AMENDMENT TO H.R. __

OFFERED BY MR. MCCAUL OF TEXAS

(Foreign Relations Authorization Act, Fiscal Year 2012)

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

1 **SEC. ___. LIMITATION ON USAID TRAINING CONTRACTS**
2 **UNDER THE MERIDA INITIATIVE.**
3 (a) FINDINGS.—Congress finds the following:
4 (1) In 2007, the United States and Mexico an-
5 nounced the Merida Initiative, a multi-year partner-
6 ship to fight organized crime and associated violence
7 while furthering respect for human rights and the
8 rule of law in the region.
9 (2) One of the Merida Initiative's four primary
10 goals is to improve the capacity of justice systems in
11 the region.
12 (3) In April 2009, USAID/Mexico awarded a 3-
13 year, $44.1 million cost-type contract to Manage-
14 ment Systems International (MSI) to work with
15 Mexican state and federal justice institutions to
16 strengthen their capacity to improve transparency,
17 public oversight, and public accountability, and bet-
18 ter serve Mexican citizens under the new constitu-

1 tional reforms that shape the police and criminal
2 procedure codes.
3 (4) A January 2011 USAID Office of the In-
4 spector General audit determined that the contract
5 mechanism that USAID/Mexico used to award the
6 task order to MSI was not in accordance with pro-
7 curement regulations, USAID/Mexico's technical of-
8 ficers responsible for the rule of law projects have
9 not effectively carried out all their responsibilities in
10 accordance with USAID policy and internal mission
11 orders, USAID/Mexico's contractor has not devel-
12 oped systems for evaluating the effectiveness of the
13 training it delivers, and USAID/Mexico's reported
14 numbers of beneficiaries trained are not accurate.
15 (b) LIMITATION.—Notwithstanding any other provi-
16 sion of law, the Administrator of the United States Agency
17 for International Development, in awarding contracts dur-
18 ing a fiscal year to procure training services as part of
19 the Merida Initiative, may not award more than 50 per-
20 cent of the dollar amount of the contracts to one company.
21 (c) MERIDA INITIATIVE DEFINED.—In this section,
22 the term "Merida Initiative" means the program an-
23 nounced by the United States and Mexico on October 22,

1 2007, to fight illicit narcotics trafficking and criminal or-
2 ganizations throughout the Western Hemisphere.