

PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 2446)  
TO REAUTHORIZE THE AFGHANISTAN FREEDOM SUP-  
PORT ACT OF 2002, AND FOR OTHER PURPOSES

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JUNE 5, 2007.—Referred to the House Calendar and ordered to be printed

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Mr. MCGOVERN, from the Committee on Rules,  
submitted the following

R E P O R T

[To accompany H. Res. 453]

The Committee on Rules, having had under consideration House Resolution 453, by a non-record vote, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of H.R. 2446, the Afghanistan Freedom and Security Support Act of 2007, under a structured rule. The rule provides one hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs. The rule waives all points of order against consideration of the bill except clauses 9 and 10 of rule XXI and provides that the bill shall be considered as read.

The rule makes in order only those amendments printed in this report. The amendments made in order may be offered only in the order printed in this report, may be offered only by a Member designated in this report, shall be considered as read, shall be debatable for the time specified in this report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against the amendments except for clauses 9 and 10 of rule XXI are waived. The rule provides one motion to recommend with or without instructions. The rule provides that, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to a time designated by the Speaker.

## EXPLANATION OF WAIVERS

Although the rule waives all points of order against consideration of the bill (except for those arising under clauses 9 and 10 of rule XXI), the Committee is not aware of any points of order. The waiver of all points of order is prophylactic in nature.

## COMMITTEE VOTES

The results of each record vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

*Rules Committee record vote No. 217*

Date: June 5, 2007.

Measure: H.R. 2446.

Motion by: Mr. Dreier.

Summary of Motion: To grant an open rule.

Results: Defeated 3–7.

Vote by Members: Matsui—Nay; Cardoza—Nay; Welch—Nay; Castor—Nay; Arcuri—Nay; Sutton—Nay; Dreier—Yea; Diaz-Balart—Yea; Sessions—Yea; Slaughter—Nay.

## SUMMARY OF AMENDMENTS MADE IN ORDER

(Summaries derived from information provided by sponsors.)

1. Lantos (CA): Manager's Amendment. The amendment makes a number of technical, clarifying, and clerical changes to several provisions of H.R. 2446 as reported by the Committee on Foreign Affairs. (10 minutes)

2. Ackerman (NY): The amendment adds language to section 302 of the bill to ensure that the Presidential report required by that section includes an assessment of the quality of governance in each province of Afghanistan focusing in particular on the implementation of the rule of law, the impact of any human rights abuses by Afghan government forces on overall counterinsurgency efforts, and the ability of the courts and judicial system to provide an effective justice system. (10 minutes)

3. Costa (CA): The amendment seeks to enhance the Offices of the Inspector General at the Department of State and the U.S. Agency for International Development by requiring that permanent in-country staff be deployed to audit, investigate and oversee the programs authorized in Title I of the Afghanistan Freedom and Support Act of 2002, and bolsters the authorization of funds for this purpose. (10 minutes)

4. Franks (AZ): The amendment adds a congressional finding stating that the U.S. Armed Forces in Afghanistan recently intercepted a shipment of Iranian-made weapons intended for the Taliban in Afghanistan, and establishes a reporting requirement on Iranian-made weapons being sold to or used by the Taliban in Afghanistan. (10 minutes)

5. Jackson-Lee (TX): The amendment states that technical assistance should be provided to train national, provincial, and local governmental personnel for capacity-building purposes as it relates to education, health care, human rights (particularly women's rights), and political participation. This amendment also seeks to ensure

girls complete secondary education so they are prepared and have the ability to pursue post-secondary education. (10 minutes)

6. Jackson-Lee (TX): The amendment seeks to bolster women's political participation by protecting women legislators when they return to the provinces they represent. It states that it is the sense of Congress that assistance provided to foreign countries and international organizations under this provision should be used, in part, to protect these female legislators. (10 minutes)

7. Kirk (IL): The amendment allows the Secretary of State, at her discretion, to make payments from the Rewards for Justice Program to officers or employees of the Afghan or Pakistani government who provide information leading to the capture of exceptional and high-profile terrorists committing acts in Afghanistan. (10 minutes)

8. Kucinich (OH): The amendment diverts \$500,000 in authorization authority for the United States contribution to the Post-Operations Humanitarian Relief Fund of the International Security Assistance Force (ISAF). (10 minutes)

9. Terry (NE): The amendment states that the U.S. Agency for International Development (USAID) should give priority in awarding grants to non-governmental organizations to aid in the revitalization of Afghanistan to organizations based in the United States that have an established and cost-effective record of developing and administering such programs within Afghanistan, including teaching the people of Afghanistan how to create and sustain quality economic and educational systems. (10 minutes)

10. Van Hollen (MD): The amendment promotes the empowerment of citizens at the local level in the reconstruction and economic development decision-making process and creates an environment conducive to Afghan small business development. (10 minutes)

11. Souder (IN): The amendment specifies that logistical support activities for counter narcotics missions in Afghanistan include force protection and in extremis support. (10 minutes)

#### TEXT OF AMENDMENTS MADE IN ORDER UNDER THE RULE

##### 1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LANTOS OF CALIFORNIA, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 5, line 23, strike "supports" and insert "is supported by".

