SEMIANNUAL COMMITTEE ACTIVITY REPORT AND FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEAR 2013

MARKUP

BEFORE THE

COMMITTEE ON FOREIGN AFFAIRS
HOUSE OF REPRESENTATIVES

ONE HUNDRED TWELFTH CONGRESS

SECOND SESSION

ON

H.R. 6018

JUNE 27, 2012

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SEMIANNUAL COMMITTEE ACTIVITY REPORT AND FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEAR 2013

WEDNESDAY, JUNE 27, 2012

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC.

The committee met, pursuant to notice, at 10:30 a.m. in room 2172, Rayburn House Office Building, Hon. Ileana Ros-Lehtinen (chairman of the committee) presiding.

Chairman ROS-LEHTINEN. The committee will come to order.

There are nine markups going on, none as interesting as this one, so stay around. We are going to go through it quickly.

Pursuant to notice, the committee meets today to approve our semiannual activities report and to mark up the Foreign Relations Authorization Act for Fiscal Year 2013.

According to the expedited procedures I shared with all members yesterday, we will consider and approve these consensus measures at the outset. Afterwards, I will recognize myself, my good friend, the ranking member, Mr. Berman, and any member wishing recognition for remarks.

Without objection, all members may have 5 days to insert written remarks into the record on any of today's business.

The committee will now consider our Semiannual Legislative Review and Oversight Activities Report as required by House Rule XI.

Without objection, the June 2012 report text that members have in front of them, which was provided in draft form from last Wednesday and posted online earlier this week, is considered read.

[The information referred to follows:]

Union Calendar No. xxx

112TH CONGRESS, 2nd Session | HOUSE OF REPRESENTATIVES | REPORT 112–xxx

LEGISLATIVE REVIEW AND OVERSIGHT ACTIVITIES

OF THE

COMMITTEE ON FOREIGN AFFAIRS

ONE HUNDRED TWELFTH CONGRESS

A REPORT

FILED PURSUANT TO RULE XI OF THE RULES OF THE HOUSE OF REPRESENTATIVES AND SECTION 136 OF THE LEGISLATIVE REORGANIZATION ACT OF 1946 (2 U.S.C. 190d), AS AMENDED BY SECTION 118 OF THE LEGISLATIVE REORGANIZATION ACT OF 1970 (PUBLIC LAW 91–510), AS AMENDED BY PUBLIC LAW 92–136

JUNE 27, 2012.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

U.S. GOVERNMENT PRINTING OFFICE

xx–xxx WASHINGTON : 2011

U.S. HOUSE OF REPRESENTATIVES

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112TH CONGRESS

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LETTER OF TRANSMITTAL

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, June 27, 2012.

Honorable KAREN L. HAAS,
Clerk of the House of Representatives,
Washington, DC.

DEAR MS. HAAS: I enclose herewith a semiannual report of the Legislative Review and Oversight Activities of the Committee on Foreign Affairs for the 112th Congress in accordance with rule XI of the Rules of House of Representatives and section 136 of the Legislative Reorganization Act of 1946, as amended by section 118 of the Legislative Reorganization Act of 1970, as amended by Public Law 92–136. This report covers committee activities from January 1, 2012, of the 112th Congress through June 15, 2012.

With best wishes,

Sincerely,

ILEANA ROS-LEHTINEN,
Chairman.

FOREWORD

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, June 27, 2012.

Under section 2 of rule X of the Rules of the House of Representatives, and section 136 of the Legislative Reorganization Act of 1946 (60 Stat. 832, as amended by section 118 of the Legislative Reorganization Act of 1970 (Public Law 91–510) and Public Law 92–136 (1971)), the Committee on Foreign Affairs is charged with reviewing and studying, on a continuing basis, the application, administration, execution, and effectiveness of laws and programs within its jurisdiction.

As part of that oversight, rule XI(1)(d) of the Rules of the House of Representatives require the committee to submit to the House a semiannual report on committee activities not later than the 30th day after June 1 and December 1 of each year. This report, which covers committee activities from January 1, 2012 through June 15, 2012, has been prepared and submitted in fulfillment of that obligation.

Union Calendar No. xxx

112TH CONGRESS, 2nd Session | HOUSE OF REPRESENTATIVES | REPORT 112–xxx

LEGISLATIVE REVIEW AND OVERSIGHT ACTIVITIES

JUNE 27, 2012.—Committed to the Committee on the Whole House on the State of the Union and ordered to be printed.

Ms. ROS-LEHTINEN, from the Committee on Foreign Affairs, submitted the following

R E P O R T

I. INTRODUCTION: OVERSIGHT OF FOREIGN AFFAIRS

A. Authorities for Legislative Review

The responsibilities and potentialities of legislative review are reflected in the multiple authorities available to the Committee on Foreign Affairs. The most prominent is section 118 of the Legislative Reorganization Act of 1970 (Public Law 91–510):

LEGISLATIVE REVIEW BY STANDING COMMITTEES OF THE SENATE AND HOUSE OF REPRESENTATIVES

(a) Scope of assistance.

In order to assist the Congress in—

(1) Its analysis, appraisal, and evaluation of the application, administration, and execution of the laws enacted by the Congress, and

(2) Its formulation, consideration, and enactment of such modifications of or changes in those laws, and of such additional legislation, as may be necessary or appropriate, each standing committee of the Senate and the House of Representatives shall review and study, on a continuing basis, the application, administration, and execution of those laws, or parts of laws, the subject matter of which is within the jurisdiction of that committee. Such committees may carry out the required analysis, appraisals, and evaluation themselves, or by contract, or may require a Government agency to do so and furnish a report thereon to the Congress. Such committees may rely on such techniques as pilot testing, analysis of costs in compari-

son with benefits, or provision for evaluation after a defined period of time.[1]

A second type of authority fostering legislative review is the special oversight granted by the House Committee Reform Amendments of 1974 (H. Res. 988, approved Oct. 8, 1974). Special oversight, which is intended to enable committees to conduct comprehensive oversight of matters directly bearing upon their specified responsibilities even if those matters fall within the jurisdiction of other standing committees, permits an expansion of the legislative review jurisdiction of a committee. The Committee on Foreign Affairs currently has special oversight jurisdiction in four areas under clause 3(f) of House Rule X:

> 3. (f) The Committee on Foreign Affairs shall review and study on a continuing basis laws, programs, and Government activities relating to customs administration, intelligence activities relating to foreign policy, international financial and monetary organizations, and international fishing agreements.

Reporting requirements in legislation frequently obligate various agencies, directly or through the President, to submit reports of certain activities to the Committee on Foreign Affairs to the Speaker of the House, who then transmits them to the committee. The House Committee on Foreign Affairs is the recipient of one of the largest quantities of required reports from the executive branch.

In addition to the authorities noted above, the congressional budget process provides the committee with another important tool for oversight. Pursuant to section 301(c) of the Congressional Budget and Impoundment Act of 1974, each standing committee of the House is required to submit to the Committee on the Budget, no later than March 15 of each year, a report containing its views and estimates on the President's proposed budget for the coming fiscal year. This requirement affords the committee and its subcommittees the opportunity to review those items in the President's budget which fall under the committee's jurisdiction, and to establish possible guidelines for subsequent action on authorizing legislation. The committee submitted an extensive, 16-page views and estimates letter, along with five additional pages of minority views, to the Committee on the Budget on March 9, 2012.

Finally, the authorization process itself provides the prospect of significant oversight impact, with opportunities for program evaluation as well as the investigation of personnel hiring and promotion practices, agency organization, employee development and benefit programs, policy guidance, and administrative rules and regulations regarding the implementation and execution of policy, among other items.

B. Oversight Developments in the Committee on Foreign Affairs

At the beginning of the 112th Congress, the Rules of the Committee on Foreign Affairs also were amended to clearly identify oversight expectations. Committee rule 15 ("Powers and Duties of Subcommittees") now clearly requires regular hearings by each of

[1] Section 701 of the Congressional Budget and Impoundment Control Act of 1974 (Public Law 93–344) amended the original mandate and authority of the 1970 act by adding the last two sentences regarding program review and evaluation.

the regional subcommittees on priority topics (oversight, national security, human rights, and U.S. economic interests) twice a year. Committee rule 24 ("General Oversight") now makes clear that the committee or a subcommittee is required to hold at least three hearings a year on waste, fraud, abuse, or mismanagement as documented in a Government Accountability Office or Inspector General report.

A number of changes were made to enhance the committee's oversight capabilities. Within the full committee majority staff, a dedicated oversight and investigations team was created to coordinate the committee's oversight activities and ensure sufficient follow-up on recommendations and findings identified in Government Accountability Office and Inspector General reports. The committee instituted, for the first time ever, an oversight referral process in which the full committee refers specific reports and notifications to the appropriate subcommittees for further action and investigation. Additionally, the committee created a mechanism on the public website of the committee where whistleblowers could provide information to the committee. This new and innovative tool allowed the American public to anonymously report instances of waste, fraud, abuse and mismanagement directly to the full committee's oversight team which has contributed valuable materials to meetings, hearings, and legislation. Whistleblowers alerted the committee regarding a "blame the victim" culture in the management of the Peace Corps with regard to sexual assault, which spurred a committee investigation and led directly to the enactment of serious bipartisan reform legislation for effective changes in Peace Corps policies and practices, the "Kate Puzey Peace Corps Volunteer Protection Act of 2011."

C. Oversight Activities and Criteria

The oversight activities of the Committee on Foreign Affairs include a variety of instruments and mechanisms—full committee and subcommittee hearings, member and staff study missions abroad, special Congressional Research Service studies, and Government Accountability Office assistance and reports in the field of international relations.

Committee and subcommittee hearings may be conducted for numerous purposes and may simultaneously serve more than one function, i.e., oversight, legislation, or public education. Thus, oversight may exist even when the hearing is not explicitly intended for that purpose. The criteria for determining whether a hearing performs the oversight function were identified by the House Select Committee on Committees in 1973 and are as follows:[2]

(1) To review and control unacceptable forms of bureaucratic behavior;

(2) To ensure that bureaucracy implements the policy objectives of the Congress;

(3) To analyze national and international problems requiring Federal action; and

(4) To determine the effectiveness of legislative programs and policies.

[2] U.S. Congress, House. Select Committee on Committees. Committee Reform Amendments of 1974. Report, 93rd Congress, 2d session, March 21, 1974 (H.Rept.No. 93–916, Part II).

These same purposes help to define other committee activity which relates to its legislative review function. It should be noted that not all such activity can be included in this report. Oversight also occurs informally, not only through the formal processes and mechanisms noted above. Informal discussions between committee members and executive branch officials may constitute oversight in certain instances, as may staff examination of agency activity and behavior, and staff consultation with agency personnel apart from the normal hearing process.

In summary, the legislative review activities of the House Committee on Foreign Affairs for the 112th Congress rely on extensive authorities embodied in the Legislative Reorganization Act of 1970 and reinforced through the authorization process, subsequent legislation, and reporting requirements.

D. Oversight Plan for the 112th Congress

Almost all of the committee's day-to-day activities, including hearings and informal meetings, involve oversight of the administration or afford the committee the opportunity to learn of the impact of the administration's foreign policy on foreign nations or the American people. In fulfillment of clause 1(d)(2) of House Rule XI, the committee's Oversight Plan (submitted under clause 2(d) of House Rule X) was set out in the committee's first Legislative Review and Oversight Activities Report of the 112th Congress (H.Rept. 112–126), filed on June 28, 2011.

II. GENERAL REVIEW ACTIVITIES OF THE COMMITTEE

A. Executive Branch Reports and Congressional Notifications

Statutory reporting requirements, and the reports submitted in response to them, constitute one of the oldest information systems used by Congress. On every subject Congress covers, required reports offer a way to oversee and review the implementation of legislation by the executive branch.

In the foreign policy field, it is particularly important to ensure that reporting requirements and the resultant reports submitted by the executive branch are an efficient mechanism for supplying Congress with information. Information on domestic problems is often easier to obtain from sources outside the executive branch than information on problems from abroad. Moreover, the executive branch has sometimes attempted to shield its activities in the foreign policy field from public view and treat it as its exclusive domain. The lack of information on foreign policy problems and executive branch activities has been one of the major reasons it has been more difficult for Congress to play its legitimate role in the making of foreign policy, although the Constitution expressly shares such powers between Congress and the President.

For the Committee on Foreign Affairs, the improvement of the system of required reports offers more than tidier housekeeping. It offers another step toward a better supply of information that Congress needs to make foreign policy decisions. Through the careful placing of reporting requirements in legislation, the patient monitoring of the reports submitted by the executive branch in response to the requirements and utilization of the data supplied in them,

Congress can improve its capacity for an effective foreign policy role.

Committee staff also conducts a regular and robust review of Congressional notifications regarding the proposed obligation or reprogramming of funding for various program activities by our agencies of jurisdiction. During the reporting period, the committee has received 139 notifications from the Department of State and 70 from the United States Agency for International Development.

B. Reference Documents

Periodically the Committee on Foreign Affairs compiles, prints, and distributes official documents which are useful to the membership in exercising the oversight function as well as other responsibilities. These include the Legislation on Foreign Relations. This 5-volume set is prepared under the direction of the staff of the House Committee on Foreign Affairs and the Senate Committee on Foreign Relations with the assistance of the Foreign Affairs and National Defense Division of the Congressional Research Service of the Library of Congress. This collection of laws and related materials contains texts referred to by the Committee on Foreign Affairs, and the Foreign Relations Committee, amended to date, and annotated to show pertinent history or cross references. The collection includes all laws concerning foreign relations, codified and in force, treaties in force, as well as executive agreements and orders, State Department regulations and State Department delegations of authorities.

C. Study Missions and Participation in International Conferences and Events

The committee has kept itself informed of the latest developments in foreign affairs. The usual frequent conferences with senior government officials, both civil and military, have been augmented by special study missions to various parts of the world to obtain firsthand knowledge of the problems of foreign countries and the administration of U.S. programs and operations falling within the purview of the committee. Committee members also have been designated to serve as official delegates to a number of international conferences and events.

In addition, members of the Committee on Foreign Affairs participated in the following interparliamentary exchanges during the third quarter of the 112th Congress:

- February 1–5, 2012, Meetings for the Defense and Security Committee of the NATO Parliamentary Assembly in Washington D.C. and Dayton, Ohio.
- February 9–14, 2012, Annual joint meeting of the Defense and Security, Economics and Security, and Political Committees of the NATO Parliamentary Assembly in Brussels, Belgium.
- May 24–28, 2012, Annual Spring Session of the NATO Parliamentary Assembly in Tallinn, Estonia.
- June 9–11, 2012, 72nd Meeting of the Transatlantic Legislator's Dialogue in Copenhagen, Denmark, and Strasburg, France.

III. SUMMARY OF LEGISLATIVE ACTIVITY

A. Full Committee Markup Summaries
(subcommittee markups are listed in section IV, below)

3/7/12 Foreign Affairs Committee Markup Summary

H.R. 2106 (Ros-Lehtinen), To strengthen sanctions against the Government of Syria, to enhance multilateral commitment to address the Government of Syria's threatening policies, to establish a program to support a transition to a democratically-elected government in Syria, and for other purposes.

The Chair called up the bill for consideration by the committee and an amendment in the nature of a substitute offered by Chairman Ros-Lehtinen (previously provided to members of the committee), Ros-Lehtinen 105, was made the pending business of the committee.

Ros-Lehtinen 105 (amending H.R. 2106) was agreed to by voice vote, as amended by:

1a. "Manager's Amendment" Ros-Lehtinen 110 (amending Ros-Lehtinen 105) was agreed to by voice vote; and

1b. Berman 85 (amending Ros-Lehtinen 105), was agreed to by voice vote.

H.R. 2106, as amended, was agreed to by voice vote, and was ordered favorably reported by unanimous consent.

The Chair called up the following measures which were considered *en bloc* and agreed to by voice vote:

H.R. 890 (Ros-Lehtinen), To allow for the enforcement of State disclosure laws and access to courts for covered Holocaust-era insurance policy claims;

1. As amended by Ros-Lehtinen 107.

H.R. 1410 (Smith-NJ), To promote freedom and democracy in Vietnam;

1. As amended by Smith 68;
2. Connolly 127; and
3. Rohrabacher 52.

H.R. 3783 (Duncan-SC), To provide for a comprehensive strategy to counter Iran's growing presence and hostile activity in the Western Hemisphere, and for other purposes;

1. As amended by Duncan 40 (as adopted by the Subcommittee on Terrorism, Nonproliferation, and Trade); and
2. Duncan 42.

H.R. 4041 (Berman), To amend the Export Enhancement Act of 1988 to further enhance the promotion of exports of United States goods and services, and for other purposes; and

S. Con. Res. 17 (Menendez), A concurrent resolution expressing the sense of Congress that Taiwan should be accorded observer status in the International Civil Aviation Organization (ICAO).

The amended bills, as agreed to, were ordered favorably reported by unanimous consent.

3/28/12 FOREIGN AFFAIRS COMMITTEE MARKUP SUMMARY

H.R. 4240 (Ros-Lehtinen), To reauthorize the North Korean Human Rights Act of 2004, and for other purposes.

The Chair called up the bill for consideration by the committee, which was agreed to by voice vote.

H.R. 4240, as introduced, was ordered favorably reported by unanimous consent.

