

110TH CONGRESS  
1ST SESSION

# H. R. 2764

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IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 6, 2007

Ordered to be printed with the amendment of the Senate

[Strike out all after the enacting clause and insert the part printed in italic]

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## AN ACT

Making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, 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       ~~That the following sums are appropriated, out of any~~  
4       ~~money in the Treasury not otherwise appropriated, for the~~  
5       ~~fiscal year ending September 30, 2008, and for other pur-~~  
6       ~~poses, namely:~~

1 TITLE I  
2 DEPARTMENT OF STATE  
3 DEPARTMENT OF STATE AND RELATED  
4 AGENCIES  
5 DEPARTMENT OF STATE  
6 ADMINISTRATION OF FOREIGN AFFAIRS  
7 DIPLOMATIC AND CONSULAR PROGRAMS  
8 (INCLUDING TRANSFER OF FUNDS)  
9 For necessary expenses of the Department of State  
10 and the Foreign Service not otherwise provided for, includ-  
11 ing employment, without regard to civil service and classi-  
12 fication laws, of persons on a temporary basis (not to ex-  
13 ceed \$700,000 of this appropriation); as authorized by  
14 section 801 of the United States Information and Edu-  
15 cational Exchange Act of 1948; representation to certain  
16 international organizations in which the United States  
17 participates pursuant to treaties ratified pursuant to the  
18 advice and consent of the Senate or specific Acts of Con-  
19 gress; arms control, nonproliferation and disarmament ac-  
20 tivities as authorized; acquisition by exchange or purchase  
21 of passenger motor vehicles as authorized by law; and for  
22 expenses of general administration, \$3,820,018,000 (re-  
23 duced by \$36,700,000) (reduced by \$1,000,000): *Pro-*  
24 *vided,* That of the amount made available under this head-  
25 ing, not to exceed \$10,000,000 may be transferred to, and  
26 merged with, funds in the “Emergencies in the Diplomatic

1 and Consular Service'' appropriations account, to be avail-  
2 able only for emergency evacuations and terrorism re-  
3 wards: *Provided further*, That of the amount made avail-  
4 able under this heading, not less than \$363,905,000 shall  
5 be available only for public diplomacy international infor-  
6 mation programs: *Provided further*, That of the amount  
7 appropriated under this heading, \$5,000,000 shall be  
8 available for the Secretary to establish and operate a pub-  
9 lic/private interagency public diplomacy center which shall  
10 serve as a program integration and coordination entity for  
11 United States public diplomacy programs: *Provided fur-*  
12 *ther*, That of the amounts appropriated under this head-  
13 ing, \$4,000,000, to remain available until expended, shall  
14 be for compensation to the families of members of the For-  
15 eign Service or other United States Government employees  
16 or their dependents, who were killed in terrorist attacks  
17 since 1979: *Provided further*, That none of the funds made  
18 available for compensation in the previous proviso may be  
19 obligated without specific authorization in a subsequent  
20 Act of Congress: *Provided further*, That of the amount  
21 made available under this heading, \$3,000,000 shall be  
22 available only for the operations of the Office on Right-  
23 Sizing the United States Government Overseas Presence:  
24 *Provided further*, That not less than \$5,000,000 shall be  
25 for the Program for Research and Training on Eastern

1 Europe and the Independent States of the Former Soviet  
2 Union (title VIII) as authorized by the Soviet-Eastern Eu-  
3 ropean Research and Training Act of 1983 (22 U.S.C.  
4 4501–4508, as amended): *Provided further*, That funds  
5 available under this heading may be available for a United  
6 States Government interagency task force to examine, co-  
7 ordinate and oversee United States participation in the  
8 United Nations headquarters renovation project: *Provided*  
9 *further*, That no funds may be obligated or expended for  
10 processing licenses for the export of satellites of United  
11 States origin (including commercial satellites and satellite  
12 components) to the People’s Republic of China unless, at  
13 least 15 days in advance, the Committees on Appropria-  
14 tions of the House of Representatives and the Senate are  
15 notified of such proposed action: *Provided further*, That  
16 funds appropriated under this heading are available, pur-  
17 suant to 31 U.S.C. 1108(g), for the field examination of  
18 programs and activities in the United States funded from  
19 any account contained in this title.

20 In addition, not to exceed \$1,558,390 shall be derived  
21 from fees collected from other executive agencies for lease  
22 or use of facilities located at the International Center in  
23 accordance with section 4 of the International Center Act;  
24 in addition, as authorized by section 5 of such Act,  
25 \$490,000, to be derived from the reserve authorized by

1 that section, to be used for the purposes set out in that  
2 section; in addition, as authorized by section 810 of the  
3 United States Information and Educational Exchange  
4 Act, not to exceed \$6,000,000, to remain available until  
5 expended, may be credited to this appropriation from fees  
6 or other payments received from English teaching, library,  
7 motion pictures, and publication programs and from fees  
8 from educational advising and counseling and exchange  
9 visitor programs; and, in addition, not to exceed \$15,000,  
10 which shall be derived from reimbursements, surcharges,  
11 and fees for use of Blair House facilities.

12 In addition, for the costs of worldwide security up-  
13 grades, \$964,760,000, to remain available until expended.

14 CAPITAL INVESTMENT FUND

15 For necessary expenses of the Capital Investment  
16 Fund, \$59,062,000, to remain available until expended,  
17 as authorized: *Provided*, That section 135(e) of Public  
18 Law 103-236 shall not apply to funds available under this  
19 heading.

20 OFFICE OF INSPECTOR GENERAL

21 For necessary expenses of the Office of Inspector  
22 General, \$32,508,000, notwithstanding section 209(a)(1)  
23 of the Foreign Service Act of 1980 (Public Law 96-465),  
24 as it relates to post inspections.

## 1     EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

2         For expenses of educational and cultural exchange  
3 programs, as authorized, ~~\$501,400,000~~, to remain avail-  
4 able until expended: *Provided*, That not to exceed  
5 \$5,000,000, to remain available until expended, may be  
6 credited to this appropriation from fees or other payments  
7 received from or in connection with English teaching, edu-  
8 cational advising and counseling programs, and exchange  
9 visitor programs as authorized: *Provided further*, That of  
10 the amount made available under this heading,  
11 \$6,000,000 shall be transferred to the Fund established  
12 by section ~~313~~ of the Legislative Branch Appropriations  
13 Act, 2001 (2 U.S.C. 1151).

## 14                 REPRESENTATION ALLOWANCES

15         For representation allowances as authorized,  
16 ~~\$8,175,000~~.

## 17     PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

18         For expenses, not otherwise provided, to enable the  
19 Secretary of State to provide for extraordinary protective  
20 services, as authorized, ~~\$28,000,000~~, to remain available  
21 until September 30, 2009.

## 22     EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

23         For necessary expenses for carrying out the Foreign  
24 Service Buildings Act of 1926 (~~22 U.S.C. 292–303~~), pre-  
25 serving, maintaining, repairing, and planning for buildings  
26 that are owned or directly leased by the Department of

1 State, renovating, in addition to funds otherwise available,  
 2 the Harry S Truman Building, and carrying out the Dip-  
 3 lomatic Security Construction Program as authorized,  
 4 \$729,898,000, to remain available until expended as au-  
 5 thorized, of which not to exceed \$25,000 may be used for  
 6 domestic and overseas representation as authorized: *Pro-*  
 7 *vided*, That none of the funds appropriated in this para-  
 8 graph shall be available for acquisition of furniture, fur-  
 9 nishings, or generators for other departments and agen-  
 10 cies.

11 In addition, for the costs of worldwide security up-  
 12 grades, acquisition, and construction as authorized,  
 13 \$806,900,000, to remain available until expended.

14 EMERGENCIES IN THE DIPLOMATIC AND CONSULAR  
 15 SERVICE  
 16 (INCLUDING TRANSFER OF FUNDS)

17 For expenses necessary to enable the Secretary of  
 18 State to meet unforeseen emergencies arising in the Diplo-  
 19 matic and Consular Service, \$14,000,000, to remain avail-  
 20 able until expended as authorized, of which not to exceed  
 21 \$1,000,000 may be transferred to and merged with the  
 22 "Repatriation Loans Program Account", subject to the  
 23 same terms and conditions.

1           REPATRIATION LOANS PROGRAM ACCOUNT

2                   (INCLUDING TRANSFER OF FUNDS)

3           For the cost of direct loans, \$678,000, as authorized:

4 *Provided,* That such costs, including the cost of modifying  
5 such loans, shall be as defined in section 502 of the Con-  
6 gressional Budget Act of 1974.

7           In addition, for administrative expenses necessary to  
8 carry out the direct loan program, \$607,000, which may  
9 be transferred to and merged with funds in the “Diplo-  
10 matic and Consular Programs” account.

11          PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

12          For necessary expenses to carry out the Taiwan Rela-  
13 tions Act (Public Law 96—8), \$16,351,000.

14          PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND  
15                   DISABILITY FUND

16          For payment to the Foreign Service Retirement and  
17 Disability Fund, as authorized by law, \$158,900,000.

18          INTERNATIONAL ORGANIZATIONS

19          CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

20          For expenses, not otherwise provided for, necessary  
21 to meet annual obligations of membership in international  
22 multilateral organizations, pursuant to treaties ratified  
23 pursuant to the advice and consent of the Senate, conven-  
24 tions or specific Acts of Congress, \$1,354,400,000: *Pro-*  
25 *vided,* That the Secretary of State shall, at the time of  
26 the submission of the President’s budget to Congress



1 under section ~~1105(a)~~ of title ~~31~~, United States Code;  
2 transmit to the Committees on Appropriations the most  
3 recent biennial budget prepared by the United Nations for  
4 the operations of the United Nations: *Provided further*,  
5 That the Secretary of State shall notify the Committees  
6 on Appropriations at least 15 days in advance (or in an  
7 emergency, as far in advance as is practicable) of any  
8 United Nations action to increase funding for any United  
9 Nations program without identifying an offsetting de-  
10 crease elsewhere in the United Nations budget and cause  
11 the United Nations budget for the biennium 2008–2009  
12 to exceed the revised United Nations budget level for the  
13 biennium ~~2006–2007~~ of \$4,173,895,900: *Provided further*,  
14 That any payment of arrearages under this title shall be  
15 directed toward special activities that are mutually agreed  
16 upon by the United States and the respective international  
17 organization: *Provided further*, That none of the funds ap-  
18 propriated in this paragraph shall be available for a  
19 United States contribution to an international organiza-  
20 tion for the United States share of interest costs made  
21 known to the United States Government by such organiza-  
22 tion for loans incurred on or after October 1, 1984,  
23 through external borrowings.

**HR 2764 PP**

1 the peacekeeping mission, including the prosecution in  
 2 their home countries of such individuals in connection with  
 3 such acts; and (3) a reprogramming of funds pursuant  
 4 to section 615 of this Act is submitted, and the procedures  
 5 therein followed, setting forth the source of funds that will  
 6 be used to pay for the cost of the new or expanded mission:  
 7 *Provided further,* That funds shall be available for peace-  
 8 keeping expenses only upon a certification by the Sec-  
 9 retary of State to the appropriate committees of the Con-  
 10 gress that American manufacturers and suppliers are  
 11 being given opportunities to provide equipment, services,  
 12 and material for United Nations peacekeeping activities  
 13 equal to those being given to foreign manufacturers and  
 14 suppliers.

#### 15 INTERNATIONAL COMMISSIONS

16 For necessary expenses, not otherwise provided for,  
 17 to meet obligations of the United States arising under  
 18 treaties, or specific Acts of Congress, as follows:

#### 19 INTERNATIONAL BOUNDARY AND WATER COMMISSION,

#### 20 UNITED STATES AND MEXICO

21 For necessary expenses for the United States Section  
 22 of the International Boundary and Water Commission,  
 23 United States and Mexico, and to comply with laws appli-  
 24 cable to the United States Section, including not to exceed  
 25 \$6,000 for representation; as follows:

1                                   SALARIES AND EXPENSES

2           For salaries and expenses, not otherwise provided for,  
3 ~~\$30,430,000.~~

4                                   CONSTRUCTION

5           For detailed plan preparation and construction of au-  
6 thorized projects, \$15,725,000, to remain available until  
7 expended, as authorized.

8                   AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

9           For necessary expenses, not otherwise provided, for  
10 the International Joint Commission and the International  
11 Boundary Commission, United States and Canada, as au-  
12 thorized by treaties between the United States and Can-  
13 ada or Great Britain, and for the Border Environment  
14 Cooperation Commission as authorized by Public Law  
15 ~~103-182~~, \$10,630,000, of which not to exceed \$9,000  
16 shall be available for representation expenses incurred by  
17 the International Joint Commission.

18                   INTERNATIONAL FISHERIES COMMISSIONS

19           For necessary expenses for international fisheries  
20 commissions, not otherwise provided for, as authorized by  
21 law, ~~\$26,000,000~~: *Provided*, That the United States share  
22 of such expenses may be advanced to the respective com-  
23 missions pursuant to ~~31 U.S.C. 3324~~.

## 1 OTHER

## 2 PAYMENT TO THE ASIA FOUNDATION

3 For a grant to the Asia Foundation, as authorized  
4 by the Asia Foundation Act (22 U.S.C. 4402),  
5 \$15,000,000, to remain available until expended, as au-  
6 thorized.

## 7 CENTER FOR MIDDLE EASTERN-WESTERN DIALOGUE

## 8 TRUST FUND

9 For necessary expenses of the Center for Middle  
10 Eastern-Western Dialogue Trust Fund, the total amount  
11 of the interest and earnings accruing to such Fund on or  
12 before September 30, 2008, to remain available until ex-  
13 pended.

## 14 EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

15 For necessary expenses of Eisenhower Exchange Fel-  
16 lowships, Incorporated, as authorized by sections 4 and  
17 5 of the Eisenhower Exchange Fellowship Act of 1990 (20  
18 U.S.C. 5204–5205), all interest and earnings accruing to  
19 the Eisenhower Exchange Fellowship Program Trust  
20 Fund on or before September 30, 2008, to remain avail-  
21 able until expended: *Provided*, That none of the funds ap-  
22 propriated herein shall be used to pay any salary or other  
23 compensation, or to enter into any contract providing for  
24 the payment thereof, in excess of the rate authorized by  
25 5 U.S.C. 5376; or for purposes which are not in accord-  
26 ance with OMB Circulars A–110 (Uniform Administrative

1 Requirements) and A-122 (Cost Principles for Non-profit  
 2 Organizations), including the restrictions on compensation  
 3 for personal services.

4 ISRAELI ARAB SCHOLARSHIP PROGRAM

5 For necessary expenses of the Israeli Arab Scholar-  
 6 ship Program as authorized by section 214 of the Foreign  
 7 Relations Authorization Act, Fiscal Years 1992 and 1993  
 8 (22 U.S.C. 2452), all interest and earnings accruing to  
 9 the Israeli Arab Scholarship Fund on or before September  
 10 30, 2008, to remain available until expended.

11 NATIONAL ENDOWMENT FOR DEMOCRACY

12 For grants made by the Department of State to the  
 13 National Endowment for Democracy as authorized by the  
 14 National Endowment for Democracy Act, \$80,000,000, to  
 15 remain available until expended.

16 RELATED AGENCIES

17 BROADCASTING BOARD OF GOVERNORS

18 INTERNATIONAL BROADCASTING OPERATIONS

19 For expenses necessary to enable the Broadcasting  
 20 Board of Governors, as authorized, to carry out inter-  
 21 national communication activities, including the purchase,  
 22 rent, construction, and improvement of facilities for radio  
 23 and television transmission and reception and purchase,  
 24 lease, and installation of necessary equipment for radio  
 25 and television transmission and reception to Cuba, and to  
 26 make and supervise grants for radio and television broad-

1 casting to the Middle East, \$671,632,000 (increased by  
2 \$10,000,000) (reduced by \$10,000,000): *Provided*, That  
3 of the total amount in this heading, not to exceed \$16,000  
4 may be used for official receptions within the United  
5 States as authorized, not to exceed \$35,000 may be used  
6 for representation abroad as authorized, and not to exceed  
7 \$29,000 may be used for official reception and representa-  
8 tion expenses of Radio Free Europe/Radio Liberty, and  
9 in addition, notwithstanding any other provision of law,  
10 not to exceed \$2,000,000 in receipts from advertising and  
11 revenue from business ventures, not to exceed \$500,000  
12 in receipts from cooperating international organizations,  
13 and not to exceed \$1,000,000 in receipts from privatiza-  
14 tion efforts of the Voice of America and the International  
15 Broadcasting Bureau, to remain available until expended  
16 for carrying out authorized purposes.

17           BROADCASTING CAPITAL IMPROVEMENTS

18       For the purchase, rent, construction, and improve-  
19 ment of facilities for radio and television transmission and  
20 reception, and purchase and installation of necessary  
21 equipment for radio and television transmission and recep-  
22 tion as authorized, \$10,748,000, to remain available until  
23 expended, as authorized.

1 COMMISSION FOR THE PRESERVATION OF AMERICA'S  
2 HERITAGE ABROAD  
3 SALARIES AND EXPENSES

4 For expenses for the Commission for the Preservation  
5 of America's Heritage Abroad, \$499,000, as authorized by  
6 section 1303 of Public Law 99-83.

7 COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM  
8 SALARIES AND EXPENSES

9 For necessary expenses for the United States Com-  
10 mission on International Religious Freedom, as authorized  
11 by title II of the International Religious Freedom Act of  
12 1998 (Public Law 105-292), \$3,400,000, to remain avail-  
13 able until September 30, 2009.

14 COMMISSION ON SECURITY AND COOPERATION IN  
15 EUROPE  
16 SALARIES AND EXPENSES

17 For necessary expenses of the Commission on Secu-  
18 rity and Cooperation in Europe, as authorized by Public  
19 Law 94-304, \$2,037,000, to remain available until Sep-  
20 tember 30, 2009.

21 CONGRESSIONAL-EXECUTIVE COMMISSION ON THE  
22 PEOPLE'S REPUBLIC OF CHINA  
23 SALARIES AND EXPENSES

24 For necessary expenses of the Congressional-Execu-  
25 tive Commission on the People's Republic of China, as au-



1 thorized, \$2,000,000, including not more than \$2,000 for  
 2 the purpose of official representation, to remain available  
 3 until September 30, 2009.

4 UNITED STATES-CHINA ECONOMIC AND SECURITY  
 5 REVIEW COMMISSION  
 6 SALARIES AND EXPENSES

7 For necessary expenses of the United States-China  
 8 Economic and Security Review Commission, \$4,000,000,  
 9 including not more than \$5,000 for the purpose of official  
 10 representation, to remain available until September 30,  
 11 2009: *Provided*, That for purposes of costs relating to  
 12 printing and binding, the Commission shall be deemed, ef-  
 13 fective on the date of its establishment, to be a committee  
 14 of Congress: *Provided further*, That compensation for the  
 15 executive director of the Commission may not exceed the  
 16 rate payable for level II of the Executive Schedule under  
 17 section 5314 of title 5, United States Code: *Provided fur-*  
 18 *ther*, That section 1238(c)(1) of the Floyd D. Spence Na-  
 19 tional Defense Authorization Act for Fiscal Year 2001,  
 20 is amended by striking “June” and inserting “December”:  
 21 *Provided further*, That travel by members of the Commis-  
 22 sion and its staff shall be arranged and conducted under  
 23 the rules and procedures applying to travel by members  
 24 of the House of Representatives and its staff: *Provided*  
 25 *further*, That section 1238 of the Floyd D. Spence Na-

1 tional Defense Authorization Act for Fiscal Year 2001 is  
 2 amended by striking subsection (g).

3 UNITED STATES INSTITUTE OF PEACE

4 OPERATING EXPENSES

5 For necessary expenses of the United States Institute  
 6 of Peace as authorized in the United States Institute of  
 7 Peace Act, \$25,000,000 (increased by \$1,000,000), to re-  
 8 main available until September 30, 2009.

9 GENERAL PROVISIONS—DEPARTMENT OF

10 STATE AND RELATED AGENCIES

11 ALLOWANCES AND DIFFERENTIALS

12 SEC. 101. Funds appropriated under title I of this  
 13 Act shall be available, except as otherwise provided, for  
 14 allowances and differentials as authorized by subchapter  
 15 59 of title 5, United States Code; for services as author-  
 16 ized by 5 U.S.C. 3109; and for hire of passenger transpor-  
 17 tation pursuant to 31 U.S.C. 1343(b).

18 UNOBLIGATED BALANCES REPORT

19 SEC. 102. The Department of State and the Broad-  
 20 casting Board of Governors shall provide to the Commit-  
 21 tees on Appropriations a quarterly accounting of the cu-  
 22 mulative balances of any unobligated funds that were re-  
 23 ceived by such agency during any previous fiscal year.

24 EMBASSY CONSTRUCTION

25 SEC. 103. (a) Of funds provided under title I of this  
 26 Act, except as provided in subsection (b), a project to con-

1 struct a diplomatic facility of the United States may not  
 2 include office space or other accommodations for an em-  
 3 ployee of a Federal agency or department if the Secretary  
 4 of State determines that such department or agency has  
 5 not provided to the Department of State the full amount  
 6 of funding required by subsection (e) of section 604 of  
 7 the Secure Embassy Construction and Counterterrorism  
 8 Act of 1999 (as enacted into law by section 1000(a)(7)  
 9 of Public Law 106–113 and contained in appendix G of  
 10 that Act; 113 Stat. 1501A–453), as amended by section  
 11 629 of the Departments of Commerce, Justice, and State,  
 12 the Judiciary, and Related Agencies Appropriations Act,  
 13 2005.

14 (b) Notwithstanding the prohibition in subsection (a),  
 15 a project to construct a diplomatic facility of the United  
 16 States may include office space or other accommodations  
 17 for members of the Marine Corps.

18 PEACEKEEPING MISSIONS

19 SEC. 104. None of the funds made available under  
 20 title I of this Act may be used for any United Nations  
 21 undertaking when it is made known to the Federal official  
 22 having authority to obligate or expend such funds that:  
 23 (1) the United Nations undertaking is a peacekeeping mis-  
 24 sion; (2) such undertaking will involve United States  
 25 Armed Forces under the command or operational control  
 26 of a foreign national; and (3) the President's military advi-

sors have not submitted to the President a recommendation that such involvement is in the national security interests of the United States and the President has not submitted to the Congress such a recommendation.

#### DENIAL OF VISAS

SEC. 105. (a) None of the funds appropriated or otherwise made available under title I of this Act shall be expended for any purpose for which appropriations are prohibited by section 616 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1999.

(b) The requirements in subsections (b) and (c) of section 616 of that Act shall continue to apply during fiscal year 2008.

#### SENIOR POLICY OPERATING GROUP

SEC. 106. (a) The Senior Policy Operating Group on Trafficking in Persons, established under section 105(f) of the Victims of Trafficking and Violence Protection Act of 2000 (22 U.S.C. 7103(f)) to coordinate agency activities regarding policies (including grants and grant policies) involving the international trafficking in persons, shall coordinate all such policies related to the activities of traffickers and victims of severe forms of trafficking.

(b) None of the funds provided under title I of this or any other Act making appropriations for Department of State and Related Agencies shall be expended to per-

1 form functions that duplicate coordinating responsibilities  
 2 of the Operating Group.

3 (c) The Operating Group shall continue to report only  
 4 to the authorities that appointed them pursuant to section  
 5 105(f).

6 UNITED STATES CITIZENS BORN IN JERUSALEM

7 SEC. 107. For the purposes of registration of birth,  
 8 certification of nationality, or issuance of a passport of  
 9 a United States citizen born in the city of Jerusalem, the  
 10 Secretary of State shall, upon request of the citizen,  
 11 record the place of birth as Israel.

12 E-GOVERNMENT INITIATIVES

13 SEC. 108. Any funds provided under title I of this  
 14 Act used to implement E-Government Initiatives shall be  
 15 subject to the procedures set forth in section 615 of this  
 16 Act.

17 CONSULTING SERVICES

18 SEC. 109. The expenditure of any appropriation  
 19 under title I of this Act for any consulting service through  
 20 procurement contract, pursuant to 5 U.S.C. 3109, shall  
 21 be limited to those contracts where such expenditures are  
 22 a matter of public record and available for public inspec-  
 23 tion, except where otherwise provided under existing law,  
 24 or under existing Executive order issued pursuant to exist-  
 25 ing law.

1       LIMITATION ON DIPLOMATIC OR CONSULAR POST IN  
2                   THE SOCIALIST REPUBLIC OF VIETNAM

3       SEC. 110. (a) None of the funds appropriated or oth-  
4 erwise made available under title I of this Act shall be  
5 expended for any purpose for which appropriations are  
6 prohibited by section 609 of the Departments of Com-  
7 merce, Justice, and State, the Judiciary, and Related  
8 Agencies Appropriations Act, 1999.

9       (b) The requirements in subparagraphs (A) and (B)  
10 of section 609 of that Act shall continue to apply during  
11 fiscal year 2008.

12                   STATE DEPARTMENT AUTHORITIES

13       SEC. 111. Funds appropriated under title I of this  
14 Act for the Broadcasting Board of Governors and the De-  
15 partment of State may be obligated and expended notwith-  
16 standing section 15 of the State Department Basic Au-  
17 thorities Act of 1956, section 313 of the Foreign Relations  
18 Authorization Act, Fiscal Years 1994 and 1995 (Public  
19 Law 103-236), and section 504(a)(1) of the National Se-  
20 curity Act of 1947 (50 U.S.C. 414(a)(1)).

21       RESTRICTION ON CONTRIBUTIONS TO THE UNITED  
22                   NATIONS

23       SEC. 112. None of the funds appropriated or other-  
24 wise made available under title I of this Act may be made  
25 available to pay any contribution of the United States to

1 the United Nations if the United Nations implements or  
 2 imposes any taxation on any United States persons.

### 3 PERSONNEL ACTIONS

4 SEC. 113. Any costs incurred by a department or  
 5 agency funded under this Act resulting from personnel ac-  
 6 tions taken in response to funding reductions included in  
 7 this Act shall be absorbed within the total budgetary re-  
 8 sources available to such department or agency: *Provided*,  
 9 That the authority to transfer funds between appropria-  
 10 tions accounts as may be necessary to carry out this sec-  
 11 tion is provided in addition to authorities included else-  
 12 where in this Act: *Provided further*, That use of funds to  
 13 carry out this section shall be treated as a reprogramming  
 14 of funds under section 615(a) and (b) of this Act and shall  
 15 not be available for obligation or expenditure except in  
 16 compliance with the procedures set forth in that section.

### 17 RESTRICTIONS ON UNITED NATIONS DELEGATIONS

18 SEC. 114. None of the funds made available under  
 19 title I of this Act may be used to pay expenses for any  
 20 United States delegation to any specialized agency, body,  
 21 or commission of the United Nations if such commission  
 22 is chaired or presided over by a country, the government  
 23 of which the Secretary of State has determined, for pur-  
 24 poses of section 6(j)(1) of the Export Administration Act  
 25 of 1979 (50 U.S.C. App. 2405(j)(1)), has provided sup-  
 26 port for acts of international terrorism.

1           TITLE H—EXPORT AND INVESTMENT  
2                           ASSISTANCE

3           EXPORT-IMPORT BANK OF THE UNITED STATES  
4                           INSPECTOR GENERAL

5           For necessary expenses of the Office of Inspector  
6 General in carrying out the provisions of the Inspector  
7 General Act of 1978, as amended, \$1,000,000, to remain  
8 available until September 30, 2009.

9                           PROGRAM ACCOUNT

10          The Export-Import Bank of the United States is au-  
11 thorized to make such expenditures within the limits of  
12 funds and borrowing authority available to such corpora-  
13 tion, and in accordance with law, and to make such con-  
14 tracts and commitments without regard to fiscal year limi-  
15 tations, as provided by section 104 of the Government  
16 Corporation Control Act, as may be necessary in carrying  
17 out the program for the current fiscal year for such cor-  
18 poration: *Provided*, That none of the funds available dur-  
19 ing the current fiscal year may be used to make expendi-  
20 tures, contracts, or commitments for the export of nuclear  
21 equipment, fuel, or technology to any country, other than  
22 a nuclear-weapon state as defined in Article IX of the  
23 Treaty on the Non-Proliferation of Nuclear Weapons eligi-  
24 ble to receive economic or military assistance under this  
25 Act, that has detonated a nuclear explosive after the date  
26 of the enactment of this Act: *Provided further*, That not-



1 withstanding section 1(c) of Public Law 103-428, as  
 2 amended, sections 1(a) and (b) of Public Law 103-428  
 3 shall remain in effect through October 1, 2008: *Provided*  
 4 *further*, That not less than 10 percent of the aggregate  
 5 loan, guarantee, and insurance authority available to the  
 6 Export-Import Bank under this or any prior Act should  
 7 be used for renewable energy and environmentally bene-  
 8 ficial products and services.

9 SUBSIDY APPROPRIATION

10 For the cost of direct loans, loan guarantees, insur-  
 11 ance, and tied-aid grants as authorized by section 10 of  
 12 the Export-Import Bank Act of 1945, as amended,  
 13 \$68,000,000, to remain available until September 30,  
 14 2011: *Provided*, That such costs, including the cost of  
 15 modifying such loans, shall be as defined in section 502  
 16 of the Congressional Budget Act of 1974: *Provided fur-*  
 17 *ther*, That such sums shall remain available until Sep-  
 18 tember 30, 2026, for the disbursement of direct loans,  
 19 loan guarantees, insurance and tied-aid grants obligated  
 20 in fiscal years 2008, 2009, 2010, and 2011: *Provided fur-*  
 21 *ther*, That none of the funds appropriated by this Act or  
 22 any prior Act appropriating funds for foreign operations,  
 23 export financing, and related programs for tied-aid credits  
 24 or grants may be used for any other purpose except  
 25 through the regular notification procedures of the Com-  
 26 mittees on Appropriations: *Provided further*, That funds

1 appropriated by this paragraph are made available not-  
 2 withstanding section 2(b)(2) of the Export-Import Bank  
 3 Act of 1945, in connection with the purchase or lease of  
 4 any product by any Eastern European country, any Baltic  
 5 State or any agency or national thereof.

6 ADMINISTRATIVE EXPENSES

7 For administrative expenses to carry out the direct  
 8 and guaranteed loan and insurance programs, including  
 9 hire of passenger motor vehicles and services as authorized  
 10 by ~~5~~ U.S.C. 3109, and not to exceed \$30,000 for official  
 11 reception and representation expenses for members of the  
 12 Board of Directors, \$78,000,000: *Provided*, That the Ex-  
 13 port-Import Bank may accept, and use, payment or serv-  
 14 ices provided by transaction participants for legal, finan-  
 15 cial, or technical services in connection with any trans-  
 16 action for which an application for a loan, guarantee or  
 17 insurance commitment has been made: *Provided further*,  
 18 That, notwithstanding subsection (b) of section 117 of the  
 19 Export Enhancement Act of 1992, subsection (a) thereof  
 20 shall remain in effect until October 1, 2008.

21 OVERSEAS PRIVATE INVESTMENT CORPORATION

22 NON-CREDIT ACCOUNT

23 The Overseas Private Investment Corporation is au-  
 24 thorized to make, without regard to fiscal year limitations,  
 25 as provided by ~~31~~ U.S.C. 9104, such expenditures and  
 26 commitments within the limits of funds available to it and

1 in accordance with law as may be necessary: *Provided,*  
 2 That the amount available for administrative expenses to  
 3 carry out the credit and insurance programs (including an  
 4 amount for official reception and representation expenses  
 5 which shall not exceed \$35,000) shall not exceed  
 6 \$47,500,000: *Provided further,* That project-specific trans-  
 7 action costs, including direct and indirect costs incurred  
 8 in claims settlements, and other direct costs associated  
 9 with services provided to specific investors or potential in-  
 10 vestors pursuant to section 234 of the Foreign Assistance  
 11 Act of 1961, shall not be considered administrative ex-  
 12 penses for the purposes of this heading.

#### 13 PROGRAM ACCOUNT

14 For the cost of direct and guaranteed loans,  
 15 \$20,000,000, as authorized by section 234 of the Foreign  
 16 Assistance Act of 1961, to be derived by transfer from  
 17 the Overseas Private Investment Corporation Non-Credit  
 18 Account: *Provided,* That such costs, including the cost of  
 19 modifying such loans, shall be as defined in section 502  
 20 of the Congressional Budget Act of 1974: *Provided fur-*  
 21 *ther,* That such sums shall be available for direct loan obli-  
 22 gations and loan guaranty commitments incurred or made  
 23 during fiscal years 2008, 2009, and 2010: *Provided fur-*  
 24 *ther,* That funds so obligated in fiscal year 2008 remain  
 25 available for disbursement through 2016; funds obligated  
 26 in fiscal year 2009 remain available for disbursement

1 through 2017; funds obligated in fiscal year 2010 remain  
 2 available for disbursement through 2018: *Provided further,*  
 3 That notwithstanding any other provision of law, the  
 4 Overseas Private Investment Corporation is authorized to  
 5 undertake any program authorized by title IV of the For-  
 6 eign Assistance Act of 1961 in Iraq: *Provided further,*  
 7 That funds made available pursuant to the authority of  
 8 the previous proviso shall be subject to the regular notifi-  
 9 cation procedures of the Committees on Appropriations.

10 In addition, such sums as may be necessary for ad-  
 11 ministrative expenses to carry out the credit program may  
 12 be derived from amounts available for administrative ex-  
 13 penses to carry out the credit and insurance programs in  
 14 the Overseas Private Investment Corporation Non-Credit  
 15 Account and merged with said account.

#### 16 TRADE AND DEVELOPMENT AGENCY

17 For necessary expenses to carry out the provisions  
 18 of section 661 of the Foreign Assistance Act of 1961,  
 19 \$50,400,000, to remain available until September 30,  
 20 2009.

#### 21 TITLE III—BILATERAL ECONOMIC ASSISTANCE

##### 22 FUNDS APPROPRIATED TO THE PRESIDENT

23 For expenses necessary to enable the President to  
 24 carry out the provisions of the Foreign Assistance Act of  
 25 1961, and for other purposes, to remain available until

1 September 30, 2008, unless otherwise specified herein, as  
2 follows:

3 UNITED STATES AGENCY FOR INTERNATIONAL  
4 DEVELOPMENT  
5 CHILD SURVIVAL AND HEALTH PROGRAMS FUND  
6 (INCLUDING TRANSFER OF FUNDS)

7 For necessary expenses to carry out the provisions  
8 of chapters 1 and 10 of part I of the Foreign Assistance  
9 Act of 1961, for child survival, health, and family plan-  
10 ning/reproductive health activities, in addition to funds  
11 otherwise available for such purposes, \$1,955,150,000 (re-  
12 duced by \$25,000,000) (increased by \$50,000,000) (in-  
13 creased by \$5,000,000) (reduced by \$5,000,000), to re-  
14 main available until September 30, 2009: *Provided*, That  
15 this amount shall be made available for such activities as:  
16 (1) immunization programs; (2) oral rehydration pro-  
17 grams and pneumonia prevention and treatment pro-  
18 grams; (3) health, nutrition, water and sanitation pro-  
19 grams which directly address the needs of mothers and  
20 children, and related education programs; (4) assistance  
21 for children displaced or orphaned by causes other than  
22 AIDS; (5) programs for the prevention, treatment, control  
23 of, and research on HIV/AIDS, tuberculosis, polio, ma-  
24 laria, and other infectious diseases, and for assistance to  
25 communities severely affected by HIV/AIDS, including  
26 children infected or affected by AIDS; and (6) family plan-

1 ning/reproductive health: *Provided further*, That none of  
 2 the funds appropriated under this heading may be made  
 3 available for nonproject assistance, except that funds may  
 4 be made available for such assistance for ongoing health  
 5 activities: *Provided further*, That of the funds appropriated  
 6 under this heading, not to exceed \$350,000, in addition  
 7 to funds otherwise available for such purposes, may be  
 8 used to monitor and provide oversight of child survival,  
 9 maternal and family planning/reproductive health, and in-  
 10 fectious disease programs: *Provided further*, That the fol-  
 11 lowing amounts should be allocated as follows:  
 12 \$374,150,000 for child survival and maternal health;  
 13 \$15,000,000 for vulnerable children; \$350,000,000 for  
 14 HIV/AIDS; \$591,000,000 for other infectious diseases;  
 15 and \$375,000,000 for family planning/reproductive health,  
 16 including in areas where population growth threatens bio-  
 17 diversity or endangered species: *Provided further*, That of  
 18 the funds appropriated under this heading, and in addition  
 19 to funds allocated under the previous proviso, not less  
 20 than \$250,000,000 shall be made available, notwith-  
 21 standing any other provision of law, except for the United  
 22 States Leadership Against HIV/AIDS, Tuberculosis and  
 23 Malaria Act of 2003 (Public Law 108–25), for a United  
 24 States contribution to the Global Fund to Fight AIDS,  
 25 Tuberculosis and Malaria (the “Global Fund”), and shall

1 be expended at the minimum rate necessary to make time-  
2 ly payment for projects and activities: *Provided further,*  
3 That of the funds appropriated under this heading,  
4 \$70,000,000 should be made available for a United States  
5 contribution to The GAVI Fund, and up to \$6,000,000  
6 may be transferred to and merged with funds appropriated  
7 by this Act under the heading “Operating Expenses of the  
8 United States Agency for International Development” for  
9 costs directly related to international health, but funds  
10 made available for such costs may not be derived from  
11 amounts made available for contributions under this and  
12 preceding provisos: *Provided further,* That none of the  
13 funds made available in this Act nor any unobligated bal-  
14 ances from prior appropriations may be made available to  
15 any organization or program which, as determined by the  
16 President of the United States, supports or participates  
17 in the management of a program of coercive abortion or  
18 involuntary sterilization: *Provided further,* That any deter-  
19 mination made under the previous proviso must be made  
20 no later than six months after the date of enactment of  
21 this Act, and must be accompanied by a comprehensive  
22 analysis as well as the complete evidence and criteria uti-  
23 lized to make the determination: *Provided further,* That  
24 none of the funds made available under this Act may be  
25 used to pay for the performance of abortion as a method

1 of family planning or to motivate or coerce any person  
2 to practice abortions: *Provided further*, That nothing in  
3 this paragraph shall be construed to alter any existing  
4 statutory prohibitions against abortion under section 104  
5 of the Foreign Assistance Act of 1961: *Provided further*,  
6 That none of the funds made available under this Act may  
7 be used to lobby for or against abortion: *Provided further*,  
8 That in order to reduce reliance on abortion in developing  
9 nations, funds shall be available only to voluntary family  
10 planning projects which offer, either directly or through  
11 referral to, or information about access to, a broad range  
12 of family planning methods and services, and that any  
13 such voluntary family planning project shall meet the fol-  
14 lowing requirements: (1) service providers or referral  
15 agents in the project shall not implement or be subject  
16 to quotas, or other numerical targets, of total number of  
17 births, number of family planning acceptors, or acceptors  
18 of a particular method of family planning (this provision  
19 shall not be construed to include the use of quantitative  
20 estimates or indicators for budgeting and planning pur-  
21 poses); (2) the project shall not include payment of incen-  
22 tives, bribes, gratuities, or financial reward to: (A) an indi-  
23 vidual in exchange for becoming a family planning accep-  
24 tor; or (B) program personnel for achieving a numerical  
25 target or quota of total number of births, number of fam-



1 ily planning acceptors, or acceptors of a particular method  
2 of family planning; (3) the project shall not deny any right  
3 or benefit, including the right of access to participate in  
4 any program of general welfare or the right of access to  
5 health care, as a consequence of any individual's decision  
6 not to accept family planning services; (4) the project shall  
7 provide family planning acceptors comprehensible infor-  
8 mation on the health benefits and risks of the method cho-  
9 sen, including those conditions that might render the use  
10 of the method inadvisable and those adverse side effects  
11 known to be consequent to the use of the method; and  
12 (5) the project shall ensure that experimental contracep-  
13 tive drugs and devices and medical procedures are pro-  
14 vided only in the context of a scientific study in which  
15 participants are advised of potential risks and benefits;  
16 and, not less than 60 days after the date on which the  
17 Administrator of the United States Agency for Inter-  
18 national Development determines that there has been a  
19 violation of the requirements contained in paragraph (1),  
20 (2), (3), or (5) of this proviso, or a pattern or practice  
21 of violations of the requirements contained in paragraph  
22 (4) of this proviso, the Administrator shall submit to the  
23 Committees on Appropriations a report containing a de-  
24 scription of such violation and the corrective action taken  
25 by the Agency: *Provided further*, That in awarding grants

1 for natural family planning under section 104 of the For-  
 2 eign Assistance Act of 1961 no applicant shall be discrimi-  
 3 nated against because of such applicant's religious or con-  
 4 scientious commitment to offer only natural family plan-  
 5 ning; and, additionally, all such applicants shall comply  
 6 with the requirements of the previous proviso: *Provided*  
 7 *further*, That for purposes of this or any other Act author-  
 8 izing or appropriating funds for foreign operations, export  
 9 financing, and related programs, the term "motivate", as  
 10 it relates to family planning assistance, shall not be con-  
 11 strued to prohibit the provision, consistent with local law,  
 12 of information or counseling about all pregnancy options:  
 13 *Provided further*, That to the maximum extent feasible,  
 14 taking into consideration cost, timely availability, and best  
 15 health practices, funds appropriated in this Act or prior  
 16 appropriations Acts that are made available for condom  
 17 procurement shall be made available only for the procure-  
 18 ment of condoms manufactured in the United States: *Pro-*  
 19 *vided further*, That information provided about the use of  
 20 condoms as part of projects or activities that are funded  
 21 from amounts appropriated by this Act shall be medically  
 22 accurate and shall include the public health benefits and  
 23 failure rates of such use.

#### 24 DEVELOPMENT ASSISTANCE

25 For necessary expenses to carry out the provisions  
 26 of sections 103, 105, 106, and sections 251 through 255,

1 and chapter 10 of part I of the Foreign Assistance Act  
2 of 1961, \$1,733,760,000 (increased by \$5,000,000) (re-  
3 duced by \$5,000,000), to remain available until September  
4 30, 2009: *Provided*, That \$519,000,000 shall be allocated  
5 for basic education: *Provided further*, That of the funds  
6 appropriated under this heading and managed by the  
7 United States Agency for International Development Bu-  
8 reau of Democracy, Conflict, and Humanitarian Assist-  
9 ance, not less than \$35,000,000 shall be made available  
10 only for programs to improve women's leadership capacity  
11 in recipient countries: *Provided further*, That such funds  
12 may not be made available for construction: *Provided fur-*  
13 *ther*, That of the funds appropriated in this Act,  
14 \$300,000,000 shall be made available for access to safe  
15 water and water management programs: *Provided further*,  
16 That of the funds appropriated under this heading,  
17 \$175,000,000 shall be made available for biodiversity and  
18 environmental programs: *Provided further*, That of the  
19 funds appropriated under this heading that are made  
20 available for assistance programs for displaced and or-  
21 phaned children and victims of war, not to exceed  
22 \$42,500, in addition to funds otherwise available for such  
23 purposes, may be used to monitor and provide oversight  
24 of such programs: *Provided further*, That funds appro-  
25 priated under this heading should be made available for

1 programs in sub-Saharan Africa to address sexual and  
2 gender-based violence.

3 INTERNATIONAL DISASTER AND FAMINE ASSISTANCE

4 For necessary expenses to carry out the provisions  
5 of section 491 of the Foreign Assistance Act of 1961 for  
6 international disaster relief, rehabilitation, and recon-  
7 struction assistance, \$322,350,000, to remain available  
8 until expended, of which \$20,000,000 should be for famine  
9 prevention and relief.

10 TRANSITION INITIATIVES

11 For necessary expenses for international disaster re-  
12 habilitation and reconstruction assistance pursuant to sec-  
13 tion 491 of the Foreign Assistance Act of 1961,  
14 \$40,000,000, to remain available until expended, to sup-  
15 port transition to democracy and to long-term develop-  
16 ment of countries in crisis: *Provided*, That such support  
17 may include assistance to develop, strengthen, or preserve  
18 democratic institutions and processes, revitalize basic in-  
19 frastructure, and foster the peaceful resolution of conflict:  
20 *Provided further*, That the United States Agency for Inter-  
21 national Development shall submit a report to the Com-  
22 mittees on Appropriations at least 5 days prior to begin-  
23 ning a new program of assistance.

DEVELOPMENT CREDIT AUTHORITY  
(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans and loan guarantees provided by the United States Agency for International Development, as authorized by sections 256 and 635 of the Foreign Assistance Act of 1961, up to \$21,000,000 may be derived by transfer from funds appropriated by this Act to carry out part I of such Act and under the heading “Assistance for Eastern Europe and the Baltic States”:

*Provided,* That such funds shall be made available only for micro and small enterprise programs, urban programs, and other programs which further the purposes of part I of the Act: *Provided further,* That such costs, including the cost of modifying such direct and guaranteed loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further,* That funds made available by this paragraph may be used for the cost of modifying any such guaranteed loans under this Act or prior Acts, and funds used for such costs shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further,* That the provisions of section 107A(d) (relating to general provisions applicable to the Development Credit Authority) of the Foreign Assistance Act of 1961, as contained in section 306 of H.R. 1486 as reported by the House Committee on International Relations on May 9, 1997, shall

1 be applicable to direct loans and loan guarantees provided  
 2 under this heading: *Provided further*, That these funds are  
 3 available to subsidize total loan principal, any portion of  
 4 which is to be guaranteed, of up to \$700,000,000.

5 In addition, for administrative expenses to carry out  
 6 credit programs administered by the United States Agency  
 7 for International Development, \$7,400,000, which may be  
 8 transferred to and merged with the appropriation for Op-  
 9 erating Expenses of the United States Agency for Inter-  
 10 national Development: *Provided*, That funds made avail-  
 11 able under this heading shall remain available until Sep-  
 12 tember 30, 2010.

13 OPERATING EXPENSES OF THE UNITED STATES AGENCY  
 14 FOR INTERNATIONAL DEVELOPMENT  
 15 (INCLUDING TRANSFER OF FUNDS)

16 For necessary expenses to carry out the provisions  
 17 of section 667 of the Foreign Assistance Act of 1961,  
 18 \$625,700,000, of which up to \$25,000,000 may remain  
 19 available until September 30, 2009: *Provided*, That none  
 20 of the funds appropriated under this heading and under  
 21 the heading “Capital Investment Fund” may be made  
 22 available to finance the construction (including architect  
 23 and engineering services), purchase, or long-term lease of  
 24 offices for use by the United States Agency for Inter-  
 25 national Development, unless the Administrator has iden-  
 26 tified such proposed construction (including architect and

1 engineering services), purchase, or long-term lease of of-  
2 fices in a report submitted to the Committees on Appro-  
3 priations at least 15 days prior to the obligation of these  
4 funds for such purposes: *Provided further*, That the pre-  
5 vious proviso shall not apply where the total cost of con-  
6 struction (including architect and engineering services),  
7 purchase, or long-term lease of offices does not exceed  
8 \$1,000,000: *Provided further*, That contracts or agree-  
9 ments entered into with funds appropriated under this  
10 heading may entail commitments for the expenditure of  
11 such funds through fiscal year 2009: *Provided further*,  
12 That none of the funds in this Act may be used to open  
13 or close an overseas mission of the United States Agency  
14 for International Development without the prior written  
15 notification to the Committees on Appropriations: *Pro-*  
16 *vided further*, That the authority of sections 610 and 109  
17 of the Foreign Assistance Act of 1961 may be exercised  
18 by the Secretary of State to transfer funds appropriated  
19 to carry out chapter 1 of part I of such Act to “Operating  
20 Expenses of the United States Agency for International  
21 Development” in accordance with the provisions of those  
22 sections: *Provided further*, That none of the funds appro-  
23 priated by this Act or any prior Act making appropriations  
24 for foreign operations, export financing, or related pro-  
25 grams may be used by the United States Agency for Inter-

1 national Development for the rent of buildings and space  
2 in buildings in the United States pursuant to the authority  
3 of section 636(a)(1) of the Foreign Assistance Act of  
4 1961: *Provided further*, That the previous proviso shall not  
5 apply to any lease, agreement, or other instrument exe-  
6 cuted for the purpose of maintaining United States Agen-  
7 cy for International Development continuity of operations  
8 and to the cost of terminating the domestic lease executed  
9 on September 30, 2005.

10 CAPITAL INVESTMENT FUND OF THE UNITED STATES

11 AGENCY FOR INTERNATIONAL DEVELOPMENT

12 For necessary expenses for overseas construction and  
13 related costs, and for the procurement and enhancement  
14 of information technology and related capital investments,  
15 pursuant to section 667 of the Foreign Assistance Act of  
16 1961, \$87,300,000, to remain available until expended:  
17 *Provided*, That this amount is in addition to funds other-  
18 wise available for such purposes: *Provided further*, That  
19 funds appropriated under this heading shall be available  
20 for obligation only pursuant to the regular notification  
21 procedures of the Committees on Appropriations: *Provided*  
22 *further*, That of the funds appropriated under this head-  
23 ing, not to exceed \$75,144,500 may be made available for  
24 the purposes of implementing the Capital Security Cost  
25 Sharing Program.



1 OPERATING EXPENSES OF THE UNITED STATES AGENCY  
 2 FOR INTERNATIONAL DEVELOPMENT OFFICE OF IN-  
 3 SPECTOR GENERAL

4 For necessary expenses to carry out the provisions  
 5 of section 667 of the Foreign Assistance Act of 1961,  
 6 \$38,000,000, to remain available until September 30,  
 7 2009, which sum shall be available for the Office of the  
 8 Inspector General of the United States Agency for Inter-  
 9 national Development.

10 OTHER BILATERAL ECONOMIC ASSISTANCE

11 ECONOMIC SUPPORT FUND

12 (INCLUDING TRANSFER OF FUNDS)

13 For necessary expenses to carry out the provisions  
 14 of chapter 4 of part II, \$2,656,506,000 (reduced by  
 15 \$25,000,000) (increased by \$75,000,000) (reduced by  
 16 \$75,000,000) (increased by \$36,700,000), to remain avail-  
 17 able until September 30, 2009: *Provided*, That of the  
 18 funds appropriated under this heading, not less than  
 19 \$415,000,000 shall be available only for Egypt, which sum  
 20 shall be provided on a grant basis, and of which sum cash  
 21 transfer assistance shall be provided with the under-  
 22 standing that Egypt will undertake significant economic  
 23 and political reforms which are additional to those which  
 24 were undertaken in previous fiscal years: *Provided further*,  
 25 That with respect to the provision of assistance for Egypt  
 26 for democracy and governance activities, the organizations

1 implementing such assistance and the specific nature of  
2 that assistance shall not be subject to the prior approval  
3 by the Government of Egypt: *Provided further*, That of  
4 the funds appropriated under this heading for assistance  
5 for Egypt, not less than \$135,000,000 shall be made avail-  
6 able for project assistance, of which not less than  
7 \$50,000,000 shall be made available for democracy,  
8 human rights and governance programs and not less than  
9 \$50,000,000 shall be used for education programs: *Pro-*  
10 *vided further*, That \$11,000,000 of the funds appropriated  
11 under this heading should be made available for Cyprus  
12 to be used for scholarships, administrative support of the  
13 scholarship program, bicommunal projects, and measures  
14 aimed at reunification of the island and designed to reduce  
15 tensions and promote peace and cooperation between the  
16 two communities on Cyprus: *Provided further*, That of the  
17 funds appropriated under this heading, not less than  
18 \$263,547,000 should be made available only for assistance  
19 for Jordan: *Provided further*, That of the funds appro-  
20 priated under this heading not more than \$63,500,000  
21 may be made available for assistance for the West Bank  
22 and Gaza: *Provided further*, That \$45,000,000 of the  
23 funds appropriated under this heading shall be made avail-  
24 able for assistance for Lebanon, of which not less than  
25 \$10,000,000 should be made available for scholarships

1 and direct support of American educational institutions in  
2 Lebanon: *Provided further*, That not more than  
3 \$300,000,000 of the funds made available for assistance  
4 for Afghanistan under this heading may be obligated for  
5 such assistance until the Secretary of State certifies to the  
6 Committees on Appropriations that the Government of Af-  
7 ghanistan at both the national and provincial level is co-  
8 operating fully with United States funded poppy eradi-  
9 cation and interdiction efforts in Afghanistan: *Provided*  
10 *further*, That the President may waive the previous proviso  
11 if he determines and reports to the Committees on Appro-  
12 priations that to do so is vital to the national security in-  
13 terests of the United States: *Provided further*, That such  
14 report shall include an analysis of the steps being taken  
15 by the Government of Afghanistan, at the national and  
16 provincial level, to cooperate fully with United States  
17 funded poppy eradication and interdiction efforts in Af-  
18 ghanistan: *Provided further*, That of the funds appro-  
19 priated under this heading, not less than \$218,500,000  
20 is available only to carry out programs in Colombia and  
21 may be transferred to “DEVELOPMENT ASSIST-  
22 ANCE” to continue programs administered by the United  
23 States Agency for International Development: *Provided*  
24 *further*, That of the funds appropriated under this heading  
25 that are available for assistance for the Democratic Re-

1 public of Timor-Leste, up to \$1,000,000 may be available  
 2 for administrative expenses of the United States Agency  
 3 for International Development: *Provided further*, That not-  
 4 withstanding any other provision of law, funds appro-  
 5 priated under this heading may be made available for pro-  
 6 grams and activities for the Central Highlands of Viet-  
 7 nam: *Provided further*, That funds appropriated under this  
 8 heading that are made available for a Middle East Finane-  
 9 ing Facility, Middle East Enterprise Fund, or any other  
 10 similar entity in the Middle East shall be subject to the  
 11 regular notification procedures of the Committees on Ap-  
 12 propriations.

