

**AMENDMENT TO H.R. 2410, AS REPORTED
OFFERED BY MRS. MALONEY OF NEW YORK**

At the end of subtitle A of title XI, add the following:

1 **SEC. 11 ____ . INTERNATIONAL WOMEN'S RIGHTS.**

2 (a) **REPORTS.—**

3 (1) **PORTIONS OF ANNUAL HUMAN RIGHTS RE-**
4 **PORTS.—**The Ambassador at Large shall assist the
5 Secretary of State in preparing those portions of the
6 Human Rights Reports that relate to women's rights
7 and freedom from discrimination based on gender
8 and those portions of other information provided to
9 the Congress under sections 116 and 502B of the
10 Foreign Assistance Act of 1961 (22 U.S.C.
11 2304(a)(1)) that relate to the right to freedom from
12 discrimination based on sex.

13 (2) **ANNUAL REPORT ON INTERNATIONAL**
14 **WOMEN'S RIGHTS.—**

15 (A) **DEADLINE FOR SUBMISSION.—**On
16 September 1 of each year or the first day there-
17 after on which the appropriate House of Con-
18 gress is in session, the Secretary of State, with
19 the assistance of the Ambassador at Large, and

1 taking into consideration the recommendations
2 of the Commission, shall prepare and transmit
3 to the Congress an Annual Report on Inter-
4 national Women's Rights supplementing the
5 most recent Human Rights Reports by pro-
6 viding additional detailed information with re-
7 spect to matters involving international wom-
8 en's rights. Each Annual Report shall contain
9 the following:

10 (i) STATUS OF WOMEN'S RIGHTS.—A
11 description of the status of women's rights
12 in each foreign country, including—

13 (I) trends toward improvement in
14 the respect and protection of women's
15 rights and trends toward deterioration
16 of such rights;

17 (II) violations of women's rights
18 engaged in or tolerated by the govern-
19 ment of that country; and

20 (III) particularly severe violations
21 of women's rights engaged in or toler-
22 ated by the government of that coun-
23 try.

24 (ii) VIOLATIONS OF WOMEN'S
25 RIGHTS.—An assessment and description

1 of the nature and extent of violations of
2 women's rights in each foreign country, in-
3 cluding gender-based discrimination by
4 governmental and nongovernmental enti-
5 ties, discrimination targeted at individuals
6 or particular groups of women, and the ex-
7 istence of government policies violating
8 women's rights.

9 (iii) UNITED STATES POLICIES.—A
10 description of United States actions and
11 policies in support of women's rights in
12 each foreign country engaging in or toler-
13 ating violations of women's rights, includ-
14 ing a description of the measures and poli-
15 cies implemented during the preceding 12
16 months by the United States under this
17 title and titles IV and V in opposition to
18 violations of women's rights and in support
19 of international women's rights.

20 (iv) INTERNATIONAL AGREEMENTS IN
21 EFFECT.—A description of any binding
22 agreement with a foreign government en-
23 tered into by the United States.

1 (v) TRAINING AND GUIDELINES OF
2 GOVERNMENT PERSONNEL.—A description
3 of—

4 (I) the training described in the
5 last sentence of section 708(a) of the
6 Foreign Service Act of 1980 and sec-
7 tions 208(f) and 240(f) of the Immi-
8 gration and Nationality Act on viola-
9 tions of women's rights that is pro-
10 vided to immigration judges and con-
11 sular, refugee, immigration, and asy-
12 lum officers; and

13 (II) the development and imple-
14 mentation of the guidelines described
15 in subsections (f)(3) and (g) of section
16 207 of the Immigration and Nation-
17 ality Act.

18 (vi) EXECUTIVE SUMMARY.—An exec-
19 utive summary to the annual report high-
20 lighting the status of women's rights in
21 certain foreign countries and including the
22 following:

23 (I) COUNTRIES IN WHICH THE
24 UNITED STATES IS ACTIVELY PRO-
25 MOTING WOMEN'S RIGHTS.—An iden-

1 tification of foreign countries in which
2 the United States is actively pro-
3 moting women's rights. This section
4 of the report shall include a descrip-
5 tion of actions taken by the United
6 States to promote the internationally
7 recognized human rights of women
8 and oppose violations of such rights
9 during the period covered by the An-
10 nual Report. Any country designated
11 as a country of particular concern for
12 women's rights shall be included in
13 this section of the report.

