

(Pub. L. 111-73, § 3, Oct. 15, 2009, 123 Stat. 2061.)

§ 8403. Statement of principles

Congress declares that the relationship between the United States and Pakistan should be based on the following principles:

(1) Pakistan is a critical friend and ally to the United States, both in times of strife and in times of peace, and the two countries share many common goals, including combating terrorism and violent radicalism, solidifying democracy and rule of law in Pakistan, and promoting the social and economic development of Pakistan.

(2) United States assistance to Pakistan is intended to supplement, not supplant, Pakistan's own efforts in building a stable, secure, and prosperous Pakistan.

(3) The United States requires a balanced, integrated, countrywide strategy for Pakistan that provides assistance throughout the country and does not disproportionately focus on security-related assistance or one particular area or province.

(4) The United States supports Pakistan's struggle against extremist elements and recognizes the profound sacrifice made by Pakistan in the fight against terrorism, including the loss of more than 1,900 soldiers and police since 2001 in combat with al Qaeda, the Taliban, and other extremist and terrorist groups.

(5) The United States intends to work with the Government of Pakistan—

(A) to build mutual trust and confidence by actively and consistently pursuing a sustained, long-term, multifaceted relationship between the two countries, devoted to strengthening the mutual security, stability, and prosperity of both countries;

(B) to support the people of Pakistan and their democratic government in their efforts to consolidate democracy, including strengthening Pakistan's parliament, helping Pakistan reestablish an independent and transparent judicial system, and working to extend the rule of law in all areas in Pakistan;

(C) to promote sustainable long-term development and infrastructure projects, including in healthcare, education, water management, and energy programs, in all areas of Pakistan, that are sustained and supported by each successive democratic government in Pakistan;

(D) to ensure that all the people of Pakistan, including those living in areas governed by the Frontier Crimes Regulation, have access to public, modernized education and vocational training to enable them to provide for themselves, for their families, and for a more prosperous future for their children;

(E) to support the strengthening of core curricula and the quality of schools across Pakistan, including madrassas, in order to improve the prospects for Pakistani children's futures and eliminate incitements to violence and intolerance;

(F) to encourage and promote public-private partnerships in Pakistan in order to

bolster ongoing development efforts and strengthen economic prospects, especially with respect to opportunities to build civic responsibility and professional skills of the people of Pakistan, including support for institutions of higher learning with international accreditation;

(G) to expand people-to-people engagement between the two countries, through increased educational, technical, and cultural exchanges and other methods;

(H) to encourage the development of local analytical capacity to measure program effectiveness and progress on an integrated basis, especially across the areas of United States assistance and payments to Pakistan, and increase accountability for how such assistance and payments are being spent;

(I) to assist Pakistan's efforts to improve counterterrorism financing and anti-money laundering regulatory structure in order to achieve international standards and encourage Pakistan to apply for "Financial Action Task Force" observer status and adhere to the United Nations International Convention for the Suppression of the Financing of Terrorism;

(J) to strengthen Pakistan's counterinsurgency and counterterrorism strategy to help prevent any territory of Pakistan from being used as a base or conduit for terrorist attacks in Pakistan or elsewhere;

(K) to strengthen Pakistan's efforts to develop strong and effective law enforcement and national defense forces under civilian leadership;

(L) to achieve full cooperation in matters of counter-proliferation of nuclear materials and related networks;

(M) to strengthen Pakistan's efforts to gain control of its under-governed areas and address the threat posed by any person or group that conducts violence, sabotage, or other terrorist activities in Pakistan or its neighboring countries; and

(N) to explore means to consult with and utilize the relevant expertise and skills of the Pakistani-American community.

(Pub. L. 111-73, § 4, Oct. 15, 2009, 123 Stat. 2063.)

SUBCHAPTER I—DEMOCRATIC, ECONOMIC, AND DEVELOPMENT ASSISTANCE FOR PAKISTAN

§ 8411. Authorization of assistance

(a) In general

The President is authorized to provide assistance to Pakistan—

(1) to support the consolidation of democratic institutions;

(2) to support the expansion of rule of law, build the capacity of government institutions, and promote respect for internationally-recognized human rights;

(3) to promote economic freedoms and sustainable economic development;

(4) to support investment in people, including those displaced in on-going counterinsurgency operations; and

(5) to strengthen public diplomacy.