13 INTERNATIONAL FUND FOR IRELAND

14 For necessary expenses to carry out the provisions  
 15 of chapter 4 of part II of the Foreign Assistance Act of  
 16 1961, \$15,000,000, which shall be available for the United  
 17 States contribution to the International Fund for Ireland  
 18 and shall be made available in accordance with the provi-  
 19 sions of the Anglo-Irish Agreement Support Act of 1986  
 20 (Public Law 99-415): *Provided*, That such amount shall  
 21 be expended at the minimum rate necessary to make time-  
 22 ly payment for projects and activities: *Provided further*,  
 23 That funds made available under this heading shall re-  
 24 main available until September 30, 2009.

(b) Funds appropriated under this heading shall be considered to be economic assistance under the Foreign Assistance Act of 1961 for purposes of making available the administrative authorities contained in that Act for the use of economic assistance.

**HR 2764 PP**

15 ASSISTANCE FOR THE INDEPENDENT STATES OF THE  
16 FORMER SOVIET UNION

**HR 2764 PP**

1 fidence-building measures and other activities in further-  
 2 ance of the peaceful resolution of the regional conflicts,  
 3 especially those in the vicinity of Abkhazia and Nagorno-  
 4 Karabagh: *Provided further*, That notwithstanding any  
 5 other provision of law, funds appropriated under this  
 6 heading in this Act or prior Acts making appropriations  
 7 for foreign operations, export financing, and related pro-  
 8 grams, that are made available pursuant to the provisions  
 9 of section 807 of Public Law 102-511 shall be subject  
 10 to a 6 percent ceiling on administrative expenses.

11 (b) Of the funds appropriated under this heading, not  
 12 less than \$52,200,000 should be made available, in addi-  
 13 tion to funds otherwise available for such purposes, for  
 14 assistance for child survival, environmental and reproduc-  
 15 tive health, and to combat HIV/AIDS, tuberculosis and  
 16 other infectious diseases, and for related activities.

17 (c)(1) Of the funds appropriated under this heading  
 18 that are allocated for assistance for the Government of  
 19 the Russian Federation, 60 percent shall be withheld from  
 20 obligation until the President determines and certifies in  
 21 writing to the Committees on Appropriations that the Gov-  
 22 ernment of the Russian Federation—

23 (A) has terminated implementation of arrange-  
 24 ments to provide Iran with technical expertise, train-  
 25 ing, technology, or equipment necessary to develop a

1 nuclear reactor; related nuclear research facilities or  
 2 programs; or ballistic missile capability; and

3 ~~(B) is providing full access to international non-~~  
 4 ~~governmental organizations providing humanitarian~~  
 5 ~~relief to refugees and internally displaced persons in~~  
 6 ~~Chechnya.~~

7 ~~(2) Paragraph (1) shall not apply to—~~

8 ~~(A) assistance to combat infectious diseases;~~  
 9 ~~child survival activities; or assistance for victims of~~  
 10 ~~trafficking in persons; and~~

11 ~~(B) activities authorized under title V (Non-~~  
 12 ~~proliferation and Disarmament Programs and Ac-~~  
 13 ~~tivities) of the FREEDOM Support Act.~~

14 ~~(d) Section 907 of the FREEDOM Support Act shall~~  
 15 ~~not apply to—~~

16 ~~(1) activities to support democracy or assist-~~  
 17 ~~ance under title V of the FREEDOM Support Act~~  
 18 ~~and section 1424 of Public Law 104–201 or non-~~  
 19 ~~proliferation assistance;~~

20 ~~(2) any assistance provided by the Trade and~~  
 21 ~~Development Agency under section 661 of the For-~~  
 22 ~~ign Assistance Act of 1961 (22 U.S.C. 2191 et~~  
 23 ~~seq.);~~



~~INTER-AMERICAN FOUNDATION~~

For necessary expenses to carry out the functions of the Inter-American Foundation in accordance with the provisions of section 401 of the Foreign Assistance Act of 1969, \$19,000,000, to remain available until September 30, 2009.

For necessary expenses to carry out title V of the International Security and Development Cooperation Act of 1980, Public Law 96-533, \$30,000,000, to remain available until September 30, 2009: *Provided*, That funds made available to grantees may be invested pending expenditure for project purposes when authorized by the Board of Directors of the Foundation: *Provided further*,

1 That interest earned shall be used only for the purposes  
 2 for which the grant was made: *Provided further*, That not-  
 3 withstanding section 505(a)(2) of the African Develop-  
 4 ment Foundation Act: (1) in exceptional circumstances the  
 5 Board of Directors of the Foundation may waive the  
 6 \$250,000 limitation contained in that section with respect  
 7 to a project; and (2) a project may exceed the limitation  
 8 by up to \$10,000 if the increase is due solely to foreign  
 9 currency fluctuation: *Provided further*, That the Founda-  
 10 tion shall provide a report to the Committees on Appro-  
 11 priations after each time such waiver authority is exer-  
 12 cised.

13 PEACE CORPS

14 (INCLUDING TRANSFER OF FUNDS)

15 For necessary expenses to carry out the provisions  
 16 of the Peace Corps Act (75 Stat. 612), including the pur-  
 17 chase of not to exceed five passenger motor vehicles for  
 18 administrative purposes for use outside of the United  
 19 States, \$333,500,000, to remain available until September  
 20 30, 2009: *Provided*, That none of the funds appropriated  
 21 under this heading shall be used to pay for abortions: *Pro-*  
 22 *vided further*, That the Director may transfer to the For-  
 23 eign Currency Fluctuations Account, as authorized by 22  
 24 U.S.C. 2515, an amount not to exceed \$2,000,000: *Pro-*  
 25 *vided further*, That funds transferred pursuant to the pre-

1 vious proviso may not be derived from amounts made  
2 available for Peace Corps overseas operations.

3           MILLENNIUM CHALLENGE CORPORATION

4           For necessary expenses for the “Millennium Chal-  
5 lenge Corporation”, \$1,800,000,000, to remain available  
6 until expended: *Provided*, That of the funds appropriated  
7 under this heading, up to \$95,000,000 may be available  
8 for administrative expenses of the Millennium Challenge  
9 Corporation: *Provided further*, That up to 10 percent of  
10 the funds appropriated under this heading may be made  
11 available to carry out the purposes of section 616 of the  
12 Millennium Challenge Act of 2003 for candidate countries  
13 for fiscal year 2008: *Provided further*, That none of the  
14 funds available to carry out section 616 of such Act may  
15 be made available until the Chief Executive Officer of the  
16 Millennium Challenge Corporation provides a report to the  
17 Committees on Appropriations listing the candidate coun-  
18 tries that will be receiving assistance under section 616  
19 of such Act, the level of assistance proposed for each such  
20 country, a description of the proposed programs, projects  
21 and activities, and the implementing agency or agencies  
22 of the United States Government: *Provided further*, That  
23 section 605(e)(4) of the Millennium Challenge Act of 2003  
24 shall apply to funds appropriated under this heading: *Pro-*  
25 *vided further*, That funds appropriated under this heading  
26 may be made available for a Millennium Challenge Com-

1 pact entered into pursuant to section 609 of the Millen-  
2 nium Challenge Act of 2003 only if such Compact obli-  
3 gates, or contains a commitment to obligate subject to the  
4 availability of funds and the mutual agreement of the par-  
5 ties to the Compact to proceed, the entire amount of the  
6 United States Government funding anticipated for the du-  
7 ration of the Compact.

8 DEPARTMENT OF STATE

9 GLOBAL HIV/AIDS INITIATIVE

10 For necessary expenses to carry out the provisions  
11 of the Foreign Assistance Act of 1961 for the prevention,  
12 treatment, and control of, and research on, HIV/AIDS,  
13 including administrative expenses of the Office of the  
14 Global AIDS Coordinator, \$4,450,000,000, to remain  
15 available until expended, of which \$300,000,000 shall be  
16 made available, notwithstanding any other provision of  
17 law, except for the United States Leadership Against  
18 HIV/AIDS, Tuberculosis and Malaria Act of 2003 (Public  
19 Law 108-25) for a United States contribution to the Glob-  
20 al Fund to Fight AIDS, Tuberculosis and Malaria, and  
21 shall be expended at the minimum rate necessary to make  
22 timely payment for projects and activities: *Provided fur-*  
23 *ther,* That funds made available under this heading and  
24 under the heading “Child Survival and Health Programs  
25 Fund” shall be made available notwithstanding the second

1 sentence of section 403(a) of Public Law 108-25: *Pro-*  
 2 *vided further*, That up to 5 percent of the aggregate  
 3 amount of funds made available to the Global Fund in  
 4 fiscal year 2008 may be made available to the Office of  
 5 the United States Global AIDS Coordinator for technical  
 6 assistance related to the activities of the Global Fund.

7       INTERNATIONAL NARCOTICS CONTROL AND LAW  
 8                               ENFORCEMENT

9       For necessary expenses to carry out section 481 of  
 10 the Foreign Assistance Act of 1961, \$568,475,000, to re-  
 11 main available until September 30, 2010: *Provided*, That  
 12 during fiscal year 2008, the Department of State may also  
 13 use the authority of section 608 of the Foreign Assistance  
 14 Act of 1961, without regard to its restrictions, to receive  
 15 excess property from an agency of the United States Gov-  
 16 ernment for the purpose of providing it to a foreign coun-  
 17 try under chapter 8 of part I of that Act subject to the  
 18 regular notification procedures of the Committees on Ap-  
 19 propriations: *Provided further*, That the Secretary of State  
 20 shall provide to the Committees on Appropriations not  
 21 later than 45 days after the date of the enactment of this  
 22 Act and prior to the initial obligation of funds appro-  
 23 priated under this heading, a report on the proposed uses  
 24 of all funds under this heading on a country-by-country  
 25 basis for each proposed program, project, or activity: *Pro-*  
 26 *vided further*, That of the funds appropriated under this

1 heading, not less than \$15,000,000 shall be made avail-  
 2 able for training programs and activities of the Inter-  
 3 national Law Enforcement Academies: *Provided further,*  
 4 That none of the funds provided under this heading for  
 5 counter narcotics activities in Afghanistan shall be made  
 6 available for eradication programs through the spraying  
 7 of herbicides: *Provided further,* That \$12,000,000 of the  
 8 funds appropriated under this heading shall be made avail-  
 9 able for demand reduction and drug awareness programs:  
 10 *Provided further,* That not less than \$8,000,000 shall be  
 11 made available for programs to combat transnational  
 12 crime and criminal youth gangs: *Provided further,* That  
 13 of the funds appropriated under this heading, not more  
 14 than \$38,000,000 may be available for administrative ex-  
 15 penses.

#### 16 ANDEAN COUNTERDRUG INITIATIVE

17 For necessary expenses to carry out section 481 of  
 18 the Foreign Assistance Act of 1961 to support  
 19 counterdrug activities in the Andean region of South  
 20 America, \$312,460,000, to remain available until Sep-  
 21 tember 30, 2010: *Provided,* That the Secretary of State,  
 22 in consultation with the Administrator of the United  
 23 States Agency for International Development, shall pro-  
 24 vide to the Committees on Appropriations not later than  
 25 45 days after the date of the enactment of this Act and  
 26 prior to the initial obligation of funds appropriated under

1 this heading, a report on the proposed uses of all funds  
2 under this heading on a country-by-country basis for each  
3 proposed program, project, or activity: *Provided further,*  
4 That section 482(b) of the Foreign Assistance Act of 1961  
5 shall not apply to funds appropriated under this heading:  
6 *Provided further,* That assistance provided with funds ap-  
7 propriated under this heading that is made available not-  
8 withstanding section 482(b) of the Foreign Assistance Act  
9 of 1961 shall be made available subject to the regular noti-  
10 fication procedures of the Committees on Appropriations:  
11 *Provided further,* That of the funds available under this  
12 heading for assistance for the Colombian National Police  
13 Support for Eradication program, not less than  
14 \$5,000,000 shall be made available for program assistance  
15 to protect biodiversity, indigenous reserves and Afro-Co-  
16 lombian lands subject to spraying in Colombia: *Provided*  
17 *further,* That of the funds available for the Colombian na-  
18 tional police support for eradication program for the pro-  
19 curement of chemicals for aerial coca and poppy fumiga-  
20 tion programs, exclusive of funds made available pursuant  
21 to the previous proviso, not more than 10 percent of such  
22 funds may be made available for such fumigation pro-  
23 grams unless the Secretary of State certifies to the Com-  
24 mittees on Appropriations that: (1) the herbicide is being  
25 used in accordance with label requirements of the Environ-

1 mental Protection Agency for comparable use in the  
2 United States and with Colombian laws; (2) the aerial fu-  
3 migation program does not pose unreasonable risks or ad-  
4 verse effects to humans or the environment including en-  
5 demic species; (3) the social dislocation and changes in  
6 vegetative cover caused by the geographic shifts in coca  
7 and poppy cultivation resulting from the aerial spraying  
8 program have been thoroughly assessed on a regional level,  
9 and effective measures are being taken to minimize ad-  
10 verse impacts; (4) all certification reports on the aerial  
11 eradication program are being made available to the public  
12 in a timely manner in both English and Spanish; (5) com-  
13 plaints of harm to health or licit crops caused by such  
14 spraying are being thoroughly evaluated and fair com-  
15 pensation is being provided in a timely manner for meri-  
16 torious claims; (6) all claims, evaluations, and compensa-  
17 tion reports will be disclosed biannually to the public in  
18 both English and Spanish; (7) a minimum of 15 percent  
19 of sprayed fields will be subject to independent and ran-  
20 domly selected off-target damage assessments; (8) pro-  
21 grams are being implemented by the United States Agency  
22 for International Development, the Government of Colom-  
23 bia, or other organizations, in consultation and coordina-  
24 tion with local communities and existing local development  
25 initiatives, to provide alternative sources of income in mu-



1 municipalities where security permits for small-acreage grow-  
2 ers whose illicit crops are targeted for fumigation; and (9)  
3 programs to provide food security to affected families are  
4 operative in areas where security does not permit alter-  
5 native development programs: *Provided further*, That  
6 funds may not be used for aerial fumigation in Colombia's  
7 national parks or reserves unless the Secretary of State  
8 determines that there are no effective alternatives to re-  
9 duce drug cultivation in these areas and that the spraying  
10 is conducted in accordance with current Colombian laws:  
11 *Provided further*, That of funds provided for interdiction  
12 under this heading, not less than 10 percent of airtime  
13 allocated for aerial assets, (both fixed and rotary wing air-  
14 craft), shall be used annually for major drug interdiction  
15 operations, including assaults on large drug processing  
16 labs and high value narcotics related targets: *Provided fur-*  
17 *ther*, That no United States Armed Forces personnel or  
18 United States civilian contractor employed by the United  
19 States shall participate in any combat operation in connec-  
20 tion with assistance made available by funds provided in  
21 this Act for Colombia: *Provided further*, That funds appro-  
22 priated under this heading that are made available for as-  
23 sistance for the Bolivian military may be made available  
24 for such purposes only if the Secretary of State certifies  
25 that the Bolivian military is respecting human rights, and

1 civilian judicial authorities are investigating and pros-  
2 ecuting, with the military's cooperation, military personnel  
3 who have been implicated in gross violations of human  
4 rights: *Provided further*, That of the funds appropriated  
5 under this heading, not more than \$17,000,000 may be  
6 available for administrative expenses of the Department  
7 of State, and not more than \$7,800,000 may be available,  
8 in addition to amounts otherwise available for such pur-  
9 poses, for administrative expenses of the United States  
10 Agency for International Development.

11           MIGRATION AND REFUGEE ASSISTANCE

12       For expenses, not otherwise provided for, necessary  
13 to enable the Secretary of State to provide, as authorized  
14 by law, a contribution to the International Committee of  
15 the Red Cross, assistance to refugees, including contribu-  
16 tions to the International Organization for Migration and  
17 the United Nations High Commissioner for Refugees, and  
18 other activities to meet refugee and migration needs; sala-  
19 ries and expenses of personnel and dependents as author-  
20 ized by the Foreign Service Act of 1980; allowances as  
21 authorized by sections 5921 through 5925 of title 5,  
22 United States Code; purchase and hire of passenger motor  
23 vehicles; and services as authorized by section 3109 of title  
24 5, United States Code, \$829,900,000, to remain available  
25 until expended: *Provided*, That not more than  
26 \$22,500,000 may be available for administrative expenses:

1 *Provided further,* That not less than \$40,000,000 of the  
 2 funds made available under this heading shall be made  
 3 available for refugees from the former Soviet Union and  
 4 Eastern Europe and other refugees resettling in Israel.

5 UNITED STATES EMERGENCY REFUGEE AND MIGRATION  
 6 ASSISTANCE FUND

7 For necessary expenses to carry out the provisions  
 8 of section 2(e) of the Migration and Refugee Assistance  
 9 Act of 1962, as amended (22 U.S.C. 2601(e)),  
 10 \$45,000,000, to remain available until expended.

11 NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND  
 12 RELATED PROGRAMS

13 For necessary expenses for nonproliferation, anti-ter-  
 14 rorism, demining and related programs and activities,  
 15 \$467,000,000, to carry out the provisions of chapter 8 of  
 16 part II of the Foreign Assistance Act of 1961 for anti-  
 17 terrorism assistance, chapter 9 of part II of the Foreign  
 18 Assistance Act of 1961, section 504 of the FREEDOM  
 19 Support Act, section 23 of the Arms Export Control Act  
 20 or the Foreign Assistance Act of 1961 for demining activi-  
 21 ties, the clearance of unexploded ordnance, the destruction  
 22 of small arms, and related activities, notwithstanding any  
 23 other provision of law, including activities implemented  
 24 through nongovernmental and international organizations,  
 25 and section 301 of the Foreign Assistance Act of 1961  
 26 for a voluntary contribution to the International Atomic

1 Energy Agency (IAEA), and for a United States contribu-  
2 tion to the Comprehensive Nuclear Test Ban Treaty Pre-  
3 paratory Commission: *Provided*, That of this amount not  
4 to exceed \$38,000,000, to remain available until expended,  
5 may be made available for the Nonproliferation and Disar-  
6 mament Fund, notwithstanding any other provision of  
7 law, to promote bilateral and multilateral activities relat-  
8 ing to nonproliferation and disarmament: *Provided further*,  
9 That such funds may also be used for such countries other  
10 than the Independent States of the former Soviet Union  
11 and international organizations when it is in the national  
12 security interest of the United States to do so: *Provided*  
13 *further*, That funds appropriated under this heading may  
14 be made available for the International Atomic Energy  
15 Agency only if the Secretary of State determines (and so  
16 reports to the Congress) that Israel is not being denied  
17 its right to participate or being otherwise discriminated  
18 against in any of the activities of that Agency: *Provided*  
19 *further*, That of the funds made available for demining and  
20 related activities, not to exceed \$700,000, in addition to  
21 funds otherwise available for such purposes, may be used  
22 for administrative expenses related to the operation and  
23 management of the demining program: *Provided further*,  
24 That funds appropriated under this heading that are avail-  
25 able for “Anti-terrorism Assistance” and “Export Control

1 and Border Security'' shall remain available until Sep-  
 2 tember 30, 2009.

3 DEPARTMENT OF THE TREASURY

4 INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

5 For necessary expenses to carry out the provisions  
 6 of section 129 of the Foreign Assistance Act of 1961,  
 7 \$18,000,000, to remain available until September 30,  
 8 2010, which shall be available notwithstanding any other  
 9 provision of law that restricts assistance to foreign coun-  
 10 tries.

11 DEBT RESTRUCTURING

12 For the cost, as defined in section 502 of the Con-  
 13 gressional Budget Act of 1974, of modifying loans and  
 14 loan guarantees, as the President may determine, for  
 15 which funds have been appropriated or otherwise made  
 16 available for programs within the International Affairs  
 17 Budget Function 150, including the cost of selling, reduc-  
 18 ing, or canceling amounts owed to the United States as  
 19 a result of concessional loans made to eligible countries,  
 20 pursuant to parts IV and V of the Foreign Assistance Act  
 21 of 1961, of modifying concessional credit agreements with  
 22 least developed countries, as authorized under section 411  
 23 of the Agricultural Trade Development and Assistance Act  
 24 of 1954, as amended, of concessional loans, guarantees  
 25 and credit agreements, as authorized under section 572  
 26 of the Foreign Operations, Export Financing, and Related

1 Programs Appropriations Act, 1989 (Public Law 100–  
 2 461), and of canceling amounts owed, as a result of loans  
 3 or guarantees made pursuant to the Export-Import Bank  
 4 Act of 1945, by countries that are eligible for debt reduc-  
 5 tion pursuant to title V of H.R. 3425 as enacted into law  
 6 by section 1000(a)(5) of Public Law 106–113,  
 7 \$200,300,000, to remain available until September 30,  
 8 2010: *Provided*, That not less than \$20,000,000 of the  
 9 funds appropriated under this heading shall be made avail-  
 10 able to carry out the provisions of part V of the Foreign  
 11 Assistance Act of 1961: *Provided further*, That amounts  
 12 paid to the HIPC Trust Fund may be used only to fund  
 13 debt reduction under the enhanced HIPC initiative by—  
 14           (1) the Inter-American Development Bank;  
 15           (2) the African Development Fund;  
 16           (3) the African Development Bank; and  
 17           (4) the Central American Bank for Economic  
 18       Integration:  
 19 *Provided further*, That funds may not be paid to the HIPC  
 20 Trust Fund for the benefit of any country if the Secretary  
 21 of State has credible evidence that the government of such  
 22 country is engaged in a consistent pattern of gross viola-  
 23 tions of internationally recognized human rights or in mili-  
 24 tary or civil conflict that undermines its ability to develop  
 25 and implement measures to alleviate poverty and to devote

1 adequate human and financial resources to that end: *Pro-*  
2 *vided further*, That on the basis of final appropriations,  
3 the Secretary of the Treasury shall consult with the Com-  
4 mittees on Appropriations concerning which countries and  
5 international financial institutions are expected to benefit  
6 from a United States contribution to the HIPC Trust  
7 Fund during the fiscal year: *Provided further*, That the  
8 Secretary of the Treasury shall inform the Committees on  
9 Appropriations not less than 15 days in advance of the  
10 signature of an agreement by the United States to make  
11 payments to the HIPC Trust Fund of amounts for such  
12 countries and institutions: *Provided further*, That the Sec-  
13 retary of the Treasury may disburse funds designated for  
14 debt reduction through the HIPC Trust Fund only for the  
15 benefit of countries that—

16           (1) have committed, for a period of 24 months,  
17           not to accept new market-rate loans from the inter-  
18           national financial institution receiving debt repay-  
19           ment as a result of such disbursement, other than  
20           loans made by such institutions to export-oriented  
21           commercial projects that generate foreign exchange  
22           which are generally referred to as “enclave” loans;  
23           and

24           (2) have documented and demonstrated their  
25           commitment to redirect their budgetary resources

1 from international debt repayments to programs to  
 2 alleviate poverty and promote economic growth that  
 3 are additional to or expand upon those previously  
 4 available for such purposes:

5 *Provided further*, That any limitation of subsection (c) of  
 6 section 411 of the Agricultural Trade Development and  
 7 Assistance Act of 1954 shall not apply to funds appro-  
 8 priated under this heading: *Provided further*, That none  
 9 of the funds made available under this heading in this or  
 10 any other appropriations Act shall be made available for  
 11 Sudan or Burma unless the Secretary of the Treasury de-  
 12 termines and notifies the Committees on Appropriations  
 13 that a democratically elected government has taken office.

#### 14 TITLE IV—MILITARY ASSISTANCE

##### 15 FUNDS APPROPRIATED TO THE PRESIDENT

##### 16 INTERNATIONAL MILITARY EDUCATION AND TRAINING

17 For necessary expenses to carry out the provisions  
 18 of section 541 of the Foreign Assistance Act of 1961,  
 19 \$85,076,000, of which up to \$3,000,000 may remain  
 20 available until expended: *Provided*, That funds under this  
 21 heading shall not be available for Equatorial Guinea: *Pro-*  
 22 *vided further*, That funds appropriated under this heading  
 23 that are made available for assistance for Guatemala,  
 24 other than for expanded international military education  
 25 and training, shall be available only for the Guatemalan



1 Air Force, Navy and Army Corps of Engineers: *Provided*  
2 *further*, That assistance provided under this heading for  
3 the Guatemalan Army Corps of Engineers is only available  
4 for training to improve disaster response capabilities and  
5 to participate in international peacekeeping operations:  
6 *Provided further*, That funds appropriated under this  
7 heading that are made available for assistance for the  
8 Guatemalan military, other than for expanded inter-  
9 national military education and training, may be made  
10 available only if the Secretary of State certifies that the  
11 Guatemalan Air Force, Navy and Army Corps of Engi-  
12 neers are respecting human rights, and civilian judicial au-  
13 thorities are investigating and prosecuting, with the mili-  
14 tary's cooperation, military personnel who have been im-  
15 plicated in gross violations of human rights: *Provided fur-*  
16 *ther*, That funds appropriated under this heading for mili-  
17 tary education and training for Libya and Angola may  
18 only be made available for expanded international military  
19 education and training: *Provided further*, That the civilian  
20 personnel for whom military education and training may  
21 be provided under this heading may include civilians who  
22 are not members of a government whose participation  
23 would contribute to improved civil-military relations, civil-  
24 ian control of the military, or respect for human rights:  
25 *Provided further*, That funds made available in the pre-

1 vious proviso and funds made available for Haiti, Libya,  
2 Angola, the Democratic Republic of the Congo, Guate-  
3 mala, and Nigeria may only be provided through the reg-  
4 ular notification procedures of the Committees on Appro-  
5 priations and any such notification shall include a detailed  
6 description of the proposed activities: *Provided further,*  
7 That the Secretary of State shall submit to the Commit-  
8 tees on Appropriations, no later than 60 days after enact-  
9 ment of this Act, a report addressing how the Western  
10 Hemisphere Institute for Security Cooperation IMET pro-  
11 gram for fiscal year 2008 contributes to the promotion  
12 of human rights, respect for civilian authority and the rule  
13 of law, the establishment of legitimate judicial mechanisms  
14 for the military, and achieving the goal of right sizing mili-  
15 tary forces.

16 FOREIGN MILITARY FINANCING PROGRAM

17 For expenses necessary for grants to enable the  
18 President to carry out the provisions of section 23 of the  
19 Arms Export Control Act, \$4,509,236,000: *Provided,* That  
20 of the funds appropriated under this heading, not less  
21 than \$2,400,000,000 shall be available for grants only for  
22 Israel, and not less than \$1,300,000,000 shall be made  
23 available for grants only for Egypt: *Provided further,* That  
24 the funds appropriated by this paragraph for Israel shall  
25 be disbursed within 30 days of the enactment of this Act:  
26 *Provided further,* That to the extent that the Government

1 of Israel requests that funds be used for such purposes;  
2 grants made available for Israel by this paragraph shall,  
3 as agreed by Israel and the United States, be available  
4 for advanced weapons systems, of which not less than  
5 \$631,200,000 shall be available for the procurement in  
6 Israel of defense articles and defense services, including  
7 research and development: *Provided further*, That of the  
8 funds appropriated by this paragraph, \$200,000,000 shall  
9 be made available for assistance for Jordan: *Provided fur-*  
10 *ther*, That funds appropriated or otherwise made available  
11 by this paragraph shall be nonrepayable notwithstanding  
12 any requirement in section 23 of the Arms Export Control  
13 Act: *Provided further*, That funds made available under  
14 this paragraph shall be obligated upon apportionment in  
15 accordance with paragraph (5)(C) of title 31, United  
16 States Code, section 1501(a): *Provided further*, That  
17 \$5,000,000 of the funds provided under this heading shall  
18 remain available until expended and shall not be subject  
19 to the sixth proviso of this paragraph: *Provided further*,  
20 That none of the funds appropriated pursuant to the pre-  
21 vious proviso shall be made available except pursuant to  
22 the regular notification procedures of the Committees on  
23 Appropriations.

24       None of the funds made available under this heading  
25 shall be available to finance the procurement of defense

1 articles, defense services, or design and construction serv-  
2 ices that are not sold by the United States Government  
3 under the Arms Export Control Act unless the foreign  
4 country proposing to make such procurements has first  
5 signed an agreement with the United States Government  
6 specifying the conditions under which such procurements  
7 may be financed with such funds: *Provided*, That all coun-  
8 try and funding level increases in allocations shall be sub-  
9 mitted through the regular notification procedures of sec-  
10 tion 615 of this Act: *Provided further*, That none of the  
11 funds appropriated under this heading shall be available  
12 for assistance for Sudan: *Provided further*, That none of  
13 the funds appropriated under this heading shall be avail-  
14 able for assistance for the Guatemalan Army: *Provided*  
15 *further*, That funds appropriated under this heading that  
16 are made available for assistance for the Guatemalan mili-  
17 tary may be made available only if the Secretary of State  
18 certifies that: (1) the Guatemalan Air Force, Navy and  
19 Army Corps of Engineers are respecting human rights; (2)  
20 civilian judicial authorities are investigating and pros-  
21 ecuting, with the military's cooperation, military personnel  
22 who have been implicated in gross violations of human  
23 rights; and (3) the Guatemalan Congress has adopted and  
24 the President has signed the International Commission  
25 Against Impunity in Guatemala (CICIG): *Provided fur-*

1 *ther*, That none of the funds appropriated under this head-  
2 ing may be made available for assistance for Haiti and  
3 Guatemala except pursuant to the regular notification pro-  
4 cedures of the Committees on Appropriations: *Provided*  
5 *further*, That funds made available under this heading may  
6 be used, notwithstanding any other provision of law, for  
7 demining, the clearance of unexploded ordnance, and re-  
8 lated activities, and may include activities implemented  
9 through nongovernmental and international organizations:  
10 *Provided further*, That only those countries for which as-  
11 sistance was justified for the “Foreign Military Sales Fi-  
12 nancing Program” in the fiscal year 1989 congressional  
13 presentation for security assistance programs may utilize  
14 funds made available under this heading for procurement  
15 of defense articles, defense services or design and con-  
16 struction services that are not sold by the United States  
17 Government under the Arms Export Control Act: *Provided*  
18 *further*, That funds appropriated under this heading shall  
19 be expended at the minimum rate necessary to make time-  
20 ly payment for defense articles and services: *Provided fur-*  
21 *ther*, That not more than \$41,900,000 of the funds appro-  
22 priated under this heading may be obligated for necessary  
23 expenses, including the purchase of passenger motor vehi-  
24 cles for replacement only for use outside of the United  
25 States, for the general costs of administering military as-

1 sistance and sales: *Provided further*, That not more than  
 2 \$395,000,000 of funds realized pursuant to section  
 3 21(e)(1)(A) of the Arms Export Control Act may be obli-  
 4 gated for expenses incurred by the Department of Defense  
 5 during fiscal year 2008 pursuant to section 43(b) of the  
 6 Arms Export Control Act, except that this limitation may  
 7 be exceeded only through the regular notification proce-  
 8 dures of the Committees on Appropriations: *Provided fur-*  
 9 *ther*, That foreign military financing program funds esti-  
 10 mated to be outlaid for Egypt during fiscal year 2008  
 11 shall be transferred to an interest bearing account for  
 12 Egypt in the Federal Reserve Bank of New York within  
 13 30 days of enactment of this Act.

14 PEACEKEEPING OPERATIONS

15 For necessary expenses to carry out the provisions  
 16 of section 551 of the Foreign Assistance Act of 1961,  
 17 \$293,200,000: *Provided*, That none of the funds appro-  
 18 priated under this heading shall be obligated or expended  
 19 except as provided through the regular notification proce-  
 20 dures of the Committees on Appropriations.

1           TITLE V—MULTILATERAL ECONOMIC  
2                           ASSISTANCE  
3           FUNDS APPROPRIATED TO THE PRESIDENT  
4                           INTERNATIONAL FINANCIAL INSTITUTIONS  
5                           GLOBAL ENVIRONMENT FACILITY

6           For the United States contribution for the Global En-  
7 vironment Facility, \$106,763,000 to the International  
8 Bank for Reconstruction and Development as trustee for  
9 the Global Environment Facility (GEF), by the Secretary  
10 of the Treasury, to remain available until expended.

11       CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT  
12                           ASSOCIATION

13       For payment to the International Development Asso-  
14 ciation by the Secretary of the Treasury, \$950,000,000,  
15 to remain available until expended.

16       CONTRIBUTION TO THE ENTERPRISE FOR THE AMERICAS  
17                           MULTILATERAL INVESTMENT FUND

18       For payment to the Enterprise for the Americas Mul-  
19 tilateral Investment Fund by the Secretary of the Treas-  
20 ury, for the United States contribution to the fund,  
21 \$25,000,000, to remain available until expended.

22       CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

23       For the United States contribution by the Secretary  
24 of the Treasury to the increase in resources of the Asian  
25 Development Fund, as authorized by the Asian Develop-

1 ment Bank Act, as amended, \$115,306,000, to remain  
2 available until expended.

3 CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK

4 For payment to the African Development Bank by  
5 the Secretary of the Treasury, \$2,037,000, for the United  
6 States paid-in share of the increase in capital stock, to  
7 remain available until expended.

8 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

9 The United States Governor of the African Develop-  
10 ment Bank may subscribe without fiscal year limitation  
11 for the callable capital portion of the United States share  
12 of such capital stock in an amount not to exceed  
13 \$31,919,000.

14 CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

15 For the United States contribution by the Secretary  
16 of the Treasury to the increase in resources of the African  
17 Development Fund, \$135,684,000, to remain available  
18 until expended.

19 CONTRIBUTION TO THE INTERNATIONAL FUND FOR

20 AGRICULTURAL DEVELOPMENT

21 For the United States contribution by the Secretary  
22 of the Treasury to increase the resources of the Inter-  
23 national Fund for Agricultural Development,  
24 \$18,072,000, to remain available until expended.



1       INTERNATIONAL ORGANIZATIONS AND PROGRAMS

2       For necessary expenses to carry out the provisions  
 3 of section 301 of the Foreign Assistance Act of 1961, and  
 4 of section 2 of the United Nations Environment Program  
 5 Participation Act of 1973, \$333,400,000 (increased by  
 6 \$20,000,000) (reduced by \$20,000,000): *Provided*, That  
 7 section 307(a) of the Foreign Assistance Act shall not  
 8 apply to contributions to the United Nations Democracy  
 9 Fund.

10           TITLE VI—GENERAL PROVISIONS

11       COMPENSATION FOR UNITED STATES EXECUTIVE

12 DIRECTORS TO INTERNATIONAL FINANCIAL INSTITUTIONS

13       SEC. 601. (a) No funds appropriated by this Act may  
 14 be made as payment to any international financial institu-  
 15 tion while the United States Executive Director to such  
 16 institution is compensated by the institution at a rate  
 17 which, together with whatever compensation such Director  
 18 receives from the United States, is in excess of the rate  
 19 provided for an individual occupying a position at level IV  
 20 of the Executive Schedule under section 5315 of title 5,  
 21 United States Code, or while any alternate United States  
 22 Director to such institution is compensated by the institu-  
 23 tion at a rate in excess of the rate provided for an indi-  
 24 vidual occupying a position at level V of the Executive

1 Schedule under section 5316 of title 5, United States  
2 Code.

3 (b) For purposes of this section “international finan-  
4 cial institutions” are: the International Bank for Recon-  
5 struction and Development, the Inter-American Develop-  
6 ment Bank, the Asian Development Bank, the Asian De-  
7 velopment Fund, the African Development Bank, the Afri-  
8 can Development Fund, the International Monetary Fund,  
9 the North American Development Bank, and the Euro-  
10 pean Bank for Reconstruction and Development.

11 RESTRICTIONS ON VOLUNTARY CONTRIBUTIONS TO  
12 UNITED NATIONS AGENCIES

13 SEC. 602. None of the funds appropriated by this Act  
14 may be made available to pay any voluntary contribution  
15 of the United States to the United Nations if the United  
16 Nations implements or imposes any taxation on any  
17 United States persons.

18 LIMITATION ON RESIDENCE EXPENSES

19 SEC. 603. Of the funds appropriated or made avail-  
20 able pursuant to title III of this Act, not to exceed  
21 \$100,500 shall be for official residence expenses of the  
22 United States Agency for International Development dur-  
23 ing the current fiscal year: *Provided*, That appropriate  
24 steps shall be taken to assure that, to the maximum extent  
25 possible, United States-owned foreign currencies are uti-  
26 lized in lieu of dollars.

## UNOBLIGATED BALANCES REPORT

SEC. 604. Any Department or Agency to which funds are appropriated or otherwise made available by this Act shall provide to the Committees on Appropriations a quarterly accounting of cumulative balances by program, project, and activity of the funds received by such Department or Agency in this fiscal year or any previous fiscal year that remain unobligated and unexpended.

## LIMITATION ON REPRESENTATIONAL ALLOWANCES

SEC. 605. Of the funds appropriated or made available pursuant to titles II through V of this Act, not to exceed \$250,000 shall be available for representation and entertainment allowances, of which not to exceed \$2,500 shall be available for entertainment allowances, for the United States Agency for International Development during the current fiscal year: *Provided*, That no such entertainment funds may be used for the purposes listed in section 647 of this Act: *Provided further*, That appropriate steps shall be taken to assure that, to the maximum extent possible, United States-owned foreign currencies are utilized in lieu of dollars: *Provided further*, That of the funds made available by this Act for general costs of administering military assistance and sales under the heading "Foreign Military Financing Program", not to exceed \$4,000 shall be available for entertainment expenses and not to exceed \$130,000 shall be available for representa-

tion allowances: *Provided further*, That of the funds made available by this Act under the heading “International Military Education and Training”, not to exceed \$55,000 shall be available for entertainment allowances: *Provided further*, That of the funds made available by this Act for the Inter-American Foundation, not to exceed \$2,000 shall be available for entertainment and representation allowances: *Provided further*, That of the funds made available by this Act for the Peace Corps, not to exceed a total of \$4,000 shall be available for entertainment expenses: *Provided further*, That of the funds made available by this Act under the heading “Trade and Development Agency”, not to exceed \$4,000 shall be available for representation and entertainment allowances: *Provided further*, That of the funds made available by this Act under the heading “Millennium Challenge Corporation”, not to exceed \$115,000 shall be available for representation and entertainment allowances.

#### PROHIBITION ON TAXATION OF UNITED STATES

#### ASSISTANCE

SEC. 606. (a) PROHIBITION ON TAXATION.—None of the funds appropriated under titles II through V of this Act may be made available to provide assistance for a foreign country under a new bilateral agreement governing the terms and conditions under which such assistance is to be provided unless such agreement includes a provision

1 stating that assistance provided by the United States shall  
2 be exempt from taxation, or reimbursed, by the foreign  
3 government, and the Secretary of State shall expeditiously  
4 seek to negotiate amendments to existing bilateral agree-  
5 ments, as necessary, to conform with this requirement.

6 (b) REIMBURSEMENT OF FOREIGN TAXES.—An  
7 amount equivalent to 200 percent of the total taxes as-  
8 sessed during fiscal year 2008 on funds appropriated by  
9 this Act by a foreign government or entity against com-  
10 modities financed under United States assistance pro-  
11 grams for which funds are appropriated by this Act, either  
12 directly or through grantees, contractors and subcontrac-  
13 tors shall be withheld from obligation from funds appro-  
14 priated for assistance for fiscal year 2009 and allocated  
15 for the central government of such country and for the  
16 West Bank and Gaza Program to the extent that the Sec-  
17 retary of State certifies and reports in writing to the Com-  
18 mittees on Appropriations that such taxes have not been  
19 reimbursed to the Government of the United States.

20 (c) DE MINIMIS EXCEPTION.—Foreign taxes of a de  
21 minimis nature shall not be subject to the provisions of  
22 subsection (b).

23 (d) REPROGRAMMING OF FUNDS.—Funds withheld  
24 from obligation for each country or entity pursuant to sub-  
25 section (b) shall be reprogrammed for assistance to coun-

1 tries which do not assess taxes on United States assistance  
2 or which have an effective arrangement that is providing  
3 substantial reimbursement of such taxes.

4 (e) DETERMINATIONS.—

5 (1) The provisions of this section shall not  
6 apply to any country or entity the Secretary of State  
7 determines—

8 (A) does not assess taxes on United States  
9 assistance or which has an effective arrange-  
10 ment that is providing substantial reimburse-  
11 ment of such taxes; or

12 (B) the foreign policy interests of the  
13 United States outweigh the policy of this sec-  
14 tion to ensure that United States assistance is  
15 not subject to taxation.

16 (2) The Secretary of State shall consult with  
17 the Committees on Appropriations at least 15 days  
18 prior to exercising the authority of this subsection  
19 with regard to any country or entity.

20 (f) IMPLEMENTATION.—The Secretary of State shall  
21 issue rules, regulations, or policy guidance, as appropriate,  
22 to implement the prohibition against the taxation of assist-  
23 ance contained in this section.

24 (g) DEFINITIONS.—As used in this section—

1           (1) the terms “taxes” and “taxation” refer to  
2       value added taxes and customs duties imposed on  
3       commodities financed with United States assistance  
4       for programs for which funds are appropriated by  
5       this Act; and

6           (2) the term “bilateral agreement” refers to a  
7       framework bilateral agreement between the Govern-  
8       ment of the United States and the government of  
9       the country receiving assistance that describes the  
10      privileges and immunities applicable to United  
11      States foreign assistance for such country generally,  
12      or an individual agreement between the Government  
13      of the United States and such government that de-  
14      scribes, among other things, the treatment for tax  
15      purposes that will be accorded the United States as-  
16      sistance provided under that agreement.

17   PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN  
18                                   COUNTRIES

19       SEC. 607. None of the funds appropriated or other-  
20   wise made available pursuant to this Act shall be obligated  
21   or expended to finance directly any assistance or repara-  
22   tions to Cuba, Libya, North Korea, Iran, or Syria: *Pro-*  
23   *vided,* That for purposes of this section, the prohibition  
24   on obligations or expenditures shall include direct loans,  
25   credits, insurance and guarantees of the Export-Import  
26   Bank or its agents: *Provided further,* That for purposes

1 of this section, the prohibition shall not include activities  
2 of the Overseas Private Investment Corporation in Libya:  
3 *Provided further*, That the prohibition shall not include di-  
4 rect loans, credits, insurance and guarantees made avail-  
5 able by the Export-Import Bank or its agents for or in  
6 Libya: *Provided further*, That the prohibition shall not  
7 apply to funds made available under the heading  
8 “INTERNATIONAL MILITARY EDUCATION AND  
9 TRAINING” for Libya.

10 **MILITARY COUPS**

11 **SEC. 608.** None of the funds appropriated or other-  
12 wise made available pursuant to titles II through V of this  
13 Act shall be obligated or expended to finance directly any  
14 assistance to the government of any country whose duly  
15 elected head of government is deposed by military coup  
16 or decree: *Provided*, That assistance may be resumed to  
17 such government if the President determines and certifies  
18 to the Committees on Appropriations that subsequent to  
19 the termination of assistance a democratically elected gov-  
20 ernment has taken office: *Provided further*, That the provi-  
21 sions of this section shall not apply to assistance to pro-  
22 mote democratic elections or public participation in demo-  
23 cratic processes: *Provided further*, That funds made avail-  
24 able pursuant to the previous provisos shall be subject to  
25 the regular notification procedures of the Committees on  
26 Appropriations.



## TRANSFER AUTHORITY

1  
2       SEC. 609. (a) DEPARTMENT OF STATE AND BROAD-  
3 CASTING BOARD OF GOVERNORS.—Not to exceed 5 per-  
4 cent of any appropriation made available for the current  
5 fiscal year for the Department of State under title I of  
6 this Act may be transferred between such appropriations;  
7 but no such appropriation, except as otherwise specifically  
8 provided, shall be increased by more than 10 percent by  
9 any such transfers: *Provided*, That not to exceed 5 percent  
10 of any appropriation made available for the current fiscal  
11 year for the Broadcasting Board of Governors under title  
12 I of this Act may be transferred between such appropria-  
13 tions, but no such appropriation, except as otherwise spe-  
14 cifically provided, shall be increased by more than 10 per-  
15 cent by any such transfers: *Provided further*, That any  
16 transfer pursuant to this section shall be treated as a re-  
17 programming of funds under section 615 (a) and (b) of  
18 this Act and shall not be available for obligation or ex-  
19 penditure except in compliance with the procedures set  
20 forth in that section.

21       (b) EXPORT FINANCING TRANSFER AUTHORITIES.—  
22 Not to exceed 5 percent of any appropriation other than  
23 for administrative expenses made available for fiscal year  
24 2008, for programs under title II of this Act may be trans-  
25 ferred between such appropriations for use for any of the

1 purposes, programs, and activities for which the funds in  
2 such receiving account may be used, but no such appro-  
3 priation, except as otherwise specifically provided, shall be  
4 increased by more than 25 percent by any such transfer:  
5 *Provided*, That the exercise of such authority shall be sub-  
6 ject to the regular notification procedures of the Commit-  
7 tees on Appropriations.

8 (c)(1) LIMITATION ON TRANSFERS BETWEEN AGEN-  
9 CIES.—None of the funds made available under titles II  
10 through V of this Act may be transferred to any depart-  
11 ment, agency, or instrumentality of the United States  
12 Government, except pursuant to a transfer made by, or  
13 transfer authority provided in, this Act or any other ap-  
14 propriation Act.

15 (2) Notwithstanding paragraph (1), in addition to  
16 transfers made by, or authorized elsewhere in, this Act,  
17 funds appropriated by this Act to carry out the purposes  
18 of the Foreign Assistance Act of 1961 may be allocated  
19 or transferred to agencies of the United States Govern-  
20 ment pursuant to the provisions of sections 109, 610, and  
21 632 of the Foreign Assistance Act of 1961.

22 (d) TRANSFERS BETWEEN ACCOUNTS.—None of the  
23 funds made available under titles II through V of this Act  
24 may be obligated under an appropriation account to which  
25 they were not appropriated, except for transfers specifi-

1 cally provided for in this Act, unless the President, not  
 2 less than 5 days prior to the exercise of any authority con-  
 3 tained in the Foreign Assistance Act of 1961 to transfer  
 4 funds, consults with and provides a written policy jus-  
 5 tification to the Committees on Appropriations.

6 (c) ~~AUDIT OF INTER-AGENCY TRANSFERS.~~—Any  
 7 agreement for the transfer or allocation of funds appro-  
 8 priated by this Act, or prior Acts, entered into between  
 9 the United States Agency for International Development  
 10 and another agency of the United States Government  
 11 under the authority of section 632(a) of the Foreign As-  
 12 sistance Act of 1961 or any comparable provision of law,  
 13 shall expressly provide that the Office of the Inspector  
 14 General for the agency receiving the transfer or allocation  
 15 of such funds shall perform periodic program and financial  
 16 audits of the use of such funds: *Provided,* That funds  
 17 transferred under such authority may be made available  
 18 for the cost of such audits.

19 ~~COMMERCIAL LEASING OF DEFENSE ARTICLES~~

20 ~~SEC. 610.~~ Notwithstanding any other provision of  
 21 law, and subject to the regular notification procedures of  
 22 the Committees on Appropriations, the authority of sec-  
 23 tion 23(a) of the Arms Export Control Act may be used  
 24 to provide financing to Israel, Egypt and NATO and  
 25 major non-NATO allies for the procurement by leasing  
 26 (including leasing with an option to purchase) of defense

1 articles from United States commercial suppliers, not in-  
 2 cluding Major Defense Equipment (other than helicopters  
 3 and other types of aircraft having possible civilian applica-  
 4 tion); if the President determines that there are compel-  
 5 ling foreign policy or national security reasons for those  
 6 defense articles being provided by commercial lease rather  
 7 than by government-to-government sale under such Act.

#### 8 AVAILABILITY OF FUNDS

9 SEC. 611. (a) No part of any appropriation contained  
 10 in this Act shall remain available for obligation after the  
 11 expiration of the current fiscal year unless expressly so  
 12 provided in this Act.

13 (b) Funds appropriated for the purposes of chapters  
 14 1, 8, 11, and 12 of part I, section 667, chapters 4, 5,  
 15 6, 8, and 9 of part II of the Foreign Assistance Act of  
 16 1961, section 23 of the Arms Export Control Act, and  
 17 funds provided under the heading "ASSISTANCE FOR  
 18 EASTERN EUROPE AND THE BALTIC STATES",  
 19 shall remain available for an additional four years from  
 20 the date on which the availability of such funds would oth-  
 21 erwise have expired, if such funds are initially obligated  
 22 before the expiration of their respective periods of avail-  
 23 ability contained in this Act: *Provided*, That, notwith-  
 24 standing any other provision of this Act, any funds made  
 25 available for the purposes of chapter 1 of part I and chap-  
 26 ter 4 of part II of the Foreign Assistance Act of 1961

1 which are allocated or obligated for cash disbursements  
2 in order to address balance of payments or economic policy  
3 reform objectives, shall remain available until expended.

4 ~~LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT~~

5       ~~SEC. 612.~~ No part of any appropriation provided  
6 under titles II through V in this Act shall be used to fur-  
7 nish assistance to the government of any country which  
8 is in default during a period in excess of one calendar year  
9 in payment to the United States of principal or interest  
10 on any loan made to the government of such country by  
11 the United States pursuant to a program for which funds  
12 are appropriated under this Act unless the President de-  
13 termines, following consultations with the Committees on  
14 Appropriations, that assistance to such country is in the  
15 national interest of the United States.

16                               COMMERCE AND TRADE

17       ~~SEC. 613.~~ (a) None of the funds appropriated or  
18 made available pursuant to titles II through V of this Act  
19 for direct assistance and none of the funds otherwise made  
20 available to the Export-Import Bank and the Overseas  
21 Private Investment Corporation shall be obligated or ex-  
22 pended to finance any loan, any assistance or any other  
23 financial commitments for establishing or expanding pro-  
24 duction of any commodity for export by any country other  
25 than the United States, if the commodity is likely to be  
26 in surplus on world markets at the time the resulting pro-

1 ductive capacity is expected to become operative and if the  
 2 assistance will cause substantial injury to United States  
 3 producers of the same, similar, or competing commodity;  
 4 *Provided*, That such prohibition shall not apply to the Ex-  
 5 port-Import Bank if in the judgment of its Board of Direc-  
 6 tors the benefits to industry and employment in the  
 7 United States are likely to outweigh the injury to United  
 8 States producers of the same, similar, or competing com-  
 9 modity, and the Chairman of the Board so notifies the  
 10 Committees on Appropriations.

11 (b) None of the funds appropriated by this or any  
 12 other Act to carry out chapter 1 of part I of the Foreign  
 13 Assistance Act of 1961 shall be available for any testing  
 14 or breeding feasibility study, variety improvement or intro-  
 15 duction, consultancy, publication, conference, or training  
 16 in connection with the growth or production in a foreign  
 17 country of an agricultural commodity for export which  
 18 would compete with a similar commodity grown or pro-  
 19 duced in the United States: *Provided*, That this subsection  
 20 shall not prohibit—

21 (1) activities designed to increase food security  
 22 in developing countries where such activities will not  
 23 have a significant impact on the export of agricul-  
 24 tural commodities of the United States; or

1           (2) research activities intended primarily to  
2       benefit American producers.

3                       SURPLUS COMMODITIES

4       SEC. 614. The Secretary of the Treasury shall in-  
5       struct the United States Executive Directors of the Inter-  
6       national Bank for Reconstruction and Development, the  
7       International Development Association, the International  
8       Finance Corporation, the Inter-American Development  
9       Bank, the International Monetary Fund, the Asian Devel-  
10      opment Bank, the Inter-American Investment Corpora-  
11      tion, the North American Development Bank, the Euro-  
12      pean Bank for Reconstruction and Development, the Afri-  
13      can Development Bank, and the African Development  
14      Fund to use the voice and vote of the United States to  
15      oppose any assistance by these institutions, using funds  
16      appropriated or made available pursuant to titles II  
17      through V of this Act, for the production or extraction  
18      of any commodity or mineral for export, if it is in surplus  
19      on world markets and if the assistance will cause substan-  
20      tial injury to United States producers of the same, similar,  
21      or competing commodity.

22                       REPROGRAMMING NOTIFICATION REQUIREMENTS

23      SEC. 615. (a) None of the funds made available in  
24      this Act, or in prior appropriations Acts to the agencies  
25      and departments funded by this Act that remain available  
26      for obligation or expenditure in fiscal year 2008, or pro-

1 vided from any accounts in the Treasury of the United  
2 States derived by the collection of fees or of currency  
3 reflows or other offsetting collections, or made available  
4 by transfer, to the agencies and departments funded by  
5 this Act, shall be available for obligation or expenditure  
6 through a reprogramming of funds that: (1) creates new  
7 programs; (2) eliminates a program, project, or activity;  
8 (3) increases funds or personnel by any means for any  
9 project or activity for which funds have been denied or  
10 restricted; (4) relocates an office or employees; (5) closes  
11 or opens a mission or post; (6) reorganizes or renames  
12 offices; (7) reorganizes programs or activities; or (8) con-  
13 tracts out or privatizes any functions or activities pres-  
14 ently performed by Federal employees; unless the Commit-  
15 tees on Appropriations are notified 15 days in advance of  
16 such reprogramming of funds.

