

## S 2144

Foreign Affairs Authorization Act, Fiscal Year 2005

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### Sponsor

**Name:** Sen. Lugar, Richard G. [R-IN]

**Party:** Republican • **State:** IN • **Chamber:** Senate

### Cosponsors

*No cosponsors are listed for this bill.*

### Committee Activity

Committee	Chamber	Activity	Date
Foreign Relations Committee	Senate	Reported By	Mar 18, 2004

### Subjects & Policy Tags

*No subjects or policy tags are listed for this bill.*

### Related Bills

*No related bills are listed.*

Foreign Affairs Authorization Act, Fiscal Year 2005 - **Division A: Foreign Relations Authorizations** - Foreign Relations Authorization Act, Fiscal Year 2005 - **Title I: Authorizations of Appropriations - Subtitle A: Department of State** - (Sec. 101) Authorizes FY 2005 appropriations for: (1) administration of foreign affairs; (2) U.S. educational, cultural, and public diplomacy programs; (3) contributions to international organizations; (4) international commissions; and (5) migration and refugee assistance.

**Subtitle B: United States International Broadcasting Activities** - (Sec. 111) Authorizes FY 2005 appropriations for certain U.S. international broadcasting activities.

**Title II: Department of State Authorities and Activities - Subtitle A: Basic Authorities and Activities** - (Sec. 201) Amends Federal criminal law to impose penalties for knowingly and willfully interfering with a Federal law enforcement agent engaged in the protection of foreign officials and Department of State (Department) officials (including their families), foreign missions, and the provision of diplomatic security of U.S. and foreign government operations within the United States or the special maritime territorial jurisdiction of the United States.

(Sec. 202) Amends the State Department Basic Authorities Act of 1956 to authorize the Secretary of State (Secretary), if he or she determines an imminent threat against a person, foreign mission, or international organization exists, to issue a subpoena requiring the production of any records and relevant testimony.

(Sec. 203) Authorizes the Secretary to: (1) designate Department uniformed guards as law enforcement officers for the protection of buildings and areas within the United States for which the Department is responsible; (2) prescribe regulations for the administration of such buildings and areas (including penalties for violations of such regulations); and (3) designate firearms and explosives training officers as law enforcement officers for the purpose of safeguarding firearms, ammunition, and explosives that are located at, or are in transit to, approved firearms and explosives training facilities.

(Sec. 204) Amends the the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 to prohibit the transfer of certain visa processing fees to any other department or agency, except for the procurement of certain goods and services.

(Sec. 205) Directs the Secretary to seek reimbursement from the U.S. Olympic Committee for security provided to the U.S. Olympic Team by diplomatic security agents at the 2004 Summer Olympics.

(Sec. 206) Amends the State Department Basic Authorities Act of 1956 to authorize the Department to retain awards of costs and attorneys' fees when defending against international claims (in addition to amounts currently allowed to be retained when it successfully prosecutes a claim).

(Sec. 207) Directs the Secretary to establish a Victims of Crime Office in the Consular Bureau, which shall: (1) provide services to American victims of violent crimes overseas; (2) maintain a data base to track such incidents; (3) train consular personnel; and (4) provide financial assistance to victims.

**Subtitle B: Educational, Cultural, and Public Diplomacy Authorities** - (Sec. 211) Authorizes the Secretary to support (by grants, cooperative agreements, or contracts) outreach and public diplomacy activities regarding the benefits of agricultural biotechnology and science-based regulatory systems, including the application of such technology for trade and development purposes.

(Sec. 212) Amends the State Department Basic Authorities Act of 1956 to authorize the Secretary to provide (by contract or grant) for the performance of appropriate museum visitor and educational outreach services, including organizing conference activities, museum shop services, and food services, in the public exhibit and related space utilized by the U.S. Diplomacy Center. Sets forth certain requirements with respect to the disposition of U.S. Diplomacy Center artifacts and materials.

(Sec. 213) Authorizes the Secretary to establish, through a U.S. institution of higher education, an educational program to promote civilian control of government ministries in Latin America by teaching analytical skills, knowledge of civil institutions, and leadership skills necessary to manage national security functions within a democratic civil society.

(Sec. 214) Amends the Foreign Relations Authorization Act, Fiscal Year 2003 to extend the Advisory Committee on Cultural Diplomacy until September 30, 2007.

**Title III: Organization and Personnel of the Department of State** - (Sec. 301) Amends the Foreign Service Act of 1980 to establish the Fellowship of Hope Program under which Foreign Service personnel will spend a year working in the foreign ministries of participating European Union (EU) or North Atlantic Treaty Organization (NATO) countries.

