

STATE SPONSORS OF TERRORISM REVIEW ENHANCEMENT ACT;  
NORTH KOREA STATE SPONSOR OF TERRORISM DESIGNA-  
TION ACT OF 2016; AND WOMEN, PEACE, AND SECURITY  
ACT OF 2016

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MARKUP  
BEFORE THE  
COMMITTEE ON FOREIGN AFFAIRS  
HOUSE OF REPRESENTATIVES  
ONE HUNDRED FOURTEENTH CONGRESS

SECOND SESSION

ON

**H.R. 5484, H.R. 5208 and H.R. 5332**

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JUNE 16, 2016

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**STATE SPONSORS OF TERRORISM REVIEW ENHANCEMENT  
ACT; NORTH KOREA STATE SPONSOR OF TERRORISM DES-  
IGNATION ACT OF 2016; AND WOMEN, PEACE, AND SECU-  
RITY ACT OF 2016**

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**THURSDAY, JUNE 16, 2016**

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON FOREIGN AFFAIRS,  
*Washington, DC.*

The committee met, pursuant to notice, at 10:50 a.m., in room 2172, Rayburn House Office Building, Hon. Edward Royce (chairman of the committee) presiding.

Chairman ROYCE. This committee will come to order. Pursuant to notice, we meet today to mark up three measures.

Without objection, all members may have 5 days to submit statements or extraneous material on today's business for the record.

As members were notified yesterday, we intend to consider today's measures en bloc.

So, without objection, the following items previously provided to members will be considered en bloc and are considered as read: H.R. 5484, the State Sponsors of Terrorism Review Enhancement Act; H.R. 5208, the North Korea State Sponsor of Terrorism Designation Act of 2016, with Poe amendment 279 in the nature of a substitute to H.R. 5208; and H.R. 5332, the Women, Peace, and Security Act of 2016, with the Royce amendment 123 in the nature of a substitute to H.R. 5332 and the Keating amendment 72 to the Royce amendment.

[The information referred to follows:]

.....  
(Original Signature of Member)

114TH CONGRESS  
1ST SESSION

**H. R. 5484**

To modify authorities that provide for rescission of determinations of countries as state sponsors of terrorism, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

Mr. Yoho introduced the following bill; which was referred to the Committee  
on \_\_\_\_\_

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**A BILL**

To modify authorities that provide for rescission of determinations of countries as state sponsors of terrorism, 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 “State Sponsors of Ter-  
5 rorism Review Enhancement Act”.

1 **SEC. 2. MODIFICATIONS OF AUTHORITIES THAT PROVIDE**  
2 **FOR RESCISSION OF DETERMINATIONS OF**  
3 **COUNTRIES AS STATE SPONSORS OF TER-**  
4 **RORISM.**

5 (a) FOREIGN ASSISTANCE ACT OF 1961.—Section  
6 620A of the Foreign Assistance Act of 1961 (22 U.S.C.  
7 2371) is amended—

8 (1) in subsection (c)(2)—

9 (A) in the matter preceding subparagraph  
10 (A), by striking “45 days” and inserting “90  
11 days”; and

12 (B) in subparagraph (A), by striking “6-  
13 month period” and inserting “24-month pe-  
14 riod”;

15 (2) by redesignating subsection (d) as sub-  
16 section (e);

17 (3) by inserting after subsection (e) the fol-  
18 lowing:

19 “(d) DISAPPROVAL OF RESCISSION.—No rescission  
20 under subsection (c)(2) of a determination under sub-  
21 section (a) with respect to the government of a country  
22 may be made if the Congress, within 90 days after receipt  
23 of a report under subsection (c)(2), enacts a joint resolu-  
24 tion described in subsection (f)(2) of section 40 of the  
25 Arms Export Control Act with respect to a rescission  
26 under subsection (f)(1) of such section of a determination

1 under subsection (d) of such section with respect to the  
2 government of such country.”;

3 (4) in subsection (e) (as redesignated), in the  
4 matter preceding paragraph (1), by striking “may  
5 be” and inserting “may, on a case-by-case basis,  
6 be”; and

7 (5) by adding at the end the following new sub-  
8 section:

9 “(f) NOTIFICATION AND BRIEFING.—Not later  
10 than—

11 “(1) ten days after initiating a review of the ac-  
12 tivities of the government of the country concerned  
13 within the 24-month period referred to in subsection  
14 (c)(2)(A), the President, acting through the Sec-  
15 retary of State, shall notify the Committee on For-  
16 eign Affairs of the House of Representatives and the  
17 Committee on Foreign Relations of the Senate of  
18 such initiation; and

19 “(2) 20 days after the notification described in  
20 paragraph (1), the President, acting through the  
21 Secretary of State, shall brief such committees on  
22 the status of such review.”.

23 (b) ARMS EXPORT CONTROL ACT.—Section 40 of the  
24 Arms Export Control Act (22 U.S.C. 2780) is amended—

25 (1) in subsection (f)—



- 1 (A) in paragraph (1)(B)—  
2 (i) in the matter preceding clause (i),  
3 by striking “45 days” and inserting “90  
4 days”; and  
5 (ii) in clause (i), by striking “6-month  
6 period” and inserting “24-month period”;  
7 and  
8 (B) in paragraph (2)—  
9 (i) in subparagraph (A), by striking  
10 “45 days” and inserting “90 days”; and  
11 (ii) in subparagraph (B), by striking  
12 “45-day period” and inserting “90-day pe-  
13 riod”;  
14 (2) in subsection (g), in the matter preceding  
15 paragraph (1), by striking “may waive” and insert-  
16 ing “may, on a case-by-case basis, waive”;  
17 (3) by redesignating subsection (l) as subsection  
18 (m); and  
19 (4) by inserting after subsection (k) the fol-  
20 lowing new subsection:  
21 “(l) NOTIFICATION AND BRIEFING.—Not later  
22 than—  
23 “(1) ten days after initiating a review of the ac-  
24 tivities of the government of the country concerned  
25 within the 24-month period referred to in subsection

(f)(1)(B)(i), the President, acting through the Secretary of State, shall notify the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate of such initiation; and

“(2) 20 days after the notification described in paragraph (1), the President, acting through the Secretary of State, shall brief such committees on the status of such review.”.

(c) EXPORT ADMINISTRATION ACT OF 1979.—

(1) IN GENERAL.—Section 6(j) of the Export Administration Act of 1979 (50 U.S.C. App. 2405(j)), as continued in effect under the International Emergency Economic Powers Act, is amended—

(A) in paragraph (4)(B)—

(i) in the matter preceding clause (i), by striking “45 days” and inserting “90 days”; and

(ii) in clause (i), by striking “6-month period” and inserting “24-month period”;

(B) by redesignating paragraphs (6) and (7) as paragraphs (7) and (8), respectively; and

(C) by inserting after paragraph (4) the following new paragraphs:

1       “(5) DISAPPROVAL OF RESCISSION.—No rescission  
2 under paragraph (4)(B) of a determination under para-  
3 graph (1)(A) with respect to the government of a country  
4 may be made if the Congress, within 90 days after receipt  
5 of a report under paragraph (4)(B), enacts a joint resolu-  
6 tion described in subsection (f)(2) of section 40 of the  
7 Arms Export Control Act with respect to a rescission  
8 under subsection (f)(1) of such section of a determination  
9 under subsection (d) of such section with respect to the  
10 government of such country.

11       “(6) NOTIFICATION AND BRIEFING.—Not later  
12 than—

13               “(A) ten days after initiating a review of the  
14 activities of the government of the country concerned  
15 within the 24-month period referred to in paragraph  
16 (4)(B)(i), the President, acting through the Sec-  
17 retary and the Secretary of State, shall notify the  
18 Committee on Foreign Affairs of the House of Rep-  
19 resentatives and the Committee on Foreign Rela-  
20 tions of the Senate of such initiation; and

21               “(B) 20 days after the notification described in  
22 paragraph (1), the President, acting through the  
23 Secretary and the Secretary of State, shall brief  
24 such committees on the status of such review.”.

1           (2) REGULATIONS.—The President shall amend  
2       the Export Administration Regulations under sub-  
3       chapter C of chapter VII of title 15, Code of Federal  
4       Regulations, to the extent necessary and appropriate  
5       carry out the amendment made by paragraph (1).

114TH CONGRESS  
2D SESSION

# H. R. 5208

To require a report on the designation of the Democratic People's Republic of Korea as a state sponsor of terrorism, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 12, 2016

Mr. POE of Texas (for himself and Mr. SHERMAN) introduced the following bill; which was referred to the Committee on Foreign Affairs

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## A BILL

To require a report on the designation of the Democratic People's Republic of Korea as a state sponsor of terrorism, 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 “North Korea State  
5 Sponsor of Terrorism Designation Act of 2016”.

### 6 SEC. 2. REPORT ON DESIGNATION OF NORTH KOREA AS A 7 STATE SPONSOR OF TERRORISM.

8 (a) FINDINGS.—Congress finds the following:

9 (1) The Government of North Korea has har-  
10 bored members of the Japanese Red Army since a

1 1970 hijacking and continues to harbor the sur-  
2 viving hijackers to this day.

3 (2) North Korea bombed Korean Airlines Flight  
4 858 in November 1987, killing 115 people, and ear-  
5 ried out the Rangoon bombing of 1983, killing 21  
6 people, including 13 senior South Korean officials  
7 and two members of the Presidential Guard.

8 (3) In 2005, a North Korean agent, Ryu  
9 Young-Hwa, was convicted in a South Korean court  
10 and sentenced to 10 years in prison for his involve-  
11 ment in the kidnapping of the Reverend Kim Dong-  
12 shik, a lawful permanent resident of the United  
13 States, in 2000. In 2005, then-Senator Barack  
14 Obama was among 20 members of the Illinois con-  
15 gressional delegation stating that they would not  
16 support the removal of North Korea from the list of  
17 state sponsors of terrorism until it provided a full  
18 accounting of Rev. Kim's fate.

19 (4) Of the three states currently on the list of  
20 State Sponsors of Terrorism, both Iran and Syria  
21 are designated as State Sponsors of Terrorism for  
22 their support of Hamas and Hezbollah. The Depart-  
23 ment of State's 2005, 2007, 2010, 2012, and 2013  
24 "Country Reports" all cited Iran and Syria for sup-  
25 plying weapons to Hezbollah through Syrian terri-

1 tory, and most of them also cited Iran's training of  
2 Hezbollah.

3 (5) In October 2008, a South Korean court  
4 convicted Won Jeong-hwa, a North Korean agent,  
5 for attempting to assassinate a South Korean mili-  
6 tary officer in Hong Kong, and sentenced her to 5  
7 years in prison.

8 (6) In December 2009, a North Korean arms  
9 shipment aboard an Ilyushin Il-76 cargo plane was  
10 discovered and seized by authorities of the Govern-  
11 ment of Thailand. The cargo, which was marked as  
12 consisting of oil-drilling equipment, contained 35  
13 tons of rockets, surface-to-air missiles (MANPADS),  
14 explosives, rocket-propelled grenades, and other  
15 weaponry. A similar shipment was impounded in the  
16 United Arab Emirates a few months earlier in July  
17 2009. A third shipment was intercepted by the  
18 Israeli government in the Eastern Mediterranean in  
19 November 2009. According to published media re-  
20 ports, United States and Israeli intelligence agencies  
21 concluded that the shipments were destined for Ira-  
22 nian-backed terrorists, including Hezbollah, Hamas,  
23 and the Quds Force. Another large quantity of ship-  
24 ments to both Hamas and Hezbollah, is believed to  
25 have been transferred unnoticed.

1           (7) In June of 2010, Major Kim Myong-ho and  
2           Major Dong Myong-gwan of North Korea's Recon-  
3           naissance General Bureau pled guilty in a South Ko-  
4           rean court to attempting to assassinate Hwang  
5           Jang-yop, a North Korean dissident in exile, on the  
6           orders of Lieutenant General Kim Yong-chol, the  
7           head of North Korea's Reconnaissance General Bu-  
8           reau. The court sentenced each defendant to 10  
9           years in prison.

10          (8) On July 16, 2010, in the case of Calderon-  
11          Cardona v. Democratic People's Republic of Korea  
12          (case number 08-01367), the United States District  
13          Court for the District of Puerto Rico found that the  
14          Government of North Korea provided material sup-  
15          port to the Japanese Red Army, designated as a  
16          Foreign Terrorist Organization between 1997 and  
17          2001, in furtherance of a 1972 terrorist attack at  
18          Lod Airport, Israel that killed 26 people, including  
19          17 Americans.

20          (9) On November 23, 2010, North Korea  
21          shelled South Korea's Yeonpyeong Island with at  
22          least 50 artillery shells, killing 4, including two civil-  
23          ians, and injuring 22 others.

24          (10) In November 2012, a South Korean court  
25          sentenced An Ilak-young, a North Korean agent, to



1       4 years in prison for attempting to assassinate Park  
2       Sang-hak, a North Korean dissident in exile.