17 (b) For the purposes of providing the executive  
18 branch with the necessary administrative flexibility, none  
19 of the funds provided under title I of this Act, or provided  
20 under previous appropriations Acts to the agencies or de-  
21 partment funded under title I of this Act that remain  
22 available for obligation or expenditure in fiscal year 2008,  
23 or provided from any accounts in the Treasury of the  
24 United States derived by the collection of fees available  
25 to the agencies or department funded by title I of this



1 Act, shall be available for obligation or expenditure for ac-  
 2 tivities, programs, or projects through a reprogramming  
 3 of funds in excess of \$750,000 or ten percent, whichever  
 4 is less, that: (1) augments existing programs, projects, or  
 5 activities; (2) reduces by 10 percent funding for any exist-  
 6 ing program, project, or activity, or numbers of personnel  
 7 by ten percent as approved by Congress; or (3) results  
 8 from any general savings, including savings from a reduc-  
 9 tion in personnel, which would result in a change in exist-  
 10 ing programs, activities, or projects as approved by Con-  
 11 gress; unless the Committees on Appropriations are noti-  
 12 fied 15 days in advance of such reprogramming of funds.

13 (c) For the purposes of providing the executive  
 14 branch with the necessary administrative flexibility, none  
 15 of the funds made available in this Act for the headings  
 16 “CHILD SURVIVAL AND HEALTH PROGRAMS  
 17 FUND”, “DEVELOPMENT ASSISTANCE”, “INTER-  
 18 NATIONAL ORGANIZATIONS AND PROGRAMS”,  
 19 “TRADE AND DEVELOPMENT AGENCY”, “INTER-  
 20 NATIONAL NARCOTICS CONTROL AND LAW EN-  
 21 FORCEMENT”, “ANDEAN COUNTERDRUG INITIA-  
 22 TIVE”, “ASSISTANCE FOR EASTERN EUROPE  
 23 AND THE BALTIC STATES”, “ASSISTANCE FOR  
 24 THE INDEPENDENT STATES OF THE FORMER  
 25 SOVIET UNION”, “ECONOMIC SUPPORT FUND”,

1 “GLOBAL HIV/AIDS INITIATIVE”, “PEACE-  
2 KEEPING OPERATIONS”, “CAPITAL INVEST-  
3 MENT FUND”, “OPERATING EXPENSES OF THE  
4 UNITED STATES AGENCY FOR INTERNATIONAL  
5 DEVELOPMENT”, “OPERATING EXPENSES OF  
6 THE UNITED STATES AGENCY FOR INTER-  
7 NATIONAL DEVELOPMENT OFFICE OF INSPEC-  
8 TOR GENERAL”, “NONPROLIFERATION, ANTI-  
9 TERRORISM, DEMINING AND RELATED PRO-  
10 GRAMS”, “MILLENNIUM CHALLENGE CORPORA-  
11 TION” (by country only), “FOREIGN MILITARY FI-  
12 NANCING PROGRAM”, “INTERNATIONAL MILI-  
13 TARY EDUCATION AND TRAINING”, “PEACE  
14 CORPS”, and “MIGRATION AND REFUGEE ASSIST-  
15 ANCE”, shall be available for obligation for activities, pro-  
16 grams, projects, type of materiel assistance, countries, or  
17 other operations not justified or in excess of the amount  
18 justified to the Committees on Appropriations for obliga-  
19 tion under any of these specific headings unless the Com-  
20 mittees on Appropriations are notified 15 days in advance:  
21 *Provided*, That the President shall not enter into any com-  
22 mitment of funds appropriated for the purposes of section  
23 23 of the Arms Export Control Act for the provision of  
24 major defense equipment, other than conventional ammu-  
25 nition, or other major defense items defined to be aircraft,

1 ships, missiles, or combat vehicles, not previously justified  
2 to Congress or 20 percent in excess of the quantities justifi-  
3 fied to Congress unless the Committees on Appropriations  
4 are notified 15 days in advance of such commitment: *Pro-*  
5 *vided further,* That this paragraph shall not apply to any  
6 reprogramming for an activity, program, or project for  
7 which funds are appropriated under title III or title IV,  
8 of this Act of less than 10 percent of the amount pre-  
9 viously justified to the Congress for obligation for such  
10 activity, program, or project for the current fiscal year.

11 (d) The requirements of this section or any similar  
12 provision of this Act or any other Act, including any prior  
13 Act requiring notification in accordance with the regular  
14 notification procedures of the Committees on Appropria-  
15 tions, may be waived if failure to do so would pose a sub-  
16 stantial risk to human health or welfare: *Provided,* That  
17 in case of any such waiver, notification to the Congress,  
18 or the appropriate Congressional committees, shall be pro-  
19 vided as early as practicable, but in no event later than  
20 3 days after taking the action to which such notification  
21 requirement was applicable, in the context of the cir-  
22 cumstances necessitating such waiver: *Provided further,*  
23 That any notification provided pursuant to such a waiver  
24 shall contain an explanation of the emergency cir-  
25 cumstances.

1           LIMITATION ON AVAILABILITY OF FUNDS FOR  
2           INTERNATIONAL ORGANIZATIONS AND PROGRAMS

3           ~~SEC. 616.~~ Subject to the regular notification proce-  
4 dures of the Committees on Appropriations, funds appro-  
5 priated under titles II through V of this Act or any pre-  
6 viously enacted Act making appropriations for foreign op-  
7 erations, export financing, and related programs, which  
8 are returned or not made available for organizations and  
9 programs because of the implementation of section 307(a)  
10 of the Foreign Assistance Act of 1961, shall remain avail-  
11 able for obligation until September 30, 2009.

12          INDEPENDENT STATES OF THE FORMER SOVIET UNION

13          ~~SEC. 617.~~ (a) None of the funds appropriated under  
14 the heading “ASSISTANCE FOR THE INDE-  
15 PENDENT STATES OF THE FORMER SOVIET  
16 UNION” shall be made available for assistance for a gov-  
17 ernment of an Independent State of the former Soviet  
18 Union if that government directs any action in violation  
19 of the territorial integrity or national sovereignty of any  
20 other Independent State of the former Soviet Union, such  
21 as those violations included in the Helsinki Final Act: *Pro-*  
22 *vided,* That such funds may be made available without re-  
23 gard to the restriction in this subsection if the President  
24 determines that to do so is in the national security interest  
25 of the United States.

1       (b) None of the funds appropriated under the heading  
2 “ASSISTANCE FOR THE INDEPENDENT STATES  
3 OF THE FORMER SOVIET UNION” shall be made  
4 available for any state to enhance its military capability:  
5 *Provided*, That this restriction does not apply to demili-  
6 tarization, demining or nonproliferation programs.

7       (c) Funds appropriated under the heading “ASSIST-  
8 ANCE FOR THE INDEPENDENT STATES OF THE  
9 FORMER SOVIET UNION” for the Russian Federation,  
10 Armenia, and Uzbekistan shall be subject to the regular  
11 notification procedures of the Committees on Appropria-  
12 tions.

13       (d) Funds made available in this Act for assistance  
14 for the Independent States of the former Soviet Union  
15 shall be subject to the provisions of section 117 (relating  
16 to environment and natural resources) of the Foreign As-  
17 sistance Act of 1961.

18       (e) In issuing new task orders, entering into con-  
19 tracts, or making grants, with funds appropriated by this  
20 Act or prior appropriations Acts under the heading “AS-  
21 SISTANCE FOR THE INDEPENDENT STATES OF  
22 THE FORMER SOVIET UNION” and under com-  
23 parable headings in prior appropriations Acts, for projects  
24 or activities that have as one of their primary purposes  
25 the fostering of private sector development, the Coordi-

1 nator for United States Assistance to Europe and Eurasia  
2 and the implementing agency shall encourage the partici-  
3 pation of and give significant weight to contractors and  
4 grantees who propose investing a significant amount of  
5 their own resources (including volunteer services and in-  
6 kind contributions) in such projects and activities.

7 PROHIBITION ON FUNDING FOR ABORTIONS AND  
8 INVOLUNTARY STERILIZATION

9 SEC. 618. None of the funds made available to carry  
10 out part I of the Foreign Assistance Act of 1961, as  
11 amended, may be used to pay for the performance of abor-  
12 tions as a method of family planning or to motivate or  
13 coerce any person to practice abortions. None of the funds  
14 made available to carry out part I of the Foreign Assist-  
15 ance Act of 1961, as amended, may be used to pay for  
16 the performance of involuntary sterilization as a method  
17 of family planning or to coerce or provide any financial  
18 incentive to any person to undergo sterilizations. None of  
19 the funds made available to carry out part I of the Foreign  
20 Assistance Act of 1961, as amended, may be used to pay  
21 for any biomedical research which relates in whole or in  
22 part, to methods of, or the performance of, abortions or  
23 involuntary sterilization as a means of family planning.  
24 None of the funds made available to carry out part I of  
25 the Foreign Assistance Act of 1961, as amended, may be  
26 obligated or expended for any country or organization if

1 the President certifies that the use of these funds by any  
 2 such country or organization would violate any of the  
 3 above provisions related to abortions and involuntary steri-  
 4 lizations.

# 5 STATEMENT

6 SEC. 619. (a) Funds provided in this Act for the fol-  
 7 lowing accounts shall be made available for programs and  
 8 countries in the amounts contained in the respective tables  
 9 included in the report accompanying this Act:

10 “ECONOMIC SUPPORT FUND”;

11 “ASSISTANCE FOR EASTERN EUROPE  
 12 AND THE BALTIC STATES”;

13 “ASSISTANCE FOR THE INDEPENDENT  
 14 STATES OF THE FORMER SOVIET UNION”;

15 “ANDEAN COUNTERDRUG INITIATIVE”;

16 “NONPROLIFERATION, ANTI-TER-  
 17 RORISM, DEMINING AND RELATED PRO-  
 18 GRAMS”;

19 “FOREIGN MILITARY FINANCING PRO-  
 20 GRAM”; and

21 “INTERNATIONAL ORGANIZATIONS AND  
 22 PROGRAMS”.

23 (b) Any proposed increases or decreases to the  
 24 amounts contained in such tables in the accompanying re-  
 25 port shall be subject to the regular notification procedures

1 of the Committees on Appropriations and section 634A  
 2 of the Foreign Assistance Act of 1961.

3 SPECIAL NOTIFICATION REQUIREMENTS

4 SEC. 620. None of the funds appropriated under ti-  
 5 tles II through V of this Act shall be obligated or expended  
 6 for assistance for Serbia, Sudan, Zimbabwe, Pakistan, or  
 7 Cambodia except as provided through the regular notifica-  
 8 tion procedures of the Committees on Appropriations.

9 DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

10 SEC. 621. For the purpose of titles II through V of  
 11 this Act “program, project, and activity” shall be defined  
 12 at the appropriations Act account level and shall include  
 13 all appropriations and authorizations Acts funding direc-  
 14 tives, ceilings, and limitations with the exception that for  
 15 the following accounts: “ECONOMIC SUPPORT  
 16 FUND” and “FOREIGN MILITARY FINANCING  
 17 PROGRAM”, “program, project, and activity” shall also  
 18 be considered to include country, regional, and central pro-  
 19 gram level funding within each such account; for the devel-  
 20 opment assistance accounts of the United States Agency  
 21 for International Development “program, project, and ac-  
 22 tivity” shall also be considered to include central, country,  
 23 regional, and program level funding, either as—

24 (1) justified to the Congress; or

25 (2) allocated by the executive branch in accord-  
 26 ance with a report, to be provided to the Committees



1 on Appropriations within 30 days of the enactment  
2 of this Act, as required by section 653(a) of the For-  
3 eign Assistance Act of 1961.

4 CHILD SURVIVAL AND HEALTH ACTIVITIES

5 SEC. 622. Up to \$13,500,000 of the funds made  
6 available by this Act in title III for assistance under the  
7 heading “CHILD SURVIVAL AND HEALTH PRO-  
8 GRAMS FUND” account, may be used to reimburse  
9 United States Government agencies, agencies of State gov-  
10 ernments, institutions of higher learning, and private and  
11 voluntary organizations for the full cost of individuals (in-  
12 cluding for the personal services of such individuals) de-  
13 tailed or assigned to, or contracted by, as the case may  
14 be, the United States Agency for International Develop-  
15 ment for the purpose of carrying out activities under that  
16 heading: *Provided*, That up to \$3,500,000 of the funds  
17 made available by this Act for assistance under the head-  
18 ing “DEVELOPMENT ASSISTANCE” may be used to  
19 reimburse such agencies, institutions, and organizations  
20 for such costs of such individuals carrying out other devel-  
21 opment assistance activities: *Provided further*, That funds  
22 appropriated by titles III and IV of this Act that are made  
23 available for assistance for child survival activities or dis-  
24 ease programs including activities relating to research on,  
25 and the prevention, treatment and control of, HIV/AIDS  
26 may be made available notwithstanding any other provi-

1 sion of law except for the provisions under the heading  
 2 “CHILD SURVIVAL AND HEALTH PROGRAMS  
 3 FUND” and the United States Leadership Against HIV/  
 4 AIDS, Tuberculosis, and Malaria Act of 2003 (117 Stat.  
 5 711; 22 U.S.C. 7601 et seq.); as amended: *Provided fur-*  
 6 *ther*, That of the funds appropriated under title III and  
 7 IV of this Act ; not less than \$441,000,000 shall be made  
 8 available for family planning/reproductive health: *Provided*  
 9 *further*, That, in order to prevent unintended pregnancies,  
 10 abortions, and the transmission of sexually transmitted in-  
 11 fections, including HIV/AIDS, no contract or grant for the  
 12 exclusive purpose of providing donated contraceptives in  
 13 developing countries shall be denied to any nongovern-  
 14 mental organization solely on the basis of the policy con-  
 15 tained in the President’s March 28, 2001, Memorandum  
 16 to the Administrator of the United States Agency for  
 17 International Development with respect to providing con-  
 18 traceptives in developing countries, or any comparable ad-  
 19 ministration policy regarding the provision of contracep-  
 20 tives.

#### 21 AFGHANISTAN

22 SEC. 623. Of the funds appropriated under titles III  
 23 and IV of this Act, not less than \$1,057,050,000 shall  
 24 be made available for humanitarian, reconstruction, and  
 25 related assistance for Afghanistan: *Provided*, That of the  
 26 funds made available pursuant to this section, \$3,000,000

1 should be made available for reforestation activities: *Pro-*  
 2 *vided further,* That funds made available pursuant to the  
 3 previous proviso should be matched, to the maximum ex-  
 4 tent possible, with contributions from American and Af-  
 5 ghan businesses: *Provided further,* That of the funds allo-  
 6 cated for assistance for Afghanistan from this Act not less  
 7 than \$75,000,000 shall be made available to support pro-  
 8 grams that directly address the needs of Afghan women  
 9 and girls, including for the Afghan Independent Human  
 10 Rights Commission, the Afghan Ministry of Women's Af-  
 11 fairs, and for women-led nonprofit organizations in Af-  
 12 ghanistan.

13 NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

14 SEC. 624. Prior to providing excess Department of  
 15 Defense articles in accordance with section 516(a) of the  
 16 Foreign Assistance Act of 1961, the Department of De-  
 17 fense shall notify the Committees on Appropriations to the  
 18 same extent and under the same conditions as are other  
 19 committees pursuant to subsection (f) of that section: *Pro-*  
 20 *vided,* That before issuing a letter of offer to sell excess  
 21 defense articles under the Arms Export Control Act, the  
 22 Department of Defense shall notify the Committees on  
 23 Appropriations in accordance with the regular notification  
 24 procedures of such Committees if such defense articles are  
 25 significant military equipment (as defined in section 47(9)  
 26 of the Arms Export Control Act) or are valued (in terms

1 of original acquisition cost) at \$7,000,000 or more, or if  
 2 notification is required elsewhere in this Act for the use  
 3 of appropriated funds for specific countries that would re-  
 4 ceive such excess defense articles: *Provided further*, That  
 5 such Committees shall also be informed of the original ac-  
 6 quisition cost of such defense articles.

7 GLOBAL FUND ACCOUNTABILITY

8 SEC. 625. (a) Notwithstanding any other provision  
 9 of this Act, 20 percent of the funds that are appropriated  
 10 by this Act for a contribution to support the Global Fund  
 11 to Fight AIDS, Tuberculosis and Malaria (the “Global  
 12 Fund”) shall be withheld from obligation to the Global  
 13 Fund until the Secretary of State certifies to the Commit-  
 14 tees on Appropriations that the Global Fund—

15 (1) is releasing incremental disbursements only  
 16 if grantees demonstrate progress against clearly de-  
 17 fined performance indicators;

18 (2) is providing support and oversight to coun-  
 19 try-level entities, such as country coordinating mech-  
 20 anisms, principal recipients, and Local Fund Agents  
 21 (LFAs), to enable them to fulfill their mandates;

22 (3) has a full-time, professional, independent  
 23 Office of Inspector General that is fully operational;

24 (4) requires LFAs to assess whether a principal  
 25 recipient has the capacity to oversee the activities of  
 26 sub-recipients;

1           (5) is making progress toward implementing a  
2       reporting system that breaks down grantee budget  
3       allocations by programmatic activity;

4           (6) has adopted a policy on the public release  
5       of documents produced by the Office of the Inspec-  
6       tor General;

7           (7) is tracking and encouraging the involvement  
8       of civil society, including faith-based organizations,  
9       in country coordinating mechanisms and program  
10      implementation; and

11          (8) has provided to the Secretary of State a re-  
12      port on faith-based organizations as described in  
13      subsection (b).

14      (b) The report referred to in subsection (a)(8) is a  
15      report that provides a description and assessment of  
16      grants and sub-grants provided by the Global Fund to  
17      faith-based organizations. The report shall include—

18          (1) on a county-by-country basis—

19              (A) a description of the amount of grants  
20              and sub-grants provided to faith-based organi-  
21              zations; and

22              (B) an assessment of the extent to which  
23              faith-based organizations have been or are in-  
24              volved in the Country Coordinating Mechanism  
25              (CCM) process of the Global Fund; and

1           (2) a description of actions the Global Fund  
 2           has taken and will take to enhance the involvement  
 3           of faith-based organizations in the CCM process;  
 4           particularly in countries in which the involvement of  
 5           faith-based organizations has been underrepresented.

6 PROHIBITION ON BILATERAL ASSISTANCE TO TERRORIST  
 7 COUNTRIES

8           SEC. 626. (a) Funds appropriated for bilateral assist-  
 9           ance under any heading of this Act and funds appro-  
 10          priated under any such heading in a provision of law en-  
 11          acted prior to the enactment of this Act, shall not be made  
 12          available to any country which the President determines—

13               (1) grants sanctuary from prosecution to any  
 14               individual or group which has committed an act of  
 15               international terrorism; or

16               (2) otherwise supports international terrorism.

17          (b) The President may waive the application of sub-  
 18          section (a) to a country if the President determines that  
 19          national security or humanitarian reasons justify such  
 20          waiver. The President shall publish each waiver in the  
 21          Federal Register and, at least 15 days before the waiver  
 22          takes effect, shall notify the Committees on Appropria-  
 23          tions of the waiver (including the justification for the waiv-  
 24          er) in accordance with the regular notification procedures  
 25          of the Committees on Appropriations.

1                                   DEBT-FOR-DEVELOPMENT

2           SEC. 627. In order to enhance the continued partici-  
3   pation of nongovernmental organizations in debt-for-devel-  
4   opment and debt-for-nature exchanges, a nongovern-  
5   mental organization which is a grantee or contractor of  
6   the United States Agency for International Development  
7   may place in interest bearing accounts local currencies  
8   which accrue to that organization as a result of economic  
9   assistance provided under title III of this Act and, subject  
10  to the regular notification procedures of the Committees  
11  on Appropriations, any interest earned on such investment  
12  shall be used for the purpose for which the assistance was  
13  provided to that organization.

14                               SEPARATE ACCOUNTS

15       SEC. 628. (a) SEPARATE ACCOUNTS FOR LOCAL  
16  CURRENCIES.—

17               (1) If assistance is furnished to the government  
18       of a foreign country under chapters 1 and 10 of part  
19       I or chapter 4 of part II of the Foreign Assistance  
20       Act of 1961 under agreements which result in the  
21       generation of local currencies of that country, the  
22       Administrator of the United States Agency for  
23       International Development shall—

24                       (A) require that local currencies be depos-  
25       ited in a separate account established by that  
26       government;

1           ~~(B)~~ enter into an agreement with that gov-  
2           ernment which sets forth—

3                     ~~(i)~~ the amount of the local currencies  
4                     to be generated; and

5                     ~~(ii)~~ the terms and conditions under  
6                     which the currencies so deposited may be  
7                     utilized, consistent with this section; and

8           ~~(C)~~ establish by agreement with that gov-  
9           ernment the responsibilities of the United  
10           States Agency for International Development  
11           and that government to monitor and account  
12           for deposits into and disbursements from the  
13           separate account.

14           ~~(2)~~ USES OF LOCAL CURRENCIES.—As may be  
15           agreed upon with the foreign government, local cur-  
16           rencies deposited in a separate account pursuant to  
17           subsection (a), or an equivalent amount of local cur-  
18           rencies, shall be used only—

19                     ~~(A)~~ to carry out chapter 1 or 10 of part  
20           I or chapter 4 of part II (as the case may be),  
21           for such purposes as—

22                     ~~(i)~~ project and sector assistance activi-  
23                     ties; or

24                     ~~(ii)~~ debt and deficit financing; or



1           (B) for the administrative requirements of  
2           the United States Government.

3           (3) PROGRAMMING ACCOUNTABILITY.—The  
4           United States Agency for International Development  
5           shall take all necessary steps to ensure that the  
6           equivalent of the local currencies disbursed pursuant  
7           to subsection (a)(2)(A) from the separate account  
8           established pursuant to subsection (a)(1) are used  
9           for the purposes agreed upon pursuant to subsection  
10          (a)(2).

11          (4) TERMINATION OF ASSISTANCE PRO-  
12          GRAMS.—Upon termination of assistance to a coun-  
13          try under chapter 1 or 10 of part I or chapter 4 of  
14          part II (as the case may be), any unencumbered bal-  
15          ances of funds which remain in a separate account  
16          established pursuant to subsection (a) shall be dis-  
17          posed of for such purposes as may be agreed to by  
18          the government of that country and the United  
19          States Government.

20          (5) REPORTING REQUIREMENT.—The Adminis-  
21          trator of the United States Agency for International  
22          Development shall report on an annual basis as part  
23          of the justification documents submitted to the Com-  
24          mittees on Appropriations on the use of local cur-  
25          rencies for the administrative requirements of the

1 United States Government as authorized in sub-  
2 section (a)(2)(B), and such report shall include the  
3 amount of local currency (and United States dollar  
4 equivalent) used and/or to be used for such purpose  
5 in each applicable country.

6 ~~(b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—~~

7 ~~(1) If assistance is made available to the gov-~~  
8 ~~ernment of a foreign country, under chapter 1 or 10~~  
9 ~~of part I or chapter 4 of part II of the Foreign As-~~  
10 ~~sistance Act of 1961, as cash transfer assistance or~~  
11 ~~as non-project sector assistance, that country shall~~  
12 ~~be required to maintain such funds in a separate ac-~~  
13 ~~count and not commingle them with any other~~  
14 ~~funds.~~

15 ~~(2) APPLICABILITY OF OTHER PROVISIONS OF~~  
16 ~~LAW.—Such funds may be obligated and expended~~  
17 ~~notwithstanding provisions of law, which are incon-~~  
18 ~~sistent with the nature of this assistance including~~  
19 ~~provisions which are referenced in the Joint Explan-~~  
20 ~~atory Statement of the Committee of Conference ac-~~  
21 ~~companying House Joint Resolution 648 (House Re-~~  
22 ~~port No. 98-1159).~~

23 ~~(3) NOTIFICATION.—At least 15 days prior to~~  
24 ~~obligating any such cash transfer or non-project sec-~~  
25 ~~tor assistance, the President shall submit a notifica-~~

tion through the regular notification procedures of the Committees on Appropriations, which shall include a detailed description of how the funds proposed to be made available will be used, with a discussion of the United States interests that will be served by the assistance (including, as appropriate, a description of the economic policy reforms that will be promoted by such assistance).

(4) EXEMPTION.—Non-project sector assistance funds may be exempt from the requirements of subsection (b)(1) only through the notification procedures of the Committees on Appropriations.

#### ENTERPRISE FUND RESTRICTIONS

SEC. 629. (a) Prior to the distribution of any assets resulting from any liquidation, dissolution, or winding up of an Enterprise Fund, in whole or in part, the President shall submit to the Committees on Appropriations, in accordance with the regular notification procedures of the Committees on Appropriations, a plan for the distribution of the assets of the Enterprise Fund.

(b) Funds made available under titles II through V of this Act for Enterprise Funds shall be expended at the minimum rate necessary to make timely payment for projects and activities.

## 1 FINANCIAL MARKET ASSISTANCE

2 SEC. 630. Of the funds appropriated by this Act  
3 under the headings “TRADE AND DEVELOPMENT  
4 AGENCY”, “DEVELOPMENT ASSISTANCE”,  
5 “TRANSITION INITIATIVES”, “ECONOMIC SUP-  
6 PORT FUND”, “INTERNATIONAL AFFAIRS TECH-  
7 NICAL ASSISTANCE”, “ASSISTANCE FOR THE  
8 INDEPENDENT STATES OF THE FORMER SO-  
9 VIET UNION”, “NONPROLIFERATION, ANTI-TER-  
10 RORISM, DEMINING AND RELATED PROGRAMS”,  
11 and “ASSISTANCE FOR EASTERN EUROPE AND  
12 BALTIC STATES”, not less than \$40,000,000 should be  
13 made available for building capital markets and financial  
14 systems in countries eligible to receive United States as-  
15 sistance.

16 AUTHORITIES FOR THE PEACE CORPS, INTER-AMERICAN  
17 FOUNDATION AND AFRICAN DEVELOPMENT FOUNDATION

18 SEC. 631. Unless expressly provided to the contrary,  
19 provisions of this or any other Act, including provisions  
20 contained in prior Acts authorizing or making appropria-  
21 tions for foreign operations, export financing, and related  
22 programs, shall not be construed to prohibit activities au-  
23 thorized by or conducted under the Peace Corps Act, the  
24 Inter-American Foundation Act or the African Develop-  
25 ment Foundation Act. The agency shall promptly report  
26 to the Committees on Appropriations whenever it is con-

1 ducting activities or is proposing to conduct activities in  
 2 a country for which assistance is prohibited.

3 IMPACT ON JOBS IN THE UNITED STATES

4 SEC. 632. None of the funds appropriated under ti-  
 5 tles II through V of this Act may be obligated or expended  
 6 to provide—

7 (1) any financial incentive to a business enter-  
 8 prise currently located in the United States for the  
 9 purpose of inducing such an enterprise to relocate  
 10 outside the United States if such incentive or in-  
 11 ducement is likely to reduce the number of employ-  
 12 ees of such business enterprise in the United States  
 13 because United States production is being replaced  
 14 by such enterprise outside the United States; or

15 (2) assistance for any program, project, or ac-  
 16 tivity that contributes to the violation of internation-  
 17 ally recognized workers rights, as defined in section  
 18 507(4) of the Trade Act of 1974, of workers in the  
 19 recipient country, including any designated zone or  
 20 area in that country: *Provided*, That the application  
 21 of section 507(4) (D) and (E) of such Act should be  
 22 commensurate with the level of development of the  
 23 recipient country and sector, and shall not preclude  
 24 assistance for the informal sector in such country,  
 25 micro and small-scale enterprise, and smallholder  
 26 agriculture.

## SPECIAL AUTHORITIES

1  
2       SEC. 633. (a) AFGHANISTAN, IRAQ, PAKISTAN, LEB-  
3 ANON, MONTENEGRO, VICTIMS OF WAR, DISPLACED  
4 CHILDREN, AND DISPLACED BURMESE.—Funds appro-  
5 priated by this Act that are made available for assistance  
6 for Afghanistan may be made available notwithstanding  
7 section 612 of this Act or any similar provision of law and  
8 section 660 of the Foreign Assistance Act of 1961, and  
9 funds appropriated in titles II and III of this Act that  
10 are made available for Iraq, Lebanon, Montenegro, Paki-  
11 stan, and for victims of war, displaced children, and dis-  
12 placed Burmese, and to assist victims of trafficking in per-  
13 sons and, subject to the regular notification procedures of  
14 the Committees on Appropriations, to combat such traf-  
15 ficking, may be made available notwithstanding any other  
16 provision of law.

17       (b) TROPICAL FORESTRY AND BIODIVERSITY CON-  
18 SERVATION ACTIVITIES.—Funds appropriated by this Act  
19 to carry out the provisions of sections 103 through 106,  
20 and chapter 4 of part II, of the Foreign Assistance Act  
21 of 1961 may be used, notwithstanding any other provision  
22 of law, for the purpose of supporting tropical forestry and  
23 biodiversity conservation activities and energy programs  
24 aimed at reducing greenhouse gas emissions: *Provided,*

1 That such assistance shall be subject to sections 116,  
2 502B, and 620A of the Foreign Assistance Act of 1961.

3       (c) ~~PERSONAL SERVICES CONTRACTORS.~~—Funds ap-  
4 propriated by this Act to carry out chapter 1 of part I,  
5 chapter 4 of part II, and section 667 of the Foreign As-  
6 sistance Act of 1961, and title II of the Agricultural Trade  
7 Development and Assistance Act of 1954, may be used  
8 by the United States Agency for International Develop-  
9 ment to employ up to 25 personal services contractors in  
10 the United States, notwithstanding any other provision of  
11 law, for the purpose of providing direct, interim support  
12 for new or expanded overseas programs and activities  
13 managed by the agency until permanent direct hire per-  
14 sonnel are hired and trained: *Provided*, That not more  
15 than 10 of such contractors shall be assigned to any bu-  
16 reau or office: *Provided further*, That such funds appro-  
17 priated to carry out title II of the Agricultural Trade De-  
18 velopment and Assistance Act of 1954, may be made avail-  
19 able only for personal services contractors assigned to the  
20 Office of Food for Peace.

21       (d)(1) ~~WAIVER.~~—The President may waive the provi-  
22 sions of section 1003 of Public Law 100–204 if the Presi-  
23 dent determines and certifies in writing to the Speaker  
24 of the House of Representatives and the President pro

1 tempore of the Senate that it is important to the national  
2 security interests of the United States.

3       (2) PERIOD OF APPLICATION OF WAIVER.—Any  
4 waiver pursuant to paragraph (1) shall be effective for no  
5 more than a period of 6 months at a time and shall not  
6 apply beyond 12 months after the enactment of this Act.

7       (e) SMALL BUSINESS.—In entering into multiple  
8 award indefinite-quantity contracts with funds appro-  
9 priated by this Act, the United States Agency for Inter-  
10 national Development may provide an exception to the fair  
11 opportunity process for placing task orders under such  
12 contracts when the order is placed with any category of  
13 small or small disadvantaged business.

14       (f) RECONSTITUTING CIVILIAN POLICE AUTHOR-  
15 ITY.—In providing assistance with funds appropriated by  
16 this Act under section 660(b)(6) of the Foreign Assistance  
17 Act of 1961, support for a nation emerging from insta-  
18 bility may be deemed to mean support for regional, dis-  
19 trict, municipal, or other sub-national entity emerging  
20 from instability, as well as a nation emerging from insta-  
21 bility.

22       (g) WORLD FOOD PROGRAM.—Of the funds managed  
23 by the Bureau for Democracy, Conflict, and Humanitarian  
24 Assistance of the United States Agency for International  
25 Development, from this or any other Act, not less than



1 \$10,000,000 shall be made available as a general contribu-  
2 tion to the World Food Program, notwithstanding any  
3 other provision of law.

4 (h) EXTENSION OF AUTHORITY.—

5 (1) With respect to funds appropriated by this  
6 Act that are available for assistance for Pakistan,  
7 the President may waive the prohibition on assist-  
8 ance contained in section 608 of this Act subject to  
9 the requirements contained in section 1(b) of Public  
10 Law 107–57, as amended, for a determination and  
11 certification, and consultation, by the President  
12 prior to the exercise of such waiver authority.

13 (2) Section 612 of this Act and section 620(q)  
14 of the Foreign Assistance Act of 1961 shall not  
15 apply with respect to assistance for Pakistan from  
16 funds appropriated by this Act.

17 (3) Notwithstanding the date contained in sec-  
18 tion 6 of Public Law 107–57, as amended, the provi-  
19 sions of sections 2 and 4 of that Act shall remain  
20 in effect through the current fiscal year.

21 (i) MIDDLE EAST FOUNDATION.—Of the funds ap-  
22 propriated in this Act under the heading “ECONOMIC  
23 SUPPORT FUND” that are available for the Middle East  
24 Partnership Initiative, may be made available, including  
25 as an endowment, notwithstanding any other provision of

1 law and following consultations with the Committees on  
2 Appropriations, to establish and operate a Middle East  
3 Foundation, or any other similar entity, whose purposes  
4 include to support democracy, governance, human rights,  
5 and the rule of law: *Provided*, That such funds may be  
6 made available to the Foundation only to the extent that  
7 the Foundation has commitments from sources other than  
8 the United States Government to at least match the funds  
9 provided under the authority of this subsection: *Provided*  
10 *further*, That provisions contained in section 201 of the  
11 Support for East European Democracy (SEED) Act of  
12 1989 (excluding the authorizations of appropriations pro-  
13 vided in subsection (b) of that section and the requirement  
14 that a majority of the members of the board of directors  
15 be citizens of the United States provided in subsection  
16 (d)(3)(B) of that section) shall be deemed to apply to any  
17 such foundation or similar entity referred to under this  
18 subsection, and to funds made available to such entity,  
19 in order to enable it to provide assistance for purposes  
20 of this section: *Provided further*, That prior to the initial  
21 obligation of funds for any such foundation or similar enti-  
22 ty pursuant to the authorities of this subsection, other  
23 than for administrative support, the Secretary of State  
24 shall take steps to ensure, on an ongoing basis, that any  
25 such funds made available pursuant to such authorities

1 are not provided to or through any individual or group  
 2 that the management of the foundation or similar entity  
 3 knows or has reason to believe, advocates, plans, sponsors,  
 4 or otherwise engages in terrorist activities: *Provided fur-*  
 5 *ther*, That section 629 of this Act shall apply to any such  
 6 foundation or similar entity established pursuant to this  
 7 subsection: *Provided further*, That the authority of the  
 8 Foundation, or any similar entity, to provide assistance  
 9 shall cease to be effective on September 30, 2010.

10 (j) EXTENSION OF AUTHORITY.—The Foreign Oper-  
 11 ations Export Financing, and Related Programs Appro-  
 12 priations Act, 1990 (Public Law 101–167) is amended—

13 (1) in section 599D (8 U.S.C. 1157 note)—

14 (A) in subsection(b)(3), before “2007” by  
 15 striking “and”, and after “2007” by inserting,  
 16 “and 2008,” and

17 (B) in subsection (e), by striking “2007”  
 18 each place it appears and inserting “2008”; and

19 (2) in section 599E (8 U.S.C. 1255 note) in  
 20 subsection (b)(2), by striking “2007” and inserting  
 21 “2008”.

22 ARAB LEAGUE BOYCOTT OF ISRAEL

23 SEC. 634. It is the sense of the Congress that—

24 (1) the Arab League boycott of Israel, and the  
 25 secondary boycott of American firms that have com-  
 26 mercial ties with Israel, is an impediment to peace

1 in the region and to United States investment and  
2 trade in the Middle East and North Africa;

3 (2) the Arab League boycott, which was regret-  
4 tably reinstated in 1997, should be immediately and  
5 publicly terminated, and the Central Office for the  
6 Boycott of Israel immediately disbanded;

7 (3) all Arab League states should normalize re-  
8 lations with their neighbor Israel;

9 (4) the President and the Secretary of State  
10 should continue to vigorously oppose the Arab  
11 League boycott of Israel and find concrete steps to  
12 demonstrate that opposition by, for example, taking  
13 into consideration the participation of any recipient  
14 country in the boycott when determining to sell  
15 weapons to said country; and

16 (5) the President should report to Congress an-  
17 nually on specific steps being taken by the United  
18 States to encourage Arab League states to normalize  
19 their relations with Israel to bring about the termi-  
20 nation of the Arab League boycott of Israel, includ-  
21 ing those to encourage allies and trading partners of  
22 the United States to enact laws prohibiting busi-  
23 nesses from complying with the boycott and penal-  
24 izing businesses that do comply.

## 1 ELIGIBILITY FOR ASSISTANCE

2 SEC. 635. (a) ASSISTANCE THROUGH NONGOVERN-  
3 MENTAL ORGANIZATIONS.—Restrictions contained under  
4 titles II through V of this or any other Act with respect  
5 to assistance for a country shall not be construed to re-  
6 strict assistance in support of programs of nongovern-  
7 mental organizations from funds appropriated by this Act  
8 to carry out the provisions of chapters 1, 10, 11, and 12  
9 of part I and chapter 4 of part II of the Foreign Assist-  
10 ance Act of 1961, and from funds appropriated under the  
11 heading “ASSISTANCE FOR EASTERN EUROPE  
12 AND THE BALTIC STATES”: *Provided*, That before  
13 using the authority of this subsection to furnish assistance  
14 in support of programs of nongovernmental organizations,  
15 the President shall notify the Committees on Appropria-  
16 tions under the regular notification procedures of those  
17 committees, including a description of the program to be  
18 assisted, the assistance to be provided, and the reasons  
19 for furnishing such assistance: *Provided further*, That  
20 nothing in this subsection shall be construed to alter any  
21 existing statutory prohibitions against abortion or involun-  
22 tary sterilizations contained in this or any other Act.

23 (b) PUBLIC LAW 480.—During fiscal year 2008, re-  
24 strictions contained in this or any other Act with respect  
25 to assistance for a country shall not be construed to re-

1 strict assistance under the Agricultural Trade Develop-  
 2 ment and Assistance Act of 1954: *Provided*, That none  
 3 of the funds appropriated to carry out title I of such Act  
 4 and made available pursuant to this subsection may be  
 5 obligated or expended except as provided through the reg-  
 6 ular notification procedures of the Committees on Appro-  
 7 priations.

8 (c) EXCEPTION.—This section shall not apply—

9 (1) with respect to section 620A of the Foreign  
 10 Assistance Act of 1961 or any comparable provision  
 11 of law prohibiting assistance to countries that sup-  
 12 port international terrorism; or

13 (2) with respect to section 116 of the Foreign  
 14 Assistance Act of 1961 or any comparable provision  
 15 of law prohibiting assistance to the government of a  
 16 country that violates internationally recognized  
 17 human rights.

#### 18 RESERVATIONS OF FUNDS

19 SEC. 636. (a) Funds appropriated under titles II  
 20 through V of this Act which are specifically designated  
 21 may be reprogrammed for other programs within the same  
 22 account notwithstanding the designation if compliance  
 23 with the designation is made impossible by operation of  
 24 any provision of this or any other Act: *Provided*, That any  
 25 such reprogramming shall be subject to the regular notifi-  
 26 cation procedures of the Committees on Appropriations:

1 *Provided further,* That assistance that is reprogrammed  
2 pursuant to this subsection shall be made available under  
3 the same terms and conditions as originally provided.

4 (b) In addition to the authority contained in sub-  
5 section (a), the original period of availability of funds ap-  
6 propriated by this Act and administered by the United  
7 States Agency for International Development that are spe-  
8 cifically designated for particular programs or activities by  
9 this or any other Act shall be extended for an additional  
10 fiscal year if the Administrator of such agency determines  
11 and reports promptly to the Committees on Appropria-  
12 tions that the termination of assistance to a country or  
13 a significant change in circumstances makes it unlikely  
14 that such designated funds can be obligated during the  
15 original period of availability: *Provided,* That such des-  
16 ignated funds that are continued available for an addi-  
17 tional fiscal year shall be obligated only for the purpose  
18 of such designation.

19 CEILINGS AND DESIGNATED FUNDING LEVELS

20 SEC. 637. Ceilings and specifically designated fund-  
21 ing levels contained in this Act shall not be applicable to  
22 funds or authorities appropriated or otherwise made avail-  
23 able by any subsequent Act unless such Act specifically  
24 so directs: *Provided,* That specifically designated funding  
25 levels or minimum funding requirements contained in any

1 other Act shall not be applicable to funds appropriated  
2 by this Act.

3 PROHIBITION ON PUBLICITY OR PROPAGANDA

4 SEC. 638. No part of any appropriation contained in  
5 this Act shall be used for publicity or propaganda purposes  
6 within the United States not authorized before the date  
7 of the enactment of this Act by the Congress: *Provided,*  
8 That not to exceed \$25,000 may be made available to  
9 carry out the provisions of section 316 of Public Law 96—  
10 533.

11 PROHIBITION OF PAYMENTS TO UNITED NATIONS

12 MEMBERS

13 SEC. 639. None of the funds appropriated or made  
14 available pursuant to titles II through V of this Act for  
15 carrying out the Foreign Assistance Act of 1961, may be  
16 used to pay in whole or in part any assessments, arrear-  
17 ages, or dues of any member of the United Nations or,  
18 from funds appropriated by this Act to carry out chapter  
19 1 of part I of the Foreign Assistance Act of 1961, the  
20 costs for participation of another country's delegation at  
21 international conferences held under the auspices of multi-  
22 lateral or international organizations.

23 NONGOVERNMENTAL ORGANIZATIONS—DOCUMENTATION

24 SEC. 640. None of the funds appropriated or made  
25 available pursuant to titles II through V of this Act shall  
26 be available to a nongovernmental organization which fails



1 to provide upon timely request any document, file, or  
2 record necessary to the auditing requirements of the  
3 United States Agency for International Development.

4 PROHIBITION ON ASSISTANCE TO FOREIGN GOVERN-  
5 MENTS THAT EXPORT LETHAL MILITARY EQUIP-  
6 MENT TO COUNTRIES SUPPORTING INTERNATIONAL  
7 TERRORISM

8 SEC. 641. (a) None of the funds appropriated or oth-  
9 erwise made available by titles II through V of this Act  
10 may be available to any foreign government which provides  
11 lethal military equipment to a country the government of  
12 which the Secretary of State has determined is a terrorist  
13 government for purposes of section 6(j) of the Export Ad-  
14 ministration Act of 1979. The prohibition under this sec-  
15 tion with respect to a foreign government shall terminate  
16 12 months after that government ceases to provide such  
17 military equipment. This section applies with respect to  
18 lethal military equipment provided under a contract en-  
19 tered into after October 1, 1997.

20 (b) Assistance restricted by subsection (a) or any  
21 other similar provision of law, may be furnished if the  
22 President determines that furnishing such assistance is  
23 important to the national interests of the United States.

24 (c) Whenever the waiver authority of subsection (b)  
25 is exercised, the President shall submit to the appropriate  
26 Congressional committees a report with respect to the fur-

1 nishing of such assistance. Any such report shall include  
2 a detailed explanation of the assistance to be provided, in-  
3 cluding the estimated dollar amount of such assistance,  
4 and an explanation of how the assistance furthers United  
5 States national interests.

6 WITHHOLDING OF ASSISTANCE FOR PARKING FINES AND  
7 REAL PROPERTY TAXES OWED BY FOREIGN COUNTRIES

8 SEC. 642. (a) Subject to subsection (c), of the funds  
9 appropriated under titles II through V of this Act that  
10 are made available for assistance for a foreign country,  
11 an amount equal to 110 percent of the total amount of  
12 the unpaid fully adjudicated parking fines and penalties  
13 and unpaid property taxes owed by the central government  
14 of such country shall be withheld from obligation for as-  
15 sistance for the central government of such country until  
16 the Secretary of State submits a certification to the appro-  
17 priate congressional committees stating that such parking  
18 fines and penalties and unpaid property taxes are fully  
19 paid.

20 (b) Funds withheld from obligation pursuant to sub-  
21 section (a) may be made available for other programs or  
22 activities funded by this Act, after consultation with and  
23 subject to the regular notification procedures of the appro-  
24 priate congressional committees, provided that no such  
25 funds shall be made available for assistance for the central  
26 government of a foreign country that has not paid the

1 total amount of the fully adjudicated parking fines and  
2 penalties and unpaid property taxes owed by such country.

3 (c) Subsection (a) shall not include amounts that  
4 have been withheld under any other provision of law.

5 (d)(1) The Secretary of State may waive the require-  
6 ments set forth in subsection (a) with respect to parking  
7 fines and penalties no sooner than 60 days from the date  
8 of enactment of this Act, or at any time with respect to  
9 a particular country, if the Secretary determines that it  
10 is in the national interests of the United States to do so.

11 (2) The Secretary of State may waive the require-  
12 ments set forth in subsection (a) with respect to the un-  
13 paid property taxes if the Secretary of State determines  
14 that it is in the national interests of the United States  
15 to do so.

16 (e) Not later than six months after the initial exercise  
17 of the waiver authority in subsection (d), the Secretary  
18 of State, after consultations with the City of New York,  
19 shall submit a report to the Committees on Appropriations  
20 describing a strategy, including a timetable and steps cur-  
21 rently being taken, to collect the parking fines and pen-  
22 alties and unpaid property taxes and interest owed by na-  
23 tions receiving foreign assistance under this Act.

24 (f) In this section:

1           (1) The term “appropriate congressional com-  
2       mittees” means the Committee on Appropriations of  
3       the Senate and the Committee on Appropriations of  
4       the House of Representatives.

5           (2) The term “fully adjudicated” includes cir-  
6       cumstances in which the person to whom the vehicle  
7       is registered—

8                 (A)(i) has not responded to the parking  
9       violation summons; or (ii) has not followed the  
10      appropriate adjudication procedure to challenge  
11      the summons; and

12                (B) the period of time for payment of or  
13      challenge to the summons has lapsed.

14           (3) The term “parking fines and penalties”  
15      means parking fines and penalties—

16                (A) owed to—

17                         (i) the District of Columbia; or

18                         (ii) New York, New York; and

19                (B) incurred during the period April 1,  
20      1997, through September 30, 2007.

21           (4) The term “unpaid property taxes” means  
22      the amount of unpaid taxes and interest determined  
23      to be owed by a foreign country on real property in  
24      the District of Columbia or New York, New York in  
25      a court order or judgment entered against such

1 country by a court of the United States or any State  
 2 or subdivision thereof.

3 LIMITATION ON ASSISTANCE FOR THE PLO FOR THE  
 4 WEST BANK AND GAZA

5 SEC. 643. None of the funds appropriated under ti-  
 6 tles II through V of this Act may be obligated for assist-  
 7 ance for the Palestine Liberation Organization (PLO) for  
 8 the West Bank and Gaza unless the President has exer-  
 9 cised the authority under section 604(a) of the Middle  
 10 East Peace Facilitation Act of 1995 (title VI of Public  
 11 Law 104–107) or any other legislation to suspend or make  
 12 inapplicable section 307 of the Foreign Assistance Act of  
 13 1961 and that suspension is still in effect: *Provided*, That  
 14 if the President fails to make the certification under sec-  
 15 tion 604(b)(2) of the Middle East Peace Facilitation Act  
 16 of 1995 or to suspend the prohibition under other legisla-  
 17 tion, funds appropriated by this Act may not be obligated  
 18 for assistance for the Palestine Liberation Organization  
 19 for the West Bank and Gaza.

20 WAR CRIMES TRIBUNALS DRAWDOWN

21 SEC. 644. If the President determines that doing so  
 22 will contribute to a just resolution of charges regarding  
 23 genocide or other violations of international humanitarian  
 24 law, the President may direct a drawdown pursuant to sec-  
 25 tion 552(c) of the Foreign Assistance Act of 1961 of up  
 26 to \$30,000,000 of commodities and services for the United

1 Nations War Crimes Tribunal established with regard to  
 2 the former Yugoslavia by the United Nations Security  
 3 Council or such other tribunals or commissions as the  
 4 Council may establish or authorize to deal with such viola-  
 5 tions, without regard to the ceiling limitation contained  
 6 in paragraph (2) thereof: *Provided*, That the determina-  
 7 tion required under this section shall be in lieu of any de-  
 8 terminations otherwise required under section 552(c): *Pro-*  
 9 *vided further*, That the drawdown made under this section  
 10 for any tribunal shall not be construed as an endorsement  
 11 or precedent for the establishment of any standing or per-  
 12 manent international criminal tribunal or court: *Provided*  
 13 *further*, That funds made available for tribunals other  
 14 than Yugoslavia, Rwanda, or the Special Court for Sierra  
 15 Leone shall be made available subject to the regular notifi-  
 16 cation procedures of the Committees on Appropriations.

#### 17 LANDMINES

18 SEC. 645. Notwithstanding any other provision of  
 19 law, demining equipment available to the United States  
 20 Agency for International Development and the Depart-  
 21 ment of State and used in support of the clearance of  
 22 landmines and unexploded ordnance for humanitarian  
 23 purposes may be disposed of on a grant basis in foreign  
 24 countries, subject to such terms and conditions as the  
 25 President may prescribe.

1           RESTRICTIONS CONCERNING THE PALESTINIAN  
2                                   AUTHORITY

3           SEC. 646. None of the funds appropriated under ti-  
4 tles II through V of this Act may be obligated or expended  
5 to create in any part of Jerusalem a new office of any  
6 department or agency of the United States Government  
7 for the purpose of conducting official United States Gov-  
8 ernment business with the Palestinian Authority over  
9 Gaza and Jericho or any successor Palestinian governing  
10 entity provided for in the Israel-PLO Declaration of Prin-  
11 ciples: *Provided*, That this restriction shall not apply to  
12 the acquisition of additional space for the existing Con-  
13 sulate General in Jerusalem: *Provided further*, That meet-  
14 ings between officers and employees of the United States  
15 and officials of the Palestinian Authority, or any successor  
16 Palestinian governing entity provided for in the Israel-  
17 PLO Declaration of Principles, for the purpose of con-  
18 ducting official United States Government business with  
19 such authority should continue to take place in locations  
20 other than Jerusalem: As has been true in the past, offi-  
21 cers and employees of the United States Government may  
22 continue to meet in Jerusalem on other subjects with Pal-  
23 estinians (including those who now occupy positions in the  
24 Palestinian Authority); have social contacts; and have inci-  
25 dental discussions.

1 PROHIBITION OF PAYMENT OF CERTAIN EXPENSES

2 SEC. 647. None of the funds appropriated or other-  
 3 wise made available under titles III or IV of this Act under  
 4 the heading “INTERNATIONAL MILITARY EDU-  
 5 CATION AND TRAINING” or “FOREIGN MILITARY  
 6 FINANCING PROGRAM” for Informational Program  
 7 activities or under the headings “CHILD SURVIVAL  
 8 AND HEALTH PROGRAMS FUND”, “DEVELOP-  
 9 MENT ASSISTANCE”, and “ECONOMIC SUPPORT  
 10 FUND” may be obligated or expended to pay for—

- 11 (1) alcoholic beverages; or
- 12 (2) entertainment expenses for activities that  
 13 are substantially of a recreational character, includ-  
 14 ing but not limited to entrance fees at sporting  
 15 events, theatrical and musical productions, and  
 16 amusement parks.

17 HAITI

18 SEC. 648. (a) The Government of Haiti shall be eligi-  
 19 ble to purchase defense articles and services under the  
 20 Arms Export Control Act (22 U.S.C. 2751 et seq.), for  
 21 the Coast Guard.

22 (b) Of the funds appropriated by this act under titles  
 23 III and IV, not less than \$201,584,000 shall be available  
 24 for assistance for Haiti: *Provided*, That not less than the  
 25 following amounts of funds appropriated by this Act under  
 26 the following heading shall be made available—



1           (1) \$20,000,000 from “CHILD SURVIVAL  
2       AND HEALTH PROGRAMS FUND”;

3           (2) \$25,000,000 from “DEVELOPMENT AS-  
4       SISTANCE”;

5           (3) \$83,000,000 from “GLOBAL HIV/AIDS  
6       INITIATIVE”;

7           (4) \$63,394,000 from “ECONOMIC SUP-  
8       PORT FUND”;

9           (5) \$9,000,000 from “INTERNATIONAL  
10      NARCOTICS CONTROL AND LAW ENFORCE-  
11      MENT”;

12          (6) \$990,000 from “FOREIGN MILITARY  
13      FINANCING PROGRAM”; and

14          (7) \$200,000 from “INTERNATIONAL MILI-  
15      TARY EDUCATION AND TRAINING”.

