



July 15, 2004

Possible Amendments to the FY2005 Foreign Operations Appropriations Act (H.R. 4818)

The following are potential amendments. Under the open rule (H.Res. 715), new amendments may be offered without notice (although the rule does give priority to those amendments that were pre-printed in the *Congressional Record*). Under the rules of the House, the bill will be read for amendment by paragraph. If your boss is considering offering an amendment, please forward the **text** and talking points to: paul.teller@mail.house.gov.

Amendments Pre-Filed in Congressional Record:

Deal #1: Prohibits funds from being used to provide assistance to the government of any country that does not permit the extradition to the United States, for trial or sentencing in the United States, of individuals suspected of committing criminal offenses for which the maximum penalty is life imprisonment without the possibility of parole, or a lesser term of imprisonment.

Deal #2: Prohibits funds from being used to provide assistance to the government of any country with which the United States has an extradition treaty and which does not permit the extradition to the United States, for trial or sentencing in the United States, of individuals suspected of committing criminal offenses for which the maximum penalty is life imprisonment without the possibility of parole, or a lesser term of imprisonment.

Emanuel #3: Expresses a sense of Congress that recognizes the importance of designating the Republic of Poland as a program country for purposes of the visa waiver program established under section 217 of the Immigration and Nationality Act and urges the Secretary of Homeland Security and the Secretary of State to assist Poland in reducing its nonimmigrant visa refusal rate so that Poland could qualify for such designation.

Emanuel #4: Subjects whomever “knowingly and willfully” defrauds Iraq or the United States in any matter involving a contract or the provision of goods or services, directly or indirectly, in connection with the war, military action, or relief or reconstruction activities in Iraq to imprisonment of up to twenty years and/or to a fine of \$1 million or up to double the profits reaped from the fraud.

Emanuel #5: Authorizes payments to states and local governments to “coordinate budget-related actions by such governments with federal government efforts to stimulate economic

recovery” in amounts equal to at least the total amount appropriated for fiscal year 2003 under the heading “Iraq Relief and Reconstruction Fund” in the Emergency Wartime Supplemental Appropriations Act, 2003, and any amounts appropriated for such Fund in any subsequent appropriations act. The Secretary of the Treasury would establish the allocation formula. States and localities could use these cash payments for primary, secondary, or higher education, including school building renovation; public safety; public health, including hospitals and public health laboratories; social services for the disadvantaged or aged; roads, transportation, and water infrastructure; housing; and/or ordinary and necessary capital expenditures authorized by law.

Nethercutt #6: Prohibits funds under the heading “ECONOMIC SUPPORT FUND” from being used to provide assistance to the government of a country that is a party to the International Criminal Court (ICC) and has not entered into an agreement with the United States pursuant to Article 98 of the Rome Statute, preventing the ICC from proceeding against U.S. personnel present in such country.

Hefley #7: Reduces total appropriations in this bill (other than appropriations required to be made by a provision of law) by \$193,860,000 (1%).

Blumenauer/Udall #8: Increases the U.S. contribution to the Global Environment Facility (GEF) (a financing mechanism for environmental work around the world) by \$13.2 million, to a total funding level of \$120.7 million, and reduces funding by \$20 million for foreign military aid.

Farr #9: Prohibits funds from being used for the assignment of any United States military personnel for temporary or permanent duty in Columbia, if such assignment would cause the number of U.S. military personnel so assigned to exceed 550.

Jackson-Lee #10: Provides that, of the funds appropriated for agricultural development in sub-Saharan Africa, not less than \$5,000,000 would be made available for small-scale irrigation, water and drainage, post-harvest storage, crop intensification, crop and livestock diversification, and rural infrastructure, such as in the Special Programme for Food Security of the Food and Agriculture Organization of the United Nations (FAO).

Kennedy (MN) #11: Cuts the U.S. contribution to the International Development Association in half (from \$850 million to \$425 million), increases funding for the Millennium Challenge Corporation (i.e. foreign aid) by \$250 million, and increases funding for the Global HIV/AIDS Initiative by \$90 million.

Kilpatrick #12: Prohibits funds from being used to fund any contract in contravention of section 8(d)(6) of the Small Business Act (15 U.S.C. 637(d)(6))—regarding percentage goals for the use of subcontractors that are small businesses (overall) and specifically small businesses that are owned and controlled by veterans, by service-disabled veterans, by socially and economically disadvantaged individuals, and by women.

Lantos #13: Increases economic aid to Egypt from \$535 million to \$1.1 billion and reduces military aid to Egypt from \$1.3 billion to \$730 million.

Lantos #14: Increases economic aid to Egypt from \$535 million to \$860 million (and delays the obligation of this additional \$325 million until after September 1, 2005) and reduces military aid to Egypt from \$1.3 billion to \$975 million.

Maloney #15: Directs all U.S. funds (\$25 million) made available for the United Nations Population Fund (UNFPA) to its campaign to end obstetric fistula. A fistula is rotting pelvic-area tissue that is often a result of obstructed childbirth. Read what UNFPA says it's doing about obstetric fistula at this webpage:

http://www.unfpa.org/issues/factsheets/fistula_defining.htm

Maloney #16: Directs all U.S. funds (\$25 million) made available for the United Nations Population Fund (UNFPA) to activities for the prevention, remedy, and repair of obstetric fistula. Read the amendment summary above for more information on obstetric fistula.

Paul #17: Eliminates all funding (\$1.25 billion) for the Millennium Challenge Corporation (the recently created foreign aid program).

Paul #18: Prohibits funds from being used to provide assistance to the Government of Pakistan. In the underlying bill, up to \$200 million in funds for international economic assistance could be used for the costs of modifying direct loans and guarantees for Pakistan, and up to \$150 million could be transferred to Pakistani military aid from unobligated balances of funds appropriated under the headings "Economic Support Fund" and "Foreign Military Financing Program" in prior appropriations Acts and not otherwise designated in those Acts for a specific country, use, or purpose.

Sanders/ Paul/ Lipinski/ Rohrabacher/ Kucinich/ Taylor (MS)/ Kaptur #19: Prohibits the Export-Import Bank from approving direct loans or loan guarantees to former U.S. companies that have inverted.

Sherman #20: Reduces funds for the World Bank by \$359 million and increases funds for USAID's Child Survival programs by \$290 million (remaining outlay neutral).

Tancredo #21: Directs the President to withhold bilateral assistance allocated for a foreign country under any heading of this Act by an amount equal to the aggregate amount of cash remittances sent by nationals of the foreign country residing in the United States to persons residing in the foreign country during fiscal year 2004.

Other Possible Amendment (more summaries will be circulated later):

Buyer: Prohibits funds from being used by any official of the United States Government to request the United Nations to assess the validity of elections in the United States.

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