(Sec. 302) Amends Federal law to: (1) grant an allowance or payment of travel costs to an employee with extraordinary and necessary expenses incurred because of such employee's foreign service for the education of the employee's dependents; (2) grant an allowance for travel expenses to and from a post-baccalaureate educational institution, except for the 12 months following the dependent's arrival at the educational institution; and (3) include in such allowances a limited payment or reimbursement for the dependent's baggage storage costs incurred in the annual trip between the school and the employee's duty station.

(Sec. 303) Amends the Foreign Service Act of 1980 to authorize the Secretary to waive certain requirements regarding the termination or reduced payment of an annuity to a Foreign Service employee who is temporarily reemployed in a position for which there is exceptional difficulty in recruiting or retaining a qualified employee.

(Sec. 304) Revises requirements limiting the payment of travel expenses of Foreign Service employees and their families to the cost of one round trip during any continuous two-year tour and of two round trips during any continuous three-year tour by removing the unbroken-by-home-leave requirements for each respective tour.

Authorizes the Secretary to order a Foreign Service employee to take a leave of absence upon the completion by such employee of 12 months (currently 18 months) of continuous service abroad.

(Sec. 305) Amends Federal law to increase from 25 percent to 35 percent of the basic pay rate the maximum limit of post differential and danger pay allowance that may be granted to a Foreign Service employee.

(Sec. 306) Amends the Foreign Service Act of 1980 to authorize the Secretary to suspend a Foreign Service employee without pay when there is reasonable cause to believe that the employee has committed a crime for which a sentence of imprisonment may be imposed and there is a connection between the conduct and the efficiency of the Foreign Service. Sets forth requirements: (1) authorizing the filing of a grievance by the suspended employee; and (2) providing for grievance review by the Foreign Service Grievance Board.

(Sec. 307) Amends the State Department Basic Authorities Act of 1956 to authorize the Secretary to use appropriated funds to make administrative corrections or adjustments to a Department employee's pay, allowances, or differentials, resulting from mistakes or retroactive personnel actions, as well as back pay, as part of the settlement or compromise of

administrative claims or grievances filed against the Department.

(Sec. 308) Amends the Foreign Service Act of 1980 to repeal requirements for the recertification process for Senior Foreign Service employees.

(Sec. 309) Amends the Foreign Relations Authorization Act, Fiscal Year 2003 to require the Office of Personnel Management (OPM) to prescribe regulations concerning retirement credit for certain Government service performed abroad not later than 60 days after enactment of the Foreign Relations Authorization Act, Fiscal Year 2005.

(Sec. 310) Amends the Foreign Relations Authorization Act, Fiscal Years 1998 and 1999 to require the Secretary to recommend for separation any Foreign Service employee ranked by Department promotion boards in the bottom two percent (currently five percent) of his or her class at least twice in any five-year period (currently for two or more of the five years preceding the enactment of such Act).

(Sec. 311) Amends the Foreign Service Act of 1980 to authorize the President to confer for a six-month duration the personal rank of ambassador or minister upon an individual, provided prior to such conferral the President reports certain information about the individual, including a financial disclosure report.

(Sec. 312) Amends the United Nations Participation Act of 1945 to revise provisions for living quarters and allowances to U.S. Representatives to the United Nations (UN). Prohibits the Secretary from providing such assistance to an employee occupying self-owned living quarters.

(Sec. 313) Amends the Foreign Service Act of 1980 with respect to the Senior Foreign Service pay system, including chief of mission pay cap and rollover provisions.

(Sec. 314) Authorizes the Foreign Service Grievance Board to retain an employee on the payroll during a grievance review.

(Sec. 315) Authorizes the Secretary to use the expertise of private voluntary organizations (Refugee Response Teams) to help identify refugees for emergency resettlement.

**Title IV: International Organizations** - (Sec. 401) Amends the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 to limit the U.S. share of assessments for post-2004 UN peacekeeping operations to 27.40 percent of the operation's assessed contributions.

(Sec. 402) Directs the Secretary to report to the appropriate congressional committees assessing implementation of the recommendations in the Report of the Panel on UN Peace Operations (Brahimi Report).

(Sec. 403) Amends the Department of State Authorization Act, Fiscal Year 2003 to require the United States to make every reasonable effort to: (1) prevent membership on the UN Commission on Human Rights or the UN Security Council by any nation that is a sponsor of terrorism, or is the subject of UN sanctions; and (2) advocate that such nation not be elected to a leadership position in the UN General Assembly, the UN Commission on Human Rights, the UN Security Council, or any other UN entity.

**Title V: Designation of Foreign Terrorist Organizations** - (Sec. 501) Amends the Immigration and Nationality Act to revise requirements authorizing the Secretary to designate an organization as a foreign terrorist organization. Sets forth procedures requiring the Secretary to review the designation of a foreign terrorist organization upon the organization's filing a petition for revocation within two years after such designation. Requires the Secretary to review a designation if no

review has taken place within a four-year period.