6/7/12 FOREIGN AFFAIRS COMMITTEE MARKUP SUMMARY

The Chair called up the following measures for consideration by the committee. By unanimous consent, the six measures and five amendments (previously provided to members of the committee) were considered *en bloc:*

H.R. 4405 (McGovern), To impose sanctions on persons responsible for the detention, abuse, or death of Sergei Magnitsky, and for other gross violations of human rights in Russian Federation, and for other purposes.

1. As amended by Ros-Lehtinen 121 (amendment in the nature of a substitute)

H. Res. 506 (Bilirakis), Calling upon the Government of Turkey to facilitate the reopening of the Ecumenical Patriarchate's Theological School of Halki without condition or further delay.

H.R. 4141 (Payne), To direct the Administrator of the United States Agency for International Development to take appropriate actions to improve the nutritional quality, quality control, and cost effectiveness of United States food assistance, and for other purposes.

1. As amended by Ros-Lehtinen 1 (amendment in the nature of a substitute)

H. Res. 526 (Shuster), Expressing the sense of the House of Representatives with respect toward the establishment of a democratic and prosperous Republic of Georgia and the establishment of a peaceful and just resolution to the conflict with Georgia's internationally recognized borders.

1. As amended by Ros-Lehtinen 122 (amendment in the nature of a substitute)

H. Res. 583 (McGovern), Expressing support for robust efforts by the United States to see Joseph Kony, the leader of the Lord's Resistance Army, and his top commanders brought to justice and the group's atrocities permanently ended.

1. As amended by Ros-Lehtinen 2

H. Res. 663 (Engel), Expressing support for the International Olympic Committee to recognize with a minute of silence at every future Olympics Opening Ceremony those who lost their lives at the 1972 Munich Olympics, and for other purposes.

1. As amended by Ros-Lehtinen 120 (amendment in the nature of a substitute).

The measures and respective amendments were adopted by voice vote. By unanimous consent, the Chairman was authorized to seek

consideration of each of the adopted measures (as amended) under suspension of the rules.

B. Committee Reports Filed

House Report: 112–361: To accompany H.R. 2059 (Ros-Lehtinen) To Prohibit Funding to the United Nations Population Fund.

House Report: 112–507: To accompany H.R. 1280 (Ros-Lehtinen) To Amend the Atomic Energy Act of 1954 to Require Congressional Approval of Agreements for Peaceful Nuclear Cooperation with Foreign Countries, and for Other Purposes.

C. Foreign Affairs Legislation Considered by the House

Legislation Enacted into Law

No legislation was enacted into Law.

Legislation Passed by the House and Senate

No legislation was passed by the House and Senate.

Legislation Passed by the House

H.R. 4041 (Berman)—Export Promotion Reform Act. (Introduced 2/15/2012.)

H.R. 4133 (Cantor)—United States-Israel Enhanced Security Cooperation Act of 2012. (Introduced 3/5/2012.)

H.R. 4240 (Ros-Lehtinen)—Ambassador James R. Lilley and Congressman Stephen J. Solarz North Korea Human Rights Reauthorization Act of 2012. (Introduced 3/22/2012.)

H. Res. 556 (Pitts)—Condemning the Government of Iran for its continued persecution, imprisonment, and sentencing of Youcef Nadarkhani on the charge of apostasy. (Introduced 2/17/2012.)

H. Res. 568 (Ros-Lehtinen)—Expressing the sense of the House of Representatives regarding the importance of preventing the Government of Iran from acquiring a nuclear weapons capability.

IV. MEETINGS OF THE FULL COMMITTEE AND SUBCOMMITTEES

Pursuant to the Oversight Plan set forth in Section I(d), above, the committee and its subcommittees have maintained an ambitious schedule of hearings, briefings, markups, and other meetings during the period covered by this report, as set forth below.

A. Full Committee

February 2, 2012—**Ahmadinejad's Tour of Tyrants and Iran's Agenda in the Western Hemisphere.** Norman A. Bailey, Ph.D., President, Institute for Golbal Economic Growth (former Mission Manager for Cuba and Venezuela, Office of the Director of National Intelligence); Mr. Michael A. Braun, Managing Partner, Spectre Group International, LLC (former Chief of Operations, Drug Enforcement Administration); Mr. Michael Shifter, President, Inter-American Dialogue; and Jose Azel, Ph.D., Senior Scholar, Institute for Cuban and Cuban American Studies, University of Miami.

February 7, 2012—**Export Controls, Arms Sales, and Reform: Balancing U.S. Interests, Part II.** Ms. Marion C. Blakey, President & Chief Executive Officer, Aerospace Industries Associa-

tion; Mr. Mikel Williams, Chief Executive Officer, DDi Corp; and Ms. Patricia A. Cooper, President, Satellite Industry Association.

February 16, 2012—**Egypt at a Crossroads.** The Honorable Lorne Craner, President, International Republican Institute; Mr. Kenneth Wollack, President, National Democratic Institute; The Honorable David J. Kramer, President, Freedom House; and Ms. Joyce Barnathan, President, International Center for Journalists.

February 29, 2012—**Assessing U.S. Foreign Policy Priorities Amidst Economic Challenges: The Foreign Relations Budget for Fiscal Year 2013.** The Honorable Hillary Rodham Clinton, Secretary of State, U.S. Department of State.

March 20, 2012—**The Fiscal Year 2013 Budget: A Review of U.S. Foreign Assistance Amidst Economic Uncertainty.** The Honorable Rajiv Shah, Administrator, U.S. Agency for International Development.

March 21, 2012—**Russia 2012: Increased Repression, Rampant Corruption, Assisting Rogue Regimes.** The Honorable David J. Kramer, President, Freedom House; Mr. William F. Browder, Chief Executive Office, Hermitage Capital Management; The Honorable Steven Pifer, Director of the Brookings Arms Control Initiative, Brookings Institution (former U.S. Ambassador to Ukraine); and Leon Aron, Ph.D., Director of Russian Studies, American Enterprise Institute.

March 28, 2012—**Markup of H.R. 4240**, To reauthorize the North Korean Human Rights Act of 2004, and for other purposes.

March 28, 2012—**Investigating the Chinese Threat, Part One: Military and Economic Aggression.** Mr. Dean Cheng, Research Fellow, Asian Studies Center, The Heritage Foundation; Mr. John J. Tkacik, Jr., Senior Fellow and Director of the Future Asia Project, International Assessment and Strategy Center; Larry M. Wortzel, Ph.D., Commissioner, United States-China Economic and Security Review Commission; and Taylor Fravel, Ph.D., Associate Professor of Political Science, Security Studies Program, Massachusetts Institute of Technology.

April 18, 2012—**North Korea after Kim Jong-il: Still Dangerous and Erratic.** Mr. Frederick H. Fleitz, Managing Editor, LIGNET.com, Newsmax Media (former CIA Intelligence Officer and Former Chief of Staff, Under Secretary for Arms Control and International Security, U.S. Department of State); Michael Green, Ph.D., Senior Advisor and Japan Chair, Center for Strategic and International Studie; Mr. Scott Snyder, Senior Fellow for Korea Studies, Director of the Program on U.S.-Korea Policy, Council on Foreign Relations; and Patrick M. Cronin, Ph.D., Senior Advisor & Senior Director of the Asia Program, Center for a New American Security.

April 25, 2012—**LRA, Boko Haram, al-Shabaab, AQIM and Other Sources of Instability in Africa.** The Honorable Donald Y. Yamamoto, Principal Deputy Assistant Secretary, Bureau of African Affairs, U.S. Department of State; The Honorable Daniel Benjamin, Ambassador-at-Large, Coordinator for Counterterrorism, Bureau of Counterterrorism, U.S. Department of State; and Ms. Amanda J. Dory, Deputy Assistant Secretary for African Affairs, Office of the Secretary of Defense, U.S. Department of Defense.

May 17, 2012—**Iran Sanctions: Strategy, Implementation, and Enforcement.** The Honorable Mark D. Wallace, President

and Chief Executive Officer, United Against Nuclear Iran (former United States Representative to the United Nations for Management and Reform); Mr. Mark Dubowitz, Executive Director, Foundation for Defense of Democracies; and Ray Takeyh, Ph.D., Senior Fellow for Middle Eastern Studies, Council on Foreign Relations.

B. Subcommittee on Africa, Global Health, and Human Rights

January 24, 2012—**Examining Ongoing Human Rights Abuses in Vietnam.** The Honorable Anh "Joseph" Cao, former Member of Congress; Nguyen Dinh Thang, Ph.D., Executive Director, Boat People SOS; Mr. Rong Nay, Executive Director, Montagnard Human Rights Organization; Ms. Phuong-Anh Vu, Victim of human trafficking; and Mr. John Sifton, Advocacy Director for Asia, Human Rights Watch.

February 2, 2012—**U.S. Policy Toward Post-Election Democratic Republic of the Congo.** The Honorable Donald Y. Yamamoto, Principal Deputy Assistant Secretary, Bureau of African Affairs, U.S. Department of State; Daniel B. Baer, Ph.D., Deputy Assistant Secretary, Bureau of Democracy, Human Rights, and Labor, U.S. Department of State; and Sarah E. Mendelson, Ph.D., Deputy Assistant Administrator, Bureau for Democracy, Conflict, and Humanitarian Assistance, U.S. Agency for International Development.

February 8, 2012—**Markup of H.R. 1410**, Vietnam Human Rights Act of 2011 (Vietnam Human Rights Act of 2012), To promote freedom and democracy in Vietnam; and **H. Res. 361**, Concerning efforts to provide humanitarian relief to mitigate the effects of drought and avert famine in the Horn of Africa, particularly Somalia, Ethiopia, Djibouti, and Kenya.

March 27, 2012—**Markup of H.R. 1940**, International Child Abduction Prevention and Return Act of 2011 (Sean and David Goldman International Child Abduction Prevention and Return Act of 2012), To ensure compliance with the 1980 Hague Convention on the Civil Aspects of International Child Abduction by countries with which the United States enjoys reciprocal obligations, to establish procedures for the prompt return of children abducted to other countries, and for other purposes; **H.R. 3605**, Global Online Freedom Act of 2011 (Global Online Freedom Act of 2012), To prevent United States businesses from cooperating with repressive governments in transforming the Internet into a tool of censorship and surveillance, to fulfill the responsibility of the United States Government to promote freedom of expression on the Internet, to restore public confidence in the integrity of United States businesses, and for other purposes; and **H.R. 4141**, International Food Assistance Improvement Act of 2012 (Donald M. Payne International Food Assistance Improvement Act of 2012), To direct the Administrator of the United States Agency for International Development to take appropriate actions to improve the nutritional quality, quality control, and cost effectiveness of United States food assistance, and for other purposes.

March 29, 2012—**Assessing China's Role and Influence in Africa.** The Honorable Donald Y. Yamamoto, Principal Deputy Assistant Secretary, Bureau of African Affairs, U.S. Department of State; Ms. Carolyn Bartholomew, Commissioner, United States-China Economic and Security Review Commission; Mr. Stephen

Hayes, President and Chief Executive Officer, The Corporate Council on Africa; J. Peter Pham, Ph.D., Director, Michael S. Ansari Africa Center, Atlantic Council; and The Honorable David H. Shinn, Adjunct Professor, Elliott School of International Affairs, George Washington University.

April 17, 2012—**The Increasing American Jobs Through Greater Exports to Africa Act.** The Honorable Johnnie Carson, Assistant Secretary of State, Bureau of African Affairs, U.S. Department of State; Ms. Florizelle Liser, Assistant United States Trade Representative for Africa, Office of the United States Trade Representative; Mr. Isaiah Washington, Actor and President, Gondobay Manga Foundation (Sierra Leone); Mr. Scott Eisner, Executive Director, Africa Business Initiative, United States Chamber of Commerce; and Mr. Reginald Maynor, Director of International Department, Luster Products Incorporated.

April 26, 2012—**The North-South Sudan Conflict 2012.** The Honorable Princeton Lyman, Special Envoy for Sudan, U.S. Department of State; The Honorable Nancy Lindborg, Assistant Administrator, Bureau for Democracy, Conflict, and Humanitarian Assistance, U.S. Agency for International Development; and The Honorable Anne Richard, Assistant Secretary, Bureau for Population, Refugees and Migration, U.S. Department of State.

May 15, 2012—**Chen Guangcheng: His Case, Cause, Family, and Those Who are Helping Him.** Pastor Bob Fu, Founder and President, ChinaAid Association; Mr. Wei Jingsheng, Founder and Chairman, Overseas Chinese Democracy Coalition; Ms. Reggie Littlejohn, Founder and President, Women's Rights Without Frontiers; Ms. Chai Ling, Founder, All Girls Allowed; and Ms. Mei Shunping, victim of forced abortion.

June 6, 2012—**The U.S. State Department's Inadequate Response to Human Rights Concerns in Bolivia: The Case of American Jacob Ostreicher.** Ms. Miriam Ungar, wife of Jacob Ostreicher; Ms. Chaya Gitty Weinberger, daughter of Jacob Ostreicher; Mr. Steve Moore, Special Agent, Federal Bureau of Investigations (retired).

C. Subcommittee on Asia and the Pacific

April 25, 2012—**Oversight of U.S. Policy Toward Burma.** Mr. Kurt Campbell, Assistant Secretary, Bureau of East Asian and Pacific Affairs, Department of State; Ms. Nisha Biswal, Assistant Administrator for Asia, United States Agency for International Development; Mr. Aung Din, Executive Director and Co-Founder, U.S. Campaign for Burma; Mr. Tom Andrews, President and CEO, United to End Genocide.

May 17, 2012—**The Trans-Pacific Partnership Agreement: Challenges and Potential.** (Jointly held with the Subcommittee on Terrorism, Nonproliferation, and Trade.) Philip I. Levy, Ph.D., Adjunct Associate Professor, School of International and Public Affairs, Columbia University; Ms. Linda Menghetti, Vice President, Emergency Committee for American Trade; Ms. Celeste Drake, Trade & Globalization Policy Specialist, AFL–CIO; Ms. Susan C. Schwab, Professor, School of Public Policy, University of Maryland.

June 6, 2012—**What's Next for the U.S.-Korea Alliance?** Mr. Jim Zumwalt, Deputy Assistant Secretary, Bureau of East Asian and Pacific Affairs, U.S. Department of State; Victor Cha, Ph.D.,

Senior Adviser, Center for Strategic and International Studies (former Director for Asian Affairs, National Security Council); Mr. Daniel S. Lipman, Senior Vice President, Westinghouse Electric Company; and Mark Peters, Ph.D., Deputy Laboratory Director for Programs, Argonne National Laboratory.

D. Subcommittee on Europe and Eurasia

February 9, 2012—**Creating Jobs: Economic Opportunities in Europe and Eurasia**. The Honorable Robert D. Hormats, Under Secretary, Economic Growth, Energy, and the Environment, U.S. Department of State; Mr. Peter Rashish, Vice President for Europe and Eurasia, U.S. Chamber of Commerce; and Dan Hamilton, Ph.D., Director, Center for Transatlantic Relations, The Paul H. Nitze School of Advanced International Studies, The John Hopkins University.

April 26, 2012—**NATO: The Chicago Summit and U.S. Policy.** The Honorable Tina S. Kaidanow, Principal Deputy Assistant Secretary, Bureau of European and Eurasian Affairs, U.S. Department of State; Mr. James Townsend, Deputy Assistant Secretary, European and NATO Policy, U.S. Department of Defense; Mr. Damon Wilson, Executive Vice President, The Atlantic Council; Mr. Luke Coffey, Margaret Thatcher Fellow, The Heritage Foundation; Stephen Flanagan, Ph.D., Henry A. Kissinger Chair in Diplomacy and National Security, Center for Strategic and International Studies.

April 26, 2012—**Markup of H. Res. 526**, Expressing the sense of the House of Representatives with respect toward the establishment of a democratic and prosperous Republic of Georgia and the establishment of a peaceful and just resolution to the conflict with Georgia's internationally recognized borders.

E. Subcommittee on the Middle East and South Asia

February 15, 2012—**Reflections on the Revolution in Egypt**. Robert Kagan, Ph.D.Senior Fellow, Brookings Institution; Michele Dunne, Ph.D., Director of the Rafik Hariri Center for the Middle East, Atlantic Council; Mr. Eric Trager, Ira Weiner Fellow, Washington Institute for Near East Policy; Tamara Wittes, Ph.D., (former Deputy Assistant Secretary of State for Near Eastern Affairs).

March 21, 2012—**Halting the Descent: U.S. Policy Toward the Deteriorating Situation in Iraq.** General Jack Keane, USA, Retired (former Vice Chief of Staff of the United States Army); Lieutenant General (Ret.); James Dubik, Senior Fellow, Institute for the Study of War; Kimberly Kagan, Ph.D., President, Institute for the Study of War; Colin H. Kahl, Ph.D., Senior Fellow, Center for a New American Security.

April 25, 2012—**Confronting Damascus: U.S. Policy Toward the Evolving Situation in Syria, Part II.** Mr. Andrew Tabler, Next Generation Fellow, Washington Institute for Near East Policy; Ms. Mara E. Karlin, Instructor in Strategic Studies, School of Advanced International Studies, Johns Hopkins University; Marc Lynch, Ph.D., Professor of Political Science, Director of Institute for Middle East Studies, Elliott School of International Affairs, George Washington University.