16      (e) None of the funds made available in this Act  
17      under the heading “INTERNATIONAL NARCOTICS  
18      CONTROL AND LAW ENFORCEMENT” may be used  
19      to transfer excess weapons, ammunition or other lethal  
20      property of an agency of the United States Government  
21      to the Government of Haiti for use by the Haitian Na-  
22      tional Police until the Secretary of State certifies to the  
23      Committees on Appropriations that—

24           (1) the United Nations Mission in Haiti has  
25      carried out the vetting of the senior levels of the

1 Haitian National Police and has ensured that those  
 2 credibly alleged to have committed serious crimes,  
 3 including drug trafficking and human rights viola-  
 4 tions, have been suspended; and

5 (2) the Haitian National Government is cooper-  
 6 ating in a reform and restructuring plan for the  
 7 Haitian National Police and the reform of the judi-  
 8 cial system as called for in United Nations Security  
 9 Council Resolution 1608 adopted on June 22, 2005.

10 COLOMBIA

11 SEC. 649. (a) AVAILABILITY OF FUNDS FOR ASSIST-  
 12 ANCE FOR COLOMBIA.—Of the funds appropriated in titles  
 13 III and IV of this Act, not more than \$530,608,000 shall  
 14 be available for assistance for Colombia: *Provided*, That  
 15 not more than \$49,500,000 shall be available from funds  
 16 appropriated by this Act under the headings “FOREIGN  
 17 MILITARY FINANCING PROGRAM” and “INTER-  
 18 NATIONAL MILITARY EDUCATION AND TRAIN-  
 19 ING” for assistance for Colombia: *Provided further*, That  
 20 not less than \$22,250,000 shall be available for rule of  
 21 law activities from funds appropriated by this Act under  
 22 the heading “INTERNATIONAL NARCOTICS CON-  
 23 TROL AND LAW ENFORCEMENT”: *Provided further*,  
 24 That of the funds appropriated by this act under the head-  
 25 ing “ECONOMIC SUPPORT FUND”, not less than  
 26 \$218,500,000 shall be apportioned directly to the United

1 States Agency for International Development (USAID)  
2 for alternative development/institution building and sus-  
3 tainable development programs, of which not less than  
4 \$15,000,000 shall be made available for economic develop-  
5 ment activities in Afro-Colombian and indigenous commu-  
6 nities, in consultation with Afro-Colombian and indigenous  
7 authorities and community members: *Provided further,*  
8 That with respect to funds apportioned to USAID under  
9 the previous proviso, the responsibility for policy decisions  
10 for the use of such funds, including what activities will  
11 be funded and the amount of funds that will be provided  
12 for each of those activities, shall be the responsibility of  
13 the Administrator of USAID in consultation with the As-  
14 sistant Secretary of State for International Narcotics and  
15 Law Enforcement Affairs: *Provided further,* That with re-  
16 spect to funds apportioned to USAID under the third pro-  
17 viso of this section, not less than \$16,500,000 shall be  
18 available for judicial reform programs in Colombia; not  
19 less than \$8,250,000 shall be made available for assist-  
20 ance for organizations and programs to protect human  
21 rights; and not less than \$5,000,000 shall be made avail-  
22 able for assistance for the Fiscalía: *Provided further,* That  
23 funds made available to furnish assistance to the Govern-  
24 ment of Colombia in this Act and prior year Acts making  
25 appropriations for foreign operations, export financing,

1 and related programs, may be used: (1) to support a uni-  
 2 fied campaign against narcotics trafficking and terrorist  
 3 organizations and activities; and (2) to take actions to pro-  
 4 tect human health and welfare in emergency cir-  
 5 cumstances, including undertaking rescue operations: *Pro-*  
 6 *vided further*, That the authority contained in the previous  
 7 proviso shall cease to be effective if the Secretary of State  
 8 has credible evidence that the Colombian Government is  
 9 not conducting vigorous operations to restore government  
 10 authority and respect for human rights in areas under the  
 11 effective control of paramilitary, illegal self-defense  
 12 groups, illegal security cooperatives, or other criminal and  
 13 guerrilla organizations: *Provided further*, That the Presi-  
 14 dent shall ensure that if any helicopter procured with  
 15 funds in this Act or prior Acts making appropriations for  
 16 foreign operations, export financing, and related pro-  
 17 grams, is used to aid or abet the operations of any illegal  
 18 self-defense group or illegal security cooperative, such heli-  
 19 copter shall be immediately returned to the United States.

20       LIMITATION ON ASSISTANCE TO THE PALESTINIAN  
 21                                   AUTHORITY

22       SEC. 650. (a) PROHIBITION OF FUNDS.—None of the  
 23 funds appropriated by this Act to carry out the provisions  
 24 of chapter 4 of part II of the Foreign Assistance Act of  
 25 1961 may be obligated or expended with respect to pro-  
 26 viding funds to the Palestinian Authority.

1       (b) **WAIVER.**—The prohibition included in subsection  
2 (a) shall not apply if the President certifies in writing to  
3 the Speaker of the House of Representatives and the  
4 President pro tempore of the Senate that waiving such  
5 prohibition is important to the national security interests  
6 of the United States.

7       (c) **PERIOD OF APPLICATION OF WAIVER.**—Any  
8 waiver pursuant to subsection (b) shall be effective for no  
9 more than a period of 6 months at a time and shall not  
10 apply beyond 12 months after the enactment of this Act.

11       (d) **REPORT.**—Whenever the waiver authority pursu-  
12 ant to subsection (b) is exercised, the President shall sub-  
13 mit a report to the Committees on Appropriations detail-  
14 ing the steps the Palestinian Authority has taken to arrest  
15 terrorists, confiscate weapons and dismantle the terrorist  
16 infrastructure. The report shall also include a description  
17 of how funds will be spent and the accounting procedures  
18 in place to ensure that they are properly disbursed.

19       **LIMITATION ON ASSISTANCE TO SECURITY FORCES**

20       **SEC. 651.** None of the funds made available by this  
21 Act may be provided to any unit of the security forces  
22 of a foreign country if the Secretary of State has credible  
23 evidence that such unit has committed gross violations of  
24 human rights, unless the Secretary determines and reports  
25 to the Committees on Appropriations that the government  
26 of such country is taking effective measures to bring the

1 responsible members of the security forces unit to justice:  
 2 *Provided*, That nothing in this section shall be construed  
 3 to withhold funds made available under titles II through  
 4 V of this Act from any unit of the security forces of a  
 5 foreign country not credibly alleged to be involved in gross  
 6 violations of human rights: *Provided further*, That in the  
 7 event that funds are withheld from any unit pursuant to  
 8 this section, the Secretary of State shall promptly inform  
 9 the foreign government of the basis for such action and  
 10 shall, to the maximum extent practicable, assist the for-  
 11 eign government in taking effective measures to bring the  
 12 responsible members of the security forces to justice.

13 FOREIGN MILITARY TRAINING REPORT

14 SEC. 652. The annual foreign military training report  
 15 required by section 656 of the Foreign Assistance Act of  
 16 1961 shall be submitted by the Secretary of Defense and  
 17 the Secretary of State to the Committees on Appropria-  
 18 tions of the House of Representatives and the Senate by  
 19 the date specified in that section.

20 AUTHORIZATION REQUIREMENT

21 SEC. 653. Funds appropriated by this Act, except  
 22 funds appropriated under the headings “TRADE AND  
 23 DEVELOPMENT AGENCY”, “OVERSEAS PRIVATE  
 24 INVESTMENT CORPORATION”, and “GLOBAL HIV/  
 25 AIDS INITIATIVE”, may be obligated and expended not-  
 26 withstanding section 10 of Public Law 91–672 and section

1 15 of the State Department Basic Authorities Act of  
2 1956.

3 LIBYA

4 SEC. 654. None of the funds made available in this  
5 Act may be used to carry out any diplomatic operations  
6 in Libya or accept the credentials of any representative  
7 of the Government of Libya until such time as the Presi-  
8 dent certifies to Congress that Libya has taken irrevocable  
9 steps to pay, in its entirety, the total amount of the settle-  
10 ment commitment of \$10,000,000 to the surviving families  
11 of each descendent of Pan Am Flight 103 and certifies  
12 to Congress that Libya will continue to work in good faith  
13 to resolve the outstanding cases of United States victims  
14 of terrorism sponsored or supported by Libya, including  
15 the settlement of the La Belle Discotheque bombing.

16 PALESTINIAN STATEHOOD

17 SEC. 655. (a) LIMITATION ON ASSISTANCE.—None  
18 of the funds appropriated under titles II through V of this  
19 Act may be provided to support a Palestinian state unless  
20 the Secretary of State determines and certifies to the ap-  
21 propriate congressional committees that—

22 (1) a new leadership of a Palestinian governing  
23 entity has been democratically elected through cred-  
24 ible and competitive elections;

25 (2) the elected governing entity of a new Pales-  
26 tinian state—

1           (A) has demonstrated a firm commitment  
2           to peaceful co-existence with the State of Israel;

3           (B) is taking appropriate measures to  
4           counter terrorism and terrorist financing in the  
5           West Bank and Gaza, including the dismantling  
6           of terrorist infrastructures; and

7           (C) is establishing a new Palestinian secu-  
8           rity entity that is cooperative with appropriate  
9           Israeli and other appropriate security organiza-  
10          tions; and

11          (3) the Palestinian Authority (or the governing  
12          body of a new Palestinian state) is working with  
13          other countries in the region to vigorously pursue ef-  
14          forts to establish a just, lasting, and comprehensive  
15          peace in the Middle East that will enable Israel and  
16          an independent Palestinian state to exist within the  
17          context of full and normal relationships, which  
18          should include—

19               (A) termination of all claims or states of  
20               belligerency;

21               (B) respect for and acknowledgement of  
22               the sovereignty, territorial integrity, and polit-  
23               ical independence of every state in the area  
24               through measures including the establishment  
25               of demilitarized zones;



1           (C) their right to live in peace within se-  
 2           cure and recognized boundaries free from  
 3           threats or acts of force;

4           (D) freedom of navigation through inter-  
 5           national waterways in the area; and

6           (E) a framework for achieving a just set-  
 7           tlement of the refugee problem.

8           (b) SENSE OF CONGRESS.—It is the sense of Con-  
 9           gress that the newly-elected governing entity should enact  
 10          a constitution assuring the rule of law, an independent ju-  
 11          diciary, and respect for human rights for its citizens, and  
 12          should enact other laws and regulations assuring trans-  
 13          parent and accountable governance.

14          (c) WAIVER.—The President may waive subsection  
 15          (a) if he determines that it is vital to the national security  
 16          interests of the United States to do so.

17          (d) EXEMPTION.—The restriction in subsection (a)  
 18          shall not apply to assistance intended to help reform the  
 19          Palestinian Authority and affiliated institutions, or a  
 20          newly-elected governing entity, in order to help meet the  
 21          requirements of subsection (a), consistent with the provi-  
 22          sions of section 650 of this Act (“Limitation on Assistance  
 23          to the Palestinian Authority”).

24                 LIMITATIONS ON ASSISTANCE TO COLOMBIA

25                 SEC. 656. (a) WITHHOLDING OF FUNDS FOR ASSIST-  
 26          ANCE TO THE COLOMBIAN ARMED FORCES.—

1           ~~(1) REQUIREMENT TO WITHHOLD ASSISTANCE~~  
2           ~~FUNDING.~~—Notwithstanding any other provision of  
3           law, of the funds appropriated by this Act under the  
4           headings “ANDEAN COUNTERDRUG INITIA-  
5           TIVE” and “FOREIGN MILITARY FINANCING  
6           PROGRAM” that are available for assistance for the  
7           Colombian Armed Forces—

8                   (A) 25 percent of such funds under each  
9                   such heading shall be withheld from obligation  
10                  until the Secretary of State consults with, and  
11                  submits a written certification to the Commit-  
12                  tees on Appropriations that the Government of  
13                  Colombia has met the requirements described in  
14                  subparagraphs (A) through (D) of paragraph  
15                  ~~(2)~~; and

16                  (B) An additional ~~15~~ percent of such funds  
17                  under each such heading shall be withheld from  
18                  obligation until July 31, 2008, and shall only be  
19                  obligated after the Secretary of State consults  
20                  with, and submits a written certification to, the  
21                  Committees on Appropriations that, the Gov-  
22                  ernment of Colombia is continuing to meet the  
23                  requirements described in subparagraphs (A)  
24                  through (D) of paragraph ~~(2)~~ and has met the

1 requirements described in subparagraphs (E)  
2 and (F) of such paragraph.

3 ~~(2)~~ REQUIREMENTS.—The requirements re-  
4 ferred to in paragraph ~~(1)~~ are as follows:

5 (A) The Commander General of the Co-  
6 lombian Armed Forces is suspending from the  
7 Colombian Armed Forces those members, of  
8 whatever rank, who, according to the Minister  
9 of Defense or the Procuraduria General de la  
10 Nacion, have been credibly alleged to have com-  
11 mitted gross violations of human rights, includ-  
12 ing extra-judicial killings, or to have aided or  
13 abetted paramilitary organizations.

14 (B) The Government of Colombia is inves-  
15 tigating and prosecuting, in the civilian justice  
16 system, those members of the Colombian Armed  
17 Forces, of whatever rank, who have been  
18 credibly alleged to have committed human  
19 rights violations, including extra-judicial  
20 killings, torture, or attacks against human  
21 rights defenders, or to have aided or abetted  
22 paramilitary organizations or successor armed  
23 groups, is suspending such members during the  
24 course of investigation, and is promptly pun-  
25 ishing those members of the Colombian Armed

1 Forces found to have committed such violations  
2 of human rights or to have aided or abetted  
3 paramilitary organizations or successor armed  
4 groups.

5 (C) The Colombian Armed Forces have  
6 made demonstrable efforts to cooperate fully  
7 with civilian prosecutors and judicial authorities  
8 in cases referred to in subparagraph (B) (in-  
9 cluding providing requested information, such  
10 as the identity of persons suspended from the  
11 Armed Forces and the nature and cause of the  
12 suspension, and access to witnesses, relevant  
13 military documents, and other requested infor-  
14 mation).

15 (D) The Government of Colombia is ensur-  
16 ing that the Colombian Armed Forces are not  
17 violating the land and property rights of Colom-  
18 bia's indigenous and Afro-Colombian commu-  
19 nities, and that the Colombian Armed Forces  
20 are appropriately distinguishing between civil-  
21 ians, including displaced persons, and combat-  
22 ants in their operations.

23 (E) The Colombian Armed Forces have  
24 made substantial progress in and are severing  
25 links (including denying access to military intel-

1           ligence, vehicles, and other equipment or sup-  
2           plies, and ceasing other forms of active or tacit  
3           cooperation) at all levels, with paramilitary or-  
4           ganizations or successor armed groups, espe-  
5           cially in regions in which such organizations  
6           have or had a significant presence.

7           (F) The civilian judicial authorities of the  
8           Government of Colombia are making demon-  
9           strable progress in dismantling paramilitary  
10          leadership and financial networks by arresting  
11          and vigorously prosecuting under civilian crimi-  
12          nal law individuals who have provided financial,  
13          planning, or logistical support, or have other-  
14          wise aided or abetted paramilitary organizations  
15          or successor armed groups, by identifying and  
16          confiscating land and other assets illegally ac-  
17          quired by paramilitary organizations or their  
18          associates and returning such land or assets to  
19          their rightful owners, by revoking reduced sen-  
20          tences for demobilized paramilitaries who en-  
21          gage in new criminal activity, and by arresting,  
22          prosecuting under civilian criminal law, and  
23          when requested, promptly extraditing to the  
24          United States, new, re-armed, and non-demobi-  
25          lized members of successor groups, especially in

1 regions in which these networks have or had a  
2 significant presence.

3 ~~(3) CERTAIN FUNDS EXEMPTED.~~—The require-  
4 ment to withhold funds from obligation pursuant to  
5 subparagraphs (A) and (B) of paragraph (1) shall  
6 not apply with respect to funds made available under  
7 the heading “ANDEAN COUNTERDRUG INITIA-  
8 TIVE” for continued support for the Critical Flight  
9 Safety Program or any alternative development pro-  
10 grams in Colombia administered by the Bureau of  
11 International Narcotics and Law Enforcement Af-  
12 fairs of the Department of State.

13 ~~(4) REPORT.~~—At the time the Secretary of  
14 State submits the certifications required by para-  
15 graph (1)(A) and (1)(B) of this subsection, the Sec-  
16 retary shall also submit to the Committees on Ap-  
17 propriations a report that contains, with respect to  
18 each such paragraph, a detailed description of the  
19 specific actions taken by both the Colombian Gov-  
20 ernment and Colombian Armed Forces which sup-  
21 ports each requirement of the certification, and the  
22 cases or issues brought to the attention of the Sec-  
23 retary for which the response or action taken by the  
24 Colombian Government or Armed Forces has been  
25 inadequate.

1 (b) CONGRESSIONAL NOTIFICATION.—Funds made  
 2 available by this Act for the Colombian Armed Forces  
 3 shall be subject to the regular notification procedures of  
 4 the Committees on Appropriations.

5 (c) CONSULTATIVE PROCESS.—Not later than 60  
 6 days after the date of enactment of this Act, and every  
 7 90 days thereafter until September 30, 2010, the Sec-  
 8 retary of State shall consult with internationally recog-  
 9 nized human rights organizations regarding progress in  
 10 meeting the requirements contained in subsection (a)(2).

11 (d) DEFINITIONS.—In this section:

12 (1) AIDED OR ABETTED.—The term “aided or  
 13 abetted” means to provide any support to para-  
 14 military or successor armed groups, including taking  
 15 actions which allow, facilitate, or otherwise foster  
 16 the activities of such groups.

17 (2) PARAMILITARY GROUPS.—The term “para-  
 18 military groups” means illegal self-defense groups  
 19 and illegal security cooperatives, including those  
 20 groups and cooperatives that have formerly demobi-  
 21 lized but continue illegal operations, as well as parts  
 22 thereof.

23 PROHIBITION ON ASSISTANCE TO THE PALESTINIAN  
 24 BROADCASTING CORPORATION

25 SEC. 657. None of the funds appropriated or other-  
 26 wise made available by this Act may be used to provide

1 equipment, technical support, consulting services, or any  
 2 other form of assistance to the Palestinian Broadcasting  
 3 Corporation.

4 SUPPORT OF PEACE PROCESS AND DEMOBILIZATION IN  
 5 COLOMBIA

6 SEC. 658. (a) ASSISTANCE FOR DEMOBILIZATION  
 7 AND DISARMAMENT OF FORMER IRREGULAR COMBAT-  
 8 ANTS IN COLOMBIA.—(1) Of the funds appropriated in  
 9 title III of this Act under the heading “ECONOMIC SUP-  
 10 PORT FUND”, up to \$23,000,000 shall be available for  
 11 assistance for the demobilization and full dismantlement  
 12 of foreign terrorist organizations in Colombia in accord-  
 13 ance with the funding designations contained in paragraph  
 14 (2) and, in the case of assistance under paragraph (2)(D),  
 15 the certification requirements contained in paragraph (3).

16 (2) FUNDING DESIGNATION.—Of the funds  
 17 made available pursuant to paragraph (1)—

18 (A) \$10,000,000 shall be made available to  
 19 support the Justice and Peace and Human  
 20 Rights Units of the Fiscalía for implementation  
 21 of the Justice and Peace Law;

22 (B) not less than \$5,000,000 shall be  
 23 made available to support the Fiscalía,  
 24 Procuraduría, or Defensoría for establishment  
 25 of a victims’ protection program;



1           (C) not less than \$3,000,000 shall be made  
2           available to the Defensoría to support legal rep-  
3           resentation of victims as required by the Justice  
4           and Peace Law; and

5           (D) up to \$5,000,000 shall be made avail-  
6           able for assistance for the demobilization, disar-  
7           mament, and reintegration of former members  
8           of foreign terrorist organizations (FTOs) in Co-  
9           lombia, specifically the United Self-Defense  
10          Forces of Colombia (AUC), the Revolutionary  
11          Armed Forces of Colombia (FARC) and the  
12          National Liberation Army (ELN); if the Sec-  
13          retary of State submits a certification described  
14          in paragraph (3) to the Committees on Appro-  
15          priations prior to the initial obligation of  
16          amounts for such assistance.

17          (3) CERTIFICATION.—The certification required  
18          by paragraph (2)(D) is a certification that—

19               (A) assistance for the fiscal year will be  
20               provided only for individuals who—

21                       (i) have verifiably renounced and ter-  
22                       minated any affiliation or involvement with  
23                       FTOs or other illegal armed groups;

24                       (ii) are meeting all the requirements  
25                       of the Colombia Demobilization Program;

1 including having fully and truthfully dis-  
2 closed their involvement in past crimes and  
3 their knowledge of the foreign terrorist or-  
4 ganizations structure, financing sources, il-  
5 legal assets, and the location of kidnapping  
6 victims and bodies of the disappeared; and

7 (iii) are not involved in threatening or  
8 intimidating human rights defenders.

9 (B) the Government of Colombia is pro-  
10 viding full cooperation to the Government of the  
11 United States to extradite the leaders and  
12 members of the FTOs who have been indicted  
13 in the United States for murder, kidnapping,  
14 narcotics trafficking, and other violations of  
15 United States law, and is immediately extra-  
16 diting to the United States those commanders,  
17 leaders and members indicted in the United  
18 States who are credibly alleged to have  
19 breached the terms of the Colombia Demobiliza-  
20 tion Program, including by failing to fully con-  
21 fess their crimes, failing to disclose their assets,  
22 or committing new crimes since the approval of  
23 the Justice and Peace Law;

24 (C) the Government of Colombia is not  
25 taking any steps to legalize the titles of land or

1 other assets illegally obtained and held by  
2 FTOs, their associates, or successors, has es-  
3 tablished effective procedures to identify such  
4 land and assets, and is vigorously confiscating  
5 and returning such land and other assets to  
6 their rightful owners; and the Government of  
7 Colombia's reintegration programs exclude any  
8 projects that would leave illegally obtained land  
9 or assets in the possession of FTO members,  
10 their associates, or successors;

11 (D) members of FTOs who receive sen-  
12 tence reductions under the Colombian Justice  
13 and Peace Law are serving their sentences in  
14 maximum-security penitentiary establishments,  
15 under conditions of detention that are appro-  
16 priate to deter and effectively prevent them  
17 from continuing to engage in criminal activity;

18 (E) the Government of Colombia is imple-  
19 menting a concrete and workable framework for  
20 dismantling the organizational structures of for-  
21 eign terrorist organizations;

22 (F) funds are not made available as cash  
23 payments to individuals and are available only  
24 for activities relating to demobilization, disar-

1 mament, reintegration (including training and  
2 education), and vetting; and

3 (G) the Government of Colombia is  
4 promptly, impartially, and thoroughly inves-  
5 tigating all attacks against human rights de-  
6 fenders allegedly committed by FTOs or other  
7 illegal armed groups.

8 (4) REPORT.—The report accompanying the  
9 certification required by paragraph (3) shall specify,  
10 with respect to each condition described in subpara-  
11 graphs (A) through (G) of paragraph (3)—

12 (A) the action taken by the Colombian  
13 Government which supports the certification;

14 (B) the cases or issues brought to the at-  
15 tention of the Secretary for which the response  
16 or action taken by the Colombian Government  
17 has been inadequate; and

18 (C) the views of the Colombian Attorney  
19 General and the Inspector General with respect  
20 to the Colombian Government's actions in rela-  
21 tion to the conditions described in subpara-  
22 graphs (A) through (G) of paragraph (3).

23 (5) CONSULTATIVE PROCESS.—Not later than  
24 60 days after the date of enactment of this Act, and  
25 every 180 days thereafter until September 30, 2010,

the Secretary of State shall consult with internationally recognized human rights and justice organizations, including organizations representing internally displaced persons, and representatives of victims of demobilized FTOs, regarding progress in meeting the conditions contained in paragraph (3).

(6) FOREIGN TERRORIST ORGANIZATION DEFINED.—In this subsection the term “foreign terrorist organization” means an organization designated as a terrorist organization under section 219 of the Immigration and Nationality Act.

(7) CONGRESSIONAL NOTIFICATION.—Funds made available in title III of this Act for demobilization/reintegration of former members of FTOs in Colombia shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

(b) ASSISTANCE TO THE ORGANIZATION OF AMERICAN STATES (OAS) MISSION TO SUPPORT THE PEACE PROCESS IN COLOMBIA.—Of the funds appropriated by this Act under the heading “ECONOMIC SUPPORT FUND”, not less than \$3,000,000 shall be made available to support the peace process in Colombia, as follows—

(1) not less than \$2,700,000 shall be made available to the OAS Mission to Support the Peace

1        Process in Colombia to assist the mission to fulfill  
 2        its mandate of independent international verification  
 3        of the paramilitary demobilization process; and

4            (2) not less than \$300,000 may be made avail-  
 5        able to the Inter-American Commission on Human  
 6        Rights to conduct monitoring of the demobilization  
 7        process.

8            WEST BANK AND GAZA PROGRAM

9        SEC. 659. (a) OVERSIGHT.—For fiscal year 2008, 30  
 10       days prior to the initial obligation of funds for the bilateral  
 11       West Bank and Gaza Program, the Secretary of State  
 12       shall certify to the Committees on Appropriations that  
 13       procedures have been established to assure the Comp-  
 14       troller General of the United States will have access to  
 15       appropriate United States financial information in order  
 16       to review the uses of United States assistance for the Pro-  
 17       gram funded under the heading “ECONOMIC SUPPORT  
 18       FUND” for the West Bank and Gaza.

19        (b) VETTING.—Prior to the obligation of funds ap-  
 20       propriated by this Act under the heading “ECONOMIC  
 21       SUPPORT FUND” for assistance for the West Bank and  
 22       Gaza, the Secretary of State shall take all appropriate  
 23       steps to ensure that such assistance is not provided to or  
 24       through any individual, private or government entity, or  
 25       educational institution that the Secretary knows or has  
 26       reason to believe advocates, plans, sponsors, engages in,

1 or has engaged in, terrorist activity nor those that have  
2 as a trustee any member of a certified foreign terrorist  
3 organization. The Secretary of State shall, as appropriate,  
4 establish procedures specifying the steps to be taken in  
5 carrying out this subsection and shall terminate assistance  
6 to any individual, entity, or educational institution which  
7 she has determined to be involved in or advocating ter-  
8 rorist activity.

9 (c) PROHIBITION.—

10 (1) None of the funds appropriated under titles  
11 II through V of this Act for assistance under the  
12 West Bank and Gaza program may be made avail-  
13 able for the purpose of recognizing or otherwise hon-  
14 oring individuals who commit, or have committed  
15 acts of terrorism.

16 (2) Notwithstanding any other provision of law,  
17 none of the funds made available by this or prior ap-  
18 propriations act, including funds made available by  
19 transfer, may be made available for obligation for se-  
20 curity assistance for the West Bank and Gaza until  
21 the Secretary of State reports to the Committee on  
22 Appropriations of the House of Representatives on  
23 the benchmarks that have been established for secu-  
24 rity assistance for the West Bank and Gaza and re-

1 ports on the extent of Palestinian compliance with  
2 such benchmarks.

3 ~~(d) AUDITS.—~~

4 (1) The Administrator of the United States  
5 Agency for International Development shall ensure  
6 that Federal or non-Federal audits of all contractors  
7 and grantees, and significant subcontractors and  
8 sub-grantees, under the West Bank and Gaza Pro-  
9 gram, are conducted at least on an annual basis to  
10 ensure, among other things, compliance with this  
11 section.

12 ~~(2) Of the funds appropriated by this Act up to~~  
13 ~~\$1,000,000 may be used by the Office of the Inspec-~~  
14 ~~tor General of the United States Agency for Inter-~~  
15 ~~national Development for audits, inspections, and~~  
16 ~~other activities in furtherance of the requirements of~~  
17 ~~this subsection.~~

18 ~~(c) Subsequent to the certification specified in sub-~~  
19 ~~section (a), the Comptroller General of the United States~~  
20 ~~shall conduct an audit and an investigation of the treat-~~  
21 ~~ment, handling, and uses of all funds for the bilateral~~  
22 ~~West Bank and Gaza Program in fiscal year 2008 under~~  
23 ~~the heading “ECONOMIC SUPPORT FUND”. The~~  
24 ~~audit shall address—~~



(2) an examination of all programs, projects, and activities carried out under such Program, including both obligations and expenditures.

12 CONTRIBUTIONS TO THE UNITED NATIONS POPULATION  
13 FUND

(b) AVAILABILITY OF FUNDS.—Funds appropriated under the heading “INTERNATIONAL ORGANIZATIONS AND PROGRAMS” in this Act that are available for UNFPA, that are not made available for UNFPA be-

1 cause of the operation of any provision of law, shall be  
 2 transferred to the “CHILD SURVIVAL AND HEALTH  
 3 PROGRAMS FUND” account and shall be made avail-  
 4 able for family planning, maternal, and reproductive  
 5 health activities, subject to the regular notification proce-  
 6 dures of the Committees on Appropriations.

7 (c) PROHIBITION ON USE OF FUNDS IN CHINA.—

8 None of the funds made available under this Act may be  
 9 used by UNFPA for a country program in the People’s  
 10 Republic of China.

11 (d) CONDITIONS ON AVAILABILITY OF FUNDS.—

12 Amounts made available under this Act for UNFPA may  
 13 not be made available to UNFPA unless—

14 (1) UNFPA maintains amounts made available  
 15 to UNFPA under this section in an account separate  
 16 from other accounts of UNFPA;

17 (2) UNFPA does not commingle amounts made  
 18 available to UNFPA under this section with other  
 19 sums; and

20 (3) UNFPA does not fund abortions.

21 (e) REPORT TO CONGRESS AND DOLLAR-FOR-DOL-  
 22 LAR WITHHOLDING OF FUNDS.—

23 (1) Not later than four months after the date  
 24 of enactment of this Act, the Secretary of State shall  
 25 submit a report to the appropriate Congressional

1 committees indicating the amount of funds that the  
2 UNFPA is budgeting for the year in which the re-  
3 port is submitted for a country program in the Peo-  
4 ple's Republic of China:

5 (2) If a report under subparagraph (d) indi-  
6 cates that the UNFPA plans to spend funds for a  
7 country program in the People's Republic of China  
8 in the year covered by the report, then the amount  
9 of such funds that the UNFPA plans to spend in  
10 the People's Republic of China shall be deducted  
11 from the funds made available to the UNFPA after  
12 March 1 for obligation for the remainder of the fis-  
13 cal year in which the report is submitted.

14 (f) Nothing in this section shall be construed to limit  
15 the authority of the President to deny funds to any organi-  
16 zation by reason of the application of another provision  
17 of this Act or any other provision of law.

18 WAR CRIMINALS

19 SEC. 661. (a)(1) None of the funds appropriated or  
20 otherwise made available under titles II through V of this  
21 Act may be made available for assistance, and the Sec-  
22 retary of the Treasury shall instruct the United States Ex-  
23 ecutive Director at each international financial institution  
24 to vote against any new project involving the extension by  
25 such institutions of any financial or technical assistance,  
26 to any country, entity, or municipality whose competent

1 authorities have failed, as determined by the Secretary of  
2 State, to take necessary and significant steps to imple-  
3 ment its international legal obligations to apprehend and  
4 transfer to the International Criminal Tribunal for the  
5 former Yugoslavia (the “Tribunal”) all persons in their  
6 territory who have been indicted by the Tribunal and to  
7 otherwise cooperate with the Tribunal.

8       (2) The provisions of this subsection shall not apply  
9 to humanitarian assistance or assistance for democratiza-  
10 tion.

11       (b) The provisions of subsection (a) shall apply unless  
12 the Secretary of State determines and reports to the ap-  
13 propriate Congressional committees that the competent  
14 authorities of such country, entity, or municipality are—

15               (1) cooperating with the Tribunal, including ac-  
16 cess for investigators to archives and witnesses; the  
17 provision of documents; and the surrender and  
18 transfer of indictees or assistance in their apprehen-  
19 sion; and

20               (2) are acting consistently with the Dayton Ac-  
21 cords.

22       (c) Not less than ten days before any vote in an inter-  
23 national financial institution regarding the extension of  
24 any new project involving financial or technical assistance  
25 or grants to any country or entity described in subsection

1 (a), the Secretary of the Treasury, in consultation with  
2 the Secretary of State, shall provide to the Committees  
3 on Appropriations a written justification for the proposed  
4 assistance, including an explanation of the United States  
5 position regarding any such vote, as well as a description  
6 of the location of the proposed assistance by municipality,  
7 its purpose, and its intended beneficiaries.

8 (d) In carrying out this section, the Secretary of  
9 State, the Administrator of the United States Agency for  
10 International Development, and the Secretary of the  
11 Treasury shall consult with representatives of human  
12 rights organizations and all government agencies with rel-  
13 evant information to help prevent indicted war criminals  
14 from benefiting from any financial or technical assistance  
15 or grants provided to any country or entity described in  
16 subsection (a).

17 (e) The Secretary of State may waive the application  
18 of subsection (a) with respect to projects within a country,  
19 entity, or municipality upon a written determination to the  
20 Committees on Appropriations that such assistance di-  
21 rectly supports the implementation of the Dayton Accords.

22 (f) DEFINITIONS.—As used in this section:

23 (1) COUNTRY.—The term “country” means  
24 Bosnia and Herzegovina, Croatia and Serbia.

(2) ENTITY.—The term “entity” refers to the Federation of Bosnia and Herzegovina, Kosovo, Montenegro and the Republika Srpska.

(3) MUNICIPALITY.—The term “municipality” means a city, town or other subdivision within a country or entity as defined herein.

(4) DAYTON ACCORDS.—The term “Dayton Accords” means the General Framework Agreement for Peace in Bosnia and Herzegovina, together with annexes relating thereto, done at Dayton, November 10 through 16, 1995.

12 ~~USER FEES~~

13 SEC. 662. The Secretary of the Treasury shall in-  
14 struct the United States Executive Director at each inter-  
15 national financial institution (as defined in section  
16 1701(c)(2) of the International Financial Institutions Act)  
17 and the International Monetary Fund to oppose any loan,  
18 grant, strategy or policy of these institutions that would  
19 require user fees or service charges on poor people for pri-  
20 mary education or primary healthcare, including preven-  
21 tion, treatment and care efforts for HIV/AIDS, malaria,  
22 tuberculosis, and infant, child, and maternal well-being,  
23 in connection with the institutions' financing programs.

## 24 FUNDING FOR SERBIA

25        ~~SEC. 663.~~ (a) Funds appropriated by this Act may  
26 be made available for assistance for the central Govern-

1 ment of Serbia and the Government of Montenegro after  
2 May 31, 2008, if the President has made the determina-  
3 tion and certification contained in subsection (e).

4 (b) After May 31, 2008, the Secretary of the Treas-  
5 ury should instruct the United States Executive Director  
6 at each international financial institution to support loans  
7 and assistance to the Government of Serbia and Govern-  
8 ment of Montenegro subject to the conditions in sub-  
9 section (e): *Provided*, That section 576 of the Foreign Op-  
10 erations, Export Financing, and Related Programs Appro-  
11 priations Act, 1997, as amended, shall not apply to the  
12 provision of loans and assistance to the Governments of  
13 Serbia and Montenegro through international financial in-  
14 stitutions.

15 (c) The determination and certification referred to in  
16 subsection (a) is a determination by the President and a  
17 certification to the Committees on Appropriations that the  
18 Government of Serbia and the Government of Montenegro  
19 is—

20 (1) cooperating with the International Criminal  
21 Tribunal for the former Yugoslavia including access  
22 for investigators, the provision of documents, timely  
23 information on the location, travel, and sources of fi-  
24 nancial support of indicted, and the surrender and

1 transfer of indictees or assistance in their apprehen-  
 2 sion, including Ratko Mladic;

3 ~~(2) taking steps that are consistent with the~~  
 4 ~~Dayton Accords to end Serbian financial, political,~~  
 5 ~~security and other support which has served to~~  
 6 ~~maintain separate Republika Srpska institutions;~~  
 7 ~~and~~

8 ~~(3) taking steps to implement policies which re-~~  
 9 ~~flect a respect for minority rights and the rule of~~  
 10 ~~law.~~

11 ~~(d) This section shall not apply to Kosovo and Monte-~~  
 12 ~~negro, humanitarian assistance or assistance to promote~~  
 13 ~~democracy.~~

14 ~~COMMUNITY-BASED POLICE ASSISTANCE~~

15 ~~SEC. 664. (a) AUTHORITY.—Funds made available~~  
 16 ~~by title III of this Act to carry out the provisions of chap-~~  
 17 ~~ter 1 of part I and chapter 4 of part II of the Foreign~~  
 18 ~~Assistance Act of 1961, may be used, notwithstanding sec-~~  
 19 ~~tion 660 of that Act, to enhance the effectiveness and ac-~~  
 20 ~~countability of civilian police authority through training~~  
 21 ~~and technical assistance in human rights, the rule of law,~~  
 22 ~~strategic planning, and through assistance to foster civil-~~  
 23 ~~ian police roles that support democratic governance in-~~  
 24 ~~cluding assistance for programs to prevent conflict, re-~~  
 25 ~~spond to disasters, address gender-based violence, and fos-~~



1 ter improved police relations with the communities they  
2 serve.

3 (b) NOTIFICATION.—Assistance provided under sub-  
4 section (a) shall be subject to prior consultation with, and  
5 the regular notification procedures of, the Committees on  
6 Appropriations.

7 SPECIAL DEBT RELIEF FOR THE POOREST

8 SEC. 665. (a) AUTHORITY TO REDUCE DEBT.—The  
9 President may reduce amounts owed to the United States  
10 (or any agency of the United States) by an eligible country  
11 as a result of—

12 (1) guarantees issued under sections 221 and  
13 222 of the Foreign Assistance Act of 1961;

14 (2) credits extended or guarantees issued under  
15 the Arms Export Control Act; or

16 (3) any obligation or portion of such obligation,  
17 to pay for purchases of United States agricultural  
18 commodities guaranteed by the Commodity Credit  
19 Corporation under export credit guarantee programs  
20 authorized pursuant to section 5(f) of the Com-  
21 modity Credit Corporation Charter Act of June 29,  
22 1948, as amended, section 4(b) of the Food for  
23 Peace Act of 1966, as amended (Public Law 89-  
24 808), or section 202 of the Agricultural Trade Act  
25 of 1978, as amended (Public Law 95-501).

26 (b) LIMITATIONS.—

1           (1) The authority provided by subsection (a)  
2           may be exercised only to implement multilateral offi-  
3           cial debt relief and referendum agreements, com-  
4           monly referred to as “Paris Club Agreed Minutes”.

5           (2) The authority provided by subsection (a)  
6           may be exercised only in such amounts or to such  
7           extent as is provided in advance by appropriations  
8           Acts.

9           (3) The authority provided by subsection (a)  
10          may be exercised only with respect to countries with  
11          heavy debt burdens that are eligible to borrow from  
12          the International Development Association, but not  
13          from the International Bank for Reconstruction and  
14          Development, commonly referred to as “IDA-only”  
15          countries.

16          (c) CONDITIONS.—The authority provided by sub-  
17          section (a) may be exercised only with respect to a country  
18          whose government—

19               (1) does not have an excessive level of military  
20               expenditures;

21               (2) has not repeatedly provided support for acts  
22               of international terrorism;

23               (3) is not failing to cooperate on international  
24               narcotics control matters;

1           (4) does not engage in a consistent pattern of  
 2           gross violations of internationally recognized human  
 3           rights (including its military or other security  
 4           forces); and

5           (5) is not ineligible for assistance because of the  
 6           application of section 527 of the Foreign Relations  
 7           Authorization Act, Fiscal Years 1994 and 1995.

8           (d) AVAILABILITY OF FUNDS.—The authority pro-  
 9           vided by subsection (a) may be used only with regard to  
 10          the funds appropriated by this Act under the heading  
 11          “DEBT RESTRUCTURING”.

12          (e) CERTAIN PROHIBITIONS INAPPLICABLE.—A re-  
 13          duction of debt pursuant to subsection (a) shall not be  
 14          considered assistance for the purposes of any provision of  
 15          law limiting assistance to a country. The authority pro-  
 16          vided by subsection (a) may be exercised notwithstanding  
 17          section 620(r) of the Foreign Assistance Act of 1961 or  
 18          section 321 of the International Development and Food  
 19          Assistance Act of 1975.

20          AUTHORITY TO ENGAGE IN DEBT BUYBACKS OR SALES

21          SEC. 666. (a) LOANS ELIGIBLE FOR SALE, REDUC-  
 22          TION, OR CANCELLATION.—

23               (1) AUTHORITY TO SELL, REDUCE, OR CANCEL  
 24          CERTAIN LOANS.—Notwithstanding any other provi-  
 25          sion of law, the President may, in accordance with  
 26          this section, sell to any eligible purchaser any

1 concessional loan or portion thereof made before  
2 January 1, 1995, pursuant to the Foreign Assist-  
3 ance Act of 1961, to the government of any eligible  
4 country as defined in section 702(6) of that Act or  
5 on receipt of payment from an eligible purchaser, re-  
6 duce or cancel such loan or portion thereof, only for  
7 the purpose of facilitating—

8 (A) debt-for-equity swaps, debt-for-develop-  
9 ment swaps, or debt-for-nature swaps; or

10 (B) a debt buyback by an eligible country  
11 of its own qualified debt, only if the eligible  
12 country uses an additional amount of the local  
13 currency of the eligible country, equal to not  
14 less than 40 percent of the price paid for such  
15 debt by such eligible country, or the difference  
16 between the price paid for such debt and the  
17 face value of such debt, to support activities  
18 that link conservation and sustainable use of  
19 natural resources with local community develop-  
20 ment, and child survival and other child devel-  
21 opment, in a manner consistent with sections  
22 707 through 710 of the Foreign Assistance Act  
23 of 1961, if the sale, reduction, or cancellation  
24 would not contravene any term or condition of  
25 any prior agreement relating to such loan.

1           (2) TERMS AND CONDITIONS.—Notwithstanding  
2           any other provision of law, the President shall, in ac-  
3           cordance with this section, establish the terms and  
4           conditions under which loans may be sold, reduced,  
5           or canceled pursuant to this section.

6           (3) ADMINISTRATION.—The Facility, as defined  
7           in section 702(8) of the Foreign Assistance Act of  
8           1961, shall notify the administrator of the agency  
9           primarily responsible for administering part I of the  
10          Foreign Assistance Act of 1961 of purchasers that  
11          the President has determined to be eligible, and  
12          shall direct such agency to carry out the sale, reduc-  
13          tion, or cancellation of a loan pursuant to this sec-  
14          tion. Such agency shall make adjustment in its ac-  
15          counts to reflect the sale, reduction, or cancellation.

16          (4) LIMITATION.—The authorities of this sub-  
17          section shall be available only to the extent that ap-  
18          propriations for the cost of the modification, as de-  
19          fined in section 502 of the Congressional Budget Act  
20          of 1974, are made in advance.

21          (b) DEPOSIT OF PROCEEDS.—The proceeds from the  
22          sale, reduction, or cancellation of any loan sold, reduced,  
23          or canceled pursuant to this section shall be deposited in  
24          the United States Government account or accounts estab-  
25          lished for the repayment of such loan.

(c) **ELIGIBLE PURCHASERS.**—A loan may be sold pursuant to subsection (a)(1)(A) only to a purchaser who presents plans satisfactory to the President for using the loan for the purpose of engaging in debt-for-equity swaps, debt-for-development swaps, or debt-for-nature swaps.

(d) **DEBTOR CONSULTATIONS.**—Before the sale to any eligible purchaser, or any reduction or cancellation pursuant to this section, of any loan made to an eligible country, the President should consult with the country concerning the amount of loans to be sold, reduced, or canceled and their uses for debt-for-equity swaps, debt-for-development swaps, or debt-for-nature swaps.

(c) AVAILABILITY OF FUNDS.—The authority provided by subsection (a) may be used only with regard to funds appropriated by this Act under the heading “DEBT RESTRUCTURING”.

~~BASIC EDUCATION~~

18 SEC. 667. (a) IN GENERAL.—Of the funds appro-  
19 priated by title III of this Act, not less than \$750,000,000  
20 shall be made available for assistance for developing coun-  
21 tries for basic education. Of this amount, not less than  
22 \$265,000,000 shall be provided and implemented in coun-  
23 tries that have an approved national education plan.

(b) COORDINATOR.—There shall be established with-  
in the Department of State in the immediate office of the  
Secretary of State, a Coordinator of United States Gov-

1 ernment activities to provide basic education assistance in  
2 developing countries (hereinafter in this section referred  
3 to as the “Coordinator”).

4 (c) RESPONSIBILITIES.—That this Coordinator shall  
5 have primary responsibility for the oversight and coordina-  
6 tion of all resources and international activities of the  
7 United States Government that provide assistance in de-  
8 veloping countries for basic education. The individual serv-  
9 ing as the Coordinator may not hold any other position  
10 in the Federal Government during the individual’s time  
11 of service as Coordinator.

12 (d) STRATEGY.—The President shall develop a com-  
13 prehensive integrated United States Government strategy  
14 to provide assistance in developing countries for basic edu-  
15 cation within 90 days of enactment of this Act.

16 (e) REPORT TO CONGRESS.—Not later than Sep-  
17 tember 30, 2008, the Secretary of State shall report to  
18 the Committees on Appropriations on the implementation  
19 of United States Government assistance programs in de-  
20 veloping countries for basic education.

21 (f) Funds appropriated by title II of Public Law 109–  
22 102 and provided to the Comptroller General pursuant to  
23 section 567 of that Act shall be available until expended  
24 and are also available to the Comptroller General to con-  
25 duct further evaluations of basic education programs in

1 developing countries under the direction of the Commit-  
2 tees on Appropriations.

3 RECONCILIATION PROGRAMS

4 SEC. 668. Of the funds appropriated by title III of  
5 this Act under the heading "ECONOMIC SUPPORT  
6 FUND", not less than \$12,000,000 shall be made avail-  
7 able to support Conflict Resolution and Reconciliation  
8 Programs and an additional amount of \$11,000,000 shall  
9 be made available to support Middle East People to People  
10 Coexistence Programs to promote activities which bring  
11 together individuals of different ethnic, religious, and po-  
12 litical backgrounds from areas of civil conflict and war.

13 SUDAN

14 SEC. 669. (a) LIMITATION ON ASSISTANCE.—Subject  
15 to subsection (d):

16 (1) Notwithstanding any other provision of law,  
17 none of the funds appropriated by this Act may be  
18 made available for assistance for the Government of  
19 Sudan.

20 (2) None of the funds appropriated by this Act  
21 may be made available for the cost, as defined in  
22 section 502, of the Congressional Budget Act of  
23 1974, of modifying loans and loan guarantees held  
24 by the Government of Sudan, including the cost of  
25 selling, reducing, or canceling amounts owed to the



1 United States, and modifying concessional loans,  
2 guarantees, and credit agreements.

3 (b) Subsection (a) shall not apply if the Secretary of  
4 State determines and certifies to the Committees on Ap-  
5 propriations that:

6 (1) The Government of Sudan honors its  
7 pledges to cease attacks upon civilians and disarms  
8 and demobilizes the Janjaweed and other govern-  
9 ment-supported militias.

10 (2) The Government of Sudan and all govern-  
11 ment-supported militia groups are honoring their  
12 commitments made in all previous cease-fire agree-  
13 ments.

14 (3) The Government of Sudan is allowing  
15 unimpeded access to Darfur to humanitarian aid or-  
16 ganizations, the human rights investigation and hu-  
17 manitarian teams of the United Nations, including  
18 protection officers, and the international monitoring  
19 team that is based in Darfur and has the support  
20 of the United States.

21 (c) EXCEPTIONS.—The provisions of subsection (b)  
22 shall not apply to—

23 (1) humanitarian assistance;

1           (2) assistance for the Darfur region, Southern  
2           Sudan, Southern Kordofan/Nuba Mountains State,  
3           Blue Nile State, and Abyei; and

4           (3) assistance to support implementation of the  
5           Comprehensive Peace Agreement and the Darfur  
6           Peace Agreement or any other internationally-recog-  
7           nized viable peace agreement in Sudan.

8           (d) DEFINITIONS.—For the purposes of this Act, the  
9           term “Government of Sudan”, shall not include the Gov-  
10          ernment of Southern Sudan.

11          (e) Notwithstanding any other law, assistance in this  
12          Act may be made available to the Government of Southern  
13          Sudan to provide non-lethal military assistance, military  
14          education and training, and defense services controlled  
15          under the International Traffic in Arms Regulations (22  
16          CFR 120.1 et seq.) if the Secretary of State—

17                (1) determines that the provision of such items  
18                is in the national interest of the United States; and

19                (2) not later than 15 days before the provision  
20                of any such assistance, notifies the Committees on  
21                Appropriations and the Committee on Foreign Rela-  
22                tions in the Senate and the Committee on Foreign  
23                Affairs in the House of Representatives of such de-  
24                termination.

## TRADE CAPACITY BUILDING

SEC. 670. Of the funds appropriated by this Act, under the headings “DEVELOPMENT ASSISTANCE”, “ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC STATES”, “ECONOMIC SUPPORT FUND”, “ANDEAN COUNTERDRUG INITIATIVE”, and “ASSISTANCE FOR THE INDEPENDENT STATES OF THE FORMER SOVIET UNION”, not less than \$525,000,000 should be made available for trade capacity building assistance: *Provided*, That \$10,000,000 of the funds appropriated in this Act under the heading “ECONOMIC SUPPORT FUND” shall be made available for labor and environmental capacity building activities relating to the free trade agreement with the countries of Central America and the Dominican Republic.

## EXCESS DEFENSE ARTICLES FOR CENTRAL AND SOUTH EUROPEAN COUNTRIES AND CERTAIN OTHER COUNTRIES

SEC. 671. Notwithstanding section 516(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(e)), during fiscal year 2008, funds available to the Department of Defense may be expended for crating, packing, handling, and transportation of excess defense articles transferred under the authority of section 516 of such Act to Albania, Afghanistan, Bulgaria, Croatia, Estonia, Former Yugoslavian Republic of Macedonia, Georgia, India, Iraq, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Moldova,

1 Mongolia, Pakistan, Romania, Slovakia, Tajikistan,  
2 Turkmenistan, and Ukraine.

3 ASSISTANCE TO COLOMBIA LAW ENFORCEMENT TO  
4 COMBAT ILLEGAL ARMED GROUPS

5 SEC. 672. (a) ASSISTANCE TO LAW ENFORCEMENT  
6 AND INTELLIGENCE AGENCIES.—

7 (1) WITHHOLDING OBLIGATIONS OF FUNDS.—

8 The Secretary of State shall withhold the obligation  
9 of funds for assistance to any Colombian law en-  
10 forcement or intelligence agency, including the Co-  
11 lombian National Police, the Fiscalía, and the  
12 Departamento Administrativo de Seguridad (the In-  
13 telligence Service), if the Secretary determines  
14 that—

15 (A) there has been significant infiltration  
16 of the agency by the Revolutionary Armed  
17 Forces of Colombia (FARC), the National Lib-  
18 eration Army (ELN), or the United Self-De-  
19 fense Forces of Colombia (AUC), successor  
20 groups, or criminal organizations; or

21 (B) the agency's leadership has willfully  
22 provided any support to such groups, including  
23 taking actions or failing to take actions which  
24 allow, facilitate, or otherwise foster the activi-  
25 ties of such groups.

1           (2) RESUMPTION OF ASSISTANCE.—The Sec-  
 2       retary of State may resume the obligation of funds  
 3       suspended under paragraph (1) if the Secretary de-  
 4       termines and certifies to the Committees on Appro-  
 5       priations, based on a careful review of the structure  
 6       and membership of the agency involved, that it has  
 7       credibly and effectively eliminated the penetration of  
 8       individuals associated with illegal armed groups, and  
 9       removed those leaders and members who were pro-  
 10      viding support to such groups.

11      (b) ILLEGAL ARMED GROUPS.—

12           (1) DENIAL OF VISAS TO SUPPORTERS OF CO-  
 13      LOMBIAN ILLEGAL ARMED GROUPS.—Subject to  
 14      paragraph (2), the Secretary of State shall not issue  
 15      a visa to any alien who the Secretary determines,  
 16      based on credible evidence—

17                   (A) has willfully provided any support to  
 18                   the Revolutionary Armed Forces of Colombia  
 19                   (FARC), the National Liberation Army (ELN),  
 20                   or the United Self-Defense Forces of Colombia  
 21                   (AUC), or successor groups, including taking  
 22                   actions or failing to take actions which allow,  
 23                   facilitate, or otherwise foster the activities of  
 24                   such groups; or

11 ~~CUBA~~16 ~~GENDER-BASED VIOLENCE~~

22 LIMITATION ON ECONOMIC SUPPORT FUND ASSISTANCE  
23 FOR CERTAIN FOREIGN GOVERNMENTS THAT ARE  
24 PARTIES TO THE INTERNATIONAL CRIMINAL COURT

HR 2764 PP

1 FUND” may be used to provide assistance to the govern-  
2 ment of a country that is a party to the International  
3 Criminal Court and has not entered into an agreement  
4 with the United States pursuant to Article 98 of the Rome  
5 Statute preventing the International Criminal Court from  
6 proceeding against United States personnel present in  
7 such country.

