti programming. During July 19, 2005 floor consideration, the Senate defeated (33-66) S.Amdt. 1294 (Dorgan) that would have eliminated funding for television broadcasting to Cuba.

#### *CRS Products:*

CRS Report RL32730, *Cuba: Issues for the 109<sup>th</sup> Congress*.

## **Counter-terrorism Programs in West Africa<sup>4</sup>**

S. 600 (Sec. 811) and H.R. 2601 (Sec. 1101, as passed by the House)<sup>5</sup> contain broadly related provisions that call for reports to Congress on U.S. strategies for combating international terrorism in Western Africa, but the two reports' regional and programmatic foci differ, as do their respective reporting requirements. The proposal in H.R. 2601 focuses specifically on the "Sahara region" and "the plan" of the U.S. government "to expand the Pan Sahel Initiative" (PSI) into a "robust" counter-terrorism (CT) effort, "the Trans-Sahara Counter Terrorism Initiative" (TSCTI). The report would be submitted by the Secretary of State in classified form within 120 days after the passage of H.R. 2601. It would require: a list of TSCTI participant countries; types of security assistance necessary to create rapid reaction security forces in them; a description of training to ensure respect for human rights

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<sup>4</sup> Section by Nicolas Cook, Specialist in African Affairs and John Rollins, Specialist in Terrorism and International Crime.

<sup>5</sup> The language in H.R. 2601, as passed by the House, reflects that reported by the full committee (H.Rept. 109-168), in which the measure appeared as Sec. 1001, as well as that contained the bill as originally introduced, under which it appeared as Sec. 603.

and civilian authority by these forces and other recipient country entities; and a description of public diplomacy and “related assistance that will be provided to promote development and counter radical Islamist elements that may be gaining a foothold in the region.” The measure would require all relevant U.S. government agencies to “cooperate fully with, and assist in the implementation of” TSCTI.

The measure in S. 600 focuses on a broader region, West Africa, which commonly is taken to include both sub-Saharan Sahel and coastal countries in Western Africa. It would require that the Secretary of State, in consultation with other relevant agencies, submit a report to Congress on a “strategy for combating terrorism in West Africa during the three-year period” six months after passage of S. 600. The strategy would contain a “comprehensive assessment” of international terrorist organization activities in West Africa; “an interagency plan for dealing with” the threat of such activities and a description of resources necessary to implement it; and an analysis of “the expected level of cooperation” that countries in West Africa and elsewhere would provide toward that end. The report would also describe “planned coordination” between the planned strategy and all other regional counter-terrorism efforts, including PSI and the East Africa Counter-Terrorism Initiative (EACTI), and any other similar regional programs, including in North Africa.

**Background.** Armed activities by groups alleged to have connections with Al Qaeda have been reported in the Sahel region of West Africa. Other groups, such as Hizballah and Hamas, have reportedly provided social services and other types of aid in this region. The United States has provided security assistance to regional governments to counter such groups. One such program is the Pan Sahel Initiative, a regional CT, border security, and regional security cooperation program that has provided military training and related equipment to the governments of Mali, Niger, Chad and Mauritania. PSI is intended to create military rapid reaction and patrol forces in these countries to bolster their capacity to protect and govern their lengthy, porous frontiers and sparsely inhabited, arid hinterlands. It seeks to provide them with an enhanced ability to counter in-country insurgencies, interdict transnational terrorist and armed religious extremists, smugglers of contraband goods and/or persons, bandits, and other criminal elements, and halt their activities. The bulk of PSI activities took place between 2002 and 2004, and were funded with \$6.85 million in FY2002 and FY2003 Peacekeeping Operations (PKO) funds. There was no PSI funding in FY2004. Further PSI sustainment activities may be pursued using an unspecified portion of \$3.968 million in FY2005 Africa Coastal/Border Security Program Foreign Military Financing (FMF) funds.

A possible expansion of PSI, dubbed Trans-Sahara Counter Terrorism Initiative (TSCTI), is under consideration by the Bush Administration. TSCTI would reportedly include a geographical expansion of the kind of CT training provided under PSI, to include Algeria, Morocco, Tunisia, Nigeria, and Senegal; a broadening of TSCTI assistance, to include development assistance (DA) and increased regional U.S. public diplomacy efforts; and a rise in program funding, to \$132 million for first year start-up costs, and about \$125 million per year in subsequent years, for a five to

six year program.<sup>6</sup> According to State Department officials, TSCTI is at present technically a conceptual plan only, but has reportedly been agreed upon by key U.S. implementing agencies at the deputy principal level. The Administration has sought Congressional approval to use a mix of about \$11 million in State Department and \$5 million in Defense Department FY2005 and FY2006 funds to initiate TSCTI start-up activities. It may then request full TSCTI funding under its FY2007 budget proposal. Despite the State Department's view that TSCTI is not yet a fully-fledged program, U.S. European Command (EUCOM) already uses the term TSCTI to describe its activities under PSI (which EUCOM documents have described as "formerly known" as PSI), as well as some training exercises. These include Exercise Flintlock, a June 2005 effort in which U.S. special operations forces provided seven Saharan host country armed forces with tactical military training aimed at improving regional security and stability. EUCOM's decision to use this term before TSCTI was fully authorized by the State Department reportedly created tensions between it and the Defense Department.

## Humanitarian Crises<sup>7</sup>

There is no shortage of humanitarian emergencies worldwide stemming from natural disasters or manmade conflicts. As a result of these crises, population movements often occur within the affected country or flow to those countries that are within close proximity. Definitions of status are assigned to various groups and may include refugees, internally displaced persons, stateless persons, and vulnerable populations (such as women, children, and the elderly). All can emerge as groups requiring particular protection, the basis of which may be found under international humanitarian law, and emergency assistance, which is typically provided by U.N. agencies, governments, international organizations and non-governmental organizations.

Different aspects of this problem are addressed in S. 600 and H.R. 2601. S. 600, Title XXVIII *Protection of Vulnerable Populations During Humanitarian Emergencies*, focuses on women and children and the development of strategies to protect them from exploitation and abuse before, during, and following a crisis. It outlines three categories — Program and Policy Coordination, Prevention and Preparedness, and Protection Mechanisms. In H.R. 2601, under Section 104 Migration and Refugee Assistance, the bill authorizes the development of a two-year pilot program to study the problems specific to refugee populations housed long term in camps or other settlements and to consider ways to improve their living conditions, provide protection mechanisms, and enhance their basic human rights. Of the

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<sup>6</sup> State Department oral communications with CRS, February and June 2005. The *Washington Post* has described the program as a seven year initiative begun in 2005 with \$16 million in program start-up costs, to be followed by an annual \$100 million program covering the years 2007 through 2011. According to the *Washington Post*, half of annual costs would provide military training and equipment, and half would support the provision of counter-terrorism training, public diplomacy efforts, and development assistance. See Ann Scott Tyson, "U.S. Pushes Anti-Terrorism in Africa," *Washington Post*, July 26, 2005.

<sup>7</sup> Prepared by Rhoda Margesson, Foreign Affairs Analyst, Foreign Affairs, Defense, and Trade Division.

amounts in this section, H.R. 2601 authorizes \$3 million in FY2006 and \$3 million in FY2007 for emergency aid to internally displaced people of Burma.

*CRS Products:*

CRS Report RL31689, *U.S. International Refugee Assistance: Issues for Congress*;

CRS Report RL31690, *United Nations High Commissioner for Refugees (UNHCR)*;

CRS Report RL31269, *Refugee Admissions and Resettlement Policy*; and

CRS Report RL32714, *International Disasters and Humanitarian Assistance: U.S. Governmental Response*.

## **Stabilization and Reconstruction Initiatives<sup>8</sup>**

The Bush Administration's initiatives to enhance U.S. civilian capabilities to carry out stabilization and reconstruction (S&R) activities in unstable states have met with both enthusiasm and skepticism in Congress. The Senate, in particular the Senate Foreign Relations Committee (SFRC), has provided both impetus and support for the establishment of the State Department Office of the Coordinator for Reconstruction and Stabilization (S/CRS). Additional Senate support has been expressed by the Senate Armed Services Committee, which, in its report accompanying the National Defense Authorization Act for Fiscal Year 2006 (S. 1042, S.Rept. 109-069, May 17, 2005), commended the Department of Defense's (DOD) "active support of and cooperation" with S/CRS. The House, on the other hand, appears skeptical of the initiatives, providing little funding thus far in 2006.

Several prominent foreign and defense policy think tanks advanced proposals in 2003 and 2004 to establish civilian capabilities through an office similar to S/CRS. SFRC Chairman Lugar and Ranking Member Biden submitted legislation, S. 2127 (with companion bill H.R. 3996, introduced by Representative Schiff), in 2004 to establish a similar office. Legislation with similar aims was proposed in the House in 2003 by Representative Farr (H.R. 2616) and by Representative Dreier in 2004 (H.R. 4185) and 2005 (H.R. 1361). Supporters perceive the development of civilian capabilities as a means to relieve the stress on the U.S. military caused by the need to devote troops to post-conflict state-building functions and to rectify the *ad hoc* nature of each S&R operation by creating a cadre of personnel experienced in such operations and trained to work together.

In July 2004, the Administration created S/CRS, which now has some 35 staff members on detail from the Department of State and other executive agencies. It is tasked with designing, and in some cases establishing, the new structures within the State Department and elsewhere that would allow civilian agencies to develop

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<sup>8</sup> Prepared by Nina M. Serafino, Specialist in International Security Affairs, and Martin A. Weiss, Analyst in International Trade and Finance, Foreign Affairs, Defense, and Trade Division.

effective policies, processes, and personnel — including a ready response corps — to build stable and democratic states in post-conflict situations.

The Administration requested FY2005 emergency supplemental appropriations for S/CRS, as the office was created well after the FY2005 budget request was submitted in February 2004. The \$17.2 million request included funding for S/CRS start-up operations and software, and for development of a ready response cadre of State Department personnel and the design of related training and exercises. While the Senate, in floor action, approved an amendment supporting the full request, the conferees on the supplemental appropriations measure provided the Senate Appropriations Committee's \$7.7 million, an amount closer to the House-approved \$3.0 million (H.R. 1268, P.L. 109-13, signed into law May 11, 2005).

The President's \$24.1 million FY2006 budget request for S/CRS would provide for 54 new S/CRS positions and the establishment of a 100-person "Ready Response" cadre within the Department of State. The President also requested the establishment of a no-year \$100 million, automatically replenishable, emergency Conflict Response fund to be administered by S/CRS in order "to prevent or respond to conflict or civil strife in foreign countries or regions, or to enable transition from such strife."

Critics, some of whom label themselves "supportive skeptics," question whether S/CRS would do sufficiently more than existing capabilities to justify the additional cost. While recognizing the importance of planning for post-conflict reconstruction assistance, several analysts have criticized various aspects of the Administration's request, especially the creation of the 100-person ready response cadre. Critics question the State Department's ability to create a base-line template for post-conflict reconstruction assistance when there are few similarities among the cases that the United States has been involved with so far; whether the State Department is the appropriate agency to coordinate post-conflict reconstruction assistance; and to what extent a ready response cadre may duplicate existing reconstruction efforts already being undertaken by agencies such as the Department of Defense, USAID and the Department of the Treasury, among others.

S. 600, as reported, would authorize the Administration's full \$24.1 million FY2006 funding request for S/CRS and "such sums as may be necessary" for its personnel, education and training, equipment, and travel costs in FY2007, as well as the \$100 million Conflict Response fund. It would also provide S/CRS with statutory status and authorities for its operations. It would authorize a larger ready response corps than requested by the Administration: a 250 — rather than a 100 — person force.