May 9, 2012—**Assessing U.S. Foreign Policy Priorities and Needs Amidst Economic Challenges in the Middle East.** The Honorable Jeffrey D. Feltman, Assistant Secretary of State, Bureau of Near Eastern Affairs, U.S. Department of State; The Honorable Mara Rudman, Assistant Administrator for the Middle East Bureau, U.S. Agency for International Development; Mr. Mark Ward, Deputy Special Coordinator for Middle East Transitions, U.S. Department of State.

May 16, 2012—**Assessing U.S. Foreign Policy Priorities and Needs Amidst Economic Challenges in South Asia.** The Honorable Robert O. Blake, Assistant Secretary for South and Central Asian Affairs, U.S. Department of State; The Honorable Nisha Desai Biswal, Assistant Administrator for Asia, U.S. Agency for International Development; Mr. Daniel Feldman, Deputy Special Representative for Afghanistan and Pakistan, U.S. Department of State; Alexander Thier, Ph.D., Assistant to the Administrator and Director, Office of Afghanistan and Pakistan Affairs, U.S. Agency for International Development.

F. Subcommittee on Oversight and Investigations

February 8, 2012—**Baluchistan.** C. Christine Fair, Assistant Professor, Georgetown University; Mr. Ralph Peters, Military Analyst and Author; Mr T. Kumar, Director, International Advocacy, Amnesty International USA; M. Hossein Bor, Ph. D., Counsel, Entwistle & Cappucci, LLP; Mr. Ali Dayan Hasan, Pakistan Director, Asia Division, Human Rights Watch.

March 27, 2012—**The Price of Public Diplomacy with China.** Mr. Steven Mosher, President, Population Research Institute; Mr. Kai Chen, Chinese freedom activist; Mr. Greg Autry, Co-Author, Death by China; Mr. Robert Daly, Director, Maryland China Initiative, The University of Maryland.

May 15, 2012—**Status of the Processing of the Camp Ashraf Residents.** Ambassador Daniel Fried, Special Advisor on Ashraf, U.S. Department of State.

June 6, 2012—**Investigating Waste, Fraud and Abuse in Afghanistan**. Mr. John Hutton, Director, Acquisition and Sourcing Management, U.S. Government Accountability Office; Mr. Charles Johnson, Jr., Director, International Affairs and Trade, U.S. Government Accountability Office; and Mr. Larry Sampler, Jr., Senior Deputy Assistant to the Administrator, Office of Afghanistan and Pakistan Affairs, U.S. Agency for International Development.

G. Subcommittee on Terrorism, Nonproliferation, and Trade

February 7, 2012—**The U.S.-Philippines Alliance Deepening the Security and Trade Partnership.** The Honorable Kurt Campbell, Assistant Secretary, Bureau of East Asian and Pacific Affairs, U.S. Department of State; The Honorable Peter Lavoy, Ph.D., Acting Assistant Secretary of Defense, Asian and Pacific Security Affairs, U.S. Department of Defense.

March 1, 2012—**Markup of H.R. 3783**, To provide for a comprehensive strategy to counter Iran's growing presence and hostile activity in the Western Hemisphere, and for other purposes; Amendment in the nature of a substitute to H.R. 3783 offered by Mr. Duncan of South Carolina.

March 7, 2012—**The State Department's Reward Programs: Performance and Potential**. Mr. Robert A. Hartung, Assistant Director, Threat Investigations and Analysis Directorate, Bureau of Diplomatic Security, U.S. Department of State; Ms. M. Brooke Darby, Deputy Assistant Secretary, Bureau of International Narcotics and Law Enforcement Affairs, U.S. Department of State; and the Honorable Stephen J. Rapp, Ambassador-at-Large, Office of Global Criminal Justice.

April 18, 2012—**Bureau of Counterterrorism: Budget, Programs, and Policies.** The Honorable Daniel Benjamin, Ambassador-at-Large, Coordinator for Counterterrorism, Bureau of Counterterrorism, U.S. Department of State.

May 17, 2012—**The Trans-Pacific Partnership Agreement: Challenges and Potential.** (Jointly held with the Subcommittee on Asia and the Pacific.) Philip I. Levy, Ph.D., Adjunct Associate Professor, School of International and Public Affairs, Columbia University; Ms. Linda Menghetti, Vice President, Emergency Committee for American Trade; Ms. Celeste Drake, Trade & Globalization Policy Specialist, AFL–CIO; The Honorable Susan C. Schwab, Professor, School of Public Policy, University of Maryland (former United States Trade Representative).

H. Subcommittee on the Western Hemisphere

February 16, 2012—**Further Human Rights Violations in Castro's Cuba: the Continued Abuse of Political Prisoners.** (Jointly held with the Subcommittee on Africa, Global Health, and Human Rights.) The Honorable Dan Burton, Member of Congress; Mr. Oscar Elías Biscet, M.D., human rights advocate, former Cuban political prisoner; Mr. Normando Hernández González, independent journalist, former political prisoner—Group of 75.

April 25, 2012—**Western Hemisphere Budget Review 2013: What Are U.S. Priorities?** The Honorable Roberta S. Jacobson, Assistant Secretary of State, Bureau of Western Hemisphere Affairs, U.S. Department of State.

May 17, 2012—**Cuba's Global Network of Terrorism, Intelligence, and Warfare.** Mr. Christopher Simmons, Founding Editor, Cuba Confidential (retired Defense Intelligence Agency Supervisory Counterintelligence Officer); The Honorable Michelle Van Cleave, President, National Security Concepts, Inc. (former National Counterintelligence Executive under President George W. Bush).

I. Waste, Fraud, Abuse, or Mismanagement Hearings

Pursuant to clause 1(d)(2)(E) of rule XI of the Rules of the House of Representatives, the committee held the following oversight hearings on waste, fraud, abuse, or mismanagement in government programs within its jurisdiction, including that documented by a Federal Office of the Inspector General or the Comptroller General of the United States:

Full Committee

February 7, 2012—**Export Controls, Arms Sales, and Reform: Balancing U.S. Interests, Part II.** Ms. Marion C. Blakey, President & Chief Executive Officer, Aerospace Industries Associa-

tion; Mr. Mikel Williams, Chief Executive Officer, DDi Corp; and Ms. Patricia A. Cooper, President, Satellite Industry Association.

February 29, 2012—**Assessing U.S. Foreign Policy Priorities Amidst Economic Challenges: The Foreign Relations Budget for Fiscal Year 2013.** The Honorable Hillary Rodham Clinton, Secretary of State, U.S. Department of State.

April 25, 2012—**LRA, Boko Haram, al-Shabaab, AQIM and Other Sources of Instability in Africa.** The Honorable Donald Y. Yamamoto, Principal Deputy Assistant Secretary, Bureau of African Affairs, U.S. Department of State; The Honorable Daniel Benjamin, Ambassador-at-Large, Coordinator for Counterterrorism, Bureau of Counterterrorism, U.S. Department of State; and Ms. Amanda J. Dory, Deputy Assistant Secretary for African Affairs, Office of the Secretary of Defense, U.S. Department of Defense.

Subcommittee on Africa, Global Health, and Human Rights

June 6, 2012—**The U.S. State Department's Inadequate Response to Human Rights Concerns in Bolivia: The Case of American Jacob Ostreicher.** Ms. Miriam Ungar, Wife of Jacob Ostreicher; Ms. Chaya Gitty Weinberger, daughter of Jacob Ostreicher; Mr. Steve Moore, Special Agent, Federal Bureau of Investigations (retired).

Subcommittee on Asia and the Pacific

April 25, 2012—**Oversight of U.S. Policy Toward Burma.** Mr. Kurt Campbell, Assistant Secretary, Bureau of East Asian and Pacific Affairs, Department of State; Ms. Nisha Biswal, Assistant Administrator for Asia, United States Agency for International Development; Mr. Aung Din, Executive Director and Co-Founder, U.S. Campaign for Burma; Mr. Tom Andrews, President and CEO, United to End Genocide.

Subcommittee on the Middle East and South Asia

May 9, 2012—**Assessing U.S. Foreign Policy Priorities and Needs Amidst Economic Challenges in the Middle East.** The Honorable Jeffrey D. Feltman, Assistant Secretary of State, Bureau of Near Eastern Affairs, U.S. Department of State; The Honorable Mara Rudman, Assistant Administrator for the Middle East Bureau, U.S. Agency for International Development; Mr. Mark Ward, Deputy Special Coordinator for Middle East Transitions, U.S. Department of State.

May 16, 2012—**Assessing U.S. Foreign Policy Priorities and Needs Amidst Economic Challenges in South Asia.** The Honorable Robert O. Blake, Assistant Secretary for South and Central Asian Affairs, U.S. Department of State; The Honorable Nisha Desai Biswal, Assistant Administrator for Asia, U.S. Agency for International Development; Mr. Daniel Feldman, Deputy Special Representative for Afghanistan and Pakistan, U.S. Department of State; Alexander Thier, Ph.D., Assistant to the Administrator and Director, Office of Afghanistan and Pakistan Affairs, U.S. Agency for International Development.

Subcommittee on Terrorism, Nonproliferation, and Trade

April 18, 2012—**Bureau of Counterterrorism: Budget, Programs, and Policies.** The Honorable Daniel Benjamin, Ambassador-at-Large, Coordinator for Counterterrorism, Bureau of Counterterrorism, U.S. Department of State.

Subcommittee on Oversight and Investigations

June 6, 2012—**Investigating Waste, Fraud and Abuse in Afghanistan**. Mr. John Hutton, Director, Acquisition and Sourcing Management, U.S. Government Accountability Office; Mr. Charles Johnson, Jr., Director, International Affairs and Trade, U.S. Government Accountability Office; and Mr. Larry Sampler, Jr., Senior Deputy Assistant to the Administrator, Office of Afghanistan and Pakistan Affairs, U.S. Agency for International Development.

Subcommittee on the Western Hemisphere

April 25, 2012—**Western Hemisphere Budget Review 2013: What Are U.S. Priorities?** The Honorable Roberta S. Jacobson, Assistant Secretary of State, Bureau of Western Hemisphere Affairs, U.S. Department of State.

May 17, 2012—**Cuba's Global Network of Terrorism, Intelligence, and Warfare.** Mr. Christopher Simmons, Founding Editor, Cuba Confidential (retired Defense Intelligence Agency Supervisory Counterintelligence Officer); The Honorable Michelle Van Cleave, President, National Security Concepts, Inc. (former National Counterintelligence Executive under President George W. Bush).

J. Committee-Hosted Dignitary Meetings

Members Meeting with His Majesty of Jordan, King Abdullah II (January 28, 2012).

Members Meeting with the Foreign Minister of Israel, Avigdor Liberman (February 7, 2012).

Members Meeting with the Foreign Secretary of India, Ranjan Mathai (February 8, 2012).

Members Meeting with the Prime Minister of Haiti, Gérard Latortue (February 8, 2012).

Members Meeting with the Estonian Foreign Affairs Delegation with Chairman Marko Mihkelson, Sven Mikser, Imre Sooäär, Vladimir Velman, and Birgit Keerd-Leppik (April 25, 2012).

Members Meeting with the Minister of Foreign Affairs of the Former Yugoslav Republic of Macedonia (April 26, 2012).

Members Meeting with the Deputy Minister of the Republic of Cyprus, Andrea Mavroyiannis (April 27, 2012).

Members Meeting with the President of the Republic of Liberia, Ellen Johnson Sirleaf (June 8, 2012).

APPENDIX

(MEMBERSHIP OF THE SUBCOMMITTEES OF THE COMMITTEE ON FOREIGN AFFAIRS)

Subcommittee on Africa, Global Health, and Human Rights

Christopher H. Smith, NJ, *Chairman*
Jeff Fortenberry, NE
Tom Marino, PA
Ann Marie Buerkle, NY
Robert Turner, New York

Karen Bass, CA, *Ranking Democrat Member*
Russ Carnahan, MO

Subcommittee on Asia and the Pacific

Donald A. Manzullo, IL, *Chairman*
Ron Paul, TX
Bill Johnson, OH
Dan Burton, IN
Edward R. Royce, CA
Steve Chabot, OH
Mike Kelly, PA
Jeff Duncan, SC

Eni F.H. Faleomavaega, AS, *Ranking Democrat Member*
Frederica Wilson, FL
Gary L. Ackerman, NY
Brad Sherman, CA
Gregory W. Meeks, NY
Dennis Cardoza, CA

Subcommittee on Europe and Eurasia

Dan Burton, IN, *Chairman*
Elton Gallegly, CA
Gus M. Bilirakis, FL
Tim Griffin, AR
Tom Marino, PA
Jean Schmidt, OH
Ted Poe, TX

Gregory W. Meeks, NY, *Ranking Democrat Member*
Eliot L. Engel, NY
Albio Sires, NJ
Theodore E. Deutch, FL

Subcommittee on Oversight and Investigations

Dana Rohrabacher, CA, *Chairman*
Mike Kelly, PA
Ron Paul, TX
Ted Poe, TX
David Rivera, FL

Russ Carnahan, MO, *Ranking Democrat Member*
David Cicilline, RI
Karen Bass, CA

Subcommittee on the Middle East and South Asia

Steve Chabot, OH, *Chairman*
Mike Pence, IN
Joe Wilson, SC
Jeff Fortenberry, NE
Ann Marie Buerkle, NY
Renee Ellmers, NC
Dana Rohrabacher, CA
Donald A. Manzullo, IL
Connie Mack, FL
Michael T. McCaul, TX
Gus M. Bilirakis, FL
Tom Marino, PA
Robert Turner, New York**

Gary L. Ackerman, NY, *Ranking Democrat Member*
Gerald E. Connolly, VA
Theodore E. Deutch, FL
Dennis Cardoza, CA
Ben Chandler, KY
Brian Higgins, NY
Allyson Y. Schwartz, PA
Christopher S. Murphy, CT
William Keating, MA

Subcommittee on Terrorism, Nonproliferation, and Trade

Edward R. Royce, CA, *Chairman*
Ted Poe, TX
Jeff Duncan, SC
Bill Johnson, OH
Tim Griffin, AR
Ann Marie Buerkle, NY
Renee Ellmers, NC

Brad Sherman, CA, *Ranking Democrat Member*
David Cicilline, RI
Gerald E. Connolly, VA
Brian Higgins, NY
Allyson Y. Schwartz, PA

Subcommittee on the Western Hemisphere

Connie Mack, FL, *Chairman*
Michael T. McCaul, TX
Jean Schmidt, OH
David Rivera, FL
Christopher H. Smith, NJ
Elton Gallegly, CA

Eliot L. Engel, NY, *Ranking Democrat Member*
Albio Sires, NJ
Eni F.H. Faleomavaega, AS
Donald M. Payne, NJ

○

Chairman ROS-LEHTINEN. The Chair moves that the report be adopted by the committee.

All those in favor, say aye.

All opposed, no.

In the opinion of the Chair, the ayes have it, and the report is approved.

We now consider the Foreign Relations Authorization bill, which was provided to your office, as I said, in draft form last week and in final form Monday morning. The clerk will report the bill.

Ms. CARROLL. H.R. 6018, to authorize appropriations for the Department of State for Fiscal Year 2013, and for other purposes.

Chairman ROS-LEHTINEN. Without objection, the bill is considered read and open for amendment at any point.

[H.R. 6018 follows:]

.....

(Original Signature of Member)

112TH CONGRESS
2D SESSION

H. R. _____

To authorize appropriations for the Department of State for fiscal year 2013, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

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

A BILL

To authorize appropriations for the Department of State for fiscal year 2013, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Foreign Relations Authorization Act, Fiscal Year 2013".

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.
Sec. 3. Appropriate congressional committees defined.

TITLE I—AUTHORIZATION OF APPROPRIATIONS

Sec. 101. Administration of foreign affairs.
Sec. 102. Contributions to International Organizations.
Sec. 103. Contributions for International Peacekeeping Activities.
Sec. 104. International Commissions.
Sec. 105. Peace Corps.
Sec. 106. National Endowment for Democracy.

TITLE II—DEPARTMENT OF STATE AUTHORITIES AND ACTIVITIES

Subtitle A—Basic Authorities and Activities

Sec. 201. International Litigation Fund.
Sec. 202. Actuarial valuations.
Sec. 203. Special agents.
Sec. 204. Diplomatic security program contracting.
Sec. 205. Accountability review boards.
Sec. 206. Physical security of certain soft targets.
Sec. 207. Rewards program update and technical corrections.
Sec. 208. Cybersecurity efforts of the Department of State.
Sec. 209. Center for Strategic Counterterrorism Communications of the Department of State.

Subtitle B—Consular Services and Related Matters

Sec. 211. Extension of authority to assess passport surcharge.
Sec. 212. Border crossing card fee for minors.

Subtitle C—Reporting Requirements

Sec. 221. Reporting reform.

TITLE III—ORGANIZATION AND PERSONNEL AUTHORITIES

Sec. 301. Suspension of Foreign Service members without pay.
Sec. 302. Repeal of recertification requirement for Senior Foreign Service.
Sec. 303. Limited appointments in the Foreign Service.
Sec. 304. Limitation of compensatory time off for travel.
Sec. 305. Department of State organization.
Sec. 306. Reemployment of annuitants in high-risk posts.
Sec. 307. Overseas Foreign Service pay.