**Title VI: Strengthening United States Outreach - Subtitle A: Public Diplomacy** - (Sec. 601) Amends the United States Information and Educational Exchange Act of 1948 to direct the President to develop an international information strategy that consists of public information plans designed for major regions of the world, including a focus on regions with significant Muslim populations.

Directs the President, in preparation of the annual national security strategy report to Congress, to include a comprehensive discussion of how public diplomacy activities are integrated into the U.S. national security strategy.

(Sec. 602) Amends the Foreign Service Act of 1980 to direct the Secretary to ensure that public diplomacy is an important component at all levels of Foreign Service training.

(Sec. 603) Directs the Secretary to report to the appropriate congressional committees on the feasibility of conducting regular televised Department foreign policy briefings in major foreign languages, including Arabic, Farsi, Chinese, French, and Spanish.

**Subtitle B: Strengthening United States Educational and Cultural Exchange Programs in the Islamic World** - (Sec. 612) Authorizes the Secretary to provide for the expansion of international educational and cultural exchange programs with an eligible country or entity in Africa, the Middle East, South Asia, or Southeast Asia that has a significant Muslim population, including: (1) increasing the number Fulbright Educational Exchange Program awards; (2) increasing the number of Hubert H. Humphrey Fellowships; (3) encouraging the establishment of "sister institution" programs; (4) upgrading public library systems; (5) expanding the International Visitors Program; (6) establishing a program of four-week cultural and educational visits by middle and secondary school students to the United States; (7) enhancing programs to improve the quality of primary and secondary school systems and teacher training; (8) establishing a program to promote religious dialogue and exchange; (9) establishing a program to increase information technology access; (10) expanding sports diplomacy efforts; and (11) establishing a scholarship program.

(Sec. 613) Authorizes the Secretary to establish an international exchange visitor program modeled on the Future Leaders Exchange Program under which eligible secondary school students would: (1) attend public secondary school in the United States; (2) live with an American host family; and (3) participate in activities designed to promote a greater understanding of American and Islamic values and culture. Requires participants to comply with "J" visa (exchange visitor) requirements.

(Sec. 614) Obligates FY 2005 appropriations for programs under this subtitle.

**Subtitle C: Fellowship Program - Edward R. Murrow Fellowship Act** - (Sec. 622) Establishes the Edward R. Murrow Fellowship program under which the Broadcasting Board of Governors shall provide up to 20 fellowships annually to foreign journalists for six-month positions at the Voice of America, RFE/RL, Incorporated, or Radio Free Asia in order to obtain direct exposure to the operations of professional journalists.

**Title VII: International Parental Child Abduction Prevention** - International Parental Child Abduction Prevention Act of 2004 - (Sec. 702) Amends the Immigration and Nationality Act to prohibit the U.S. admission of aliens supporting international child abductors and relatives of such abductors until the child: (1) is surrendered to the legal custodian and such child and custodian are permitted to return to the United States or the custodian's residence; or (2) is 21 years of age.

Expands the scope of "relatives" to include grandsons or granddaughters, grandparents, cousins, uncles, aunts, nephews, and nieces, as well as the abducted child's spouse.

Authorizes the Secretary to cancel a designation made under this section. Directs the Secretary to: (1) identify inadmissible aliens supporting child abductors and relatives of abductors; and (2) take appropriate action to cause the entry into the Consular Lookout and Support System of the name of such potentially inadmissible persons.

Directs the Secretary to report annually to specified congressional committees with respect to the operation of this section.

**Title VIII: Miscellaneous Provisions** - (Sec. 801) Amends the Emergency Supplemental Act, 2000 to repeal the requirement for a semiannual report on the extradition of narcotics traffickers.

(Sec. 803) Directs the Secretary to implement a foreign student fellowship program for multidisciplinary training in nonproliferation issues at accredited U.S. institutions of higher education. Obligates program funds.

(Sec. 804) Directs the Secretary to report to the appropriate congressional committees on U.S. policy toward Haiti, including a plan for the reconstruction of Haiti for FY 2004 and 2005, and other political, economic, and health related efforts.

(Sec. 805) Prohibits the expenditure of funds under this division for: (1) the operation of any U.S. consulate or diplomatic facility in Jerusalem that is not under the supervision of the U.S. Ambassador to Israel; and (2) the publication of any official U.S. document that lists countries, including Israel, and their capital cities unless the publication identifies Jerusalem as the capital of Israel.

(Sec. 806) Amends the Foreign Relations Authorization Act, Fiscal Year 2003 to direct the Secretary, within 60 days after the enactment of the Foreign Relations Authorization Act, Fiscal Year 2005, to report to the appropriate congressional committees with respect to U.S. efforts to promote Israel's diplomatic relations with other countries.