(b) Activities supported

Activities that may be supported by assistance under subsection (a) include the following:

(1) To support democratic institutions in Pakistan in order to strengthen civilian rule and long-term stability, including assistance such as—

(A) support for efforts to strengthen Pakistan's institutions, including the capacity of the National Parliament of Pakistan, such as enhancing the capacity of committees to oversee government activities, including national security issues, enhancing the ability of members of parliament to respond to constituents, and supporting of parliamentary leadership;

(B) support for voter education and civil society training as well as appropriate support for political party capacity building and responsiveness to the needs of all the people of Pakistan; and

(C) support for strengthening the capacity of the civilian Government of Pakistan to carry out its responsibilities at the national, provincial, and local levels.

(2) To support Pakistan's efforts to expand rule of law, build the capacity, transparency, and trust in government institutions, and promote internationally recognized human rights, including assistance such as—

(A) supporting the establishment of frameworks that promote government transparency and criminalize corruption in both the government and private sector;

(B) support for police professionalization, including training regarding use of force, human rights, and community policing;

(C) support for independent, efficient, and effective judicial and criminal justice systems, such as case management, training, and efforts to enhance the rule of law to all areas in Pakistan;

(D) support for the implementation of legal and political reforms in the FATA;

(E) support to counter the narcotics trade;

(F) support for internationally recognized human rights, including strengthening civil society and nongovernmental organizations working in the area of internationally recognized human rights, as well as organizations that focus on protection of women and girls, promotion of freedom of religion and religious tolerance, and protection of ethnic or religious minorities; and

(G) support for promotion of a responsible, capable, and independent media.

(3) To support economic freedom and economic development in Pakistan, including—

(A) programs that support sustainable economic growth, including in rural areas, and the sustainable management of natural resources through investments in water resource management systems;

(B) expansion of agricultural and rural development, such as farm-to-market roads, systems to prevent spoilage and waste, and other small-scale infrastructure improvements;

(C) investments in energy, including energy generation and cross-border infrastructure projects with Afghanistan;

(D) employment generation, including increasing investment in infrastructure projects, including construction of roads and the continued development of a national aviation industry and aviation infrastructure, as well as support for small and medium enterprises;

(E) worker rights, including the right to form labor unions and legally enforce provisions safeguarding the rights of workers and local community stakeholders;

(F) access to microfinance for small business establishment and income generation, particularly for women; and

(G) countering radicalization by providing economic, social, educational, and vocational opportunities and life-skills training to at-risk youth.

(4) To support investments in people, particularly women and children, including—

(A) promoting modern, public primary and secondary education and vocational and technical training, including programs to assist in the development of modern, nationwide school curriculums for public, private, and religious schools; support for the proper oversight of all educational institutions, including religious schools, as required by Pakistani law; initiatives to enhance access to education and vocational and technical training for women and girls and to increase women's literacy, with a special emphasis on helping girls stay in school; and construction and maintenance of libraries and public schools;

(B) programs relating to higher education to ensure a breadth and consistency of Pakistani graduates, including through public-private partnerships;

(C) improving quality public health to eliminate diseases such as hepatitis and to reduce maternal and under-five mortality rates;

(D) building capacity for nongovernmental and civil society organizations, particularly organizations with demonstrated experience in delivering services to the people of Pakistan, particularly to women, children, and other vulnerable populations; and

(E) support for refugees and internally displaced persons and long-term development in regions of Pakistan where internal conflict has caused large-scale displacement.

(5) To strengthen public diplomacy to combat militant extremism and promote a better understanding of the United States, including—

(A) encouraging civil society, respected scholars, and other leaders to speak out against militancy and violence; and

(B) expanded exchange activities under the Fulbright Program, the International Visitor Leadership Program, the Youth Exchange and Study Program, and related programs administered by the Department of State designed to promote mutual understanding and interfaith dialogue and expand

sister institution programs between United States and Pakistani schools and universities.

