

**AMENDMENT TO SUPPLEMENTAL
APPROPRIATIONS BILL
OFFERED BY MR. TIERNEY OF MASSACHUSETTS**

At the appropriate place in the bill, insert the following new section:

1 **SEC. ____ . LIMITATION ON UNITED STATES MILITARY AS-**
2 **SISTANCE TO PAKISTAN.**

3 (a) **LIMITATION.**—

4 (1) **IN GENERAL.**—Except as provided in para-
5 graph (2), 50 percent of the funds made available in
6 this Act for military assistance to Pakistan shall be
7 withheld from obligation and expenditure.

8 (2) **EXCEPTION.**—Funds described in para-
9 graph (1) may be obligated and expended beginning
10 not earlier than 180 days after the date of the en-
11 actment of this Act if the President, beginning not
12 earlier than 90 days after the date of the enactment
13 of this Act, makes the determinations described in
14 subsection (b), unless a joint resolution described in
15 subsection (e) disapproving any such determination
16 is enacted into law.

17 (b) **DETERMINATIONS REGARDING ENHANCED CO-**
18 **OPERATION BETWEEN THE UNITED STATES AND PAKI-**

1 STAN.—The determinations referred to in subsection (a)
2 are—

3 (1) a determination by the President that the
4 Government of Pakistan has demonstrated a sus-
5 tained commitment to and made progress towards
6 combating terrorist groups, including taking into ac-
7 count the progress the Government of Pakistan has
8 made with regard to—

9 (A) ceasing support, including by any ele-
10 ments within the army or Pakistan's military or
11 intelligence services, to extremist and terrorist
12 groups launching terrorist attacks outside of
13 the territory of Pakistan, particularly to any
14 group that has conducted attacks against
15 United States or coalition forces in Afghani-
16 stan;

17 (B) closing terrorist camps in the FATA,
18 dismantling terrorist bases of operations in
19 other parts of the country, including Quetta
20 and Muridke, and taking action when provided
21 with intelligence about high-level terrorist tar-
22 gets;

23 (C) preventing cross border attacks into
24 neighboring countries;

1 (D) strengthening counter-terrorism, extra-
2 dition, and anti-money laundering laws and the
3 enforcement thereof; and

4 (E) degrading and disrupting extremist
5 and terrorist groups' means of disseminating
6 propaganda, with particular focus on radio
7 broadcast capability; and

8 (2) a determination by the President that the
9 Government of Pakistan has demonstrated a com-
10 mitment to the legitimate extension of its writ, in-
11 cluding taking into account the progress the Govern-
12 ment of Pakistan has made with regard to—

13 (A) extending the writ of legitimate gov-
14 ernment throughout all areas of Pakistan;

15 (B) asserting legitimate civilian, demo-
16 cratic control and oversight of the Pakistani
17 military and intelligence services; and

18 (C) recognizing the equitable stakeholder
19 status of Pakistan's ethnic minorities.

20 (c) WAIVER.—The President may waive the restric-
21 tion under subsection (a) if the President certifies to the
22 appropriate congressional committees 15 days before the
23 President exercises the authority of this subsection that
24 the provision of military assistance to Pakistan is vital to
25 the national security interest of the United States.

1 (d) CONSULTATION AND WRITTEN JUSTIFICA-
2 TION.—Not later than 5 days prior to making a deter-
3 mination described in subsection (b), the President shall
4 consult with the appropriate congressional committees
5 and, upon making such determination, shall submit to the
6 appropriate congressional committees and the Comptroller
7 General of the United States a written justification that
8 specifies the basis upon which the President made such
9 a determination. The justification shall be unclassified but
10 may include a classified annex, including the President's
11 assessment of, and the President's plan to achieve
12 progress on, each of the criteria set forth in subsection
13 (b).