Page 5, line 25, strike "a strategy" and insert "the core framework".

Page 6, line 6, insert before the period the following: ", particularly at the local and provincial levels".

Page 12, line 12, strike "(B)" and insert "(C)".

Page 12, line 13, strike "(B)" and insert "(C)".

Page 12, lines 19 through 25, move the margins of clauses (ii) and (iii) two ems to the left.

Page 18, line 3, insert "helping women deliver healthier babies and" after "for the purpose of".

Page 35, line 11, strike "300,000,000" and insert "\$300,000,000".

Page 37, line 1, strike "The President" and insert "Pursuant to the authorities of the Foreign Assistance Act of 1961 (22 U.S.C.

2151 et seq.) or section 23 of the Arms Export Control Act (22 U.S.C. 2763), the President”.

Page 43, line 16, strike “to conduct” and insert “to participate in, to the extent appropriate and practicable,”.

Page 46, strike lines 1 through 4 and insert the following new subclauses:

- (I) The Afghan forces.
- (II) ISAF.
- (III) Non-ISAF United States forces.
- (IV) Other Coalition forces.

Page 47, beginning on line 10, strike “and countries participating in ISAF” and insert “countries participating in ISAF, and other Coalition countries”.

Page 57, line 24, strike “Affairs” and insert “Relations”.

Page 66, line 9, insert “and” after the semicolon.

Page 70, after line 17, insert the following new subsection:

(c) CONCURRENT SUBMISSION OF REPORT.—Such section is further amended by adding at the end the following new subsection:

“(d) CONCURRENT SUBMISSION OF REPORT.—The strategy required by subsection (b) and any updates of the strategy provided pursuant to subsection (c) shall be submitted concurrently with the report and updates required by section 304 of this Act (relating to progress toward security and stability in Afghanistan).”.

Page 71, line 24, strike “who repatriate” and insert “to ensure orderly and voluntary repatriation”.

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## 2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ACKERMAN OF NEW YORK, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 51, after line 7, insert the following new subparagraph:

(J) An assessment of the quality of governance in each province in Afghanistan, including an assessment of the following:

(i) The implementation of the rule of law, including the effects of any lack of such implementation on operations of the Afghan National Army, Afghan National Police, and other Afghan National Security Forces.

(ii) Whether and to what extent actions by Afghan National Security Forces have led to abuses of human rights and the extent to which such abuses, if any, undermine overall counterinsurgency efforts in such province and Afghanistan as a whole.

(iii) The ability of courts and the judicial system to provide an effective justice system to support the civil-military side of military and police operations.

Page 51, line 8, strike “(J)” and insert “(K)”.

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3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE COSTA OF CALIFORNIA, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 29, after line 23, insert the following new section (and redesignate subsequent sections and conform the table of contents accordingly):

**SEC. 106. ASSISTANCE TO SUPPORT THE OFFICES OF THE INSPECTOR GENERAL OF DEPARTMENT OF STATE AND THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT IN AFGHANISTAN.**

(a) ASSISTANCE AUTHORIZED.—The President shall provide assistance to support the auditing, investigation, and oversight capacity and capability of the Offices of the Inspector General of the Department of State and the United States Agency for International Development in Afghanistan. The Offices of the Inspector General of the Department of State and the United States Agency for International Development are authorized to audit, investigate, and oversee the programs authorized in title I of the Afghanistan Freedom Support Act of 2002 (as amended by this title).

(b) REQUIREMENT FOR IN-COUNTRY PRESENCE.—The Offices of the Inspector General of the Department of State and the United States Agency for International Development, after consultation with the Secretary of State and the Administrator for the United States Agency for International Development, shall permanently deploy not less than two staff from each of the Offices of the Inspector General in Afghanistan to carry out this section.

(c) AUTHORIZATION OF APPROPRIATIONS.—

(1) AVAILABILITY OF FUNDS.—Of the amounts authorized to be appropriated under section 110 of the Afghanistan Freedom Support Act of 2002 (as redesignated by this title) for each of the fiscal years 2008 through 2010, not less than \$1,500,000 for each such fiscal year is authorized to be made available to the Office of the Inspector General of the Department of State and not less than \$3,000,000 for each such fiscal year is authorized to be made available to the Office of the Inspector General of the United States Agency for International Development to carry out this section.

(2) RELATION TO OTHER AVAILABLE FUNDS.—Amounts made available under paragraph (1) are in addition to amounts otherwise available for such purposes.

4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE FRANKS OF ARIZONA, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 44, after line 5, insert the following new section (and conform the table of contents accordingly):

**SEC. 2 . REPORT ON THE SALE AND USE OF IRANIAN-MADE WEAPONS FOR THE TALIBAN IN AFGHANISTAN.**

(a) CONGRESSIONAL FINDING.—United States Armed Forces in Afghanistan recently intercepted a shipment of Iranian-made weapons and explosives intended for the Taliban in Afghanistan.