3           (11) In December 2012, according to South  
4       Korean press reports, South Korean prosecutors de-  
5       termined that North Korean agents assassinated  
6       Kim Chang-hwan, a human rights activist helping  
7       North Korean refugees, in Dandong, China in Au-  
8       gust 2011, using a poisoned needle.

9           (12) According to a report in the Los Angeles  
10      Times, a North Korean agent was suspected in an  
11      attempt to assassinate another human rights activist  
12      with a poisoned needle in Yanji, China, the following  
13      day.

14          (13) North Korea has committed violent acts  
15      directly against its own citizens abroad. In 2013,  
16      news reports highlighted an attempt to kidnap a  
17      North Korean student in Paris.

18          (14) On April 18, 2013, Michael Flynn, the Di-  
19      rector of the Defense Intelligence Agency testified  
20      that Syria's liquid-propellant missile program de-  
21      pends on essential foreign equipment and assistance,  
22      primarily from North Korean entities. Further state-  
23      ments by United States Government officials report  
24      that North Korea helped Syria build the Al Kibar  
25      nuclear reactor, which Israel destroyed in 2007, and

1       could have been used to produce plutonium for nu-  
2       clear weapons.

3           (15) In the case of Chaim Kaplan v. Hezbollah  
4       (case number 09-646), a United States district  
5       court found in 2014 that North Korea materially  
6       supported terrorist attacks by Hezbollah, a des-  
7       ignated Foreign Terrorist Organization, against  
8       Israel in 2006.

9           (16) In July 2014, press reports indicated that  
10      militants from Hamas, a designated Foreign Ter-  
11      rorist Organization, attempted to negotiate a new  
12      arms deal with North Korea for missiles and com-  
13      munications equipment that would have allowed the  
14      militants to maintain their armed terrorist attacks  
15      against Israel. Security officials announced that the  
16      deal between Hamas and North Korea was worth  
17      hundreds of thousands of dollars and was handled  
18      by a Lebanese-based trading company.

19          (17) On November 24, 2014, a hacker group  
20      that identified itself as the “Guardians of Peace”  
21      leaked confidential data from the film studio Sony  
22      Pictures Entertainment. The data included personal  
23      information about Sony Pictures employees, e-mails  
24      between employees, information about executive sala-

1       ries at the company, copies of then-unreleased Sony  
2       films, and other information.

3           (18) On December 16, 2015, the “Guardians of  
4       Peace” sent a message to Sony Pictures, to “clearly  
5       show it to you at the very time and places ‘The  
6       Interview’ be shown . . . how bitter fate those who  
7       seek fun in terror should be doomed to”. The mes-  
8       sage further stated, “The world will be full of fear”,  
9       “[. . .] Remember the 11th of September 2001”,  
10       and “We recommend you to keep yourself distant  
11       from the places at that time.”. The threat caused  
12       theaters across the United States to cancel showings  
13       of “The Interview” and caused Sony Pictures to  
14       cancel the release of the film in theaters.

15           (19) On December 19, 2015, the Federal Bu-  
16       reau of Investigation concluded that North Korea  
17       was responsible for the cyber attack on Sony Pic-  
18       tures Entertainment and the threat against the  
19       movie theaters, and that the “Guardians of Peace”  
20       was a unit of North Korea’s Reconnaissance General  
21       Bureau, its foreign intelligence service.

22           (20) In March 2015, the South Korean govern-  
23       ment publicly accused North Korea of responsibility  
24       for a December 2014 cyber attack against multiple  
25       nuclear power plants in South Korea, stated that the

1 attacks were intended to cause a malfunction at the  
2 plants' reactors, and described the attacks as acts of  
3 "cyber-terror targeting our country".

4 (21) On April 13, 2015, the U.S. District Court  
5 for the District of Columbia, in the matter of Kim  
6 v. Democratic People's Republic of Korea (case  
7 number 13-7147), awarded Rev. Kim's family  
8 \$330,000,000 in compensatory and punitive dam-  
9 ages against the Government of North Korea for the  
10 kidnapping, torture, and murder of Rev. Kim.

11 (22) On May 17, 2015, prosecutors in Seoul  
12 announced the arrest and indictment of three South  
13 Koreans for conspiring to murder Hwang Jang-yop  
14 and other North Korean dissidents in exile, at the  
15 behest of the Government of North Korea.

16 (23) On October 22, 2015, Ambassador Sung  
17 Kim, Special Representative for North Korea Policy  
18 with the U.S. Department of State, testified before  
19 the House Foreign Affairs Subcommittee on Ter-  
20 rorism, Nonproliferation, and Trade that North Ko-  
21 rea's "conduct poses a growing threat to the United  
22 States, our friends in the region, and the global non-  
23 proliferation regime" and Ms. Hilary Batjer John-  
24 son, Deputy Coordinator for Homeland Security,  
25 Screening, and Designations with the U.S. Depart-

1       ment of State noted that “weapons transfers that  
2       violate nonproliferation or missile control regimes  
3       could be a relevant factor for consideration, depend-  
4       ing on the circumstances, consistent with the statu-  
5       tory criteria for designation as a state sponsor of  
6       terrorism”.

7               (24) North Korea was designated a State Spon-  
8       sor of Terrorism on January 20, 1988, for repeat-  
9       edly providing support of acts of international ter-  
10      rorism.

11             (25) However, on October 11, 2008, North Ko-  
12      rea’s designation as a State Sponsor of Terrorism  
13      was rescinded, following commitments by the Gov-  
14      ernment of North Korea to completely, verifiably,  
15      and irreversibly dismantle its nuclear weapons pro-  
16      gram.

17             (26) Consequences of a State Sponsors of Ter-  
18      rorism designation include a ban on arms-related ex-  
19      ports and sales; restrictions on exports of dual-use  
20      items; restrictions on foreign assistance; financial  
21      sanctions against transactions with the designated  
22      government; imposition of miscellaneous trade and  
23      other restrictions; and potential liability in United  
24      States courts for acts that fall within the terrorism  
25      exception of the Foreign Sovereign Immunities Act.

1 The Criminal Code also prohibits financial trans-  
2 actions by United States persons with the govern-  
3 ments of State Sponsors of Terrorism listed states.  
4 Issuers of securities must disclose in their public fil-  
5 ings any investments in states whose governments  
6 sponsor terrorism. Finally, a designation requires  
7 United States representatives to oppose any benefits  
8 or extensions of credit to the listed states by inter-  
9 national financial institutions.

10 (b) SENSE OF CONGRESS.—It is the sense of the  
11 Congress that North Korea meets the criteria for designa-  
12 tion as a state sponsor of terrorism and should be so des-  
13 ignated.

14 (c) REPORT; DETERMINATION OR JUSTIFICATION.—

15 (1) IN GENERAL.—Not later than 90 days after  
16 the date of the enactment of this Act, the President  
17 shall submit to the appropriate congressional com-  
18 mittees a report that finds, with respect to each of  
19 the acts described in paragraphs (1) to (23) of sub-  
20 section (a), whether—

21 (A) the Government of North Korea, in-  
22 cluding any agents or instrumentalities of the  
23 Government of North Korea, directly or indi-  
24 rectly, committed, conspired to commit, at-  
25 tempted, aided, or abetted such act; and

1 (B) such act constitutes support for inter-  
2 national terrorism.

3 (2) DETERMINATION OR JUSTIFICATION.—If  
4 the Secretary finds that the Government of North  
5 Korea, including any agents or instrumentalities of  
6 the Government of North Korea, directly or indi-  
7 rectly, committed, conspired to commit, attempted,  
8 aided, or abetted any of the acts described in para-  
9 graphs (1) to (22) of subsection (a), and that any  
10 such act constitutes support for international ter-  
11 rorism, the Secretary of State shall also submit to  
12 the appropriate congressional committees—

13 (A) a determination that North Korea is a  
14 state sponsor of terrorism; or

15 (B) a detailed justification as to why the  
16 conduct described in the report required under  
17 paragraph (1) does not meet the legal criteria  
18 for such a determination.

19 (3) INCLUSION.—The report required by para-  
20 graph (1) shall also be included in the first annual  
21 report required to be submitted under section 140 of  
22 the Foreign Relations Authorization Act, Fiscal  
23 Years 1988 and 1989 (22 U.S.C. 2656f) on or after  
24 the date of the enactment of this Act.

1 (d) FORM.—The report required by subsection (c)(1)  
2 shall be submitted in unclassified form, but may include  
3 a classified annex, if appropriate.

4 **SEC. 3. DEFINITIONS.**

5 In this Act:

6 (1) APPROPRIATE CONGRESSIONAL COMMIT-  
7 TEES.—The term “appropriate congressional com-  
8 mittees” means—

9 (A) the Committee on Foreign Relations of  
10 the Senate; and

11 (B) the Committee on Foreign Affairs of  
12 the House of Representatives.

13 (2) NORTH KOREA.—The term “North Korea”  
14 means the Democratic People’s Republic of Korea.

15 (3) STATE SPONSOR OF TERRORISM.—The term  
16 “state sponsor of terrorism” means a country the  
17 government of which the Secretary of State has de-  
18 termined, for purposes of section 6(j) of the Export  
19 Administration Act of 1979 (50 U.S.C. 4605(j)) (as  
20 in effect pursuant to the International Emergency  
21 Economic Powers Act), section 620A of the Foreign  
22 Assistance Act of 1961 (22 U.S.C. 2371), section 40  
23 of the Arms Export Control Act (22 U.S.C. 2780),  
24 or any other provision of law, is a government that



21

13

1 has repeatedly provided support for acts of inter-  
2 national terrorism.

○

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 5208  
OFFERED BY MR. POE OF TEXAS**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “North Korea State  
3 Sponsor of Terrorism Designation Act of 2016”.

**4 SEC. 2. REPORT ON DESIGNATION OF GOVERNMENT OF  
5 NORTH KOREA AS A STATE SPONSOR OF TER-  
6 RORISM.**

7 (a) FINDINGS.—Congress finds the following:

8 (1) The Government of North Korea was des-  
9 ignated a state sponsor of terrorism on January 20,  
10 1988, for repeatedly providing support of acts of  
11 international terrorism.

12 (2) However, on October 11, 2008, North Ko-  
13 rea’s designation as a state sponsor of terrorism was  
14 rescinded, following commitments by the Govern-  
15 ment of North Korea to completely, verifiably, and  
16 irreversibly dismantle its nuclear weapons program,  
17 yet North Korea has failed to live up to these com-  
18 mitments and is continuing to produce ever greater

1 quantities of fissile material for nuclear weapons and  
2 periodically conduct testing of nuclear explosive de-  
3 vices.

4 (3) Consequences of a state sponsors of ter-  
5 rorism designation include a ban on arms-related ex-  
6 ports and sales; restrictions on exports of dual-use  
7 items; restrictions on foreign assistance; financial  
8 sanctions against transactions with the designated  
9 government; imposition of miscellaneous trade and  
10 other restrictions; and potential liability in United  
11 States courts for acts that fall within the terrorism  
12 exception of the Foreign Sovereign Immunities Act.  
13 The criminal code also prohibits financial trans-  
14 actions by United States persons with any govern-  
15 ment designated as a state sponsor of terrorism.  
16 Issuers of securities must disclose in their public fil-  
17 ings any investments in states whose governments  
18 sponsor terrorism. Finally, a designation requires  
19 United States representatives to oppose any benefits  
20 or extensions of credit to any designated government  
21 by international financial institutions.

22 (4) On October 22, 2015, Ambassador Sung  
23 Kim, Special Representative for North Korea Policy  
24 with the U.S. Department of State, testified before  
25 the House Foreign Affairs Subcommittee on Ter-

1       rorism, Nonproliferation, and Trade that North Ko-  
2       rea’s “conduct poses a growing threat to the United  
3       States, our friends in the region, and the global non-  
4       proliferation regime” and Ms. Hilary Batjer John-  
5       son, Deputy Coordinator for Homeland Security,  
6       Screening, and Designations with the U.S. Depart-  
7       ment of State noted that “weapons transfers that  
8       violate nonproliferation or missile control regimes  
9       could be a relevant factor for consideration, depend-  
10      ing on the circumstances, consistent with the statu-  
11      tory criteria for designation as a state sponsor of  
12      terrorism”.

13           (5) The Government of North Korea has har-  
14      bored members of the Japanese Red Army since a  
15      1970 hijacking and continues to harbor the sur-  
16      viving hijackers to this day.

17           (6) On July 16, 2010, in the case of *Calderon-*  
18      *Cardona v. Democratic People’s Republic of Korea*  
19      (case number 08–01367), the United States District  
20      Court for the District of Puerto Rico found that the  
21      Government of North Korea provided material sup-  
22      port to the Japanese Red Army, designated as a for-  
23      eign terrorist organization between 1997 and 2001,  
24      in furtherance of a 1972 terrorist attack at Lod Air-

1 port, Israel that killed 26 people, including 17  
2 Americans.