14 (II) COUNTRIES OF SIGNIFICANT
15 IMPROVEMENT IN WOMEN'S
16 RIGHTS.—An identification of foreign
17 countries the governments of which
18 have demonstrated significant im-
19 provement in the protection and pro-
20 motion of the internationally recog-
21 nized human rights of women during
22 the period covered by the Annual Re-
23 port. This section of the report shall
24 include a description of the nature of
25 the improvement and an analysis of

1 the factors contributing to such im-
2 provement, including actions taken by
3 the United States under this section.

4 (B) CLASSIFIED ADDENDUM.—If the Sec-
5 retary of State determines that it is in the na-
6 tional security interests of the United States or
7 is necessary for the safety of individuals to be
8 identified in the Annual Report or is necessary
9 to further the purposes of this section, any in-
10 formation required by subparagraph (A), in-
11 cluding measures or actions taken by the
12 United States, may be summarized in the An-
13 nual Report or the Executive Summary and
14 submitted in more detail in a classified adden-
15 dum to the Annual Report or the Executive
16 Summary.

17 (3) Preparation of Reports Regarding Viola-
18 tions of Women's Rights—

19 (A) STANDARDS AND INVESTIGATIONS.—
20 The Secretary of State shall ensure that United
21 States missions abroad maintain a consistent
22 reporting standard and thoroughly investigate
23 reports of violations of the internationally rec-
24 ognized human rights of women.

1 (B) CONTACTS WITH NONGOVERNMENTAL
2 ORGANIZATIONS.—In compiling data and as-
3 ssuming the respect of women’s rights for the
4 Human Rights Reports, the Annual Report,
5 and the Executive Summary, United States
6 mission personnel shall, as appropriate, seek
7 out and maintain contacts with women’s and
8 human rights nongovernmental organizations,
9 with the consent of those organizations, includ-
10 ing receiving reports and updates from such or-
11 ganizations and, when appropriate, inves-
12 tigating such reports.

13 (4) AMENDMENTS TO THE FOREIGN ASSIST-
14 ANCE ACT OF 1961.—

15 (A) CONTENT OF HUMAN RIGHTS REPORTS
16 FOR COUNTRIES RECEIVING ECONOMIC ASSIST-
17 ANCE.—Section 116(d) of the Foreign Assist-
18 ance Act of 1961 (22 U.S.C. 2151n(d)) is
19 amended—

20 (i) by striking “and” at the end of
21 paragraph (10);

22 (ii) by striking the period at the end
23 of paragraph (11) and inserting “; and”;
24 and

1 (iii) by adding at the end the fol-
2 lowing:

3 “(12) wherever applicable, violations of women’s
4 rights, including particularly severe violations of
5 women’s rights.”.

6 (B) CONTENTS OF HUMAN RIGHTS RE-
7 PORTS FOR COUNTRIES RECEIVING SECURITY
8 ASSISTANCE.—Section 502B(b) of the Foreign
9 Assistance Act of 1961 (22 U.S.C. 2304(b)) is
10 amended—

11 (i) in the first sentence, by inserting
12 “and the Ambassador at Large for Inter-
13 national Women’s Rights” after “Religious
14 Freedom”; and

15 (ii) in the fourth sentence by inserting
16 after “1998)” the following: “, and infor-
17 mation on violations of women’s rights, in-
18 cluding particularly severe violations of
19 women’s rights”.

20 (b) ESTABLISHMENT AND COMPOSITION OF COMMIS-
21 SION.—

22 (1) IN GENERAL.—There is established the
23 United States Commission on International Wom-
24 en’s Rights.

25 (2) MEMBERSHIP.—

1 (A) APPOINTMENT.—The Commission
2 shall be composed of—

3 (i) the Ambassador at Large, who
4 shall serve ex officio as a nonvoting mem-
5 ber of the Commission; and

6 (ii) nine other members, who shall be
7 United States citizens who are not being
8 paid as officers or employees of the United
9 States, and who shall be appointed as fol-
10 lows:

11 (I) Three members of the Com-
12 mission shall be appointed by the
13 President.

