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Amendments to H.R. 2410 – Foreign Relations Authorization Act, FY2010 and FY2011

H.R. 2410 is scheduled to be considered on the House floor on Wednesday, June 10, 2009, subject to a structured rule that makes in order 27 amendments. The rule ([H.Res. 522](#)) waives all points of order against consideration of the bill, except for clause 9 (earmarks) and clause 10 (“PAYGO”) of rule XXI. The rule allows one hour of debate and provides one motion to recommit with or without instructions.

AMENDMENTS MADE IN ORDER UNDER THE RULE

1. **Berman (D-CA).** Among other things, the Manager’s Amendment does the following:
 - Includes language stating that “Nothing in this section....shall be construed as affecting in any way existing statutory prohibitions against abortion or existing statutory prohibitions on the use of funds to engage in any activity or effort to alter the laws or policies in effect in any foreign country concerning the circumstances under which abortion is permitted, regulated, or prohibited.” **This language does not correct the inadequacies of the underlying bill related to abortion. The National Right to Life Committee is opposed to this language and will continue to score the bill based on its objections to the underlying bill.**
 - Adds language regarding the death gratuity payment for surviving dependents if the FSO is killed by a terrorist act;
 - Adds a sense of Congress that the Secretary of State should appoint a coordinator to help implement the International Nuclear Fuel Bank to ensure countries have a supply of fuel for nuclear energy and do not have to enrich uranium. The amendment establishes fines and imprisonment sentences for violations of this;
 - Requires a report on plans of agencies or departments to streamline US export controls;
 - Increases penalties for illicit trafficking in small arms and light weapons to countries in the Western Hemisphere;
 - Authorizes the Secretary of State to develop and implement a system to monitor the effectiveness and efficiency of US foreign assistance; and

- Includes a statement of Congress on the 26-year conflict in Sri Lanka.
2. **Ros-Lehtinen (R-FL).** The amendment would require the Secretary of State to withhold \$4,472,100 from the International Atomic Energy Agency this year. This is equal to the nuclear technical cooperation provided to Iran, Syria, Sudan, and Cuba in 2007.
 3. **Polis (D-CO).** The amendment would *make it mandatory* for a Foreign Service officer to serve “at least two years in a bureau or office of the Department not primarily focused on regional issues prior to joining the Senior Foreign Service.” It would further change “the composition of Foreign Service selection boards to increase the participation of Department personnel with extensive experience in bureaus and offices...not primarily focused on regional issues.”

This amendment mandates that FSOs should take certain jobs regardless of their expertise in a certain region. During a time when regional experts are vital to our national security, many conservatives may be concerned that this amendment places an unnecessary mandate on the State Department.

4. **Hunter (R-CA).** The amendment would include the Secretary of Defense as a member of the Task Force on the Prevention of Illicit Small Arms Trafficking in the Western Hemisphere. The underlying bill includes the Secretary of State, the Attorney General, the Secretary of Homeland Security and “the heads of other Federal departments and agencies as appropriate.”
5. **Nadler (D-NY).** The amendment is a sense of Congress that the United States should continue working with the states of the former Soviet Union to see that émigrés from these states who now live in the United States are paid the pensions they are owed by these states.
6. **McCaul (R-TX).** The amendment would direct the President to develop and transmit to Congress a comprehensive interagency strategy and implementation plan to address the crisis in Sudan. This includes a description of how to resolve the conflict in Darfur, how to implement the Comprehensive Peace Agreement in Sudan, and other issues regarding peace and security in Sudan.
7. **Larsen (D-WA)/Kirk (R-IL).** The amendment consists of a statement of policy regarding climate change. The amendment states that it shall be the policy of the US that the President, along with other Departments and the UN representatives, to ensure compliance with, and enforcement of, existing international legal requirements to protect intellectual property rights related to energy or environmental technology (i.e. wind, solar, biomass, hydro, nuclear, etc.)
8. **Sessions (R-TX).** The amendment is a Sense of Congress that Israel has the right to defend itself from an imminent nuclear or military threat from Iran, terrorist organizations, and the countries that harbor them.