3 (7) On April 18, 2013, Michael Flynn, the Di-  
4 rector of the Defense Intelligence Agency testified  
5 that Syria's liquid-propellant missile program de-  
6 pends on essential foreign equipment and assistance,  
7 primarily from North Korean entities. Further state-  
8 ments by United States Government officials report  
9 that North Korea helped Syria build the Al Kibar  
10 nuclear reactor, which Israel reportedly destroyed in  
11 2007, and could have been used to produce pluto-  
12 nium for nuclear weapons.

13 (8) Of the three foreign governments currently  
14 designated as state sponsors of terrorism, the gov-  
15 ernments of Iran and Syria are designated as state  
16 sponsors of terrorism for their support of Hamas  
17 and Hezbollah. The Department of State's 2005,  
18 2007, 2010, 2012, and 2013 "Country Reports" all  
19 cited Iran and Syria for supplying weapons to  
20 Hezbollah through Syrian territory, and most of  
21 them also cited Iran's training of Hezbollah.

22 (9) In the case of *Chaim Kaplan v. Hezbollah*  
23 (case number 09-646), a United States district  
24 court found in 2014 that North Korea materially  
25 supported terrorist attacks by Hezbollah, a des-

1       ignated foreign terrorist organization, against Israel  
2       in 2006.

3           (10) In December 2009, a North Korean arms  
4       shipment aboard an Ilyushin Il-76 cargo plane was  
5       discovered and seized by authorities of the Govern-  
6       ment of Thailand. The cargo, which was marked as  
7       consisting of oil-drilling equipment, contained 35  
8       tons of rockets, surface-to-air missiles (MANPADS),  
9       explosives, rocket-propelled grenades, and other  
10      weaponry. A similar shipment was impounded in the  
11      United Arab Emirates a few months earlier in July  
12      2009. A third shipment was intercepted by the  
13      Israeli government in the Eastern Mediterranean in  
14      November 2009. According to published media re-  
15      ports, United States and Israeli intelligence agencies  
16      concluded that the shipments were destined for Ira-  
17      nian-backed terrorists, including Hezbollah, Hamas,  
18      and the Quds Force. Another large quantity of ship-  
19      ments to both Hamas and Hezbollah, is believed to  
20      have been transferred unnoticed.

21          (11) In June 2010, Major Kim Myong-ho and  
22      Major Dong Myong-gwan of North Korea's Recon-  
23      naissance General Bureau pled guilty in a South Ko-  
24      rean court to attempting to assassinate Hwang  
25      Jang-yop, a North Korean dissident in exile, on the

1 orders of Lieutenant General Kim Yong-chol, the  
2 head of North Korea's Reconnaissance General Bu-  
3 reau. The court sentenced each defendant to 10  
4 years in prison.

5 (12) In June of 2010, Major Kim Myong-ho  
6 and Major Dong Myong-gwan of North Korea's Re-  
7 connaissance General Bureau pled guilty in a South  
8 Korean court to attempting to assassinate Hwang  
9 Jang-yop, a North Korean dissident in exile, on the  
10 orders of Lieutenant General Kim Yong-chol, the  
11 head of North Korea's Reconnaissance General Bu-  
12 reau. The court sentenced each defendant to 10  
13 years in prison.

14 (13) In July 2014, press reports indicated that  
15 militants from Hamas, a designated foreign terrorist  
16 organization, attempted to negotiate a new arms  
17 deal with North Korea for missiles and communica-  
18 tions equipment that would have allowed the mili-  
19 tants to maintain their armed terrorist attacks  
20 against Israel. Security officials announced that the  
21 deal between Hamas and North Korea was worth  
22 hundreds of thousands of dollars and was handled  
23 by a Lebanese-based trading company.

24 (14) On November 24, 2014, a hacker group  
25 that identified itself as the "Guardians of Peace"

1 leaked confidential data from the film studio Sony  
2 Pictures Entertainment. The data included personal  
3 information about Sony Pictures employees, e-mails  
4 between employees, information about executive sala-  
5 ries at the company, copies of then-unreleased Sony  
6 films, and other information.

7 (15) On December 16, 2015, the “Guardians of  
8 Peace” sent a message to Sony Pictures, to “clearly  
9 show it to you at the very time and places ‘The  
10 Interview’ be shown . . . how bitter fate those who  
11 seek fun in terror should be doomed to”. The mes-  
12 sage further stated, “The world will be full of fear”,  
13 “[. . .] Remember the 11th of September 2001”,  
14 and “We recommend you to keep yourself distant  
15 from the places at that time.”. The threat caused  
16 theaters across the United States to cancel showings  
17 of “The Interview” and caused Sony Pictures to  
18 cancel the release of the film in theaters.

19 (16) On December 19, 2015, the Federal Bu-  
20 reau of Investigation concluded that North Korea  
21 was responsible for the cyber attack on Sony Pic-  
22 tures Entertainment and the threat against the  
23 movie theaters, and that the “Guardians of Peace”  
24 was a unit of North Korea’s Reconnaissance General  
25 Bureau, its foreign intelligence service.



1           (17) In March 2015, the South Korean govern-  
2           ment publicly accused North Korea of responsibility  
3           for a December 2014 cyber attack against multiple  
4           nuclear power plants in South Korea, stated that the  
5           attacks were intended to cause a malfunction at the  
6           plants' reactors, and described the attacks as acts of  
7           “cyber-terror targeting our country”.

8           (b) SENSE OF CONGRESS.—It is the sense of the  
9           Congress that the Government of North Korea likely  
10          meets the criteria for designation as a state sponsor of  
11          terrorism and, if so, should be so designated. North Korea  
12          has failed to live up to its 2008 commitments to verifiably  
13          dismantle its nuclear weapons program and appears to  
14          have continued to support acts of international terrorism  
15          after its removal from the list of state sponsors of ter-  
16          rorism in October 2008.

17          (c) REPORT; DETERMINATION OR JUSTIFICATION.—

18               (1) IN GENERAL.—Not later than 90 days after  
19          the date of the enactment of this Act, the Secretary  
20          of State shall submit to the appropriate congres-  
21          sional committees a report that finds whether—

22                       (A)(i) with respect to each of the acts de-  
23                       scribed in paragraphs (5) through (16) or sub-  
24                       section (a), the Government of North Korea, in-  
25                       cluding any agents or instrumentalities of the

1 Government of North Korea, directly or indi-  
2 rectly, committed, conspired to commit, at-  
3 tempted, aided, or abetted such act; and

4 (ii) since October 2008, the Government of  
5 North Korea, including any agents or instru-  
6 mentalities of the Government of North Korea,  
7 directly or indirectly, committed, conspired to  
8 commit, attempted, aided, or abetted any other  
9 act of international terrorism, including  
10 through—

11 (I) support for any organization des-  
12 ignated as a foreign terrorist organization,  
13 any entity designated pursuant to Execu-  
14 tive Order 13224, or any entity that other-  
15 wise supports acts of international ter-  
16 rorism;

17 (II) direct sponsorship of acts of  
18 international terrorism; or

19 (III) the provision of armaments or  
20 other controlled goods, services, or tech-  
21 nology to any country the government of  
22 which is designated as a state sponsor of  
23 terrorism; and

24 (B) such act constitutes support for inter-  
25 national terrorism.

1           (2) DETERMINATION OR JUSTIFICATION.—If  
2     the Secretary of State finds that the Government of  
3     North Korea, including any agents or instrumental-  
4     ities of the Government of North Korea, directly or  
5     indirectly, committed, conspired to commit, at-  
6     tempted, aided, or abetted any act described in  
7     clause (i) or (ii) of paragraph (1)(A) and such act  
8     constitutes support for international terrorism under  
9     paragraph (1)(B), the Secretary shall make a deter-  
10    mination of whether, based on the information in the  
11    report and all other relevant sources, the Govern-  
12    ment of North Korea meets the criteria for designa-  
13    tion as a state sponsor of terrorism, and in the  
14    event the Secretary does not decide to designate the  
15    Government of North Korea a state sponsor of ter-  
16    rorism, the Secretary shall provide a detailed jus-  
17    tification for why the Government of North Korea  
18    should not be designated a state sponsor of ter-  
19    rorism.

20       (d) FORM.—The report required by subsection (c)(1)  
21    shall be submitted in unclassified form, but may include  
22    a classified annex, if appropriate.

23   **SEC. 3. DEFINITIONS.**

24       In this Act:

1           (1) APPROPRIATE CONGRESSIONAL COMMIT-  
2       TEES.—The term “appropriate congressional com-  
3       mittees” means—

4           (A) the Committee on Foreign Relations of  
5       the Senate; and

6           (B) the Committee on Foreign Affairs of  
7       the House of Representatives.

8           (2) FOREIGN TERRORIST ORGANIZATION.—The  
9       term “foreign terrorist organization” means an or-  
10      ganization designated by the Secretary of State as a  
11      foreign terrorist organization under section 219 of  
12      the Immigration and Nationality Act (8 U.S.C.  
13      1189).

14          (3) NORTH KOREA.—The term “North Korea”  
15      means the Democratic People’s Republic of Korea.

16          (4) STATE SPONSOR OF TERRORISM.—The term  
17      “state sponsor of terrorism” means a country the  
18      government of which the Secretary of State has de-  
19      termined, for purposes of section 6(j) of the Export  
20      Administration Act of 1979 (50 U.S.C. 4605(j)) (as  
21      in effect pursuant to the International Emergency  
22      Economic Powers Act), section 620A of the Foreign  
23      Assistance Act of 1961 (22 U.S.C. 2371), section 40  
24      of the Arms Export Control Act (22 U.S.C. 2780),  
25      or any other provision of law, is a government that

- 1 has repeatedly provided support for acts of inter-
- 2 national terrorism.



114TH CONGRESS  
2D SESSION

# H. R. 5332

To ensure that the United States promotes the meaningful participation of women in mediation and negotiations processes seeking to prevent, mitigate, or resolve violent conflict.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 25, 2016

Mrs. NOEM (for herself, Ms. SCHAKOWSKY, Mr. ROYCE, and Mr. ENGEL) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, 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 ensure that the United States promotes the meaningful participation of women in mediation and negotiations processes seeking to prevent, mitigate, or resolve violent conflict.

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 “Women, Peace, and  
5 Security Act of 2016”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) Around the world, women remain under-  
4 represented in conflict prevention, conflict resolution,  
5 and post-conflict peace building efforts.

6 (2) Despite the historic under-representation of  
7 women in conflict resolution processes, women in  
8 conflict-affected regions have nevertheless achieved  
9 significant success in—

10 (A) moderating violent extremism;

11 (B) countering terrorism;

12 (C) resolving disputes through nonviolent  
13 mediation and negotiation; and

14 (D) stabilizing societies by enhancing the  
15 effectiveness of security services, peacekeeping  
16 efforts, institutions, and decisionmaking pro-  
17 cesses.

18 (3) Research shows that—

19 (A) peace negotiations are more likely to  
20 end in a peace agreement when women's groups  
21 play an influential role in the negotiation pro-  
22 cess;

23 (B) once reached, a peace agreement is 35  
24 percent more likely to last at least 15 years if  
25 women have participated in the negotiation  
26 process; and

1           (C) when women meaningfully participate,  
2           peace negotiations are more likely to address  
3           the conflict's underlying causes, leading to more  
4           sustainable outcomes.

5 **SEC. 3. SENSE OF CONGRESS.**

6       It is the sense of Congress that—

7           (1) the meaningful participation of women in  
8           conflict prevention and conflict resolution processes  
9           helps to promote more inclusive and democratic soci-  
10          eties and is critical to the long-term stability of  
11          countries and regions; and

12          (2) the United States should be a global leader  
13          in promoting the meaningful participation of women  
14          in conflict prevention, management, and resolution,  
15          and post-conflict relief and recovery efforts.

16 **SEC. 4. STATEMENT OF POLICY; SENSE OF CONGRESS.**

17       (a) STATEMENT OF POLICY.—It shall be the policy  
18 of the United States to promote the meaningful participa-  
19 tion of women in all aspects of conflict prevention, man-  
20 agement, and resolution, reinforced through diplomatic ef-  
21 forts and programs that—

22           (1) integrate the perspectives and interests of  
23           affected women into conflict-prevention activities and  
24           strategies;



1           (2) encourage partner governments to adopt  
2       plans to improve the meaningful participation of  
3       women in peace and security processes and decision-  
4       making institutions;

5           (3) promote the physical safety, economic secu-  
6       rity, and dignity of women and girls;

7           (4) support the equal access of women to aid  
8       distribution mechanisms and services;

9           (5) collect and analyze gender data for the pur-  
10      pose of developing and enhancing early warning sys-  
11      tems of conflict and violence;

12          (6) adjust policies and programs to improve  
13      outcomes in gender equality and the empowerment  
14      of women; and

15          (7) monitor, analyze, and evaluate implementa-  
16      tion efforts and the impact of such efforts.