(Sec. 807) Declares that Congress reiterates the President's statement that the United States will not recognize a Palestinian state until the Palestinians elect new leadership that: (1) is not compromised with terror; (2) demonstrates a firm commitment to peaceful coexistence with Israel; and (3) takes appropriate measures to counter terrorism and terrorist financing in the West Bank and Gaza.

(Sec. 808) Amends the United States International Broadcasting Act of 1994 to make annual grants to a Middle East Broadcasting Network to carry out radio and television broadcasting to the Middle East region consistent with certain broadcasting standards and principles.

(Sec. 809) Expresses the sense of Congress that the United States should continue to press for full membership for the Magen David Adom Society in the International Red Cross Movement.

(Sec. 810) Amends the International Religious Freedom Act of 1998 to extend through FY 2004 the authorization of appropriations for the U.S. Commission on International Religious Freedom.

(Sec. 811) Expresses the sense of the Senate that Congress and the Administration ensure that the October 26, 2004, deadline requiring certain visa waiver program beneficiaries to have passports with biometric and document authentication identifiers does not disrupt the entry of legitimate visitors to the United States.

(Sec. 812) Amends the Case-Zablocki Act to require: (1) texts of international agreements other than treaties be provided

to the Senate Committee on Foreign Relations and the House Committee on International Relations (currently to Congress); and (2) an annual reporting be submitted by the Secretary (currently by the President).

(Sec. 813) Amends the the Diplomatic Security Act to require the Secretary to submit Accountability Review Board program recommendations to the Senate Committee on Foreign Relations and the House Committee on International Relations.

(Sec. 814) Authorizes the Secretary, through the Bureau of Economic Affairs, to carry out an anti-piracy program in countries that are not members of the Organization for Economic Cooperation and Development (OECD), including the provision of: (1) equipment and training for law enforcement; (2) training for judges and prosecutors; and (3) assistance in complying with obligations under international copyright and intellectual property treaties and agreements.

(Sec. 815) States that nationals of the Democratic People's Republic of Korea (DPRK) shall not be excluded from seeking U.S. refugee or asylum status because they are eligible to become nationals of the Republic of Korea (ROK).

(Sec. 816) Authorizes the Broadcasting Board of Governors to pay the primary and secondary education costs of dependents of personnel stationed in the Commonwealth of the Northern Mariana Islands including certain transportation costs, if the Board determines that the schools available in the Commonwealth are unable to provide an adequate education.

Limits such payments to amounts similarly permitted to Armed Forces and civilian dependents' educational expenses in the Commonwealth.

**Title IX: Peace Corps Charter For The 21st Century - Peace Corps Charter for the 21st Century Act - (Sec. 904)**

Amends the Peace Corps Act to require all recruiting of volunteers to be undertaken primarily by the Peace Corps. Conditions the President's authority to assign Peace Corps volunteers to certain Federal and State agencies and other entities upon a determination that such assignment does not contradict the independent standing of such volunteers.

(Sec. 905) Amends reporting requirements for the Director of the Peace Corps, including requiring a one-time report on student loan forgiveness programs.

(Sec. 906) Requires the Director to develop a plan to increase the number of Peace Corps volunteers to not less than twice the number of volunteers enrolled as of September 30, 2002.

(Sec. 907) Authorizes and urges the Director to utilize the services of returned Peace Corps volunteers having language and cultural expertise, including those who served previously in countries with substantial Muslim populations, in order to open or reopen Peace Corps programs in such countries.

(Sec. 908) Requires the Director to develop a training program for all Peace Corps volunteers in the education, prevention, and treatment of infectious diseases.

(Sec. 909) Amends Peace Corps Advisory Council membership provisions.

(Sec. 910) Increases Peace Corps volunteer readjustment allowances from \$125 a month to \$275 a month.

(Sec. 911) Directs the Chief Executive Officer of the Corporation for National and Community Service to award grants to private nonprofit corporations to enable returned Peace Corps volunteers to carry out programs to forward Peace Corps goals, including: (1) educational programs; (2) partnerships with libraries; and (3) audio-visual projects. Sets forth grant

requirements. Authorizes appropriations.

(Sec. 912) Authorizes Peace Corps appropriations through FY 2007.

**Division B: Foreign Assistance Authorizations - Foreign Assistance Authorization Act, Fiscal Year 2005 - Title XXI: Authorization of Appropriations - Subtitle A: Development Assistance and Related Programs Authorizations -**

(Sec. 2101) Authorizes FY 2005 appropriations to the President for: (1) the Child Survival and Health Programs Fund, including family planning and HIV and malaria and tuberculosis programs; and (2) development assistance for agriculture, education and human resources, energy resources, and sub-Saharan Africa.

