

112<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 3115

To prohibit non-security assistance to Pakistan, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 6, 2011

Mr. COFFMAN of Colorado introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To prohibit non-security assistance to Pakistan, and for other purposes.

1        *Be it enacted by the Senate and House of Representa-*  
2        *tives of the United States of America in Congress assembled,*

3        **SECTION 1. SHORT TITLE.**

4        This Act may be cited as the “Ensuring the Effective  
5        Use of United States Aid to Pakistan Act”.

1 **SEC. 2. PROHIBITION ON PROVISION OF NON-SECURITY AS-**  
2 **SISTANCE TO PAKISTAN.**

3 (a) PROHIBITION.—Notwithstanding any other provi-  
4 sion of law, assistance may not be provided to Pakistan  
5 under any provision of law described in subsection (b).

6 (b) PROVISIONS OF LAW.—The provisions of law re-  
7 ferred to in subsection (a) are the following:

8 (1) Sections 103, 105, 106, and sections 251  
9 through 255, and chapter 10 of part I of the For-  
10 eign Assistance Act of 1961 (“Development Assist-  
11 ance”).

12 (2) Chapter 4 of part II of the Foreign Assist-  
13 ance Act (“Economic Support Fund”).

14 (3) Chapters 1 and 10 of part I of the Foreign  
15 Assistance Act of 1961 for global health activities  
16 (“Global Health and Child Survival”).

17 (4) The Foreign Assistance Act of 1961 for the  
18 promotion of democracy globally (“Democracy  
19 Fund”).

20 (5) Section 491 of the Foreign Assistance Act  
21 of 1961 (“International Disaster Assistance”).

22 (6) Any provision of law that authorizes the  
23 Secretary of State to provide a contribution to the  
24 International Committee of the Red Cross, assist-  
25 ance to refugees, including contributions to the  
26 International Organization for Migration and the

1 United Nations High Commissioner for Refugees,  
2 and other activities to meet refugee and migration  
3 needs (“Migration and Refugee Assistance”).

4 (7) Section 2(c) of the Migration and Refugee  
5 Assistance Act of 1962 (“United States Refugee and  
6 Migration Assistance Fund”).

7 (8) Title I of the Food for Peace Act (7 U.S.C.  
8 1701 et seq.) (relating to sales of agricultural com-  
9 modities for economic assistance and food security)  
10 and title II of the Food for Peace Act (7 U.S.C.  
11 1721 et seq.) (relating to grants to provide agricul-  
12 tural commodities under emergency and private as-  
13 sistance programs).

14 (9) Section 416(b) of the Agricultural Act of  
15 1949 (7 U.S.C. 1431(b)) (relating to furnishing ag-  
16 ricultural commodities for carrying out programs of  
17 assistance in developing countries and friendly coun-  
18 tries).

19 (10) Title I of the Enhanced Partnership with  
20 Pakistan Act of 2009 (relating to democratic, eco-  
21 nomic, and development assistance for Pakistan).

22 (11) Any other related or similar provision of  
23 law, including any provision of law authorizing con-  
24 tributions to international organizations.

1 (c) APPLICABILITY.—The prohibition on assistance  
2 to Pakistan under section 2(c) of the Migration and Ref-  
3 ugee Assistance Act of 1962, as described in subsection  
4 (b)(7) of this section, shall apply notwithstanding section  
5 2(f) of the Migration and Refugee Assistance Act of 1962.

6 **SEC. 3. REQUIREMENTS FOR PROVISION OF SECURITY AS-**  
7 **SISTANCE TO PAKISTAN.**

8 (a) REQUIREMENTS.—Assistance may be provided to  
9 Pakistan under any provision of law other than the provi-  
10 sions of law described in section 2(b) only during a period  
11 for which a certification described in subsection (b) or a  
12 recertification described in subsection (c) is in effect.

13 (b) CERTIFICATION.—A certification referred to in  
14 subsection (a) is a certification transmitted by the Presi-  
15 dent to Congress that contains a determination of the  
16 President that the Government of Pakistan—

17 (1) is cooperating with the United States in ef-  
18 forts against Al Qaeda, the Taliban, and associated  
19 terrorist groups, including prevention of such groups  
20 from carrying out cross-border attacks on neigh-  
21 boring countries;

22 (2) does not impede United States counterter-  
23 rorism efforts; and

24 (3) will use the assistance solely for the purpose  
25 of border security, counter-terrorism, and law en-

1       forcement activities directed against Al Qaeda, the  
2       Taliban, and associated terrorist groups.

3       (c) **RECERTIFICATIONS.**—Not later than 90 days  
4 after the date on which the President transmits to Con-  
5 gress an initial certification under subsection (b), and  
6 every 6 months thereafter—

7           (1) the President shall transmit to Congress a  
8       recertification that the conditions described in sub-  
9       section (b) are continuing to be met; or

10          (2) if the President is unable to make such a  
11       recertification, the President shall transmit to Con-  
12       gress a report that contains the reasons therefor.

13       (d) **RULE OF CONSTRUCTION.**—The conditions de-  
14 scribed in subsection (b) are in addition to the conditions  
15 contained in any provision of law other than the provisions  
16 of law described in section 2(b) for the provision of assist-  
17 ance to Pakistan.

18 **SEC. 4. EFFECTIVE DATE.**

19       (a) **IN GENERAL.**—This Act takes effect on the date  
20 of the enactment of this Act.

21       (b) **APPLICABILITY.**—

22           (1) **SECTION 2.**—Section 2 applies with respect  
23 to amounts allocated for assistance to Pakistan  
24 under the provisions of law described in section 2(b)  
25 on or after the date of the enactment of this Act.

1           (2) SECTION 3.—Section 3 applies with respect  
2           to amounts allocated for assistance to Pakistan  
3           under any provision of law other than the provisions  
4           of law described in section 2(b) for each fiscal year  
5           beginning on or after the date of the enactment of  
6           this Act.

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