TITLE IV—UNITED STATES INTERNATIONAL BROADCASTING

Sec. 401. Authorization of appropriations for international broadcasting.
Sec. 402. Personal services contracting program.
Sec. 403. Technical amendment relating to civil immunity for Broadcasting Board of Governors members.

TITLE V—ARMS EXPORT CONTROL ACT AMENDMENTS AND RELATED PROVISIONS

Subtitle A—General Provisions

Sec. 501. Authority to transfer excess defense articles.
Sec. 502. Annual military assistance report.
Sec. 503. Annual report on foreign military training.

Sec. 504. Increased flexibility for use of defense trade control registration fees.
Sec. 505. Increase in congressional notification thresholds.
Sec. 506. Return of defense articles.
Sec. 507. Annual estimate and justification for sales program.
Sec. 508. Updating and conforming penalties for violations of sections 38 and 39 of the Arms Export Control Act.
Sec. 509. Clarification of prohibitions relating to state sponsors of terrorism and their nationals.
Sec. 510. Exemption for transactions with countries supporting acts of international terrorism.
Sec. 511. Report on Foreign Military Financing program.
Sec. 512. Congressional notification of regulations and amendments to regulations under section 38 of the Arms Export Control Act.
Sec. 513. Diplomatic efforts to strengthen national and international arms export controls.
Sec. 514. Review and report of investigations of violations of section 3 of the Arms Export Control Act.
Sec. 515. Reports on commercial and governmental military exports under the Arms Export Control Act; congressional actions.

Subtitle B—Miscellaneous Provisions

Sec. 521. Treatment of militarily insignificant parts and components.
Sec. 522. Special export licensing for United States allies.
Sec. 523. Improving and streamlining licensing under United States Government arms export control programs.
Sec. 524. Authority to remove satellites and related components from the United States Munitions List.
Sec. 525. Report on licenses and other authorizations to export commercial satellites and related components and technology contained on the Commerce Control List.
Sec. 526. Review of United States Munitions List.
Sec. 527. Report on country exemptions for licensing of exports of munitions and related technical data.
Sec. 528. End-use monitoring of munitions.
Sec. 529. Definitions.

1 **SEC. 3. APPROPRIATE CONGRESSIONAL COMMITTEES DE-**
2 **FINED.**

3 Except as otherwise provided in this Act, the term
4 "appropriate congressional committees" means the Com-
5 mittee on Foreign Affairs of the House of Representatives
6 and the Committee on Foreign Relations of the Senate.

TITLE I—AUTHORIZATION OF APPROPRIATIONS

SEC. 101. ADMINISTRATION OF FOREIGN AFFAIRS.

The following amounts are authorized to be appropriated for the Department of State under "Administration of Foreign Affairs" to carry out the authorities, functions, duties, and responsibilities in the conduct of foreign affairs of the United States, and for other purposes authorized by law:

(1) DIPLOMATIC AND CONSULAR PROGRAMS.—For "Diplomatic and Consular Programs", $8,983,778,000 for fiscal year 2013.

(A) WORLDWIDE SECURITY PROTECTION.—Of such amounts, not less than $1,591,201,000 is authorized to be appropriated for worldwide security protection.

(B) BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR.—Of such amounts, not less than $24,147,000 for fiscal year 2013 is authorized to be appropriated for the Bureau of Democracy, Human Rights and Labor.

(C) OVERSEAS COMPARABILITY PAY LIMITATION.—None of such amounts are authorized to be used to pay a locality-based comparability payment (stated as a percentage) greater than

two-thirds of the comparability payment (stated as a percentage) applicable to the District of Columbia locality under section 5304 of title 5, United States Code, to any member of the Foreign Service designated class 1 or below for purposes of section 403 of the Foreign Service Act of 1980 (22 U.S.C. 3963) whose official duty station is not in the continental United States or in a non-foreign area, as defined in section 591.205 of title 5, Code of Federal Regulations.

(2) CAPITAL INVESTMENT FUND.—For "Capital Investment Fund", $59,380,000 for fiscal year 2013.

(3) EMBASSY SECURITY, CONSTRUCTION AND MAINTENANCE.—For "Embassy Security, Construction and Maintenance", $1,570,000,000 for fiscal year 2013.

(4) EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS.—For "Educational and Cultural Exchange Programs", $598,800,000 for fiscal year 2013.

(5) CONFLICT STABILIZATION OPERATIONS.—

(A) IN GENERAL.—For "Conflict Stabilization Operations", $8,500,000 for fiscal year 2013.

(B) TRANSFER.—Subject to subparagraph (C) of this paragraph, of the amount authorized to be appropriated pursuant to paragraph (1), up to $35,000,000 is authorized to be transferred to, and merged with, the amount specified in subparagraph (A) of this paragraph.

(C) NOTIFICATION.—If the Secretary of State exercises the transfer authority described in subparagraph (B), the Secretary shall notify the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives and the Committee on Foreign Relations and the Committee on Appropriations of the Senate.

(6) REPRESENTATION ALLOWANCES.—For "Representation Allowances", $7,300,000 for fiscal year 2013.

(7) PROTECTION OF FOREIGN MISSIONS AND OFFICIALS.—For "Protection of Foreign Missions and Officials", $27,000,000 for fiscal year 2013.

(8) EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE.—For "Emergencies in the Dip-

lomatic and Consular Service", $9,300,000 for fiscal year 2013.

(9) REPATRIATION LOANS.—For "Repatriation Loans", $1,447,000 for fiscal year 2013.

(10) PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN.—

(A) IN GENERAL.—For "Payment to the American Institute in Taiwan", $21,108,000 for fiscal year 2013.

(B) TRANSFER.—Subject to subparagraph (C) of this paragraph, of the amount authorized to be appropriated pursuant to paragraph (1), up to $15,300,000 is authorized to be transferred to, and merged with, the amount specified in subparagraph (A) of this paragraph.

(C) NOTIFICATION.—If the Secretary of State exercises the transfer authority described in subparagraph (B), the Secretary shall notify the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives and the Committee on Foreign Relations and the Committee on Appropriations of the Senate.

(11) OFFICE OF THE INSPECTOR GENERAL.—For "Office of the Inspector General",

$129,086,000 for fiscal year 2013, including for the Special Inspector General for Iraq Reconstruction and the Special Inspector General for Afghanistan Reconstruction, notwithstanding section 209(a)(1) of the Foreign Service Act of 1980 (22 U.S.C. 3929(a)(1)) as such section relates to the inspection of the administration of activities and operations of each Foreign Service post.

SEC. 102. CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS.

There are authorized to be appropriated for "Contributions to International Organizations", $1,551,000,000 for fiscal year 2013, for the Department of State to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States with respect to international organizations and to carry out other authorities in law consistent with such purposes.

SEC. 103. CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES.

There are authorized to be appropriated for "Contributions for International Peacekeeping Activities", $1,828,182,000 for fiscal year 2013 for the Department of State to carry out the authorities, functions, duties, and responsibilities of the United States with respect to inter-

national peacekeeping activities and to carry out other authorities in law consistent with such purposes.

SEC. 104. INTERNATIONAL COMMISSIONS.

The following amounts are authorized to be appropriated under "International Commissions" for the Department of State to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States and for other purposes authorized by law:

(1) INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO.—For "International Boundary and Water Commission, United States and Mexico"—

(A) for "Salaries and Expenses", $44,722,000 for fiscal year 2013; and

(B) for "Construction", $31,453,000 for fiscal year 2013.

(2) INTERNATIONAL BOUNDARY COMMISSION, UNITED STATES AND CANADA.—For "International Boundary Commission, United States and Canada", $2,279,000 for fiscal year 2013.

(3) INTERNATIONAL JOINT COMMISSION.—For "International Joint Commission", $7,012,000 for fiscal year 2013.

(4) INTERNATIONAL FISHERIES COMMISSIONS.—For "International Fisheries Commissions", $36,300,000 for fiscal year 2013.

(5) BORDER ENVIRONMENT COOPERATION COMMISSION.—For "Border Environment Cooperation Commission", $2,396,000 for fiscal year 2013.

SEC. 105. PEACE CORPS.

There are authorized to be appropriated for the Peace Corps $375,000,000 for fiscal year 2013, of which not less than $5,150,000 is authorized to be appropriated for the Office of the Inspector General of the Peace Corps.

SEC. 106. NATIONAL ENDOWMENT FOR DEMOCRACY.

There are authorized to be appropriated for the "National Endowment for Democracy" for authorized activities $122,764,000 for fiscal year 2013.

TITLE II—DEPARTMENT OF STATE AUTHORITIES AND ACTIVITIES

Subtitle A—Basic Authorities and Activities

SEC. 201. INTERNATIONAL LITIGATION FUND.

Paragraph (3) of section 38(d) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2710(d)) is amended by striking "by the Department of State from another agency of the United States Government or pur-

suant to" and inserting "by the Department of State as a result of a decision of an international tribunal, from another agency of the United States Government, or pursuant to".

SEC. 202. ACTUARIAL VALUATIONS.

The Foreign Service Act of 1980 is amended—

(1) in section 818 (22 U.S.C. 4058)—

(A) in the first sentence, by striking "Secretary of the Treasury" and inserting "Secretary of State"; and

(B) by amending the second sentence to read as follows: "The Secretary of State is authorized to expend from money to the credit of the Fund such sums as may be necessary to administer the provisions of this subchapter, including actuarial advice, but only to the extent and in such amounts as are provided in advance in appropriations Acts.";

(2) in section 819 (22 U.S.C. 4059), in the first sentence, by striking "Secretary of the Treasury" the second place it appears and inserting "Secretary of State";

(3) in section 825(b) (22 U.S.C. 4065(b)), by striking "Secretary of the Treasury" and inserting "Secretary of State"; and

(4) section 859(e) (22 U.S.C. 4071h(e))—

(A) by striking "Secretary of the Treasury" and inserting "Secretary of State"; and

(B) by striking "and shall advise the Secretary of State of" and inserting "that will provide".

SEC. 203. SPECIAL AGENTS.

(a) IN GENERAL.—Paragraph (1) of section 37(a) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2709(a)) is amended to read as follows:

"(1) conduct investigations concerning—

"(A) illegal passport or visa issuance or use;

"(B) identity theft or document fraud affecting or relating to the programs, functions, and authorities of the Department of State; and

"(C) Federal offenses committed within the special maritime and territorial jurisdiction of the United States as defined in paragraph (9) of section 7 of title 18, United States Code, except as that jurisdiction relates to the premises of United States military missions and related residences;".

(b) RULE OF CONSTRUCTION.—Nothing in paragraph (1) of section 37(a) the State Department Basic

Authorities Act of 1956 (as amended by subsection (a) of this section) shall be construed to limit the investigative authority of any other Federal department or agency.

SEC. 204. DIPLOMATIC SECURITY PROGRAM CONTRACTING.

Section 136 of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 (22 U.S.C. 4864) is amended—

(1) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking "With respect" and inserting "Except as provided in subsection (d), with respect"; and

(B) in paragraph (3), by striking "subsection (d)" and inserting "subsection (e)";

(2) by redesignating subsections (d), (e), (f), and (g) as subsections (e), (f), (g), and (h), respectively;

(3) by inserting after subsection (c) the following new subsection:

"(d) AWARD OF LOCAL GUARD AND PROTECTIVE SERVICE CONTRACTS IN HIGH RISK AREAS.—With respect to local guard contracts for Foreign Service buildings located in high risk areas which exceed $250,000, the Secretary of State shall—

"(1) comply with paragraphs (1), (2), (4), (5), and (6) of subsection (c) in the award of such contracts;

"(2) in evaluating proposals for such contracts, award contracts to the firm representing the best value to the Government in accordance with the best value tradeoff process described in subpart 15.1 of the Federal Acquisition Regulation (48 C.F.R. 15.101–1); and

"(3) ensure that in all contracts awarded under this subsection, contractor personnel providing local guard or protective services are classified as—

"(A) employees of the offeror;

"(B) if the offeror is a joint venture, as the employees of one of the persons or parties constituting the joint venture; or

"(C) as employees of a subcontractor to the offeror, and not as independent contractors to the offeror or any other entity performing under such contracts."; and

(4) in subsection (e), as redesignated by paragraph (2) of this section—

(A) in paragraph (3), by striking "and" at the end;

(B) in paragraph (4), by striking the period at the end and inserting "; and"; and

(C) by adding at the end the following new paragraph:

"(5) the term 'high risk areas' means—

"(A) an area subject to a contingency operation as defined in section 101(a)(13) of title 10, United States Code; or

"(B) an area determined by the Assistant Secretary of Diplomatic Security to present an increased threat of serious damage or harm to United States diplomatic facilities or personnel.".

SEC. 205. ACCOUNTABILITY REVIEW BOARDS.

Paragraph (3) of section 301(a) of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (22 U.S.C. 4831(a)) is amended—

(1) by striking the heading and inserting "FACILITIES IN HIGH-RISK AREAS"; and

(2) in subparagraph (A)—

(A) by amending clause (i) to read as follows:

"(i) involves serious injury, loss of life, or significant destruction of property at, or related to, a United States Govern-

ment mission in an area subject to a contingency operation (as defined in section 101(a)(13) of title 10, United States Code), or in an area previously determined by the Assistant Secretary of State for Diplomatic Security to present an increased threat of serious damage or harm to United States diplomatic facilities or personnel; and''; and

(B) in clause (ii), by striking ''2009'' and inserting ''2015''.

SEC. 206. PHYSICAL SECURITY OF CERTAIN SOFT TARGETS.

Section 29 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2701) is amended, in the third sentence, by inserting ''physical security enhancements and'' after ''may include''.

SEC. 207. REWARDS PROGRAM UPDATE AND TECHNICAL CORRECTIONS.

(a) ENHANCED AUTHORITY.—Section 36 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2708) is amended—

(1) in subsection (a)(2), by inserting ''serious violations of international humanitarian law, transnational organized crime,'' after ''international narcotics trafficking,'';

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking "Attorney General" and inserting "heads of other relevant departments or agencies";

(B) in paragraphs (4) and (5), by striking "paragraph (1), (2), or (3)" each place it appears and inserting "paragraph (1), (2), (3), (8), or (9)";

(C) in paragraph (6)—

(i) by inserting "or transnational organized crime group" after "terrorist organization"; and

(ii) by striking "or" at the end;

(D) in paragraph (7)—

(i) in the matter preceding subparagraph (A), by striking ", including the use by the organization of illicit narcotics production or international narcotics trafficking" and inserting "or transnational organized crime group, including the use by such organization or group of illicit narcotics production or international narcotics trafficking";

(ii) in subparagraph (A), by inserting "or transnational organized crime" after "international terrorism"; and

(iii) in subparagraph (B)—

(I) by inserting "or transnational organized crime group" after "terrorist organization"; and

(II) by striking the period at the end and inserting a semicolon; and

(E) by adding at the end the following new paragraphs:

"(8) the arrest or conviction in any country of any individual for participating in, primarily outside the United States, transnational organized crime;

"(9) the arrest or conviction in any country of any individual conspiring to participate in or attempting to participate in transnational organized crime; or

"(10) the arrest or conviction in any country, or the transfer to or conviction by an international criminal tribunal (including a hybrid or mixed tribunal), of any foreign national accused of war crimes, crimes against humanity, or genocide, as defined under the statute of such tribunal."; and

(3) in subsection (k)—

(A) by redesignating paragraphs (5) and (6) as paragraphs (7) and (8), respectively; and

(B) by inserting after paragraph (4) the following new paragraphs:

"(5) TRANSNATIONAL ORGANIZED CRIME.—The term 'transnational organized crime' means—

"(A) racketeering activity (as such term is defined in section 1961 of title 18, United States Code) that involves at least one jurisdiction outside the United States; or

"(B) any other criminal offense punishable by a term of imprisonment of at least four years under Federal, State, or local law that involves at least one jurisdiction outside the United States and that is intended to obtain, directly or indirectly, a financial or other material benefit.

"(6) TRANSNATIONAL ORGANIZED CRIME GROUP.—The term 'transnational organized crime group' means a group of persons that includes one or more citizens of a foreign country, exists for a period of time, and acts in concert with the aim of engaging in transnational organized crime.".

(b) ADVANCE NOTIFICATION FOR INTERNATIONAL CRIMINAL TRIBUNAL REWARDS.—Section 36(g) of the

1 State Department Basic Authorities Act of 1956 (22
2 U.S.C. 2708(g)) is amended by adding at the end the fol-
3 lowing new paragraph:

4 "(3) ADVANCE NOTIFICATION FOR INTER-
5 NATIONAL CRIMINAL TRIBUNAL REWARDS.—Not less
6 than 15 days before publicly announcing that a re-
7 ward may be offered for the arrest or conviction in
8 any country, or the transfer to or conviction by an
9 international criminal tribunal (including a hybrid or
10 mixed tribunal), of a foreign national accused of war
11 crimes, crimes against humanity, or genocide (as de-
12 fined under the statute of such tribunal), the Sec-
13 retary shall submit to the appropriate congressional
14 committees a report, which may be submitted in
15 classified form if necessary, specifying the reasons
16 why such arrest or conviction or transfer of such
17 foreign national is in the national interests of the
18 United States.".