8 (b) The President may, with prior notice to Congress,  
9 waive the prohibition of subsection (a) with respect to a  
10 North Atlantic Treaty Organization (“NATO”) member  
11 country, a major non-NATO ally (including Australia,  
12 Egypt, Israel, Japan, Jordan, Argentina, the Republic of  
13 Korea, and New Zealand), Taiwan, or such other country  
14 as he may determine if he determines and reports to the  
15 appropriate congressional committees that it is important  
16 to the national interests of the United States to waive such  
17 prohibition.

18 (c) The President may, with prior notice to Congress,  
19 waive the prohibition of subsection (a) with respect to a  
20 particular country if he determines and reports to the ap-  
21 propriate congressional committees that such country has  
22 entered into an agreement with the United States pursu-  
23 ant to Article 98 of the Rome Statute preventing the  
24 International Criminal Court from proceeding against  
25 United States personnel present in such country.

6        SEC. 676. (a) The Secretary of the Treasury should  
7 instruct the United States Executive Director at each  
8 international financial institution to use the voice and vote  
9 of the United States to support projects in Tibet if such  
10 projects do not provide incentives for the migration and  
11 settlement of non-Tibetans into Tibet or facilitate the  
12 transfer of ownership of Tibetan land and natural re-  
13 sources to non-Tibetans; are based on a thorough needs-  
14 assessment; foster self-sufficiency of the Tibetan people  
15 and respect Tibetan culture and traditions; and are sub-  
16 ject to effective monitoring.

**HR 2764 PP**



1 racy for human rights and democracy programs relating  
2 to Tibet.

3 WESTERN HEMISPHERE

4 SEC. 677. (a) Not less than the amounts of funds  
5 initially allocated for the fiscal year 2007 pursuant to sec-  
6 tion 653(a) of the Foreign Assistance Act of 1961 for El  
7 Salvador, Guatemala, Nicaragua, and Honduras under the  
8 headings “CHILD SURVIVAL AND HEALTH PRO-  
9 GRAMS FUND” and “DEVELOPMENT ASSIST-  
10 ANCE”, should be made available for each such country  
11 from funds appropriated under such headings by this Act.

12 (b) Not less than the aggregate amount of funds ini-  
13 tially allocated for the fiscal year 2007 pursuant to section  
14 653(a) of the Foreign Assistance Act of 1961 for countries  
15 in the Western Hemisphere under the heading “FOR-  
16 EIGN MILITARY FINANCING PROGRAM”, should be  
17 made available for such countries from funds appropriated  
18 under such heading by this Act: *Provided*, That not less  
19 than the following amounts from funds appropriated by  
20 this Act under such heading shall be made available to  
21 enhance security in the Western Hemisphere consistent  
22 with democratic principles and the rule of law—

- 23 (1) \$48,000,000 for assistance for Colombia;
- 24 (2) \$4,800,000 for assistance for El Salvador;
- 25 (3) \$500,000 for assistance for Honduras;
- 26 (4) \$200,000 for assistance for Bolivia;

1           ~~(5) \$250,000 for assistance for Guatemala; and~~

2           ~~(6) \$100,000 for assistance for Belize.~~

3           ~~(c) Funds made available pursuant to subsection (b)~~  
 4 ~~shall be subject to the regular notification procedures of~~  
 5 ~~the Committees on Appropriations.~~

6           UNITED STATES AGENCY FOR INTERNATIONAL  
 7                               DEVELOPMENT MANAGEMENT  
 8           ~~(INCLUDING TRANSFER OF FUNDS)~~

9           SEC. 678. ~~(a) AUTHORITY.~~—Up to \$81,000,000 of  
 10 the funds made available in title III of this Act to carry  
 11 out the provisions of part I of the Foreign Assistance Act  
 12 of 1961, including funds appropriated under the heading  
 13 “ASSISTANCE FOR EASTERN EUROPE AND THE  
 14 BALTIC STATES”, may be used by the United States  
 15 Agency for International Development (USAID) to hire  
 16 and employ individuals in the United States and overseas  
 17 on a limited appointment basis pursuant to the authority  
 18 of sections 308 and 309 of the Foreign Service Act of  
 19 1980.

20           ~~(b) RESTRICTIONS.~~—

21               ~~(1) The number of individuals hired in any fis-~~  
 22 ~~cal year pursuant to the authority contained in sub-~~  
 23 ~~section (a) may not exceed 175.~~

24               ~~(2) The authority to hire individuals contained~~  
 25 ~~in subsection (a) shall expire on September 30,~~  
 26 ~~2009.~~

1       ~~(e) CONDITIONS.—The authority of subsection (a)~~  
2       ~~may only be used to the extent that an equivalent number~~  
3       ~~of positions that are filled by personal services contractors~~  
4       ~~or other non-direct hire employees of USAID, who are~~  
5       ~~compensated with funds appropriated to carry out part I~~  
6       ~~of the Foreign Assistance Act of 1961, including funds~~  
7       ~~appropriated under the heading “ASSISTANCE FOR~~  
8       ~~EASTERN EUROPE AND THE BALTIC STATES”,~~  
9       ~~are eliminated.~~

10       ~~(d) PRIORITY SECTORS.—In exercising the authority~~  
11       ~~of this section, primary emphasis shall be placed on ena-~~  
12       ~~bling USAID to meet personnel positions in technical skill~~  
13       ~~areas currently encumbered by contractor or other non-~~  
14       ~~direct hire personnel.~~

15       ~~(e) CONSULTATIONS.—The USAID Administrator~~  
16       ~~shall consult with the Committees on Appropriations at~~  
17       ~~least on a quarterly basis concerning the implementation~~  
18       ~~of this section.~~

19       ~~(f) PROGRAM ACCOUNT CHARGED.—The account~~  
20       ~~charged for the cost of an individual hired and employed~~  
21       ~~under the authority of this section shall be the account~~  
22       ~~to which such individual’s responsibilities primarily relate.~~  
23       ~~Funds made available to carry out this section may be~~  
24       ~~transferred to and merged and consolidated with funds ap-~~  
25       ~~propriated for “OPERATING EXPENSES OF THE~~

1 UNITED STATES AGENCY FOR INTERNATIONAL  
2 DEVELOPMENT”.

3 (g) MANAGEMENT REFORM PILOT.—Of the funds  
4 made available in subsection (a), USAID may use, in addi-  
5 tion to funds otherwise available for such purposes, up to  
6 \$10,000,000 to fund overseas support costs of members  
7 of the Foreign Service with a Foreign Service rank of four  
8 or below: *Provided*, That such authority is only used to  
9 reduce USAID’s reliance on overseas personal services  
10 contractors or other non-direct hire employees com-  
11 pensated with funds appropriated to carry out part I of  
12 the Foreign Assistance Act of 1961, including funds ap-  
13 propriated under the heading “ASSISTANCE FOR  
14 EASTERN EUROPE AND THE BALTIC STATES”.

15 (h) DISASTER SURGE CAPACITY.—Funds appro-  
16 priated under title III of this Act to carry out part I of  
17 the Foreign Assistance Act of 1961, including funds ap-  
18 propriated under the heading “ASSISTANCE FOR  
19 EASTERN EUROPE AND THE BALTIC STATES”,  
20 may be used, in addition to funds otherwise available for  
21 such purposes, for the cost (including the support costs)  
22 of individuals detailed to or employed by the United States  
23 Agency for International Development whose primary re-  
24 sponsibility is to carry out programs in response to natural  
25 disasters.

## 1 OPIG TRANSFER AUTHORITY

2 (INCLUDING TRANSFER OF FUNDS)

3 SEC. 679. Whenever the President determines that  
4 it is in furtherance of the purposes of the Foreign Assist-  
5 ance Act of 1961, up to a total of \$20,000,000 of the  
6 funds appropriated under title III of this Act may be  
7 transferred to and merged with funds appropriated by this  
8 Act for the Overseas Private Investment Corporation Pro-  
9 gram Account, to be subject to the terms and conditions  
10 of that account: *Provided*, That such funds shall not be  
11 available for administrative expenses of the Overseas Pri-  
12 vate Investment Corporation: *Provided further*, That des-  
13 ignated funding levels in this Act shall not be transferred  
14 pursuant to this section: *Provided further*, That the exer-  
15 cise of such authority shall be subject to the regular notifi-  
16 cation procedures of the Committees on Appropriations.

## 17 REPORTING REQUIREMENT

18 SEC. 680. The Secretary of State shall provide the  
19 Committees on Appropriations, not later than April 1,  
20 2008, and for each fiscal quarter, a report in writing on  
21 the uses of funds made available under the headings  
22 “FOREIGN MILITARY FINANCING PROGRAM”,  
23 “INTERNATIONAL MILITARY EDUCATION AND  
24 TRAINING”, and “PEACEKEEPING OPERATIONS”.  
25 *Provided*, That such report shall include a description of  
26 the obligation and expenditure of funds, and the specific

1 country in receipt of, and the use or purpose of the assist-  
2 ance provided by such funds.

3 ANTICORRUPTION PROVISIONS

4 SEC. 681. Twenty percent of the funds appropriated  
5 under title V of this Act under the heading “INTER-  
6 NATIONAL DEVELOPMENT ASSISTANCE”, shall be  
7 withheld from disbursement until the Secretary of the  
8 Treasury reports to the appropriate Congressional com-  
9 mittees on the extent to which the World Bank has com-  
10 pleted the following:

11 (1) World Bank procurement guidelines have  
12 been applied to all procurement financed in whole or  
13 in part by a loan from the World Bank or a credit  
14 agreement or grant from the International Develop-  
15 ment Association (IDA).

16 (2) The World Bank proposal “Increasing the  
17 Use of Country Systems in Procurement” dated  
18 March 2005 has been withdrawn.

19 (3) The World Bank maintains a strong central  
20 procurement office staffed with senior experts who  
21 are designated to address commercial concerns,  
22 questions, and complaints regarding procurement  
23 procedures and payments under IDA and World  
24 Bank projects.

25 (4) Thresholds for international competitive  
26 bidding have been established to maximize inter-

1 national competitive bidding in accordance with  
2 sound procurement practices, including trans-  
3 parency, competition, and cost-effective results for  
4 the Borrowers.

5 (5) All tenders under the World Bank's na-  
6 tional competitive bidding provisions are subject to  
7 the same advertisement requirements as tenders  
8 under international competitive bidding.

9 (6) Loan agreements between the World Bank  
10 and the Borrowers have been made public.

11 ~~INDONESIA~~

12 ~~SEC. 682.~~ Of the funds appropriated by this Act  
13 under the heading "~~FOREIGN MILITARY FINANCING~~  
14 ~~PROGRAM~~", not more than \$6,000,000 may be made  
15 available for assistance for Indonesia, until the Secretary  
16 of State reports to the Committees on Appropriations on  
17 steps taken by the Government of Indonesia on the fol-  
18 lowing—

19 (1) prosecution and punishment, in a manner  
20 proportional to the crime, for members of the Armed  
21 Forces who have been credibly alleged to have com-  
22 mitted gross violations of human rights;

23 (2) cooperation by the Armed Forces, at the di-  
24 rection of the President of Indonesia, with civilian  
25 judicial authorities and with international efforts to

1 resolve cases of gross violations of human rights in  
2 East Timor and elsewhere; and

3 ~~(3) implementation by the Armed Forces, at the~~  
4 ~~direction of the President of Indonesia, of reforms to~~  
5 ~~increase the transparency and accountability of their~~  
6 ~~operations and financial management.~~

7 ESTABLISHMENT OF THE GROWTH FUND

8 SEC. 683. ESTABLISHMENT OF THE GROWTH  
9 FUND.—

10 ~~(a) ESTABLISHMENT.—~~

11 ~~(1) IN GENERAL.—~~The Secretary of State, act-  
12 ing through the Director of United States Foreign  
13 Assistance, shall establish the Global Resources and  
14 Opportunities for Women to Thrive ~~(GROWTH)~~  
15 Fund for the purpose of enhancing economic oppor-  
16 tunities for very poor, poor, and low-income women  
17 in developing countries with a focus on—

18 ~~(A) increasing women-owned enterprise de-~~  
19 ~~velopment;~~

20 ~~(B) increasing property rights for women;~~

21 ~~(C) increasing women's access to financial~~  
22 ~~services;~~

23 ~~(D) increasing women in leadership in im-~~  
24 ~~plementing organizations, such as indigenous~~  
25 ~~nongovernmental organizations, community-~~



based organizations, and regulated financial intermediaries;

(E) improving women's employment benefits and conditions; and

(F) increasing women's ability to benefit from global trade.

(2) ~~ROLE OF USAID MISSIONS.~~—The Fund shall be available to USAID missions to apply for additional funding to support specific additional activities that enhance women's economic opportunities or to integrate gender into existing economic opportunity programs.

(b) ~~ACTIVITIES SUPPORTED.~~—The Fund shall be available to USAID missions to support—

(1) initiatives to eliminate legal and institutional barriers to women's ownership of assets, access to credit, access to information and communication technologies, and engagement in business activities within or outside of the home;

(2) microfinance and microenterprise development programs that—

(A) specifically target women with respect to outreach and marketing; and

(B) provide products specifically to address women's assets, needs, and the barriers women

1 encounter with respect to participation in enter-  
2 prise and financial services;

3 ~~(3)~~ programs, projects, and activities for enter-  
4 prise development for women in developing countries  
5 that—

6 (A) in coordination with developing coun-  
7 try governments and interested individuals and  
8 organizations, encourage or enhance laws, regu-  
9 lations, enforcement, and other practices that  
10 promote access to banking and financial serv-  
11 ices for women-owned small- and medium-sized  
12 enterprises, and eliminate or reduce regulatory  
13 barriers that may exist in this regard;

14 (B) promote access to information and  
15 communication technologies (ICT) with training  
16 in ICT for women-owned small- and medium-  
17 sized enterprises;

18 (C) provide training, through local associa-  
19 tions of women-owned enterprises or nongovern-  
20 mental organizations in record keeping, finan-  
21 cial and personnel management, international  
22 trade, business planning, marketing, policy ad-  
23 vocacy, leadership development, and other rel-  
24 evant areas;

1           (D) provide resources to establish and en-  
2           hance local, national, and international net-  
3           works and associations of women-owned small-  
4           and medium-sized enterprises;

5           (E) provide incentives for nongovernmental  
6           organizations and regulated financial inter-  
7           mediaries to develop products, services, and  
8           marketing and outreach strategies specifically  
9           designed to facilitate and promote women's par-  
10          ticipation in small- and medium-sized business  
11          development programs by addressing women's  
12          assets, needs, and the barriers they face to par-  
13          ticipation in enterprise and financial services;  
14          and

15          (F) seek to award contracts to qualified in-  
16          digenous women-owned small- and medium-  
17          sized enterprises, including for post-conflict re-  
18          construction and to facilitate employment of in-  
19          digenous women, including during post-conflict  
20          reconstruction in jobs not traditionally under-  
21          taken by women;

22          (4) programs, projects, and activities for the  
23          promotion of private property rights and land tenure  
24          security for women in developing countries that are  
25          implemented by local, indigenous nongovernmental

1 and community-based organizations dedicated to ad-  
2 dressing the needs of women, especially women's or-  
3 ganizations that—

4 (A) advocate to amend and harmonize  
5 statutory and customary law to give women  
6 equal rights to own, use, and inherit property;

7 (B) promote legal literacy among women  
8 and men about property rights for women and  
9 how to exercise such rights;

10 (C) assist women in making land claims  
11 and protecting women's existing claims; and

12 (D) advocate for equitable land titling and  
13 registration for women;

14 (5) activities to increase women's access to em-  
15 ployment and to higher quality employment with  
16 better remuneration and working conditions in devel-  
17 oping countries, including access to insurance and  
18 other social safety nets, in informal and formal em-  
19 ployment relative to core labor standards determined  
20 by the International Labor Organization. Such ac-  
21 tivities should include—

22 (A) public education efforts to inform poor  
23 women and men of their legal rights related to  
24 employment;

1           ~~(B)~~ education and vocational training tai-  
2           lored to enable poor women to access opportuni-  
3           ties in potential growth sectors in their local  
4           economies and in jobs within the formal and in-  
5           formal sectors where women are not tradition-  
6           ally highly represented;

7           ~~(C)~~ efforts to support self-employed poor  
8           women or wage workers to form or join inde-  
9           pendent unions or other labor associations to  
10          increase their income and improve their work-  
11          ing conditions; and

12          ~~(D)~~ advocacy efforts to protect the rights  
13          of women in the workplace, including—

14               (i) developing programs with the par-  
15               ticipation of civil society to eliminate gen-  
16               der-based violence; and

17               (ii) providing capacity-building assist-  
18               ance to women's organizations to effec-  
19               tively research and monitor labor rights  
20               conditions;

21          ~~(6)~~ assistance to governments and organizations  
22          in developing countries seeking to design and imple-  
23          ment laws, regulations, and programs to improve  
24          working conditions for women and to facilitate their  
25          entry into and advancement in the workplace;

1           (7) training and education to women in civil so-  
2       ciety, including those organizations representing  
3       poor women, and to women-owned enterprises and  
4       associations of such enterprises, on how to respond  
5       to economic opportunities created by trade pref-  
6       erence programs, trade agreements, or other policies  
7       creating market access, including training on United  
8       States market access requirements and procedures;

9           (8) capacity-building for women entrepreneurs,  
10      including microentrepreneurs, on production strate-  
11      gies, quality standards, formation of cooperatives,  
12      market research, and market development;

13          (9) capacity-building to women, including poor  
14      women, to promote diversification of products and  
15      value-added processing;

16          (10) training to official government negotiators  
17      representing developing countries in order to en-  
18      hance the ability of such negotiators to formulate  
19      trade policy and negotiate agreements that take into  
20      account the respective needs and priorities of a  
21      country's poor women and men;

22          (11) training to local, indigenous women's  
23      groups in developing countries in order to enhance  
24      their ability to collect information and data, formu-  
25      late proposals, and inform and impact official gov-

ernment negotiators representing their country in  
international trade negotiations of the respective  
needs and priorities of a country's poor women and  
men; and

(12) technical assistance and capacity-building  
to local, indigenous civil society for—

(A) local indigenous women's organizations  
to the maximum extent practicable; and

(B) nongovernmental organizations and  
regulated financial intermediaries that dem-  
onstrate a commitment to gender equity in their  
leadership either through current practice or  
through specific programs to increase the rep-  
resentation of women in their governance and  
management.

#### PEACEKEEPING CAP

SEC. 684. (a) IN GENERAL.—Section 404(b)(2)(B)  
of the Foreign Relations Authorization Act, Fiscal Years  
1994 and 1995, (22 U.S.C. 287e note) is amended at the  
end by adding the following: “(v) For assessments made  
during calendar year 2008, 27.1 percent.”.

#### LIMITATION ON BASING IN IRAQ

SEC. 685. None of the funds made available in this  
Act may be used by the Government of the United States  
to enter into a permanent basing rights agreement be-  
tween the United States and Iraq.

## 1 PROHIBITION ON USE OF TORTURE

2 SEC. 686. None of the funds made available in this  
3 Act shall be used in any way whatsoever to support or  
4 justify the use of torture by any official or contract em-  
5 ployee of the United States Government.

## 6 REPORT ON INDONESIAN COOPERATION

7 SEC. 687. Funds available under the heading  
8 “INTERNATIONAL MILITARY EDUCATION AND  
9 TRAINING” may only be made available for assistance  
10 for Indonesia if the Secretary of State submits a report  
11 to the Committees on Appropriations that describes:

12 (1) Steps taken by the Indonesian government  
13 to deny promotion to and to remove from service  
14 military officers indicted for serious crimes; the ex-  
15 tent to which the Indonesian Government is cooper-  
16 ating with international efforts to bring current and  
17 past officials to justice; and that past and present  
18 Indonesian military officials are cooperating with do-  
19 mestie inquiries into past abuses, including the  
20 forced disappearance and killing of student activists  
21 in 1998 and 1999.

22 (2) The Indonesian government’s response to  
23 the report of the Commission for Reception, Truth  
24 and Reconciliation in Timor-Leste and the June  
25 2006 report of the report to the Secretary-General  
26 of the Commission of Experts to Review the Pros-



1 execution of Serious Violations of Human Rights in  
2 Timor-Leste in 1999.

3 (3) Steps taken by the Indonesian government  
4 to implement and enforce the 2004 Indonesian law  
5 which requires the Indonesian military to divest  
6 itself of legal and illegal businesses before 2009.

7 (4) The extent to which the Indonesian govern-  
8 ment has removed restrictions impeding access to  
9 and travel within the provinces of Papua and West  
10 Irian Jaya by United Nations personnel, diplomats,  
11 journalists, international non-governmental organiza-  
12 tion personnel and researchers, humanitarian and  
13 human rights workers and others.

14 LIMITATION ON ASSISTANCE TO FOREIGN COUNTRIES  
15 THAT REFUSE TO EXTRADITE TO THE UNITED  
16 STATES ANY INDIVIDUAL ACCUSED IN THE UNITED  
17 STATES OF KILLING A LAW ENFORCEMENT OFFICER  
18 SEC. 688. None of the funds made available in this  
19 Act for the Department of State may be used to provide  
20 assistance to the central government of a country which  
21 has notified the Department of State of its refusal to ex-  
22 tradite to the United States any individual indicted in the  
23 United States for killing a law enforcement officer, as  
24 specified in a United States extradition request.

1 GOVERNMENTS THAT HAVE FAILED TO PERMIT CERTAIN  
2 EXTRADITIONS

3 SEC. 689. None of the funds made available in this  
4 Act for the Department of State, other than funds pro-  
5 vided under the heading “INTERNATIONAL NAR-  
6 COTICS CONTROL AND LAW ENFORCEMENT”,  
7 may be used to provide assistance to the central govern-  
8 ment of a country with which the United States has an  
9 extradition treaty and which government has notified the  
10 Department of State of its refusal to extradite to the  
11 United States any individual charged with a criminal of-  
12 fense for which the maximum penalty is life imprisonment  
13 without the possibility of parole.

14 INTERNATIONAL MONETARY FUND BUDGET AND HIRING  
15 CEILINGS

16 SEC. 690. The Secretary of the Treasury shall in-  
17 struct the United States Executive Director at the Inter-  
18 national Monetary Fund to use the voice of the United  
19 States to ensure that any loan, project, agreement, memo-  
20 randum, instrument, plan or other program of the Inter-  
21 national Monetary Fund does not penalize countries for  
22 increased government spending on healthcare or education  
23 by exempting such increases from national budget caps or  
24 restraints, hiring or wage bill ceilings or other limits im-  
25 posed by the International Monetary Fund.

## ENVIRONMENT PROGRAMS

SEC. 691. (a) FUNDING.—Of the funds appropriated under the heading “DEVELOPMENT ASSISTANCE”, not less than \$501,000,000 shall be made available for programs and activities which directly protect biodiversity and promote clean energy.

(b) CLIMATE CHANGE REPORT.—Not later than 60 days after the date on which the President’s fiscal year 2009 budget request is submitted to Congress, the President shall submit a report to the Committees on Appropriations describing in detail the following:

(1) All Federal agency obligations and expenditures, domestic and international, for climate change programs and activities in fiscal year 2009, including an accounting of expenditures by agency with each agency identifying climate change activities and associated costs by line item as presented in the President’s Budget Appendix.

(2) All fiscal year 2007 obligations and estimated expenditures, fiscal year 2008 estimated expenditures and estimated obligations, and fiscal year 2009 requested funds by the United States Agency for International Development, by country and central program, for each of the following—

1           (A) to promote the transfer and deploy-  
2           ment of a wide range of United States clean en-  
3           ergy and energy efficiency technologies;

4           (B) to assist in the measurement, moni-  
5           toring, reporting, verification, and reduction of  
6           greenhouse gas emissions;

7           (C) to promote carbon capture and seques-  
8           tration measures;

9           (D) to help meet such countries' respon-  
10          sibilities under the Framework Convention on  
11          Climate Change; and

12          (E) to develop assessments of the vulner-  
13          ability to impacts of climate change and mitiga-  
14          tion and adaptation response strategies.

15        (c) ~~EXTRACTION OF NATURAL RESOURCES.~~—(1) The  
16        Secretary of the Treasury shall inform the managements  
17        of the international financial institutions and the public  
18        that it is the policy of the United States that any assist-  
19        ance by such institutions (including but not limited to any  
20        loan, credit, grant, or guarantee) for the extraction and  
21        export of oil, gas, coal, timber, or other natural resource  
22        should not be provided unless the government of the coun-  
23        try has in place or is taking the necessary steps to estab-  
24        lish functioning systems for—

(A) accurately accounting for revenues and expenditures in connection with the extraction and export of the type of natural resource to be extracted or exported;

(B) the independent auditing of such accounts and the widespread public dissemination of the audits; and

(C) verifying government receipts against company payments including widespread dissemination of such payment information, and disclosing such documents as Host Government Agreements, Concession Agreements, and bidding documents, allowing in any such dissemination or disclosure for the redaction of, or exceptions for, information that is commercially proprietary or that would create competitive disadvantage.

(2) Not later than 180 days after the enactment of this Act, the Secretary of the Treasury shall submit a report to the Committees on Appropriations describing, for each international financial institution, the amount and type of assistance provided, by country, for the extraction and export of oil, gas, coal, timber, or other national resource since September 30, 2005.

~~UZBEKISTAN~~

~~SEC. 692.~~ Assistance may be provided to the central Government of Uzbekistan only if the Secretary of State

1 determines and reports to the Committees on Appropria-  
2 tions that the Government of Uzbekistan is making sub-  
3 stantial and continuing progress in meeting its commit-  
4 ments under the “Declaration on the Strategic Partner-  
5 ship and Cooperation Framework Between the Republic  
6 of Uzbekistan and the United States of America”, includ-  
7 ing respect for human rights, establishing a genuine multi-  
8 party system, and ensuring free and fair elections, free-  
9 dom of expression, and the independence of the media, and  
10 that a credible international investigation of the May 31,  
11 2005, shootings in Andijan is underway with the support  
12 of the Government of Uzbekistan: *Provided*, That for the  
13 purposes of this section “assistance” shall include excess  
14 defense articles.

15 DISCRIMINATION AGAINST MINORITY RELIGIOUS FAITHS  
16 IN THE RUSSIAN FEDERATION

17 SEC. 693. None of the funds appropriated for assist-  
18 ance under this Act may be made available for the Govern-  
19 ment of the Russian Federation, after 180 days from the  
20 date of the enactment of this Act, unless the President  
21 determines and certifies in writing to the Committees on  
22 Appropriations that the Government of the Russian Fed-  
23 eration has implemented no statute, executive order, regu-  
24 lation or similar government action that would discrimi-  
25 nate, or which has as its principal effect discrimination,  
26 against religious groups or religious communities in the

1 Russian Federation in violation of accepted international  
2 agreements on human rights and religious freedoms to  
3 which the Russian Federation is a party.

4 WAR CRIMES IN AFRICA

5 SEC. 694. (a) The Congress reaffirms its support for  
6 the efforts of the International Criminal Tribunal for  
7 Rwanda (ICTR) and the Special Court for Sierra Leone  
8 (SCSL) to bring to justice individuals responsible for war  
9 crimes and crimes against humanity in a timely manner.  
10 (b) Funds appropriated by this Act, including funds  
11 for debt restructuring, may be made available for assist-  
12 ance to the central government of a country in which indi-  
13 viduals indicted by ICTR and SCSL are credibly alleged  
14 to be living, if the Secretary of State determines and re-  
15 ports to the Committees on Appropriations that such gov-  
16 ernment is cooperating with ICTR and SCSL, including  
17 the surrender and transfer of inditees in a timely manner:  
18 *Provided*, That this subsection shall not apply to assist-  
19 ance provided under section 551 of the Foreign Assistance  
20 Act of 1961 or to project assistance under title II of this  
21 Act: *Provided further*, That the United States shall use  
22 its voice and vote in the United Nations Security Council  
23 to fully support efforts by ICTR and SCSL to bring to  
24 justice individuals indicted by such tribunals in a timely  
25 manner.

1       (e) The prohibition in subsection (b) may be waived  
 2 on a country by country basis if the President determines  
 3 that doing so is in the national security interest of the  
 4 United States: *Provided*, That prior to exercising such  
 5 waiver authority, the President shall submit a report to  
 6 the Committees on Appropriations, in classified form if  
 7 necessary, on—

8           (1) the steps being taken to obtain the coopera-  
 9 tion of the government in surrendering the indietee  
 10 in question to the court of jurisdiction;

11           (2) a strategy, including a timeline, for bringing  
 12 the indietee before such court; and

13           (3) the justification for exercising the waiver  
 14 authority.

15 COMBATTING PIRACY OF UNITED STATES COPYRIGHTED  
 16 MATERIALS

17       ~~SEC. 695. (a) PROGRAM AUTHORIZED.~~—The Sec-  
 18 retary of State may carry out a program of activities to  
 19 combat piracy in countries that are not members of the  
 20 Organization for Economic Cooperation and Development  
 21 (OECD), including activities as follows:

22           (1) The provision of equipment and training for  
 23 law enforcement, including in the interpretation of  
 24 intellectual property laws.



(3) The provision of assistance in complying with obligations under applicable international treaties and agreements on copyright and intellectual property.

(b) CONSULTATION WITH WORLD INTELLECTUAL  
PROPERTY ORGANIZATION.—In carrying out the program  
authorized by subsection (a), the Secretary shall, to the  
maximum extent practicable, consult with and provide as-  
sistance to the World Intellectual Property Organization  
in order to promote the integration of countries described  
in subsection (a) into the global intellectual property sys-  
tem.

(c) ~~FUNDING.~~—Of the amount appropriated or otherwise made available under the heading “~~INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT~~”, \$5,000,000 may be made available in fiscal year 2008 for the program authorized by subsection (a).

22                    ~~OVERSIGHT OF IRAQ RECONSTRUCTION~~

23 SEC. 696. (a) Section 3001 of the Emergency Supple-  
24 mental Appropriations Act for Defense and for the Recon-  
25 struction of Iraq and Afghanistan, 2004 (Public Law 108-  
26 106; 117 Stat. 1238; 5 U.S.C. App., note to section 8C

1 of Public Law 95–452), as amended by section 1054(b)  
 2 of the John Warner National Defense Authorization Act  
 3 for Fiscal Year 2007 (Public Law 109–364, 120 Stat.  
 4 2397), section 2 of the Iraq Reconstruction Accountability  
 5 Act of 2006 (Public Law 109–440), and section 3801 of  
 6 the U.S. Troop Readiness, Veterans’ Care, Katrina Recov-  
 7 ery, and Iraq Accountability Appropriations Act, 2007  
 8 (Public Law 110–28) is amended—

9           (1) in subsection (h)(1) by striking “pay rates.”  
 10           and inserting “pay rates, and may exercise the au-  
 11           thorities of subsections (b) through (i) of section  
 12           3161 of title 5, United States Code (without regard  
 13           to subsection (a) of such section).”;

14           (2) in subsection (o)(1)(B) by striking “fiscal  
 15           year 2006 or fiscal year 2007” and inserting “fiscal  
 16           years 2006 through 2008”; and

17           (3) by adding at the end of such section the fol-  
 18           lowing subsection:

19           “(p) **RULE OF CONSTRUCTION.**—For the purposes of  
 20 carrying out the duties of the Inspector General, any  
 21 United States funds appropriated or otherwise made avail-  
 22 able for fiscal years 2006 through 2008 for the reconstruc-  
 23 tion of Iraq, irrespective of the designation of such funds,  
 24 shall be deemed to be amounts appropriated or otherwise

1 made available to the Iraq Relief and Reconstruction  
2 Fund.”.

3 (b) Section 1054(a) of Public Law 109–364 is  
4 amended by striking “fiscal year 2006” and inserting “fis-  
5 cal years 2006 through 2008”.

6 UNITED NATIONS HEADQUARTERS RENOVATION

7 SEC. 697. It is the sense of the Congress that the  
8 amount of any loan for the renovation of the United Na-  
9 tions headquarters building located in New York, New  
10 York, should not exceed \$600,000,000: *Provided*, That if  
11 any loan exceeds \$600,000,000, the Secretary of State  
12 shall notify the Congress of the current cost of the renova-  
13 tion and cost containment measures.

14 NEGLECTED DISEASES

15 SEC. 698. Of the funds appropriated under the head-  
16 ing “Child Survival and Health Programs Fund”, not less  
17 than \$18,000,000 shall be made available to support an  
18 integrated response to the control of neglected diseases in-  
19 cluding intestinal parasites, schistosomiasis, lymphatic fil-  
20 ariasis, onchocerciasis, trachoma and leprosy: *Provided*,  
21 That the Administrator of the United States Agency for  
22 International Development shall consult with the Commit-  
23 tees on Appropriations, representatives from the relevant  
24 international technical and nongovernmental organizations  
25 addressing the specific diseases, recipient countries, donor  
26 countries, the private sector, UNICEF and the World

1 Health Organization: (1) on the most effective uses of  
 2 such funds to demonstrate the health and economic bene-  
 3 fits of such an approach; and (2) to develop a multilateral,  
 4 integrated initiative to control these diseases that will en-  
 5 hance coordination and effectiveness and maximize the le-  
 6 verage of United States contributions with those of other  
 7 donors: *Provided further*, That funds made available pur-  
 8 suant to this section shall be subject to the regular notifi-  
 9 cation procedures of the Committees on Appropriations.

10 ASSISTANCE FOR EGYPT

11 SEC. 699. (a) FOREIGN MILITARY FINANCING PRO-  
 12 GRAM.—Of the funds appropriated by this Act for Egypt  
 13 under the heading “FOREIGN MILITARY FINANCING  
 14 PROGRAM”, \$200,000,000 shall not be made available  
 15 for obligation until the Secretary of State certifies and re-  
 16 ports to the Committees on Appropriations that the Gov-  
 17 ernment of Egypt has taken concrete and measurable  
 18 steps to—

19 (1) enact and implement a new judicial author-  
 20 ity law that protects the independence of the judici-  
 21 ary;

22 (2) review criminal procedures and train police  
 23 leadership in modern policing to curb police abuses;  
 24 and

1           ~~(3) detect and destroy the smuggling network~~  
 2           ~~and smuggling tunnels that lead from Egypt to~~  
 3           ~~Gaza.~~

4           RELIEF FOR THE HMONG AND MONTAGNARDS

5           ~~SEC. 699A.~~ Section 212(a)(3)(B) of the Immigration  
 6 and Nationality Act (8 U.S.C. 1182(a)(3)(B)), is amend-  
 7 ed by adding at the end the following new clause: “Clause  
 8 (vi) shall not apply to the Hmong or Montagnards on the  
 9 basis of any act or event occurring in or before 1975”.T

10          Section 212(a)(3)(B)(ii) of the Immigration and Na-  
 11 tionality Act (8 U.S.C. 1182(a)(3)(B)(ii)) is amended by  
 12 striking “Subclause (VII)” and replacing it with “Sub-  
 13 clause (IX)”.

14          REPORT ON ANTI-CORRUPTION ACTIVITIES

15          ~~SEC. 699B.~~ (a) REPORT REQUIRED.—Not later than  
 16 May 1, 2008, the Secretary of State, in consultation with  
 17 the Administrator of the United States Agency for Inter-  
 18 national Development and the Chief Executive Officer of  
 19 the Millennium Challenge Corporation, shall submit to  
 20 Committees on Appropriations a report on the level of cor-  
 21 ruption in each country that receives assistance in this Act  
 22 under the heading “Development Assistance”, “Assistance  
 23 for Eastern Europe and the Baltic States”, or “Assistance  
 24 for the States of the Former Soviet Union”.

25          (b) MATTERS TO BE INCLUDED.—The report re-  
 26 quired by subsection (a) shall—

1           (1) assess the level of corruption in each coun-  
2       try's political, economic, and judicial sectors, includ-  
3       ing detailed information regarding specific acts of  
4       corruption;

5           (2) assess the extent to which recent elections  
6       in each country have been free and fair;

7           (3) include information regarding steps each  
8       country has taken to combat corruption;

9           (4) describe at the program, project, and activ-  
10      ity level how the United States assistance is de-  
11      signed to strengthen anti-corruption activities in  
12      each country, including specific outcome goals and  
13      objectives; and

14          (5) include an identification of countries that  
15      the Secretary of State determines require special  
16      scrutiny for fiscal year 2009, including an identifica-  
17      tion of countries that the Secretary determines are  
18      not making significant efforts to comply with min-  
19      imum standards for anti-corruption activities.

20      (c) **METHODOLOGY.**—Not later than September 30,  
21      2007, the Secretary of State shall provide to the Commit-  
22      tees on Appropriations a detailed description of—

23          (1) the methodology for assessing the level of  
24      corruption in each country for purposes of preparing  
25      the report required by subsection (a) and for evalu-

1       ating each country's annual progress in fighting cor-  
 2       ruption; and

3           (2) the indicators upon which the Secretary will  
 4       make such assessments.

5       PROGRAMS TO IMPROVE DEMOCRACY, THE RULE OF LAW,  
 6                                   AND GOVERNANCE IN IRAN

7       ~~SEC. 699C.~~ Of the funds appropriated in this Act,  
 8       \$50,000,000 should be made available for programs to im-  
 9       prove democracy, the rule of law, and governance in Iran.

10       ~~SEC. 699D.~~ None of the funds made available in this  
 11       Act may be used for negotiating the participation of addi-  
 12       tional countries under the visa waiver program described  
 13       in section 217 of the Immigration and Nationality Act (8  
 14       U.S.C. 1187).

15                   LIMITATION ON USE OF FUNDS RELATING TO  
 16                   RESTRICTIONS ON RELATIONS WITH TAIWAN

17       ~~SEC. 699E.~~ None of the funds made available in this  
 18       Act may be used to enforce any of the provisions in the  
 19       Memorandum to all Department and Agency Executive  
 20       Secretaries dated, February 2, 2001, and entitled "Guide-  
 21       lines on Relations With Taiwan".

22       ~~SEC. 699F.~~ None of the funds made available in this  
 23       Act may be used to carry out the diversity visa program  
 24       under sections 201(e), 203(e), or 204(a)(1)(I) of the Im-  
 25       migration and Nationality Act (8 U.S.C. 1151(e), 1153(e),  
 26       and 1154(a)(1)(I)).

1       ~~SEC. 699G. None of the funds made available in this~~  
2   ~~Act may be expended in violation of section 243(d) of the~~  
3   ~~Immigration and Nationality Act (8 U.S.C. 1253(d)) (re-~~  
4   ~~lating to discontinuing granting visas to nationals of coun-~~  
5   ~~tries denying or delaying accepting aliens removed from~~  
6   ~~the United States).~~

7       ~~SEC. 699H. None of the funds made available in this~~  
8   ~~Act may be used to purchase light bulbs for operations~~  
9   ~~in the United States unless the light bulbs have the “EN-~~  
10   ~~ERGY STAR” or “Federal Energy Management Pro-~~  
11   ~~gram” designation.~~

12       ~~SEC. 699I. None of the funds made available in this~~  
13   ~~Act under the heading “Economic Support Fund” may be~~  
14   ~~made available for Ethiopia.~~

15       ~~SEC. 699J. None of the funds made available in this~~  
16   ~~Act may be used by the Department of State as a con-~~  
17   ~~tribution for the United Nations Human Rights Council.~~

18       ~~SEC. 699K. None of the funds made available in this~~  
19   ~~Act may be used to provide an immigrant or non-~~  
20   ~~immigrant visa to a national or citizen of a country with~~  
21   ~~which the United States maintains diplomatic relations~~  
22   ~~and the central government of which has notified the Sec-~~  
23   ~~retary of State of its refusal to extradite to the United~~  
24   ~~States any individual indicted in the United States for kill-~~



1 ing a law enforcement officer, as specified in a United  
2 States extradition request.

3       ~~SEC. 699L. None of the funds made available in this~~  
4 ~~Act may be used for the International Seabed Authority~~  
5 ~~or the Enterprise of the International Seabed Authority.~~

6       ~~SEC. 699M. None of the funds made available in this~~  
7 ~~Act may be used to send or otherwise pay for the attend-~~  
8 ~~ance of more than 50 employees from a Federal depart-~~  
9 ~~ment or agency at any single conference occurring outside~~  
10 ~~the United States.~~

11       ~~PROHIBITION AGAINST ASSISTANCE TO SAUDI ARABIA~~

12       ~~SEC. 699N. None of the funds appropriated or other-~~  
13 ~~wise made available pursuant to this Act—~~

14               ~~(1) shall be obligated or expended to finance~~  
15 ~~any assistance to Saudi Arabia; or~~

16               ~~(2) shall be used to execute a waiver of section~~  
17 ~~571 or 614 of the Foreign Assistance Act of 1961~~  
18 ~~(22 U.S.C. 2349aa or 2364) with regard to assist-~~  
19 ~~ance to Saudi Arabia.~~

20       ~~SEC. 699O. None of the funds made available in this~~  
21 ~~Act may be used to provide direct aid to the Palestinian~~  
22 ~~Authority, except as otherwise provided by existing law.~~

23       ~~This Act may be cited as “The Department of State,~~  
24 ~~Foreign Operations and Related Programs Appropriations~~  
25 ~~Act, 2008”.~~

1 *That the following sums are appropriated, out of any*  
2 *money in the Treasury not otherwise appropriated, for the*  
3 *fiscal year ending September 30, 2008, and for other pur-*  
4 *poses, namely:*

5 *TITLE I*

6 *DEPARTMENT OF STATE AND RELATED AGENCY*

7 *DEPARTMENT OF STATE*

8 *ADMINISTRATION OF FOREIGN AFFAIRS*

9 *DIPLOMATIC AND CONSULAR PROGRAMS*

10 *(INCLUDING TRANSFER OF FUNDS)*

11 *For necessary expenses of the Department of State and*  
12 *the Foreign Service not otherwise provided for, including*  
13 *employment, without regard to civil service and classifica-*  
14 *tion laws, of persons on a temporary basis (not to exceed*  
15 *\$700,000 of this appropriation), as authorized by section*  
16 *801 of the United States Information and Educational Ex-*  
17 *change Act of 1948; representation to certain international*  
18 *organizations in which the United States participates pur-*  
19 *suant to treaties ratified pursuant to the advice and consent*  
20 *of the Senate or specific Acts of Congress; arms control, non-*  
21 *proliferation and disarmament activities as authorized; ac-*  
22 *quisition by exchange or purchase of passenger motor vehi-*  
23 *cles as authorized by law; and for expenses of general ad-*  
24 *ministration, \$3,820,375,000: Provided, That of the amount*  
25 *made available under this heading, not to exceed*  
26 *\$10,000,000 may be transferred to and merged with “Emer-*

1 gencies in the Diplomatic and Consular Service”, to be  
2 available only for emergency evacuations and terrorism re-  
3 wards: Provided further, That of the funds appropriated  
4 under this heading, \$8,131,000 shall be available for the Of-  
5 fice of the Director of United States Foreign Assistance and  
6 \$1,000,000 shall not be obligated until consultations with  
7 the Congress, arising from the report submitted pursuant  
8 to section 653(a) of the Foreign Assistance Act of 1961, have  
9 been completed: Provided further, That of the amount made  
10 available under this heading, not less than \$364,905,000  
11 shall be available only for public diplomacy international  
12 information programs: Provided further, That of the funds  
13 made available under this heading, \$5,000,000 shall be  
14 made available for a demonstration program to expand ac-  
15 cess to consular services: Provided further, That of the funds  
16 made available under this heading, \$40,000,000 shall be  
17 made available for passport operations, facilities, and sys-  
18 tems: Provided further, That the funds appropriated by the  
19 previous proviso shall be in addition to amounts otherwise  
20 made available for such purposes: Provided further, That  
21 during fiscal year 2008, foreign service annuitants may be  
22 employed, notwithstanding section 316.401 of title 5, Code  
23 of Federal Regulations, pursuant to waivers under section  
24 824(g)(1)(C)(ii) of the Foreign Service Act of 1980 (22  
25 U.S.C. 4064(g)(1)(C)(ii)): Provided further, That of the

1 *funds made available under this heading in this Act and*  
2 *in prior Acts making appropriations for the Department*  
3 *of State, foreign operations, export financing and related*  
4 *programs, up to \$200,000,000 may be transferred to, and*  
5 *merged with, funds appropriated under the heading “Mil-*  
6 *lennium Challenge Corporation”, subject to section 615 of*  
7 *this Act: Provided further, That of the funds appropriated*  
8 *under this heading, \$6,000,000 shall be made available for*  
9 *the Ambassador’s Fund for Cultural Preservation of which*  
10 *\$1,500,000 shall be for grants of not less than \$500,000 for*  
11 *significant historic preservation projects: Provided further,*  
12 *That there shall be one additional senior permanent posi-*  
13 *tion at United States Embassy Moscow whose sole respon-*  
14 *sibilities shall be to monitor human rights and the imple-*  
15 *mentation of Russian laws relating to nongovernmental or-*  
16 *ganizations, communicate United States support for human*  
17 *rights defenders and journalists who are harassed and ar-*  
18 *rested, and support the work of civil society groups: Pro-*  
19 *vided further, That funds available under this heading may*  
20 *be made available for a United States Government inter-*  
21 *agency task force to examine, coordinate and oversee United*  
22 *States participation in the United Nations headquarters*  
23 *renovation project: Provided further, That funds appro-*  
24 *priated under this heading are available, pursuant to 31*  
25 *U.S.C. 1108(g), for the field examination of programs and*

1 *activities in the United States funded from any account in*  
2 *this title.*

3 *In addition, not to exceed \$1,558,390 shall be derived*  
4 *from fees collected from other executive agencies for lease*  
5 *or use of facilities located at the International Center in*  
6 *accordance with section 4 of the International Center Act;*  
7 *in addition, as authorized by section 5 of such Act,*  
8 *\$490,000, to be derived from the reserve authorized by that*  
9 *section, to be used for the purposes set out in that section;*  
10 *in addition, as authorized by section 810 of the United*  
11 *States Information and Educational Exchange Act, not to*  
12 *exceed \$6,000,000, to remain available until expended, may*  
13 *be credited to this appropriation from fees or other pay-*  
14 *ments received from English teaching, library, motion pic-*  
15 *tures, and publication programs and from fees from edu-*  
16 *cational advising and counseling and exchange visitor pro-*  
17 *grams; and, in addition, not to exceed \$15,000, which shall*  
18 *be derived from reimbursements, surcharges, and fees for use*  
19 *of Blair House facilities.*

20 *In addition, for the costs of worldwide security protec-*  
21 *tion, \$909,598,000, to remain available until expended.*

22 *CAPITAL INVESTMENT FUND*

23 *For necessary expenses of the Capital Investment*  
24 *Fund, \$63,743,000, to remain available until expended, as*  
25 *authorized: Provided, That section 135(e) of Public Law*

1 103–236 shall not apply to funds available under this head-  
 2 ing.

3 OFFICE OF INSPECTOR GENERAL

4 For necessary expenses of the Office of Inspector Gen-  
 5 eral, \$35,508,000, notwithstanding section 209(a)(1) of the  
 6 Foreign Service Act of 1980 (Public Law 96–465), as it  
 7 relates to post inspections.

8 EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

9 For expenses of educational and cultural exchange pro-  
 10 grams, as authorized, \$509,482,000, to remain available  
 11 until expended: Provided, That not to exceed \$5,000,000,  
 12 to remain available until expended, may be credited to this  
 13 appropriation from fees or other payments received from  
 14 or in connection with English teaching, educational advis-  
 15 ing and counseling programs, and exchange visitor pro-  
 16 grams as authorized: Provided further, That of the funds  
 17 available under this heading up to \$2,000,000 may be made  
 18 available to the Senator Paul Simon Study Abroad Foun-  
 19 dation, subject to authorization: Provided further, That if  
 20 a majority of the Board of Directors of such Foundation  
 21 is not confirmed by the Senate by August 1, 2008, the Sec-  
 22 retary shall provide \$1,000,000 of such funds to the Ben-  
 23 jamin A. Gilman International Scholarship Program and  
 24 \$1,000,000 shall be provided to the Fulbright Program to  
 25 augment existing study abroad programs.

1                    *REPRESENTATION ALLOWANCES*

2            *For representation allowances as authorized,*  
3   *\$8,175,000.*

4                    *PROTECTION OF FOREIGN MISSIONS AND OFFICIALS*

5            *For expenses, not otherwise provided, to enable the Sec-*  
6   *retary of State to provide for extraordinary protective serv-*  
7   *ices, as authorized, \$14,000,000, to remain available until*  
8   *September 30, 2009.*

9                    *EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE*

10           *For necessary expenses for carrying out the Foreign*  
11   *Service Buildings Act of 1926 (22 U.S.C. 292–303), pre-*  
12   *serving, maintaining, repairing, and planning for build-*  
13   *ings that are owned or directly leased by the Department*  
14   *of State, renovating, in addition to funds otherwise avail-*  
15   *able, the Harry S Truman Building, and carrying out the*  
16   *Diplomatic Security Construction Program as authorized,*  
17   *\$792,534,000, to remain available until expended as au-*  
18   *thorized, of which not to exceed \$25,000 may be used for*  
19   *domestic and overseas representation as authorized: Pro-*  
20   *vided, That none of the funds appropriated in this para-*  
21   *graph shall be available for acquisition of furniture, fur-*  
22   *nishings, or generators for other departments and agencies.*  
23           *In addition, for the costs of worldwide security up-*  
24   *grades, acquisition, and construction as authorized,*  
25   *\$649,278,000, to remain available until expended.*

11                    *REPATRIATION LOANS PROGRAM ACCOUNT*  
12                    *(INCLUDING TRANSFER OF FUNDS)*

17        *In addition, for administrative expenses necessary to*  
18 *carry out the direct loan program, \$607,000, which may*  
19 *be transferred to and merged with “Diplomatic and Con-*  
20 *sular Programs”.*

22        *For necessary expenses to carry out the Taiwan Rela-*  
23   *tions Act (Public Law 96-8), \$16,351,000.*



1     *PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND*  
2                                     *DISABILITY FUND*

3         *For payment to the Foreign Service Retirement and*  
4     *Disability Fund, as authorized by law, \$158,900,000.*

5                             *INTERNATIONAL ORGANIZATIONS*

6         *CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS*

7         *For expenses, not otherwise provided for, necessary to*  
8     *meet annual obligations of membership in international*  
9     *multilateral organizations, pursuant to treaties ratified*  
10    *pursuant to the advice and consent of the Senate, conven-*  
11    *tions or specific Acts of Congress, \$1,374,400,000, to remain*  
12    *available until September 30, 2009: Provided, That the Sec-*  
13    *retary of State shall, at the time of the submission of the*  
14    *President's budget to Congress under section 1105(a) of title*  
15    *31, United States Code, transmit to the Committees on Ap-*  
16    *propriations the most recent biennial budget prepared by*  
17    *the United Nations for the operations of the United Nations:*  
18    *Provided further, That the Secretary of State shall notify*  
19    *the Committees on Appropriations at least 15 days in ad-*  
20    *vance (or in an emergency, as far in advance as is prac-*  
21    *ticable) of any United Nations action to increase funding*  
22    *for any United Nations program without identifying an off-*  
23    *setting decrease elsewhere in the United Nations budget and*  
24    *cause the United Nations budget for the biennium 2008–*  
25    *2009 to exceed the revised United Nations budget level for*

1 *the biennium 2006–2007 of \$4,173,895,900: Provided fur-*  
 2 *ther, That any payment of arrearages under this title shall*  
 3 *be directed toward activities that are mutually agreed upon*  
 4 *by the United States and the respective international orga-*  
 5 *nization: Provided further, That none of the funds appro-*  
 6 *priated in this paragraph shall be available for a United*  
 7 *States contribution to an international organization for the*  
 8 *United States share of interest costs made known to the*  
 9 *United States Government by such organization for loans*  
 10 *incurred on or after October 1, 1984, through external bor-*  
 11 *rowings.*

12 *CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING*

13 *ACTIVITIES*

14 *For necessary expenses to pay assessed and other ex-*  
 15 *penses of international peacekeeping activities directed to*  
 16 *the maintenance or restoration of international peace and*  
 17 *security, \$1,352,000,000, of which 15 percent shall remain*  
 18 *available until September 30, 2009: Provided, That at least*  
 19 *15 days in advance of voting in the United Nations Secu-*  
 20 *rity Council (or in an emergency as far in advance as is*  
 21 *practicable) for any new or expanded United Nations*  
 22 *peacekeeping mission, the Secretary of State shall, with re-*  
 23 *gard to any new or expanded mission, notify the Commit-*  
 24 *tees on Appropriations and other appropriate Committees*  
 25 *of the Congress of its estimated cost and duration, the*  
 26 *United States national interest that will be served, the*

1 *planned exit strategy, the specific measures the United Na-*  
 2 *tions is taking to prevent United Nations employees, con-*  
 3 *tractor personnel, and peacekeeping forces serving in any*  
 4 *such mission from trafficking in persons, exploiting victims*  
 5 *of trafficking, or committing acts of illegal sexual exploi-*  
 6 *tation, and to hold accountable individuals who engage in*  
 7 *such acts while participating in the peacekeeping mission;*  
 8 *and a notification of funds pursuant to section 615 of this*  
 9 *Act is submitted, and the procedures therein followed, set-*  
 10 *ting forth the source of funds that will be used to pay for*  
 11 *the cost of the new or expanded mission: Provided further,*  
 12 *That funds shall be available for peacekeeping expenses only*  
 13 *after a determination by the Secretary of State that Amer-*  
 14 *ican manufacturers and suppliers are being given opportu-*  
 15 *nities to provide equipment, services, and material for*  
 16 *United Nations peacekeeping activities equal to those being*  
 17 *given to foreign manufacturers and suppliers.*

18 *INTERNATIONAL COMMISSIONS*

19 *For necessary expenses, not otherwise provided for, to*  
 20 *meet obligations of the United States arising under treaties,*  
 21 *or specific Acts of Congress, as follows:*

22 *INTERNATIONAL BOUNDARY AND WATER COMMISSION,*

23 *UNITED STATES AND MEXICO*

24 *For necessary expenses for the United States Section*  
 25 *of the International Boundary and Water Commission,*

1 *United States and Mexico, and to comply with laws appli-*  
2 *cable to the United States Section, including not to exceed*  
3 *\$6,000 for representation; as follows:*

4 *SALARIES AND EXPENSES*

5 *For salaries and expenses, not otherwise provided for,*  
6 *\$30,430,000.*

7 *CONSTRUCTION*

8 *For detailed plan preparation and construction of au-*  
9 *thorized projects, \$88,425,000, to remain available until ex-*  
10 *pendent, as authorized, of which, \$100,000 may be made*  
11 *available to repair, relocate, or replace fencing along the*  
12 *international border between the United States and Mexico:*  
13 *Provided, That of the funds appropriated under this head-*  
14 *ing, up to \$400,000 should be made available for the repair*  
15 *or replacement of the Nogales Wash Flood Control Project*  
16 *and International Outfall Interceptor, of which up to*  
17 *\$66,000,000 shall be made available only for construction*  
18 *in the United States of secondary wastewater treatment ca-*  
19 *pability.*

20 *AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS*

21 *For necessary expenses, not otherwise provided, for the*  
22 *International Joint Commission and the International*  
23 *Boundary Commission, United States and Canada, as au-*  
24 *thorized by treaties between the United States and Canada*  
25 *or Great Britain, and for the Border Environment Coopera-*  
26 *tion Commission as authorized by Public Law 103-182,*

1 \$11,250,000, of which not to exceed \$9,000 shall be available  
 2 for representation expenses incurred by the International  
 3 Joint Commission.