14 (e) JOINT RESOLUTION DISAPPROVING PRESI-
15 DENTIAL DETERMINATION.—

16 (1) CONTENTS OF RESOLUTION.—For purposes
17 of this subsection, a joint resolution referred to in
18 subsection (a) is a joint resolution of the two Houses
19 of Congress, which does not contain a preamble, and
20 the sole matter after the resolving clause of which is
21 as follows: “that the Congress disapproves the deter-
22 mination of the President transmitted to the Con-
23 gress on _____” with the date of the deter-
24 mination described in subsection (b) filled in.

25 (2) INTRODUCTION OF RESOLUTION.—

1 (A) IN GENERAL.—A joint resolution de-
2 scribed in paragraph (1) may be introduced at
3 any time during the 90-day period beginning on
4 the date on which the President transmits to
5 Congress a determination or determinations de-
6 scribed in subsection (b) in accordance with an
7 applicable date described in such subsection.
8 During the first 30 days of the 90-day period
9 specified in the preceding sentence, a joint reso-
10 lution will be considered to be a joint resolution
11 described in paragraph (1) only if it is intro-
12 duced in the House of Representatives by the
13 majority leader or minority leader of the House
14 or introduced in the Senate by the majority
15 leader or minority leader of the Senate. Only
16 the first resolution introduced in accordance
17 with this subparagraph with respect to a par-
18 ticular determination shall be considered to be
19 a joint resolution described in paragraph (1).

20 (B) LIMITATION.—After a committee re-
21 ports, or is discharged from further consider-
22 ation of, a joint resolution disapproving a deter-
23 mination or determinations described in sub-
24 section (b) for an applicable deadline described
25 in such subsection it shall not be in order to

1 move to proceed to the consideration of another
2 joint resolution disapproving such determination
3 or determinations in either House.

4 (3) REFERRAL TO COMMITTEES.—A joint reso-
5 lution described in paragraph (1) introduced in the
6 House of Representatives shall be referred to the
7 Committee on Foreign Affairs and a joint resolution
8 described in paragraph (1) introduced in the Senate
9 shall be referred to the Committee on Foreign Rela-
10 tions.

11 (4) DISCHARGE OF COMMITTEES.—If the com-
12 mittee of either House to which a joint resolution
13 described in paragraph (1) has been referred has not
14 reported such joint resolution at the end of 10 cal-
15 endar days (excluding Saturdays, Sundays, or legal
16 holidays, except when the relevant House is in ses-
17 sion on such a day) after its introduction, such com-
18 mittee shall be discharged from further consider-
19 ation of such joint resolution, and such joint resolu-
20 tion shall be placed on the appropriate calendar of
21 the relevant House.

22 (5) FLOOR CONSIDERATION IN THE HOUSE OF
23 REPRESENTATIVES AND SENATE.—

24 (A) IN GENERAL.—On or after the third
25 calendar day (excluding Saturdays, Sundays, or

1 legal holidays, except when the relevant House
2 is in session on such a day) after the date on
3 which the committee to which a joint resolution
4 described in paragraph (1) is referred has re-
5 ported, or has been discharged from further
6 consideration of, such a joint resolution, it shall
7 be in order for any Member of the relevant
8 House to move to proceed to the consideration
9 of the joint resolution. A Member of the rel-
10 evant House may make the motion only on the
11 day after the calendar day on which the Mem-
12 ber announces to the relevant House the Mem-
13 ber's intention to do so. Such motion shall be
14 privileged and shall not be debatable. The mo-
15 tion shall not be subject to amendment or to a
16 motion to postpone. A motion to reconsider the
17 vote by which the motion is agreed to shall not
18 be in order. If a motion to proceed to the con-
19 sideration of the joint resolution is agreed to,
20 the relevant House shall immediately proceed to
21 consideration of the joint resolution which shall
22 remain the unfinished business until disposed
23 of.