19 (c) ENHANCING PUBLICITY OF REWARDS INFORMA-
20 TION.—The Department of State and the Broadcasting
21 Board of Governors shall make themselves available to the
22 appropriate congressional committees for period briefings
23 on their cooperative efforts to publicize rewards authorized
24 under section 36 of the State Department Basic Authori-
25 ties Act of 1956 (22 U.S.C. 2708).

1 (d) TECHNICAL CORRECTION.—Section 36(e)(1) of
2 the State Department Basic Authorities Act of 1956 (22
3 U.S.C. 2708) is amended by striking "The Secretary shall
4 authorize a reward of $50,000,000 for the capture or
5 death or information leading to the capture or death of
6 Osama bin Laden.".

7 (e) RULE OF CONSTRUCTION.—Nothing in this sec-
8 tion shall be construed as authorizing the use of activity
9 precluded under the American Servicemembers' Protection
10 Act of 2002 (Public Law 107–206).

11 (f) FUNDING.—To carry out this section, the Sec-
12 retary of State shall use amounts appropriated or other-
13 wise made available to the Emergencies in the Diplomatic
14 and Consular Service account of the Department of State.

15 **SEC. 208. CYBERSECURITY EFFORTS OF THE DEPARTMENT**
16 **OF STATE.**

17 (a) COORDINATOR FOR CYBER ISSUES OF THE DE-
18 PARTMENT OF STATE.—

19 (1) IN GENERAL.—The Secretary of State is
20 authorized to establish within the office of the Sec-
21 retary of State a Coordinator for Cyber Issues (in
22 this section referred to as the "Coordinator"), who
23 shall be appointed by the President, by and with the
24 advice and consent of the Senate.

1 (2) PRINCIPAL DUTIES.—The Coordinator
2 should—
3 (A) be the principal official within the sen-
4 ior management of the Department responsible
5 for cyberspace and cybersecurity issues;
6 (B) be the principal advisor to the Sec-
7 retary of State on international cyberspace and
8 cybersecurity issues;
9 (C) report directly to the Secretary;
10 (D) perform such duties and exercise such
11 powers as the Secretary shall prescribe; and
12 (E) coordinate United States cyberspace
13 and cybersecurity policy in each country or re-
14 gion that the Secretary considers significant
15 with respect to efforts of the United States
16 Government to enhance cybersecurity globally.
17 (3) ADDITIONAL DUTIES.—In addition to the
18 duties described in paragraph (2), the Coordinator
19 should—
20 (A) provide strategic direction and coordi-
21 nation for United States Government policy and
22 programs aimed at addressing and responding
23 to cyberspace and cybersecurity issues overseas,
24 especially in relation to issues that affect

1 United States foreign policy and related na-
2 tional security concerns;
3 (B) coordinate with relevant Federal de-
4 partments and agencies, including the Depart-
5 ment of Homeland Security, the Department of
6 Defense, the Department of the Treasury, the
7 Department of Justice, the Department of
8 Commerce, and the intelligence community, to
9 develop interagency plans regarding inter-
10 national cyberspace and cybersecurity issues;
11 (C) conduct internal exercises for the De-
12 partment of State to plan for responses to a
13 cyber attack;
14 (D) provide a focal point for the private
15 sector to coordinate on international cyberspace
16 and cybersecurity issues; and
17 (E) build multilateral cooperation to de-
18 velop international norms, common policies, and
19 responses to secure the integrity of cyberspace.
20 (4) RANK AND STATUS OF AMBASSADOR.—The
21 Coordinator should have the rank and status of Am-
22 bassador-at-Large.
23 (b) REPORT.—Not later than 180 days after the date
24 of the enactment of this Act, the Secretary of State shall
25 submit to the Committee on Foreign Affairs of the House

of Representatives and Committee on Foreign Relations of the Senate a report that includes the following:

(1) A description of the Department of State's internal cybersecurity efforts, including the following:

(A) A description of the nature and scope of major incidents of cybercrime against the Department of State.

(B) A description of action taken to ensure that all individuals trained by the Department of State are adequately prepared to detect and respond to existing and foreseeable vulnerabilities in the Department's information security.

(C) An assessment of whether the Department of State's staffing levels, facilities, financial resources, and technological equipment are sufficient to provide effective cybersecurity training and protection against incidents of cybercrime.

(D) A description of action taken to develop and implement response plans to mitigate and isolate disruption caused by incidents of cybercrime.

(E) A description of action taken to enhance cooperation on cybersecurity issues with other Federal departments and agencies.

(F) A description of any deployments of interagency teams from the Department of State, the United States Agency for International Development, and other Federal departments and agencies that have been deployed to foreign countries to respond to incidents of cybercrime.

(2) A description of the actions that the Department of State is taking to work with other countries and international organizations to strengthen cooperative efforts to—

(A) combat cybercrime and enhance information security;

(B) pressure countries identified as countries of cybersecurity concern under subsection (c) to take effective action to end incidents of cybercrime; and

(C) assist cybersecurity capacity-building in less developed countries.

(c) LIST OF COUNTRIES OF CYBERSECURITY CONCERN.—

1 (1) IN GENERAL.—Not later than 90 days after
2 the date of the enactment of this Act, the Secretary
3 of State shall determine if a country is a country of
4 cybersecurity concern if the Secretary of State finds
5 that with respect to such a country—
6 (A) during the two-year period preceding
7 the date of the Secretary of State's determina-
8 tion, there is significant credible evidence that
9 there has been a pattern of incidents of
10 cybercrime—
11 (i) against the United States Govern-
12 ment or United States persons, or that dis-
13 rupt United States electronic commerce or
14 otherwise negatively impact the trade or
15 intellectual property interests of the United
16 States; and
17 (ii) that are attributable to persons or
18 property based in such country; and
19 (B) the government of such country has
20 demonstrated a pattern of being uncooperative
21 with efforts to combat cybercrime by—
22 (i) failing to conduct its own reason-
23 able criminal investigations, prosecutions,
24 or other proceedings with respect to the in-

1 cidents of cybercrime described in subpara-
2 graph (A);
3 (ii) failing to cooperate with the
4 United States, any other party to the Con-
5 vention on Cybercrime, or INTERPOL, in
6 criminal investigations, prosecutions, or
7 other proceedings with respect to such inci-
8 dents, in accordance with chapter III of
9 the Convention on Cybercrime; or
10 (iii) not adopting or implementing leg-
11 islative or other measures in accordance
12 with chapter II of the Convention on
13 Cybercrime with respect to criminal of-
14 fenses related to computer systems or com-
15 puter data.
16 (2) SUBMISSION OF LIST.—
17 (A) IN GENERAL.—Upon making the de-
18 terminations under paragraph (1), the Sec-
19 retary of State shall submit to the congressional
20 committees specified in subsection (b) a list
21 of—
22 (i) each country that is a country of
23 cybersecurity concern;
24 (ii) the basis for each such determina-
25 tion; and

(iii) any actions the Department of State is taking to address the concerns described in such paragraph.

(B) FORM.—The Secretary of State may submit the list described in this paragraph (or any portion of such list) in classified form if the Secretary determines that such is appropriate.

(d) STRATEGY FOR UNITED STATES ENGAGEMENT ON INTERNATIONAL CYBER ISSUES.—

(1) IN GENERAL.—The Coordinator, in consultation with the heads of appropriate Federal departments and agencies with relevant technical expertise or policy mandates pertaining to cyberspace and cybersecurity issues, shall, not later than 180 days after the date of the enactment of this Act, develop and submit to congressional committees specified in subsection (b) a strategy to support the objective of promoting United States engagement on international cyber issues.

(2) CONTENTS.—The strategy developed under paragraph (1) shall—

(A) include—

(i) efforts to be undertaken;

(ii) specific and measurable goals;

(iii) benchmarks and timeframes for defining short- and long-term objectives for United States cyberspace and cybersecurity policy; and

(iv) progress made towards achieving the benchmarks and timeframes described in clause (iii); and

(B) to the greatest extent practicable, draw upon the expertise of technology, security, and policy experts, private sector actors, international organizations, and other appropriate entities.

(3) COMPONENTS.—The strategy developed under paragraph (1) should include—

(A) assessments and reviews of existing strategies for international cyberspace and cybersecurity policy and engagement;

(B) short- and long-term objectives for United States cyberspace and cybersecurity engagement; and

(C) a description of programs, activities, and policies to foster United States Government collaboration and coordination with other countries and organizations to bolster an international framework of cyber norms, governance,

and deterrence, including consideration of the utility of negotiating a multilateral framework to provide internationally acceptable principles to better mitigate cyberwarfare, including noncombatants.

(c) DEFINITIONS.—In this section:

(1) COMPUTER DATA.—The term "computer data" means any representation of facts, information, or concepts in a form suitable for processing in a computer system, including a program suitable to cause a computer system to perform a function.

(2) COMPUTER SYSTEMS.—The term "computer systems" means any device or group of interconnected or related devices, one or more of which, pursuant to a program, performs automatic processing of data.

(3) CONVENTION ON CYBERCRIME.—The term "Convention on Cybercrime" refers to the Council of Europe Convention on Cybercrime, done at Budapest on November 23, 2001, as ratified by the United States Senate with any relevant reservations or declarations.

(4) CYBERCRIME.—The term "cybercrime" refers to criminal offenses relating to computer sys-

1 tems or computer data described in the Convention
2 on Cybercrime.
3 (5) ELECTRONIC COMMERCE.—The term "elec-
4 tronic commerce" has the meaning given such term
5 in section 1105(3) of the Internet Tax Freedom Act
6 (47 U.S.C. 151 note).
7 (6) INFORMATION SECURITY.—The term "infor-
8 mation security" refers to—
9 (A) the confidentiality, integrity, or avail-
10 ability of an information system, or the infor-
11 mation such system processes, stores, or trans-
12 mits; and
13 (B) the security policies, security proce-
14 dures, or acceptable use policies with respect to
15 an information system.
16 (7) INTERPOL.—The term "INTERPOL"
17 means the International Criminal Police Organiza-
18 tion.
19 (8) UNITED STATES PERSON.—The term
20 "United States person" means—
21 (A) a United States citizen or an alien law-
22 fully admitted for permanent residence to the
23 United States; or

1 (B) an entity organized under the laws of
2 the United States, or of any jurisdiction within
3 the United States.

4 **SEC. 209. CENTER FOR STRATEGIC COUNTERTERRORISM**
5 **COMMUNICATIONS OF THE DEPARTMENT OF**
6 **STATE.**

7 (a) STATEMENT OF POLICY.—As articulated in Exec-
8 utive Order 13584, issued on September 9, 2011, it is the
9 policy of the United States to actively counter the actions
10 and ideologies of al-Qa'ida, its affiliates and adherents,
11 other terrorist organizations, and violent extremists over-
12 seas that threaten the interests and national security of
13 the United States.

14 (b) ESTABLISHMENT OF CENTER FOR STRATEGIC
15 COUNTERTERRORISM COMMUNICATIONS.—There is au-
16 thorized to be established within the Department of State,
17 under the direction of the Secretary of State, the Center
18 for Strategic Counterterrorism Communications (in this
19 section referred to as the "CSCC").

20 (c) MISSION.—The CSCC should coordinate, orient,
21 and inform government-wide public communications ac-
22 tivities directed at audiences abroad and targeted against
23 violent extremists and terrorist organizations, especially
24 al-Qa'ida and its affiliates and adherents.

1 (d) COORDINATOR OF THE CENTER FOR STRATEGIC
2 COUNTERTERRORISM COMMUNICATIONS.—The head of
3 the CSCC should be the Coordinator. The Coordinator of
4 the CSCC should—
5 (1) report to the Under Secretary for Public
6 Diplomacy and Public Affairs; and
7 (2) collaborate with the Bureau of Counterter-
8 rorism of the Department of State, other Depart-
9 ment bureaus, and other United States Government
10 agencies.
11 (e) DUTIES.—The CSCC should—
12 (1) monitor and evaluate extremist narratives
13 and events abroad that are relevant to the develop-
14 ment of a United States strategic counterterrorism
15 narrative designed to counter violent extremism and
16 terrorism that threaten the interests and national
17 security of the United States;
18 (2) develop and promulgate for use throughout
19 the executive branch United States strategic
20 counterterrorism narrative developed in accordance
21 with paragraph (1), and public communications
22 strategies to counter the messaging of violent ex-
23 tremists and terrorist organizations, especially al-
24 Qa'ida and its affiliates and adherents;

1 (3) identify current and emerging trends in ex-
2 tremist communications and communications by al-
3 Qa'ida and its affiliates and adherents in order to
4 coordinate and provide guidance to the United
5 States Government regarding how best to proactively
6 promote a United States strategic counterterrorism
7 narrative developed in accordance with paragraph
8 (1) and related policies, and to respond to and rebut
9 extremist messaging and narratives when commu-
10 nicating to audiences outside the United States;
11 (4) facilitate the use of a wide range of commu-
12 nications technologies by sharing expertise and best
13 practices among United States Government and non-
14 government sources;
15 (5) identify and request relevant information
16 from United States Government agencies, including
17 intelligence reporting, data, and analysis; and
18 (6) identify shortfalls in United States capabili-
19 ties in any areas relevant to the CSCC's mission,
20 and recommend necessary enhancements or changes.
21 (f) STEERING COMMITTEE.—
22 (1) IN GENERAL.—The Secretary of State
23 should establish a Steering Committee composed of
24 senior representatives of United States Government
25 agencies relevant to the CSCC's mission to provide

1 advice to the Secretary on the operations and stra-
2 tegic orientation of the CSCC and to ensure ade-
3 quate support for the CSCC.
4 (2) MEETINGS.—The Steering Committee
5 should meet not less often than once every six
6 months.
7 (3) LEADERSHIP.—The Steering Committee
8 should be chaired by the Under Secretary of State
9 for Public Diplomacy. The Coordinator for Counter-
10 terrorism of the Department of State should serve
11 as Vice Chair. The Coordinator of the CSCC should
12 serve as Executive Secretary.
13 (4) COMPOSITION.—
14 (A) IN GENERAL.—The Steering Com-
15 mittee should include one senior representative
16 designated by the head of each of the following
17 agencies:
18 (i) The Department of Defense.
19 (ii) The Department of Justice.
20 (iii) The Department of Homeland
21 Security.
22 (iv) The Department of the Treasury.
23 (v) The National Counterterrorism
24 Center of the Office of the Director of Na-
25 tional Intelligence.

(vi) The Joint Chiefs of Staff.

(vii) The Counterterrorism Center of the Central Intelligence Agency.

(viii) The Broadcasting Board of Governors.

(ix) The Agency for International Development.

(B) ADDITIONAL REPRESENTATION.—Representatives from United States Government agencies not specified in subparagraph (A) may be invited to participate in the Steering Committee at the discretion of the Chair.

Subtitle B—Consular Services and Related Matters

SEC. 211. EXTENSION OF AUTHORITY TO ASSESS PASSPORT SURCHARGE.

Paragraph (2) of section 1(b) of the Act of June 4, 1920 (41 Stat. 750; chapter 223; 22 U.S.C. 214(b)), is amended by striking "2010" and inserting "2015".

SEC. 212. BORDER CROSSING CARD FEE FOR MINORS.

Section 410(a)(1)(A) of the Department of State and Related Agencies Appropriations Act, 1999 (contained in division A of Public Law 105–277) is amended by striking "a fee of $13" and inserting "a fee equal to one-half the fee that would otherwise apply for processing a machine

readable combined border crossing identification card and nonimmigrant visa''.

Subtitle C—Reporting Requirements

SEC. 221. REPORTING REFORM.

The following provisions of law are repealed:

(1) Subsections (c)(4) and (c)(5) of section 601 of Public Law 96–465.

(2) Section 585 in the matter under section 101(c) of division A of Public Law 104–208.

(3) Section 11(b) of Public Law 107–245.

TITLE III—ORGANIZATION AND PERSONNEL AUTHORITIES

SEC. 301. SUSPENSION OF FOREIGN SERVICE MEMBERS WITHOUT PAY.

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

''(c)(1) In order to promote the efficiency of the Service, the Secretary may suspend a member of the Foreign Service without pay when the member's security clearance is suspended or when there is reasonable cause to believe that the member has committed a crime for which a sentence of imprisonment may be imposed.

"(2) Any member of the Foreign Service for whom a suspension is proposed in accordance with paragraph (1) shall be entitled to—

"(A) written notice stating the specific reasons for the proposed suspension;

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

"(C) representation by an attorney or other representative; and

"(D) a final written decision, including the specific reasons for such decision, as soon as practicable.

"(3) Any member suspended under this section may file a grievance in accordance with the procedures applicable to grievances under chapter 11.

"(4) In the case of a grievance filed under paragraph (3)—

"(A) the review by the Foreign Service Grievance Board shall be limited to a determination of whether the provisions of paragraphs (1) and (2) have been fulfilled; and

"(B) the Foreign Service Grievance Board may not exercise the authority provided under section 1106(8).

"(5) In this subsection:

"(A) The term 'reasonable time' means—

"(i) with respect to a member of the Foreign Service assigned to duty in the United States, 15 days after receiving notice of the proposed suspension; and

"(ii) with respect to a member of the Foreign Service assigned to duty outside the United States, 30 days after receiving notice of the proposed suspension.