4 *INTERNATIONAL FISHERIES COMMISSIONS*

5 *For necessary expenses for international fisheries com-*  
 6 *missions, not otherwise provided for, as authorized by law,*  
 7 *\$27,054,000: Provided, That the United States' share of*  
 8 *such expenses may be advanced to the respective commis-*  
 9 *sions pursuant to 31 U.S.C. 3324: Provided further, That*  
 10 *funds appropriated under this heading shall be available*  
 11 *for programs in the amounts contained in the table included*  
 12 *in the report accompanying this Act and no proposal for*  
 13 *deviation from those amounts shall be considered.*

14 *OTHER*

15 *PAYMENT TO THE ASIA FOUNDATION*

16 *For a grant to the Asia Foundation, as authorized by*  
 17 *the Asia Foundation Act (22 U.S.C. 4402), \$16,000,000, to*  
 18 *remain available until expended, as authorized.*

19 *CENTER FOR MIDDLE EASTERN-WESTERN DIALOGUE TRUST*

20 *FUND*

21 *For necessary expenses of the Center for Middle East-*  
 22 *ern-Western Dialogue Trust Fund, the total amount of the*  
 23 *interest and earnings accruing to such Fund on or before*  
 24 *September 30, 2008, to remain available until expended.*

1            *EISENHOWER EXCHANGE FELLOWSHIP PROGRAM*

2            *For necessary expenses of Eisenhower Exchange Fel-*  
3 *lowships, Incorporated, as authorized by sections 4 and 5*  
4 *of the Eisenhower Exchange Fellowship Act of 1990 (20*  
5 *U.S.C. 5204–5205), all interest and earnings accruing to*  
6 *the Eisenhower Exchange Fellowship Program Trust Fund*  
7 *on or before September 30, 2008, to remain available until*  
8 *expended: Provided, That none of the funds appropriated*  
9 *herein shall be used to pay any salary or other compensa-*  
10 *tion, or to enter into any contract providing for the pay-*  
11 *ment thereof, in excess of the rate authorized by 5 U.S.C.*  
12 *5376; or for purposes which are not in accordance with*  
13 *OMB Circulars A–110 (Uniform Administrative Require-*  
14 *ments) and A–122 (Cost Principles for Non-profit Organi-*  
15 *zations), including the restrictions on compensation for per-*  
16 *sonal services.*

17            *ISRAELI ARAB SCHOLARSHIP PROGRAM*

18            *For necessary expenses of the Israeli Arab Scholarship*  
19 *Program as authorized by section 214 of the Foreign Rela-*  
20 *tions Authorization Act, Fiscal Years 1992 and 1993 (22*  
21 *U.S.C. 2452), all interest and earnings accruing to the*  
22 *Israeli Arab Scholarship Fund on or before September 30,*  
23 *2008, to remain available until expended.*

24            *EAST-WEST CENTER*

25            *To enable the Secretary of State to provide for car-*  
26 *rying out the provisions of the Center for Cultural and*

1 *Technical Interchange Between East and West Act of 1960,*  
2 *by grant to the Center for Cultural and Technical Inter-*  
3 *change Between East and West in the State of Hawaii,*  
4 *\$20,000,000: Provided, That none of the funds appropriated*  
5 *herein shall be used to pay any salary, or enter into any*  
6 *contract providing for the payment thereof, in excess of the*  
7 *rate authorized by 5 U.S.C. 5376.*

8 *RELATED AGENCIES*

9 *BROADCASTING BOARD OF GOVERNORS*

10 *INTERNATIONAL BROADCASTING OPERATIONS*

11 *For expenses necessary to enable the Broadcasting*  
12 *Board of Governors, as authorized, to carry out inter-*  
13 *national communication activities, including the purchase,*  
14 *rent, construction, and improvement of facilities for radio*  
15 *and television transmission and reception and purchase,*  
16 *lease, and installation and operation of necessary equip-*  
17 *ment, including aircraft, for radio and television trans-*  
18 *mission and reception to Cuba, and to make and supervise*  
19 *grants for radio and television broadcasting to the Middle*  
20 *East, \$662,727,000: Provided, That of the total amount in*  
21 *this heading, not to exceed \$16,000 may be used for official*  
22 *receptions within the United States as authorized, not to*  
23 *exceed \$35,000 may be used for representation abroad as*  
24 *authorized, and not to exceed \$39,000 may be used for offi-*  
25 *cial reception and representation expenses of Radio Free*

1 *Europe/Radio Liberty; and in addition, notwithstanding*  
 2 *any other provision of law, not to exceed \$2,000,000 in re-*  
 3 *ceipts from advertising and revenue from business ventures,*  
 4 *not to exceed \$500,000 in receipts from cooperating inter-*  
 5 *national organizations, and not to exceed \$1,000,000 in re-*  
 6 *ceipts from privatization efforts of the Voice of America and*  
 7 *the International Broadcasting Bureau, to remain avail-*  
 8 *able until expended for carrying out authorized purposes.*

9 *BROADCASTING CAPITAL IMPROVEMENTS*

10 *For the purchase, rent, construction, and improvement*  
 11 *of facilities for radio transmission and reception, and pur-*  
 12 *chase and installation of necessary equipment for radio and*  
 13 *television transmission and reception as authorized,*  
 14 *\$10,748,000, to remain available until expended, as author-*  
 15 *ized.*

16 *COMMISSION FOR THE PRESERVATION OF AMERICA'S*

17 *HERITAGE ABROAD*

18 *SALARIES AND EXPENSES*

19 *For necessary expenses for the Commission for the*  
 20 *Preservation of America's Heritage Abroad, \$499,000, as*  
 21 *authorized by section 1303 of Public Law 99-83.*

22 *COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM*

23 *SALARIES AND EXPENSES*

24 *For necessary expenses for the United States Commis-*  
 25 *sion on International Religious Freedom, as authorized by*  
 26 *title II of the International Religious Freedom Act of 1998*



1 *(Public Law 105–292), \$3,000,000, to remain available*  
2 *until September 30, 2009.*

3 *COMMISSION ON SECURITY AND COOPERATION IN EUROPE*  
4 *SALARIES AND EXPENSES*

5 *For necessary expenses of the Commission on Security*  
6 *and Cooperation in Europe, as authorized by Public Law*  
7 *94–304, \$2,037,000, to remain available until September*  
8 *30, 2009.*

9 *CONGRESSIONAL-EXECUTIVE COMMISSION ON THE*  
10 *PEOPLE’S REPUBLIC OF CHINA*  
11 *SALARIES AND EXPENSES*

12 *For necessary expenses of the Congressional-Executive*  
13 *Commission on the People’s Republic of China, as author-*  
14 *ized, \$2,000,000, including not more than \$3,000 for the*  
15 *purpose of official representation, to remain available until*  
16 *September 30, 2009.*

17 *UNITED STATES-CHINA ECONOMIC AND SECURITY REVIEW*  
18 *COMMISSION*

19 *SALARIES AND EXPENSES*

20 *For necessary expenses of the United States-China*  
21 *Economic and Security Review Commission, \$2,962,000,*  
22 *including not more than \$3,000 for the purpose of official*  
23 *representation, to remain available until September 30,*  
24 *2008: Provided, That funds appropriated under this head-*  
25 *ing shall only be available for obligation in accordance with*

1 *a spending plan submitted to the Committees on Appro-*  
2 *priations which effectively addresses the recommendations*  
3 *of the Government Accountability Office's audit of the Com-*  
4 *mission: Provided further, That the Commission shall pro-*  
5 *vide to the Committees on Appropriations a quarterly ac-*  
6 *counting of the cumulative balances of any unobligated*  
7 *funds that were received by the Commission during any*  
8 *previous fiscal year.*

9 *UNITED STATES SENATE-CHINA INTERPARLIAMENTARY*  
10 *GROUP*

11 *SALARIES AND EXPENSES*

12 *For necessary expenses of the United States Senate-*  
13 *China Interparliamentary Group, as authorized under sec-*  
14 *tion 153 of the Consolidated Appropriations Act, 2004 (22*  
15 *U.S.C. 276n; Public Law 108–99; 118 Stat. 448), \$150,000,*  
16 *to remain available until September 30, 2009.*

17 *UNITED STATES INSTITUTE OF PEACE*

18 *OPERATING EXPENSES*

19 *For necessary expenses of the United States Institute*  
20 *of Peace as authorized in the United States Institute of*  
21 *Peace Act, \$25,000,000, to remain available until Sep-*  
22 *tember 30, 2009.*

1           *GENERAL PROVISIONS—THIS TITLE*

2                   *ALLOWANCES AND DIFFERENTIALS*

3           *SEC. 101. Funds appropriated under this Act shall be*  
4 *available, except as otherwise provided, for allowances and*  
5 *differentials as authorized by subchapter 59 of title 5,*  
6 *United States Code; for services as authorized by 5 U.S.C.*  
7 *3109; and for hire of passenger transportation pursuant to*  
8 *31 U.S.C. 1343(b).*

9                   *UNOBLIGATED BALANCES REPORT*

10          *SEC. 102. The Department of State and the Broad-*  
11 *casting Board of Governors shall provide to the Committees*  
12 *on Appropriations a quarterly accounting of the cumulative*  
13 *balances of any unobligated funds that were received by*  
14 *such agency during any previous fiscal year.*

15                   *EMBASSY CONSTRUCTION*

16          *SEC. 103. (a) Except as provided in subsection (b), a*  
17 *project to construct a diplomatic facility of the United*  
18 *States may not include office space or other accommoda-*  
19 *tions for an employee of a Federal agency or department*  
20 *if the Secretary of State determines that such department*  
21 *or agency has not provided to the Department of State the*  
22 *full amount of funding required by subsection (e) of section*  
23 *604 of the Secure Embassy Construction and*  
24 *Counterterrorism Act of 1999 (as enacted into law by sec-*  
25 *tion 1000(a)(7) of Public Law 106–113 and contained in*  
26 *appendix G of that Act; 113 Stat. 1501A–453), as amended*

1 *by section 629 of the Departments of Commerce, Justice,*  
2 *and State, the Judiciary, and Related Agencies Appropria-*  
3 *tions Act, 2005.*

4 *(b) Notwithstanding the prohibition in subsection (a),*  
5 *a project to construct a diplomatic facility of the United*  
6 *States may include office space or other accommodations*  
7 *for members of the Marine Corps.*

8 *PEACEKEEPING MISSIONS*

9 *SEC. 104. None of the funds made available under title*  
10 *I of this Act may be used for any United Nations under-*  
11 *taking when it is made known to the Federal official having*  
12 *authority to obligate or expend such funds that: (1) the*  
13 *United Nations undertaking is a peacekeeping mission; (2)*  
14 *such undertaking will involve United States Armed Forces*  
15 *under the command or operational control of a foreign na-*  
16 *tional; and (3) the President's military advisors have not*  
17 *submitted to the President a recommendation that such in-*  
18 *volvement is in the national security interests of the United*  
19 *States and the President has not submitted to the Congress*  
20 *such a recommendation.*

21 *DENIAL OF VISAS*

22 *SEC. 105. (a) None of the funds appropriated or other-*  
23 *wise made available under this Act shall be expended for*  
24 *any purpose for which appropriations are prohibited by*  
25 *section 616 of the Departments of Commerce, Justice, and*

1 *State, the Judiciary, and Related Agencies Appropriations*  
 2 *Act, 1999.*

3 *(b) The requirements in subsections (b) and (c) of sec-*  
 4 *tion 616 of that Act shall continue to apply during fiscal*  
 5 *year 2008.*

6 *UNITED STATES CITIZENS BORN IN JERUSALEM*

7 *SEC. 106. For the purposes of registration of birth, cer-*  
 8 *tification of nationality, or issuance of a passport of a*  
 9 *United States citizen born in the city of Jerusalem, the Sec-*  
 10 *retary of State shall, upon request of the citizen, record the*  
 11 *place of birth as Israel.*

12 *STATE DEPARTMENT AUTHORITIES*

13 *SEC. 107. Funds appropriated under this Act for the*  
 14 *Broadcasting Board of Governors and the Department of*  
 15 *State may be obligated and expended notwithstanding sec-*  
 16 *tion 15 of the State Department Basic Authorities Act of*  
 17 *1956, section 313 of the Foreign Relations Authorization*  
 18 *Act, Fiscal Years 1994 and 1995 (Public Law 103–236),*  
 19 *and section 504(a)(1) of the National Security Act of 1947*  
 20 *(50 U.S.C. 414(a)(1)).*

21 *RESTRICTION ON CONTRIBUTIONS TO THE UNITED NATIONS*

22 *SEC. 108. None of the funds appropriated or otherwise*  
 23 *made available under any title of this Act may be made*  
 24 *available to make any assessed contribution or voluntary*  
 25 *payment of the United States to the United Nations if the*

1 *United Nations implements or imposes any taxation on any*  
2 *United States persons.*

3 *PERSONNEL ACTIONS*

4 *SEC. 109. Any costs incurred by a department or agen-*  
5 *cy funded under this Act resulting from personnel actions*  
6 *taken in response to funding reductions included in this*  
7 *Act shall be absorbed within the total budgetary resources*  
8 *available to such department or agency: Provided, That the*  
9 *authority to transfer funds between appropriations ac-*  
10 *counts as may be necessary to carry out this section is pro-*  
11 *vided in addition to authorities included elsewhere in this*  
12 *Act: Provided further, That use of funds to carry out this*  
13 *section shall be treated as a reprogramming of funds under*  
14 *section 615 of title VI of this Act and shall not be available*  
15 *for obligation or expenditure except in compliance with the*  
16 *procedures set forth in that section.*

17 *RESTRICTIONS ON UNITED NATIONS DELEGATIONS*

18 *SEC. 110. None of the funds made available in this*  
19 *Act may be used to pay expenses for any United States dele-*  
20 *gation to any specialized agency, body, or commission of*  
21 *the United Nations if such commission is chaired or pre-*  
22 *sided over by a country, the government of which the Sec-*  
23 *retary of State has determined, for purposes of section*  
24 *6(j)(1) of the Export Administration Act of 1979 (50 U.S.C.*  
25 *App. 2405(j)(1)), has provided support for acts of inter-*  
26 *national terrorism.*

1            *PALESTINIAN BROADCASTING CORPORATION*

2            *SEC. 111. None of the funds appropriated or otherwise*  
3 *made available in this Act may be used to provide equip-*  
4 *ment, technical support, consulting services, or any other*  
5 *form of assistance to the Palestinian Broadcasting Corpora-*  
6 *tion.*

7            *ATTENDANCE AT INTERNATIONAL CONFERENCES*

8            *SEC. 112. None of the funds made available in this*  
9 *Act may be used to send or otherwise pay for the attendance*  
10 *of more than 50 employees of agencies or departments of*  
11 *the United States Government who are stationed in the*  
12 *United States, at any single international conference occur-*  
13 *ring outside the United States, unless the Secretary of State*  
14 *determines that such attendance is in the national interest:*  
15 *Provided, That for purposes of this section the term “inter-*  
16 *national conference” shall mean a conference attended by*  
17 *representatives of the United States Government and rep-*  
18 *resentatives of foreign governments, international organiza-*  
19 *tions, or nongovernmental organizations.*

20            *PEACEKEEPING ASSESSMENT*

21            *SEC. 113. Section 404(b)(2)(B) of the Foreign Rela-*  
22 *tions Authorization Act, Fiscal Years 1994 and 1995, as*  
23 *amended (22 U.S.C. 287e note) is further amended at the*  
24 *end by adding the following:*

25            *“(v) For assessments made during calendar year 2008,*  
26 *27.1 percent.”*

1 *ALHURRA BROADCASTING*

2 *SEC. 114. Funds appropriated by this Act, and any*  
3 *subsequent emergency supplemental appropriations Act for*  
4 *fiscal year 2008, may be made available for the programs*  
5 *and activities of Alhurra only if the Secretary of State cer-*  
6 *tifies and reports to the Committees on Appropriations that*  
7 *Alhurra does not advocate on behalf of any organization*  
8 *that the Secretary knows, or has reason to believe, engages*  
9 *in terrorist activities.*

10 *SEC. 115. COMMISSION FINANCIAL MANAGEMENT. (a)*  
11 *TERM LIMITS.—Section 1238(b)(3) of Public Law 106–398*  
12 *is amended by striking subparagraph (G) and inserting the*  
13 *following:*

14 *“(G) a member of the Commission may not*  
15 *be reappointed for an additional term of service*  
16 *if that member has twice been appointed to the*  
17 *Commission; and”.*

18 *(b) REQUIREMENT FOR PERFORMANCE REVIEWS.—*  
19 *The United States-China Economic and Security Review*  
20 *Commission shall comply with chapter 43 of title 5, United*  
21 *States Code, regarding the establishment and regular review*  
22 *of employee performance appraisals.*

23 *(c) LIMITATION ON CASH AWARDS.—The United*  
24 *States-China Economic and Security Review Commission*  
25 *shall comply with section 4505a of title 5, United States*



1 *Code, with respect to limitations on payment of perform-*  
 2 *ance-based cash awards.*

3 (d) *ANNUAL FINANCIAL AUDIT.—The Commission*  
 4 *shall provide to Congress an annual comprehensive inde-*  
 5 *pendent financial audit of all obligations and expenditures,*  
 6 *not later than June 30 each year hereafter.*

7 *COMMISSION ON SECURITY AND COOPERATION IN EUROPE*

8 *SEC. 116. (a) The amount appropriated or otherwise*  
 9 *made available by this title under the heading “COMMIS-*  
 10 *SION ON SECURITY AND COOPERATION IN EUROPE” is here-*  
 11 *by increased by \$333,000.*

12 (b) *The amount appropriated or otherwise made avail-*  
 13 *able by this title for the Department of State under the*  
 14 *heading “DIPLOMATIC AND CONSULAR PROGRAMS” is hereby*  
 15 *reduced by \$333,000.*

16 *COOPERATION WITH THE GOVERNMENT OF MEXICO*

17 *SEC. 117. (a) COOPERATION REGARDING BORDER SE-*  
 18 *curity.—The Secretary of State, in cooperation with the*  
 19 *Secretary of Homeland Security and representatives of Fed-*  
 20 *eral, State, and local law enforcement agencies that are in-*  
 21 *involved in border security and immigration enforcement ef-*  
 22 *forts, should work with the appropriate officials from the*  
 23 *Government of Mexico to improve coordination between the*  
 24 *United States and Mexico regarding—*

1           (1) *improved border security along the inter-*  
2           *national border between the United States and Mex-*  
3           *ico;*

4           (2) *the reduction of human trafficking and*  
5           *smuggling between the United States and Mexico;*

6           (3) *the reduction of drug trafficking and smug-*  
7           *gling between the United States and Mexico;*

8           (4) *the reduction of gang membership in the*  
9           *United States and Mexico;*

10          (5) *the reduction of violence against women in*  
11          *the United States and Mexico; and*

12          (6) *the reduction of other violence and criminal*  
13          *activity.*

14          (b) *COOPERATION REGARDING EDUCATION ON IMMI-*  
15          *GRATION LAWS.—The Secretary of State, in cooperation*  
16          *with other appropriate Federal officials, should work with*  
17          *the appropriate officials from the Government of Mexico to*  
18          *carry out activities to educate citizens and nationals of*  
19          *Mexico regarding eligibility for status as a nonimmigrant*  
20          *under Federal law to ensure that the citizens and nationals*  
21          *are not exploited while working in the United States.*

22          (c) *COOPERATION REGARDING CIRCULAR MIGRA-*  
23          *TION.—The Secretary of State, in cooperation with the Sec-*  
24          *retary of Labor and other appropriate Federal officials,*  
25          *should work with the appropriate officials from the Govern-*

1 *ment of Mexico to improve coordination between the United*  
2 *States and Mexico on the development of economic opportu-*  
3 *nities and providing job training for citizens and nationals*  
4 *in Mexico.*

5 *(d) ANNUAL REPORT.—Not later than 180 days after*  
6 *the date of the enactment of this Act, the Secretary of State*  
7 *shall submit a report to the Committees on Appropriations*  
8 *describing the actions taken by the United States and Mex-*  
9 *ico pursuant to this section.*

10 *REPORT REGARDING USE OF LEVEES*

11 *SEC. 118. Not later than 90 days after the date of en-*  
12 *actment of this Act, the United States Commissioner of the*  
13 *International Boundary and Water Commission, in co-*  
14 *operation and coordination with the Secretary of Homeland*  
15 *Security and the Chief of Engineers of the United States*  
16 *Army Corps of Engineers, shall submit to Congress a report*  
17 *regarding the use by U.S. Customs and Border Protection*  
18 *of flood control levees under the control of the International*  
19 *Boundary and Water Commission, which shall—*

20 *(1) discuss the purpose and importance of—*

21 *(A) any such use of such levees ongoing on*  
22 *the date of enactment of this Act; and*

23 *(B) any anticipated such use of such levees*  
24 *after the date of enactment of this Act;*

25 *(2) describe the frequency and means of, and ap-*  
26 *proximate number of officers and employees of the*

1        *U.S. Customs and Border Protection who, access such*  
2        *levees;*

3            *(3) describe the level of degradation of such levees*  
4        *as a result of such use; and*

5            *(4) identify any formal agreements that may be*  
6        *needed between the Department of Homeland Security*  
7        *and the International Boundary and Water Commis-*  
8        *sion or the Department of State to ensure needed ac-*  
9        *cess to such levees.*

10        *DEPARTMENT OF STATE INSPECTOR GENERAL*

11        *SEC. 119. (a) LINK TO OFFICE OF INSPECTOR GEN-*  
12        *ERAL FROM HOMEPAGE OF DEPARTMENT OF STATE.—Not*  
13        *later than 30 days after the date of the enactment of this*  
14        *Act, the Secretary of State shall establish and maintain on*  
15        *the homepage of the Internet website of the Department of*  
16        *State a direct link to the Internet website of the Office of*  
17        *Inspector General of the Department of State.*

18        *(b) ANONYMOUS REPORTING OF WASTE, FRAUD, OR*  
19        *ABUSE.—Not later than 30 days after the date of the enact-*  
20        *ment of this Act, the Inspector General of the Department*  
21        *of State shall establish and maintain on the homepage of*  
22        *the Internet website of the Office of Inspector General a*  
23        *mechanism by which individuals can anonymously report*  
24        *cases of waste, fraud, or abuse with respect to the Depart-*  
25        *ment of State.*

*SEC. 120. (a) The Secretary of State shall establish processing facilities in Iraq within 180 days of enactment of this Act in which aliens may apply and interview for admission to the United States.*

(b) *The Secretary of State shall report to the Congress after 30 days after enactment of this Act on funding security requirements for consular operations in Iraq fiscal year 2008.*

*SEC. 121. Except as otherwise provided in this title, reference in this title to “this Act” shall be deemed to reference only to title I.*

## EXPORT AND INVESTMENT ASSISTANCE

EXPORT-IMPORT BANK OF THE UNITED STATES

## INSPECTOR GENERAL

*For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$1,000,000, to remain available until September 30, 2009.*

*LOANS PROGRAM ACCOUNT*

*The Export-Import Bank of the United States is authorized to make such expenditures within the limits of funds and borrowing authority available to such corporation, and in accordance with law, and to make such con-*

1 *tracts and commitments without regard to fiscal year limi-*  
2 *tations, as provided by section 104 of the Government Cor-*  
3 *poration Control Act, as may be necessary in carrying out*  
4 *the program for the current fiscal year for such corporation:*  
5 *Provided, That none of the funds available during the cur-*  
6 *rent fiscal year may be used to make expenditures, con-*  
7 *tracts, or commitments for the export of nuclear equipment,*  
8 *fuel, or technology to any country, other than a nuclear-*  
9 *weapon state as defined in Article IX of the Treaty on the*  
10 *Non-Proliferation of Nuclear Weapons eligible to receive*  
11 *economic or military assistance under this Act, that has*  
12 *detonated a nuclear explosive after the date of the enactment*  
13 *of this Act: Provided further, That notwithstanding section*  
14 *1(c) of Public Law 103–428, as amended, sections 1(a) and*  
15 *(b) of Public Law 103–428 shall remain in effect through*  
16 *October 1, 2008: Provided further, That 10 percent of the*  
17 *aggregate loan, guarantee, and insurance authority avail-*  
18 *able to the Export-Import Bank under this or any prior*  
19 *Act should be used for renewable energy and environ-*  
20 *mentally beneficial products and services.*

21 *SUBSIDY APPROPRIATION*

22 *For the cost of direct loans, loan guarantees, insurance,*  
23 *and tied-aid grants as authorized by section 10 of the Ex-*  
24 *port-Import Bank Act of 1945, as amended, \$68,000,000,*  
25 *to remain available until September 30, 2011: Provided,*  
26 *That such costs, including the cost of modifying such loans,*

1 *shall be as defined in section 502 of the Congressional Budg-*  
2 *et Act of 1974: Provided further, That such sums shall re-*  
3 *main available until September 30, 2026, for the disburse-*  
4 *ment of direct loans, loan guarantees, insurance and tied-*  
5 *aid grants obligated in fiscal years 2008, 2009, 2010, and*  
6 *2011: Provided further, That none of the funds appro-*  
7 *priated by this Act or any prior Act appropriating funds*  
8 *for foreign operations, export financing, and related pro-*  
9 *grams for tied-aid credits or grants may be used for any*  
10 *other purpose except through the regular notification proce-*  
11 *dures of the Committees on Appropriations: Provided fur-*  
12 *ther, That funds appropriated by this paragraph are made*  
13 *available notwithstanding section 2(b)(2) of the Export-Im-*  
14 *port Bank Act of 1945, in connection with the purchase*  
15 *or lease of any product by any Eastern European country,*  
16 *any Baltic State or any agency or national thereof.*

17 *ADMINISTRATIVE EXPENSES*

18 *For administrative expenses to carry out the direct*  
19 *and guaranteed loan and insurance programs, including*  
20 *hire of passenger motor vehicles and services as authorized*  
21 *by 5 U.S.C. 3109, and not to exceed \$30,000 for official*  
22 *reception and representation expenses for members of the*  
23 *Board of Directors, \$78,000,000: Provided, That the Ex-*  
24 *port-Import Bank may accept, and use, payment or services*  
25 *provided by transaction participants for legal, financial,*  
26 *or technical services in connection with any transaction for*

1 *which an application for a loan, guarantee or insurance*  
2 *commitment has been made: Provided further, That not-*  
3 *withstanding subsection (b) of section 117 of the Export En-*  
4 *hancement Act of 1992, subsection (a) thereof shall remain*  
5 *in effect until October 1, 2008.*

6 *RECEIPTS COLLECTED*

7 *Receipts collected pursuant to the Export-Import Bank*  
8 *Act of 1945, as amended, and the Federal Credit Reform*  
9 *Act of 1990, as amended, in an amount not to exceed the*  
10 *amount appropriated herein, shall be credited as offsetting*  
11 *collections to this account: Provided, That the sums herein*  
12 *appropriated from the General Fund shall be reduced on*  
13 *a dollar-for-dollar basis by such offsetting collections so as*  
14 *to result in a final fiscal year appropriation from the Gen-*  
15 *eral Fund estimated at \$0: Provided further, That amounts*  
16 *collected in fiscal year 2008 in excess of obligations, up to*  
17 *\$50,000,000, shall become available October 1, 2008 and*  
18 *shall remain available until September 30, 2011.*

19 *OVERSEAS PRIVATE INVESTMENT CORPORATION*

20 *NONCREDIT ACCOUNT*

21 *The Overseas Private Investment Corporation is au-*  
22 *thorized to make, without regard to fiscal year limitations,*  
23 *as provided by 31 U.S.C. 9104, such expenditures and com-*  
24 *mitments within the limits of funds available to it and in*  
25 *accordance with law as may be necessary: Provided, That*  
26 *the amount available for administrative expenses to carry*



1 out the credit and insurance programs (including an  
2 amount for official reception and representation expenses  
3 which shall not exceed \$35,000) shall not exceed  
4 \$47,500,000: Provided further, That project-specific trans-  
5 action costs, including direct and indirect costs incurred  
6 in claims settlements, and other direct costs associated with  
7 services provided to specific investors or potential investors  
8 pursuant to section 234 of the Foreign Assistance Act of  
9 1961, shall not be considered administrative expenses for  
10 the purposes of this heading.

11 *PROGRAM ACCOUNT*

12 For the cost of direct and guaranteed loans,  
13 \$21,000,000, as authorized by section 234 of the Foreign  
14 Assistance Act of 1961, to be derived by transfer from the  
15 Overseas Private Investment Corporation Non-Credit Ac-  
16 count: Provided, That such costs, including the cost of modi-  
17 fying such loans, shall be as defined in section 502 of the  
18 Congressional Budget Act of 1974: Provided further, That  
19 such sums shall be available for direct loan obligations and  
20 loan guaranty commitments incurred or made during fiscal  
21 years 2008, 2009, and 2010: Provided further, That funds  
22 so obligated in fiscal year 2008 remain available for dis-  
23bursement through 2016; funds obligated in fiscal year 2009  
24 remain available for disbursement through 2017; funds obli-  
25gated in fiscal year 2010 remain available for disbursement  
26 through 2018: Provided further, That notwithstanding any

1 *other provision of law, the Overseas Private Investment*  
2 *Corporation is authorized to undertake any program au-*  
3 *thorized by title IV of the Foreign Assistance Act of 1961*  
4 *in Iraq: Provided further, That funds made available pur-*  
5 *suant to the authority of the previous proviso shall be sub-*  
6 *ject to the regular notification procedures of the Committees*  
7 *on Appropriations.*

8 *In addition, such sums as may be necessary for admin-*  
9 *istrative expenses to carry out the credit program may be*  
10 *derived from amounts available for administrative expenses*  
11 *to carry out the credit and insurance programs in the Over-*  
12 *seas Private Investment Corporation Noncredit Account*  
13 *and merged with said account.*

14 *FUNDS APPROPRIATED TO THE PRESIDENT*

15 *TRADE AND DEVELOPMENT AGENCY*

16 *For necessary expenses to carry out the provisions of*  
17 *section 661 of the Foreign Assistance Act of 1961,*  
18 *\$50,400,000, to remain available until September 30, 2009.*

19 *TITLE III*

20 *BILATERAL ECONOMIC ASSISTANCE*

21 *FUNDS APPROPRIATED TO THE PRESIDENT*

22 *For expenses necessary to enable the President to carry*  
23 *out the provisions of the Foreign Assistance Act of 1961,*  
24 *and for other purposes, to remain available until September*  
25 *30, 2008, unless otherwise specified herein, as follows:*

## GLOBAL HEALTH PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

*For necessary expenses to carry out the provisions of chapters 1 and 10 of part I of the Foreign Assistance Act of 1961, for global health activities, in addition to funds otherwise available for such purposes, \$6,621,425,000, to remain available until September 30, 2009: Provided, That this amount shall be made available for such activities as:*

*(1) child survival programs; (2) immunization and oral rehydration programs; (3) other health, nutrition, water and sanitation programs which directly address the needs of mothers and children, and related education programs; (4) assistance for children displaced or orphaned by causes other than AIDS; (5) programs for the prevention, treatment, control of, and research on HIV/AIDS, tuberculosis, polio, malaria, and other infectious diseases, and for assistance to communities severely affected by HIV/AIDS, including children displaced or orphaned by AIDS; and (6) family planning/reproductive health: Provided further, That none of the funds appropriated under this heading may be made available for nonproject assistance, except that funds may be made available for such assistance for ongoing health activities: Provided further, That of the funds appropriated under this heading, not to exceed \$350,000, in addition to funds otherwise available for such purposes, may be used to monitor and provide oversight of child survival,*

1 *maternal and family planning/reproductive health, and in-*  
2 *fectious disease programs: Provided further, That the fol-*  
3 *lowing amounts should be allocated as follows: \$450,000,000*  
4 *for child survival and maternal health; \$15,000,000 for vul-*  
5 *nerable children; \$724,675,000 for other infectious diseases,*  
6 *including \$200,000,000 for tuberculosis control, of which*  
7 *\$15,000,000 shall be used for the Global TB Drug Facility;*  
8 *and \$395,000,000 for family planning/reproductive health,*  
9 *including in areas where population growth threatens bio-*  
10 *diversity or endangered species: Provided further, That of*  
11 *the funds appropriated under this heading, \$75,000,000*  
12 *should be made available for a United States contribution*  
13 *to The GAVI Fund, and up to \$6,000,000 may be trans-*  
14 *ferred to and merged with funds appropriated by this Act*  
15 *under the heading “Operating Expenses of the United*  
16 *States Agency for International Development” for costs di-*  
17 *rectly related to global health, but funds made available for*  
18 *such costs may not be derived from amounts made available*  
19 *for contribution under this and preceding provisos: Pro-*  
20 *vided further, That none of the funds made available in this*  
21 *Act nor any unobligated balances from prior appropria-*  
22 *tions may be made available to any organization or pro-*  
23 *gram which, as determined by the President, supports, or*  
24 *participates in the management of, a program of coercive*  
25 *abortion or involuntary sterilization: Provided further,*

1 *That none of the funds made available under this Act may*  
2 *be used to pay for the performance of abortion as a method*  
3 *of family planning or to motivate or coerce any person to*  
4 *practice abortions: Provided further, That nothing in this*  
5 *paragraph shall be construed to alter any existing statutory*  
6 *prohibitions against abortion under section 104 of the For-*  
7 *eign Assistance Act of 1961: Provided further, That none*  
8 *of the funds made available under this Act may be used*  
9 *to lobby for or against abortion: Provided further, That in*  
10 *order to reduce reliance on abortion in developing nations,*  
11 *funds shall be available only for voluntary family planning*  
12 *projects which offer, either directly or through referral to,*  
13 *or information about access to, a broad range of family*  
14 *planning methods and services with proven effectiveness,*  
15 *and that any such voluntary family planning project shall*  
16 *meet the following requirements: (1) service providers or re-*  
17 *ferral agents in the project shall not implement or be subject*  
18 *to quotas, or other numerical targets, of total number of*  
19 *births, number of family planning acceptors, or acceptors*  
20 *of a particular method of family planning (this provision*  
21 *shall not be construed to include the use of quantitative esti-*  
22 *mates or indicators for budgeting and planning purposes);*  
23 *(2) the project shall not include payment of incentives,*  
24 *bribes, gratuities, or financial reward to: (A) an individual*  
25 *in exchange for becoming a family planning acceptor; or*

1 (B) program personnel for achieving a numerical target or  
2 quota of total number of births, number of family planning  
3 acceptors, or acceptors of a particular method of family  
4 planning; (3) the project shall not deny any right or benefit,  
5 including the right of access to participate in any program  
6 of general welfare or the right of access to health care, as  
7 a consequence of any individual's decision not to accept  
8 family planning services; (4) the project shall provide fam-  
9 ily planning acceptors comprehensible information on the  
10 health benefits and risks of the method chosen, including  
11 those conditions that might render the use of the method  
12 inadvisable and those adverse side effects known to be con-  
13 sequent to the use of the method; and (5) the project shall  
14 ensure that experimental contraceptive drugs and devices  
15 and medical procedures are provided only in the context  
16 of a scientific study in which participants are advised of  
17 potential risks and benefits; and, not less than 60 days after  
18 the date on which the Administrator of the United States  
19 Agency for International Development determines that there  
20 has been a violation of the requirements contained in para-  
21 graph (1), (2), (3), or (5) of this proviso, or a pattern or  
22 practice of violations of the requirements contained in para-  
23 graph (4) of this proviso, the Administrator shall submit  
24 to the Committees on Appropriations a report containing  
25 a description of such violation and the corrective action

1 *taken by the Agency: Provided further, That in awarding*  
2 *grants for natural family planning under section 104 of*  
3 *the Foreign Assistance Act of 1961 no applicant shall be*  
4 *discriminated against because of such applicant's religious*  
5 *or conscientious commitment to offer only natural family*  
6 *planning; and, additionally, all such applicants shall com-*  
7 *ply with the requirements of the previous proviso: Provided*  
8 *further, That for purposes of this or any other Act author-*  
9 *izing or appropriating funds for foreign operations, export*  
10 *financing, and related programs, the term "motivate", as*  
11 *it relates to family planning assistance, shall not be con-*  
12 *strued to prohibit the provision, consistent with local law,*  
13 *of information or counseling about all pregnancy options:*  
14 *Provided further, That to the maximum extent practicable,*  
15 *taking into consideration cost, timely availability, and best*  
16 *health practices, funds appropriated in this Act or prior*  
17 *appropriations Acts that are made available for condom*  
18 *procurement should be made available only for the procure-*  
19 *ment of condoms manufactured in the United States: Pro-*  
20 *vided further, That information provided about the use of*  
21 *condoms as part of projects or activities that are funded*  
22 *from amounts appropriated by this Act shall be medically*  
23 *accurate and shall include the public health benefits and*  
24 *failure rates of such use.*

1        *Of the funds appropriated under this heading, for nec-*  
2 *essary expenses to carry out the provisions of the Foreign*  
3 *Assistance Act of 1961 for the prevention, treatment, and*  
4 *control of, and research on, HIV/AIDS, including for chil-*  
5 *dren displaced or orphaned by AIDS, \$5,050,000,000, to*  
6 *remain available until expended, of which \$550,000,000*  
7 *shall be made available, notwithstanding any other provi-*  
8 *sion of law, except for the United States Leadership Against*  
9 *HIV/AIDS, Tuberculosis and Malaria Act of 2003 (Public*  
10 *Law 108–25) for a United States contribution to the Global*  
11 *Fund to Fight AIDS, Tuberculosis and Malaria, and shall*  
12 *be expended at the minimum rate necessary to make timely*  
13 *payment for projects and activities: Provided, That up to*  
14 *5 percent of the aggregate amount of funds made available*  
15 *to the Global Fund in fiscal year 2008 may be made avail-*  
16 *able to the United States Agency for International Develop-*  
17 *ment for technical assistance related to the activities of the*  
18 *Global Fund: Provided further, That of the funds appro-*  
19 *priated by this paragraph, up to \$13,000,000 may be made*  
20 *available, in addition to amounts otherwise available for*  
21 *such purposes, for administrative expenses of the Office of*  
22 *the Global AIDS Coordinator: Provided further, That the*  
23 *Global AIDS Coordinator shall include in each country*  
24 *operational plan for fiscal year 2008 a health workforce*  
25 *strategy for meeting HIV/AIDS goals without reducing the*



1 capacity of the country to meet other health needs, particu-  
2 larly child survival and maternal health: Provided further,  
3 That of the funds appropriated by this paragraph, not less  
4 than \$45,000,000 shall be made available to support the de-  
5 velopment of microbicides as a means for combating HIV/  
6 AIDS, and not less than \$40,000,000 shall be made avail-  
7 able for a United States contribution to UNAIDS: Provided  
8 further, That funds made available under this heading shall  
9 be made available notwithstanding the second sentence of  
10 section 403(a) of Public Law 108–25.

11 *DEVELOPMENT ASSISTANCE*

12 *For necessary expenses to carry out the provisions of*  
13 *sections 103, 105, 106, and sections 251 through 255, and*  
14 *chapter 10 of part I of the Foreign Assistance Act of 1961,*  
15 *\$1,455,000,000, to remain available until September 30,*  
16 *2009: Provided, That of the funds appropriated under this*  
17 *heading that are made available for assistance programs*  
18 *for displaced and orphaned children and victims of war,*  
19 *not to exceed \$43,000, in addition to funds otherwise avail-*  
20 *able for such purposes, may be used to monitor and provide*  
21 *oversight of such programs: Provided further, That of the*  
22 *funds appropriated by this Act, not less than \$250,000,000*  
23 *shall be made available for microenterprise and micro-*  
24 *finance development programs for the poor, especially*  
25 *women: Provided further, That of the funds appropriated*  
26 *under this heading, not less than \$29,000,000 shall be made*

1 *available for Collaborative Research Support Programs:*  
2 *Provided further, That of the funds appropriated under this*  
3 *heading, \$750,000 shall be made available to implement 7*  
4 *U.S.C. section 1736g–2(a)(2)(C) to improve food aid prod-*  
5 *uct quality and nutrient delivery: Provided further, That*  
6 *of the funds appropriated under this heading, not less than*  
7 *\$22,000,000 should be made available for the American*  
8 *Schools and Hospitals Abroad program: Provided further,*  
9 *That of the funds appropriated under this heading,*  
10 *\$12,000,000 should be made available for cooperative devel-*  
11 *opment programs within the Office of Private and Vol-*  
12 *untary Cooperation: Provided further, That of the funds ap-*  
13 *propriated in this Act, not less than \$300,000,000 shall be*  
14 *made available for safe drinking water and sanitation sup-*  
15 *ply projects only to implement the Senator Paul Simon*  
16 *Water for the Poor Act of 2005 (Public Law 109–121), of*  
17 *which not less than \$125,000,000 should be made available*  
18 *for such projects in Africa including drilling wells in north-*  
19 *ern Niger, Mali and elsewhere in the African Sahel region.*

20 *INTERNATIONAL DISASTER ASSISTANCE*

21 *For necessary expenses to carry out the provisions of*  
22 *section 491 of the Foreign Assistance Act of 1961 for inter-*  
23 *national disaster relief, rehabilitation, and reconstruction*  
24 *assistance, \$322,350,000, to remain available until ex-*  
25 *pended, of which \$20,000,000 should be for famine preven-*  
26 *tion and relief.*

## TRANSITION INITIATIVES

1  
2       *For necessary expenses for international disaster reha-*  
3 *bilitation and reconstruction assistance pursuant to section*  
4 *491 of the Foreign Assistance Act of 1961, \$50,000,000, to*  
5 *remain available until expended, to support transition to*  
6 *democracy and to long-term development of countries in cri-*  
7 *sis: Provided, That such support may include assistance to*  
8 *develop, strengthen, or preserve democratic institutions and*  
9 *processes, revitalize basic infrastructure, and foster the*  
10 *peaceful resolution of conflict: Provided further, That the*  
11 *United States Agency for International Development shall*  
12 *submit a report to the Committees on Appropriations at*  
13 *least 5 days prior to beginning a new program of assist-*  
14 *ance: Provided further, That if the President determines*  
15 *that it is important to the national interests of the United*  
16 *States to provide transition assistance in excess of the*  
17 *amount appropriated under this heading, up to*  
18 *\$15,000,000 of the funds appropriated by this Act to carry*  
19 *out the provisions of part I of the Foreign Assistance Act*  
20 *of 1961 may be used for purposes of this heading and under*  
21 *the authorities applicable to funds appropriated under this*  
22 *heading: Provided further, That funds made available pur-*  
23 *suant to the previous proviso shall be made available subject*  
24 *to prior consultation with the Committees on Appropria-*  
25 *tions.*

1                    *DEVELOPMENT CREDIT AUTHORITY*2                    *(INCLUDING TRANSFER OF FUNDS)*

3            *For the cost of direct loans and loan guarantees pro-*  
4 *vided by the United States Agency for International Devel-*  
5 *opment, as authorized by sections 256 and 635 of the For-*  
6 *ign Assistance Act of 1961, up to \$21,000,000 may be de-*  
7 *rived by transfer from funds appropriated by this Act to*  
8 *carry out part I of such Act and under the heading “Assist-*  
9 *ance for Eastern Europe and the Baltic States”: Provided,*  
10 *That such funds shall be made available only for micro and*  
11 *small enterprise programs, urban programs, and other pro-*  
12 *grams which further the purposes of part I of the Act: Pro-*  
13 *vided further, That such costs, including the cost of modi-*  
14 *fying such direct and guaranteed loans, shall be as defined*  
15 *in section 502 of the Congressional Budget Act of 1974, as*  
16 *amended: Provided further, That funds made available by*  
17 *this paragraph may be used for the cost of modifying any*  
18 *such guaranteed loans under this Act or prior Acts, and*  
19 *funds used for such costs shall be subject to the regular noti-*  
20 *fication procedures of the Committees on Appropriations:*  
21 *Provided further, That the provisions of section 107A(d)*  
22 *(relating to general provisions applicable to the Develop-*  
23 *ment Credit Authority) of the Foreign Assistance Act of*  
24 *1961, as contained in section 306 of H.R. 1486 as reported*  
25 *by the House Committee on International Relations on May*  
26 *9, 1997, shall be applicable to direct loans and loan guaran-*

1 *tees provided under this heading: Provided further, That*  
 2 *these funds are available to subsidize total loan principal,*  
 3 *any portion of which is to be guaranteed, of up to*  
 4 *\$700,000,000.*

5 *In addition, for administrative expenses to carry out*  
 6 *credit programs administered by the United States Agency*  
 7 *for International Development, \$8,920,000, which may be*  
 8 *transferred to and merged with the appropriation for Oper-*  
 9 *ating Expenses of the United States Agency for Inter-*  
 10 *national Development: Provided, That funds made avail-*  
 11 *able under this heading shall remain available until Sep-*  
 12 *tember 30, 2010.*

13 *OPERATING EXPENSES OF THE UNITED STATES AGENCY*  
 14 *FOR INTERNATIONAL DEVELOPMENT*  
 15 *(INCLUDING TRANSFER OF FUNDS)*

16 *For necessary expenses to carry out the provisions of*  
 17 *section 667 of the Foreign Assistance Act of 1961,*  
 18 *\$645,700,000, of which up to \$25,000,000 may remain*  
 19 *available until September 30, 2009: Provided, That none*  
 20 *of the funds appropriated under this heading and under*  
 21 *the heading “Capital Investment Fund” may be made*  
 22 *available to finance the construction (including architect*  
 23 *and engineering services), purchase, or long-term lease of*  
 24 *offices for use by the United States Agency for International*  
 25 *Development, unless the Administrator has identified such*  
 26 *proposed construction (including architect and engineering*

1 services), purchase, or long-term lease of offices in a report  
2 submitted to the Committees on Appropriations at least 15  
3 days prior to the obligation of these funds for such purposes:  
4 Provided further, That the previous proviso shall not apply  
5 where the total cost of construction (including architect and  
6 engineering services), purchase, or long-term lease of offices  
7 does not exceed \$1,000,000: Provided further, That contracts  
8 or agreements entered into with funds appropriated under  
9 this heading may entail commitments for the expenditure  
10 of such funds through fiscal year 2009: Provided further,  
11 That any decision to open a new overseas mission or office  
12 of the United States Agency for International Development  
13 or, except where there is a substantial security risk to mis-  
14 sion personnel, to close or significantly reduce the number  
15 of personnel of any such mission or office, shall be subject  
16 to the regular notification procedures of the Committees on  
17 Appropriations: Provided further, That the authority of sec-  
18 tions 610 and 109 of the Foreign Assistance Act of 1961  
19 may be exercised by the Secretary of State to transfer funds  
20 appropriated to carry out chapter 1 of part I of such Act  
21 to “Operating Expenses of the United States Agency for  
22 International Development” in accordance with the provi-  
23 sions of those sections.

24 CAPITAL INVESTMENT FUND

25 For necessary expenses for overseas construction and  
26 related costs, and for the procurement and enhancement of

1 *information technology and related capital investments,*  
 2 *pursuant to section 667 of the Foreign Assistance Act of*  
 3 *1961, \$90,508,000, to remain available until expended: Pro-*  
 4 *vided, That this amount is in addition to funds otherwise*  
 5 *available for such purposes: Provided further, That funds*  
 6 *appropriated under this heading shall be available for obli-*  
 7 *gation only pursuant to the regular notification procedures*  
 8 *of the Committees on Appropriations: Provided further,*  
 9 *That of the funds appropriated under this heading, not to*  
 10 *exceed \$75,144,500 may be made available for the purposes*  
 11 *of implementing the Capital Security Cost Sharing Pro-*  
 12 *gram.*

13 *OPERATING EXPENSES OF THE UNITED STATES AGENCY*  
 14 *FOR INTERNATIONAL DEVELOPMENT OFFICE OF IN-*  
 15 *SPECTOR GENERAL*

16 *For necessary expenses to carry out the provisions of*  
 17 *section 667 of the Foreign Assistance Act of 1961,*  
 18 *\$38,000,000, to remain available until September 30, 2009,*  
 19 *which sum shall be available for the Office of the Inspector*  
 20 *General of the United States Agency for International De-*  
 21 *velopment.*

22 *OTHER BILATERAL ECONOMIC ASSISTANCE*  
 23 *ECONOMIC SUPPORT FUND*  
 24 *(INCLUDING TRANSFER OF FUNDS)*

25 *For necessary expenses to carry out the provisions of*  
 26 *chapter 4 of part II of the Foreign Assistance Act of 1961,*

1 \$3,015,000,000, to remain available until September 30,  
2 2009: Provided, That funds appropriated under this head-  
3 ing that are available for Egypt shall be provided with the  
4 understanding that Egypt will undertake significant eco-  
5 nomic and democratic reforms which are additional to those  
6 which were undertaken in previous fiscal years, including  
7 the benchmarks accompanying the “Financial Sector Re-  
8 form Memorandum of Understanding” dated March 20,  
9 2005: Provided further, That with respect to the provision  
10 of assistance for Egypt for democracy, human rights and  
11 governance activities, the organizations implementing such  
12 assistance and the specific nature of that assistance shall  
13 not be subject to the prior approval by the Government of  
14 Egypt: Provided further, That of the funds appropriated  
15 under this heading that are available for assistance for  
16 Egypt, not less than \$15,000,000 should be made available  
17 for democracy, human rights and governance programs and  
18 not less than \$50,000,000 should be used for education pro-  
19 grams, of which not less than \$10,000,000 should be made  
20 available for scholarships for Egyptian students with high  
21 financial need to attend United States accredited institu-  
22 tions of higher education in Egypt: Provided further, That  
23 funds appropriated under this heading that are available  
24 for assistance for Cyprus should be used only for scholar-  
25 ships, administrative support of the scholarship program,



1 *bicommunal projects, and measures aimed at reunification*  
2 *of the island and designed to reduce tensions and promote*  
3 *peace and cooperation between the two communities on Cy-*  
4 *prus: Provided further, That of the funds appropriated*  
5 *under this heading, \$363,547,000 shall be made available*  
6 *for assistance for Jordan: Provided further, That of the*  
7 *funds appropriated under this heading, \$75,000,000 shall*  
8 *be made available for assistance for the West Bank and*  
9 *Gaza, of which not to exceed \$2,000,000 may be used for*  
10 *administrative expenses of the United States Agency for*  
11 *International Development, in addition to funds otherwise*  
12 *available for such purposes, to carry out programs in the*  
13 *West Bank and Gaza: Provided further, That of the funds*  
14 *appropriated under this heading, not less than \$30,000,000*  
15 *shall be made available for assistance for the Philippines*  
16 *and not less than \$10,700,000 shall be made available for*  
17 *assistance for Vietnam: Provided further, That \$45,000,000*  
18 *of the funds appropriated under this heading shall be made*  
19 *available for assistance for Lebanon, of which not less than*  
20 *\$10,000,000 should be made available for scholarships and*  
21 *direct support of United States educational institutions in*  
22 *Lebanon, and of which not less than \$500,000 shall be made*  
23 *available to the United States Forest Service for forest man-*  
24 *agement and wildlife conservation programs in Lebanon:*  
25 *Provided further, That of the funds appropriated under this*

1 heading, not less than \$5,000,000 shall be made available  
2 for the fund established by section 2108 of Public Law 109–  
3 13: Provided further, That of the funds appropriated under  
4 this heading, \$3,000,000 shall be made available for pro-  
5 grams to promote democracy and human rights in North  
6 Korea: Provided further, That of the funds appropriated  
7 under this heading for assistance for Cambodia,  
8 \$15,000,000 shall be made available to support, democracy,  
9 the rule of law, and human rights in Cambodia, including  
10 assistance for democratic political parties: Provided further,  
11 That notwithstanding any other provision of law, funds ap-  
12 propriated under this heading may be made available for  
13 programs and activities in the Central Highlands of Viet-  
14 nam: Provided further, That of the funds appropriated  
15 under this heading for the Middle East Partnership Initia-  
16 tive, not less than \$5,000,000 shall be made available to  
17 rescue Iraqi scholars: Provided further, That of the funds  
18 appropriated under this heading that are available for as-  
19 sistance for the Democratic Republic of Timor-Leste, up to  
20 \$1,000,000 may be available for administrative expenses of  
21 the United States Agency for International Development in  
22 addition to amounts otherwise made available for such pur-  
23 poses: Provided further, That of the funds appropriated  
24 under this heading, not less than \$12,000,000 shall be made  
25 available for a United States contribution to the Special

1 *Court for Sierra Leone, not less than \$3,000,000 shall be*  
2 *made available for a United States contribution to the Ex-*  
3 *tractive Industries Transparency Initiative Trust Fund,*  
4 *not less than \$3,000,000 shall be made available to support*  
5 *implementation of the Kimberley Process Certification*  
6 *Scheme with an emphasis on support for regional efforts*  
7 *to combat cross-border smuggling and for monitoring by*  
8 *civil society groups, not less than \$4,000,000 should be*  
9 *made available for a United States contribution to the*  
10 *International Commission Against Impunity in Guate-*  
11 *mala, not less than \$2,500,000 shall be made available for*  
12 *East Asia and Pacific Environmental Initiatives, and not*  
13 *less than \$5,000,000 shall be made available for programs*  
14 *to protect biodiversity in Colombia's national parks and in-*  
15 *digenous reserves: Provided further, That funds appro-*  
16 *priated under this heading that are made available for a*  
17 *Middle East Financing Facility, Middle East Enterprise*  
18 *Fund, or any other similar entity in the Middle East shall*  
19 *be subject to the regular notification procedures of the Com-*  
20 *mittees on Appropriations: Provided further, That of the*  
21 *funds appropriated under this heading, not less than*  
22 *\$10,000,000 shall be made available for labor and environ-*  
23 *mental capacity building activities relating to the free trade*  
24 *agreements with the countries of Central America and the*  
25 *Dominican Republic: Provided further, That of the funds*

1 appropriated under this heading, \$45,700,000 should be  
2 made available to promote democracy in Cuba, and to as-  
3 sist the pro-democracy movement in Cuba: Provided fur-  
4 ther, That of the funds appropriated under this heading,  
5 not less than \$10,000,000 should be made available for (1)  
6 programs to locate and identify persons missing as a result  
7 of armed conflict, violations of human rights, or natural  
8 disasters; (2) to assist governments in meeting their obliga-  
9 tions regarding missing persons; and (3) to support inves-  
10 tigations and prosecutions related to war crimes, crimes  
11 against humanity, genocide and other crimes under inter-  
12 national law: Provided further, That of the funds appro-  
13 priated under this heading, not more than \$500,000 should  
14 be made available for the Department of Energy's National  
15 Nuclear Security Administration to support initiatives  
16 which bring together public officials and private individ-  
17 uals from nations involved in the Six-Party Talks for infor-  
18 mal discussions on resolving the North Korea nuclear issue.