H.R. 2601, as reported, contains no authorization for FY2006 funding for S/CRS. In July 19, 2005, floor action on the bill, the House approved an amendment adopted by Representative Dreier which would authorize the establishment of an Active Response Corps to carry out stabilization and reconstruction activities in foreign countries or regions that are in, are in transition from, or are likely to enter into conflict or civil strife. No specific funding was authorized for the Corps.

House appropriators would provided limited funding for S/CRS and the Conflict Response fund. The Science State, Justice, Commerce and related agencies FY2006 appropriations bill (H.R. 2862, H.Rept. 109-118), which passed the House June 16, 2005, contains \$7.7 million for S/CRS operations for a staff increase of 33. The House foreign operations appropriations bill (H.R. 3057, H.Rept. 109-152, named the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2006 in the House) as passed on June 28, 2005, contains no new funding for the Conflict Response fund. However, the bill would authorize the Secretary of State to transfer \$100 million from either within the State Department, or from other federal agencies such as the Department of Defense, to carry out reconstruction and stabilization assistance (Sec. 580).

The Senate version of H.R. 3057 (named the Department of State, Foreign Operations, and Related Programs Appropriations Bill, 2006, in the Senate), as reported June 30, 2005 (S.Rept. 109-96), provides substantially more support for S/CRS and the Conflict Response Fund than do the two related House appropriations bill. The Senate version of H.R. 3057 would fund S/CRS at \$24 million, the full amount of the Administration request. It would provide \$74 million in earmarked appropriations for the Conflict Response Fund, i.e., almost three-quarters of the Administration request.

#### *CRS Products:*

CRS Report RL32862, *Peacekeeping and Conflict Transitions: Background and Congressional Action on Civilian Capabilities*; and

CRS Issue Brief IB94040, *Peacekeeping and Related Stability Operations: Issues of U.S. Military Involvement*.

## **The Andean Counterdrug Initiative<sup>9</sup>**

The Andean Counterdrug Initiative (ACI) is the primary U.S. program that supports Plan Colombia, a six-year plan developed by the Colombian government in 1999 to combat drug trafficking and related guerrilla activity. U.S. support for Plan Colombia began in 2000, when Congress passed legislation providing \$1.3 billion in interdiction and development assistance (P.L. 106-246) for Colombia and six regional neighbors: Bolivia, Peru, Ecuador, Venezuela, Brazil, and Panama. For FY2006, the Administration has requested \$734.5 million, of which \$40 million would be for a new Critical Flight Safety Program, to upgrade aging aircraft.

Colombia produces the majority of the world's supply of cocaine and increasing amounts of high quality heroin. Illegally armed groups of both the left and right are believed to participate in the drug trade. In addition to the basic debate over what role the United States should play in Colombia's struggle against drug trafficking and illegally armed groups, Congress has repeatedly expressed concern with a number of related issues. These include continuing allegations of human rights abuses; the expansion of U.S. assistance for counterterrorism and infrastructure protection; the

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<sup>9</sup> Prepared by Connie Veillette, Analyst in Latin American Affairs.



health and environmental consequences of aerial fumigation of drug crops; the progress of alternative development to replace drug crops; the level of risk to U.S. personnel in Colombia, including the continued captivity of three American hostages by the Revolutionary Armed Forces of Colombia (FARC); and a new demobilization law that intends to reincorporate rightist paramilitary fighters into civilian life.

Critics of U.S. policy contend that winning the war against drugs is a losing proposition as long as demand continues. They argue that despite the successes in eradicating illicit crops, the amount of drugs entering the United States has not declined, and prices have remained stable. The Bush Administration contends that the United States faces not only a threat from drug trafficking, but also from the increasing instability brought on by insurgent guerrilla organizations that are fueled by the drug trade. Supporters of U.S. policy argue that assistance to Colombia is necessary to help a democratic government besieged by drug-supported leftist and rightist armed groups. While some critics agree with this assessment, they argue that U.S. assistance overemphasizes military and counter-drug assistance and provides inadequate support for protecting human rights and encouraging a peace process in Colombia.

The House International Relations Committee reported H.R. 2601 with a provision making U.S. assistance to Colombia contingent on a certification from the Secretary of State that Colombia has a workable framework in place for the demobilization and dismantling of former combatants, and that Colombia is cooperating with the United States on extradition requests. H.R. 2601 also calls for a report from the Secretary of State that details tax code enforcement in Colombia. On the House floor, a Representative Burton amendment was approved by voice vote that would transfer two tactical marine patrol aircraft to the Colombian Navy for drug interdiction purposes. S. 600 authorizes funding for ACI and includes a number of conditions on assistance consistent with current law. The bill would authorize a unified campaign against narcotics trafficking and terrorist activities; maintains the existing caps on military and civilian personnel allowed to be stationed in Colombia; prohibits U.S. military and civilian personnel from participating in combat operations; and maintains reporting requirements relating to human rights conditions and the conduct of U.S. operations.

*CRS Products:*

CRS Report RL32774, *Plan Colombia: A Progress Report*; and

CRS Report RL32337, *Andean Counterdrug Initiative (ACI) and Related Funding Programs: FY2005 Assistance*.

## **Foreign Assistance Authorization<sup>10</sup>**

Congress last enacted a broad foreign assistance authorization act in 1985. In the absence of omnibus foreign aid measures, the majority of foreign assistance

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<sup>10</sup> Prepared by Larry Nowels, Specialist in Foreign Affairs, Foreign Affairs, Defense, and Trade Division.

legislation has been enacted as part of annual Foreign Operations appropriation measures. Division B of S. 600 is an effort to “reinforce” the Senate Foreign Relations Committee’s role in foreign assistance policy making. Foreign aid provisions in S. 600 are similar to those reported by the Foreign Relations Committee in the 108<sup>th</sup> Congress (S. 2144). The intention was not to attempt a comprehensive review and to re-write existing foreign aid legislation, but rather to initiate a first step in providing necessary authorization for program appropriations and updating selected legislative provisions to reflect current policy. Senator Lugar has said frequently since becoming Chairman of the Committee that he planned to launch a more ambitious effort in the future to revamp the Foreign Assistance Act of 1961 and other long-standing foreign aid laws.

Division B is divided into eight titles, three of which provide general authorizations for foreign aid programs, incorporate into permanent law legislative provisions that have been approved annually in Foreign Operations appropriation measures, and update and revise conditions on foreign aid funds and reporting requirements. Title XXI includes FY2006 and FY2007 authorizations of appropriations for most, but not all foreign aid programs. The legislation would authorize the appropriation of \$18.4 billion for 25 foreign assistance programs, closely matching the account structure of the annual Foreign Operations appropriations for bilateral economic and military aid. The amounts authorized are identical to levels requested by the Administration for FY2006, providing nearly \$2 billion more than provided in FY2005.

Title XII of Division B would update and amend several existing foreign aid authorities, including some that have been annually extended in appropriation acts in recent years. Title XXV would address reporting requirements, adding new submissions concerning such issues as Haiti, the Global Peace Operations Initiative, international HIV/AIDS programs, and tsunami relief and reconstruction in Aceh, Indonesia.

The other five titles in Division represent specific initiatives, which in some cases have been introduced as stand-alone legislation. Title XXIII is the Radiological Terrorism Security Act. Title XXIV is the Global Pathogen Surveillance Act. Title XXVI authorizes a new water for health and development program. Title XXVII incorporates the Protection of Vulnerable Populations During Humanitarian Emergencies Act of 2005. Title XXVIII adds the Conventional Arms Disarmament Act of 2005. These titles are discussed elsewhere in the this report.

Although the House International Relations Committee did not consider a substantive foreign assistance authorization separately or as part of the Foreign Relations Authorization bill, H.R. 2601 includes several foreign aid provisions. On balance, however, title IX of H.R. 2601 addresses a series of specific foreign aid issues, some related to country matters and others dealing with types of foreign assistance programs. H.R. 2601 includes provisions regarding:

- Aid supporting democracy in Zimbabwe (Sec. 903);
- Contributions to the U.N. Development Program and Burma (Sec. 904);
- Aiding the police ombudsman in Northern Ireland (Sec. 905);

- Supporting democracy in Belarus (Sec. 908);
- Conditions on aid to Egypt (Sec. 921);
- West Bank and Gaza aid (Sec. 924) and aid to the Palestinian Authority (Sec. 932);
- Aid to Venezuela (Sec. 925)
- Reconstruction assistance to Afghanistan (Sec. 941);
- Aid to disarm former irregular combatants in Colombia (Sec. 944);
- Supporting famine relief in Ethiopia (Sec. 945);
- Promoting democracy in Vietnam (Sec. 946);
- Establishing centers for the treatment of obstetric fistula (Sec. 901);
- Aid for disaster mitigation (Sec. 907); and
- Exempting aid that promotes democracy and human rights organizations from restrictions regarding terrorism (Sec. 931).

One of these provisions — the establishment of centers for the treatment of obstetric fistula — was the focus of a contentious debate during House consideration of H.R. 2601. Obstetric fistula, which affects an estimated two million women mainly in Africa, occurs primarily from a prolonged labor that results in a hole or rupture in tissues between the vagina and bladder (and at times the rectum). Women with this condition are stigmatized and often shunned by their family and community. It is especially common in girls aged 15-19 whose bodies are not fully developed for childbirth and in girls and women suffering from malnutrition. Obstetric fistula occurs almost exclusively in developing countries where access to health care services is severely limited.<sup>11</sup>

H.R. 2601, as reported by the House International Relations Committee, earmarked \$5 million in FY2006 and FY2007 to create 12 centers for the treatment and prevention of obstetric fistula in developing nations. The provision specified that to the maximum extent possible, each center would perform certain services, including surgical repair and post-surgery support, educational activities to prevent incidents of fistula, and expanded access to contraceptive services for the prevention of pregnancies among women that were at high risk for a prolonged or obstructed childbirth. During floor debate, Representative Smith (N.J.) proposed an amendment that deleted the requirement for each center to expand contraceptive services for high-risk women, and added a new activity requiring centers to broaden “abstinence education, postponement of marriage and child-bearing until after teenage years, and activities to expand access to family planning services” for women in a high-risk category. Unlike the treatment services that each center must provide “to the maximum extent possible,” the revised prevention activities would be provided at the discretion of the centers. The Smith amendment further increased funding to \$7.5 million annually.

In support of his amendment, Congressman Smith argued that the changes would allow faith-based hospitals to perform the required activities, something that would not have occurred under the committee-reported language because of

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<sup>11</sup> For more information on obstetric fistula, see CRS Report RS21733, Reproductive Health Problems in the World: Obstetric Fistula: Background Information and Responses, Tiaji Salaam.

opposition of faith-based facilities to providing contraceptive services. He further stated that the amendment's reference to "family planning services" would include contraception. Opponents of the amendment, however, charged that the revised text "gutted" the prevention aspect of the obstetric fistula centers by making these activities discretionary rather than mandatory in the original text. They contend that the most effective method to reduce the incidents of obstetric fistula is to ensure that young girls and high-risk women do not get pregnant. The House adopted the Smith amendment on a 223-205 vote.