"(B) The term 'suspend' or 'suspension' means the placing of a member of the Foreign Service in a temporary status without duties and pay.".

(b) CONFORMING AND CLERICAL AMENDMENTS.—

(1) AMENDMENT OF SECTION HEADING.—Section 610 of the Foreign Service Act of 1980, as amended by subsection (a) of this section, is further amended, in the section heading, by inserting "; SUSPENSION" before the period at the end.

(2) CLERICAL AMENDMENT.—The item relating to section 610 in the table of contents in section 2 of the Foreign Service Act of 1980 is amended to read as follows:

"Sec. 610. Separation for cause; suspension.".

SEC. 302. REPEAL OF RECERTIFICATION REQUIREMENT FOR SENIOR FOREIGN SERVICE.

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

SEC. 303. LIMITED APPOINTMENTS IN THE FOREIGN SERVICE.

Section 309 of the Foreign Service Act of 1980 (22 U.S.C. 3949) is amended—

(1) in subsection (a), by striking "subsection (b)" and inserting "subsections (b) or (c)";

(2) in subsection (b)—

(A) in paragraph (3)—

(i) by inserting "(A)," after "if"; and

(ii) by inserting before the semicolon at the end the following: ", or (B), the career candidate is serving in the uniformed services, as defined by the Uniformed Services Employment and Reemployment Rights Act of 1994 (38 U.S.C. 4301 et seq.), and the limited appointment expires in the course of such service";

(B) in paragraph (4), by striking "and" at the end;

(C) in paragraph (5), by striking the period at the end and inserting "; and"; and

(D) by adding after paragraph (5) the following new paragraph:

"(6) in exceptional circumstances where the Secretary determines the needs of the Service require the extension of a limited appointment (A), for a period of time not to exceed 12 months (if such period of time does not permit additional review by boards under section 306), or (B), for the minimum time needed to settle a grievance, claim, or complaint not otherwise provided for in this section."; and

(3) by adding at the end the following new subsection:

"(c) Non-career Foreign Service employees who have served five consecutive years under a limited appointment may be reappointed to a subsequent limited appointment if there is a one year break in service between each such appointment. The Secretary may in cases of special need waive the requirement for a one year break in service.".

SEC. 304. LIMITATION OF COMPENSATORY TIME OFF FOR TRAVEL.

Section 5550b of title 5, United States Code, is amended by adding at the end the following new subsection:

"(c) The maximum amount of compensatory time off earned under this section may not exceed 104 hours dur-

ing any leave year (as defined by regulations established by the Office of Personnel Management).''.

SEC. 305. DEPARTMENT OF STATE ORGANIZATION.

The Secretary of State may, after consultation with the appropriate congressional committees, transfer to such other officials or offices of the Department of State as the Secretary may determine from time to time any authority, duty, or function assigned by statute to the Coordinator for Counterterrorism, the Coordinator for Reconstruction and Stabilization, or the Coordinator for International Energy Affairs.

SEC. 306. REEMPLOYMENT OF ANNUITANTS IN HIGH-RISK POSTS.

Subparagraph 2(A) of section 824(g) of the Foreign Service Act of 1980 (22 U.S.C. 4064(g)(2)(A)) is amended by striking ''2010'' and inserting ''2013''.

SEC. 307. OVERSEAS FOREIGN SERVICE PAY.

Subject to the limitation described in section 101(1)(C) of this Act, the authority provided by section 1113 of the Public Law 111–32, shall remain in effect through September 30, 2013.

TITLE IV—UNITED STATES INTERNATIONAL BROADCASTING

SEC. 401. AUTHORIZATION OF APPROPRIATIONS FOR INTERNATIONAL BROADCASTING.

The following amounts are authorized to be appropriated to carry out United States international broadcasting activities under the United States Information and Educational Exchange Act of 1948, the Radio Broadcasting to Cuba Act, the Television Broadcasting to Cuba Act, the United States International Broadcasting Act of 1994, and the Foreign Affairs Reform and Restructuring Act of 1998, and to carry out other authorities in law consistent with such purposes:

(1) For "International Broadcasting Operations", $744,500,000 for fiscal year 2013.

(2) For "Broadcasting Capital Improvements", $7,030,000 for fiscal year 2013.

SEC. 402. PERSONAL SERVICES CONTRACTING PROGRAM.

Section 504(c) of the Foreign Relations Authorization Act, Fiscal Year 2003, (Public Law 107–228; 22 U.S.C. 6206 note), is amended by striking "2009" and inserting "2015".

SEC. 403. TECHNICAL AMENDMENT RELATING TO CIVIL IMMUNITY FOR BROADCASTING BOARD OF GOVERNORS MEMBERS.

Section 304(g) of the United States International Broadcasting Act of 1994 (22 U.S.C. 6203(g)) is amended by striking "Incorporated and Radio Free Asia" and inserting "Incorporated, Radio Free Asia, and Middle East Broadcasting Networks".

TITLE V—ARMS EXPORT CONTROL ACT AMENDMENTS AND RELATED PROVISIONS

Subtitle A—General Provisions

SEC. 501. AUTHORITY TO TRANSFER EXCESS DEFENSE ARTICLES.

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

(1) by inserting "authorized to be" before "transferred"; and

(2) by striking "425,000,000" and inserting "450,000,000".

SEC. 502. ANNUAL MILITARY ASSISTANCE REPORT.

(a) INFORMATION RELATING TO MILITARY ASSISTANCE AND MILITARY EXPORTS.—Section 655(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2415(b)) is amended—

(1) in the matter preceding paragraph (1), by striking "whether such defense articles—" and inserting "the following:"

(2) in paragraph (1)—

(A) by inserting "Whether such defense articles" before "were"; and

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

(3) in paragraph (2)—

(A) by inserting "Whether such defense articles" before "were"; and

(B) by striking "; or" at the end and inserting a period; and

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

"(3) Whether such defense articles were exported without a license under section 38 of the Arms Export Control Act pursuant to an exemption established under the International Traffic in Arms Regulations, other than defense articles exported in furtherance of a letter of offer and acceptance under the Foreign Military Sales program or a technical assistance or manufacturing license agreement, including the specific exemption in the regulation under which the export was made.

"(4) A detailed listing, by United States Munitions List category and sub-category, as well as by country and by international organization, of the actual total dollar value of major defense equipment and defense articles delivered pursuant to licenses authorized under section 38 of the Arms Export Control Act for the previous fiscal year.

"(5) In the case of defense articles that are firearms controlled under category I of the United States Munitions List, a statement of the aggregate dollar value and quantity of semiautomatic assault weapons, or spare parts for such weapons, the manufacture, transfer, or possession of which is unlawful under section 922 of title 18, United States Code, that were licensed for export during the period covered by the report.".

(b) INFORMATION NOT REQUIRED.—Section 655 of the Foreign Assistance Act of 1961 (22 U.S.C. 2415) is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following:

"(c) INFORMATION NOT REQUIRED.—Each such report may exclude information relating to—

"(1) exports of defense articles (including excess defense articles), defense services, and international military education and training activities authorized by the United States on a temporary basis;

"(2) exports of such articles, services, and activities to United States Government end users located in foreign countries; and

"(3) and the value of manufacturing license agreements or technical assistance agreements licensed under section 38 of the Arms Export Control Act.".

SEC. 503. ANNUAL REPORT ON FOREIGN MILITARY TRAINING.

Section 656(a)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2416(a)(1)) is amended by striking "January 31" and inserting "March 1".

SEC. 504. INCREASED FLEXIBILITY FOR USE OF DEFENSE TRADE CONTROL REGISTRATION FEES.

(a) IN GENERAL.—Section 45 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2717) is amended—

(1) in the first sentence—

(A) by striking "For" and inserting "(a) IN GENERAL.—For"; and

(B) by striking "Office" and inserting "Directorate"; and

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

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

"(1) management;

"(2) licensing;

"(3) compliance;

"(4) policy activities; and

"(5) public outreach.".

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

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

"(i) management;

"(ii) licensing;

"(iii) compliance;

"(iv) policy activities; and

"(v) public outreach.".

SEC. 505. INCREASE IN CONGRESSIONAL NOTIFICATION THRESHOLDS.

(a) FOREIGN MILITARY SALES.—

(1) IN GENERAL.—Section 36(b)(1) of the Arms Export Control Act (22 U.S.C. 2776(b)(1)) is amended—

(A) in the matter preceding subparagraph (A)—

(i) by striking "$50,000,000" and inserting "$100,000,000";

(ii) by striking "$200,000,000" and inserting "$300,000,000"; and

(iii) by striking "$14,000,000" and inserting "$25,000,000"; and

(B) in the matter following subparagraph (P)—

(i) by inserting "of any defense articles or defense services under this Act for $200,000,000 or more, any design and construction services for $300,000,000 or more, or any major defense equipment for $75,000,000 or more," after "The letter of offer shall not be issued, with respect to a proposed sale"; and

(ii) by inserting "of any defense articles or services under this Act for $100,000 or more, any design and construction services for $200,000,000 or more, or any major defense equipment for $50,000,000 or more," after "or with respect to a proposed sale".

(2) TECHNICAL AND CONFORMING AMENDMENTS.—Section 36(b) of the Arms Export Control Act (22 U.S.C. 2776(b)) is amended—

(A) in paragraph (5)(C), by striking "Subject to paragraph (6), if" and inserting "If"; and

(B) by striking paragraph (6).

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

(1) in paragraph (1)—

(A) by striking "Subject to paragraph (5), in" and inserting "In";

(B) by striking "$14,000,000" and inserting "$25,000,000"; and

(C) by striking "$50,000,000" and inserting "$100,000,000";

(2) in paragraph (2)—

(A) in subparagraph (A), by inserting after "for an export" the following: "of any major defense equipment sold under a contract in the amount of $75,000,000 or more or of defense articles or defense services sold under a contract in the amount of $200,000,000 or more, (or, in the case of a defense article that is a firearm controlled under category I of the United States Munitions List, $1,000,000 or more)"; and

(B) in subparagraph (C), by inserting after "license" the following: "for an export of any major defense equipment sold under a contract in the amount of $50,000,000 or more or of defense articles or defense services sold under a contract in the amount of $100,000,000 or more, (or, in the case of a defense article that is a firearm controlled under category I of the United States Munitions List, $1,000,000 or more)";

(3) by striking paragraph (5); and

(4) by redesignating paragraph (6) as paragraph (5).

SEC. 506. RETURN OF DEFENSE ARTICLES.

Section 21(m)(1)(B) of the Arms Export Control Act (22 U.S.C. 2761(m)(1)(B)) is amended by adding at the end before the semicolon the following: ", unless the Secretary of State has provided prior approval of such retransfer".

SEC. 507. ANNUAL ESTIMATE AND JUSTIFICATION FOR SALES PROGRAM.

(a) IN GENERAL.—Section 25(a)(1) of the Arms Export Control Act (22 U.S.C. 2765(a)(1)) is amended by striking ", together with an indication of which sales and licensed commercial exports" and inserting "and".

(b) ADDITIONAL AMENDMENT.—Section 25(a)(3) of the Arms Export Control Act (22 U.S.C. 2765(a)(3)) is amended by adding at the end before the semicolon the following: ", as well as any plan for regional security cooperation developed in consultation with Embassy Country Teams and the Department of State".

SEC. 508. UPDATING AND CONFORMING PENALTIES FOR VIOLATIONS OF SECTIONS 38 AND 39 OF THE ARMS EXPORT CONTROL ACT.

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

"(c) VIOLATIONS OF THIS SECTION AND SECTION 39.—

"(1) UNLAWFUL ACTS.—It shall be unlawful for any person to violate, attempt to violate, conspire to violate, or cause a violation of any provision of this section or section 39, or any rule or regulation issued under either section, or a treaty referred to in subsection (j)(1)(c)(i), including any rule or regulation issued to implement or enforce a treaty referred to in subsection (j)(1)(c)(i) or an implementing arrangement pursuant to such a treaty, or who, in a registration or license application or required report, makes any untrue statement of a material fact or omits to state a material fact required to be stated therein or necessary to make the statements therein not misleading.

"(2) CRIMINAL PENALTIES.—A person who willfully commits an unlawful act described in paragraph (1) shall upon conviction—

"(A) be fined for each violation in an amount not to exceed $1,000,000, or

"(B) in the case of a natural person, imprisoned for not more than 20 years or both.".

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

(1) in paragraph (1)—

(A) in subparagraph (A)—

(i) in the matter preceding clause (i), by inserting "or have otherwise been charged with," after "indictment for,";

(ii) in clause (xi), by striking "; or" at the end and inserting a comma;

(iii) in clause (xii), by striking the semicolon at the end and inserting a comma; and

(iv) by adding at the end the following:

"(xiii) section 542 of title 18, United States Code, relating to entry of goods by means of false statements,

"(xiv) section 554 of title 18, United States Code, relating to smuggling goods from the United States,

"(xv) section 1831 of title 18, United States Code, relating to economic espionage,

"(xvi) section 545 of title 18, United States Code, relating to smuggling goods into the United States,

"(xvii) section 104A of the Foreign Corrupt Practices Act of 1977 (15 U.S.C.

1 78dd–3), relating to prohibited foreign
2 trade practices by persons other than
3 issuers or domestic concerns,
4 "(xviii) section 2339B of title 18,
5 United States Code, relating to providing
6 material support or resources to dedicated
7 foreign terrorist organizations, or
8 "(xix) sections 2339C and 2339D of
9 title 18, United States Code, relating to fi-
10 nancing terrorism and receiving terrorism
11 training;"; and
12 (B) in subparagraph (B), by inserting ",
13 have been otherwise charged," after "indict-
14 ment"; and
15 (2) in paragraph (3)(A), by inserting "or other-
16 wise charged with" after "indictment for".
17 (c) EFFECTIVE DATE.—The amendment made by
18 subsection (a) shall take effect on the date of the enact-
19 ment of this Act and shall apply with respect to violations
20 of sections 38 and 39 of the Arms Export Control Act
21 committed on or after that date.

SEC. 509. CLARIFICATION OF PROHIBITIONS RELATING TO STATE SPONSORS OF TERRORISM AND THEIR NATIONALS.

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

(1) by inserting "or to the nationals of that country whose substantive contacts with that country give reasonable grounds for raising risk of diversion, regardless of whether such persons maintain such nationality or the nationality of another country not covered by this section" after "with respect to a country"; and

(2) by adding at the end the following: "For purposes of this subsection, the term 'national' means an individual who acquired citizenship by birth from a country that is subject to section 126.1 of title 22, Code of Federal Regulations (or any successor regulations).".

SEC. 510. EXEMPTION FOR TRANSACTIONS WITH COUNTRIES SUPPORTING ACTS OF INTERNATIONAL TERRORISM.

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

(1) in the heading—

(A) by striking "EXEMPTION" and inserting "EXEMPTIONS"; and

(B) by adding "AND CERTAIN FEDERAL LAW ENFORCEMENT ACTIVITIES" after "REPORTING REQUIREMENTS"; and

(2) by adding at the end before the period the following: "or with respect to Federal law enforcement activities undertaken to further the investigation of violations of this Act".

SEC. 511. REPORT ON FOREIGN MILITARY FINANCING PROGRAM.

Section 23 of the Arms Export Control Act (22 U.S.C. 2763) is amended by adding at the end the following:

"(i) REPORT.—

"(1) IN GENERAL.—The President shall transmit to the appropriate congressional committees as part of the supporting materials of the annual congressional budget justification a report on the implementation of this section for the prior fiscal year.

"(2) MATTERS TO BE INCLUDED.—The report required under paragraph (1) shall include a description of the following:

"(A) The extent to which the use of the authority of this section is based on a well-formulated and realistic assessments of the capa-

1 bility requirements of foreign countries and
2 international organizations.
3 "(B) The extent to which the provision of
4 grants under the authority of this section are
5 consistent with United States conventional arms
6 transfer policy.
7 "(C) The extent to which the Department
8 of State has developed and implemented specific
9 plans to monitor and evaluate outcomes under
10 the authority of this section, including at least
11 one country or international organization as-
12 sessment each fiscal year.
13 "(3) APPROPRIATE CONGRESSIONAL COMMIT-
14 TEES.—In this subsection, the term 'appropriate
15 congressional committees' means—
16 "(A) the Committee on Appropriations and
17 the Committee on Foreign Affairs of the House
18 of Representatives; and
19 "(B) the Committee on Appropriations and
20 the Committee on Foreign Relations of the Sen-
21 ate.".

1 **SEC. 512. CONGRESSIONAL NOTIFICATION OF REGULA-**
2 **TIONS AND AMENDMENTS TO REGULATIONS**
3 **UNDER SECTION 38 OF THE ARMS EXPORT**
4 **CONTROL ACT.**

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

8 "(k) CONGRESSIONAL NOTIFICATION.—The Presi-
9 dent shall submit to the Committee on Foreign Affairs of
10 the House of Representatives and the Committee on For-
11 eign Relations of the Senate a copy of regulations or
12 amendments to regulations issued to carry out this section
13 at least 30 days before publication of the regulations or
14 amendments in the Federal Register unless, after con-
15 sulting with such Committees, the President determines
16 that there is an emergency that requires a shorter period
17 of time for submittal of such regulations or amend-
18 ments.".