17      (b) SENSE OF CONGRESS.—It is the sense of the  
18      Congress that the President, in implementing each strat-  
19      egy submitted under section 5, should—

20          (1) provide technical assistance, training, and  
21      logistical support to female negotiators, mediators,  
22      peace builders, and stakeholders;

23          (2) address security-related barriers to the  
24      meaningful participation of women;

- 1           (3) increase the participation of women in exist-  
2     ing programs funded by the United States Govern-  
3     ment that provide training to foreign nationals re-  
4     garding law enforcement, the rule of law, or profes-  
5     sional military education;
- 6           (4) support appropriate local organizations, es-  
7     pecially women's peace building organizations;
- 8           (5) support the training, education, and mobili-  
9     zation of men and boys as partners in support of the  
10    meaningful participation of women;
- 11          (6) encourage the development of transitional  
12    justice and accountability mechanisms that are in-  
13    clusive of the experiences and perspectives of women  
14    and girls;
- 15          (7) expand and apply gender analysis to im-  
16    prove program design and targeting; and
- 17          (8) conduct assessments that include the per-  
18    spectives of women before implementing new  
19    projects or activities in support of peace negotia-  
20    tions, transitional justice and accountability, efforts  
21    to counter violent extremism, or security sector re-  
22    form.

1 **SEC. 5. UNITED STATES STRATEGY TO PROMOTE THE PAR-**  
2 **TICIPATION OF WOMEN IN CONFLICT PRE-**  
3 **VENTION AND PEACE BUILDING.**

4 (a) REQUIREMENT.—Not later than October 1, 2017,  
5 October 1, 2022, and October 1, 2027, the President, in  
6 consultation with the head of each relevant Federal de-  
7 partment and agency, shall submit to the appropriate con-  
8 gressional committees and make publicly available a single  
9 government-wide strategy, to be known as the Women,  
10 Peace, and Security Strategy, that provides a detailed de-  
11 scription of how the United States intends to fulfill the  
12 policy objectives in section 4. The strategy shall—

13 (1) support and be aligned with plans developed  
14 by other nations to improve the meaningful partici-  
15 pation of women in peace and security processes,  
16 conflict prevention, peace building, transitional pro-  
17 cesses, and decisionmaking institutions in conflict-af-  
18 fected environments; and

19 (2) include specific and measurable goals,  
20 benchmarks, performance metrics, timetables, and  
21 monitoring and evaluation plans to ensure the ac-  
22 countability and effectiveness of all policies, pro-  
23 grams, projects, and activities carried out under the  
24 strategy.

25 (b) SPECIFIC PLANS FOR AGENCIES.—Each strategy  
26 under subsection (a) shall include a specific implementa-

1 tion plan from each relevant Federal department and  
2 agency that describes—

3 (1) the anticipated contributions of the depart-  
4 ment or agency, including technical, financial, and  
5 in-kind contributions, to implement the strategy; and

6 (2) the efforts of the department or agency to  
7 ensure that the activities and programs carried out  
8 pursuant to the strategy are designed to achieve  
9 maximum impact and long-term sustainability.

10 (c) COORDINATION.—The President should promote  
11 the meaningful participation of women in conflict preven-  
12 tion, in coordination and consultation with international  
13 partners, including multilateral organizations, stake-  
14 holders, and other relevant international organizations,  
15 particularly in circumstances in which direct engagement  
16 is not appropriate or advisable.

17 **SEC. 6. TRAINING REQUIREMENTS REGARDING THE PAR-**  
18 **TICIPATION OF WOMEN IN CONFLICT PRE-**  
19 **VENTION AND PEACE BUILDING.**

20 (a) FOREIGN SERVICE.—Section 704 of the Foreign  
21 Service Act of 1980 (22 U.S.C. 4024) is amended by add-  
22 ing at the end the following:

23 “(c) The Secretary, in conjunction with the Adminis-  
24 trator of the United States Agency for International De-  
25 velopment, shall ensure that all appropriate personnel (in-

1 cluding special envoys, members of mediation or negotia-  
2 tion teams, relevant members of the civil service or foreign  
3 service, and contractors) responsible for or deploying to  
4 countries or regions considered to be at risk of, under-  
5 going, or emerging from violent conflict obtain training,  
6 as appropriate, in the following areas, each of which shall  
7 include a focus on women and ensuring meaningful par-  
8 ticipation by women:

9           “(1) Conflict prevention, mitigation, and resolu-  
10       tion.

11           “(2) Protecting civilians from violence, exploi-  
12       tation, and trafficking in persons.

13           “(3) International human rights law and inter-  
14       national humanitarian law.”.

15       (b) DEPARTMENT OF DEFENSE.—

16           (1) Chapter 107 of title 10, United States  
17       Code, is amended by adding at the end the fol-  
18       lowing:

19       **“§ 2158. Training for Ensuring Meaningful Participa-**  
20       **tion by Women.**

21           “(a) IN GENERAL.—Subject to subsection (b), the  
22       Secretary of Defense shall ensure that all appropriate per-  
23       sonnel (including members of the armed forces, members  
24       of mediation or negotiation teams, and relevant members  
25       of the civil service) responsible for or deploying to coun-

1 tries or regions considered to be at risk of, undergoing,  
2 or emerging from violent conflict obtain training, as ap-  
3 propriate, in the following areas:

4 “(1) Advanced training in conflict prevention,  
5 peace processes, mitigation, resolution, and security  
6 initiatives that specifically addresses the importance  
7 of meaningful participation by women.

8 “(2) Gender considerations and meaningful par-  
9 ticipation by women, including training regarding—

10 “(A) international human rights law and  
11 international humanitarian law, as relevant;  
12 and

13 “(B) protecting civilians from violence, ex-  
14 ploitation, and trafficking in persons.

15 “(3) Effective strategies and best practices for  
16 ensuring meaningful participation by women.

17 “(b) EXISTING TRAINING.—All training provided in  
18 accordance with subsection (a) shall be incorporated into  
19 existing pre-deployment training.”.

20 (2) The table of sections at the beginning of  
21 chapter 107 of title 10, United States Code, is  
22 amended by adding at the end the following new  
23 item:

“2158. Training for Ensuring Meaningful Participation by Women.”.

24 (c) COLLABORATION WITH THE UNITED NATIONS.—  
25 The Secretary of State should work with the United Na-

1 tions and the international community to increase the  
2 meaningful participation of women in international peace-  
3 keeping operations, and should promote training that pro-  
4 vides international peacekeeping personnel with the sub-  
5 stantive knowledge and skills needed to effectively ensure  
6 the physical security and meaningful participation of  
7 women in conflict prevention and peace building.

8 **SEC. 7. CONSULTATION WITH STAKEHOLDERS.**

9 (a) IN GENERAL.—The Secretary of State and the  
10 Administrator of the United States Agency for Inter-  
11 national Development shall establish guidelines for over-  
12 seas United States personnel to consult with stakeholders  
13 regarding United States efforts to—

14 (1) prevent, mitigate, or resolve violent conflict;

15 and

16 (2) enhance the success of mediation and nego-  
17 tiation processes by ensuring the meaningful partici-  
18 pation of women.

19 (b) FREQUENCY AND SCOPE.—Consultations under  
20 subsection (a) shall take place regularly and include a  
21 range and representative sample of stakeholders, including  
22 local women, youth, ethnic and religious minorities, and  
23 other politically under-represented or marginalized popu-  
24 lations.

1 **SEC. 8. REPORTS TO CONGRESS.**

2 (a) BRIEFING.—The Secretary of State, in conjunc-  
3 tion with the Administrator of the United States Agency  
4 for International Development and the Secretary of De-  
5 fense, shall brief the appropriate congressional commit-  
6 tees, not later than one year after the date of the enact-  
7 ment of this Act, on—

8 (1) existing, enhanced, and newly established  
9 training carried out pursuant to section 6 and the  
10 amendments made by such section; and

11 (2) the guidelines established for overseas  
12 United States diplomatic and consular personnel to  
13 engage in consultations with United States and  
14 international stakeholders, pursuant to section 7.

15 (b) REPORT ON WOMEN, PEACE, AND SECURITY  
16 STRATEGY.—Not later than 1 year after the date of the  
17 submission of each strategy required under section 5, the  
18 President shall submit to the appropriate congressional  
19 committees a report that—

20 (1) outlines the monitoring and evaluation  
21 tools, mechanisms, and common indicators to assess  
22 progress made on the policy objectives in section 4;

23 (2) summarizes United States diplomatic efforts  
24 and foreign assistance programs, projects, and ac-  
25 tivities to promote the meaningful participation of  
26 women; and



1 (3) summarizes and evaluates the impact of the  
2 programs, projects, and activities that support the  
3 policy objectives in section 4.

4 **SEC. 9. DEFINITIONS.**

5 In this Act:

6 (1) APPROPRIATE CONGRESSIONAL COMMIT-  
7 TEES.—The term “appropriate congressional com-  
8 mittees” means—

9 (A) the Committee on Appropriations, the  
10 Committee on Armed Services, and the Com-  
11 mittee on Foreign Relations of the Senate; and

12 (B) the Committee on Appropriations, the  
13 Committee on Armed Services, and the Com-  
14 mittee on Foreign Affairs of the House of Rep-  
15 resentatives.

16 (2) STAKEHOLDERS.—The term “stakeholders”  
17 means nongovernmental and private sector entities  
18 engaged in or affected by conflict prevention and  
19 stabilization, peace-building, protection, security,  
20 transition initiatives, humanitarian response, or re-  
21 lated efforts, including—

22 (A) registered or nonregistered nonprofit  
23 organizations, advocacy groups, business or  
24 trade associations, labor unions, cooperatives,  
25 credit unions, relief or development organiza-

1           tions, community and faith-based organizations,  
 2           philanthropic foundations, and tribal leaders or  
 3           structures;

4           (B) independent media, educational, or re-  
 5           search institutions; and

6           (C) private enterprises, including inter-  
 7           national development firms, banks, and other fi-  
 8           nancial institutions, particularly small busi-  
 9           nesses and businesses owned by women or dis-  
 10          advantaged groups.

11          (3) MEANINGFUL PARTICIPATION.—The term  
 12          “meaningful participation” means, with respect to  
 13          the full range of formal or informal processes related  
 14          to negotiation or mediation, safe, genuine, and effec-  
 15          tive access to, and present and active involvement  
 16          in—

17               (A) conflict prevention;

18               (B) efforts to resolve, mitigate, or transi-  
 19               tion from violent conflict;

20               (C) peacekeeping and peace-building ef-  
 21               forts;

22               (D) post-conflict reconstruction, transition  
 23               initiatives, and governance; and

24               (E) humanitarian response.

1           (4) RELEVANT FEDERAL DEPARTMENTS AND  
2 AGENCIES.—The term “relevant Federal depart-  
3 ments and agencies” means—

4           (A) the United States Agency for Inter-  
5 national Development;

6           (B) the Department of State;

7           (C) the Department of Defense;

8           (D) the Department of Homeland Security;

9           (E) the Department of Justice;

10          (F) the Department of the Treasury;

11          (G) the Millennium Challenge Corporation;

12          (H) the Peace Corps;

13          (I) the Office of the United States Trade  
14 Representative;

15          (J) the Centers for Disease Control and  
16 Prevention; and

17          (K) any other department or agency speci-  
18 fied by the President for purposes of this Act.

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 5332  
OFFERED BY MR. ROYCE OF CALIFORNIA**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Women, Peace, and  
3 Security Act of 2016”.

**4 SEC. 2. FINDINGS.**

5 Congress finds the following:

6 (1) Around the world, women remain under-  
7 represented in conflict prevention, conflict resolution,  
8 and post-conflict peace building efforts.

9 (2) Despite the historic under-representation of  
10 women in conflict resolution processes, women in  
11 conflict-affected regions have nevertheless achieved  
12 significant success in—

13 (A) moderating violent extremism;

14 (B) countering terrorism;

15 (C) resolving disputes through nonviolent  
16 mediation and negotiation; and

17 (D) stabilizing societies by enhancing the  
18 effectiveness of security services, peacekeeping

1 efforts, institutions, and decision-making proc-  
2 esses.

3 (3) Research shows that—

4 (A) peace negotiations are more likely to  
5 end in a peace agreement when women’s groups  
6 play an influential role in the negotiation proc-  
7 ess;

8 (B) once reached, a peace agreement is 35  
9 percent more likely to last at least 15 years if  
10 women have participated in the negotiation  
11 process; and

12 (C) when women meaningfully participate,  
13 peace negotiations are more likely to address  
14 the underlying causes of the conflict, leading to  
15 more sustainable outcomes.

16 **SEC. 3. SENSE OF CONGRESS.**

17 It is the sense of Congress that—

18 (1) the meaningful participation of women in  
19 conflict prevention and conflict resolution processes  
20 helps to promote more inclusive and democratic soci-  
21 eties and is critical to the long-term stability of  
22 countries and regions;

23 (2) the political participation and leadership of  
24 women in fragile environments, particularly during

1 democratic transitions, is critical to sustaining last-  
2 ing democratic institutions; and

3 (3) the United States should be a global leader  
4 in promoting the meaningful participation of women  
5 in conflict prevention, management, and resolution,  
6 and post-conflict relief and recovery efforts.