## **Magen David Adom Society<sup>12</sup>**

Sec. 806 of S. 600 and Sec. 1114 of H.R. 2601 continue to press for full membership for the Israeli Magen David Adom Society in the International Red Cross Movement. Since 1949, Magen David Adom (MDA) (Red Star of David) has been denied membership in the International Committee of the Red Cross (ICRC) because it refuses to use either the red cross or the red crescent, which are the organization's only recognized symbols. MDA has observer status at the Red Cross. The Red Cross is considering recognition of a red crystal (a square sitting on its corner), an emblem devoid of religious or national connotations, and the Swiss government has begun to solicit international support to convene a conference to amend the Geneva Conventions and adopt the new symbol. The exclusion of Magen David Adom from a humanitarian organization of 180 member countries with a claim to universality is reported to offend many Members of Congress. Switzerland is convening an ICRC meeting in December to take up the issue.

## **Jerusalem<sup>13</sup>**

Sec. 807 of S. 600 and Sec. 210 of H.R. 2601 are identical and pertain to U.S. government action with respect to Jerusalem as the capital of Israel. The sections prohibit use of authorized funds for the operation of a U.S. consulate or diplomatic facility in Jerusalem that is not under the supervision of the U.S. Ambassador to Israel and for the publication of U.S. official documents that list countries and their capitals unless they identify Jerusalem as the capital of Israel. These prohibitions have been in past legislation. In 1967, Israel annexed East Jerusalem and declared the reunified city to be its eternal, undivided capital. The foreign aid authorization bills reflect the views of many Members of Congress who maintain that United States should consider Jerusalem to be part of Israel. P.L. 104-45, November 8, 1995, called for the U.S. embassy to be moved from Tel Aviv to Jerusalem and, in 1997, both houses of Congress passed resolutions (H.Con.Res. 60 and S.Con.Res. 21) calling on the Administration to affirm that Jerusalem must remain the undivided capital of Israel. Successive Administrations have asserted that Jerusalem is a subject of final status negotiations between Israel and the Palestinians and that Congress

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<sup>12</sup> Prepared by Carol Migdalovitz, Specialist in Middle Eastern Affairs, Foreign Affairs, Defense, and Trade Division.

<sup>13</sup> Prepared by Carol Migdalovitz, Specialist in Middle Eastern Affairs, Foreign Affairs, Defense, and Trade Division.

should not prejudice the outcome of those negotiations or undermine the U.S. role as an “honest broker” in the talks.

Sec. 209 of H.R. 2601, but no comparable provision of S. 600, states Congress’s view of its power in a tacit debate with the State Department over whether the legislative branch has the authority to require the issuance of U.S. passports indicating Jerusalem, Israel, as the place of birth of a U.S. citizen. Sec. 209 refers to Congress’s authority under Article 1, Section 8 of the Constitution as well as the first section of “An Act to regulate the issue and validity of passports,” approved July 3, 1926, which requires that accurate entries be made on passports at the request of citizens. Prior foreign aid authorization legislation mandated the designation Jerusalem, Israel, but the State Department has not implemented it in line with its desire not to prejudge final status negotiations between Israel and the Palestinians. The issue also is being litigated. In 2002, the U.S. Embassy in Tel Aviv declined to issue passports with Jerusalem, Israel, as the place of birth of children born in Israel to U.S. citizens and instead issued ones noting Jerusalem as the city of birth with the country of birth left blank. Two sets of parents sued the State Department but, in September 2004, the U.S. District Court in Washington dismissed the lawsuits. The Court ruled that it lacked jurisdiction over a political matter within the purview of the executive branch. The judge asserted, “The status of Jerusalem is without question one of the most sensitive foreign policy issues,” and not a simple administrative matter as the plaintiffs had argued. She also held that the plaintiffs lacked standing because they had suffered no injury as a result of the Department’s action. The parents have filed an appeal.

### *CRS Products*

CRS Issue Brief IB91137, *The Middle East Peace Talks*.

## **Intellectual Property Rights**

Both House and Senate bills touch on the issue of intellectual property right protections. Section 107 of the House bill authorizes, in addition to such sums as may otherwise be authorized for such purpose, \$5 million for equipment and training for foreign law enforcement, training judges and prosecutors, and assistance with copyright and intellectual property treaties and agreements. Section 204 of S. 600 authorizes the Secretary of State to support (by grants, cooperative agreements, or contract) training and technical assistance projects regarding protection of intellectual property rights.

## **Selected Measures Only in H.R. 2601**

### **United Nations Reform**

On July 20, 2005, the House incorporated into H.R. 2601, as Title XII, the text of H.R. 2745, Henry J. Hyde United Nations Reform Act of 2005, as earlier passed. This Title of more than 100 pages requires many State Department certifications and reports and would withhold 50% of U.S. assessed dues to the U.N. regular budget beginning with calendar year 2007 if 32 of 40 specific changes aimed at reform of the

United Nations are not in place, including 15 mandatory reforms. The Bush Administration has expressed reservations about this legislation because of its withholding provisions and because it infringes on the President's authority to carry out foreign affairs.

*CRS Products:*

CRS Issue Brief IB86116, *United Nations System Funding: Congressional Issues*.

## **Advance Democracy Act of 2005<sup>14</sup>**

The Bush Administration has strongly emphasized spreading freedom and democracy to Iraq and around the world. Congress has also sought legislative measures to promote democracy overseas.

H.R. 2601, Title VI, Advance Democracy Act of 2005, states that promoting freedom and democracy shall be a fundamental component of U.S. foreign policy. Among other things, the measure would codify the position and responsibilities of Under Secretary of State for Democracy and Global Affairs and adds new duties for the Assistant Secretary of State for Democracy, Human Rights, and Labor to include responsibility for matters relating to the transition to and development of democracy in nondemocratic countries. Title VI would create within the Bureau of Democracy, Human Rights, and Labor an office that shall be responsible for working with democratic movements and transitions.

The act also would require the Secretary to establish regional democracy hubs at U.S. missions abroad to carry out the provisions of this title and provides for coordination of such efforts.

Sec. 612 of the title would require an annual report on democracy which will provide the definitions, category designations, and basis for much of the State Department activities and focus on democracy promotion worldwide.

The measure would require that a nine-member Democracy Promotion and Human Rights Advisory Board be established, and no later than 120 days after the date of this act, the Secretary must appoint all members. No more than five may be appointed from the same political party.

Furthermore, the Advance Democracy Act of 2005 seeks to strengthen the Community of Democracies by supporting the efforts of the government of Hungary and governments of other European countries to establish an International Center for Democratic Transition. For this purpose, the measure authorizes the appropriation of \$1 million each for FY2006, FY2007, and FY2008.

There is no similar provision in S. 600 at this time.

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<sup>14</sup> Prepared by Susan B. Epstein, Specialist in Foreign Policy and Trade, Foreign Affairs, Defense, and Trade Division.

## Foreign Students

Title XIII of H.R. 2601 notes how important foreign students are to the U.S. economy, to the exchange of ideas, and to U.S. institutions of higher learning. The Title also documents a significant decline in foreign students entering the United States since September 11, 2001. The measure would require the Secretary of State, in consultation with other agency secretaries and within one year of enactment of this Act, to encourage foreign students to study in the United States. In addition, the measure would require the Secretary of State to meet with individuals and organizations involved in international education and the recruitment of foreign students to get their input on the matter. Furthermore, the Title would amend existing law on training in processing and facilitating visa applications for students and exchange visitors.

## Altering U.S. Assistance to Egypt<sup>15</sup>

Some lawmakers believe that U.S. assistance to Egypt has not been effective in promoting political and economic reform and that foreign assistance agreements should be renegotiated to include benchmarks that Egypt would need to meet to continue to qualify for U.S. foreign aid. Others have periodically called for restrictions on U.S. aid to Egypt based on the allegations that Egypt indirectly supports Palestinian terrorism, suppresses its own population, including minority Christians, and continues to allow Egyptian state-owned media outlets to publish unsubstantiated conspiratorial theories regarding Israel and the Jewish people.

The Administration and Egyptian government assert that reducing Egypt's military aid would undercut peace between Israel and Egypt. Overall, many U.S. observers believe that U.S. support for Egypt stabilizes the region and extends U.S. influence in the most populous Arab country. Supporters of continued U.S. assistance note that Egypt helps train Iraqi and Palestinian security forces, cooperates with the U.S. military, and will be helping to patrol the Egyptian-Gaza border after Israel's withdrawal.

An amendment offered on July 15, 2004, to the House FY2005 foreign operations bill (H.R. 4818) would have reduced U.S. military aid to Egypt by \$570 million and increased economic aid by the same amount, but the amendment failed by a vote of 131 to 287. More recently, an amendment offered on June 28, 2005 to the House FY2006 foreign operations bill (H.R. 3057) would have reduced U.S. military aid to Egypt by \$750 million and would have transferred that amount to child survival and health programs managed by USAID. The amendment failed by a recorded vote of 87 to 326.

H.R. 3057, the House FY2006 foreign operations bill, earmarks \$100 million in ESF for good governance and education programs in Egypt, a doubling of previous obligated amounts. The Senate version provides \$35 million for democracy and governance programs in Egypt.

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<sup>15</sup> Prepared by Jeremy Sharp, Middle East Policy Analyst, Foreign Affairs, Defense, and Trade Division.

H.R. 2601, the FY2006/FY2007 House Foreign Relations Authorization bill, would reduce U.S. military assistance to Egypt by \$240 million over the next three fiscal years, while using the same amount of funds to promote economic changes, fight poverty, and improve education in Egypt. There is no companion provision in the Senate's Foreign Relations Authorization bill (S. 600). Section 1021 of H.R. 2601 would establish a number of requirements Egypt would have to meet in order to continue receiving U.S. economic assistance. It also would make cash flow financing benefits available only for projects focused on economic reform, education, and poverty reduction rather than for military purchases. Finally, H.R. 2601 would transfer any interest earned from amounts in an interest bearing account for Egypt's FMF to the Middle East Partnership Initiative (MEPI) for reform-oriented programming in Egypt.

## Strategic Export Control Policies<sup>16</sup>

Title VII of H.R. 2601, as passed by the House, contains a variety of provisions relating to export control policies of the United States. What follows is a brief summary of key sections of this Title of the House committee bill, as reported to the House. S. 600, has almost no directly comparable provisions at this stage of its consideration in the Senate. It is possible that some of the matters addressed in H.R. 2601 may become the subject of amendments during Senate floor consideration of its related bill.

Section 711 would amend the State Department Basic Authorities Act of 1956 by:

- creating the position of Deputy Under Secretary of State for Strategic Export Control;
- making the Under Secretary of State for Arms Control and International Security the chairman of an inter-agency Strategic Export Control Board, to be established by section 712 of this bill; and
- authorizing the use of defense trade registration fees to offset costs related to the work of the Strategic Export Control Board.

Section 712 would establish a Strategic Export Control Board, composed of representatives of Departments having export control policy, licensing or duties for enforcement of the U.S. export controls and related matters. The Chairman of this Board is to be the Under Secretary of State for Arms Control and International Security.

Section 721 would require the Departments of Commerce and State to publish the results of their determinations regarding export jurisdiction in the Federal Register and on their Internet websites. This is intended to make clear which items are being controlled through the United States Munitions List and those controlled through the Commodity Control List.

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<sup>16</sup> Prepared by Richard F. Grimmett, Specialist in National Defense.



Section 722 would amend section 36 (c) of the Arms Export Control Act to establish a Congressional notification requirement for the new so-called comprehensive export licenses, not currently subject to mandatory Congressional review.