19 (b) EFFECTIVE DATE.—The amendment made by
20 subsection (a) takes effect on the date of the enactment
21 of this Act and applies with respect the issuance of regula-
22 tions or amendments to regulations made on or after the
23 date of the enactment of this Act.

1 **SEC. 513. DIPLOMATIC EFFORTS TO STRENGTHEN NA-**
2 **TIONAL AND INTERNATIONAL ARMS EXPORT**
3 **CONTROLS.**

4 Not later than one year after the date of the enact-
5 ment of this Act, and annually thereafter for 4 years, the
6 President shall transmit to the appropriate congressional
7 committees a report on United States diplomatic efforts
8 to strengthen national and international arms export con-
9 trols, including a detailed description of any senior-level
10 initiative, to ensure that those arms export controls are
11 comparable to and supportive of United States arms ex-
12 port controls, particularly with respect to countries of con-
13 cern to the United States.

14 **SEC. 514. REVIEW AND REPORT OF INVESTIGATIONS OF**
15 **VIOLATIONS OF SECTION 3 OF THE ARMS EX-**
16 **PORT CONTROL ACT.**

17 (a) REVIEW.—The Inspector General of the Depart-
18 ment of State shall conduct a review of investigations by
19 the Department of State during each of fiscal years 2013
20 through 2017 of any and all possible violations of section
21 3 of the Arms Export Control Act (22 U.S.C. 2753) with
22 respect to misuse of United States-origin defense items to
23 determine whether the Department of State has fully com-
24 plied with the requirements of such section, as well as its
25 own internal procedures (and whether such procedures are
26 adequate), for reporting to Congress any information re-

1 garding the unlawful use or transfer of United States-ori-
2 gin defense articles, defense services, and technology by
3 foreign countries, as required by such section.

4 (b) REPORT.—The Inspector General of the Depart-
5 ment of State shall submit to the Committee on Foreign
6 Affairs of the House of Representatives and the Com-
7 mittee on Foreign Relations of the Senate for each of fis-
8 cal years 2013 through 2017 a report that contains the
9 findings and results of the review conducted under sub-
10 section (a). The report shall be submitted in unclassified
11 form to the maximum extent possible, but may include a
12 classified annex.

13 **SEC. 515. REPORTS ON COMMERCIAL AND GOVERNMENTAL**
14 **MILITARY EXPORTS UNDER THE ARMS EX-**
15 **PORT CONTROL ACT; CONGRESSIONAL AC-**
16 **TIONS.**

17 (a) CONGRESSIONAL CONSULTATION.—

18 (1) GOVERNMENT SALES.—Section 36(b)(1) of
19 the Arms Export Control Act (22 U.S.C.
20 2776(b)(1)) is amended by adding at the end the
21 following: "The President shall consult fully and
22 completely with the Committee on Foreign Affairs of
23 the House of Representatives and the Committee on
24 Foreign Relations of the Senate before submitting a
25 certification under this subsection.".

1 (2) COMMERCIAL SALES.—Section 36(c)(1) of
2 the Arms Export Control Act (22 U.S.C.
3 2776(c)(1)) is amended by adding at the end the fol-
4 lowing: "The President shall consult fully and com-
5 pletely with the Committee on Foreign Affairs of the
6 House of Representatives and the Committee on
7 Foreign Relations of the Senate before submitting a
8 certification under this subsection.".
9 (b) REQUIREMENT TO PROVIDE ADVANCE NOTIFICA-
10 TION AND CONSULTATION ON CERTAIN SALES AND EX-
11 PORTS.—Section 36 of the Arms Export Control Act (22
12 U.S.C. 2776) is amended by adding at the end the fol-
13 lowing new subsection:
14 "(i)(1)(A) Not later than 60 calendar days prior to
15 the submission of a certification under subsection (b), (c),
16 or (d) of this section, the President shall provide advance
17 notification in writing to, and consult with, the chairs and
18 ranking minority members of the appropriate congres-
19 sional committees of the offer to sell or export the defense
20 articles or defense services with respect to which such a
21 certification is required to be submitted pursuant to any
22 such subsection.
23 "(B)(i) The requirement of subparagraph (A) to pro-
24 vide 60 calendar days advance notification in writing to
25 the chairs and ranking minority members of the appro-

1 priate congressional committees shall not apply if the
2 chairs and ranking minority members of the appropriate
3 congressional committees have agreed, at their discretion,
4 to waive such requirement.

5 "(ii) The requirements of subparagraph (A) shall not
6 apply if the President states in the certification that an
7 emergency exists that requires the sale or export of de-
8 fense articles or defense services to be in the national secu-
9 rity interests of the United States in accordance with sub-
10 section (b), (c), or (d) of this section.

11 "(2)(A) A certification submitted under subsection
12 (b), (c), or (d) of this section shall be subject to the proce-
13 dures applicable to reprogramming notifications under
14 section 634A(a) of the Foreign Assistance Act of 1961.

15 "(B) The requirement of subparagraph (A) shall not
16 apply if the President transmits to the chairs and ranking
17 minority members of the appropriate congressional com-
18 mittees a report in writing that contains a determination
19 of the President that extraordinary circumstances exist
20 which necessitates the obviation of such requirement and
21 a detailed description of such circumstances.".

22 (c) DEFINITION.—Section 36(e) of the Arms Export
23 Control Act (22 U.S.C. 2776(e)) is amended—

24 (1) by redesignating paragraphs (1) and (2) as
25 paragraphs (2) and (3), respectively; and

(2) by inserting before paragraph (2) (as redesignated) the following new paragraph:

"(1) the term 'appropriate congressional committee' means—

"(A) the Committee on Foreign Affairs of the House of Representatives; and

"(B) the Committee on Foreign Relations of the Senate;".

(d) CONFORMING AMENDMENTS.—Section 36 of the Arms Export Control Act (22 U.S.C. 2776) is amended—

(1) in subsections (a), (b)(1), (c)(1), and (f), by striking "Speaker of the House of Representatives and to the chairman of the Committee on Foreign Relations of the Senate" and inserting "chairs of the appropriate congressional committees";

(2) in subsection (b)—

(A) in paragraph (1), by striking "such committee or the Committee on Foreign Affairs of the House of Representatives" and inserting "either chair of the appropriate congressional committees";

(B) in paragraph (4), by striking "Congress" and inserting "chairs of the appropriate congressional committees"; and

(C) in paragraph (5)—

(i) in subparagraph (A), by striking "chairman of the Committee on Foreign Affairs of the House of Representatives and the chairman of the Committee on Foreign Relations of the Senate" and inserting "chairs of the appropriate congressional committees";

(ii) in subparagraph (B), by striking "Congress" and inserting "chairs of the appropriate congressional committees"; and

(iii) in subparagraph (C), by striking "Speaker of the House of Representatives and the chairman of the Committee on Foreign Relations of the Senate" and inserting "chairs of the appropriate congressional committees"; and

(3) in subsection (c)—

(A) in paragraph (1), by striking "such committee or the Committee on Foreign Affairs of the House of Representatives" and inserting "either chair of the appropriate congressional committees"; and

(B) in subparagraphs (A) and (C) of paragraph (2), by striking "Congress receives" and

inserting "chairs of the appropriate congressional committees receive"; and

(C) in paragraph (4), by striking "Congress" each place it appears and inserting "the chairs of the appropriate congressional committees".

Subtitle B—Miscellaneous Provisions

SEC. 521. TREATMENT OF MILITARILY INSIGNIFICANT PARTS AND COMPONENTS.

It shall be the policy of the United States, pursuant to section 38(f) of the Arms Export Control Act (22 U.S.C. 2778) to prioritize the removal of those militarily insignificant parts, components, accessories, and attachments from the United State Munitions List that, even if specifically designed for a defense article controlled on the United States Munitions List, would warrant no more than anti-terrorism controls under the Export Administration Act of 1979 (as continued in effect under the International Emergency Economic Powers Act) or any successor Act.

SEC. 522. SPECIAL EXPORT LICENSING FOR UNITED STATES ALLIES.

Section 38 of the Arms Export Control Act (22 U.S.C. 2778), as amended by this Act, is further amended by adding the following new subsection:

"(l) SPECIAL EXPORT LICENSING FOR UNITED STATES ALLIES.—The President may establish special licensing procedures for the export of replacement components, parts, accessories, attachments, equipment, firmware, software or technology that are not designated as major defense equipment or significant military equipment to the North Atlantic Treaty Organization, any member country of that Organization, or any other country described in section 36(c)(2)(A) of this Act.".

SEC. 523. IMPROVING AND STREAMLINING LICENSING UNDER UNITED STATES GOVERNMENT ARMS EXPORT CONTROL PROGRAMS.

In implementing reforms of United States arms export control programs, the President should prioritize the development of a new framework to improve and streamline licensing under such programs, including by seeking to revise the Special Comprehensive Export Authorizations for the North Atlantic Treaty Organization, any member country of that Organization, or any other country described in section 36(c)(2)(A) of the Arms Export Control Act (22 U.S.C. 2776(c)(2)(A)) under section

126.14 of title 15, Code of Federal Regulations (relating to the International Traffic in Arms Regulations).

SEC. 524. AUTHORITY TO REMOVE SATELLITES AND RELATED COMPONENTS FROM THE UNITED STATES MUNITIONS LIST.

(a) AUTHORITY.—Subject to subsection (b), the President is authorized to remove commercial satellites and related components and technology from the United States Munitions List pursuant to section 38(f) of the Arms Export Control Act (22 U.S.C. 2778(f)).

(b) DETERMINATION.—The President may exercise the authority provided in subsection (a) only if the President submits to the appropriate congressional committees a determination that the transfer of commercial satellites and related components and technology from the United States Munitions List does not pose an unacceptable risk to the national security of the United States. Such determination shall include a description of the risk-mitigating controls, procedures, and safeguards the President will put in place to reduce such risk to an absolute minimum.

(c) PROHIBITION.—No license or other authorization for export shall be granted for the transfer, retransfer, or reexport of any commercial satellite or related component or technology contained on the Commerce Control List

1 maintained under part 774 of title 15, Code of Federal
2 Regulations to any person or entity of the following:
3 (1) The People's Republic of China.
4 (2) Cuba.
5 (3) Iran.
6 (4) North Korea.
7 (5) Sudan.
8 (6) Syria.
9 (7) Any country with respect to which the
10 United States would deny the application for licenses
11 and other approvals for exports and imports of de-
12 fense articles under section 126.1 of title 15, Code
13 of Federal Regulations (relating to the International
14 Traffic in Arms Regulations).
15 (d) REPORT.—
16 (1) IN GENERAL.—Not later than 1 year after
17 the date of enactment of this Act, and annually
18 thereafter, the Director of National Intelligence shall
19 submit to the appropriate congressional committees
20 on efforts of state sponsors of terrorism, other for-
21 eign countries, or entities to illicitly acquire commer-
22 cial satellites and related components and tech-
23 nology.

(2) FORM.—Such report shall be submitted in unclassified form, but may contain a classified annex.

(e) DEFINITION.—In this section, the term "appropriate congressional committees" means—

(1) the Committees on Foreign Relations, Armed Services, and Intelligence of the Senate; and

(2) the Committees on Foreign Affairs, Armed Services, and Intelligence of the House of Representatives.

SEC. 525. REPORT ON LICENSES AND OTHER AUTHORIZATIONS TO EXPORT COMMERCIAL SATELLITES AND RELATED COMPONENTS AND TECHNOLOGY CONTAINED ON THE COMMERCE CONTROL LIST.

(a) IN GENERAL.—Not later than 60 days after the end of each calendar quarter, the President shall transmit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Banking, Finance, and Urban Affairs of the Senate a report containing a listing of all licenses and other authorizations to export commercial satellites and related components and technology contained on the Commerce Control List maintained under part 774 of title 15, Code of Federal Regulations.

1 (b) FORM.—Such report shall be submitted in unclas-
2 sified form, but may contain a classified annex.

3 **SEC. 526. REVIEW OF UNITED STATES MUNITIONS LIST.**

4 Section 38(f)(1) of the Arms Export Control Act (22
5 U.S.C. 2778) is amended by striking the last sentence and
6 inserting the following: "Such notice shall include, to the
7 extent practicable, an enumeration of the item or items
8 to be removed and describe the nature of any controls to
9 be imposed on that item under any other provision of
10 law.".

11 **SEC. 527. REPORT ON COUNTRY EXEMPTIONS FOR LICENS-**
12 **ING OF EXPORTS OF MUNITIONS AND RE-**
13 **LATED TECHNICAL DATA.**

14 (a) IN GENERAL.—Not later than 120 days after the
15 date of enactment of this Act, the Attorney General, the
16 Secretary of Commerce, and the Secretary of Homeland
17 Security shall submit to the appropriate congressional
18 committees a report that includes—

19 (1) an assessment of the extent to which the
20 terms and conditions of exemptions for foreign coun-
21 tries from the licensing requirements of the Com-
22 merce Munitions List (or analogous controls for
23 commercial satellites and related components and
24 technology) contain strong safeguards; and

(2) a compilation of sufficient documentation relating to the export of munitions, commercial spacecraft, and related technical data to facilitate law enforcement efforts to effectively detect, investigate, deter and enforce criminal violations of any provision of the Export Administration Regulations, including efforts on the part of state sponsors of terrorism, other countries or entities to illicitly acquire such controlled United States technology.

(b) DEFINITIONS.—In this section—

(1) the term "appropriate congressional committees" means—

(A) the Committee on Foreign Affairs and the Committee on Homeland Security of the House of Representatives; and

(B) the Committee on Banking, Housing, and Urban Affairs and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(2) the term "munitions" means—

(A) items transferred from the United States Munitions List to the Commerce Control List and designated as "600 series" items on the Commerce Control List under the Export Administration Regulations, as proposed by the

1 Bureau of Industry and Security of the Depart-
2 ment of Commerce on July 15, 2011 (76 F.R.
3 41958); or
4 (B) any successor regulations.

5 **SEC. 528. END-USE MONITORING OF MUNITIONS.**

6 (a) ESTABLISHMENT OF MONITORING PROGRAM.—
7 In order to ensure accountability with respect to the ex-
8 port of munitions and related technical data on the Com-
9 merce Munitions List, the President shall establish a pro-
10 gram to provide for the end-use monitoring of such muni-
11 tions and related technical data.

12 (b) REPORT TO CONGRESS.—Not later than 180 days
13 after the date of the enactment of this Act, and annually
14 thereafter, the President shall submit to Congress a report
15 describing the actions taken to implement this section, in-
16 cluding a detailed accounting of the costs and number of
17 personnel associated with the program established under
18 subsection (a).

19 (c) MUNITIONS.—In this section, the term "muni-
20 tions" means—
21 (1) items transferred from the United States
22 Munitions List to the Commerce Control List and
23 designated as "600 series" items on the Commerce
24 Control List under the Export Administration Regu-
25 lations, as proposed by the Bureau of Industry and

Security of the Department of Commerce on July 15, 2011 (76 F.R. 41958); or

(2) any successor regulations.

SEC. 529. DEFINITIONS.

In this subtitle:

(1) COMMERCE MUNITIONS LIST.—The term "Commerce Munitions List" means—

(A) items transferred from the United States Munitions List to the Commerce Control List and designated as "600 series" items on the Commerce Control List under the Export Administration Regulations, as proposed by the Bureau of Industry and Security of the Department of Commerce on July 15, 2011 (76 F.R. 41958); or

(B) any successor regulations.

(2) COMMERCIAL SATELLITES AND RELATED COMPONENTS AND TECHNOLOGY.—The term "commercial satellites and related components and technology" means—

(A) communications satellites that do not contain classified components, including remote sensing satellites with performance parameters below thresholds identified on the United States Munitions List; and

(B) systems, subsystems, parts, and components associated with such satellites and with performance parameters below thresholds specified for items that would remain on the United States Munitions List.

(3) EXPORT ADMINISTRATION REGULATIONS.—The term "Export Administration Regulations" means—

(A) the Export Administration Regulations as maintained and amended under the authority of the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.); or

(B) any successor regulations.

(4) STATE SPONSOR OF TERRORISM.—The term "state sponsor of terrorism" means a country the government of which has been determined by the Secretary of State, for purposes of section 6(j) of the Export Administration Act of 1979 (as continued in effect under the International Emergency Economic Powers Act), section 620A of the Foreign Assistance Act of 1961, section 40 of the Arms Export Control Act, or any other provision of law, is a government that has repeatedly provided support for acts of international terrorism.

1 (5) UNITED STATES MUNITIONS LIST.—The
2 term "United States Munitions List" means the list
3 referred to in section 38(a)(1) of the Arms Export
4 Control Act (22 U.S.C. 2778(a)(1)).

Chairman ROS-LEHTINEN. Hearing no amendments and reporting a quorum being present, the Chair moves that the committee approve H.R. 6018 as introduced.

All those in favor, say aye. Aye.

All opposed, no.

In the opinion of the Chair, the ayes have it; and the bill is agreed to.

Without objection, the bill is ordered favorably reported. Staff is directed to make technical and conforming changes, and the Chair is authorized to seek consideration under suspension of the rules.

Members with competing committee assignments, of which there are many this morning, will be pleased to know that we have now concluded the operative portion of today's business. I will now recognize members who wish to make statements on today's bill, beginning with myself and the ranking member.