7 **SEC. 4. STATEMENT OF POLICY.**

8 It shall be the policy of the United States to promote  
9 the meaningful participation of women in all aspects of  
10 conflict prevention, management, and resolution, and post-  
11 conflict relief and recovery efforts, reinforced through dip-  
12 lomatic efforts and programs that—

13 (1) integrate the perspectives and interests of  
14 affected women into conflict-prevention activities and  
15 strategies;

16 (2) encourage partner governments to adopt  
17 plans to improve the meaningful participation of  
18 women in peace and security processes and decision-  
19 making institutions;

20 (3) promote the physical safety, economic secu-  
21 rity, and dignity of women and girls;

22 (4) support the equal access of women to aid  
23 distribution mechanisms and services;

1           (5) collect and analyze gender data for the pur-  
2       pose of developing and enhancing early warning sys-  
3       tems of conflict and violence;

4           (6) adjust policies and programs to improve  
5       outcomes in gender equality and the empowerment  
6       of women; and

7           (7) monitor, analyze, and evaluate the efforts  
8       related to each strategy submitted under section 5  
9       and the impact of such efforts.

10 **SEC. 5. UNITED STATES STRATEGY TO PROMOTE THE PAR-**  
11 **TICIPATION OF WOMEN IN CONFLICT PRE-**  
12 **VENTION AND PEACE BUILDING.**

13       (a) REQUIREMENT.—Not later than October 1, 2017,  
14 October 1, 2022, and October 1, 2027, the President, in  
15 consultation with the heads of the relevant Federal depart-  
16 ments and agencies, shall submit to the appropriate con-  
17 gressional committees and make publicly available a single  
18 government-wide strategy, to be known as the Women,  
19 Peace, and Security Strategy, that provides a detailed de-  
20 scription of how the United States intends to fulfill the  
21 policy objectives in section 4. The strategy shall—

22           (1) support and be aligned with plans developed  
23       by other countries to improve the meaningful partici-  
24       pation of women in peace and security processes,

1 conflict prevention, peace building, transitional proc-  
2 esses, and decision-making institutions; and

3 (2) include specific and measurable goals,  
4 benchmarks, performance metrics, timetables, and  
5 monitoring and evaluation plans, to ensure the ac-  
6 countability and effectiveness of all policies and ini-  
7 tiatives carried out under the strategy.

8 (b) SPECIFIC PLANS FOR AGENCIES.—Each strategy  
9 under subsection (a) shall include a specific implementa-  
10 tion plan from each of the relevant Federal departments  
11 and agencies that describes—

12 (1) the anticipated contributions of the depart-  
13 ment or agency, including technical, financial, and  
14 in-kind contributions, to implement the strategy; and

15 (2) the efforts of the department or agency to  
16 ensure that the policies and initiatives carried out  
17 pursuant to the strategy are designed to achieve  
18 maximum impact and long-term sustainability.

19 (c) COORDINATION.—The President should promote  
20 the meaningful participation of women in conflict preven-  
21 tion, in coordination and consultation with international  
22 partners, including multilateral organizations, stake-  
23 holders, and other relevant international organizations,  
24 particularly in situations in which the direct engagement  
25 of the United States is not appropriate or advisable.



1 (d) SENSE OF CONGRESS.—It is the sense of Con-  
2 gress that the President, in implementing each strategy  
3 submitted under subsection (a), should—

4 (1) provide technical assistance, training, and  
5 logistical support to female negotiators, mediators,  
6 peace builders, and stakeholders;

7 (2) address security-related barriers to the  
8 meaningful participation of women;

9 (3) increase the participation of women in exist-  
10 ing programs funded by the United States Govern-  
11 ment that provide training to foreign nationals re-  
12 garding law enforcement, the rule of law, or profes-  
13 sional military education;

14 (4) support appropriate local organizations, es-  
15 pecially women’s peace building organizations;

16 (5) support the training, education, and mobili-  
17 zation of men and boys as partners in support of the  
18 meaningful participation of women;

19 (6) encourage the development of transitional  
20 justice and accountability mechanisms that are in-  
21 clusive of the experiences and perspectives of women  
22 and girls;

23 (7) expand and apply gender analysis to im-  
24 prove program design and targeting; and

1           (8) conduct assessments that include the per-  
2       spectives of women before implementing any new ini-  
3       tiatives in support of peace negotiations, transitional  
4       justice and accountability, efforts to counter violent  
5       extremism, or security sector reform.

6   **SEC. 6. TRAINING REQUIREMENTS REGARDING THE PAR-**  
7                   **TICIPATION OF WOMEN IN CONFLICT PRE-**  
8                   **VENTION AND PEACE BUILDING.**

9       (a) FOREIGN SERVICE.—Section 704 of the Foreign  
10   Service Act of 1980 (22 U.S.C. 4024) is amended by add-  
11   ing at the end the following:

12       “(e) The Secretary, in conjunction with the Adminis-  
13   trator of the United States Agency for International De-  
14   velopment, shall ensure that all appropriate personnel (in-  
15   cluding special envoys, members of mediation or negotia-  
16   tion teams, relevant members of the civil service or foreign  
17   service, and contractors) responsible for or deploying to  
18   countries or regions considered to be at risk of, under-  
19   going, or emerging from violent conflict obtain training,  
20   as appropriate, in the following areas, each of which shall  
21   include a focus on women and ensuring meaningful par-  
22   ticipation by women:

23               “(1) Conflict prevention, mitigation, and resolu-  
24       tion.

1           “(2) Protecting civilians from violence, exploi-  
2           tation, and trafficking in persons.

3           “(3) International human rights law and inter-  
4           national humanitarian law.”.

5           (b) DEPARTMENT OF DEFENSE.—

6           (1) IN GENERAL.—Subject to paragraph (2),  
7           the Secretary of Defense shall ensure that all appro-  
8           priate personnel (including members of the Armed  
9           Forces, members of mediation or negotiation teams,  
10          and relevant members of the civil service) respon-  
11          sible for or deploying to countries or regions consid-  
12          ered to be at risk of, undergoing, or emerging from  
13          violent conflict obtain training, as appropriate, in  
14          the following areas:

15                (A) Training in conflict prevention, peace  
16                processes, mitigation, resolution, and security  
17                initiatives that specifically addresses the impor-  
18                tance of meaningful participation by women.

19                (B) Gender considerations and meaningful  
20                participation by women, including training re-  
21                garding—

22                       (i) international human rights law and  
23                       international humanitarian law, as rel-  
24                       evant; and

1 (ii) protecting civilians from violence,  
2 exploitation, and trafficking in persons.

3 (C) Effective strategies and best practices  
4 for ensuring meaningful participation by  
5 women.

6 (2) EXISTING TRAINING.—All training provided  
7 in accordance with paragraph (1) shall be incor-  
8 porated into existing training.

9 **SEC. 7. CONSULTATION AND COLLABORATION.**

10 (a) IN GENERAL.—The Secretary of State and the  
11 Administrator of the United States Agency for Inter-  
12 national Development shall establish guidelines for over-  
13 seas United States personnel of the Department or the  
14 Agency, as the case may be, to consult with stakeholders  
15 regarding United States efforts to—

16 (1) prevent, mitigate, or resolve violent conflict;  
17 and

18 (2) enhance the success of mediation and nego-  
19 tiation processes by ensuring the meaningful partici-  
20 pation of women.

21 (b) FREQUENCY AND SCOPE.—The consultations re-  
22 quired under subsection (a) shall take place regularly and  
23 include a range and representative sample of stakeholders,  
24 including local women, youth, ethnic and religious minori-

1 ties, and other politically under-represented or  
2 marginalized populations.

3 (c) COLLABORATION AND COORDINATION.—The Sec-  
4 retary of State should work with international, regional,  
5 national, and local organizations to increase the meaning-  
6 ful participation of women in international peacekeeping  
7 operations, and should promote training that provides  
8 international peacekeeping personnel with the substantive  
9 knowledge and skills needed to effectively ensure the phys-  
10 ical security and meaningful participation of women in  
11 conflict prevention and peace building.

12 **SEC. 8. REPORTS TO CONGRESS.**

13 (a) BRIEFING.—The Secretary of State, in conjunc-  
14 tion with the Administrator of the United States Agency  
15 for International Development and the Secretary of De-  
16 fense, shall brief the appropriate congressional commit-  
17 tees, not later than one year after the date of the first  
18 submission of a strategy required under section 5, on—

19 (1) existing, enhanced, and newly established  
20 training carried out pursuant to section 6 and the  
21 amendment made by such section; and

22 (2) the guidelines established for overseas  
23 United States personnel to engage in consultations  
24 with stakeholders, pursuant to section 7.

1 (b) REPORT ON WOMEN, PEACE, AND SECURITY  
2 STRATEGY.—Not later than two years after the date of  
3 the submission of each strategy required under section 5,  
4 the President shall submit to the appropriate congres-  
5 sional committees a report that—

6 (1) summarizes and evaluates the impact of  
7 United States diplomatic efforts and foreign assist-  
8 ance programs , projects, and activities to promote  
9 the meaningful participation of women; and

10 (2) outlines the monitoring and evaluation  
11 tools, mechanisms, and common indicators to assess  
12 progress made on the policy objectives in section 4.

13 **SEC. 9. DEFINITIONS.**

14 In this Act:

15 (1) APPROPRIATE CONGRESSIONAL COMMIT-  
16 TEES.—The term “appropriate congressional com-  
17 mittees” means—

18 (A) the Committee on Appropriations, the  
19 Committee on Armed Services, and the Com-  
20 mittee on Foreign Relations of the Senate; and

21 (B) the Committee on Appropriations, the  
22 Committee on Armed Services, and the Com-  
23 mittee on Foreign Affairs of the House of Rep-  
24 resentatives.

1           (2) STAKEHOLDERS.—The term “stakeholders”  
2       means non-governmental and private sector entities  
3       engaged in or affected by conflict prevention and  
4       stabilization, peace building, protection, security,  
5       transition initiatives, humanitarian response, or re-  
6       lated efforts, including—

7           (A) registered or non-registered nonprofit  
8       organizations, advocacy groups, business or  
9       trade associations, labor unions, cooperatives,  
10      credit unions, relief or development organiza-  
11      tions, community and faith-based organizations,  
12      philanthropic foundations, and tribal leaders or  
13      structures;

14          (B) independent media, educational, or re-  
15      search institutions; and

16          (C) private enterprises, including inter-  
17      national development firms, banks, and other fi-  
18      nancial institutions, particularly small busi-  
19      nesses and businesses owned by women or dis-  
20      advantaged groups.

21          (3) MEANINGFUL PARTICIPATION.—The term  
22      “meaningful participation” means safe, genuine, and  
23      effective access to, and present and active involve-  
24      ment in the full range of formal or informal proe-

1       esses related to negotiation or mediation with re-  
2       spect to any efforts toward the following:

3               (A) Conflict prevention.

4               (B) Resolution or mitigation of, or transi-  
5       tion from, violent conflict.

6               (C) Peacekeeping and peace building.

7               (D) Post-conflict reconstruction, transition  
8       initiatives, elections, and governance.

9               (E) Humanitarian response and recovery.

10              (4) RELEVANT FEDERAL DEPARTMENTS AND  
11       AGENCIES.—The term “relevant Federal depart-  
12       ments and agencies” means—

13              (A) the United States Agency for Inter-  
14       national Development;

15              (B) the Department of State;

16              (C) the Department of Defense;

17              (D) the Department of Homeland Security;

18       and

19              (E) any other department or agency speci-  
20       fied by the President for purposes of this Act.

Amend the title so as to read: “A bill to ensure that the United States promotes the meaningful participation of women in mediation and negotiation processes seeking to prevent, mitigate, or resolve violent conflict.”.





**AMENDMENT TO THE AMENDMENT IN THE  
NATURE OF A SUBSTITUTE TO H.R. 5332  
OFFERED BY MR. KEATING OF MASSACHUSETTS**

Page 5 line 19 strike “(c)” and insert “(d)”.

Page 6 line 1 strike “(d)” and insert “(e)”.

Insert after section 5(b) the following:

1       (e) DEPARTMENT OF STATE IMPLEMENTATION.—  
2 Within each relevant bureau of the Department of State,  
3 the Secretary of State shall task the current Principal  
4 Deputy Assistant Secretary with the responsibility for the  
5 implementation of the strategy under subsection (a) and  
6 the specific implementation plan for the Department  
7 under subsection (b), with respect to the roles and respon-  
8 sibilities of such bureau. The Principal Deputy Assistant  
9 Secretaries tasked with such responsibility shall meet, at  
10 least twice a year, to review the implementation of the  
11 strategy and the plan and to contribute to the report  
12 under section 8(b).