(Sec. 2103) Amends the Foreign Assistance Act of 1961 to authorize the President to provide loans and partial loan guarantees to private lenders in developing countries. Gives priority to guarantees that limit U.S. financial exposure. (Limits maximum U.S. exposure to 70 percent of the risk of any one project, and loans made or guaranteed to any single country or borrower to \$100 million.)

Establishes in the Treasury the Development Credit Authority Program Account.

Authorizes FY 2005 appropriations for administrative expenses.

(Sec. 2104) Authorizes FY 2005 appropriations for the Department of the Treasury's technical assistance program to foreign governments and foreign central banks in developing or transitional countries.

(Sec. 2105) Authorizes FY 2005 appropriations for voluntary contributions to international organizations and programs.

(Sec. 2106) Extends the availability of certain U.S. funds withheld from international organizations until the end of the following fiscal year for which such funds were appropriated.

(Sec. 2107) Authorizes FY 2005 appropriations for international disaster and famine assistance.

(Sec. 2108) Authorizes FY 2005 appropriations for transition and development assistance, including assistance to: (1) develop democratic institutions and processes; (2) revitalize basic infrastructure; and (3) foster peaceful conflict resolution.

(Sec. 2109) Authorizes FY 2005 appropriations for assistance to the Independent States of the former Soviet Union, and for assistance to such States under the FREEDOM Support Act.

(Sec. 2110) Authorizes FY 2005 appropriations for assistance to Eastern Europe and the Balkans under the Support for East European Democracy Act of 1989 and the Foreign Assistance Act of 1961.

(Sec. 2111) Amends the Foreign Assistance Act of 1961 to authorize FY 2005 appropriations for: (1) the United States Agency for International Development (USAID); and (2) the Office of Inspector General of USAID.

(Sec. 2112) Authorizes FY 2005 appropriations for USAID capital investment funds.

(Sec. 2113) Amends the Millennium Challenge Act of 2003 to authorize FY 2005 appropriations for activities under such Act.

(Sec. 2114) Amends the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2001 to authorize appropriations through FY 2006 for U.S. contributions to the Heavily Indebted Poor Countries (HIPC) Trust



Fund.

(Sec. 2115) Directs the President to cancel all amounts owed to the United States (or any U.S. agency) by the Democratic Republic of Congo from specified loans or credits made before June 20, 1999. Authorizes appropriations through FY 2006 for such costs.

(Sec. 2116) Authorizes FY 2005 appropriations to carry out the Tropical Forest Conservation Act of 1998.

**Subtitle B: Counternarcotics, Security Assistance, and Related Programs Authorizations** - (Sec. 2121) Amends the the Foreign Assistance Act of 1961 to authorize FY 2005 appropriations for: (1) international narcotics control and law enforcement assistance; and (2) the Andean Counterdrug Initiative.

Provides funds for Colombia to: (1) support a campaign against narcotics trafficking and terrorist activities; and (2) protect human health and welfare in emergency circumstances. Conditions such assistance upon: (1) limitations on U.S. personnel levels and combat prohibitions; and (2) human rights practices.

(Sec. 2122) Authorizes FY 2005 appropriations for the Economic Support Fund (ESF).

Amends the Security Assistance Act of 2000 to authorize FY 2005 ESF appropriations for: (1) Israel; and (2) Egypt.

(Sec. 2123) Amends the Foreign Assistance Act of 1961 to authorize FY 2005 appropriations for: (1) international military education and training; and (2) for voluntary peacekeeping operations.

(Sec. 2125) Authorizes FY 2005 appropriations for nonproliferation, anti-terrorism, demining, and related assistance.

(Sec. 2126) Authorizes FY 2005 appropriations for the foreign military financing program.

Amends the Security Assistance Act of 2000 to authorize FY 2005 military financing appropriations for: (1) Israel; and (2) Egypt.

**Subtitle C: Independent Agencies Authorizations** - (Sec. 2131) Authorizes FY 2005 appropriations for: (1) the Inter-American Foundation; and (2) the African Development Foundation.

**Title XXII: Amendments to General Foreign Assistance Authorities - Subtitle A: Foreign Assistance Act Amendments and Related Provisions** - (Sec. 2201) Amends the Foreign Assistance Act of 1961 to urge the U.S. development assistance program to take maximum advantage of the increased participation of U.S. private enterprises and citizens in funding international development activities.

(Sec. 2202) States that: (1) restrictions on assistance to a country are not to be construed to bar assistance provided through nongovernmental organizations using funds provided for development assistance, assistance for Eastern Europe and the former Soviet Union, and ESF assistance; and (2) such authority may not be used to furnish assistance through nongovernmental organizations to a central government.

(Sec. 2203) Authorizes unanticipated contingency fund authority to be made available to carry out the Arms Export Control Act. Increases such authority's annual ceiling from \$25 million to \$50 million.