Section 723 would direct the State Department not to provide preferential treatment in the processing of licenses for export to other parties of items needed for U.S. Armed Forces and allied forces participating in United States-led coalitions operations.

Section 724 would require the State Department to include information on the number of officers assigned to munitions export licensing and their workloads in the quarterly report to Congress required by section 36(a) of the Arms Export Control Act.

Section 725 would amend the reporting requirements of section 655 of the Foreign Assistance Act of 1961, to require that the information found in this report to Congress on U.S. Munitions List items transferred or licensed for export abroad be maintained in a database format that can be searched by the general public.

Section 726 would require the State Department office responsible for processing U.S. Munitions List export licenses to designate a coordinator for small business affairs to aid small defense firms in application procedures and related matters.

Section 727 would require the Secretary of State to create an exemption from export licensing in the International Traffic in Arms Regulations for certain technical data related to foreign sales marketing of commercial satellites under conditions and parameters for this data established by the Secretary of Defense.

Section 728 would amend the reporting requirements of Section 655 of the Foreign Assistance Act of 1961 to require inclusion in the report to Congress of information concerning the volume and types of defense articles being exported without a license.

Section 731 would require an annual report to Congress on certain sensitive items warranting licensing scrutiny before being transferred to a foreign person located within the United States. In the future any U.S. Munitions List item specified in this new report would require a license before it could be transferred.

Section 732 would require a report by the Secretary of State certifying that there is no national security risk arising from the current exemption in the International Traffic in Arms Regulations which permits any foreign person to bring unclassified weapons temporarily into the United States from Canada without prior U.S. Government review and approval. The report would also have to certify that the State Department is providing guidance to Homeland Security and Border Protection personnel needed to enable them effectively to detect and enforce the unlawful use of a Canadian license exemption.

Section 733 would amend section 38 of the Arms Export Control Act to require that the United States does not transfer items on the U.S. Munitions List or the Commodity Control List to any entity of an embargoed country, other than the military, intelligence, or other security forces of such country, and only through issuance of an export license in which the Secretaries of State and Defense concur.

Section 735 would amend section 3 of the Arms Export Control Act to require a report to Congress regarding any unauthorized transfer of a U.S. defense article by a foreign person to a nation designated by the United States as a state sponsor of international terrorism. This provision would apply to articles licensed under section 38 of the Arms Export Control Act.

Other sections of Title VII of H.R. 2601 provide for various reporting requirements on technical matters, authorizations for transfers of specific decommissioned naval vessels, transfers of obsolete and surplus military stocks, and terms of reimbursement for international military education and training provided by the United States.

In a floor amendment to the bill during House consideration, Chairman Henry Hyde, added a new Title IX (Sections 901-910) which contains a number of Congressional policy statements and other detailed provisions to tighten oversight by the United States over exports of its defense articles, services and technology to other nations who might re-export such items to China. This title contains a number of reporting requirements that the President provide specific information relating to arms exporting activities of nations in the European Union that might transfer U.S. origin defense items or technology to China, as well as reporting requirements related to U.S. defense exports licensing generally to ensure that defense items or technology that potentially find their way to China, have been rigorously scrutinized in advance to ensure that no risk to U.S. national security interests are involved.

## **Missile Nonproliferation<sup>17</sup>**

Section 734 would require the Secretary of State to annually certify that U.S. missile technology controls are clearly established and updated. This certification requirement is in response to Government Accountability Office (GAO) findings that jurisdiction over about 25 percent of missile-related items controlled by the Missile Technology Control Regime (MTCR) is ambiguously shared between the Departments of State and Commerce and that there is a long-standing absence of export license requirements for many dual-use MTCR items exported to Canada. The issue of export license requirements for Canada is likely based on a need to close an identified loophole to avoid the re-export of missile-related items from Canada to nations of concern.

Section 741 would require that any foreign person, entity, or government that has been sanctioned by the U.S. for missile transfer violations will be on probation for the issuance of dual-use licenses for a period of three years after the expiration of the designated period of formal sanctions. The three year probation can be waived

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<sup>17</sup> Prepared by Andrew Feickert, Specialist in National Defense.

if the President informs Congress that the person, entity, or government has verifiably ceased their illegal activities and have instituted a program of transparency in order to verify compliance. These provisions are intended to raise the potential costs for those involved in proliferation activities as well as provide a means to monitor their activity by placing them on a watch list. Section 742 increases the period of U.S. missile sanctions from two to four years which is also intended to raise the potential costs to proliferants. There are no similar provisions in S. 600.

Section 743 would expand U.S. missile sanctions to all foreign persons, including responsible government entities. This provision is intended to deter foreign governments from using individuals or front companies to conduct government-sponsored trade and transfers of missiles and related technologies as a means to avoid U.S. sanctions. This is considered by some as a very powerful measure whereby the U.S. government could sanction an entire country over the illegal activities of individuals or companies from that country. Even in a situation where a foreign government is not using front companies or persons to further its missile programs, this provision might compel governments to exercise greater monitoring or export control over missile-related trade in order to avoid the possibility of U.S. sanctions against their country.

*CRS Products:*

CRS Report RL31559, *Proliferation Control Regimes: Background and Status.*

## **Nuclear Black Market Elimination Act<sup>18</sup>**

Nonproliferation experts were shocked in 2004 by the revelation that Pakistani scientist A.Q. Khan sold sensitive nuclear technology and equipment to Iran, Libya, and North Korea. President Bush responded with several nonproliferation proposals: a ban on sales of uranium enrichment and reprocessing to states that do not already have fully operational capabilities, a similar ban for those that have not signed an Additional Protocol (expanded measures to strengthen International Atomic Energy Agency safeguards), and expansion of the Proliferation Security Initiative. Much of the nonproliferation language in H.R. 2601 addresses the nuclear black market issue and policy proposals.

Title VIII, the Nuclear Black Market Elimination Act, seeks to strengthen U.S. leverage in shutting down nuclear black market transfers. The bill has four basic components: sanctions, penalties for corporate entities associated with proliferation activities, incentives for proliferation interdiction cooperation, and nonproliferation conditions for U.S. assistance. Subtitle A would authorize the President to impose any or all sanctions listed (e.g., bans on foreign assistance, aid, defense articles, licenses for defense and dual-use articles and for any commodities other than food, agriculture, medicines and medical equipment) to individuals that transfer enrichment and reprocessing technology to non-nuclear weapon states that do not already have fully operational capability as of January 1, 2004, that do not have in force an Additional Protocol, or are developing a nuclear weapon. The sanctions, which

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<sup>18</sup> Prepared by Sharon Squassoni, Specialist in National Defense.

would be imposed for two years or more, may be suspended by the President after 15 days with congressional notification. Subtitle C would authorize assistance to other countries cooperating in proliferation interdiction, including provision of defense equipment. Section 836 prohibits transfer of excess aircraft or ships to states that have not agreed it will support U.S. interdiction efforts. Subtitle D would make nonproliferation cooperation a precondition for U.S. assistance and would suspend arms sales licenses and deliveries to countries that host nuclear proliferation networks. The President would need to certify to Congress that those countries are fully investigating such networks, are taking steps to halt such activity, are fully cooperating with the United States, and have enacted laws to prevent future activities. These measures appear to address the frustration among some in Congress that the United States seems to have little leverage over Pakistan in uncovering and eliminating the A.Q. Khan network.

In addition, there are several sense of Congress resolutions in Title XIV (Miscellaneous Provisions) related to nonproliferation. On Iran, Section 1402 calls for the G-8 governments to insist that Russia terminate all assistance to the Bushehr nuclear facility (including fuel) and condition Russia's continued membership in the G-8 on that termination of assistance. On A.Q. Khan, Section 1423 calls for the U.S. government to ask Pakistan for direct access to Khan to learn more about the operation of his illicit nuclear black market network, and to take the steps to ensure that Pakistan has verifiably halted any cooperation with any country in the development of weapons of mass destruction-related (WMD) technology, material, or equipment. There is also a sense of Congress resolution in Section 1431 on the Proliferation Security Initiative, urging the Secretary of State to seek ways of strengthening PSI along the lines of what the President proposed in February 2004. In particular, says H.R. 2601, the United States should seek authority through an international instrument such as a United Nations Security Council resolution, multilateral treaty, or other agreement not just to interdict, but also to seize and impound illicit shipments of WMD-related items.

*CRS Products:*

CRS Report RS21881, *Proliferation Security Initiative (PSI)*;

CRS Report RL32745, *Pakistan's Nuclear Proliferation Activities and the Recommendations of the 9/11 Commission: U.S. Policy Constraints and Options*; and

CRS Report RS21592, *Iran's Nuclear Program: Recent Developments*.

## **U.S. Policy Regarding World Bank Loans to Iran<sup>19</sup>**

In recent years, there has been considerable concern in Congress and elsewhere that the World Bank is continuing to make loans to Iran even as that country seems to be striving to develop nuclear weapons. Many believe that access to credit from

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<sup>19</sup> Prepared by Jonathan E. Sanford, Specialist in International Political Economy, Foreign Affairs, Defense, and Trade Division.

the World Bank helps Iran to fund indirectly its nuclear program. Others assert that while the case for indirect financing may be debatable, the present situation suggests that the international community is not seriously concerned about the Iran's current activities.

H.R. 2601 includes language (Sec. 1406) directing the Secretary of State to work, in consultation with the Secretary of the Treasury, to secure the support of governments represented on the board of executive directors of the World Bank Group to oppose any further activity in Iran by the Bank Group until Iran abandons its program to develop nuclear weapons. Notification by the Secretary to the "appropriate congressional committees" is required.

The G8 and other European countries have a working majority on the World Bank executive board. If the United States can persuade them to oppose further assistance to Iran, then no future assistance would be approved. Barring extraordinary circumstances, however, it seems unlikely that the Bank could discontinue projects which it has already approved and for which it is contractually obligated. From 1993 to 2000, there was a consensus on the executive board opposing new loans. In 2000, however, the consensus broke down as several major European countries sought to influence Iran's policy through constructive dialog. More than a half-dozen loans have been approved since that time. The new legislation might help strengthen the Administration's efforts to reestablish the prior consensus. On the other hand, unless the United States and major European countries agree on their basic strategy, efforts to recreate the earlier consensus may be futile. Directing the Secretary of State to take the lead will bring the resources of the State Department to bear on the issue. However, the Department of the Treasury has jurisdiction for U.S. participation in the World Bank and other international financial institutions and would normally be the one to lead this effort. In any case, the President is required by Sec. 10 of the Iran and Libya Sanctions Act of 1996 (P.L. 104-172) to undertake an international effort to persuade countries to pressure Iran to cease development of weapons of mass destruction. This effort would presumably include efforts to stop lending by the World Bank so long as Iran continues to pursue WMD ambitions. Typically, legislative jurisdiction for matters pertaining to the World Bank lies with the House Financial Services Committee.

## **International Broadcasting to Venezuela**

During floor action, the House passed an amendment to Section 106 which authorizes the Broadcasting Board of Governors to use such sums as are necessary for FY2006 and FY2007 to broadcast at least 30 minutes a day to Venezuela.

## **Selected Measures only in S. 600**

S. 600 contains a number of measures in addition to those authorizing State Department appropriations, organization measures, and broadcasting. Included in S. 600 are provisions that would authorize foreign assistance programs, radiological terrorism security, global pathogen surveillance, safe water, protection of vulnerable populations during humanitarian emergencies, and conventional arms disarmament.