14 (II) Three members of the Com-
15 mission shall be appointed by the
16 President pro tempore of the Senate,
17 of which two of the members shall be
18 appointed upon the recommendation
19 of the leader in the Senate of the po-
20 litical party that is not the political
21 party of the President, and of which
22 one of the members shall be appointed
23 upon the recommendation of the lead-
24 er in the Senate of the other political
25 party.

1 (III) Three members of the Com-
2 mission shall be appointed by the
3 Speaker of the House of Representa-
4 tives, of which two of the members
5 shall be appointed upon the rec-
6 ommendation of the leader in the
7 House of the political party that is
8 not the political party of the Presi-
9 dent, and of which one of the mem-
10 bers shall be appointed upon the rec-
11 ommendation of the leader in the
12 House of the other political party.

13 (B) SELECTION.—

14 (i) IN GENERAL.—Members of the
15 Commission shall be selected from among
16 distinguished individuals noted for their
17 knowledge and experience in fields relevant
18 to the issue of international women's
19 rights, including foreign affairs, direct ex-
20 perience abroad, human rights, and inter-
21 national law.

22 (ii) SECURITY CLEARANCES.—Each
23 member of the Commission shall be re-
24 quired to obtain a security clearance.

1 (C) TIME OF APPOINTMENT.—The ap-
2 pointments required by subparagraph (A) shall
3 be made not later than 120 days after the date
4 of the enactment of this Act.

5 (3) TERMS.—The term of office of each mem-
6 ber of the Commission shall be 2 years, beginning on
7 the date of the initial appointment of all of the
8 members of the Commission. Members of the Com-
9 mission shall be eligible for reappointment.

10 (4) ELECTION OF CHAIRPERSON.—At the first
11 meeting of the Commission in each calendar year, a
12 majority of the members of the Commission present
13 and voting shall elect the Chairperson of the Com-
14 mission.

15 (5) QUORUM.—Six voting members of the Com-
16 mission shall constitute a quorum for purposes of
17 transacting business.

18 (6) MEETINGS.—Each year, within 15 days, or
19 as soon as practicable, after the issuance of the
20 Country Reports on Human Rights Practices, the
21 Commission shall convene. The Commission shall
22 otherwise meet at the call of the Chairperson or, if
23 no Chairperson has been elected for that calendar
24 year, at the call of six voting members of the Com-
25 mission.

1 (7) VACANCIES.—Any vacancy of the Commis-
2 sion shall not affect its powers, but shall be filled in
3 the manner in which the original appointment was
4 made.

5 (8) ADMINISTRATIVE SUPPORT.—The Adminis-
6 trator of General Services shall provide to the Com-
7 mission on a reimbursable basis (or, in the discretion
8 of the Administrator, on a nonreimbursable basis)
9 such administrative support services as the Commis-
10 sion may request to carry out the provisions of this
11 title.

12 (9) FUNDING.—Members of the Commission
13 shall be allowed travel expenses, including per diem
14 in lieu of subsistence, at rates authorized for em-
15 ployees of agencies under subchapter I of chapter 57
16 of title 5, United States Code, while away from their
17 homes or regular places of business in the perform-
18 ance of services for the Commission.

19 (c) DUTIES OF THE COMMISSION.—

20 (1) IN GENERAL.—The Commission shall have
21 as its primary responsibility—

22 (A) the annual and ongoing review of the
23 facts and circumstances of violations of wom-
24 en's rights presented in the Country Reports on
25 Human Rights Practices, the Annual Report,

1 and the Executive Summary, as well as infor-
2 mation from other sources as appropriate; and

3 (B) the making of policy recommendations
4 to the President, the Secretary of State, and
5 the Congress with respect to matters involving
6 international women's rights.