(Sec. 2204) Authorizes the Secretary to receive lethal excess property from other U.S. agencies in order to provide such property to foreign governments. Requires the Secretary to notify Congress before obligating funds for such property.

(Sec. 2205) States that international disaster assistance may be used for reconstruction and famine assistance.

(Sec. 2206) Makes permanent specified funding authorities for assistance for the Independent States of the former Soviet Union.

(Sec. 2207) Eliminates the pre-1985 delivery date provision with respect to the President's authority to waive the requirement that net proceeds resulting from the disposal of defense articles provided to a foreign country on a grant basis be paid to the United States.

(Sec. 2208) Authorizes the President to transfer certain obsolete or surplus defense articles in the war reserve stockpiles for allies to Israel in exchange for equivalent concessions to be negotiated. Terminates such authority five years after enactment of this Act.

(Sec. 2209) Extends through FY 2005 the President's authority to transfer excess items to the Department of Defense (DOD) War Reserve Stockpile in Israel.

(Sec. 2210) Waives certain restrictions on economic support funds for Lebanon.

(Sec. 2211) Repeals geographic restrictions on the Administration of Justice program. Eliminates: (1) the sunset provision; and (2) the funding ceiling.

(Sec. 2212) Authorizes: (1) the peacekeeping program to include demining programs; (2) the Department and USAID to dispose of demining equipment on a grant basis in foreign countries; (3) the President to assist innovative programs to educate children in Afghanistan and other affected areas about the dangers of landmines; and (4) additional FY 2005 appropriations for such activities.

(Sec. 2213) Revises the President's special waiver authority.

(Sec. 2214) Makes the prohibition on assistance for countries in default applicable only to aid to governments, and extends from six months to 12 months the default period preceding such cutoff.

(Sec. 2215) Prohibits assistance under this Act or the Arms Export Control Act to countries whose elected head of government is deposed by decree or military coup, unless the President determines that assistance is in the U.S. national interest.

(Sec. 2216) Directs the President to designate the particular position within USAID for which any individual is being nominated.

(Sec. 2217) Specifies limited exceptions to the requirement for congressional notification of program changes.

(Sec. 2218) Authorizes the extension at any time for up to five years of contracts or agreements which entail the commitment or expenditure of funds made available under such Act.

(Sec. 2219) Extends arbitration and claims settlement authority for investment guarantee operations to cover claims arising from other activities carried out under such Act, and to include alternative dispute resolution procedures.

(Sec. 2220) Permits the hiring of personal services contractors for work in the United States. Allows the procurement of passenger motor vehicles without specified restrictions in current law. Repeals: (1) the ten-year limitation on leases; (2) the \$6 million limitation on the acquisition or construction of living and office space overseas for U.S. Government

personnel; and (3) the \$2.5 million limitation on the provision of assistance for schools for dependents of U.S. Government personnel.

(Sec. 2221) Authorizes the use of law enforcement assistance: (1) for a region, district, municipality, or other subnational entity emerging from instability; (2) to combat corruption; (3) to combat trafficking in persons; and (4) to provide human rights, rule of law, and other related training.

Authorizes the Secretary to waive the limitations on such assistance on a case-by-case basis if in the national interest.

(Sec. 2222) Authorizes the President to forgive certain debts owed by the poorest countries to the United States.

(Sec. 2223) Expresses the sense of Congress that the President should make available for FY 2005 at least the total level of assistance requested for such year for all agencies participating in the Congo Basin Forest Partnership program.

(Sec. 2224) Authorizes the Secretary to support public-private partnerships for landmine clearance programs through grant or cooperative agreement.

(Sec. 2225) Authorizes the Secretary to designate an appropriate private nonprofit organization as the Middle East Foundation, to be funded through the Middle East Partnership Initiative. Directs the Secretary to enter into an agreement requiring the Foundation to make grants to projects that support specified purposes related to democratic development. Authorizes the Foundation to make a grant to an institution of higher education in the Middle East to create a Center for Public Policy.

(Sec. 2226) Amends the Foreign Assistance Act of 1961 to require the Department to establish an Internet-accessible, interactive database consisting of all the unclassified U.S. military assistance information currently available in the printed version of the report.

(Sec. 2227) Amends the Millennium Challenge Act of 2003 to extend through FY 2005 the requirement that up to ten percent of Millennium Challenge Account (MCA) funding be available for countries that initially fail to meet eligibility requirements.

**Subtitle B: Arms Export Control Act Amendments and Related Provisions** - (Sec. 2231) Amends the Arms Export Control Act with respect to: (1) thresholds for advance notice to Congress of sales or upgrades of defense articles, design and construction services, and major defense equipment; (2) the requirement for advance notice to Congress of comprehensive export authorizations; (3) an exception to bilateral agreement requirements for transfers of defense items with the United Kingdom and Australia (and creates a special report on unauthorized end use or diversion of U.S. defense articles or services exempt from U.S. licensing requirements); and (4) authorization of the President to provide cataloging data and services to non-NATO countries.