Amend section 8(b) to read as follows:

13       (b) REPORT ON WOMEN, PEACE, AND SECURITY  
14 STRATEGY.—Not later than two years after the date of

1 the submission of each strategy required under section 5,  
2 the President shall submit to the appropriate congressional  
3 committees a report that—

4 (1) summarizes and evaluates the implementation  
5 of such strategy and the impact of United  
6 States diplomatic efforts and foreign assistance programs,  
7 projects, and activities to promote the meaningful  
8 participation of women;

9 (2) describes the nature and extent of the coordination  
10 among the relevant Federal departments and agencies on the  
11 implementation of such strategy;  
12

13 (3) outlines the monitoring and evaluation  
14 tools, mechanisms, and common indicators to assess  
15 progress made on the policy objectives in section 4;  
16 and

17 (4) describes the existing, enhanced, and newly  
18 established training carried out pursuant to section  
19 6 and the amendment made by such section.



Chairman ROYCE. And after recognizing myself and the ranking member, I will be pleased to recognize any member seeking recognition to speak once on any of these measures.

So I will start here by thanking Mr. Ted Yoho for his work on H.R. 5484. This is the State Sponsors of Terrorism Review Enhancement Act.

Let me share with you why I think this is important. The designation of a foreign government as a state sponsor of terrorism is one of our Government's most powerful statements. In addition to imposing sanctions and other restrictions, the designation itself earns a state pariah status internationally. And that is deserved, because all of these countries have governments who back the killing of innocents, the killing of innocent people, as a matter of policy.

Yet, under current law, to delist a state sponsor, the administration only needs to certify that the country has refrained from supporting terrorism for a mere 6 months. We shouldn't be giving terrorist regimes a clean bill of health in such a short time.

To address this, Mr. Yoho's legislation quadruples the time that a designated country must refrain from sponsoring terrorism before the President can remove that country from the state sponsors of terrorism list. That means from 6 months to 24 months. And it doubles the time that Congress has to review and potentially overturn the President's proposed removal of a country from that list. In other words, it will no longer be 45 days. We will have 90 days to review that here. That strengthens congressional oversight.

And, again, I want to thank Representative Yoho for his leadership on this measure, which I urge all members to support.

We also consider another bill on this topic, and that is 5208, requiring the State Department to report on the designation of North Korea as a state sponsor of terrorism. In 2008, North Korea's designation was rescinded following commitments that it made to dismantle its nuclear weapons program. North Korea got its delisting but kept its nuclear program, as evidenced by its fourth nuclear test earlier this year.

Since 2008, not only has North Korea's nuclear weapons program advanced, but so has its support for terrorism. The Kim regime has reportedly continued to supply surface-to-air missiles and explosives to two organizations, both Hamas and Hezbollah. It has shelled South Korean civilians on Yeonpyeong Island, and it has attempted assassinations of North Korean dissidents that live abroad.

This legislation requires the State Department to examine these actions and report to Congress on whether North Korea should be relisted as a state sponsor of terrorism.

And I want to thank the bill's author, Judge Ted Poe, who has long pressed this issue, as well as the ranking member for working with our offices on the refined text the committee is taking up today. The flawed delisting of North Korea has also been of particular focus to Chairman Emeritus Ros-Lehtinen.

And, finally, we consider H.R. 5332. This is the Women, Peace, and Security Act of 2016.

In March, this committee held a hearing where we heard powerful testimony about the importance of including women in peace

processes around the world. Simply put, when women are at the negotiating table, peace is more likely. This bill recognizes that it is in our national interest to advance women's participation in preventing and resolving global conflict and requires a government-wide strategy to that effect.

In 2011, the administration issued a National Action Plan on Women, Peace, and Security, and it has just published an update. I want to note that the bill before us does not set either plan into law. Rather, the bill identifies the many bipartisan points of consensus around this issue and sets specific goals, specific benchmarks, for women's participation along with oversight from Congress to gauge progress.

And I want to thank Ranking Member Engel and the bill's sponsors, Representatives Noem and Schakowsky, for their bipartisan leadership. And I want to thank Representative Keating for his good amendment today, which further increases administration accountability.

I now recognize the ranking member for his remarks.

Mr. ENGEL. Mr. Chairman, thank you for convening this markup.

I want to thank the members for their hard work of the legislation we're considering today. I intend to vote "yes" on all the bills that we have before us.

Let me begin with Mr. Yoho's bill, the State Sponsors of Terrorism Review Enhancement Act. Under current law, a state sponsor of terrorism must end support for terrorism and be on good behavior for 6 months before it can be taken off the list. This legislation would expand that period from 6 months to 2 years.

I am certainly open to expanding the timeframe. And, frankly, I cannot foresee any scenario in the near term in which we would have an interest in removing the countries currently on the list, particularly Iran and Syria. As we all know, Iran is the world's leading state sponsor of terrorism, and the Assad regime in Syria isn't too far behind.

But, as we move forward, we need to think about unintended consequences. We may face scenarios in the years ahead with countries that may not even be on our radar screen right now. We need to ensure that we are not setting up road blocks to potential diplomatic opportunities that aren't in America's national security interest.

So I am not going to oppose this bill. I will support the bill. But I think we need to keep an open mind going forward. After all, in its current form, the administration does oppose this measure, and we all want to advance legislation that stands a chance of making it across the finish line. So I hope with this bill, as it goes forward, we can make sure we are taking the best possible approach.

Along the same line, I will turn to the bill offered by Mr. Poe and Sherman, which aims to assess North Korea's bad behavior and determine whether they should be put back on the state sponsors of terrorism list. We all know the litany of the Kim regime's troubling actions, atrocious human rights abuses, assassinations, illegal nuclear program, and targeting other countries using conventional, clandestine, and cyber tools. The list goes on and on, yet the Bush administration removed North Korea from the state sponsors of terrorism list in 2008. It was part of the deal to get North Korea

to abandon its nuclear weapons program. But before the ink was dry on the agreement, North Korea reneged on its commitments and returned to its dangerous course.

I can't say I was surprised by this. I think we all know by now, it was a bad deal. And you cannot believe anything the North Korean regime says and does.

In the years since, we simply haven't gotten enough of or the right kind of information for the administration to correct this mistake and relist North Korea. This bill would press the administration to conduct an evidence-based review on the information we do have on North Korea to see if we can in fact put them back on that list.

I think it is worth taking a closer look at this issue, and that is what this measure does. I thank Mr. Poe and Mr. Sherman for their efforts on this.

As reprehensible as North Korea is, I think we need to consider if they actually are a state sponsor of terrorism. They are awful in every way we can think, but I think there is a fine line as to whether or not they may or may not be a sponsor of terrorism, but I do think that this legislation should be passed.

Finally, I am happy to support the Women, Peace, and Security Act brought forward by Representatives Schakowsky and Noem. Violent conflicts around the world hit women and girls especially hard. At the same time, women can play an outsized role in providing stability in communities, pushing back against radical ideologies and countering violent extremism. That is why, nearly 5 years ago, President Obama unveiled the National Action Plan on Women, Peace, and Security to force on the importance of women around the world in helping to prevent and resolve conflicts. This legislation would build on those efforts for making sure our foreign policy stays focused on including women in conflict negotiation, promoting the physical and economic security of women around the world, and working to break down the barriers that have prevented the full participation of women.

This is really a very important issue. Representative Schakowsky has been driving this effort for years. I am glad we have such strong bipartisan support to move this bill forward.

I would like to enter, Mr. Chairman, into the record a statement of support from our colleague, Jan Schakowsky of Illinois, on this Women, Peace and Security bill. She is one of the authors of the bill, and I thank for her leadership on these issues.

Chairman ROYCE. Without objection.

We go now to Mr. Dana Rohrabacher of California.

Mr. ROHRABACHER. I rise in support of these—what I consider to be—really significant pieces of legislation. And I would like again to congratulate our chairman and ranking member for their cooperation and their leadership on so many issues like this and making sure that our committee is able to actually get some things done. And I appreciate both of you, and I appreciate this legislation today before us.

Let me make this pitch. Let's pass this bill, and let's declare Pakistan a sponsor of terrorism. That is what it comes down to if we really believe this. The evidence is overwhelming that Pakistan has been supporting terrorist elements, not just in Afghanistan, not

just within Pakistan, but in different parts of the world. We also have an arrogant display by Pakistan of saying: Well, we don't care what you think; we are actually going to put Dr. Afridi in a prison just so the whole world will know that you can't tell us what to do, even when it comes to terrorism.

As we remember, Dr. Afridi was the brave and courageous Pakistani doctor who helped us locate Osama bin Laden. The man that was involved with the massacre, in organizing the massacre of 10,000 Americans—excuse me, 3,000 Americans on 9/11. Let us remember that, as I am saying this, that it wasn't just that they got Dr. Afridi in jail, but we should remember where did Dr. Afridi find this man, find this criminal, this person, this terrorist leader? Probably the worst terrorist in the 20th century or the 21st century and they found him in the middle of Pakistan, right next to their school where they trained their military officers. And he was there for years. It strains credibility of anybody who suggests we should accept the idea that the Pakistani Government didn't know that Osama bin Laden was right there as their guest for that many years.

So, with that said, that alone should put Pakistan on the list. But, right now, they are deeply involved in domestic terrorism in the slaughter of Sindhis and the slaughter of people in Baluchistan. What the people in Baluchistan are trying to apparently get a vote so they can determine their own destiny, which is their right. And I believe people everywhere should have a right to vote on what country they are going to be part of or whatever. In some cases, people were denied a vote. In other cases, they were not only denied a vote, but they suffered enormous murders of their people and suppression. And that is what is going on in Baluchistan, and that is what is going on with the Sindhis in Pakistan. And the Pakistani Government is still engaged in helping groups like the Taliban and others.

There was a Taliban leader, as we know, who was recently tracked down and eliminated, thank God, by our military forces. But where was that? Where was that Taliban leader? He was in Pakistan, of course. And, of course, the Pakistani response to us killing this terrorist leader was: You shouldn't have had—your drones shouldn't have overflowed our territory.

This is getting to be a sick game with the Pakistanis, with us trying to ignore the fact of how evil they have become in their cooperation with terrorism throughout the world.

So I support what we are doing here. I certainly agree with the chairman's comments and Ranking Member Engel's comments about North Korea, but I want to make sure that we know that we are setting a standard, not just attacking North Korea here. Thank you very much.

Chairman ROYCE. Thank you.

Dr. Afridi should not have been jailed, and he should be released immediately.

We go now to Mr. Brad Sherman from California.

Mr. SHERMAN. First, I would like to say I agree with at least half of what the gentleman from California said about Pakistan and would like to meet him halfway. If we don't designate it a terrorist country, at least we could cut half their aid until we see a substan-

tial improvement in their behavior, starting with, of course, Mr. Afridi and his family coming here to the United States.

I want to thank the chairman for holding this markup. I support each of the bills, and two bills deal with the process of designating countries that support terrorism. Our current law gives considerable, I think, excessive discretion to the executive. In general, in foreign policy, we have seen the growth of the imperial executive branch over the last 20 years, and not only is this bad for our constitutional values, but it hasn't led to a particularly good foreign policy over the last 20 years.

So we have one bill, the State Sponsors of Terrorism Review Enhancement Act, which would give the Congress 90 days to look at removing from the list a country that has changed its government. There are other rules for those where there has not been a change of government, but we should remember that the primary—and I would—future legislation might establish the exclusive way to take a country off the terrorism list is to submit a bill to Congress. So 90 days may be too long. A 2-year period may, in some cases, not be the right one. But the best way to get a country off the list is to submit a bill to Congress, and it is Congress' obligation to act on that promptly. When you look at the three countries that are on—Sudan, Syria, and Iran—none of those countries should be taken off without an act of Congress.

We have another bill, H.R. 5208, dealing with North Korea, which Mr. Poe and I have introduced to have a process where North Korea might be put back on the list. They should be on the list. I would like to have legislation that simply puts them on the list. But, at this point, I think it is a step forward to have a process that I think should lead to that conclusion. And others who have spoken have detailed all the reasons why North Korea should be on that list today and should have not been taken off.

I think we all support the Women, Peace, and Security Act, and I think we will all support the Education for All Act. It is true, as the bill states, that tens of millions of children are not getting an education, and that is a crisis. But keep in mind, in the year 2000, only 83 percent of the children attended school. In 2015, that figure is up to 91 percent, but we still need to do more.

I think we should take that opportunity to encourage USAID to focus its expenditures on providing free textbooks. In sub-Saharan Africa, where we have the greatest problem with children not attending school, one of the reasons is that the books cost \$2 to \$4 for the family. In many countries, kids can't get the books. In Cameroon, there is 1 reading book for every 12 students and 1 math book for every 14 students in the second grade.

By providing free textbooks, we have some control over the content. I am not saying that the book has to meet all American standards, but we can at least have some influence on the content of the education.

And, second, we prevent corruption. If textbooks in the country are free, it is going to be hard to sell them on the black market. It is a lot easier to steal cash than it is to steal textbooks and then find a way to sell them in a country where they are already free. So I look forward to dealing with the crisis that continues in children not getting an education and hope that it can be the United

States rather than very poor parents who are paying for the textbooks.

And I yield back.

Chairman ROYCE. Thank you.

Mr. Chabot of Ohio.