## International Organizations<sup>20</sup>

**U.S. Assessments.** Effective October 1, 1995, Congress, in Section 404 (b)(2), P. L. 103-236, limited U.S. assessed payments to U.N. peacekeeping accounts to 25%, irrespective of the higher percent level assessed the U.S. government by the United Nations General Assembly. Congress had taken this action in response to continuing increases in the overall costs of U.N. peacekeeping operations and the failure of U.N. member governments to accept increases in their own assessment levels, a step that would enable U.S. assessments to be lowered. This difference between U.S. peacekeeping contributions and U.N. peacekeeping assessments, created by the gap between U.N. and U.S.-recognized assessment levels, helped to produce a growing arrearage in U.S. contributions to U.N. peacekeeping accounts.

In 2001, in response to a December 2000 agreement by the U.N. General Assembly that the U.S. regular budget assessment would be reduced from 25% to 22%, the U.S. peacekeeping assessment level started to fall toward 25%. [The U.N. peacekeeping assessment is based on a modification of the regular budget assessment level. See CRS Issue Brief IB90103, *United Nations Peacekeeping: Issues for Congress*, **Table 1**. U.N. Peacekeeping Assessment Levels for the United States and accompanying text for further details and background.]<sup>21</sup> In 2002, Congress stipulated that the 25% cap set for peacekeeping payments in 1995 would be raised for calendar years (CY) 2001 through 2004 to a range of 28.15% for CY2001 through 27.4 % for CY2004. This would enable current U.S. peacekeeping assessments to be paid in full (section 402, P. L. 107-228). The FY2005 Consolidated Appropriations Act (P.L. 108-447, December 8, 2004), set the peacekeeping assessment cap for CY2005 at 27.1%.

The Senate on April 6, 2005, accepted an amendment to S. 600 that would drop the assessment cap limitation changes, returning the cap to 25%. The Foreign Relations Committee had recommended a permanent change to 27.1% and an amendment sponsored by Senator Biden would have adopted the 27.1% cap for CY 2005, 2006, and 2007, a change requested by the Administration. According to the U.N. General Assembly resolution (A/RES/58/256, adopted December 23, 2003) which endorsed peacekeeping assessment levels for CY 2004 through 2006, the U.S. assessment level for its peacekeeping contributions is:

Jan. 1, 2004	July 1, 2004	Jan. 1, 2005	July 1, 2005	Jan. 1, 2006
26.6901%	26.6752%	26.4987%	26.4838%	26.6932%

<sup>20</sup> Prepared by Marjorie Ann Browne, Specialist in International Relations, Foreign Affairs, Defense, and Trade Division.

<sup>21</sup> In response to the U.N. action, Congress passed S. 248 (P.L. 107-46 signed, October 5, 2001), which amended 1999 enacted legislation authorizing payment of U.S. arrearages on its contributions to the United Nations, once certain conditions had been met. One of the conditions required General Assembly reduction of the U.S. peacekeeping assessment level to 25%. P.L. 107-46 changed that figure to 28.15%.

The Senate action, if it became law, would appear to return the United States to the automatic accumulation of arrearages in its U.N. peacekeeping contributions. H.R. 2601 does not have language relating to the peacekeeping cap.

*CRS Products:*

CRS Issue Brief IB90103, *United Nations Peacekeeping: Issues for Congress*.

**The Brahimi Report.** In August 2000, a Panel of experts on United Nations Peace Operations, created by U.N. Secretary-General Kofi Annan in March 2000, issued a report assessing the shortcomings of the United Nations in the peacekeeping area and offering nearly 60 recommendations for reform and change. The report is often referred to as the Brahimi Report, named after the chairman of the Panel, Lakhdar Brahimi, former Foreign Minister of Algeria and currently Special Adviser to the Secretary-General of the United Nations. Many of those recommendations, after being reviewed by the U.N. General Assembly and its Special Committee on Peacekeeping Operations and the U.N. Security Council, were implemented.

Section 403 of S. 600 would require the Secretary of State, within 120 days after enactment, to submit a report “assessing the progress made to implement the recommendations set out in the Report of the Panel on United Nations Peace Operations, transmitted...on August 21, 2000....” This State Department report “shall” include “(1) an assessment of the progress made by the United Nations toward implementing the recommendations set out in the Report; (2) a description of the progress made toward strengthening the capability of the United Nations to deploy a civilian police force and rule of law teams on an emergency basis at the request of the United Nations Security Council; and (3) a description of the policies, programs, and strategies of the United States Government that support the implementation of the recommendations set out in the Report, especially in the areas of civilian police and rule of law.” The Senate Foreign Relations Committee in explaining its intent recognized “the importance of the U.N. peacekeeping operations, including their capability to deploy civil police forces in post-conflict stabilization missions” and stated its belief “that the report required by this section will contribute to its oversight of U.S. efforts and support for implementing any outstanding recommendations of the 2000 Brahimi assessment.”<sup>22</sup> H.R. 2601 does not include comparable language.

This is not the first time the Senate Committee has recommended such a report. In April 2003 and in March 2004, the Committee recommended in Section 402 of S. 925 for FY2004 and S. 2144 for FY2005, respectively, that the Foreign Relations Authorization Act require the Secretary of State submit to “appropriate committees of Congress” a report “assessing the progress made to implement the recommendations” of the Brahimi Panel. The contents requirements for the report were identical to those in Section 403 of S. 600. The House bill in the 108<sup>th</sup> Congress, H.R. 1950, did not include a similar provision and the legislation was not enacted.

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<sup>22</sup> S. Rept 109-35, p. 17.

## International Family Planning Aid<sup>23</sup>

Neither House or Senate authorization bills, as reported by the respective committees, address the long-standing and frequently contentious matter of U.S. international family planning assistance and abortion. The Senate, however, adopted a floor amendment to S. 600, offered by Senator Boxer, that would effectively reverse the President's so-called "Mexico City" policy. In the past, the Bush Administration has said the President would veto legislation that included such text.

**Mexico City Policy.** With direct funding of abortions and involuntary sterilizations banned by Congress since the 1970s, the Reagan Administration in 1984 announced that it would further restrict U.S. population aid by terminating USAID support for any organizations (but not governments) that were involved in voluntary abortion activities, even if such activities were undertaken with non-U.S. funds. U.S. officials presented the revised policy at the 2nd U.N. International Conference on Population in Mexico City in 1984. Thereafter, it became known as the "Mexico City" policy. The policy continued in effect until lifted by President Clinton in 1993, but was re-imposed by President Bush in early 2001.

Critics of the Mexico City requirements oppose it on several grounds. They argue that family planning organizations may cut back on services because they are unsure of the full implications of the restrictions and do not want to risk losing eligibility for USAID funding. Opponents also believe the conditions undermine relations between the U.S. government and foreign non-government organizations (NGOs) and multilateral groups, creating a situation in which the United States challenges their sovereignty on how to spend their own money and impose a so-called "gag" order on their ability to promote changes to abortion laws and regulations in developing nations. The latter restriction, these critics note, would be unconstitutional if applied to American groups working in the United States.

Supporters of the policy argue that even though permanent law bans USAID funds from being used to perform or promote abortions, money is fungible; that organizations receiving American-taxpayer funding can simply use USAID resources for legal activities while diverting money raised from other sources to perform abortions or lobby to change abortion laws and regulations. The policy, they contend, stops the fungibility "loophole."

During debate on S. 600, the Senate approved (52-46) on April 5 an amendment offered by Senator Boxer that would effectively overturn the President's Mexico City policy. Specifically, the Boxer language states that foreign NGOs shall not be ineligible for U.S. funds solely on the basis of health or medical services they provide (including counseling and referral services) with non-U.S. government funds. This exemption would apply so long as the services do not violate the laws of the country in which they are performed and that they would not violate U.S. laws if provided in the United States. The amendment further provides that non-U.S. government funds used by foreign NGOs for advocacy and lobbying activities shall be subject to

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<sup>23</sup> Prepared by Larry Nowels, Specialist in Foreign Affairs, Foreign Affairs, Defense and Trade Division.



conditions that also apply to U.S. NGOs. Since it is largely held that American NGOs would not be subject to these restrictions under the Constitutional protection of free speech, it is possible that this latter exemption would lift current prohibitions that apply to overseas NGOs.

*CRS Products:*

CRS Issue Brief IB96026, *Population Assistance and Family Planning Programs: Issues for Congress.*

## **Debt Cancellation for Poor Countries<sup>24</sup>**

There has been strong public concern in the past decade that many poor countries are stifled in their efforts to escape poverty and develop their economies by their comparatively heavy burdens of external debt. Since the late 1980s, the G7 countries have adopted various plans for cancelling the debt of these countries. To qualify, countries must adopt reforms in their economic policies and procedures. In July 2005, the G8 announced plans for a program of 100% debt cancellation for 18 countries that have successfully completed the program for assistance to heavily indebted poor countries (HIPC) as well as for other that meet those standards in the future. Among other things, this will include deep cancellation of debt owed to the international financial institutions.

S. 600 contains language (Sec. 2114) that would authorize the appropriation of \$99.75 million during fiscal 2006 for debt reduction under the HIPC program and the Tropical Forest Conservation Act of 1998. No more than \$20 million of the total may be used to carry out the latter act. There is no indication what share should be used to fund U.S. bilateral debt cancellation or multilateral debt cancellation via contribution to the HIPC Trust Fund administered by the World Bank. For fiscal 2005, the Administration requested an appropriation of \$105 million to complete U.S. bilateral debt cancellation for the Democratic Republic of the Congo (DROC). The United States is one of the last countries not to cancel debts owed to it by the DROC under the HIPC agreement approved in 2003. S. 600 also includes language (Sec. 2221) authorizing the President to reduce further most debts owed to the United States by the poorest countries, in light of the debt reduction plan recently announced by the G8. H.R. 2601 has no comparable language related to debt cancellation. It does mention in Sec. 954 that debt relief could be part of the comprehensive strategy called for by the Sense of Congress statement for the elimination of extreme poverty in developing countries.

From the point of view of supporters, greater debt cancellation will help poor countries fight poverty and enhance their development prospects. Few groups have voiced opposition to the measures. Many worry, however, that — the G8 having promised to reimburse the World Bank for only a small part of the total multilateral debt forgiveness announced at the recent G8 meeting — future aid levels from the Bank's concessional aid program will be reduced proportionally to the planned debt

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<sup>24</sup> Prepared by Jonathan E. Sanford, Specialist in International Political Economy, Foreign Affairs, Defense, and Trade Division.

cancellation. On that basis, debt cancellation would provide few net benefits for the Bank's prospective aid recipients.

*CRS Products:*

CRS Report RS21482, *The Paris Club and International Debt Relief*;

CRS Report RL32489, *Africa: Development Issues and Policy Options*;

CRS Report RL32796, *Africa, the G8 and the Blair Initiative*; and

CRS Issue Brief IB95052, *Africa: U.S. Foreign Assistance Issues*.