(Sec. 2235) Authorizes permanent waiver authority under the FREEDOM Support Act with respect to certain conditions of assistance for the Independent States of the former Soviet Union.

(Sec. 2236) Amends Federal law to extend foreign assistance restrictions for Pakistan relating to coups and loan defaults through FY 2005.

(Sec. 2237) Amends the Foreign Relations Authorization Act Fiscal Year 2003 to provide for consolidation of reports on nuclear and missile nonproliferation in South Asia.

(Sec. 2238) Makes Haiti eligible to purchase defense articles and services for its Coast Guard.

(Sec. 2239) Waives any licensing requirement for the transfer of marketing information for commercial communications satellites to a NATO-member country, Australia, New Zealand and Japan.

(Sec. 2240) Authorizes the President to transfer: (1) the guided missile frigate USS GEORGE PHILIP to Bahrain on a grant basis; (2) the guided missile frigate USS SIDES to Portugal on a grant basis; and (3) the destroyer FLETCHER to Chile on a sales basis. Terminates such transfer authority two years after enactment of this Act.

(Sec. 2241) Expresses the sense of Congress with respect to the need to reduce the threat from Man-Portable Air Defense Systems (MANPADS).

Urges the President to instruct the U.S. Representative to the United Nations to pursue a UN Security Council Resolution to ban the transfer and sale of MANPADS to non-state entities (including terrorist groups or individual terrorists). Directs the Secretary to report annually on the progress in obtaining such resolution and on U.S. efforts to reduce the threat of MANPADS.

Obligates specified funds for MANPAD threat reduction efforts.

**Title XXIII: Radiological Terrorism Security** - Radiological Terrorism Security Act of 2004 - (Sec. 2303) Requires the Secretary to report to the appropriate congressional committees on: (1) the preparations made at U.S. diplomatic missions to detect and mitigate a radiological attack on such missions and other U.S. facilities under the Secretary's control; (2) the Secretary's priorities for improving radiological security and consequence management at U.S. missions; and (3) the missions where such improvement is most important.

(Sec. 2304) Authorizes the Secretary to assist foreign countries, or to propose that the International Atomic Energy Agency (IAEA) assist foreign countries, in the development of appropriate national radioactive material hazard response plans and the training of first responders.

(Sec. 2305) Authorizes FY 2005 appropriations for activities under this title.

**Title XXIV: Global Pathogen Surveillance** - Global Pathogen Surveillance Act of 2004 - (Sec. 2404) Declares that priority for U.S. assistance to eligible developing countries under this title shall be given to those countries that permit personnel from the World Health Organization (WHO) and the Centers for Disease Control and Prevention (CDCP) to: (1) investigate outbreaks of infectious diseases on their territories; (2) provide early notification of such outbreaks; and (3) provide pathogen surveillance data to appropriate U.S. departments and agencies in addition to international health organizations.

(Sec. 2405) Prohibits to foreign nationals participating in programs authorized under this title any access to select agents that may be used as, or in, a biological weapon, except in a supervised and controlled setting.

(Sec. 2406) Establishes a fellowship program under which the Secretary shall award fellowships to foreign nationals (including, on a case-by-case basis, U.S. citizens) to pursue specified public health education or training, including studies in public health epidemiology and bioterrorism containment.

(Sec. 2407) Directs the Secretary to support short training courses in-country (not in the United States) for laboratory technicians and other public health personnel from eligible developing countries in laboratory techniques of: (1) identification, diagnosis, and tracking of infectious disease pathogens; and (2) syndrome surveillance reporting and rapid

analysis of syndrome information using Geographic Information System (GIS) and other Internet-based tools.

(Sec. 2408) Authorizes the President to furnish assistance to eligible developing countries to purchase and maintain specified: (1) public health laboratory equipment; and (2) communications equipment and information technology necessary to analyze and transmit public health information.

(Sec. 2410) Authorizes a Federal agency head, upon specified request, to assign to a U.S. mission or organization any agency officer or employee occupying a public health position to enhance disease and pathogen surveillance efforts in developing countries.

(Sec. 2411) Requires CDCP and DOD to: (1) increase the number of personnel assigned to their laboratories in eligible developing countries that conduct infectious disease research; and (2) expand the operations of those laboratories, especially with respect to on-site training of foreign nationals and regional outreach efforts involving neighboring countries.

(Sec. 2412) Authorizes the President to provide assistance to: (1) enhance the surveillance and reporting capabilities of WHO and existing regional health networks; and (2) develop new regional health networks. Authorizes the Secretary of Health and Human Services to establish new country or regional foreign epidemiology training programs in eligible developing countries.