Mr. CHABOT. Thank you, Mr. Chairman.

I was going to be brief, and I still will be brief, but since my colleague brought up Dr. Afridi, I would just also like to join in the chorus here to saying how outrageous it is that the true hero of the effort in finding and dealing with Osama bin Laden, rather than being treated as a hero, is rotting in a jail cell in Pakistan. It is absolutely outrageous.

And we have tried. Our leaders have recommended being quiet about this. We are negotiating behind the scenes. I heard this from the Obama administration innumerable times now: We don't want to be too public about this. We are negotiating behind the scenes.

He is still rotting in a damn jail cell, and it is outrageous that the hero—so I commend my colleague Mr. Rohrabacher for continuing to bring this up. Although, he is still rotting in a jail cell.

Relative to North Korea, my colleagues have already said it much better than I could. There is little question that North Korea's antics are developing into a real threat to the United States and our allies around the world.

China is the key, as it always has been, in putting pressure on North Korea, but they do nothing. They give us happy talk but, ultimately, no real pressure on North Korea. They like keeping us off balance. I think that is the bottom line there. But it is—North Korea is becoming a threat. And they are becoming even more of a threat when there is little doubt that they are transferring technology, nuclear technology, and others to other bad actors around the globe in the Middle East and elsewhere. So I commend my colleagues. I commend the chairman and the ranking member for working in a bipartisan manner to bring these bills before us, and I hope they all pass. I urge my colleagues to support them.

I yield back.

Chairman ROYCE. Mr. David Cicilline from Rhode Island.

Mr. CICILLINE. Thank you, Mr. Chairman.

I thank you and Ranking Member Engel for holding this markup today. As always, I am pleased that this committee has come together in the spirit of bipartisanship to pass legislation that deals with a variety of important issues.

In particular, I want to express my strong support for H.R. 5332, the Women, Peace, and Security Act of 2016. I commend my colleagues, Congresswomen Noem and Schakowsky, for leading this bill, which highlights the critical role of women in the prevention, management, and resolution of conflicts, peace negotiations and peacebuilding, humanitarian response, and post-conflict relief and recovery efforts.

This bill codifies and builds upon the Obama administration's 2011 Executive order, known as the U.S. National Action Plan on Women, Peace, and Security, a governmentwide effort to institutionalize, amplify, and coordinate initiatives directed at strengthening the role of women in peacebuilding and conflict-prevention processes.



Women are often the most vulnerable victims during conflict situations, but they have also played prominent roles in the pursuit of peace. It is critical that we engage women around the world in conflict prevention and resolution and strive to ensure that their voices are heard. Women are key to conflict resolution and peacebuilding, not only because they constitute half the world's population but because of their roles as leaders of their families and communities, especially during times of war.

Women are also advocates for peace as peacekeepers, relief workers, and mediators. The difficult task of peacebuilding must be done by men and women in partnership. It is critical that we recognize, reinforce, and promote women's leadership in the realm of peace and security and do everything we can to ensure their lives are protected, their experiences taken into account, and their voices heard. Deadly conflicts can be avoided and peace sustained when women are empowered as equal partners in all aspects of peacebuilding and conflict prevention.

I strongly support H.R. 5332, the Women, Peace, and Security Act of 2016. And I urge my colleagues to support this essential legislation.

Mr. ROHRABACHER. Will the gentleman yield?

Mr. CICILLINE. Yes, happy to yield.

Mr. ROHRABACHER. I would like to commend you, having gone on a codel with you recently, and after what we suffered in Orlando, we need to make sure that—and those of us who have differences on what this means and how far you go on certain rights issues, you have been a spokesman to make sure that people overseas understand that we believe in individual rights and freedom for all people, whatever their sexual preference is. And I want to commend you for that. It raises this issue. And, again we don't agree on all the details about what to do, but we want to make sure that, especially after things like Orlando and this horrible thing, that we stand together as Americans and all these things. We have things that separate us, different values and choices that we make in our lives, but, in essence, we are Americans and stand together as a family. And your vocalizing that has been very good overseas, so thank you.

Mr. CICILLINE. I thank the gentleman for the kind words.

And I yield back, Mr. Chairman.

Chairman ROYCE. Thank you Mr. Cicilline.

We go to Mr. Joe Wilson of South Carolina.

Mr. WILSON. Thank you, Chairman Royce and Ranking Member Engel, for convening this markup today.

We will be considering important measures to improve our national security. I also appreciate Congressman Dana Rohrabacher for his persistence for releasing Dr. Afridi, the hero of identifying Osama bin Laden.

I would particularly like to thank Chairman Ted Poe of the Terrorism, Nonproliferation, and Trade Subcommittee for his vision for authoring H.R. 5208, the North Korea State Sponsor of Terrorism Designation Act of 2016.

I am grateful to be one of the few Members of Congress to have ever visited the Hermit Kingdom with the opportunity to travel there in 2003 with ranking member Eliot Engel. I saw firsthand

the struggle and oppression of its citizens which they have endured under the totalitarian regime. It is no secret that since the designation of state sponsor of terrorism was rescinded in 2008, numerous reports have come out of Pyongyang indicating that their support for terrorist groups has continued.

Recently, we have also seen numerous acts of aggression, which further demonstrate that the Kim dictatorship is just as unpredictable and dangerous as ever. I am grateful Chairman Poe's bill ensures the State Department does its due diligence and strengthens congressional oversight of this important issue.

I would again like to express my support for all the measures considered by the committee today and urge their passage.

And I yield back my time.

Chairman ROYCE. I think we are—Judge Ted Poe of Texas is the next member seeking recognition.

Mr. Poe.

Mr. POE. Thank you, Mr. Chairman.

For 20 years, North Korea was designated as a state sponsor of terrorism for its repeated support for international terrorism and proliferation of weapons of mass destruction. But, in 2008, the government, our Government, took North Korea off the list for completely diplomatic reasons. North Korea was delisted because it promised to dismantle its nuclear program. We were conned.

Eight years and four nuclear tests later, it is clear that North Korea lied, but they are still not on the list. Not only did they not dismantle the nuclear program, they continued to support international terrorism. In 2009, reports indicated three North Korean arm shipments were bound for terrorist groups like Hezbollah and Hamas. They were seized by the UAE, Israel, and Thailand.

In 2014, Hamas reportedly brokered an agreement to purchase communications equipment and rockets from North Korea.

And North Korea continues to proliferate weapons of mass destruction to some of the most dangerous criminals in the world. They have worked with Iran on intercontinental ballistic missiles and have set up a nuclear reactor in Syria.

When I visited with Admiral Harris of the Pacific Command, I asked him the question, of the five countries that are threats to the U.S.—China, North Korea, Russia, ISIS, and Iran—which of those is he the most concerned about? And he quickly said North Korea. And so H.R. 5208 lays out a number of these concerning incidents and requires the State Department to respond to each one of them.

I want to thank Mr. Sherman from California for his support and sponsorship of this. It also requires that the State Department to justify in writing why North Korea is not back on the state sponsor of terrorism list. And if they can't justify it, then put North Korea on the list again. It is time to call North Korea what they are: A state sponsor of terrorism. We should look at them that way, especially in light of the fact that they work with Iran, who is another state sponsor of terrorism.

Very briefly, I do want to weigh in on Mr. Rohrabacher's comments about Pakistan. Pakistan has proven they can't be trusted as an ally. They play everybody. They support the Taliban in Afghanistan, but they go after the Taliban in Pakistan. They have imprisoned—who I think is a hero—Dr. Afridi. They poisoned a

CIA Director. At least he thinks they were poisoned and he was poisoned by the military, ISI.

And the new Taliban leader, as has been pointed out, when he was taken out on May 21st, where was he hiding? He was hiding in the same country that Osama bin Laden was hiding, Pakistan. And so they cannot be trusted as well. So I agree with Mr. Rohrabacher and Mr. Sherman that at least we ought to reconsider and maybe put half of Pakistan on the state sponsors of terrorism list.

With that, I yield back to the chairman.

Chairman ROYCE. Thank you, Mr. Poe.

Now we go to Mr. Alan Grayson of Florida.

Mr. GRAYSON. Thank you, Mr. Chairman.

I appreciate the comments that the members have made regarding the specific countries that are coming under scrutiny regarding their status as state sponsors of terrorism.

I want to address a completely different issue, and it is a procedural one. I notice that the State Sponsors of Terrorism Review Enhancement Act has in it, on page 6, a provision that allows for a joint resolution regarding the rescission of a country listed as a state sponsor of terrorism. In other words, the procedure involved contemplated here is the President rescinds someone on the list, and then Congress purportedly has the power to prevent that from happening and keep someone on the list. I regard that as unconstitutional, under the *INS v. Chadha* decision from 1983. There is no such thing under our Constitution as a legislative veto. It is a violation of the Presentment Clause. We went through this actually just last year with Senate Joint Resolution 8, where the President had to issue a memorandum of disapproval reminding Congress that we can't do that under the Constitution.

I also want to point out that this particular bill has no saving clause in it. So, unfortunately, by including in this bill a provision of extremely doubtful constitutionality, we are running the risk that the whole bill ends up being for nothing.

I would encourage my colleagues not to put legislative veto provisions like this one in bills that pass through this committee or are offered otherwise in the House of Representatives. I think that they will lead to a great deal of mischief down the line. And I want to remind all of our colleagues that we took an oath to uphold the Constitution, including the Presentment Clause in it.

I yield back.

Chairman ROYCE. I think Mr. Grayson has raised a point here.

I would point out that, under current law, under the Arms Export Control Act, this is in fact the law. What we are talking about doing is extending the period of time from 45 days to 90 days. But, in point in fact, this has not been yet overturned by a court, nor has the issue been raised by the State Department, nor has a court challenge been raised to this issue. So, arguably, under the law of the land, the current interpretation is that the existing statute is legal and so what we are talking about is getting an across-the-board agreement in terms of the timeframe when Congress could act which would be more effective, and that it would be a 90-day period.

Mr. GRAYSON. If I may reclaim my time.

Chairman ROYCE. Yes, Mr. Grayson.

Mr. GRAYSON. Thank you very much, Mr. Chairman.

This issue has come up twice now with the Supreme Court, both with the *INS v. Chadha* case and also with the line-item veto cases. On both occasions, the court made it clear that the only way that we can act is if we pass a bill or a resolution, as the case may be, the Senate passes the same bill or a resolution, and the President signs it, or we overturn his veto. Joint resolutions simply don't work.

I am aware of the fact that the, under the Arms Export Control Act, no one has put the screws to that provision the way we have seen with regard to the *Chadha* case or with regard to the line-item veto case yet, but it is inevitable that it will happen. It will happen sooner or later. And because we want our bills that we pass here in the House to pass and meet constitutional muster, we really should be a little bit more circumspect about putting very aggressive provisions in our bills, in my opinion, that could very well lead to the unconstitutionality of bills and throwing out the baby with the bath water.

I yield back.

Chairman ROYCE. I understand the gentleman's point.

A joint resolution is a new statute under the interpretation of the House and the Senate. And so, in fact, if a joint resolution is a new statute, then we would have standing. But perhaps this would all be taken up at some point by court challenge, but as of to date, we haven't had any challenge on this particular issue.

Mr. GRAYSON. Reclaiming my time.

Chairman ROYCE. Allowing Mr. Grayson to reclaim his time, and then I will go to Mr. Sherman.

Mr. GRAYSON. Yes, one last time. The fact that a joint resolution can be deemed as being equivalent to a bill doesn't make it kosher, if you will, under these circumstances because the bill, as written, indicates that the joint resolution itself is enough to rescind the President's action when, in fact, in order to make it proper, under the Presentment Clause, you would need a joint resolution and the President's signature, which is something that still does not provide for and, therefore, in my opinion, is in fact unconstitutional.

I yield.

Chairman ROYCE. Yes, but this joint resolution will require a Presidential signature, just by way of explanation, that we are passing here.

But let me go to Mr. Sherman for his point.

Mr. SHERMAN. We could avoid these constitutional issues by just passing a bill that says: North Korea, Iran, Sudan, and Syria are on the list, and they can't be taken off without congressional approval. That would take a more robust statement of Congress and a willingness to override the veto of whichever President is trying to trivialize the role of Congress in foreign policy, which is to say all of them that I am familiar with.

So I do think that the chairman may be right in distinguishing between a joint resolution and a concurrent resolution, but I would prefer we be passing stronger legislation today and avoid whatever pitfalls the gentleman from Florida brings up. And I want to thank him for bringing those to our attention.

Chairman ROYCE. I would like to also—if the gentleman would yield.

Mr. SHERMAN. Yes.

Chairman ROYCE. I would also like to thank Mr. Grayson for raising these points, but I would conclude with the argument that a joint resolution is a new law, just like an H.R., in that it does require—in this case, it requires a Presidential signature, just to reiterate that point.

Mr. Yoho of Florida has requested time.

Mr. YOH0. Thank you, Mr. Chairman and Ranking Member Engel.