## **Radiological Terrorism Security Provision<sup>25</sup>**

The State Department is responsible for protecting more than 60,000 government and contract employees, and their family members, who work in embassies and consulates in 180 countries. Given the threat of a terrorist act against U.S. personnel located overseas, assessing and responding to a Chemical, Biological, Radiological, or Nuclear (CBRN) attack is of concern to the Department of State. "Terrorist groups, particularly Al Qaeda, remain interested in CBRN weapons. Al Qaeda's stated intention to conduct an attack exceeding the destruction of 9/11 raises the possibility that a future attack may involve unconventional weapons."<sup>26</sup>

S. 600 contains numerous provisions, under Title XXIII - the Radiological Terrorism Security Act of 2005, that address preparing for and responding to a CBRN attack. (H.R. 2601 does not contain a provision that addresses radiological terrorism issues.) Section 2303 of S. 600 would require the Secretary of State to provide to Congress reports detailing various aspects of preparations of U.S. diplomatic facilities to detect and mitigate a radiological attack. This report is due no later than 180 days after the date of enactment of this act. This section of the act also would require that a report be submitted by the Secretary that prioritizes: radiological security and consequence management efforts at U.S. diplomatic facilities and the U.S. missions where such improvements are most needed. These two reports are to be submitted to Congress annually commencing in FY2007. Currently the State Department addresses issues related to responding to a radiological incident in each embassy's Emergency Action Plan (EAP). Radiological response efforts supported by the EAP consist of providing CBRN equipment and training to U.S. personnel stationed overseas.<sup>27</sup>

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<sup>25</sup> Prepared by John Rollins, Specialist in Terrorism and International Crime.

<sup>26</sup> Vice Admiral Lowell E. Jacoby, U.S. Navy Director, Defense Intelligence Agency, Statement For the Record, Senate Armed Services Committee, Mar. 17, 2005.

<sup>27</sup> Greg Starr, Acting Assistant Secretary of State for Diplomatic Security, Remarks before the House International Relations Committee, May 10, 2005. [<http://www.state.gov/m/ds/rls/rm/46028.htm>].

Section 2304 of this act would require the Secretary to assist foreign country first responder efforts. The provisions contained in this section would require the State Department to train foreign first responders to: detect, identify, and characterize radioactive material, understand the hazards posed by radioactive contamination, and enter and assist individuals located in contaminated areas. These efforts complement the Department of State's Antiterrorism Assistance Program (ATA) that focuses on "developing a comprehensive and structured response within a host Nation's first responder community".<sup>28</sup> In FY2004, this ATA program trained first responders from 15 Countries.

Section 2305 proposes \$2 million in FY2006 to undertake the efforts delineated in the Radiological Terrorism Security Act of 2005. The State Department's FY2006 funding request for programs related to safeguarding of overseas diplomatic security facilities is \$689.5 million<sup>29</sup> an increase of \$39.6 million (6 percent) over FY2005 levels.

### **Assistance to Combat Avian Flu<sup>30</sup>**

In 1997 a new strain of influenza jumped from poultry directly to humans in Hong Kong, resulting in several human deaths. This marked the first documented occurrence of direct transmission of an avian flu virus from birds to people. Despite efforts to contain the virus through mass-culling of poultry flocks, the virus (also called H5N1 for specific proteins on its surface) re-emerged in 2003. It has since been reported in domestic poultry and/or migratory birds in Cambodia, People's Republic of China, Taipei, Hong Kong, Indonesia, Japan, Republic of Korea, Laos, Malaysia, Thailand and Vietnam.<sup>31</sup> Also since 2003, it has infected 97 people in Cambodia, Thailand and Vietnam, resulting in 53 deaths.<sup>32</sup> As yet the virus has not developed the ability to transmit efficiently from person to person. Were that to occur, Asia could become the epicenter of a global influenza pandemic. The high lethality of the strain and its tendency to affect young people remind health authorities of the deadly 1918 Spanish flu pandemic, which is estimated to have

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<sup>28</sup> Report to Congress for Fiscal Year 2004, U.S. Department of State, *The Antiterrorism Assistance Program*.

<sup>29</sup> Greg Starr, Acting Assistant Secretary of State for Diplomatic Security, Remarks before the House International Relations Subcommittee on Africa, Global Human Rights, and International Operations, May 12, 2005. [<http://www.state.gov/m/ds/rls/rm/46151.htm>].

<sup>30</sup> This section was prepared by Sarah A. Lister, Specialist in Public Health and Epidemiology.

<sup>31</sup> The World Organization for Animal Health (known as OIE for its French acronym), "Update on Avian Influenza in Animals in Asia (Type H5), 24 June 2005," at [[http://www.oie.int/downld/AVIAN%20INFLUENZA/A\\_AI-Asia.htm](http://www.oie.int/downld/AVIAN%20INFLUENZA/A_AI-Asia.htm)], accessed on June 24, 2005. The OIE is an intergovernmental organization of 167 member countries and is not an organ of the United Nations.

<sup>32</sup> World Health Organization, "Cumulative Number of Confirmed Human Cases of Avian Influenza A/(H5N1) Reported to WHO," as of June 15, 2005, at [[http://www.who.int/csr/disease/avian\\_influenza/country/en/](http://www.who.int/csr/disease/avian_influenza/country/en/) ], accessed June 24, 2005.

killed as many as 2% of the world's population, and was a substantial cause of mortality among U.S. military personnel serving in World War I.<sup>33</sup>

U.S. and world health authorities believe that while influenza pandemics are inevitable and cannot be stopped, their progress may be slowed by rapid detection and local efforts to control spread. The added time would allow affected nations to better manage the situation, and countries not yet affected to better prepare. To realize these benefits, Asian countries affected by avian flu must be able to track the spread of the virus in birds, and quickly detect and investigate suspected human cases. Hence, a country's capabilities in epidemiology, laboratory detection and other public health services affect the welfare of the global community as well as the country itself. This fact presents developed nations with novel policy challenges, such as whether to reserve scarce health resources such as antiviral drugs for themselves, or to rapidly deploy them to developing nations at the center of an emerging pandemic.

Section 2117 of S. 600 calls on the President to establish an interagency task force to design and implement a comprehensive international strategy to prevent and, if necessary, respond to outbreaks of avian flu, and to assure that U.S. efforts are well coordinated with those of other nations. The task force is to be composed of officials at the assistant secretary level or higher. In addition, the act would authorize \$25 million for FY2006 (through Section 491 of the Foreign Assistance Act) for assistance in preventing and responding to avian flu outbreaks.

H.R. 2601, is silent on the matter of avian flu. Related legislation addressing international aspects of pandemic flu preparedness includes 1) supplemental appropriations for FY2005, in which Congress provided \$25 million for foreign assistance to prevent and control the spread of avian flu, directing that not less than \$15 million of that be re-directed to the Centers for Disease Control and Prevention (CDC), to be obligated only after consultation with USAID;<sup>34</sup> and 2) S. 969, the Attacking Viral Influenza Across Nations Act of 2005, which would direct a number of efforts for domestic and global preparedness for pandemic influenza, including creation of a cabinet-level policy coordinating committee, foreign assistance for public health and medical capacity, and development of a proposal for an international fund to support pandemic influenza control and relief activities.

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<sup>33</sup> Center for Infectious Diseases Research and Policy, "Pandemic Influenza," June 16, 2005, at [<http://www.cidrap.umn.edu/cidrap/content/influenza/panflu/index.html>].

<sup>34</sup> P.L. 109-13, The Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005, Sec. 4104, May 11, 2005.

## Global Pathogen Surveillance Act<sup>35</sup>

Title XXIV of S. 600 — The Global Pathogen Surveillance Act — would authorize \$35 million for FY2006 to enhance the capability of developing nations to detect, identify, and contain infectious disease outbreaks, whether naturally occurring or the result of a bioterrorist attack. The legislation was first introduced in the 107<sup>th</sup> Congress by Senators Biden, Helms, Kennedy, and Frist (S. 2487), where it passed the Senate, amended, in August 2002. No further action was taken on the measure during the 107th Congress. Similar legislation was introduced in both chambers in the 108<sup>th</sup> Congress but was not ultimately enacted. H.R. 2601 is silent on the matter of pathogen surveillance.

Infectious disease outbreaks need not originate in the United States to pose a threat to the nation. The outbreak of Severe Acute Respiratory Disease (SARS) in 2003 and growing concerns about pandemic influenza underscore the importance of global surveillance system to detect and track the spread of infectious diseases around the world, whether of natural origin or from a bioterrorist attack. International trade, travel, and migration facilitate the rapid spread of pathogens from one continent to another. In turn, widespread outbreaks of infectious disease threaten the health, economic and social stability not just of those countries directly affected, but of their neighbors and trading partners as well.

Global surveillance is crucial in containing microbial threats before isolated outbreaks develop into regional or worldwide pandemics. In 2000, the World Health Organization (WHO) established the Global Alert and Response Network to monitor and track infectious disease outbreaks in every region of the world. But many developing nations lack the trained personnel, laboratory facilities, and public health infrastructure to detect emerging pathogens and track evolving disease patterns.

The Global Pathogen Surveillance Act states that priority for provision of assistance will be given to those countries that provide early notification of disease outbreaks, share data with appropriate U.S. authorities, and permit WHO and CDC officials to investigate outbreaks of infectious diseases on their territories (Section 2404). The act includes several provisions intended to strengthen the disease surveillance capabilities of developing nations. First, it would provide for in-country training for medical and laboratory personnel and permit eligible nationals of developing countries to come to the United States to pursue a master of public health degree or advanced training in epidemiology (Sections 2406 and 2407). Second, it would provide assistance for the purchase of basic laboratory equipment for the collection, analysis, and identification of pathogens, and communications equipment and information technology for the dissemination of information on disease patterns throughout regional health networks, excluding any types of equipment subject to export controls (Sections 2408 and 2409).

Additionally, the act would authorize the heads of executive branch agencies to assign public health officials to U.S. diplomatic missions and international health

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<sup>35</sup> This section was prepared by Sarah A. Lister, Specialist in Public Health and Epidemiology.

organizations when requested, and permit the expansion of CDC facilities overseas to further the goals of global disease monitoring (Sections 2410 and 2411). Finally, the act would authorize the President to provide funding and other assistance for the purpose of enhancing WHO's surveillance and reporting capabilities and those of existing regional health networks, and for the development of new regional health networks (Section 2412). The act would authorize a total of \$35 million for these activities in FY2006, funds that would be drawn from the Nonproliferation, Antiterrorism, Demining, and Related (NADR) Programs account, allocated as follows:

- \$25 million for training public health officials and assisting in the procurement of lab and communication equipment (Sections 2406-2409);
- \$0.5 million for the assignment of public health officials at U.S. missions overseas and international organizations (Section 2410);
- \$2.5 million for the expansion of U.S. government labs overseas (Section 2411); and
- \$7 million to assist WHO and existing regional surveillance capabilities, and to develop new regional health networks (Section 2412).

### **Safe Water<sup>36</sup>**

Lack of access to safe water and sanitation affects the health and livelihoods of billions of people in developing countries. This absence is widely viewed as undermining development and poverty reduction efforts. Appreciation of the linkages between water, development, and health is leading to a reassessment of the delivery of international water assistance. Several recent international development initiatives recognize the importance of improving access to water and sanitation as a means for achieving broader development and security objectives.

Almost 1.1 billion people lack access to improved drinking water sources; an estimated 2.6 billion people lack access to improved sanitation. These circumstances affect health and development through numerous pathways, including the health and economic costs of water-related diseases, and work and educational time lost to water collection. In response, Title VI of S. 600 (Safe Water: Currency for Peace Act of 2005) has been introduced to make access to safe water and sanitation a policy objective of U.S. foreign assistance.<sup>37</sup> H.R. 2601 contains no similar title or provision.

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<sup>36</sup> Prepared by Nicole T. Carter, Analyst in Environmental Policy, Resources, Science and Industry Division.