(Sec. 2413) Authorizes FY 2005 appropriations for activities under this title.

**Title XXV: Reporting Requirements and Other Matters - Subtitle A: Elimination and Modification of Certain Reporting Requirements** - (Sec. 2501) Amends the Foreign Operations, Export Financing, and Related Programs Act, 1994 to repeal the requirement for an annual report on steps taken by the governments of Eurasia concerning violations of the territorial integrity or national sovereignty of other Eurasian states.

(Sec. 2502) Authorizes the Secretary to consolidate annual reports on certain activities in Colombia with another annual report required by the Foreign Assistance Act of 1961.

(Sec. 2503) Changes the due date of the annual foreign military training report to Congress from January 31 to March 1.

(Sec. 2504) Amends the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1999 to combine two required annual human rights reports on the status of the Government of Haiti's investigations and prosecution of certain extrajudicial and political murders.

**Subtitle B: Other Matters** - (Sec. 2511) Amends the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 to authorize the Secretary to exclude from consideration for the purposes of foreign assistance restrictions related to property expropriation certain U.S. citizen property claims against the Government of Nicaragua not filed within 120 days of a deadline to be set by the Secretary.

(Sec. 2512) Amends the Arms Control and Disarmament Act to require the Verification and Compliance Bureau of the Department to provide compliance analysis of other formal commitments (in addition to arms control, nonproliferation, and disarmament agreements) under such Act. Revises requirements for annual reports on objectives and negotiations and on Chemical Weapons Convention compliance.

(Sec. 2513) Authorizes FY 2005 funds to be made available to support the independent media in Ethiopia.

(Sec. 2514) Declares the policy of the U.S. Government to support: (1) efforts to account for the human rights abuses and crimes against humanity that have taken place since 1993 throughout the central African region; (2) reconciliation programs in affected communities; and (3) efforts aimed at preventing such future crimes.

Authorizes FY 2005 funds to be made available to support justice and reconciliation mechanisms in the Democratic Republic of the Congo, Rwanda, Burundi, and Uganda.

(Sec. 2515) States that specified FY 2005 funds should be made available to Haiti.

(Sec. 2516) Makes specified FY 2005 funds available for the Africa Contingency Operations Training and Assistance Program (ACOTA). Expresses the sense of Congress on local consultations prior to ACOTA implementation and monitoring of post-training performance and conduct of military units trained.

(Sec. 2517) Conditions the release of any FY 2005 funds for Indonesia under the foreign military financing program or the international military education and training program upon certification by the President that the Government of Indonesia and the Indonesian Armed Forces are taking effective measures to conduct an investigation of the attack on U.S. citizens in Indonesia on August 31, 2002, and to prosecute the responsible individuals.

(Sec. 2518) Amends the State Department Basic Authorities Act of 1956 to make eligible for assistance from the Combat HIV/AIDS Globally Fund Antigua and Barbuda, the Bahamas, Barbados, Belize, Dominica, Grenada, Jamaica, Montserrat, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Saint Lucia, Suriname, Trinidad and Tobago, the Dominican Republic, and India.

(Sec. 2520) Expresses the sense of Congress: (1) that it is in the best interests of the United States to work with Iraq and Iraq's creditors to renegotiate a reduced debt and reparations burden for Iraq; and (2) commending the President for seeking international support to help rebuild Iraq, and for appointing James Baker III as his personal envoy for such negotiations.

(Sec. 2521) Expresses the sense of Congress that the rights of women in Iraq, including their full participation in government and society, should be protected following the transfer of sovereignty to Iraq in June 2004.

(Sec. 2522) Expresses the sense of Congress that: (1) adequate security must be present throughout Afghanistan before free elections can occur; and (2) the UN Assistance Mission to Afghanistan (UNAMA) should increase its efforts to register Afghan women to vote.

(Sec. 2523) Repeals specified provisions of the Foreign Assistance Act of 1961.

(Sec. 2524) Makes technical corrections to specified foreign assistance laws.

## Actions Timeline

- **Mar 18, 2004:** Committee on Foreign Relations. Reported by Senator Lugar under authority of the order of the Senate of 03/12/04 with amendments. With written report No. 108-248.
- **Mar 18, 2004:** Committee on Foreign Relations. Reported by Senator Lugar under authority of the order of the Senate of 03/12/04 with amendments. With written report No. 108-248.
- **Mar 18, 2004:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 461.
- **Mar 4, 2004:** Committee on Foreign Relations. Ordered to be reported with amendments favorably.
- **Feb 27, 2004:** Introduced in Senate
- **Feb 27, 2004:** Read twice and referred to the Committee on Foreign Relations.