I want to thank the ranking member and all members on both sides of the aisle for their cooperation in this bipartisan effort to draft and adopt a State Department authorization bill for Fiscal Year 2013. H.R. 6018 is a carefully crafted bill, focusing on the basic funding and operational authorities on which we have been able to reach bipartisan agreement.

Despite significant efforts by this committee, the Department of State has not been authorized for nearly a decade. The last authorization bill to become law, coauthored by our esteemed former chairmen Henry Hyde and Tom Lantos, whose portraits grace us now, was enacted in September 2002.

The lack of authorities in the intervening years has eroded our foreign policy leverage with our primary agency of jurisdiction, the Department of State. By adopting this bill this morning, the committee strengthens its role in exercising effective oversight of the Department of State and fulfills our obligation to the American public.

The text authorizes basic funding for the State Department, the Broadcasting Board of Governors, and the Peace Corps at fiscally responsible levels coordinated with the Appropriations Committee. Most accounts are authorized at the bipartisan levels from Fiscal Year 2012 from that omnibus bill.

H.R. 6018 also includes management reforms to increase the efficiency, accountability, and safety of our personnel overseas. It establishes important jurisdiction and oversight authorities in the expanding fields of cybersecurity, counterterrorism, communications, and arms export controls. It helps American businesses by modifying the arms export control authorities to reduce obstacles and streamline the process for exporting selected equipment and parts. At the same time, it enhances U.S. security by increasing safeguards against the transfer of U.S. technologies to state sponsors of terrorism and countries subject to U.S. arms embargoes.

For all of these reasons, H.R. 6018 deserves the bipartisan support that it received this morning. I am confident that the strong signal sent by today's committee action will lead to prompt consideration by the full House and, ultimately, the enactment of these basic authorities into law.

I again want to thank the ranking member and, indeed, all of our members for their assistance and cooperation; and I am now pleased to recognize——

Mr. ROHRABACHER. Madam Chairman?

Chairman ROS-LEHTINEN. Yes, Mr. Rohrabacher?

Mr. ROHRABACHER. Congratulations. Thank you.

Chairman ROS-LEHTINEN. Thank you, sir. We will always recognize you for that.

I am now so pleased to recognize my friend, the ranking member, for his remarks on the legislation.

Mr. BERMAN. Thank you very much, Madam Chairman. If this is the most interesting of the nine markups, I would hate to see the most boring.

Madam Chairman, I want to start out by thanking you and your staff, especially Yleem Poblete and Doug Anderson, for working closely with us to ensure that this markup produces a consensus bill.

The State Department authorization bill is one of the most fundamental legislative responsibilities of this committee and provides the basis for our Embassies to function and our diplomats to promote U.S. national interests around the world.

Our national security rests on three pillars: Diplomacy, development, and defense. Every year the Armed Services Committee manages to report its bill providing authorities and resources for the Pentagon. The longer we go without providing the authority and resources our State Department needs to promote international cooperation, the greater the temptation for other committees and other departments to step in.

With this bill, the committee is once again asserting at least some jurisdiction over the funding and operations of the State Department. This is an opportunity for us to demonstrate the capacity to work together to get things done and to promote our national interests.

I hope we can all agree that the military ought to be our last line of defense, the option to which we resort after all other avenues have been closed off. Yet, by ignoring and shortchanging our diplomats, we only increase the likelihood of an armed confrontation. Whether in Afghanistan, where a strengthened diplomatic presence is needed to enable a military withdrawal, or in the Sahel, where terrorist groups are making new gains, our Foreign Service Officers are at the front lines of protecting U.S. national security. This bill gives them the tools they need to be successful. We owe the brave men and women who put their lives on the line, military and civilian alike, no less.

That said, this is by no means a perfect or comprehensive bill. It contains certain provisions I would prefer to see removed. It leaves out a long list of provisions I would like to see added. By and large, the numbers are well below Fiscal Year 2013 request levels, and lower than what I think is proper to exert strong and effective international leadership. But the chairman has worked with us over the past weeks to make the changes necessary to arrive at a text that has the best shot of moving forward.

This bill contains no funding for foreign assistance programs, nor does it include any proposals for foreign aid reform. Those topics

should also be high priorities for this committee, and I look forward to working with the chairman on provisions to address how our foreign aid dollars are spent. Accounting for just 1 percent of the overall budget, foreign assistance is a small but wise investment in a better, safer world. Our job is to ensure that it is spent in the most efficient and effective way.

The bill also does not contain any country-specific provisions or any findings or sense of Congress language. While I note that all of us have pressing things we would want to say about U.S. policy toward a wide range of countries and problems, I respect the chairman's view that progress on asserting our jurisdiction is paramount and that there will be other business meetings and other markups where those kinds of proposals can be considered on their merits. If we want our committee to be taken seriously so that our jurisdiction is protected and our views carry weight with other committees, then we need to report legislation, at the very least, that can be passed by the full House.

Let me describe a few of the bill's key provisions in greater detail.

It includes a number of provisions to better protect our men and women serving abroad as well as their families. It allows the State Department to award local guard contracts in high-risk areas on the basis of best value rather than on who had the lowest bid. In the past, lowest bids had sometimes resulted in poorly trained security forces that endangered the safety of our diplomats and development experts. This bill also better protects the children of U.S. employees who attend school overseas by improving the physical security at these locations.

More importantly, by allowing the Secretary to transfer authorities to the recently created Counterterrorism, Conflict and Stabilization Operations, and Energy Resources Bureaus, this act reflects the organizational changes that have taken place at the Department as a result of what I hope will be the first of regular Quadrennial Diplomacy and Development Reviews.

The bill also incorporates most of H.R. 3288, the Safeguarding U.S. Satellite Leadership and Security Act. It was also adopted as an amendment to the National Defense Authorization Act. This bipartisan provision would help restore America's global competitiveness in high-tech satellite technology and protect vital U.S. national security interests.

Madam Chairman, you and your staff have produced a good and fair piece of legislation. Equally important, you have taken our views into account. I would urge my colleagues to do what they have already done, and that is to approve this legislation not only on its merits, but also as an expression of support for enhancing comity and bipartisanship in our committee.

I thank the chair, and you might not believe it, but this is actually a shorter statement than I was planning on giving, and I will yield back the balance of my time.

Chairman ROS-LEHTINEN. I thank my good friend, Mr. Berman, for that opening statement; and I am pleased to yield 5 minutes to Mr. Royce of California.

Mr. ROYCE. Thank you, Madam Chairman; and I would also like to thank you, I would like to thank Ranking Member Berman for

the support of a provision that I inserted in this legislation to expand the authority of the State Department to go after those who commit crimes against humanity, such as Joseph Kony.

As you know, the existing State Department's rewards program has largely focused recently on terrorists. They focus on drug traffickers. We had a hearing, Madam Chair, where we heard the results of some of that effect of the rewards program where those who were involved in trafficking, for example, when captured would say there was nobody they could turn to; they felt like a wanted man. Well, that is exactly the type of emotion we are trying to engender here, and this program does this. The provisions in the bill now would expand the program, and it would also target something else we want to affect, and that is transnational organized crime. There will be a rewards program to induce people to come forward.

And lastly, and I think very importantly, those who are wanted for the most serious human rights abuses—and this responds to two things. One, the growing ties between terrorists and transnational criminals. We target those who assist terrorists and those who assist the drug cartels with weapons, those involved in weapons trafficking, those involved in sophisticated forgeries, money laundering; and, importantly, then this legislation will also allow the rewards program to target those wanted for genocide, for war crimes, crimes against humanity. These are the world's worst human rights abusers that we are trying to focus on.

A target of this, of course, will be Joseph Kony and the top commanders of the Lord's Resistance Army. This group has terrorized northern Uganda as well as Central Africa now for two decades. The crimes that they commit there are unspeakable; and, in accordance with U.S. policy, a small team of U.S. troops are currently in the field helping local forces hunt for these killers.

Our U.S. troops have indicated to us that they believe that a rewards program would help them if it is aimed at Kony. It will help them generate intelligence. It will bolster their efforts. They are asking for this provision. They think this can make a difference for them on the ground, and let's answer their call.

Thank you, Madam Chair, for including this; and we look forward to trying to speed this legislation along to the Senate.

Chairman ROS-LEHTINEN. We sure do. Thank you, Mr. Royce.

Mr. Connolly of Virginia is recognized.

Mr. CONNOLLY. Thank you, Madam Chairman.

I know that I speak for myself and certainly my friend, Mr. Chandler from Kentucky, when I say mirabile dictu, wondrous to relate, having a markup this smooth, this uncomplicated, lacking in controversial policy riders, bringing us together on a bipartisan basis. I think you and your staff and Mr. Berman, the ranking member, and his staff are to be commended for bringing us together.

I look forward to supporting this. There are many provisions in here, particularly those involving commercial satellite technology, that I think are a big improvement over existing policy; and I hope—I applaud Mr. Berman in introducing the legislation and you in adopting it as an amendment.

And, of course, I also associate myself with the remarks of our friend from California, Mr. Royce, in other provisions that I think are going to make a difference in human rights and getting finally Joseph Kony brought to justice.

So thank you, Madam Chairman, and thank you to your respective staffs for your leadership and the ranking member as well.

Chairman ROS-LEHTINEN. Thank you, sir.

Mr. Chandler is recognized.

Mr. CHANDLER. Madam Chairwoman, since I was referred to in my colleague's remarks, I just want to thank my Irish friend for his Latin eloquence.

Chairman ROS-LEHTINEN. Thank you very much.

Mr. Faleomavaega.

Mr. FALEOMAVAEGA. Madam Chair, I didn't realize I was going to come this quickly.

I thank you, Madam Chair, and certainly our ranking member for the spirit of bipartisanship and working so hard in putting this authorization bill together. Madam Chair, I certainly want to commend both you and our ranking member, Mr. Berman, for doing this; and I am sure that my colleagues on this side of the aisle are very happy that we have come to a very good conclusion in reaching an agreement on how we can pass this legislation as soon as we can.

With that, I yield back.

Chairman ROS-LEHTINEN. The gentleman yields back.

Hearing no further requests for recognition, I want to thank again all of our colleagues on both sides of the aisle for the hard work and cooperation that went into today's meeting; and, with that, the committee stands adjourned.

[Whereupon, at 10:21 a.m., the committee was adjourned.]

APPENDIX

Material Submitted for the Record

FULL COMMITTEE MARKUP NOTICE
COMMITTEE ON FOREIGN AFFAIRS
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, D.C. 20515-0128

Ileana Ros-Lehtinen (R-FL), Chairman

June 26, 2012

You are respectfully requested to attend an OPEN meeting of the Committee on Foreign Affairs, to be held in **Room 2172 of the Rayburn House Office Building (and available live, via the Committee website at http://www.hfca.house.gov):**

DATE:	Wednesday, June 27, 2012
TIME:	10:00 a.m.
CONSIDERATION OF:	Semiannual report of the Legislative Review and Oversight Activities of the Committee on Foreign Affairs for the 112th Congress, 3rd Quarter; and
MARKUP OF:	H.R. 6018, Foreign Relations Authorization Act, Fiscal Year 2013.

By Direction of the Chairman

The Committee on Foreign Affairs seeks to make its facilities accessible to persons with disabilities. If you are in need of special accommodations, please call 202/225-5021 at least four business days in advance of the event, whenever practicable. Questions with regard to special accommodations in general (including availability of Committee materials in alternative formats and assistive listening devices) may be directed to the Committee.

COMMITTEE ON FOREIGN AFFAIRS

MINUTES OF FULL COMMITTEE MARKUP

Day *Wednesday* Date *6/27/12* Room *2172 RHOB*

Starting Time *10:00 a.m.* Ending Time *10:21a.m.*

Recesses [ ] (____to ____) (____to ____) (____to ____) (____to ____) (____to ____) (____to ____)

Presiding Member(s)

Rep. Ileana Ros-Lehtinen

Check all of the following that apply:

Open Session [✓]
Executive (closed) Session [ ]
Televised [✓]

Electronically Recorded (taped) [✓]
Stenographic Record [✓]

BILLS FOR MARKUP: *(Include bill number(s) and title(s) of legislation.)*

Semiannual Committee Activity Report, and H.R. 6018

COMMITTEE MEMBERS PRESENT:

Attendance sheet attached.

NON-COMMITTEE MEMBERS PRESENT:

STATEMENTS FOR THE RECORD: *(List any statements submitted for the record.)*

Rep. Connolly

ACTIONS TAKEN DURING THE MARKUP: *(Attach copies of legislation and amendments.)*

See Markup summary.

RECORDED VOTES TAKEN (FOR MARKUP): *(Attach final vote tally sheet listing each member.)*

Subject	Yeas	Nays	Present	Not Voting

TIME SCHEDULED TO RECONVENE _____
or
TIME ADJOURNED *10:21 a.m.*

~~Doug Anderson, General Counsel~~
Yleem Poblete, Chief of Staff

Hearing/Briefing Title: Markup of Semiannual committee activity report; and H.R. 6018

Date: 6/27/12

Present	Member
X	Ileana Ros-Lehtinen, FL
X	Christopher Smith, NJ
	Dan Burton, IN
	Elton Gallegly, CA
X	Dana Rohrabacher, CA
	Donald Manzullo, IL
X	Edward R. Royce, CA
X	Steve Chabot, OH
	Ron Paul, TX
	Mike Pence, IN
X	Joe Wilson, SC
X	Connie Mack, FL
	Jeff Fortenberry, NE
X	Michael McCaul, TX
X	Ted Poe, TX
X	Gus M. Bilirakis, FL
X	Jean Schmidt, OH
X	Bill Johnson, OH
X	David Rivera, FL
X	Mike Kelly, PA
X	Tim Griffin, AK
	Tom Marino, PA
X	Jeff Duncan, SC
X	Ann Marie Buerkle, NY
	Renee Ellmers, NC
	Robert Turner, NY

Present	Member
X	Howard L. Berman, CA
	Gary L. Ackerman, NY
X	Eni F.H. Faleomavaega, AS
	Brad Sherman, CA
	Eliot Engel, NY
	Gregory Meeks, NY
	Russ Carnahan, MO
	Albio Sires, NJ
X	Gerry Connolly, VA
X	Ted Deutch, FL
X	Dennis Cardoza, CA
X	Ben Chandler, KY
	Brian Higgins, NY
	Allyson Schwartz, PA
	Chris Murphy, CT
	Frederica Wilson, FL
	Karen Bass, CA
X	William Keating, MA
X	David Cicilline, RI

The Honorable Gerald E. Connolly (VA-11)

HCFA Full Committee Mark-up: Foreign Relations Authorization Act, FY 2013 (H.R. 6018)
Wednesday, June 27th, 2012
10am

I would like to add my voice to the chorus of support for the bipartisan text of this resolution. By reporting this bill out of committee on a bipartisan basis under the leadership of Chairman Ros-Lehtinen and Ranking Member Berman, the House Committee on Foreign Affairs is making a statement about the importance of authorizing legislation. We are the authorizing committee, and it is important to assert that authority. As a supporter of robust international affairs funding, I applaud the fact that our account funding is higher than other sums that have been proposed this year, specifically by the House Appropriations Committee. For example, the total authorizing amount mentioned in our bill—which does not include all Function 150 accounts—is 1.3% higher than the House Appropriations sum for the same accounts. Nevertheless, our number is less than both the President's request for FY13 and the Senate Appropriations number for FY13 (a decrease of 14.5% and 1.6%, respectively).

There are several provisions which I'd like to point out. Section 524 provides the President with limited, conditional authority to remove commercial satellites and related components and technology from the U.S. Munitions List. This is based on the Ranking Member's Safeguarding United States Satellite Leadership and Security Act (H.R. 3288), and his amendment to the National Defense Authorization for FY13. As an original cosponsor of both H.R. 3288 and the NDAA amendment, I support this provision. With commercial satellites, the technology has been so restricted that other nations were able to grow their industrial base in this sector. The result is that countries like France now have a significant share of the world satellite market, while U.S. companies have lost market share. To add insult to injury, China still managed to get access to satellite technology while our industry was mired in arcane regulations. Section 524 recognizes this and is a welcome provision.

I would also like to point out section 305, which grants the Secretary discretion, after consultation with the Committee, to transfer authorities and duties statutorily assigned to various Coordinators to the new bureaus covering those subjects that were established late last year. This policy sprung from the 2010 Quadrennial Diplomacy and Development Review (QDDR). This ensures that key issues are organized in a sensible manner to avoid the stovepiping that often occurs in larger organizations.

Lastly, section 207 includes the operative text of Rep. Royce's bill, of which I am cosponsor—the Department of State Rewards Program Update and Technical Corrections Act of 2012 (H.R. 4077). This bill expands the State Department's rewards program to confront transnational organized criminals and individuals wanted for human rights abuses. An example of someone who could be targeted under the proposed expansion of the program is Joseph Kony, head of the Lord's Resistance Army. This is a common-sense expansion of the program, especially given the Committee's record on Joseph Kony.

In closing, I will say that I commend the Committee for agreeing to this bipartisan text. Our policy debates often run the gamut with Members on the opposite sides of many issues. That said, I think we all can agree that the authorizing role of the Committee is important, and I'm glad to see us presenting a united front on this.

Thank you, Madam Chairman. I yield back.

○