24 (B) DEBATE.—Debate on a joint resolu-
25 tion described in paragraph (1) and on all de-

1 batable motions and appeals in connection
2 therewith, shall be limited to not more than 36
3 hours in the House of Representatives and not
4 more than 50 hours in the Senate, which shall
5 be divided equally between those favoring and
6 those opposing the joint resolution. An amend-
7 ment to the joint resolution shall not be in
8 order. A motion to further limit debate shall be
9 in order and shall not be debatable. A motion
10 to table, a motion to postpone, or a motion to
11 recommit the joint resolution shall not be in
12 order. A motion to reconsider the vote by which
13 the joint resolution is agreed to or disagreed to
14 shall not be in order.

15 (C) APPEALS.—Appeals from the decisions
16 of the Chair to the procedure relating to a joint
17 resolution described in paragraph (1) shall be
18 decided without debate.

19 (6) CONSIDERATION BY THE OTHER HOUSE.—
20 If, before the passage by one House of a joint reso-
21 lution described in paragraph (1) of that House dis-
22 approving a determination or determinations de-
23 scribed in subsection (b) for an applicable deadline
24 described in such subsection, that House receives a
25 joint resolution described in paragraph (1) from the

1 other House disapproving the same determination or
2 determinations, then the following procedures shall
3 apply:

4 (A) The joint resolution of the other House
5 shall not be referred to a committee and may
6 not be considered in the House receiving it ex-
7 cept in the case of final passage as provided in
8 subparagraph (B)(ii).

9 (B) With respect to a joint resolution of
10 the House receiving the joint resolution—

11 (i) the procedure in that House shall
12 be the same as if no joint resolution had
13 been received from the other House; but

14 (ii) the vote on final passage shall be
15 on the joint resolution of the other House.

16 (C) Upon disposition of the joint resolution
17 received from the other House, it shall no
18 longer be in order to consider the joint resolu-
19 tion that originated in the receiving House.

20 (7) RULES OF HOUSE OF REPRESENTATIVES
21 AND SENATE.—This section is enacted by Con-
22 gress—

23 (A) as an exercise of the rulemaking power
24 of the House of Representatives and the Sen-
25 ate, respectively, and as such is deemed a part

1 of the rules of each House, respectively, and
2 such procedures supersede other rules only to
3 the extent that they are inconsistent with such
4 other rules; and

5 (B) with the full recognition of the con-
6 stitutional right of either House to change the
7 rules (so far as relating to the procedures of
8 that House) at any time, in the same manner,
9 and to the same extent as any other rule of that
10 House.

11 (f) GAO ANALYSIS AND REPORT.—Not later than 90
12 days after the President makes the determinations de-
13 scribed in subsection (b), the Comptroller General of the
14 United States shall conduct an independent analysis of
15 each of the determinations under subsection (b) and writ-
16 ten justifications for such determinations under subsection
17 (d) and shall submit to the appropriate congressional com-
18 mittees a report containing the results of the independent
19 analysis.

20 (g) DEFINITIONS.—For purposes of this section—

21 (1) the term “appropriate congressional com-
22 mittees” means—

23 (A) the Committee on Foreign Affairs, the
24 Committee on Armed Services, the Committee
25 on Oversight and Government Reform, the

1 Committee on Appropriations, and the Perma-
2 nent Select Committee on Intelligence of the
3 House of Representatives; and

4 (B) the Committee on Foreign Relations,
5 the Committee on Armed Services, the Com-
6 mittee on Appropriations, and the Select Com-
7 mittee on Intelligence of the Senate; and

8 (2) the term “military assistance” means—

9 (A) assistance authorized under section 23
10 of the Arms Export Control Act (22 U.S.C.
11 2763; relating to the Foreign Military Financ-
12 ing program), including assistance authorized
13 under section 203(b) of this Act, assistance au-
14 thorized under section 204 of this Act, and as-
15 sistance authorized under part II of the For-
16 eign Assistance Act of 1961 (22 U.S.C. 2301 et
17 seq.), other than assistance authorized under
18 chapter 5 of part II of such Act (22 U.S.C.
19 2347 et seq.); and

20 (B) assistance authorized under any other
21 provision of law that is similar to assistance de-
22 scribed in subparagraph (A).