19 ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC

20 STATES

21 (a) For necessary expenses to carry out the provisions  
22 of the Foreign Assistance Act of 1961 and the Support for  
23 East European Democracy (SEED) Act of 1989,  
24 \$294,568,000, to remain available until September 30,  
25 2009, which shall be available, notwithstanding any other

1 *provision of law, for assistance and for related programs*  
 2 *for Eastern Europe and the Baltic States.*

3 *(b) Funds appropriated under this heading shall be*  
 4 *considered to be economic assistance under the Foreign As-*  
 5 *sistance Act of 1961 for purposes of making available the*  
 6 *administrative authorities contained in that Act for the use*  
 7 *of economic assistance.*

8 *(c) The provisions of section 628 of this Act shall apply*  
 9 *to funds appropriated under this heading: Provided, That*  
 10 *notwithstanding any provision of this or any other Act, in-*  
 11 *cluding provisions in this subsection regarding the applica-*  
 12 *tion of section 628 of this Act, local currencies generated*  
 13 *by, or converted from, funds appropriated by this Act and*  
 14 *by previous appropriations Acts and made available for the*  
 15 *economic revitalization program in Bosnia may be used in*  
 16 *Eastern Europe and the Baltic States to carry out the pro-*  
 17 *visions of the Foreign Assistance Act of 1961 and the Sup-*  
 18 *port for East European Democracy (SEED) Act of 1989.*

19 *ASSISTANCE FOR THE INDEPENDENT STATES OF THE*  
 20 *FORMER SOVIET UNION*

21 *For necessary expenses to carry out the provisions of*  
 22 *chapters 11 and 12 of part I of the Foreign Assistance Act*  
 23 *of 1961 and the FREEDOM Support Act, for assistance*  
 24 *for the Independent States of the former Soviet Union and*  
 25 *for related programs, \$401,885,000, to remain available*  
 26 *until September 30, 2009: Provided, That the provisions of*

1 such chapters shall apply to funds appropriated by this  
2 paragraph: Provided further, That funds made available for  
3 the Southern Caucasus region may be used, notwith-  
4 standing any other provision of law, for confidence-building  
5 measures and other activities in furtherance of the peaceful  
6 resolution of regional conflicts, especially those in the vicin-  
7 ity of Abkhazia and Nagorno-Karabagh: Provided further,  
8 That of the funds appropriated under this heading, not less  
9 than \$8,000,000 shall be made available for humanitarian,  
10 conflict mitigation, human rights, civil society, and relief  
11 and recovery assistance for Chechnya, Ingushetia, Dage-  
12 stan, and North Ossetia-Alania in the North Caucasus: Pro-  
13 vided further, That of the funds appropriated under this  
14 heading that are available for assistance for Russia, not less  
15 than \$500,000 shall be made available to the United States  
16 Forest Service for forest management and wildlife conserva-  
17 tion programs in the Russian Far East: Provided further,  
18 That notwithstanding any other provision of law, funds ap-  
19 propriated under this heading in this Act or prior Acts  
20 making appropriations for foreign operations, export fi-  
21 nancing, and related programs, that are made available  
22 pursuant to the provisions of section 807 of Public Law  
23 102–511 shall be subject to a 6 percent ceiling on adminis-  
24 trative expenses.

1 *INDEPENDENT AGENCIES*2 *INTER-AMERICAN FOUNDATION*

3 *For necessary expenses to carry out the functions of*  
4 *the Inter-American Foundation in accordance with the pro-*  
5 *visions of section 401 of the Foreign Assistance Act of 1969,*  
6 *\$22,000,000, to remain available until September 30, 2009.*

7 *AFRICAN DEVELOPMENT FOUNDATION*

8 *For necessary expenses to carry out title V of the Inter-*  
9 *national Security and Development Cooperation Act of*  
10 *1980, Public Law 96–533, \$30,000,000, to remain available*  
11 *until September 30, 2009: Provided, That funds made*  
12 *available to grantees may be invested pending expenditure*  
13 *for project purposes when authorized by the Board of Direc-*  
14 *tors of the Foundation: Provided further, That interest*  
15 *earned shall be used only for the purposes for which the*  
16 *grant was made: Provided further, That notwithstanding*  
17 *section 505(a)(2) of the African Development Foundation*  
18 *Act, (1) in exceptional circumstances the Board of Directors*  
19 *of the Foundation may waive the \$250,000 limitation con-*  
20 *tained in that section with respect to a project and (2) a*  
21 *project may exceed the limitation by up to \$10,000 if the*  
22 *increase is due solely to foreign currency fluctuation: Pro-*  
23 *vided further, That the Foundation shall provide a report*  
24 *to the Committees on Appropriations after each time such*  
25 *waiver authority is exercised.*

## PEACE CORPS

## (INCLUDING TRANSFER OF FUNDS)

1           *For necessary expenses to carry out the provisions of*  
2           *the Peace Corps Act (75 Stat. 612), including the purchase*  
3           *of not to exceed five passenger motor vehicles for adminis-*  
4           *trative purposes for use outside of the United States,*  
5           *\$323,500,000, to remain available until September 30,*  
6           *2009: Provided, That none of the funds appropriated under*  
7           *this heading shall be used to pay for abortions: Provided*  
8           *further, That the Director may transfer to the Foreign Cur-*  
9           *rency Fluctuations Account, as authorized by 22 U.S.C.*  
10           *2515, an amount not to exceed \$2,000,000: Provided fur-*  
11           *ther, That funds transferred pursuant to the previous pro-*  
12           *viso may not be derived from amounts made available for*  
13           *Peace Corps overseas operations.*

## MILLENNIUM CHALLENGE CORPORATION

14           *For necessary expenses to carry out the provisions of*  
15           *the Millennium Challenge Act of 2003, \$1,200,000,000, to*  
16           *remain available until expended: Provided, That of the*  
17           *funds appropriated under this heading, up to \$75,000,000*  
18           *may be available for administrative expenses of the Millen-*  
19           *nium Challenge Corporation: Provided further, That up to*  
20           *10 percent of the funds appropriated under this heading*  
21           *may be made available to carry out the purposes of section*  
22           *616 of the Millennium Challenge Act of 2003 for candidate*  
23           *countries for fiscal year 2008: Provided further, That none*



1 of the funds available to carry out section 616 of such Act  
2 may be made available until the Chief Executive Officer  
3 of the Millennium Challenge Corporation provides a report  
4 to the Committees on Appropriations listing the candidate  
5 countries that will be receiving assistance under section 616  
6 of such Act, the level of assistance proposed for each such  
7 country, a description of the proposed programs, projects  
8 and activities, and the implementing agency or agencies of  
9 the United States Government: Provided further, That sec-  
10 tion 605(e)(4) of the Millennium Challenge Act of 2003 shall  
11 apply to funds appropriated under this heading: Provided  
12 further, That funds appropriated under this heading may  
13 be made available for a Millennium Challenge Compact en-  
14 tered into pursuant to section 609 of the Millennium Chal-  
15 lenge Act of 2003 only if such Compact obligates not more  
16 than 50 percent of the entire amount of the United States  
17 Government funding anticipated for the duration of the  
18 Compact, or contains a commitment to obligate subject to  
19 the availability of funds and the mutual agreement of the  
20 parties to the Compact to proceed the entire amount of the  
21 United States Government funding anticipated for the du-  
22 ration of the Compact.

*DEPARTMENT OF STATE**DEMOCRACY FUND*

*(a) For necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961 for the promotion of democracy globally, \$177,000,000, of which the following amounts shall be made available, subject to the regular notification procedures of the Committees on Appropriations, until September 30, 2010—*

*(1) \$75,000,000 for the Human Rights and Democracy Fund of the Bureau of Democracy, Human Rights and Labor, Department of State, of which \$15,000,000 shall be for democracy and rule of law programs in the People's Republic of China, Hong Kong, and Taiwan: Provided, That assistance for Taiwan should be matched from sources other than the United States Government: Provided further, That \$10,000,000 shall be made available for programs and activities for the promotion of democracy in countries located outside the Middle East region with a significant Muslim population, and where such programs and activities would be important to United States efforts to respond to, deter, or prevent acts of international terrorism: Provided further, That funds used for such purposes should support new initiatives and activities in those countries; and*

1           (2) \$102,000,000 for the National Endowment  
2       for Democracy: Provided, That of the funds appro-  
3       priated by this Act under the headings “Development  
4       Assistance”, “Economic Support Fund”, and “Assist-  
5       ance for the Independent States of the Former Soviet  
6       Union”, an additional \$18,000,000 shall be made  
7       available for the programs and activities of the Na-  
8       tional Endowment of Democracy.

9       (b) Funds appropriated by this Act that are made  
10      available for the promotion of democracy may be made  
11      available notwithstanding any other provision of this or  
12      any other Act and, with regard to the National Endowment  
13      for Democracy, any regulation. Funds appropriated under  
14      this heading are in addition to funds otherwise available  
15      for such purposes.

16      (c) The Assistant Secretary of State for Democracy,  
17      Human Rights and Labor shall be responsible for—

18           (1) all policy, funding, and programming deci-  
19      sions regarding funds made available in this Act and  
20      subsequent Acts making appropriations for the De-  
21      partment of State, foreign operations, export financ-  
22      ing, and related programs for the Human Rights and  
23      Democracy Fund of the Bureau of Democracy,  
24      Human Rights, and Labor; and

1           (2) *the development of strategies for the pro-*  
2           *motion of democracy globally and the coordination of*  
3           *democracy programs between the United States De-*  
4           *partment of State and the United States Agency for*  
5           *International Development.*

6           (d) *For the purposes of funds appropriated by this Act,*  
7           *the term “promotion of democracy” means programs that*  
8           *support good governance, human rights, independent*  
9           *media, and the rule of law, and otherwise strengthen the*  
10          *capacity of democratic political parties, governments, non-*  
11          *governmental organizations and institutions, and citizens*  
12          *to support the development of democratic states, institu-*  
13          *tions, and practices that are responsive and accountable to*  
14          *citizens.*

15          (e) *Any contract, grant or cooperative agreement (or*  
16          *any amendment to any contract, grant, or cooperative*  
17          *agreement) in excess of \$2,500,000 for the promotion of de-*  
18          *mocracy under this Act shall be subject to the regular notifi-*  
19          *cation procedures of the Committees on Appropriations.*

20           *INTERNATIONAL NARCOTICS CONTROL AND LAW*  
21           *ENFORCEMENT*

22          *For necessary expenses to carry out section 481 of the*  
23          *Foreign Assistance Act of 1961, \$558,449,000, to remain*  
24          *available until September 30, 2010: Provided, That during*  
25          *fiscal year 2008, the Department of State may also use the*  
26          *authority of section 608 of the Foreign Assistance Act of*

1 1961, without regard to its restrictions, to receive excess  
2 property from an agency of the United States Government  
3 for the purpose of providing it to a foreign country under  
4 chapter 8 of part I of that Act subject to the regular notifi-  
5 cation procedures of the Committees on Appropriations:  
6 Provided further, That the Secretary of State shall provide  
7 to the Committees on Appropriations not later than 45 days  
8 after the date of the enactment of this Act and prior to the  
9 initial obligation of funds appropriated under this heading,  
10 a report on the proposed uses of all funds under this head-  
11 ing on a country-by-country basis for each proposed pro-  
12 gram, project, or activity: Provided further, That of the  
13 funds appropriated under this heading, not less than  
14 \$19,000,000 shall be made available for training programs  
15 and activities of the International Law Enforcement Acad-  
16 emies: Provided further, That funds appropriated under  
17 this heading shall be made available for training of foreign  
18 law enforcement and judicial personnel in the prevention  
19 of violence and discrimination on account of sexual orienta-  
20 tion or gender identity: Provided further, That of the funds  
21 appropriated under this heading, not less than \$10,500,000  
22 should be made available for programs to combat trafficking  
23 in persons and migrant smuggling: Provided further, That  
24 of the funds appropriated under this heading, not more

1 *than \$38,000,000 may be available for administrative ex-*  
2 *penses.*

3 *ANDEAN PROGRAMS*

4 *(INCLUDING TRANSFER OF FUNDS)*

5 *(a) For necessary expenses to carry out section 481 of*  
6 *the Foreign Assistance Act of 1961 to support counterdrug,*  
7 *economic and social development, rule of law, and other ac-*  
8 *tivities in the Andean region of South America,*  
9 *\$415,050,000, to remain available until September 30,*  
10 *2010.*

11 *(b) In fiscal year 2008, funds available to the Depart-*  
12 *ment of State for assistance to the Government of Colombia*  
13 *may be made available to support a unified campaign*  
14 *against drug trafficking, against activities by organizations*  
15 *designated as Foreign Terrorist Organizations, and to take*  
16 *actions to protect human health and welfare in emergency*  
17 *circumstances, including undertaking rescue operations:*  
18 *Provided, That this authority shall cease to be effective if*  
19 *the Secretary of State has credible evidence that the Colom-*  
20 *bian Armed Forces are not conducting vigorous operations*  
21 *to restore civilian government authority and respect for*  
22 *human rights in areas under the effective control of para-*  
23 *military organizations or successor armed groups: Provided*  
24 *further, That the President shall ensure that if any heli-*  
25 *copter procured with funds under this heading is used to*  
26 *aid or abet the operations of any such organization, the*

1 *helicopter shall be immediately returned to the United*  
2 *States: Provided further, That section 482(b) of the Foreign*  
3 *Assistance Act of 1961 shall not apply to funds appro-*  
4 *priated under this heading: Provided further, That assist-*  
5 *ance provided with funds appropriated under this heading*  
6 *that is made available notwithstanding section 482(b) of*  
7 *the Foreign Assistance Act of 1961 shall be made available*  
8 *subject to the regular notification procedures of the Commit-*  
9 *tees on Appropriations.*

10 *(c) Of the funds appropriated under this heading that*  
11 *are available for assistance for Colombia, not less than*  
12 *\$22,000,000 shall be made available for the Office of the*  
13 *Attorney General, of which \$5,000,000 shall be for the*  
14 *Human Rights Unit, \$5,000,000 shall be for the Justice and*  
15 *Peace Unit, \$9,000,000 shall be used to develop a witness*  
16 *protection program for victims of armed groups, and*  
17 *\$3,000,000 shall be for investigations of mass graves and*  
18 *identification of remains: Provided further, That of the*  
19 *funds appropriated under this heading that are available*  
20 *for assistance for Colombia, \$5,000,000 shall be for the Of-*  
21 *fice of the Procuraduria General de la Nacion, \$3,000,000*  
22 *shall be for the Office of the Defensoria del Pueblo, and*  
23 *\$750,000 shall be made available for a United States con-*  
24 *tribution to the Office of the United Nations High Commis-*  
25 *sioner for Human Rights in Colombia to support moni-*

1 toring and public reporting of human rights conditions in  
2 the field.

3       (d) Funds appropriated by this Act that are available  
4 for aerial eradication of coca in Colombia may be made  
5 available only for targeted eradication in specific areas and  
6 only if the Secretary of State certifies to the Committees  
7 on Appropriations that manual eradication in such areas  
8 is not practicable and that aerial eradication will not con-  
9 tribute to a significant loss of biodiversity: Provided, That  
10 not more than 20 percent of such funds may be made avail-  
11 able unless the Secretary of State certifies to the Committees  
12 on Appropriations that: (1) the herbicide is being used in  
13 accordance with EPA label requirements for comparable use  
14 in the United States and with Colombian laws; and (2)  
15 the herbicide, in the manner it is being used, does not pose  
16 unreasonable risks or adverse effects to humans or the envi-  
17 ronment including endemic species: Provided further, That  
18 such funds may not be made available unless the Secretary  
19 of State certifies to the Committees on Appropriations that  
20 complaints of harm to health or licit crops caused by such  
21 aerial eradication are thoroughly evaluated and fair com-  
22 pensation is being paid in a timely manner for meritorious  
23 claims, and the Secretary submits a report to the Commit-  
24 tees on Appropriations detailing all claims, evaluations,  
25 and compensation paid during the twelve month period



1 prior to the date of enactment of this Act: Provided further,  
2 That such funds may not be made available for such pur-  
3 poses unless programs are being implemented by the United  
4 States Agency for International Development, the Govern-  
5 ment of Colombia, or other organizations, in consultation  
6 and coordination with local communities, to provide alter-  
7 native sources of income in municipalities where security  
8 permits for small-acreage growers whose illicit crops are  
9 targeted for aerial eradication: Provided further, That  
10 funds appropriated by this Act may be used for aerial  
11 eradication in Colombia's national parks or reserves only  
12 if the Secretary of State certifies to the Committees on Ap-  
13 propriations on a case-by-case basis that there are no prac-  
14 ticable alternatives and the eradication is conducted in ac-  
15 cordance with Colombian laws: Provided further, That of  
16 the funds appropriated under this heading that are avail-  
17 able for Colombia, \$10,000,000 shall be transferred to, and  
18 merged with, funds appropriated under the heading "For-  
19 eign Military Financing Program" and shall be made  
20 available only for assistance for the Colombian military to  
21 provide security for manual eradication programs, includ-  
22 ing in national parks: Provided further, That none of the  
23 funds appropriated by this Act shall be made available for  
24 the cultivation or processing of African oil palm, if doing  
25 so would contribute to significant loss of native species, dis-

1 *rupt or contaminate natural water sources, reduce local*  
2 *food security, or cause the forced displacement of local peo-*  
3 *ple.*

4 *(e) No United States Armed Forces personnel or*  
5 *United States civilian contractor employed by the United*  
6 *States will participate in any combat operation in connec-*  
7 *tion with assistance made available by this Act for Colom-*  
8 *bia.*

9 *(f) Rotary and fixed wing aircraft supported with*  
10 *funds appropriated under this heading for assistance for*  
11 *Colombia should be used for drug eradication and interdic-*  
12 *tion including to transport personnel in connection with*  
13 *manual eradication programs, and to provide transport in*  
14 *support of alternative development programs and investiga-*  
15 *tions of cases under the jurisdiction of the Attorney General,*  
16 *the Procuraduria General de la Nacion, and the Defensoria*  
17 *del Pueblo.*

18 *(g) Funds appropriated under this heading that are*  
19 *made available for assistance for the Bolivian military and*  
20 *police may be made available for such purposes only if the*  
21 *Secretary of State certifies to the Committees on Appropria-*  
22 *tions that the Bolivian military and police are respecting*  
23 *human rights, and civilian judicial authorities are inves-*  
24 *tigating and prosecuting, with the full cooperation, mili-*

1 tary and police personnel who have been implicated in the  
2 military and police gross violations of human rights.

3 (h) Of the funds appropriated under this heading, not  
4 more than \$16,000,000 may be available for administrative  
5 expenses of the Department of State, and not more than  
6 \$8,000,000 may be available, in addition to amounts other-  
7 wise available for such purposes, for administrative ex-  
8 penses of the United States Agency for International Devel-  
9 opment.

10 (i) The Secretary of State, in consultation with the  
11 Administrator of the United States Agency for Inter-  
12 national Development, shall provide to the Committees on  
13 Appropriations not later than 45 days after the date of the  
14 enactment of this Act and prior to the initial obligation  
15 of funds appropriated under this heading, a report on the  
16 proposed uses of all funds under this heading on a country-  
17 by-country basis for each proposed program, project, or ac-  
18 tivity.

19 *MIGRATION AND REFUGEE ASSISTANCE*

20 For expenses, not otherwise provided for, necessary to  
21 enable the Secretary of State to provide, as authorized by  
22 law, a contribution to the International Committee of the  
23 Red Cross, assistance to refugees, including contributions  
24 to the International Organization for Migration and the  
25 United Nations High Commissioner for Refugees, and other  
26 activities to meet refugee and migration needs; salaries and

1 *expenses of personnel and dependents as authorized by the*  
2 *Foreign Service Act of 1980; allowances as authorized by*  
3 *sections 5921 through 5925 of title 5, United States Code;*  
4 *purchase and hire of passenger motor vehicles; and services*  
5 *as authorized by section 3109 of title 5, United States Code,*  
6 *\$889,000,000, to remain available until expended: Pro-*  
7 *vided, That not more than \$23,000,000 may be available*  
8 *for administrative expenses: Provided further, That*  
9 *\$40,000,000 of the funds made available under this heading*  
10 *shall be made available for refugees resettling in Israel: Pro-*  
11 *vided further, That funds made available under this head-*  
12 *ing shall be made available for assistance for refugees from*  
13 *North Korea.*

14 *UNITED STATES EMERGENCY REFUGEE AND MIGRATION*  
15 *ASSISTANCE FUND*

16 *For necessary expenses to carry out the provisions of*  
17 *section 2(c) of the Migration and Refugee Assistance Act*  
18 *of 1962, as amended (22 U.S.C. 2601(c)), \$45,000,000, to*  
19 *remain available until expended: Provided, That funds*  
20 *made available under this heading are appropriated not-*  
21 *withstanding the provisions contained in section 2(c)(2) of*  
22 *such Act which would limit the amount of funds which*  
23 *could be appropriated for this purpose.*

**HR 2764 PP**

1 *the Independent States of the former Soviet Union and*  
 2 *international organizations when it is in the national secu-*  
 3 *rity interest of the United States to do so: Provided further,*  
 4 *That of the funds appropriated under this heading, not less*  
 5 *than \$30,000,000 shall be made available for the Biosecu-*  
 6 *rity Engagement Program: Provided further, That funds*  
 7 *appropriated under this heading may be made available for*  
 8 *the International Atomic Energy Agency only if the Sec-*  
 9 *retary of State determines (and so reports to the Congress)*  
 10 *that Israel is not being denied its right to participate in*  
 11 *the activities of that Agency: Provided further, That of the*  
 12 *funds made available for demining and related activities,*  
 13 *not to exceed \$700,000, in addition to funds otherwise*  
 14 *available for such purposes, may be used for administrative*  
 15 *expenses related to the operation and management of the*  
 16 *demining program: Provided further, That funds appro-*  
 17 *priated under this heading that are available for “Anti-ter-*  
 18 *rorism Assistance” and “Export Control and Border Secu-*  
 19 *rity” shall remain available until September 30, 2009.*

20 *DEPARTMENT OF THE TREASURY*

21 *INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE*

22 *For necessary expenses to carry out the provisions of*  
 23 *section 129 of the Foreign Assistance Act of 1961,*  
 24 *\$22,800,000, to remain available until September 30, 2010,*

1 *which shall be available notwithstanding any other provi-*  
2 *sion of law.*

3 *DEBT RESTRUCTURING*

4 *For the cost, as defined in section 502 of the Congres-*  
5 *sional Budget Act of 1974, of modifying loans and loan*  
6 *guarantees, as the President may determine, for which*  
7 *funds have been appropriated or otherwise made available*  
8 *for programs within the International Affairs Budget Func-*  
9 *tion 150, including the cost of selling, reducing, or canceling*  
10 *amounts owed to the United States as a result of*  
11 *concessional loans made to eligible countries, pursuant to*  
12 *parts IV and V of the Foreign Assistance Act of 1961, of*  
13 *modifying concessional credit agreements with least devel-*  
14 *oped countries, as authorized under section 411 of the Agri-*  
15 *cultural Trade Development and Assistance Act of 1954, as*  
16 *amended, of concessional loans, guarantees and credit*  
17 *agreements, as authorized under section 572 of the Foreign*  
18 *Operations, Export Financing, and Related Programs Ap-*  
19 *propriations Act, 1989 (Public Law 100–461), and of can-*  
20 *celing amounts owed, as a result of loans or guarantees*  
21 *made pursuant to the Export-Import Bank Act of 1945, by*  
22 *countries that are eligible for debt reduction pursuant to*  
23 *title V of H.R. 3425 as enacted into law by section*  
24 *1000(a)(5) of Public Law 106–113, \$200,300,000, to re-*  
25 *main available until September 30, 2010: Provided, That*  
26 *not less than \$20,000,000 of the funds appropriated under*

1 *this heading shall be made available to carry out the provi-*  
2 *sions of part V of the Foreign Assistance Act of 1961: Pro-*  
3 *vided further, That amounts paid to the HIPC Trust Fund*  
4 *may be used only to fund debt reduction under the enhanced*  
5 *HIPC initiative by—*

6 *(1) the Inter-American Development Bank;*

7 *(2) the African Development Fund;*

8 *(3) the African Development Bank; and*

9 *(4) the Central American Bank for Economic In-*  
10 *tegration:*

11 *Provided further, That funds may not be paid to the HIPC*  
12 *Trust Fund for the benefit of any country if the Secretary*  
13 *of State has credible evidence that the government of such*  
14 *country is engaged in a consistent pattern of gross viola-*  
15 *tions of internationally recognized human rights or in mili-*  
16 *tary or civil conflict that undermines its ability to develop*  
17 *and implement measures to alleviate poverty and to devote*  
18 *adequate human and financial resources to that end: Pro-*  
19 *vided further, That on the basis of final appropriations, the*  
20 *Secretary of the Treasury shall consult with the Committees*  
21 *on Appropriations concerning which countries and inter-*  
22 *national financial institutions are expected to benefit from*  
23 *a United States contribution to the HIPC Trust Fund dur-*  
24 *ing the fiscal year: Provided further, That the Secretary of*  
25 *the Treasury shall inform the Committees on Appropria-*



1 tions not less than 15 days in advance of the signature of  
2 an agreement by the United States to make payments to  
3 the HIPC Trust Fund of amounts for such countries and  
4 institutions: Provided further, That the Secretary of the  
5 Treasury may disburse funds designated for debt reduction  
6 through the HIPC Trust Fund only for the benefit of coun-  
7 tries that—

8           (1) have committed, for a period of 24 months,  
9       not to accept new market-rate loans from the inter-  
10      national financial institution receiving debt repay-  
11      ment as a result of such disbursement, other than  
12      loans made by such institutions to export-oriented  
13      commercial projects that generate foreign exchange  
14      which are generally referred to as “enclave” loans;  
15      and

16           (2) have documented and demonstrated their  
17      commitment to redirect their budgetary resources  
18      from international debt repayments to programs to  
19      alleviate poverty and promote economic growth that  
20      are additional to or expand upon those previously  
21      available for such purposes:

22 Provided further, That any limitation of subsection (e) of  
23 section 411 of the Agricultural Trade Development and As-  
24 sistance Act of 1954 shall not apply to funds appropriated  
25 under this heading: Provided further, That none of the

1 *funds made available under this heading in this or any*  
 2 *other appropriations Act shall be made available for Sudan*  
 3 *or Burma unless the Secretary of the Treasury determines*  
 4 *and notifies the Committees on Appropriations that a*  
 5 *democratically elected government has taken office.*

6 *SUPPORT OF FOREIGN LAW ENFORCEMENT EFFORTS TO LO-*  
 7 *CATE UNITED STATES CITIZENS KIDNAPPED IN AREAS*  
 8 *AFFECTED BY VIOLENT DRUG TRAFFICKING*

9 *SEC. 301. Funds appropriated or otherwise made*  
 10 *available by this title under the heading “INTERNATIONAL*  
 11 *NARCOTICS CONTROL AND LAW ENFORCEMENT” should be*  
 12 *available for the support of efforts of foreign law enforce-*  
 13 *ment authorities to locate United States citizens who have*  
 14 *been kidnapped in, or are otherwise missing from, areas*  
 15 *affected by violent drug trafficking.*

#### 16 *TITLE IV*

#### 17 *MILITARY ASSISTANCE*

#### 18 *FUNDS APPROPRIATED TO THE PRESIDENT*

#### 19 *INTERNATIONAL MILITARY EDUCATION AND TRAINING*

20 *For necessary expenses to carry out the provisions of*  
 21 *section 541 of the Foreign Assistance Act of 1961,*  
 22 *\$85,877,000, of which up to \$3,000,000 may remain avail-*  
 23 *able until expended: Provided, That funds appropriated*  
 24 *under this heading shall not be available for Equatorial*  
 25 *Guinea: Provided further, That the civilian personnel for*

1 *whom military education and training may be provided*  
 2 *under this heading may include civilians who are not mem-*  
 3 *bers of a government whose participation would contribute*  
 4 *to improved civil-military relations, civilian control of the*  
 5 *military, or respect for human rights: Provided further,*  
 6 *That funds appropriated under this heading that are made*  
 7 *available for assistance for Angola, Cameroon, Central Afri-*  
 8 *can Republic, Chad, Cote d'Ivoire, Guinea, Libya, and*  
 9 *Nepal may be made available only for expanded inter-*  
 10 *national military education and training: Provided fur-*  
 11 *ther, That expanded international military education and*  
 12 *training may include English language training for pur-*  
 13 *poses of funds appropriated under this heading: Provided*  
 14 *further, That funds made available under this heading for*  
 15 *assistance for Haiti, Guatemala, the Democratic Republic*  
 16 *of the Congo, Sri Lanka, Ethiopia, Bangladesh, Libya, An-*  
 17 *gola, and Nigeria may only be provided through the regular*  
 18 *notification procedures of the Committees on Appropria-*  
 19 *tions.*

20 *FOREIGN MILITARY FINANCING PROGRAM*

21 *For expenses necessary for grants to enable the Presi-*  
 22 *dent to carry out the provisions of section 23 of the Arms*  
 23 *Export Control Act, \$4,579,000,000: Provided, That of the*  
 24 *funds appropriated under this heading, not less than*  
 25 *\$2,400,000,000 shall be available for grants only for Israel:*  
 26 *Provided further, That the funds appropriated by this para-*

1 *graph for Israel shall be disbursed within 30 days of the*  
2 *enactment of this Act or by October 31, 2007, whichever*  
3 *is later: Provided further, That to the extent that the Gov-*  
4 *ernment of Israel requests that funds be used for such pur-*  
5 *poses, grants made available for Israel by this paragraph*  
6 *shall, as agreed by Israel and the United States, be avail-*  
7 *able for advanced weapons systems, of which not less than*  
8 *\$631,200,000 shall be available for the procurement in*  
9 *Israel of defense articles and defense services, including re-*  
10 *search and development: Provided further, That of the funds*  
11 *appropriated by this paragraph, \$300,000,000 shall be*  
12 *made available for assistance for Jordan: Provided further,*  
13 *That of the funds appropriated under this heading, not less*  
14 *than \$8,413,000 shall be made available for assistance for*  
15 *Tunisia: Provided further, That of the funds appropriated*  
16 *under this heading that are available for assistance for Mo-*  
17 *rocco, not more than \$2,000,000 may be obligated until the*  
18 *Secretary of State certifies and reports to the Committees*  
19 *on Appropriations that Moroccan Government authorities*  
20 *in the territory of the Western Sahara have (1) ceased to*  
21 *persecute, detain, and prosecute individuals for peacefully*  
22 *expressing their opinions regarding the status and future*  
23 *of the Western Sahara and for documenting violations of*  
24 *human rights; and (2) provided unimpeded access to inter-*  
25 *nationally recognized human rights organizations, journal-*

1 ists, and representatives of foreign governments to the West-  
2 ern Sahara: Provided further, That of the funds appro-  
3 priated under this heading, not less than \$1,300,000,000  
4 shall be made available for grants only for Egypt: Provided  
5 further, That funds made available under this heading for  
6 assistance for Egypt should be made available for  
7 counterterrorism and border security programs in the  
8 Sinai: Provided further, That of the funds appropriated  
9 under this heading that are available for Colombia,  
10 \$10,000,000 shall be made available for medical and reha-  
11 bilitation assistance, removal of landmines, and to enhance  
12 communications capabilities: Provided further, That funds  
13 appropriated or otherwise made available by this para-  
14 graph shall be nonrepayable notwithstanding any require-  
15 ment in section 23 of the Arms Export Control Act: Pro-  
16 vided further, That funds made available under this para-  
17 graph shall be obligated upon apportionment in accordance  
18 with paragraph (5)(C) of title 31, United States Code, sec-  
19 tion 1501(a): Provided further, That 0.1 percent of the  
20 funds appropriated under this heading shall be transferred  
21 to and merged with funds appropriated under the heading  
22 “Economic Support Fund” to be made available to the Bu-  
23 reau of Democracy, Human Rights and Labor, Department  
24 of State, to ensure adequate monitoring of the use of assist-  
25 ance made available under this heading in countries where

1 *such monitoring is most needed, in addition to amounts*  
2 *otherwise available for such purposes.*

3 *None of the funds made available under this heading*  
4 *shall be available to finance the procurement of defense arti-*  
5 *cles, defense services, or design and construction services*  
6 *that are not sold by the United States Government under*  
7 *the Arms Export Control Act unless the foreign country pro-*  
8 *posing to make such procurements has first signed an agree-*  
9 *ment with the United States Government specifying the*  
10 *conditions under which such procurements may be financed*  
11 *with such funds: Provided, That all country and funding*  
12 *level increases in allocations shall be submitted through the*  
13 *regular notification procedures of section 515 of this Act:*  
14 *Provided further, That none of the funds appropriated*  
15 *under this heading shall be available for assistance for*  
16 *Sudan: Provided further, That none of the funds appro-*  
17 *priated under this heading may be made available for as-*  
18 *sistance for Haiti, Guatemala, Nepal, Sri Lanka, Pakistan,*  
19 *Bangladesh, Philippines, Indonesia, Bosnia and*  
20 *Herzegovina, Ethiopia, and Democratic Republic of the*  
21 *Congo except pursuant to the regular notification proce-*  
22 *dures of the Committees on Appropriations: Provided fur-*  
23 *ther, That funds made available under this heading may*  
24 *be used, notwithstanding any other provision of law, for*  
25 *demining, the clearance of unexploded ordnance, and re-*

1 *lated activities, and may include activities implemented*  
2 *through nongovernmental and international organizations:*  
3 *Provided further, That only those countries for which assist-*  
4 *ance was justified for the “Foreign Military Sales Financ-*  
5 *ing Program” in the fiscal year 1989 congressional presen-*  
6 *tation for security assistance programs may utilize funds*  
7 *made available under this heading for procurement of de-*  
8 *fense articles, defense services or design and construction*  
9 *services that are not sold by the United States Government*  
10 *under the Arms Export Control Act: Provided further, That*  
11 *funds appropriated under this heading shall be expended*  
12 *at the minimum rate necessary to make timely payment*  
13 *for defense articles and services: Provided further, That not*  
14 *more than \$41,900,000 of the funds appropriated under this*  
15 *heading may be obligated for necessary expenses, including*  
16 *the purchase of passenger motor vehicles for replacement*  
17 *only for use outside of the United States, for the general*  
18 *costs of administering military assistance and sales: Pro-*  
19 *vided further, That not more than \$395,000,000 of funds*  
20 *realized pursuant to section 21(e)(1)(A) of the Arms Export*  
21 *Control Act may be obligated for expenses incurred by the*  
22 *Department of Defense during fiscal year 2008 pursuant*  
23 *to section 43(b) of the Arms Export Control Act, except that*  
24 *this limitation may be exceeded only through the regular*  
25 *notification procedures of the Committees on Appropria-*

1 *tions: Provided further, That foreign military financing*  
 2 *program funds estimated to be outlaid for Egypt during*  
 3 *fiscal year 2008 may be transferred to an interest bearing*  
 4 *account for Egypt in the Federal Reserve Bank of New*  
 5 *York.*

6 *PEACEKEEPING OPERATIONS*

7 *For necessary expenses to carry out the provisions of*  
 8 *section 551 of the Foreign Assistance Act of 1961,*  
 9 *\$273,200,000: Provided, That of the funds made available*  
 10 *under this heading, not less than \$25,000,000 shall be made*  
 11 *available for a United States contribution to the Multi-*  
 12 *national Force and Observers mission in the Sinai: Pro-*  
 13 *vided further, That none of the funds appropriated under*  
 14 *this heading shall be obligated or expended except as pro-*  
 15 *vided through the regular notification procedures of the*  
 16 *Committees on Appropriations.*

17 *TITLE V*

18 *MULTILATERAL ECONOMIC ASSISTANCE*

19 *FUNDS APPROPRIATED TO THE PRESIDENT*

20 *INTERNATIONAL FINANCIAL INSTITUTIONS*

21 *GLOBAL ENVIRONMENT FACILITY*

22 *For the United States contribution for the Global En-*  
 23 *vironment Facility, \$106,763,000 to the International Bank*  
 24 *for Reconstruction and Development as trustee for the Glob-*  
 25 *al Environment Facility (GEF), by the Secretary of the*  
 26 *Treasury, to remain available until expended.*



1     *CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT*2                     *ASSOCIATION*

3         *For payment to the International Development Asso-*  
4 *ciation by the Secretary of the Treasury, \$1,000,000,000,*  
5 *to remain available until expended: Provided, That funds*  
6 *appropriated under this heading should not be obligated*  
7 *until the Secretary of the Treasury reports to the Commit-*  
8 *tees on Appropriations that he has received written assur-*  
9 *ance from the President of the World Bank that the bank's*  
10 *management will not recommend or support any loan,*  
11 *grant, credit or other financing for any infrastructure*  
12 *project which would contribute to significant loss of tropical*  
13 *forest or biodiversity.*

14     *CONTRIBUTION TO THE ENTERPRISE FOR THE AMERICAS*15                     *MULTILATERAL INVESTMENT FUND*

16         *For payment to the Enterprise for the Americas Multi-*  
17 *lateral Investment Fund by the Secretary of the Treasury,*  
18 *for the United States contribution to the fund, \$25,000,000,*  
19 *to remain available until expended.*

20     *CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND*

21         *For the United States contribution by the Secretary*  
22 *of the Treasury to the increase in resources of the Asian*  
23 *Development Fund, as authorized by the Asian Develop-*  
24 *ment Bank Act, as amended, \$65,000,000, to remain avail-*  
25 *able until expended.*

1        *CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK*

2        *For payment to the African Development Bank by the*  
3 *Secretary of the Treasury, \$2,037,000, for the United States*  
4 *paid-in share of the increase in capital stock, to remain*  
5 *available until expended.*

6        *LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS*

7        *The United States Governor of the African Develop-*  
8 *ment Bank may subscribe without fiscal year limitation for*  
9 *the callable capital portion of the United States share of*  
10 *such capital stock in an amount not to exceed \$31,918,770.*

11       *CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND*

12       *For the United States contribution by the Secretary*  
13 *of the Treasury to the increase in resources of the African*  
14 *Development Fund, \$105,000,000, to remain available until*  
15 *expended.*

16       *CONTRIBUTION TO THE EUROPEAN BANK FOR*

17                    *RECONSTRUCTION AND DEVELOPMENT*

18       *For payment to the European Bank for Reconstruction*  
19 *and Development by the Secretary of the Treasury, \$10,159*  
20 *for the United States share of the paid-in portion of the*  
21 *increase in capital stock, to remain available until ex-*  
22 *pended.*

23       *CONTRIBUTION TO THE INTERNATIONAL FUND FOR*

24                    *AGRICULTURAL DEVELOPMENT*

25       *For the United States contribution by the Secretary*  
26 *of the Treasury to increase the resources of the International*

1 *Fund for Agricultural Development, \$18,072,000, to remain*  
2 *available until expended.*

3 *INTERNATIONAL ORGANIZATIONS AND PROGRAMS*

4 *For necessary expenses to carry out the provisions of*  
5 *section 301 of the Foreign Assistance Act of 1961, and of*  
6 *section 2 of the United Nations Environment Program Par-*  
7 *ticipation Act of 1973, \$313,925,000: Provided, That of the*  
8 *funds appropriated under this heading that are available*  
9 *for the Organization of American States Fund for Strength-*  
10 *ening Democracy, \$500,000 shall be subject to the regular*  
11 *notification procedures of the Committees on Appropria-*  
12 *tions.*

13 *TITLE VI*

14 *GENERAL PROVISIONS*

15 *COMPENSATION FOR UNITED STATES EXECUTIVE*

16 *DIRECTORS TO INTERNATIONAL FINANCIAL INSTITUTIONS*

17 *SEC. 601. (a) No funds appropriated by this Act may*  
18 *be made as payment to any international financial institu-*  
19 *tion while the United States Executive Director to such in-*  
20 *stitution is compensated by the institution at a rate which,*  
21 *together with whatever compensation such Director receives*  
22 *from the United States, is in excess of the rate provided*  
23 *for an individual occupying a position at level IV of the*  
24 *Executive Schedule under section 5315 of title 5, United*  
25 *States Code, or while any alternate United States Director*

13 *ALLOCATIONS*

18 “Educational and Cultural Exchange Pro-  
19 grams”.

20 “Embassy Security, Construction, and Maintenance”.

22               *"International Fisheries Commissions".*

23 “*International Broadcasting Operations*”.

24 “Global Health Programs”.

25 “*Economic Support Fund*”.

1           *“Assistance for Eastern Europe and the Baltic*  
2           *States”.*

3           *“Assistance for the Independent States of the*  
4           *Former Soviet Union”.*

5           *“Democracy Fund”.*

6           *“Andean Programs”.*

7           *“Nonproliferation, Anti-Terrorism, Demining*  
8           *and Related Programs”.*

9           *“Foreign Military Financing Program”.*

10          *“International Organizations and Programs”.*

11          **(b)** *Any proposed increases or decreases to the amounts*  
12          *contained in such tables in the accompanying report shall*  
13          *be subject to the regular notification procedures of the Com-*  
14          *mittees on Appropriations and section 634A of the Foreign*  
15          *Assistance Act of 1961.*

16                               *LIMITATION ON RESIDENCE EXPENSES*

17          *SEC. 603. Of the funds appropriated or made available*  
18          *pursuant to title III of this Act, not to exceed \$100,500 shall*  
19          *be for official residence expenses of the United States Agency*  
20          *for International Development during the current fiscal*  
21          *year: Provided, That appropriate steps shall be taken to as-*  
22          *sure that, to the maximum extent possible, United States-*  
23          *owned foreign currencies are utilized in lieu of dollars.*

24                               *UNOBLIGATED BALANCES*

25          *SEC. 604. Any Department or Agency to which funds*  
26          *are appropriated or otherwise made available by this Act*

1 *shall provide, upon request of the Committees on Appro-*  
2 *priations, an accurate accounting by program, project, and*  
3 *activity of the funds received by such Department or Agency*  
4 *in this fiscal year or any previous fiscal year that remain*  
5 *unobligated and unexpended.*

6 *LIMITATION ON REPRESENTATIONAL ALLOWANCES*

7 *SEC. 605. Of the funds appropriated or made available*  
8 *pursuant to this Act, not to exceed \$250,000 shall be avail-*  
9 *able for representation and entertainment allowances, of*  
10 *which not to exceed \$5,000 shall be available for entertain-*  
11 *ment allowances, for the United States Agency for Inter-*  
12 *national Development during the current fiscal year: Pro-*  
13 *vided, That no such entertainment funds may be used for*  
14 *the purposes listed in section 648 of this Act: Provided fur-*  
15 *ther, That appropriate steps shall be taken to assure that,*  
16 *to the maximum extent possible, United States-owned for-*  
17 *eign currencies are utilized in lieu of dollars: Provided fur-*  
18 *ther, That of the funds made available by this Act for gen-*  
19 *eral costs of administering military assistance and sales*  
20 *under the heading "Foreign Military Financing Program",*  
21 *not to exceed \$4,000 shall be available for entertainment*  
22 *expenses and not to exceed \$130,000 shall be available for*  
23 *representation allowances: Provided further, That of the*  
24 *funds made available by this Act under the heading "Inter-*  
25 *national Military Education and Training", not to exceed*  
26 *\$55,000 shall be available for entertainment allowances:*

1 *Provided further, That of the funds made available by this*  
 2 *Act for the Inter-American Foundation, not to exceed*  
 3 *\$4,000 shall be available for entertainment and representa-*  
 4 *tion allowances: Provided further, That of the funds made*  
 5 *available by this Act under the heading “United States-*  
 6 *China Economic and Security Review Commission”, not*  
 7 *to exceed \$3,000 shall be available for official reception, rep-*  
 8 *resentation, and entertainment allowances: Provided fur-*  
 9 *ther, That of the funds made available by this Act for the*  
 10 *Peace Corps, not to exceed a total of \$4,000 shall be avail-*  
 11 *able for entertainment expenses: Provided further, That of*  
 12 *the funds made available by this Act under the heading*  
 13 *“Trade and Development Agency”, not to exceed \$4,000*  
 14 *shall be available for representation and entertainment al-*  
 15 *lowances: Provided further, That of the funds made avail-*  
 16 *able by this Act under the heading “Millennium Challenge*  
 17 *Corporation”, not to exceed \$115,000 shall be available for*  
 18 *representation and entertainment allowances.*

19 *PROHIBITION ON TAXATION OF UNITED STATES*

20 *ASSISTANCE*

21 *SEC. 606. (a) PROHIBITION ON TAXATION.—None of*  
 22 *the funds appropriated by this Act may be made available*  
 23 *to provide assistance for a foreign country under a new bi-*  
 24 *lateral agreement governing the terms and conditions under*  
 25 *which such assistance is to be provided unless such agree-*  
 26 *ment includes a provision stating that assistance provided*

1 *by the United States shall be exempt from taxation, or reim-*  
2 *bursed, by the foreign government, and the Secretary of*  
3 *State shall expeditiously seek to negotiate amendments to*  
4 *existing bilateral agreements, as necessary, to conform with*  
5 *this requirement.*

6       (b) *REIMBURSEMENT OF FOREIGN TAXES.—An*  
7 *amount equivalent to 200 percent of the total taxes assessed*  
8 *during fiscal year 2008 on funds appropriated by this Act*  
9 *by a foreign government or entity against commodities fi-*  
10 *nanced under United States assistance programs for which*  
11 *funds are appropriated by this Act, either directly or*  
12 *through grantees, contractors and subcontractors shall be*  
13 *withheld from obligation from funds appropriated for as-*  
14 *sistance for fiscal year 2009 and allocated for the central*  
15 *government of such country and for the West Bank and*  
16 *Gaza Program to the extent that the Secretary of State cer-*  
17 *tifies and reports in writing to the Committees on Appro-*  
18 *priations that such taxes have not been reimbursed to the*  
19 *Government of the United States.*

20       (c) *DE MINIMIS EXCEPTION.—Foreign taxes of a de*  
21 *minimis nature shall not be subject to the provisions of sub-*  
22 *section (b).*

23       (d) *REPROGRAMMING OF FUNDS.—Funds withheld*  
24 *from obligation for each country or entity pursuant to sub-*  
25 *section (b) shall be reprogrammed for assistance to countries*



1 *which do not assess taxes on United States assistance or*  
2 *which have an effective arrangement that is providing sub-*  
3 *stantial reimbursement of such taxes.*

4 *(e) DETERMINATIONS.—*

5 *(1) The provisions of this section shall not apply*  
6 *to any country or entity the Secretary of State deter-*  
7 *mines—*

8 *(A) does not assess taxes on United States*  
9 *assistance or which has an effective arrangement*  
10 *that is providing substantial reimbursement of*  
11 *such taxes; or*

12 *(B) the foreign policy interests of the United*  
13 *States outweigh the policy of this section to en-*  
14 *sure that United States assistance is not subject*  
15 *to taxation.*

16 *(2) The Secretary of State shall consult with the*  
17 *Committees on Appropriations at least 15 days prior*  
18 *to exercising the authority of this subsection with re-*  
19 *gard to any country or entity.*

20 *(f) IMPLEMENTATION.—The Secretary of State shall*  
21 *issue rules, regulations, or policy guidance, as appropriate,*  
22 *to implement the prohibition against the taxation of assist-*  
23 *ance contained in this section.*

24 *(g) DEFINITIONS.—As used in this section—*

(2) the term “bilateral agreement” refers to a framework bilateral agreement between the Government of the United States and the government of the country receiving assistance that describes the privileges and immunities applicable to United States foreign assistance for such country generally, or an individual agreement between the Government of the United States and such government that describes, among other things, the treatment for tax purposes that will be accorded the United States assistance provided under that agreement.

PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN  
COUNTRIES

**HR 2764 PP**

## MILITARY COUPS

1  
2       *SEC. 608. None of the funds appropriated or otherwise*  
3 *made available pursuant to this Act shall be obligated or*  
4 *expended to finance directly any assistance to the govern-*  
5 *ment of any country whose duly elected head of government*  
6 *is deposed by military coup or decree: Provided, That as-*  
7 *sistance may be resumed to such government if the Presi-*  
8 *dent determines and certifies to the Committees on Appro-*  
9 *priations that subsequent to the termination of assistance*  
10 *a democratically elected government has taken office: Pro-*  
11 *vided further, That the provisions of this section shall not*  
12 *apply to assistance to promote democratic elections or pub-*  
13 *lic participation in democratic processes: Provided further,*  
14 *That funds made available pursuant to the previous pro-*  
15 *visos shall be subject to the regular notification procedures*  
16 *of the Committees on Appropriations.*

## TRANSFERS

17  
18       *SEC. 609. (a) DEPARTMENT OF STATE AND BROAD-*  
19 *CASTING BOARD OF GOVERNORS.—Not to exceed 5 percent*  
20 *of any appropriation made available for the current fiscal*  
21 *year for the Department of State in this Act may be trans-*  
22 *ferred between such appropriations, but no such appropria-*  
23 *tion, except as otherwise specifically provided, shall be in-*  
24 *creased by more than 10 percent by any such transfers: Pro-*  
25 *vided, That not to exceed 5 percent of any appropriation*  
26 *made available for the current fiscal year for the Broad-*

1 casting Board of Governors in this Act may be transferred  
2 between such appropriations, but no such appropriation,  
3 except as otherwise specifically provided, shall be increased  
4 by more than 10 percent by any such transfers: Provided  
5 further, That any transfer pursuant to this section shall be  
6 treated as a reprogramming of funds under section 104 of  
7 this Act and shall not be available for obligation or expendi-  
8 ture except in compliance with the procedures set forth in  
9 that section.