7 (2) POLICY REVIEW AND RECOMMENDATIONS
8 IN RESPONSE TO VIOLATIONS.—The Commission, in
9 evaluating United States Government policies in re-
10 sponse to violations of women's rights, shall consider
11 and recommend options for policies of the United
12 States Government with respect to each foreign
13 country the government of which has engaged in or
14 tolerated violations of women's rights, including par-
15 ticularly severe violations of women's rights. Such
16 options include diplomatic inquiry, diplomatic pro-
17 test, official public demarche, condemnation within
18 multilateral fora, delay or cancellation of cultural or
19 scientific exchanges, delay or cancellation of work-
20 ing, official, or state visits, reduction of certain as-
21 sistance funds, termination of certain assistance
22 funds, imposition of targeted trade sanctions, im-
23 position of broad trade sanctions, and withdrawal of
24 the chief of mission.

1 (3) POLICY REVIEW AND RECOMMENDATIONS
2 IN RESPONSE TO PROGRESS.—The Commission, in
3 evaluating the United States Government policies
4 with respect to countries found to be taking delib-
5 erate steps and making significant improvement with
6 respect to women's rights, shall consider and rec-
7 ommend policy options, including private commenda-
8 tion, diplomatic commendation, official public com-
9 mendation, commendation within multilateral fora,
10 an increase in cultural or scientific exchanges, or
11 both, termination or reduction of existing Presi-
12 dential actions, an increase in certain assistance
13 funds, and invitations for working, official, or state
14 visits.

15 (4) EFFECTS ON WOMEN.—Together with spe-
16 cific policy recommendations provided under para-
17 graphs (2) and (3), the Commission shall also indi-
18 cate its evaluation of the potential effects of those
19 policies, if implemented, on women in the country in
20 question.

21 (5) MONITORING.—The Commission shall, on
22 an ongoing basis, monitor facts and circumstances of
23 violations of women's rights, in consultation with
24 independent human rights groups and nongovern-
25 mental organizations, including churches and other

1 religious communities, and make such recommenda-
2 tions as may be necessary to the appropriate offi-
3 cials and offices of the United States Government.

4 (d) POWERS OF THE COMMISSION.—

5 (1) HEARINGS AND SESSIONS.—The Commis-
6 sion may, for the purpose of carrying out its duties
7 under this title, hold hearings, sit and act at times
8 and places in the United States, take testimony, and
9 receive evidence as the Commission considers advis-
10 able to carry out the purposes of this title.

11 (2) INFORMATION FROM FEDERAL AGENCIES.—
12 The Commission may secure directly from any Fed-
13 eral department or agency such information as the
14 Commission considers necessary to carry out the
15 provisions of this section. Upon request of the Chair-
16 person of the Commission, the head of such depart-
17 ment or agency shall furnish such information to the
18 Commission, subject to applicable law.

19 (3) POSTAL SERVICES.—The Commission may
20 use the United States mails in the same manner and
21 under the same conditions as other departments and
22 agencies of the Federal Government.

23 (4) ADMINISTRATIVE PROCEDURES.—The Com-
24 mission may adopt such regulations relating to ad-

1 ministrative procedure as may be reasonably nec-
2 essary to enable it to carry out this title.

3 (5) VIEWS OF THE COMMISSION.—The Mem-
4 bers of the Commission may speak in their capacity
5 as private citizens. Statements on behalf of the Com-
6 mission shall be issued in writing over the names of
7 the Members. The Commission shall in its written
8 statements clearly describe its statutory authority,
9 distinguishing that authority from that of appointed
10 or elected officials of the United States Government.
11 Oral statements, if practicable, shall include a simi-
12 lar description.

13 (6) TRAVEL.—The Members of the Commission
14 may, with the approval of the Commission, conduct
15 such travel as is necessary to carry out the purposes
16 of this title. Each trip must be approved by a major-
17 ity of the Commission. This paragraph shall not
18 apply to the Ambassador at Large, whose travel
19 shall not require approval by the Commission.

20 (e) COMMISSION PERSONNEL MATTERS.—

21 (1) IN GENERAL.—The Commission may, with-
22 out regard to the civil service laws and regulations,
23 appoint and terminate an Executive Director and
24 such other additional personnel as may be necessary
25 to enable the Commission to perform its duties. The

1 decision to employ or terminate an Executive Direc-
2 tor shall be made by an affirmative vote of at least
3 6 of the 9 members of the Commission.