I appreciate the bipartisan support, and I stand too with the release of Dr. Afridi. Currently, there are two common paths for removing a foreign government from the designation. The first option is that the President certifies that there has been a fundamental change in the leadership and the policies of the government and that the new government does not support terrorism. This is obviously a more difficult standard.

The other path to a rescission from the list is that the President certifies that the government has not provided support for acts of international terrorism during the preceding 6 months. This is a woefully inadequate metric to be considered for removal from the state sponsors of terrorism list, more so in today's environment with so much uncertainty and instability in the world. This easier path has often led to politically motivated rescission from the Presidents on both sides of the aisle.

In 2008, President Bush removed North Korea, and in 2014, President Obama removed Cuba. This again is something Republican and Democrat Presidents have used throughout the past. For instance, as has already been pointed out, Iraq was removed from the list in 1982, relisted in 1990, and removed again in 2004.

My bill will make it more difficult for politically motivated removals and increase congressional oversight and scrutiny. It will increase, as you pointed out, or quadruple the time a designated country must refrain from sponsoring terrorism before a President can remove it from the sponsor list from 6 months to 24. This will beseech countries with bad habits, like sponsoring, supporting, or harboring terrorists, to create good habits for a longer period of time for review.

In addition, as you pointed out, it increases congressional oversight by doubling the time Congress has to review the President's proposed removal from 45 to 90 days, and as Mr. Grayson pointed out, the President's authority to designate and remove from the designation of terror states, he is right. But also Congress has a role, and we are just asking to increase that.

Thank you, and I yield back.

Chairman ROYCE. Thank you, Mr. Yoho.

And if no one else is seeking time, the question then occurs on the items considered en bloc.

All those in favor, say aye.

Those opposed, no.

In the opinion of the Chair, the ayes have it, and the measures considered en bloc are agreed to.

Without objection, the measures are favorably reported, as amended.

Staff is directed to make any technical and conforming changes. Also, without objection, the Chair is authorized to seek House consideration of these measures under suspension of the rules.

And that concludes our business today.

Again, I want to thank all the members.

I want to thank Ranking Member Engel and everyone's contributions here and assistance with today's markup.

This committee is adjourned.

[Whereupon, at 11:32 a.m., the committee was adjourned.]

## A P P E N D I X

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MATERIAL SUBMITTED FOR THE RECORD

**FULL COMMITTEE MARKUP NOTICE**  
**COMMITTEE ON FOREIGN AFFAIRS**  
U.S. HOUSE OF REPRESENTATIVES  
WASHINGTON, DC 20515-6128

**Edward R. Royce (R-CA), Chairman**

June 16, 2016

**TO: MEMBERS OF THE COMMITTEE ON FOREIGN AFFAIRS**

You are respectfully requested to attend an OPEN meeting of the Committee on Foreign Affairs, to be held in Room 2172 of the Rayburn House Office Building (and available live on the Committee website at <http://www.ForeignAffairs.house.gov>):

**DATE:** Thursday, June 16, 2016

**TIME:** 10:45 a.m.

**MARKUP OF:** H.R. 5208, North Korea State Sponsor of Terrorism Designation Act of 2016;

H.R. 5332, Women, Peace, and Security Act of 2016; and

H.R. 5484, State Sponsors of Terrorism Review Enhancement Act.

**By Direction of the Chairman**

*The Committee on Foreign Affairs seeks to make its facilities accessible to persons with disabilities. If you are in need of special accommodations, please call 202/225-5021 at least four business days in advance of the event, whenever practicable. Questions with regard to special accommodations in general (including availability of Committee materials in alternative formats and assistive listening devices) may be directed to the Committee.*





**COMMITTEE ON FOREIGN AFFAIRS**  
MINUTES OF FULL COMMITTEE MARKUP

Day Thursday Date 6/16/2016 Room 2172

Starting Time 10:50 Ending Time 11:30

Recesses 0 (\_\_\_\_ to \_\_\_\_) (\_\_\_\_ to \_\_\_\_) (\_\_\_\_ to \_\_\_\_) (\_\_\_\_ to \_\_\_\_) (\_\_\_\_ to \_\_\_\_) (\_\_\_\_ to \_\_\_\_)

**Presiding Member(s)**

*Chairman Edward R. Royce*

*Check all of the following that apply:*

Open Session ☒

Executive (closed) Session ☐

Televised ☒

Electronically Recorded (taped) ☒

Stenographic Record ☒

**BILLS FOR MARKUP:** *(Include bill number(s) and title(s) of legislation.)*

*See attached.*

**COMMITTEE MEMBERS PRESENT:**

*See attached.*

**NON-COMMITTEE MEMBERS PRESENT:**

*none*

**STATEMENTS FOR THE RECORD:** *(List any statements submitted for the record.)*

*IFR - Chairman Edward Royce*

*IFR - Rep. Eliot Engel*

**ACTIONS TAKEN DURING THE MARKUP:** *(Attach copies of legislation and amendments.)*

*See markup summary.*


**RECORDED VOTES TAKEN (FOR MARKUP):** *(Attach final vote tally sheet listing each member.)*

<u>Subject</u>	<u>Yeas</u>	<u>Nays</u>	<u>Present</u>	<u>Not Voting</u>
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**TIME SCHEDULED TO RECONVENE** \_\_\_\_\_

or

**TIME ADJOURNED** 11:30

  
**Doug Anderson, General Counsel**

# HOUSE COMMITTEE ON FOREIGN AFFAIRS

## FULL COMMITTEE MARKUP

<i>PRESENT</i>	<i>MEMBER</i>
X	Edward R. Royce, CA
X	Christopher H. Smith, NJ
	Ileana Ros-Lehtinen, FL
X	Dana Rohrabacher, CA
X	Steve Chabot, OH
X	Joe Wilson, SC
	Michael T. McCaul, TX
X	Ted Poc, TX
X	Matt Salmon, AZ
	Darrell Issa, CA
	Tom Marino, PA
	Jeff Duncan, SC
X	Mo Brooks, AL
	Paul Cook, CA
X	Randy Weber, TX
	Scott Perry, PA
X	Ron DeSantis, FL
	Mark Meadows, NC
X	Ted Yoho, FL
X	Curt Clawson, FL
	Scott DesJarlais, TN
	Reid Ribble, WI
X	Dave Trott, MI
X	Lee Zeldin, NY
X	Dan Donovan, NY

<i>PRESENT</i>	<i>MEMBER</i>
X	Eliot L. Engel, NY
X	Brad Sherman, CA
	Gregory W. Meeks, NY
X	Albio Sires, NJ
	Gerald E. Connolly, VA
X	Theodore E. Deutch, FL
	Brian Higgins, NY
	Karen Bass, CA
	William Keating, MA
X	David Cicilline, RI
X	Alan Grayson, FL
	Ami Bera, CA
X	Alan S. Lowenthal, CA
X	Grace Meng, NY
	Lois Frankel, FL
	Tulsi Gabbard, HI
X	Joaquin Castro, TX
	Robin Kelly, IL
	Brendan Boyle, PA

**6/16/16 Foreign Affairs Committee Markup Summary**

By unanimous consent, the Chair called up the following measures and amendments, to be considered *en bloc*:

- 1) H.R. 5484 (Yoho), the State Sponsors of Terrorism Review Enhancement Act
- 2) H.R. 5208 (Poe), the North Korea State Sponsor of Terrorism Designation Act of 2016
  - a. Poe 279, an amendment in the nature of a substitute to H.R. 5208
- 3) H.R. 5332 (Noem), the Women, Peace, and Security Act of 2016
  - a. Royce 123, an amendment in the nature of a substitute
    - i. Keating 72, an amendment in the second degree to Royce 123

The measures considered *en bloc* were agreed to by voice vote. By unanimous consent, the measures were ordered favorably reported, as amended, and the Chair was authorized to seek House consideration of the measures under suspension of the rules.

The Committee adjourned.



**House Foreign Affairs Committee**  
**Markup on Women, Peace, and Security Act of 2016**  
**June 16, 2016**  
**Chairman Ed Royce on the behalf of Rep. Kristi Noem**  
**Statement for the Record**

Thank you, Mr. Chairman and Ranking Member. I am grateful to the Committee for holding this markup on H.R. 5332, the Women, Peace, and Security Act. I introduced this bill with Rep. Schakowsky to increase and strengthen women's participation in peace negotiations and conflict prevention globally.

We live in very troubling times. Groups like ISIL are determined to destroy us and our system of values. Our allies, including Israel and South Korea, endure unrelenting military threats. Russia and China are using economic and military forces to expand their global influence. Middle East instability – particularly as it relates to the Syrian civil war – is pushing millions of refugees into Europe and raising questions about the impact such an influx will have on their borders, economy, and safety as well as America's national security. With so much conflict occurring, it may go without saying that peace negotiations are ongoing.

One of the more interesting bits of research that's been done on our conflict-resolution processes in recent years indicates that a peace agreement is 35 percent more likely to last at least 15 years when women are involved. We've seen this to be true in places like Northern Ireland, Africa, and Asia, for instance. Still, women are often underrepresented when it comes to preventing conflicts and building peace. During recent talks in Afghanistan, Burundi, South Sudan, and Uganda, for example, women have been asked to fill only small roles, if any at all. This strategy misses out on the important perspectives that women bring to the table.

Women can be very influential forces within a community. They are often times empowered to encourage healthy choices within the home and advocate for their children to be armed with an education – both of which help lead to greater stability by giving young people opportunity outside of conflict. Women's roles in the global economy also help raise countries out of poverty, which again promotes stability. In fact, women are the sole income-earners in nearly one-third of all households worldwide. By bringing these perspectives to the negotiating table, different priorities often rise to the top, making peace negotiations more likely to address a conflict's underlying causes.

With all this in mind, I introduced the Women, Peace, and Security Act along with Rep. Schakowsky. This bipartisan legislation ensures women have a seat at the table during peace negotiations through meaningful congressional oversight. This bill builds on existing U.S. initiatives, including the Administration's National Action Plan on Women, Peace, and Security that was put into place in 2011, while requiring a focused and long-term strategy with greater congressional oversight. Our legislation will help introduce further accountability and by doing so, I'm hopeful we can produce more sustainable outcomes during future conflict resolution and peace negotiation processes.

I thank the Committee again for considering H.R. 5332, and I look forward to continuing our work to advance the meaningful inclusion of women in efforts to create peace and security.

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**House Foreign Affairs Committee  
Markup on Women, Peace, and Security Act of 2016  
June 16, 2016  
Ranking Member Eliot Engel on the behalf of Rep. Jan Schakowsky  
Statement for the Record**

Thank you, Mr. Chairman and Ranking Member for allowing me to provide this statement and for working to streamline and improve the text of this legislation. I also want to thank Rep. Noem for her partnership in moving H.R. 5332, the Women, Peace, and Security Act, forward.

Our bill would promote the participation of women in creating peace. With conflicts and terrorism engulfing much of the world, we need to promote effective approaches to ending conflict. Peace negotiations are more likely to end in a lasting agreement when women play an active role.

In fact, a recent study from the International Peace Institute found that a peace agreement is 35 percent more likely to last for at least 15 years if women participate in its drafting. For example, in Somalia, women often serve as de facto diplomats, carrying messages between clans to settle disputes because they have greater freedom of movement. In Northern Ireland, the Women's Coalition was active in ensuring that previously overlooked issues were included in the Good Friday Agreement, including victims' rights, reintegration of political prisoners and integrated education – all issues not discussed by the main parties at negotiations.

Women's participation also helps prevent conflict. The same study also found that with each five percent increase in the percentage of women participating in political processes, a nation is five times less likely to use violence when faced with an international crisis or conflict.

Five times less likely to use violence! Including women is a remarkably simple solution to creating a more peaceful and just world.

Despite the clear evidence in favor of women's participation, women remain underrepresented in conflict prevention, conflict resolution, and post-conflict peacebuilding efforts around the world. Research and experience are increasingly pointing to one major explanation: the failure and lack of concerted effort to include a broad range of stakeholders, especially women, in peace processes.

The Women, Peace, and Security Act before the Committee today would build upon the U.S. National Action Plan on Women, Peace, and Security that was enacted by executive order in December 2011 and enable Congress to exercise oversight of implementation of the NAP. The NAP makes clear that the meaningful inclusion of women in peace and security processes is

imperative for national and global security. This legislation establishes women's participation as a permanent element of U.S. foreign policy

The bill would require the State and Defense Departments to report annually to Congress on efforts to actively recruit and promote women's participation in conflict prevention and resolution. It would encourage the U.S. to assist women mediators and negotiators by eliminating barriers to their equal and secure participation in peace processes. In addition, the Women, Peace, And Security Act would institute comprehensive training modules on the protection, rights, and specific needs of women in conflict and require the Administration to evaluate the impact of U.S. foreign assistance on women's meaningful participation.

This bill is a crucial step forward to ensuring the women all around the world have a voice and a role in political and peace processes.

I thank the Committee again for considering H.R. 5332, and I look forward to working with you to advance the meaningful inclusion of women in efforts to create peace and security.