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**Legislative Bulletin.....June 11, 2009**

**Contents:**

**Amendments to H.R. 1886 –Pakistan Enduring Assistance and Cooperation Enhancement Act of 2009**

H.R. 1886 is scheduled to be considered on the House floor on Thursday, June 11, 2009, subject to a structured rule that makes in order one substitute amendment. 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. The rule makes in order one substitute amendment (the Ros-Lehtinen Substitute Amendment). The rule self-enacted a Berman amendment in the Nature of a Substitute (ANS). The ANS authorizes the funding level for the Pakistan Counterinsurgency Fund at \$300 million for FY2010 and such sums for the following years.

The ANS also enacted a new Title IV. The title includes duty-free treatment for certain products coming from "Reconstruction Opportunity Zones" in Afghanistan and Pakistan. Reconstruction Opportunity Zones are areas that “solely encompasses portions of the territory of Afghanistan” or “the Federally Administered Tribal Areas, areas of Pakistan-administered Kashmir that the President determines were harmed by the earthquake of October 8, 2005; areas of Baluchistan...the North West Frontier Province...”. According to the bill, this section is meant to “stimulate economic development in Afghanistan and the border region of Pakistan” which meet certain conditions.

According the Ways and Means Committee, which did not have the opportunity to mark up the Title, the new provisions also “require US-imposed inspectors to judge the compliance of each and every textile and apparel producer with vague and undefined ‘core labor standards.’ This would subject the firms to potentially capricious and changing labor standards that could exceed both national and even U.S. law.” Requiring these producers to abide by US labor laws is not only burdensome, but it might also have the effect of discouraging investment in Pakistan.

**AMENDMENT MADE IN ORDER UNDER THE RULE**

1. **Ros-Lehtinen Substitute Amendment.** The amendment in the nature of a substitute (H.R. 2481) would:
  - Strike all after the enacting clause and insert the “United States-Pakistan Security and Stability Act;”

- Requires the President to develop a comprehensive interagency strategy and implementation plan for long-term security in Pakistan. The plan, developed by the President, will then be sent to Congress;
- Authorize the Pakistan Counterinsurgency Capability Fund (also included in the underlying bill) at a level of \$700 million for FY2010; and
- Require a Congressional briefing on the comprehensive interagency strategy and implementation plan. The legislation requires the President to brief the appropriate congressional committees on the status of the plan to eliminate safe havens and assist towards long-term security and stability.

According to the sponsor, the substitute amendment corrects many of the problems in the underlying bill we are considering today. It involves more Congressional oversight of a plan in Pakistan and requires an ongoing dialogue between the Administration and Congress regarding US policy towards Pakistan. According to the minority views of the [committee report](#), the amendment seeks to ensure that “Congressional oversight and notification keeps pace with changing conditions on the ground and, in turn, changes in strategy and implementation.”