(b) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, and every 6 months thereafter, the Secretary of Defense shall transmit to the appropriate congressional committees a report on the current Iranian-made weapons being

sold to or used by the Taliban in Afghanistan. The report shall include any evidence of official Iranian Government endorsement of the sale of the Iranian-made weapons.

(c) DEFINITION.—In this section, the term “appropriate congressional committees” means—

- (1) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives; and
- (2) the Committee on Armed Services and the Committee on Foreign Relations of the Senate.

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5. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE JACKSON-LEE OF TEXAS, OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 25, line 20, strike “and”.

Page 25, line 24, strike the first period, the closing quotation marks, and the second period and insert “; and”.

Page 25, after line 24, insert the following new subparagraph:

- “(I) providing technical assistance to train provincial and local governmental personnel, especially as it relates to—
  - “(i) healthcare;
  - “(ii) political participation;
  - “(iii) human rights, particularly as pertaining to women; and
  - “(iv) education, particularly to encourage girls to complete secondary education so they are prepared and able to attend post-secondary schools.”.

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6. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE JACKSON-LEE OF TEXAS, OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 35, after line 22, insert the following new subsection:

(c) ADDITIONAL SENSE OF CONGRESS.—Such section is further amended by adding at the end the following new subsection:

“(d) ADDITIONAL SENSE OF CONGRESS.—It is the sense of Congress that assistance provided to eligible foreign countries and international organizations under subsection (a) should be used in part to protect women legislators when they return to the provinces that they represent in Afghanistan.”.

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7. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE KIRK OF ILLINOIS, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of title III of the bill (relating to miscellaneous provisions), insert the following new section:

**SEC. 3 . ELIGIBILITY IN CERTAIN CIRCUMSTANCES FOR AGENCIES OF THE GOVERNMENTS OF AFGHANISTAN AND PAKISTAN TO RECEIVE A REWARD UNDER THE DEPARTMENT OF STATE REWARDS PROGRAM.**

(a) ELIGIBILITY.—Subsection (f) of section 36 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2708(f)) is amended—

- (1) by striking “(f) INELIGIBILITY.—An officer” and inserting the following:
- “(f) INELIGIBILITY.—

“(1) IN GENERAL.—An officer”;

(2) in paragraph (1), as so designated by paragraph (1) of this subsection, by inserting “, except as provided in paragraph (2),” before “of a foreign government”; and

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

“(2) EXCEPTION IN CERTAIN CIRCUMSTANCES.—The Secretary may pay a reward to an officer or employee of the government of Afghanistan or Pakistan (or any entity thereof) who, while in the performance of his or her official duties, furnishes information described in such subsection, if the Secretary determines that such payment satisfies the following conditions:

“(A) Such payment is appropriate in light of the exceptional or high-profile nature of the information furnished pursuant to such subsection and such information relates in any way to the commission of an act in Afghanistan.

“(B) Such payment may aid in furnishing further information described in such subsection.

“(C) Such payment is formally requested by such agency.”.

(b) CONFORMING AMENDMENT.—Subsection (b) of such section (22 U.S.C. 2708(b)) is amended in the matter preceding paragraph (1) by inserting “or to any officer or employee of a foreign government in accordance with subsection (f)(2)” after “individual”.

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8. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE KUCINICH OF OHIO, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 43, after line 6, insert the following new subsection:

(c) CONTRIBUTION TO POST-OPERATIONS HUMANITARIAN RELIEF FUND.—Of the amount appropriated pursuant to subsection (a) of section 110 of the Afghanistan Freedom Support Act of 2002 (as redesignated by title I of this Act), \$500,000 for each of the fiscal years 2008 through 2010 shall be available for a United States contribution to the Post-Operations Humanitarian Relief Fund of the International Security Assistance Force.

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9. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE TERRY OF NEBRASKA, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 26, after line 12, insert the following new subsection:

(j) PRIORITY TO U.S. ORGANIZATIONS FOR GRANTS TO AID IN THE REVITALIZATION OF AFGHANISTAN.—In awarding grants to non-governmental organizations to aid in the revitalization of Afghanistan, including to assist the people of Afghanistan to create and sustain quality economic and educational systems, under section 103 of the Afghanistan Freedom Support Act of 2002 (as amended by this section), the United States Agency for International Development should give priority to organizations based in the United States that have an established and cost-effective record of developing and administering such programs of assistance in Afghanistan.

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10. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE VAN HOLLEN OF MARYLAND, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 17, line 17, strike “and”.

Page 17, line 19, strike the first period, the closing quotation marks, and the second period and insert “; and”.

Page 17, after line 19, insert the following new clause:

“(ix) promoting the empowerment of citizens at the local level in the decision-making process, including reconstruction and economic development decisions.”.

Page 62, beginning on line 16, insert “, create an environment conducive to Afghan small business development,” after “opportunities”.

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11. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SOUDER OF INDIANA, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 39, line 1, insert “, including force protection and in extremis support” after “logistical support”.