4 (2) COMPENSATION.—The Commission may fix
5 the compensation of the Executive Director and
6 other personnel without regard to the provisions of
7 chapter 51 and subchapter III of chapter 53 of title
8 5, United States Code, relating to classification of
9 positions and General Schedule pay rates, except
10 that the rate of pay for the Executive Director and
11 other personnel may not exceed the rate payable for
12 level V of the Executive Schedule under section 5316
13 of such title.

14 (3) PROFESSIONAL STAFF.—The Commission
15 and the Executive Director shall hire Commission
16 staff on the basis of professional and nonpartisan
17 qualifications. Commissioners may not individually
18 hire staff of the Commission. Staff shall serve the
19 Commission as a whole and may not be assigned to
20 the particular service of a single Commissioner or a
21 specified group of Commissioners. This paragraph
22 does not prohibit staff personnel from assisting indi-
23 vidual members of the Commission with particular
24 needs related to their duties.

1 (4) STAFF AND SERVICES OF OTHER FEDERAL
2 AGENCIES.—

3 (A) DEPARTMENT OF STATE.—The Sec-
4 retary of State shall assist the Commission by
5 providing on a reimbursable or nonreimbursable
6 basis to the Commission such staff and admin-
7 istrative services as may be necessary and ap-
8 propriate to perform its functions.

9 (B) OTHER FEDERAL AGENCIES.—Upon
10 the request of the Commission, the head of any
11 Federal department or agency may detail, on a
12 reimbursable or nonreimbursable basis, any of
13 the personnel of that department or agency to
14 the Commission to assist it in carrying out its
15 functions under this title. The detail of any
16 such personnel shall be without interruption or
17 loss of civil service or Foreign Service status or
18 privilege.

19 (5) SECURITY CLEARANCES.—The Executive
20 Director shall be required to obtain a security clear-
21 ance. The Executive Director may request, on a
22 needs-only basis and in order to perform the duties
23 of the Commission, that other personnel of the Com-
24 mission be required to obtain a security clearance.
25 The level of clearance shall be the lowest necessary

1 to appropriately perform the duties of the Commis-
2 sion.

3 (6) COST.—The Commission shall reimburse all
4 appropriate Government agencies for the cost of ob-
5 taining clearances for members of the Commission,
6 for the Executive Director, and for any other per-
7 sonnel.

8 (f) REPORTS OF THE COMMISSION.—

9 (1) IN GENERAL.—Not later than May 1 of
10 each year, the Commission shall submit a report to
11 the President, the Secretary of State, and the Con-
12 gress setting forth its recommendations for United
13 States policy options based on its evaluations under
14 subsection (c).

15 (2) CLASSIFIED FORM OF REPORT.—The report
16 may be submitted in classified form, together with a
17 public summary of recommendations, if the classi-
18 fication of information in the report would further
19 the purposes of this section.

20 (3) INDIVIDUAL OR DISSENTING VIEWS.—Each
21 member of the Commission may include the indi-
22 vidual or dissenting views of the member.

23 (4) FINANCIAL REPORT.—The Commission
24 shall, not later than January 1 of each year, submit
25 to the Committee on International Relations and the

1 Committee on Appropriations of the House of Rep-
2 resentatives, and to the Committee on Foreign Rela-
3 tions and the Committee on Appropriations of the
4 Senate, a report detailing and identifying the ex-
5 penditures of the Commission in the preceding fiscal
6 year.

7 (g) SPECIAL ADVISOR ON INTERNATIONAL WOMEN'S
8 RIGHTS.—Section 101 of the National Security Act of
9 1947 (50 U.S.C. 402) is amended by adding at the end
10 the following new subsection:

11 “(l) It is the sense of Congress that there should be
12 within the staff of the National Security Council a Special
13 Adviser to the President on International Women's
14 Rights, whose position should be comparable to that of
15 a director within the Executive Office of the President.
16 The Special Adviser should serve as a resource for execu-
17 tive branch officials, compiling and maintaining informa-
18 tion on the facts and circumstances of violations of wom-
19 en's rights, and making policy recommendations. The Spe-
20 cial Adviser should serve as liaison with the Ambassador
21 at Large for International Women's Rights, the United
22 States Commission on International Women's Rights, the
23 Congress, and, as advisable, women's nongovernmental or-
24 ganizations.”.