<sup>37</sup> Two related bills are S. 492 — Safe Water: Currency for Peace Act of 2005 (Frist) — and H.R. 1973 — Water for the Poor Act of 2005 (Blumenauer). While Title VI of S. 600 and S. 492 are essentially identical, H.R. 1973 has similar stated purposes but uses a somewhat different approach.

Title XXVI of S. 600 would amend the Foreign Assistance Act of 1961 to authorize funding for safe water and sanitation assistance, and mandate the development and implementation of a water strategy. Title XXVI would authorize such sums as may be necessary to carry out the title beginning FY2006 through FY2011. Section 2604 of Title XXVI would authorize a five-year pilot water program in countries with high rates of water-borne disease; the program would have two main components: (1) technical assistance, capacity building, and monitoring and (2) financial assistance mechanisms (e.g., investment insurance and guarantees, loan guarantees, and direct investment).

Title XXVI also calls for a Safe Water Strategy “to further the United States foreign assistance objective to promote economic development by promoting good health through the provision of assistance to expand access to safe water and sanitation, to promote sound water management, and to improve hygiene for people around the world.” Existing U.S. foreign assistance strategies, addressing such issues as education, and HIV/AIDS, tend to be implemented independently of one another. Title XXVI would emphasize the role of water in water-related disease prevention, thus linking water more explicitly with health and development objectives. The title would require the Secretary of State to develop a water strategy in close coordination with the Administrator of U.S. Agency for International Development, and to submit the strategy to Congress not later than 180 days after enactment. Title XXVI also would require that an assessment of activities to improve water and sanitation in sub-Saharan Africa be included in the water strategy. Sub-Saharan Africa is the region that currently has the lowest overall rates of improved water and sanitation coverage.

The Foreign Assistance Act currently specifies numerous development assistance objectives, all generally aimed at promoting economic development, and many focused on health issues; however, improving access to safe water and sanitation is not a stated priority. Title XXVI would establish as a policy objective for U.S. foreign assistance the promotion of health and economic development by providing assistance for expanded access to safe water and sanitation, sound water management, and improved hygiene. The second policy objective of Title XXVI is the encouragement of private investment in water and sanitation.

## Appendix I — Proposed New Reporting Requirements

### H.R. 2601

- Title I. Sec. 104 (c)(3). Within one year of establishing a pilot program for **long-term refugee** populations the Secretary is required to submit a report to congressional committees on the implementation and recommendations.
- Title II Sec. 205. **Accountability review boards**; limited exemptions regarding facilities in Afghanistan and Iraq with incidents of injury or loss of life in Iraq and Afghanistan. The Secretary shall promptly notify HIRC and SFRC of such an incident.
- Title II, Sec. 216. Within 180 days after enactment the Secretary must report to the appropriate congressional committees on the status of efforts to establish the **Active Response Corps**.
- Title II, Sec.217. Within one year, the Secretary of State must report to congressional committees on **security weaknesses regarding passports**.
- Title III, Sec. 303 (e). Within two years after enactment, the Secretary shall report to appropriate congressional committees on the effect of increases in **post differentials and danger pay allowances**.
- Title III, Sec. 318 (c). Biennial report to be submitted by the Secretary to appropriate congressional committees regarding **State Department human resources policies, skills, training, and diversity**.
- Title IV. Sec. 403 (e) (3). Within 90 days after the date of this Act and annually until September 31, 2010, the Secretary of State must report to the appropriate congressional committees on U.S. efforts to promote **full compliance on U.N. Security Council Resolution 1540**.
- Title VI, Subtitle A, Sec.612. Secretary shall report to appropriate congressional committees annually by July 1st of each year on **democracy**. And subsection (b) a one-time report on democracy training and guidelines for the Foreign Service.
- Title VI, Subtitle C, Sec 642. **Human Rights and Democracy Fund** annual report required of the Secretary to be submitted to the appropriate congressional committees within 60 days of the end of each fiscal year.



- Title VII, Subtitle B, Sec. 712 (c). Not later than one year, two years and three years after the date of enactment of the act, the Comptroller General shall submit to the appropriate congressional committees a report on the **Strategic Export Control Board**.
- Title VII, Subtitle C, Sec. 721(c). Within 120 days after the date of enactment of the act, the Secretaries of State and Commerce shall submit to appropriate congressional committees a joint report on **export licenses and jurisdictional determinations**.
- Title VII, Subtitle D, Sec. 731(c). Not later than 180 days after the date of enactment of the act and annually thereafter, the Secretary of State, in consultation with the Attorney General and the Secretary of Homeland Security shall report to appropriate congressional committees on issues regarding **sensitive technology transfers to a foreign person**.
- Title VII, Subtitle D, Sec. 733(c). Within 120 days after enactment, the Secretary shall submit to appropriate congressional committees a report on establishment of **foreign policy and national security export controls**.
- Title VII, Subtitle E, Sec. 743(c)(4). The President shall report annually to specified committees on the identity of any **foreign person engaging in transactions related to dual use sanctions**.
- Title VIII, Subtitle A, Sec. 812. Not later than 180 days after enactment of the act, and no later than January 31st annually thereafter, the President shall report to the appropriate committees detailing Sec. 811 **activity by any foreign person on sanction, export, trade, transfer of nuclear enrichment equipment, materials or technology**.
- Title VIII, Subtitle B, Sec 824. Within one year of enactment of this act and annually thereafter, the Secretary shall report to the appropriate congressional committees on **U.S. government actions to dissuade foreign government and business officials from engaging in sanctioned activities under Sec. 811**.
- Title VIII, Subtitle D, Sec. 842. Within 90 days, the President shall report to the appropriate congressional committees on **identification of nuclear proliferation network host countries**.
- Title IX, Sec. 903 (a). The President shall report within 180 days after enactment of this Act and within 12 months thereafter to the appropriate congressional committees on **Foreign Military Exports to China**.
- Title IX, Sec. 904 (b). The President shall report to the appropriate congressional committees no later than 180 days after the date of this

Act and every 12 months thereafter on **China arms transfer policies of countries participating in U.S. defense cooperative projects.**

- Title IX, Sec. 906(b). Within 60 days after the end of each calendar quarter, the Secretary of Commerce shall report to the appropriate congressional committees on **Chinese military end use of dual use exports.**
- Title X, Subtitle A, Sec 1001 (a)(F). No later than January 31, 2008, the President shall report to Congress on activities in FY2006 and FY2007 for establishing **centers for treatment of obstetric fistula in developing countries.**
- Title X, Subtitle A, Sec. 1004(a)(5). Within 180 days after enactment and every 180 days thereafter during FY2006 and FY2007 the secretary shall report to the appropriate committees on all **UNDP activities in Burma.**
- Title X, Sec. 1021. The President through the Secretary of State shall transmit a report for each fiscal year to specified congressional committees on the requirement for **assistance to Egypt.**
- Title X, Sec 1032. No later than 180 days after enactment of this act, the Comptroller General of the United States shall report to appropriate congressional committees on the **U.S. assistance to the Palestinian Authority.**
- Title X, Sec. 1045. Not later that one year and two years after the date of enactment of this act, the Secretary shall report to the appropriate congressional committees on the **Demonstration Insurance Project support for Ethiopia famine relief.**
- Title X, Sec. 1051. No later than 180 days after enactment, the Secretary shall report to appropriate congressional committees on **all U.S. weapons transfers, sales, licensing to Haiti** between October 4, 1991 through the date of enactment of this act.
- Title XI. Sec 1101(b). Within 120 days of enactment the Secretary shall report in classified form on the **Trans-Sahara Counterterrorism Initiative** to appropriate congressional committees.
- Title XI, Sec.1102. Amends annual **Patterns of Global Terrorism Report language.**
- Title XI, Sec. 1103. Within 180 days after enactment of this act, the Secretary shall report to the appropriate congressional committees on **dual gateway policy of the government of Ireland.**

- Title XI, Sec. 1104. No later than one year after enactment of this act, the Secretary shall report to the appropriate congressional committees on the **U.S. efforts to assist Haiti**.
- Title XI, Sec. 1108. Within 30 days after completion of a **study on autism services overseas for dependents of Foreign Service personnel**, the Secretary shall report to the appropriate congressional committees on the findings of the study.
- Title XI, Sec. 1109. The Secretary shall direct the U.S. representative to the board of UNICEF to **urge UNICEF to provide a report on worldwide incidence of autism**.
- Title XI, Sec. 1110. No later than March 1st after enactment of this act, the Chairman of the BBG shall report to the appropriate congressional committees on **state-sponsored Internet jamming**.
- Title XI, Sec. 1111 extends previous reporting requirement on **minority recruitment at the Department of State** to April 1, 2006 and April 1, 2007.
- Title XI, Sec 1112. Current language on **annual country reports** on human rights practices is amended to include incitement to acts of discrimination.
- Title XI, Sec. 1113. No later than 180 days after enactment of this act, the Secretary shall report one time to the appropriate congressional committees on **child marriage** around the world.
- Title XI, Sec. 1114. No later than 60 days after enactment of this act, and one year thereafter, the Secretary shall report to the appropriate congressional committees on the **Magen David Adom Society** in the International Red Cross and Red Crescent Movement.
- Title XI, Sec. 1115. Within 180 days after enactment of this act, the Secretary shall report to the appropriate congressional committees on special **autonomy for Papua and Aceh**.
- Title XI, Sec. 1116. No later than 30 days after enactment of this act, and every 120 days thereafter, the Secretary shall report to the appropriate congressional committees on the **murders of three U.S. contract employees in Gaza** and any resulting arrests.
- Title XI, Sec. 1117. No later than 90 days after the date of this act and annually thereafter, the Secretary shall report to the appropriate congressional committees on **diplomatic relations with Israel**.
- Title XI, Sec. 1118. No later than 90 days after the date of this act, the Secretary shall report to specified committees on **tax code enforcement in Colombia**.

- Title XI, Sec. 1119. No later than 90 days after the date of this act, the Secretary shall report to appropriate congressional committees on the possibility of providing **consular and visa services at the U.S. Office in Pristina, Kosovo.**
- Title XI, Sec. 1120. No later than December 31st 2006 and 2007 the President shall report to the appropriate congressional committees on **democracy in Pakistan.**
- Title XI, Sec. 1121. No later than 120 days after the date of this act, and every 180 days thereafter, the Secretary shall report to the appropriate congressional committees on the status of the **sovereignty of Lebanon.**
- Title XI, Sec. 1122. No later than 180 days after the date of this act, and by June 30 of the following year, the Secretary shall report to the appropriate congressional committees on **international terrorist organizations in Latin America and the Caribbean.**
- Title XI, Sec. 1123. No later than November 1, 2006 the Secretary shall report to appropriate congressional committees on **employment of weapons scientists from the former Soviet Union in Project Bioshield.**
- Title XI, Sec. 1124. No later than six months after the date of this act and annually thereafter, the Secretary shall report on **extradition of violent criminals from Mexico to the United States.**
- Title XI, Sec. 1125. No later than 120 days after enactment of this act the Secretary shall report to the appropriate congressional committees on the actions of the **661 Committee of the United Nations.**
- Title XI, Sec. 1128. No later than 90 days after the date of this Act, the Secretary of State must report to the appropriate congressional committees on **extraditions of Afghan drug traffickers and drug kingpins.**
- Title XI, Sec. 1129. No later than 90 days after the date of this Act, the Secretary of State must report to the appropriate congressional committees on **the President's emergency plan for AIDS relief.**
- Title XII, Sec 1218. No later than 180 days after enactment of this Act and one year thereafter, the Secretary of State shall report to the appropriate congressional committees on **U.N. Reform.**
- Title XII, Sec 1219. Within one year after the date of this Act, the Secretary of State must report to the appropriate congressional committees on **United Nations Personnel issues.**