(c) Additional and related activities

(1) Availability of amounts for Pakistani police professionalization, equipping, and training

Not less than \$150,000,000 of the amounts appropriated for fiscal year 2010 pursuant to the authorization of appropriations under section 8412 of this title should be made available for assistance to Pakistan under this section for police professionalization, equipping, and training.

(2) Availability of amounts for administrative expenses

Up to \$10,000,000 of the amounts appropriated for each fiscal year pursuant to the authorization of appropriations under section 8412 of this title may be made available for administrative expenses of civilian departments and agencies of the United States Government in connection with the provision of assistance under this section. Such amounts shall be in addition to amounts otherwise available for such purposes.

(3) Utilizing Pakistani organizations

The President is encouraged, as appropriate, to utilize Pakistani firms and community and local nongovernmental organizations in Pakistan, including through host country contracts, and to work with local leaders to provide assistance under this section.

(4) Use of direct expenditures

Amounts appropriated for each fiscal year pursuant to the authorization of appropriations under section 8412 of this title or otherwise made available to carry out this section shall be utilized to the maximum extent possible as direct expenditures for projects and programs, subject to existing reporting and notification requirements.

(5) Chief of Mission Fund

Of the amounts appropriated for each fiscal year pursuant to the authorization of appropriations under section 8412 of this title, up to \$5,000,000 may be used by the Secretary of State to establish a fund for use by the Chief of Mission in Pakistan to provide assistance to Pakistan under this subchapter or the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) to address urgent needs or opportunities, consistent with the purposes of this section, or for purposes of humanitarian relief. The fund established pursuant to this paragraph may be referred to as the “Chief of Mission Fund”.

(6) Sense of Congress

It is the sense of Congress that—

(A) the United States should provide robust assistance to the people of Pakistan who have been displaced as a result of ongoing conflict and violence in Pakistan and support international efforts to coordinate assistance to refugees and internally displaced persons in Pakistan, including by providing support to international and nongovernmental organizations for this purpose;

(B) the Administrator of the United States Agency for International Development should support the development objectives of the Refugee Affected and Host Areas (RAHA) Initiative in Pakistan to address livelihoods, health, education, infrastructure development, and environmental restoration in identified parts of the country where Afghan refugees have lived; and

(C) the United States should have a coordinated, strategic communications strategy to engage the people of Pakistan and to help ensure the success of the measures authorized by this subchapter.

(d) Notification

For fiscal years 2010 through 2014, the President shall notify the appropriate congressional committees not later than 15 days before obligating any assistance under this section as budgetary support to the Government of Pakistan or any element of the Government of Pakistan and shall include in such notification a description of the purpose and conditions attached to any such budgetary support.

(Pub. L. 111–73, title I, §101, Oct. 15, 2009, 123 Stat. 2064.)

REFERENCES IN TEXT

The Foreign Assistance Act of 1961, referred to in subsec. (c)(5), is Pub. L. 87–195, Sept. 4, 1961, 75 Stat. 424, which is classified principally to chapter 32 (§2151 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2151 of this title and Tables.

§ 8412. Authorization of appropriations

(a) In general

There are authorized to be appropriated to the President, for the purposes of providing assistance to Pakistan under this subchapter and to provide assistance to Pakistan under the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.), up to \$1,500,000,000 for each of the fiscal years 2010 through 2014.

(b) Availability of funds

(1) In general

Of the amounts appropriated in each fiscal year pursuant to the authorization of appropriations in subsection (a)—

(A) none of the amounts appropriated for assistance to Pakistan may be made available after the date that is 60 days after October 15, 2009, unless the Pakistan Assistance Strategy Report has been submitted to the appropriate congressional committees pursuant to section 8441(a) of this title; and

(B) not more than \$750,000,000 may be made available for assistance to Pakistan unless the President’s Special Representative to Afghanistan and Pakistan submits to the appropriate congressional committees during such fiscal year—

(i) a certification that assistance provided to Pakistan under this subchapter or the Foreign Assistance Act of 1961 to date has made or is making reasonable progress toward achieving the principal objectives of United States assistance to Pakistan contained in the Pakistan Assistance Strategy Report; and