9. ***Susan Davis (D-CA)/Grayson (D-FL)***. The amendment adds audit requirements for the Inspectors General of various Departments to address protocols for Afghanistan, and the impact US development assistance has on the social, economic, and political empowerment of Afghan women. The amendment requires the study of the extent to which US assistance helps “achieve a broad-based, multi-ethnic, gender-sensitive, and fully representative government in Afghanistan that is freely chosen by the people...and that respects the human rights of all Afghans, particularly women.” The amendment requires a report on this audit.
10. ***Brown-Waite (R-FL)***. The amendment would strike Section 505, the domestic release of the Voice of America film entitled “A Fateful Harvest.”
11. ***Holt (D-NJ)***. The amendment would direct the Secretary of State to report on recommendations on changes in treaty and US law that would help the US comply better with the Hague Convention on the Civil Aspects of International Child Abduction.
12. ***Brown-Waite (R-FL)***. The amendment would strike section 303, the establishment of the Lessons Learned Center. The Lessons Learned Center is established in the underlying bill to collect data and disseminate observations and “lessons learned” by Foreign Service Officers and other personnel. Some conservatives may believe that this is already part of the every-day tasks of a Foreign Service Officer – to take lessons from the past and apply them to future decisions.
13. ***Tim Bishop (D-NY)***. The amendment would require a Comptroller General report on the effects of Buy American waivers for HIV test kits under the President’s Emergency Plan for AIDS Relief (PEPFAR) program. The study will include the effects on US-based manufacturers and the availability of and access to, HIV testing for at-risk populations in low-income countries.
14. ***Moore (D-WI)***. The amendment would express the Sense of Congress that suppressing human rights of Afghan women and girls undermines the contributions that the US and the international community have made to help establish institutions that promote human rights in Afghanistan.
15. ***Royce (R-CA)***. The amendment adds a Sense of Congress relating to Eritrea. It finds that Eritrea has repeatedly supported terrorists in Somalia with links to al-Qaeda, and that the UN Sanctions Monitoring Group on Somalia reported in 2007 that huge quantities of arms have been provided to Somalia by Eritrea. The amendment includes a Sense of Congress that: Eritrea’s ongoing support for armed insurgents in Somalia poses a threat to the national security interests of the US and East African nations; the Secretary of States should designate Eritrea as a

State Sponsor of Terrorism; and the UN Security Council should impose sanctions against Eritrea.

16. **Meeks (D-NY)**. The amendment requires a report on status, efficacy and coordination of the US-Brazil Joint Action Plan to Eliminate Racial Discrimination in the Western Hemisphere.
17. **Matheson (D-UT)**. The amendment calls for a study regarding the methods of facilitating voting in US elections by US citizens abroad using passports and other methods, and for using passports and other methods to count citizens living overseas during the Census.
18. **Kirkpatrick (D-AZ)**. The amendment would add to the monitoring and evaluation system established in the bill a requirement to look at the “southbound flow of illegal funds.”
19. **Kirk (R-IL)**. The amendment allows the Secretary of State to reward, via payments from the Rewards for Justice program, an officer who provides information on high-profile terrorists.
20. **Lynch (D-MA)**. The amendment requires a report on special immigrant programs for certain nationals of Iraq and Afghanistan. The report will address whether the eligibility requirements are clear, whether the programs are run effectively, whether processing delays exists, what the cause is for the delays, and whether legislation is needed to eliminate the delays.
21. **Hill (D-IN)**. The amendment would require a report by the Department of State to conduct a cost-benefit analysis in conjunction with all appropriate federal departments and agencies on how to best use American funds to reduce smuggling and trafficking in persons.
22. **Peters (D-MI)**. The amendment requires a report on the effects of the Western Hemisphere Travel Initiative on the flow of people, goods, and services across the borders of the US, Canada, Mexico, Bermuda, and the Caribbean. The objective of the study is to see whether the Travel Initiative has met its goal of strengthening US border security and enhancing accountability of individuals entering the US, and the impact of the Travel Initiative on small businesses.
23. **Teague (D-NM)/Titus (D-NV)/Giffords (D-AZ)**. The amendment would establish a new program to promote the development and deployment of clean and efficient energy technologies to reduce global greenhouse gas emissions, address energy poverty in developing countries, and extend US technologies to developing countries.

The new program established in this amendment mentions technology “such as” solar, wind, geothermal, hydroelectric, alternative fuels, and carbon capture.

Some conservatives may be concerned that the amendment makes no explicit mention of nuclear technology.

24. **Eddie Bernice Johnson (D-TX).** The amendment establishes an exchange program for Afghan women legislators to encourage more women to participate in politics and the democratic process in Afghanistan.
25. **Eddie Bernice Johnson (D-TX).** The amendment includes a sense of Congress that the use of child soldiers is unacceptable, and that it is a violation of human rights.
26. **Poe (R-TX).** The amendment would extend for two years a requirement for the President to report total cash and in-kind contributions from the US to the UN each fiscal year by every agency or department. The current law requiring this report will expire in 2010.
27. **Castle (R-DE).** The amendment requires reports to Congress listing countries that refuse or delay accepting nationals of such countries who are under final orders of removal from the US. The amendment empowers the Secretary of State to suspend diplomatic visa issuances to any country that continues to deny or unreasonably delay repatriation.

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