- Title XII, Sec. 1220. Within one year after the date of this Act, the Director of OMB must report to specified congressional committees on **U.S. contributions to the United Nations.**
- Title XII, Sec. 1241 (f). No later than six months after the date of this Act, the President must report to the appropriate congressional committees on implementation on **International Atomic Energy Agency compliance issues.**
- Title XII, Sec. 1263. No later than six months after enactment of this Act, the Secretary of State must review and report to appropriate congressional committees on **U.N. programs that are funded through assessed contributions.**
- Title XII, Sec. 1264(a). Within 12 months after enactment of this Act and annually thereafter, the Comptroller General of the United States Government Accountability Office must report to the appropriate congressional committees on the status of the **1997, 2002, and 2005 U.N. management reforms** initiated by the Secretary General and those mandated by this title.
- Title XII, Sec. 1264 (b). Within six months after each certification by the Secretary of State, the Comptroller General must report to specified congressional committees on **costs associated with U.N. building construction and contracting in Geneva, Switzerland.**
- Title XIII, Sec. 1304(d). Within 180 days after enactment of this Act and annually thereafter, the Secretary must report to the appropriate congressional committees **on application and issuance rates for F-1 and J-1 visas** at all diplomatic and consular missions providing consular service.
- Title XIV, Sec. 1414(c). Within one year after enactment of this Act, the Secretary of State must report to the appropriate congressional committees on **the prevention of smuggling methamphetamine into the United States from Mexico.**

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- Title II, Sec. 202(4). Not later than Feb 1 each year the Secretary shall report to congressional committees on **issuing administrative subpoenas.**
- Title II, Sec 208. The Secretary shall promptly report to congressional committees on **injury or loss of life in facilities in Iraq and Afghanistan.**

- Title II, Sec 213. Within one year of enactment the Secretary shall report on the activities of the **Victim of Crime Office**.
- Title III, Sec. 307. Within one year, the Secretary shall report to congressional committees on the waiver authorities of **annuity limitations for Foreign Service annuitants**.
- Title IV, Sec. 402. No later than 120 days after enactment, the Secretary shall report to the appropriate congressional committees on the implementation of the **Brahimi Report**.
- Title VI, Sec. 602. No later than 180 days after enactment, the Secretary shall report to Congress on measures to enhance **international student exchange programs and those to utilize educational advising centers**.
- Title VII, Sec 707(c). No later than 180 days after the date of this act, the Secretary shall report to the appropriate congressional committees on the status of efforts to establish the **Response Readiness Corps**.
- Title VIII, Sec. 805 extends to FY2006 and FY2007 the reporting requirement concerning efforts to promote **Israel's diplomatic relations with other countries**.
- Title XXI, Sec. 2116 requires the secretary to report to Congress no later than 180 days after enactment of this report on the **Middle East Partnership Initiative (MEPI)**.
- Title XXI, Sec. 2117 requires the President to report to specified congressional committees on interagency coordination to **combat the avian flu**.
- Title XXII, Sec. 2224 requires that no later than January 31, 2007 and annually thereafter, a newly-established **Middle East Foundation** report to the appropriate congressional committees and make available the Foundation's annual reports for the year prior.
- Title XXII, Sec 2236 amends the Foreign Relations Authorization Act of FY2003 to require a report to Congress no later than April 1, 2006 on consolidation of reports on **nonproliferation in South Asia**.
- Title XXII, Sec. 2238 restricts FY2006 U.S. assistance to the Government of Indonesia or to the Indonesian Armed Forces until the Secretary reports to the appropriate congressional committees on the status of the investigation of the **murders of two U.S. citizens and one Indonesian citizen that occurred August 31, 2002 in Timika, Indonesia**.

- Title XXIII, Sec. 2303. No later than 180 days after enactment of this act and for each fiscal year after FY2006, the Secretary shall report to the appropriate congressional committees on **embassy threat assessments**.
- Title XXIV, Sec. 2413. No later than 120 days after the date of this act, the Secretary shall report on programs having to do with **global pathogen surveillance** and the level of funding necessary to implement those programs.
- Title XXV, Sec 2511. Not later than April 15 of each year, the President shall report to the Speaker of the House and Chairman of the Senate Foreign Relations Committee on **arms control, nonproliferation and disarmament issues**.
- Title XXV, Sec. 2513 requires the Secretary to report to appropriate congressional committees no later than 180 days after enactment of this act on efforts to strengthen **judicial capacity in Africa**.
- Title XXV, Sec. 2520 requires the Secretary to report to appropriate congressional committees no later than 60 days after the date of this act on **U.S. policy toward Haiti**.
- Title XXVI, Sec. 2604 requires the President to report annually to specified congressional committees on a **clean water sustainability infrastructure development pilot program** established by this bill.
- Title XXVI, Sec. 2605 requires the President at least once every two years to report to Congress on implementation of its **safe water strategy**.
- Title XXVII, Sec. 2741 requires the Secretary to report to appropriate congressional committees within 180 days of enactment of this act U.S. programs by State or USAID to assist enforcement of **foreign country laws designed to protect women and children** and improve accountability for sexual exploitation and abuse.
- Title XXVIII, Sec. 2806 requires the Secretary to report within 180 days to specified congressional committees on **conventional arms threat reduction**.

## Appendix II — State Department Authorization History

Authorization of State Department appropriations are required by law every two years. Typically, the authorization is passed in the first year of a new Congress for the following even/odd year authority.

**FY1973** — P.L. 93-126

**FY1975** — P.L. 93-475

**FY1977** — P.L. 94-350

**FY1978** — P.L. 95-105

**FY1979** — P.L. 95-426

**FY1984-85** — P.L. 98-164

**FY1986-87** — P.L. 99-93

**FY1988-89** — P.L. 100-204

**FY1990-91** — P.L. 101-246

**FY1992-93** — P.L. 102-138

**FY1994-95** — P.L. 103-236

Government shutdown — Nov. 1995 — Jan. 1996

**FY1996** — P.L. 104-134, Sec. 405 (appropriations legislation)

**FY1997** — P.L. 104-208, Sec. 404 (appropriations legislation)

**FY1998-99** — State Dept authorization was passed in the omnibus appropriations bill, Nov. 1998 — P.L. 105-277

**FY2000-2001** — P.L. 106-113, (H.R. 3427), appendix G of consolidated appropriations Act/D.C. appropriations legislation

**FY2002** — authorization requirement waived for FY2002 in CJS appropriations Act. (Section 405, P.L. 107-77, signed Nov. 28, 2001)

**FY2003** — P.L. 107-228, authorization for FY2003, signed September 30, 2002.

**FY2004** — authorization waived by the Consolidated Appropriations Act, FY2004, P.L. 108-199, Sec. 407.

**FY2005** — authorization waived by the Consolidated Appropriations Act, FY2005, P.L. 108-447, Sec. 410.



**Table 1. State Department and Related Agencies Appropriations and Proposed Authorizations**  
(millions of dollars)

	<b>Approps FY2004 enacted*</b>	<b>Approps FY2005 enacted*</b>	<b>Approps FY2006 request</b>	<b>Auth. FY2006 H.R. 2601</b>	<b>Auth. FY2007 H.R. 2601</b>	<b>Auth. FY2006 S. 600</b>	<b>Auth. FY2007 S. 600</b>	<b>Auth. FY2006/07 enacted</b>
<b>State Department</b>								
Diplomatic & Consular Program	4,849.3	4,906.2	4,472.6	4,458.5	4,606.8	4,472.6	n.a.	
Public Diplomacy	(301.6)	(320.0)	(327.9)	(333.9)	(343.7)	-.	n.a.	
Worldwide Security Upgrades	(639.9)	(649.9)	(689.5)	(689.5)	(710.0)	(689.5)	n.a.	
Ed & cultural exchange prog. (USIA)	316.6	355.9	430.4	428.9	438.5	430.4	n.a.	
Office of Inspector General	31.4	30.0	30.0	30.0	30.0	30.0	n.a.	
Representation allowances	8.9	8.5	8.3	8.3	8.3	8.3	n.a.	
Protec.-missions & officials	9.9	9.7	9.4	9.4	9.4	9.4	n.a.	
Embassy security/constr/maintenance	524.4	1,195.5	615.8	1,526.0	1,550.0	1,526.0	n.a.	
Worldwide security upgrades	916.2	900.1	910.2	-.	-.	-.	n.a.	
Emergency-diplo. & consular services	116.5	1.0	13.6	12.1	12.1	13.6	n.a.	
Repatriation loans	1.2	1.2	1.3	1.3	1.3	1.3	n.a.	
Payment American Inst. Taiwan	18.6	19.2	19.8	19.8	19.8	19.8	n.a.	
Capitol Investment Fund	79.2	51.5	133.0	131.0	131.0	133.0	n.a.	
<b>International Organ. &amp; Conf.</b>								
Contributions to international organizations	999.8	1,166.2	1,296.5	1,296.5	1,322.4	1,296.5	n.a.	
Contributions to international peacekeeping	695.0	1,163.5	1,035.5	1,035.5	-.	12,035.5	n.a.	

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	Approps FY2004 enacted*	Approps FY2005 enacted*	Approps FY2006 request	Auth. FY2006 H.R. 2601	Auth. FY2007 H.R. 2601	Auth. FY2006 S. 600	Auth. FY2007 S. 600	Auth. FY2006/07 enacted
<b>International Commissions</b>	57.2	63.3	70.3	67.1	67.1	67.6	n.a.	
Migration & Refugee Assistance	780.7	884.2	892.8	955.0	983.7	892.8	n.a.	
<b>Related Appropriations</b>								
The Asia Foundation	12.9	12.8	10.0	18.0	18.0	10.0	n.a.	
National Endowment for Democracy	39.6	59.2	80.0	80.0	80.0	80.0	n.a.	
East-West Center	17.7	19.2	13.0	13.0	13.0	13.0	n.a.	
Eisenhower Exchange	0.5	0.5	0.5	--	--	--	n.a.	
Israeli Arab Scholarship	0.4	0.4	0.4	--	--	--	n.a.	
<b>Total State Department</b>	<b>9,476.0</b>	<b>10,848.1</b>	<b>10,043.4</b>	<b>10,090.4</b>	<b>9,291.4</b>	<b>10,039.9</b>	n.a.	
<b>International Broadcasting</b>								
Capital Improvements	11.3	10.9	10.9	26.9	26.9	10.9	n.a.	
Broadcasting Operations	580.3	587.9	603.4	603.4	621.5	641.1	n.a.	
Broadcasting to Cuba	--	--	37.7	37.9	29.9	--	n.a.	
<b>Total International Broadcasting</b>	<b>591.6</b>	<b>598.9</b>	<b>651.9</b>	<b>668.2</b>	<b>678.3</b>	<b>652.0</b>	<b>n.a.</b>	
<b>TOTAL State &amp; Broadcasting</b>	<b>10,067.6</b>	<b>11,447.0</b>	<b>10,695.3</b>	<b>10,758.6</b>	<b>9,969.7</b>	<b>10,691.9</b>	<b>n.a.</b>	

Source: The Congressional Research Service.

Notes: Amounts in parentheses indicate subaccount funds which are included in the account funding level.

n.a. = not available.

\*FY2004 and FY2005 enacted appropriations reflect rescissions and supplementals for those years.