10 (b)(1) *LIMITATION ON TRANSFERS BETWEEN AGEN-*  
11 *CIES.*—None of the funds made available by this Act may  
12 be transferred to any department, agency, or instrumen-  
13 tality of the United States Government, except pursuant to  
14 a transfer made by, or transfer authority provided in, this  
15 Act or any other appropriation Act.

16 (2) Notwithstanding paragraph (1), in addition to  
17 transfers made by, or authorized elsewhere in, this Act,  
18 funds appropriated by this Act to carry out the purposes  
19 of the Foreign Assistance Act of 1961 may be allocated or  
20 transferred to agencies of the United States Government  
21 pursuant to the provisions of sections 109, 610, and 632  
22 of the Foreign Assistance Act of 1961.

23 (c) *TRANSFERS BETWEEN ACCOUNTS.*—None of the  
24 funds made available by this Act may be obligated under  
25 an appropriation account to which they were not appro-

1 *priated, except for transfers specifically provided for in this*  
2 *Act, unless the President provides notification in accord-*  
3 *ance with the regular notification procedures of the Com-*  
4 *mittees on Appropriations.*

5 *(d) AUDIT OF INTER-AGENCY TRANSFERS.—Any*  
6 *agreement for the transfer or allocation of funds appro-*  
7 *priated by this Act, or prior Acts, entered into between the*  
8 *United States Agency for International Development and*  
9 *another agency of the United States Government under the*  
10 *authority of section 632(a) of the Foreign Assistance Act*  
11 *of 1961 or any comparable provision of law, shall expressly*  
12 *provide that the Office of the Inspector General for the agen-*  
13 *cy receiving the transfer or allocation of such funds shall*  
14 *perform periodic program and financial audits of the use*  
15 *of such funds: Provided, That funds transferred under such*  
16 *authority may be made available for the cost of such audits.*

17 *COMMERCIAL LEASING OF DEFENSE ARTICLES*

18 *SEC. 610. Notwithstanding any other provision of law,*  
19 *and subject to the regular notification procedures of the*  
20 *Committees on Appropriations, the authority of section*  
21 *23(a) of the Arms Export Control Act may be used to pro-*  
22 *vide financing to Israel, Egypt and NATO and major non-*  
23 *NATO allies for the procurement by leasing (including leas-*  
24 *ing with an option to purchase) of defense articles from*  
25 *United States commercial suppliers, not including Major*  
26 *Defense Equipment (other than helicopters and other types*

1 of aircraft having possible civilian application), if the  
 2 President determines that there are compelling foreign pol-  
 3 icy or national security reasons for those defense articles  
 4 being provided by commercial lease rather than by govern-  
 5 ment-to-government sale under such Act.

6 *AVAILABILITY OF FUNDS*

7 *SEC. 611. No part of any appropriation contained in*  
 8 *this Act shall remain available for obligation after the expi-*  
 9 *ration of the current fiscal year unless expressly so provided*  
 10 *in this Act: Provided, That funds appropriated for the pur-*  
 11 *poses of chapters 1, 8, 11, and 12 of part I, section 661,*  
 12 *section 667, chapters 4, 6, 8, and 9 of part II of the Foreign*  
 13 *Assistance Act of 1961, section 23 of the Arms Export Con-*  
 14 *trol Act, and funds provided under the heading “Assistance*  
 15 *for Eastern Europe and the Baltic States”, shall remain*  
 16 *available for an additional 4 years from the date on which*  
 17 *the availability of such funds would otherwise have expired,*  
 18 *if such funds are initially obligated before the expiration*  
 19 *of their respective periods of availability contained in this*  
 20 *Act: Provided further, That, notwithstanding any other pro-*  
 21 *vision of this Act, any funds made available for the pur-*  
 22 *poses of chapter 1 of part I and chapter 4 of part II of*  
 23 *the Foreign Assistance Act of 1961 which are allocated or*  
 24 *obligated for cash disbursements in order to address balance*  
 25 *of payments or economic policy reform objectives, shall re-*  
 26 *main available until expended: Provided further, That the*

1 *Director of the Trade and Development Agency shall notify*  
2 *the Committees on Appropriations not later than 15 days*  
3 *prior to any reobligation of funds appropriated for the pur-*  
4 *poses of section 661 of part II of the Foreign Assistance*  
5 *Act of 1961.*

6 *LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT*

7 *SEC. 612. No part of any appropriation contained in*  
8 *this Act shall be used to furnish assistance to the govern-*  
9 *ment of any country which is in default during a period*  
10 *in excess of 1 calendar year in payment to the United*  
11 *States of principal or interest on any loan made to the gov-*  
12 *ernment of such country by the United States pursuant to*  
13 *a program for which funds are appropriated under this Act*  
14 *unless the President determines, following consultations*  
15 *with the Committees on Appropriations, that assistance to*  
16 *such country is in the national interest of the United States.*

17 *COMMERCE AND TRADE*

18 *SEC. 613. (a) None of the funds appropriated or made*  
19 *available pursuant to this Act for direct assistance and*  
20 *none of the funds otherwise made available pursuant to this*  
21 *Act to the Export-Import Bank and the Overseas Private*  
22 *Investment Corporation shall be obligated or expended to*  
23 *finance any loan, any assistance or any other financial*  
24 *commitments for establishing or expanding production of*  
25 *any commodity for export by any country other than the*  
26 *United States, if the commodity is likely to be in surplus*

1 *on world markets at the time the resulting productive ca-*  
2 *capacity is expected to become operative and if the assistance*  
3 *will cause substantial injury to United States producers of*  
4 *the same, similar, or competing commodity: Provided, That*  
5 *such prohibition shall not apply to the Export-Import Bank*  
6 *if in the judgment of its Board of Directors the benefits to*  
7 *industry and employment in the United States are likely*  
8 *to outweigh the injury to United States producers of the*  
9 *same, similar, or competing commodity, and the Chairman*  
10 *of the Board so notifies the Committees on Appropriations.*

11 *(b) None of the funds appropriated by this or any other*  
12 *Act to carry out chapter 1 of part I of the Foreign Assist-*  
13 *ance Act of 1961 shall be available for any testing or breed-*  
14 *ing feasibility study, variety improvement or introduction,*  
15 *consultancy, publication, conference, or training in connec-*  
16 *tion with the growth or production in a foreign country*  
17 *of an agricultural commodity for export which would com-*  
18 *pete with a similar commodity grown or produced in the*  
19 *United States: Provided, That this subsection shall not pro-*  
20 *hibit—*

21 *(1) activities designed to increase food security*  
22 *in developing countries where such activities will not*  
23 *have a significant impact on the export of agricul-*  
24 *tural commodities of the United States; or*



1           (2) *research activities intended primarily to ben-*  
2       *efit American producers.*

3                               *SURPLUS COMMODITIES*

4       *SEC. 614. The Secretary of the Treasury shall instruct*  
5       *the United States Executive Directors of the International*  
6       *Bank for Reconstruction and Development, the Inter-*  
7       *national Development Association, the International Fi-*  
8       *nance Corporation, the Inter-American Development Bank,*  
9       *the International Monetary Fund, the Asian Development*  
10      *Bank, the Inter-American Investment Corporation, the*  
11      *North American Development Bank, the European Bank for*  
12      *Reconstruction and Development, the African Development*  
13      *Bank, and the African Development Fund to use the voice*  
14      *and vote of the United States to oppose any assistance by*  
15      *these institutions, using funds appropriated or made avail-*  
16      *able pursuant to this Act, for the production or extraction*  
17      *of any commodity or mineral for export, if it is in surplus*  
18      *on world markets and if the assistance will cause substan-*  
19      *tial injury to United States producers of the same, similar,*  
20      *or competing commodity.*

21                               *REPROGRAMMING NOTIFICATION REQUIREMENTS*

22      *SEC. 615. (a) None of the funds made available in all*  
23      *titles of this Act, or in prior appropriations Acts to the*  
24      *agencies and departments funded by this Act that remain*  
25      *available for obligation or expenditure in fiscal year 2008,*  
26      *or provided from any accounts in the Treasury of the*

1 *United States derived by the collection of fees or of currency*  
2 *reflows or other offsetting collections, or made available by*  
3 *transfer, to the agencies and departments funded by this*  
4 *Act, shall be available for obligation or expenditure through*  
5 *a reprogramming of funds that: (1) creates new programs;*  
6 *(2) eliminates a program, project, or activity; (3) increases*  
7 *funds or personnel by any means for any project or activity*  
8 *for which funds have been denied or restricted; (4) relocates*  
9 *an office or employees; (5) closes or opens a mission or post;*  
10 *(6) reorganizes or renames offices; (7) reorganizes programs*  
11 *or activities; or (8) contracts out or privatizes any functions*  
12 *or activities presently performed by Federal employees; un-*  
13 *less the Committees on Appropriations are notified 15 days*  
14 *in advance of such reprogramming of funds.*

15 *(b) For the purposes of providing the executive branch*  
16 *with the necessary administrative flexibility, none of the*  
17 *funds provided under title I of this Act, or provided under*  
18 *previous appropriations Acts to the agencies or department*  
19 *funded under title I of this Act that remain available for*  
20 *obligation or expenditure in fiscal year 2008, or provided*  
21 *from any accounts in the Treasury of the United States*  
22 *derived by the collection of fees available to the agencies or*  
23 *department funded by title I of this Act, shall be available*  
24 *for obligation or expenditure for activities, programs, or*  
25 *projects through a reprogramming of funds in excess of*

1 \$750,000 or ten percent, whichever is less, that: (1) aug-  
2 ments existing programs, projects, or activities; (2) reduces  
3 by 10 percent funding for any existing program, project,  
4 or activity, or numbers of personnel by ten percent as ap-  
5 proved by Congress; or (3) results from any general savings,  
6 including savings from a reduction in personnel, which  
7 would result in a change in existing programs, activities,  
8 or projects as approved by Congress; unless the Committees  
9 on Appropriations are notified 15 days in advance of such  
10 reprogramming of funds.

11 (c) For the purposes of providing the executive branch  
12 with the necessary administrative flexibility, none of the  
13 funds made available under titles II through V of this Act  
14 for “Global Health Programs”, “Development Assistance”,  
15 “International Organizations and Programs”, “Trade and  
16 Development Agency”, “International Narcotics Control  
17 and Law Enforcement”, “Andean Programs”, “Assistance  
18 for Eastern Europe and the Baltic States”, “Assistance for  
19 the Independent States of the Former Soviet Union”, “Eco-  
20 nomic Support Fund”, “Democracy Fund”, “Peacekeeping  
21 Operations”, “Capital Investment Fund”, “Operating Ex-  
22 penses of the United States Agency for International Devel-  
23 opment”, “Operating Expenses of the United States Agency  
24 for International Development Office of Inspector General”,  
25 “Nonproliferation, Anti-terrorism, Demining and Related

1 *Programs*", "*Millennium Challenge Corporation*" (by coun-  
2 *try only*), "*Foreign Military Financing Program*", "*Inter-*  
3 *national Military Education and Training*", "*Peace*  
4 *Corps*", and "*Migration and Refugee Assistance*", shall be  
5 *available for obligation for activities, programs, projects,*  
6 *type of materiel assistance, countries, or other operations*  
7 *not justified or in excess of the amount justified to the Com-*  
8 *mittees on Appropriations for obligation under any of these*  
9 *specific headings unless the Committees on Appropriations*  
10 *of both Houses of Congress are previously notified 15 days*  
11 *in advance: Provided, That the President shall not enter*  
12 *into any commitment of funds appropriated for the pur-*  
13 *poses of section 23 of the Arms Export Control Act for the*  
14 *provision of major defense equipment, other than conven-*  
15 *tional ammunition, or other major defense items defined*  
16 *to be aircraft, ships, missiles, or combat vehicles, not pre-*  
17 *viously justified to Congress or 20 percent in excess of the*  
18 *quantities justified to Congress unless the Committees on*  
19 *Appropriations are notified 15 days in advance of such*  
20 *commitment: Provided further, That this subsection shall*  
21 *not apply to any reprogramming for an activity, program,*  
22 *or project for which funds are appropriated under titles III*  
23 *or IV of this Act of less than 10 percent of the amount pre-*  
24 *viously justified to the Congress for obligation for such ac-*  
25 *tivity, program, or project for the current fiscal year.*

1       (d) *The requirements of this section or any similar*  
2 *provision of this Act or any other Act, including any prior*  
3 *Act requiring notification in accordance with the regular*  
4 *notification procedures of the Committees on Appropria-*  
5 *tions, may be waived if failure to do so would pose a sub-*  
6 *stantial risk to human health or welfare: Provided, That*  
7 *in case of any such waiver, notification to the Congress,*  
8 *or the appropriate congressional committees, shall be pro-*  
9 *vided as early as practicable, but in no event later than*  
10 *3 days after taking the action to which such notification*  
11 *requirement was applicable, in the context of the cir-*  
12 *cumstances necessitating such waiver: Provided further,*  
13 *That any notification provided pursuant to such a waiver*  
14 *shall contain an explanation of the emergency cir-*  
15 *cumstances.*

16           *LIMITATION ON AVAILABILITY OF FUNDS FOR*  
17           *INTERNATIONAL ORGANIZATIONS AND PROGRAMS*

18       *SEC. 616. Subject to the regular notification proce-*  
19 *dures of the Committees on Appropriations, funds appro-*  
20 *priated under this Act or any previously enacted Act mak-*  
21 *ing appropriations for foreign operations, export financing,*  
22 *and related programs, which are returned or not made*  
23 *available for organizations and programs because of the im-*  
24 *plementation of section 307(a) of the Foreign Assistance Act*  
25 *of 1961, shall remain available for obligation until Sep-*  
26 *tember 30, 2009: Provided, That section 307(a) of the For-*

1 *ign Assistance Act of 1961 is amended by striking*  
2 *“Libya,”.*

3 *INDEPENDENT STATES OF THE FORMER SOVIET UNION*

4 *SEC. 617. (a) None of the funds appropriated under*  
5 *the heading “Assistance for the Independent States of the*  
6 *Former Soviet Union” shall be made available for assist-*  
7 *ance for a government of an Independent State of the former*  
8 *Soviet Union if that government directs any action in vio-*  
9 *lation of the territorial integrity or national sovereignty of*  
10 *any other Independent State of the former Soviet Union,*  
11 *such as those violations included in the Helsinki Final Act:*  
12 *Provided, That such funds may be made available without*  
13 *regard to the restriction in this subsection if the President*  
14 *determines that to do so is in the national security interest*  
15 *of the United States.*

16 *(b) None of the funds appropriated under the heading*  
17 *“Assistance for the Independent States of the Former Soviet*  
18 *Union” shall be made available for any state to enhance*  
19 *its military capability: Provided, That this restriction does*  
20 *not apply to demilitarization, demining or nonproliferation*  
21 *programs.*

22 *(c) Funds appropriated under the heading “Assistance*  
23 *for the Independent States of the Former Soviet Union” for*  
24 *the Russian Federation, Armenia, Kazakhstan, and*  
25 *Uzbekistan shall be subject to the regular notification proce-*  
26 *dures of the Committees on Appropriations.*

1       (d)(1) *Of the funds appropriated under this heading*  
2 *that are allocated for assistance for the Government of the*  
3 *Russian Federation, 60 percent shall be withheld from obli-*  
4 *gation until the President determines and certifies in writ-*  
5 *ing to the Committees on Appropriations that the Govern-*  
6 *ment of the Russian Federation—*

7           (A) *has terminated implementation of arrange-*  
8 *ments to provide Iran with technical expertise, train-*  
9 *ing, technology, or equipment necessary to develop a*  
10 *nuclear reactor, related nuclear research facilities or*  
11 *programs, or ballistic missile capability; and*

12           (B) *is providing full access to international non-*  
13 *government organizations providing humanitarian*  
14 *relief to refugees and internally displaced persons in*  
15 *Chechnya.*

16       (2) *Paragraph (1) shall not apply to—*

17           (A) *assistance to combat infectious diseases, child*  
18 *survival activities, or assistance for victims of traf-*  
19 *ficking in persons; and*

20           (B) *activities authorized under title V (Non-*  
21 *proliferation and Disarmament Programs and Activi-*  
22 *ties) of the FREEDOM Support Act.*

23       (e) *Section 907 of the FREEDOM Support Act shall*  
24 *not apply to—*

1           (1) *activities to support democracy or assistance*  
 2           *under title V of the FREEDOM Support Act and sec-*  
 3           *tion 1424 of Public Law 104–201 or non-proliferation*  
 4           *assistance;*

5           (2) *any assistance provided by the Trade and*  
 6           *Development Agency under section 661 of the Foreign*  
 7           *Assistance Act of 1961 (22 U.S.C. 2421);*

8           (3) *any activity carried out by a member of the*  
 9           *United States and Foreign Commercial Service while*  
 10          *acting within his or her official capacity;*

11          (4) *any insurance, reinsurance, guarantee or*  
 12          *other assistance provided by the Overseas Private In-*  
 13          *vestment Corporation under title IV of chapter 2 of*  
 14          *part I of the Foreign Assistance Act of 1961 (22*  
 15          *U.S.C. 2191 et seq.);*

16          (5) *any financing provided under the Export-*  
 17          *Import Bank Act of 1945; or*

18          (6) *humanitarian assistance.*

19          PROHIBITION ON FUNDING FOR ABORTIONS AND

20                               INVOLUNTARY STERILIZATION

21          SEC. 618. *None of the funds made available to carry*  
 22          *out part I of the Foreign Assistance Act of 1961, as amend-*  
 23          *ed, may be used to pay for the performance of abortions*  
 24          *as a method of family planning or to motivate or coerce*  
 25          *any person to practice abortions. None of the funds made*  
 26          *available to carry out part I of the Foreign Assistance Act*



1 of 1961, as amended, may be used to pay for the perform-  
 2 ance of involuntary sterilization as a method of family  
 3 planning or to coerce or provide any financial incentive  
 4 to any person to undergo sterilizations. None of the funds  
 5 made available to carry out part I of the Foreign Assistance  
 6 Act of 1961, as amended, may be used to pay for any bio-  
 7 medical research which relates in whole or in part, to meth-  
 8 ods of, or the performance of, abortions or involuntary steri-  
 9 lization as a means of family planning. None of the funds  
 10 made available to carry out part I of the Foreign Assistance  
 11 Act of 1961, as amended, may be obligated or expended for  
 12 any country or organization if the President certifies that  
 13 the use of these funds by any such country or organization  
 14 would violate any of the above provisions related to abor-  
 15 tions and involuntary sterilizations.

16 *EXPORT FINANCING TRANSFER AUTHORITIES*

17 *SEC. 619. Not to exceed 5 percent of any appropriation*  
 18 *other than for administrative expenses made available for*  
 19 *fiscal year 2008, for programs under title II of this Act*  
 20 *may be transferred between such appropriations for use for*  
 21 *any of the purposes, programs, and activities for which the*  
 22 *funds in such receiving account may be used, but no such*  
 23 *appropriation, except as otherwise specifically provided,*  
 24 *shall be increased by more than 25 percent by any such*  
 25 *transfer: Provided, That the exercise of such authority shall*

1 *be subject to the regular notification procedures of the Com-*  
2 *mittees on Appropriations.*

3 *SPECIAL NOTIFICATION REQUIREMENTS*

4 *SEC. 620. None of the funds appropriated by this Act*  
5 *shall be obligated or expended for assistance for Serbia,*  
6 *Sudan, Zimbabwe, Pakistan, Cuba, the Dominican Repub-*  
7 *lic, Iran, Haiti, Mexico, Nepal, or Cambodia except as pro-*  
8 *vided through the regular notification procedures of the*  
9 *Committees on Appropriations.*

10 *DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY*

11 *SEC. 621. For the purpose of titles II through V of this*  
12 *Act “program, project, and activity” shall be defined at the*  
13 *appropriations Act account level and shall include all ap-*  
14 *propriations and authorizations Acts earmarks, ceilings,*  
15 *and limitations with the exception that for the following*  
16 *accounts: “Economic Support Fund” and “Foreign Mili-*  
17 *tary Financing Program”, “program, project, and activ-*  
18 *ity” shall also be considered to include country, regional,*  
19 *and central program level funding within each such ac-*  
20 *count; for the development assistance accounts of the United*  
21 *States Agency for International Development “program,*  
22 *project, and activity” shall also be considered to include*  
23 *central, country, regional, and program level funding, ei-*  
24 *ther as: (1) justified to the Congress; or (2) allocated by*  
25 *the executive branch in accordance with a report, to be pro-*  
26 *vided to the Committees on Appropriations within 30 days*

1 *of the enactment of this Act, as required by section 653(a)*  
 2 *of the Foreign Assistance Act of 1961.*

3 *GLOBAL HEALTH ACTIVITIES*

4 *SEC. 622. Up to \$13,500,000 of the funds made avail-*  
 5 *able by this Act for assistance under the heading “Global*  
 6 *Health Programs”, may be used to reimburse United States*  
 7 *Government agencies, agencies of State governments, insti-*  
 8 *tutions of higher learning, and private and voluntary orga-*  
 9 *nizations for the full cost of individuals (including for the*  
 10 *personal services of such individuals) detailed or assigned*  
 11 *to, or contracted by, as the case may be, the United States*  
 12 *Agency for International Development for the purpose of*  
 13 *carrying out activities under that heading: Provided, That*  
 14 *up to \$3,500,000 of the funds made available by this Act*  
 15 *for assistance under the heading “Development Assistance”*  
 16 *may be used to reimburse such agencies, institutions, and*  
 17 *organizations for such costs of such individuals carrying*  
 18 *out other development assistance activities: Provided fur-*  
 19 *ther, That funds appropriated by titles III and IV of this*  
 20 *Act that are made available for bilateral assistance for child*  
 21 *survival activities or disease programs including activities*  
 22 *relating to research on, and the prevention, treatment and*  
 23 *control of, HIV/AIDS may be made available notwith-*  
 24 *standing any other provision of law except for the provi-*  
 25 *sions under the heading “Global Health Programs” and the*  
 26 *United States Leadership Against HIV/AIDS, Tuberculosis,*

1 *and Malaria Act of 2003 (117 Stat. 711; 22 U.S.C. 7601*  
2 *et seq.), as amended: Provided further, That of the funds*  
3 *appropriated under title III of this Act, not less than*  
4 *\$461,060,000 shall be made available for family planning/*  
5 *reproductive health: Provided further, That in order to pre-*  
6 *vent unintended pregnancies, abortions, and the trans-*  
7 *mission of sexually transmitted infections, including HIV/*  
8 *AIDS, no contract or grant for the exclusive purpose of pro-*  
9 *viding donated contraceptives in developing countries shall*  
10 *be denied to any nongovernmental organization solely on*  
11 *the basis of the policy contained in the President's March*  
12 *28, 2001, Memorandum to the Administrator of the United*  
13 *States Agency for International Development with respect*  
14 *to providing contraceptives in developing countries, or any*  
15 *comparable administration policy regarding the provision*  
16 *of contraceptives.*

17 *AFGHANISTAN*

18 *SEC. 623. Of the funds appropriated by titles III and*  
19 *IV of this Act, up to \$1,057,050,000 may be made available*  
20 *for assistance for Afghanistan, of which not less than*  
21 *\$75,000,000 should be made available to support programs*  
22 *that directly address the needs of Afghan women and girls,*  
23 *of which not less than \$12,000,000 shall be made available*  
24 *for grants to support training and equipment to improve*  
25 *the capacity of women-led Afghan nongovernmental organi-*  
26 *zations and to support the activities of such organizations,*

1 *and not less than \$3,000,000 should be made available for*  
2 *reforestation activities: Provided, That funds made avail-*  
3 *able pursuant to the previous proviso for reforestation ac-*  
4 *tivities should be matched, to the maximum extent possible,*  
5 *with contributions from American and Afghan businesses:*  
6 *Provided further, That of the funds appropriated by this*  
7 *Act that are available for Afghanistan, \$20,000,000 should*  
8 *be made available through United States universities to de-*  
9 *velop agriculture extension services for Afghan farmers,*  
10 *\$2,000,000 should be made available for a United States*  
11 *contribution to the North Atlantic Treaty Organization/*  
12 *International Security Assistance Force Post-Operations*  
13 *Humanitarian Relief Fund, and not less than \$10,000,000*  
14 *shall be made available for continued support of the United*  
15 *States Agency for International Development's Afghan Ci-*  
16 *vilian Assistance Program.*

17 *NOTIFICATION ON EXCESS DEFENSE EQUIPMENT*

18 *SEC. 624. Prior to providing excess Department of De-*  
19 *fense articles in accordance with section 516(a) of the For-*  
20 *eign Assistance Act of 1961, the Department of Defense shall*  
21 *notify the Committees on Appropriations to the same extent*  
22 *and under the same conditions as are other committees pur-*  
23 *suant to subsection (f) of that section: Provided, That before*  
24 *issuing a letter of offer to sell excess defense articles under*  
25 *the Arms Export Control Act, the Department of Defense*  
26 *shall notify the Committees on Appropriations in accord-*

1 *ance with the regular notification procedures of such Com-*  
 2 *mittees if such defense articles are significant military*  
 3 *equipment (as defined in section 47(9) of the Arms Export*  
 4 *Control Act) or are valued (in terms of original acquisition*  
 5 *cost) at \$7,000,000 or more, or if notification is required*  
 6 *elsewhere in this Act for the use of appropriated funds for*  
 7 *specific countries that would receive such excess defense ar-*  
 8 *ticles: Provided further, That such Committees shall also be*  
 9 *informed of the original acquisition cost of such defense ar-*  
 10 *ticles.*

#### 11 *GLOBAL FUND MANAGEMENT*

12 *SEC. 625. Notwithstanding any other provision of this*  
 13 *Act, 20 percent of the funds that are appropriated by this*  
 14 *Act for a contribution to support the Global Fund to Fight*  
 15 *AIDS, Tuberculosis and Malaria (the “Global Fund”) shall*  
 16 *be withheld from obligation to the Global Fund until the*  
 17 *Secretary of State certifies to the Committees on Appropria-*  
 18 *tions that the Global Fund—*

19 *(1) is releasing incremental disbursements only*  
 20 *if grantees demonstrate progress against clearly de-*  
 21 *finied performance indicators;*

22 *(2) is providing support and oversight to coun-*  
 23 *try-level entities, such as country coordinating mecha-*  
 24 *nisms, principal recipients, and local Fund agents, to*  
 25 *enable them to fulfill their mandates;*

(5) is making progress toward implementing a reporting system that breaks down grantee budget allocations by programmatic activity;

(7) is tracking and encouraging the involvement of civil society in country coordinating mechanisms and program implementation.

25 SEC. 626. (a) Funds appropriated for bilateral assist-  
26 ance under any heading of this Act and funds appropriated

1 *under any such heading in a provision of law enacted prior*  
2 *to the enactment of this Act, shall not be made available*  
3 *for assistance to the government of any country which the*  
4 *President determines—*

5 *(1) grants sanctuary from prosecution to any in-*  
6 *dividual or group which has committed an act of*  
7 *international terrorism or other gross violation of*  
8 *human rights; or*

9 *(2) otherwise supports international terrorism.*

10 *(b) The President may waive the application of sub-*  
11 *section (a) to such government if the President determines*  
12 *that national security or humanitarian reasons justify such*  
13 *waiver. The President shall publish each waiver in the Fed-*  
14 *eral Register and, at least 15 days before the waiver takes*  
15 *effect, shall notify the Committees on Appropriations of the*  
16 *waiver (including the justification for the waiver) in ac-*  
17 *cordance with the regular notification procedures of the*  
18 *Committees on Appropriations.*

19 *DEBT-FOR-DEVELOPMENT*

20 *SEC. 627. In order to enhance the continued participa-*  
21 *tion of nongovernmental organizations in debt-for-develop-*  
22 *ment and debt-for-nature exchanges, a nongovernmental or-*  
23 *ganization which is a grantee or contractor of the United*  
24 *States Agency for International Development may place in*  
25 *interest bearing accounts local currencies which accrue to*  
26 *that organization as a result of economic assistance pro-*



1 *vided under title III of this Act and, subject to the regular*  
 2 *notification procedures of the Committees on Appropria-*  
 3 *tions, any interest earned on such investment shall be used*  
 4 *for the purpose for which the assistance was provided to*  
 5 *that organization.*

6 *SEPARATE ACCOUNTS*

7 *SEC. 628. (a) SEPARATE ACCOUNTS FOR LOCAL CUR-*  
 8 *RENCIES.—*

9 *(1) If assistance is furnished to the government*  
 10 *of a foreign country under chapters 1 and 10 of part*  
 11 *I or chapter 4 of part II of the Foreign Assistance Act*  
 12 *of 1961 under agreements which result in the genera-*  
 13 *tion of local currencies of that country, the Adminis-*  
 14 *trator of the United States Agency for International*  
 15 *Development shall—*

16 *(A) require that local currencies be depos-*  
 17 *ited in a separate account established by that*  
 18 *government;*

19 *(B) enter into an agreement with that gov-*  
 20 *ernment which sets forth—*

21 *(i) the amount of the local currencies*  
 22 *to be generated; and*

23 *(ii) the terms and conditions under*  
 24 *which the currencies so deposited may be*  
 25 *utilized, consistent with this section; and*

1           (C) establish by agreement with that gov-  
2           ernment the responsibilities of the United States  
3           Agency for International Development and that  
4           government to monitor and account for deposits  
5           into and disbursements from the separate ac-  
6           count.

7           (2) *USES OF LOCAL CURRENCIES.*—As may be  
8           agreed upon with the foreign government, local cur-  
9           rencies deposited in a separate account pursuant to  
10          subsection (a), or an equivalent amount of local cur-  
11          rencies, shall be used only—

12           (A) to carry out chapter 1 or 10 of part I  
13           or chapter 4 of part II (as the case may be), for  
14           such purposes as—

15           (i) project and sector assistance activi-  
16           ties; or

17           (ii) debt and deficit financing; or

18           (B) for the administrative requirements of  
19           the United States Government.

20          (3) *PROGRAMMING ACCOUNTABILITY.*—The  
21          United States Agency for International Development  
22          shall take all necessary steps to ensure that the equiv-  
23          alent of the local currencies disbursed pursuant to  
24          subsection (a)(2)(A) from the separate account estab-

1       lished pursuant to subsection (a)(1) are used for the  
2       purposes agreed upon pursuant to subsection (a)(2).

3               (4) *TERMINATION OF ASSISTANCE PROGRAMS.*—

4       Upon termination of assistance to a country under  
5       chapter 1 or 10 of part I or chapter 4 of part II (as  
6       the case may be), any unencumbered balances of  
7       funds which remain in a separate account established  
8       pursuant to subsection (a) shall be disposed of for  
9       such purposes as may be agreed to by the government  
10      of that country and the United States Government.

11              (5) *REPORTING REQUIREMENT.*—The Adminis-  
12      trator of the United States Agency for International  
13      Development shall report on an annual basis as part  
14      of the justification documents submitted to the Com-  
15      mittees on Appropriations on the use of local cur-  
16      rencies for the administrative requirements of the  
17      United States Government as authorized in subsection  
18      (a)(2)(B), and such report shall include the amount  
19      of local currency (and United States dollar equiva-  
20      lent) used and/or to be used for such purpose in each  
21      applicable country.

22              (b) *SEPARATE ACCOUNTS FOR CASH TRANSFERS.*—

23              (1) *If assistance is made available to the govern-*  
24      *ment of a foreign country, under chapter 1 or 10 of*  
25      *part I or chapter 4 of part II of the Foreign Assist-*

1        *ance Act of 1961, as cash transfer assistance or as*  
2        *nonproject sector assistance, that country shall be re-*  
3        *quired to maintain such funds in a separate account*  
4        *and not commingle them with any other funds.*

5            (2) *APPLICABILITY OF OTHER PROVISIONS OF*  
6        *LAW.—Such funds may be obligated and expended*  
7        *notwithstanding provisions of law which are incon-*  
8        *sistent with the nature of this assistance including*  
9        *provisions which are referenced in the Joint Explana-*  
10       *tory Statement of the Committee of Conference accom-*  
11       *panying House Joint Resolution 648 (House Report*  
12       *No. 98–1159).*

13           (3) *NOTIFICATION.—At least 15 days prior to ob-*  
14       *ligating any such cash transfer or nonproject sector*  
15       *assistance, the President shall submit a notification*  
16       *through the regular notification procedures of the*  
17       *Committees on Appropriations, which shall include a*  
18       *detailed description of how the funds proposed to be*  
19       *made available will be used, with a discussion of the*  
20       *United States interests that will be served by the as-*  
21       *sistance (including, as appropriate, a description of*  
22       *the economic policy reforms that will be promoted by*  
23       *such assistance).*

24           (4) *EXEMPTION.—Nonproject sector assistance*  
25       *funds may be exempt from the requirements of sub-*

1        *section (b)(1) only through the notification procedures*  
 2        *of the Committees on Appropriations.*

3                                *ENTERPRISE FUND RESTRICTIONS*

4        *SEC. 629. (a) Prior to the distribution of any assets*  
 5        *resulting from any liquidation, dissolution, or winding up*  
 6        *of an Enterprise Fund, in whole or in part, the President*  
 7        *shall submit to the Committees on Appropriations, in ac-*  
 8        *cordance with the regular notification procedures of the*  
 9        *Committees on Appropriations, a plan for the distribution*  
 10       *of the assets of the Enterprise Fund.*

11       *(b) Funds made available by this Act for Enterprise*  
 12       *Funds shall be expended at the minimum rate necessary*  
 13       *to make timely payment for projects and activities.*

14                                *INTERNATIONAL FAMILY PLANNING AND REPRODUCTIVE*  
 15                                *HEALTH*

16       *SEC. 630. (a) Funds appropriated by this Act may*  
 17       *be made available for a United States contribution to the*  
 18       *United Nations Population Fund (UNFPA).*

19       *(b) None of the funds appropriated by this Act may*  
 20       *be made available to UNFPA for a country program in the*  
 21       *People's Republic of China.*

22       *(c) Funds appropriated by this Act may not be made*  
 23       *available to UNFPA unless—*

24                                *(1) UNFPA maintains amounts made available*  
 25       *under this section in an account separate from other*  
 26       *accounts of UNFPA;*

1           (2) *UNFPA does not commingle amounts made*  
 2           *available to UNFPA under this section with other*  
 3           *sums; and*

4           (3) *UNFPA does not fund abortions.*

5    *AUTHORITIES FOR THE PEACE CORPS, INTER-AMERICAN*  
 6    *FOUNDATION AND AFRICAN DEVELOPMENT FOUNDATION*

7       *SEC. 631. Unless expressly provided to the contrary,*  
 8       *provisions of this or any other Act, including provisions*  
 9       *contained in prior Acts authorizing or making appropria-*  
 10       *tions for foreign operations, export financing, and related*  
 11       *programs, shall not be construed to prohibit activities au-*  
 12       *thorized by or conducted under the Peace Corps Act, the*  
 13       *Inter-American Foundation Act or the African Develop-*  
 14       *ment Foundation Act. The agency shall promptly report to*  
 15       *the Committees on Appropriations whenever it is con-*  
 16       *ducting activities or is proposing to conduct activities in*  
 17       *a country for which assistance is prohibited.*

18           *IMPACT ON JOBS IN THE UNITED STATES*

19       *SEC. 632. None of the funds appropriated by this Act*  
 20       *may be obligated or expended to provide—*

21           (1) *any financial incentive to a business enter-*  
 22           *prise currently located in the United States for the*  
 23           *purpose of inducing such an enterprise to relocate*  
 24           *outside the United States if such incentive or induce-*  
 25           *ment is likely to reduce the number of employees of*  
 26           *such business enterprise in the United States because*

1        *United States production is being replaced by such*  
2        *enterprise outside the United States; or*

3            *(2) assistance for any program, project, or activ-*  
4        *ity that contributes to the violation of internationally*  
5        *recognized workers rights, as defined in section 507(4)*  
6        *of the Trade Act of 1974, of workers in the recipient*  
7        *country, including any designated zone or area in*  
8        *that country: Provided, That the application of sec-*  
9        *tion 507(4)(D) and (E) of such Act should be com-*  
10       *mensurate with the level of development of the recipi-*  
11       *ent country and sector, and shall not preclude assist-*  
12       *ance for the informal sector in such country, micro*  
13       *and small-scale enterprise, and smallholder agri-*  
14       *culture.*

15            *COMPREHENSIVE EXPENDITURES REPORT*

16        *SEC. 633. Not later than 180 days after the date of*  
17        *enactment of this Act, the Secretary of State shall submit*  
18        *a report to the Committees on Appropriations detailing the*  
19        *total amount of United States Government expenditures in*  
20        *fiscal year 2006, by Federal agency, for programs and ac-*  
21        *tivities in each foreign country, identifying the line item*  
22        *as presented in the President's Budget Appendix and the*  
23        *purpose for which the funds were provided: Provided, That,*  
24        *if required, information may be submitted in classified*  
25        *form.*

## SPECIAL AUTHORITIES

1  
2       SEC. 634. (a) AFGHANISTAN, IRAQ, PAKISTAN, LEB-  
3 ANON, MONTENEGRO, VICTIMS OF WAR, DISPLACED CHIL-  
4 DREN, AND DISPLACED BURMESE.—Funds appropriated by  
5 this Act that are made available for assistance for Afghani-  
6 stan may be made available notwithstanding section 612  
7 of this Act or any similar provision of law and section 660  
8 of the Foreign Assistance Act of 1961, and funds appro-  
9 priated in titles II and III of this Act that are made avail-  
10 able for Iraq, Lebanon, Montenegro, Pakistan, and for vic-  
11 tims of war, displaced children, and displaced Burmese,  
12 and to assist victims of trafficking in persons and, subject  
13 to the regular notification procedures of the Committees on  
14 Appropriations, to combat such trafficking, may be made  
15 available notwithstanding any other provision of law.

16       (b) TROPICAL FORESTRY AND BIODIVERSITY CON-  
17 SERVATION ACTIVITIES.—Funds appropriated by this Act  
18 to carry out the provisions of sections 103 through 106, and  
19 chapter 4 of part II, of the Foreign Assistance Act of 1961  
20 may be used, notwithstanding any other provision of law,  
21 for the purpose of supporting tropical forestry and biodiver-  
22 sity conservation activities and energy programs aimed at  
23 reducing greenhouse gas emissions: Provided, That such as-  
24 sistance shall be subject to sections 116, 502B, and 620A  
25 of the Foreign Assistance Act of 1961.



1       (c) *PERSONAL SERVICES CONTRACTORS.*—Funds ap-  
2       propriated by this Act to carry out chapter 1 of part I,  
3       chapter 4 of part II, and section 667 of the Foreign Assist-  
4       ance Act of 1961, and title II of the Agricultural Trade  
5       Development and Assistance Act of 1954, may be used by  
6       the United States Agency for International Development to  
7       employ up to 25 personal services contractors in the United  
8       States, notwithstanding any other provision of law, for the  
9       purpose of providing direct, interim support for new or ex-  
10      panded overseas programs and activities managed by the  
11      agency until permanent direct hire personnel are hired and  
12      trained: Provided, That not more than 10 of such contrac-  
13      tors shall be assigned to any bureau or office: Provided fur-  
14      ther, That such funds appropriated to carry out title II of  
15      the Agricultural Trade Development and Assistance Act of  
16      1954, may be made available only for personal services con-  
17      tractors assigned to the Office of Food for Peace.

18      (d)(1) *WAIVER.*—The President may waive the provi-  
19      sions of section 1003 of Public Law 100–204 if the Presi-  
20      dent determines and certifies in writing to the Speaker of  
21      the House of Representatives and the President pro tempore  
22      of the Senate that it is important to the national security  
23      interests of the United States.

24      (2) *PERIOD OF APPLICATION OF WAIVER.*—Any waiv-  
25      er pursuant to paragraph (1) shall be effective for no more

1 *than a period of 6 months at a time and shall not apply*  
2 *beyond 12 months after the enactment of this Act.*

3 (e) *SMALL BUSINESS.*—*In entering into multiple*  
4 *award indefinite-quantity contracts with funds appro-*  
5 *priated by this Act, the United States Agency for Inter-*  
6 *national Development may provide an exception to the fair*  
7 *opportunity process for placing task orders under such con-*  
8 *tracts when the order is placed with any category of small*  
9 *or small disadvantaged business.*

10 (f) *VIETNAMESE REFUGEES.*—*Section 594(a) of the*  
11 *Foreign Operations, Export Financing, and Related Pro-*  
12 *grams Appropriations Act, 2005 (enacted as division D of*  
13 *Public Law 108–447; 118 Stat. 3038) is amended by strik-*  
14 *ing “and 2007” and inserting “through 2009”.*

15 (g) *RECONSTITUTING CIVILIAN POLICE AUTHORITY.*—  
16 *In providing assistance with funds appropriated by this*  
17 *Act under section 660(b)(6) of the Foreign Assistance Act*  
18 *of 1961, support for a nation emerging from instability*  
19 *may be deemed to mean support for regional, district, mu-*  
20 *nicipal, or other sub-national entity emerging from insta-*  
21 *bility, as well as a nation emerging from instability.*

22 (h) *CHINA PROGRAMS.*—*Notwithstanding any other*  
23 *provision of law, of the funds appropriated under the head-*  
24 *ing “Development Assistance” in this Act, not less than*  
25 *\$10,000,000 shall be made available to United States edu-*

1 *cational institutions and nongovernmental organizations*  
2 *for programs and activities in the People's Republic of*  
3 *China relating to the environment, democracy, and the rule*  
4 *of law: Provided, That funds made available pursuant to*  
5 *this authority shall be subject to the regular notification*  
6 *procedures of the Committees on Appropriations.*

7 (i) *EXTENSION OF AUTHORITY.—*

8 (1) *With respect to funds appropriated by this*  
9 *Act that are available for assistance for Pakistan, the*  
10 *President may waive the prohibition on assistance*  
11 *contained in section 608 of this Act subject to the re-*  
12 *quirements contained in section 1(b) of Public Law*  
13 *107–57, as amended, for a determination and certifi-*  
14 *cation, and consultation, by the President prior to the*  
15 *exercise of such waiver authority.*

16 (2) *Notwithstanding the date contained in sec-*  
17 *tion 6 of Public Law 107–57, as amended, the provi-*  
18 *sions of sections 2 and 4 of that Act shall remain in*  
19 *effect through the current fiscal year.*

20 (j) *MIDDLE EAST FOUNDATION.—Funds appropriated*  
21 *by this Act and prior Acts under the heading “Economic*  
22 *Support Fund” that are available for the Middle East Part-*  
23 *nership Initiative may be made available, including as an*  
24 *endowment, notwithstanding any other provision of law*  
25 *and following consultations with the Committees on Appro-*

1 *priations, to establish and operate a Middle East Founda-*  
2 *tion, or any other similar entity, whose purpose is to sup-*  
3 *port democracy, governance, human rights, and the rule of*  
4 *law in the Middle East region: Provided, That such funds*  
5 *may be made available to the Foundation only to the extent*  
6 *that the Foundation has commitments from sources other*  
7 *than the United States Government to at least match the*  
8 *funds provided under the authority of this subsection: Pro-*  
9 *vided further, That provisions contained in section 201 of*  
10 *the Support for East European Democracy (SEED) Act of*  
11 *1989 (excluding the authorizations of appropriations pro-*  
12 *vided in subsection (b) of that section and the requirement*  
13 *that a majority of the members of the board of directors*  
14 *be citizens of the United States provided in subsection*  
15 *(d)(3(B) of that section) shall be deemed to apply to any*  
16 *such foundation or similar entity referred to under this sub-*  
17 *section, and to funds made available to such entity, in order*  
18 *to enable it to provide assistance for purposes of this section:*  
19 *Provided further, That prior to the initial obligation of*  
20 *funds for any such foundation or similar entity pursuant*  
21 *to the authorities of this subsection, other than for adminis-*  
22 *trative support, the Secretary of State shall take steps to*  
23 *ensure, on an ongoing basis, that any such funds made*  
24 *available pursuant to such authorities are not provided to*  
25 *or through any individual or group that the management*

1 *of the foundation or similar entity knows or has reason to*  
 2 *believe, advocates, plans, sponsors, or otherwise engages in*  
 3 *terrorist activities: Provided further, That section 629 of*  
 4 *this Act shall apply to any such foundation or similar enti-*  
 5 *ty established pursuant to this subsection: Provided further,*  
 6 *That the authority of the Foundation, or any similar enti-*  
 7 *ty, to provide assistance shall cease to be effective on Sep-*  
 8 *tember 30, 2010.*

9       (k) *EXTENSION OF AUTHORITY.*—Section 1365(c) of  
 10 *the National Defense Authorization Act for Fiscal Year*  
 11 *1993 (Public Law 102–484; 22 U.S.C. 2778 note) is amend-*  
 12 *ed by striking “During the 16 year period beginning on*  
 13 *October 23, 1992” and inserting “During the 22 year pe-*  
 14 *riod beginning on October 23, 1992” before the period at*  
 15 *the end.*

16       (l) *EXTENSION OF AUTHORITY.*—The *Foreign Oper-*  
 17 *ations, Export Financing, and Related Programs Appro-*  
 18 *priations Act, 1990 (Public Law 101–167) is amended—*

19               (1) *in section 599D (8 U.S.C. 1157 note)—*

20                       (A) *in subsection (b)(3), by striking “and*  
 21 *2007” and inserting “2007, and 2008”; and*

22                       (B) *in subsection (e), by striking “2007”*  
 23 *each place it appears and inserting “2008”; and*

1           (2) in section 599E (8 U.S.C. 1255 note) in sub-  
2       section (b)(2), by striking “2007” and inserting  
3       “2008”.

4       (m) *WORLD FOOD PROGRAM.*—Of the funds managed  
5 by the Bureau for Democracy, Conflict, and Humanitarian  
6 Assistance of the United States Agency for International  
7 Development, from this or any other Act, not less than  
8 \$10,000,000 shall be made available as a general contribu-  
9 tion to the World Food Program, notwithstanding any other  
10 provision of law.

11       (n) *CAPITAL SECURITY COST-SHARING.*—Notwith-  
12 standing any other provision of law, of the funds appro-  
13 priated under the heading “Embassy Security, Construc-  
14 tion, and Maintenance”, not less than \$2,000,000 shall be  
15 made available for the Capital Security Cost-Sharing fees  
16 of the Library of Congress for fiscal year 2008.

17       (o) *DEMOBILIZATION, DISARMAMENT, AND RE-*  
18 *INTEGRATION ASSISTANCE.*—Notwithstanding any other  
19 provision of law, policy or regulation, funds appropriated  
20 by this Act and prior acts making appropriations for for-  
21 eign operations, export financing, and related programs  
22 may be made available to support programs to demobilize,  
23 disarm, and reintegrate into civilian society former combat-  
24 ants of foreign governments or organizations who have re-

1 nounced involvement or participation in such organiza-  
2 tions.

3 (p) *NONGOVERNMENTAL ORGANIZATIONS.*—With re-  
4 spect to the provision of assistance for democracy, human  
5 rights and governance activities, the organizations imple-  
6 menting such assistance and the specific nature of that as-  
7 sistance shall not be subject to the prior approval by the  
8 government of any foreign country.

9 *ARAB LEAGUE BOYCOTT OF ISRAEL*

10 *SEC. 635. It is the sense of the Congress that—*

11 (1) *the Arab League boycott of Israel, and the*  
12 *secondary boycott of American firms that have com-*  
13 *mercial ties with Israel, is an impediment to peace*  
14 *in the region and to United States investment and*  
15 *trade in the Middle East and North Africa;*

16 (2) *the Arab League boycott, which was regret-*  
17 *tably reinstated in 1997, should be immediately and*  
18 *publicly terminated, and the Central Office for the*  
19 *Boycott of Israel immediately disbanded;*

20 (3) *all Arab League states should normalize rela-*  
21 *tions with their neighbor Israel;*

22 (4) *the President and the Secretary of State*  
23 *should continue to vigorously oppose the Arab League*  
24 *boycott of Israel and find concrete steps to dem-*  
25 *onstrate that opposition by, for example, taking into*  
26 *consideration the participation of any recipient coun-*

12 *ELIGIBILITY FOR ASSISTANCE***HR 2764 PP**



1 *tees, including a description of the program to be assisted,*  
2 *the assistance to be provided, and the reasons for furnishing*  
3 *such assistance: Provided further, That nothing in this sub-*  
4 *section shall be construed to alter any existing statutory*  
5 *prohibitions against abortion or involuntary sterilizations*  
6 *contained in this or any other Act.*

7       (b) *PUBLIC LAW 480.—During fiscal year 2008, re-*  
8 *strictions contained in this or any other Act with respect*  
9 *to assistance for a country shall not be construed to restrict*  
10 *assistance under the Agricultural Trade Development and*  
11 *Assistance Act of 1954: Provided, That none of the funds*  
12 *appropriated to carry out title I of such Act and made*  
13 *available pursuant to this subsection may be obligated or*  
14 *expended except as provided through the regular notifica-*  
15 *tion procedures of the Committees on Appropriations.*

16       (c) *EXCEPTION.—This section shall not apply—*

17               (1) *with respect to section 620A of the Foreign*  
18 *Assistance Act of 1961 or any comparable provision*  
19 *of law prohibiting assistance to countries that support*  
20 *international terrorism; or*

21               (2) *with respect to section 116 of the Foreign As-*  
22 *sistance Act of 1961 or any comparable provision of*  
23 *law prohibiting assistance to the government of a*  
24 *country that violates internationally recognized*  
25 *human rights.*

## RESERVATIONS OF FUNDS

1  
2       *SEC. 637. (a) Funds appropriated under titles II*  
3 *through V of this Act which are earmarked may be repro-*  
4 *grammed for other programs within the same account not-*  
5 *withstanding the earmark if compliance with the earmark*  
6 *is made impossible by operation of any provision of this*  
7 *or any other Act: Provided, That any such reprogramming*  
8 *shall be subject to the regular notification procedures of the*  
9 *Committees on Appropriations: Provided further, That as-*  
10 *sistance that is reprogrammed pursuant to this subsection*  
11 *shall be made available under the same terms and condi-*  
12 *tions as originally provided.*

13       *(b) In addition to the authority contained in sub-*  
14 *section (a), the original period of availability of funds ap-*  
15 *propriated by this Act and administered by the United*  
16 *States Agency for International Development that are ear-*  
17 *marked for particular programs or activities by this or any*  
18 *other Act shall be extended for an additional fiscal year*  
19 *if the Administrator of such agency determines and reports*  
20 *promptly to the Committees on Appropriations that the ter-*  
21 *mination of assistance to a country or a significant change*  
22 *in circumstances makes it unlikely that such designated*  
23 *funds can be obligated during the original period of avail-*  
24 *ability: Provided, That such earmarked funds that are con-*

1 *tinued available for an additional fiscal year shall be obli-*  
 2 *gated only for the purpose of such designation.*

3 *(c) Ceilings and earmarks levels contained in this Act*  
 4 *shall not be applicable to funds or authorities appropriated*  
 5 *or otherwise made available by any subsequent Act unless*  
 6 *such Act specifically so directs. Earmarks or minimum*  
 7 *funding requirements contained in any other Act shall not*  
 8 *be applicable to funds appropriated by this Act.*

9 *ASIA*

10 *SEC. 638. (a) FUNDING LEVELS.—Of the funds appro-*  
 11 *priated by this Act under the headings “Global Health Pro-*  
 12 *grams” and “Development Assistance”, not less than the*  
 13 *amount of funds initially allocated for each such account*  
 14 *pursuant to subsection 653(a) of the Foreign Assistance Act*  
 15 *of 1961 for fiscal year 2006 shall be made available for*  
 16 *Cambodia, Philippines, Vietnam, Asia and Near East Re-*  
 17 *gional, and Regional Development Mission/Asia: Provided,*  
 18 *That for the purposes of this subsection, “Global Health*  
 19 *Programs” shall mean “Child Survival and Health Pro-*  
 20 *grams Fund”.*

21 *(b) BURMA.—*

22 *(1) The Secretary of the Treasury shall instruct*  
 23 *the United States executive director to each appro-*  
 24 *priate international financial institution in which*  
 25 *the United States participates, to oppose and vote*  
 26 *against the extension by such institution any loan or*

1 *financial or technical assistance or any other utiliza-*  
2 *tion of funds of the respective bank to and for Burma.*

3 *(2) Of the funds appropriated by this Act under*  
4 *the heading “Economic Support Fund”, not less than*  
5 *\$11,000,000 shall be made available to support de-*  
6 *mocracy activities in Burma, along the Burma-Thai-*  
7 *land border, for activities of Burmese student groups*  
8 *and other organizations located outside Burma, and*  
9 *for the purpose of supporting the provision of human-*  
10 *itarian assistance to displaced Burmese along Bur-*  
11 *ma’s borders: Provided, That funds made available*  
12 *under this heading may be made available notwith-*  
13 *standing any other provision of law: Provided fur-*  
14 *ther, That in addition to assistance for Burmese refu-*  
15 *gees provided under the heading “Migration and Ref-*  
16 *ugee Assistance” in this Act, not less than \$3,000,000*  
17 *shall be made available for community-based organi-*  
18 *zations operating in Thailand to provide food, med-*  
19 *ical and other humanitarian assistance to internally*  
20 *displaced persons in eastern Burma: Provided further,*  
21 *That funds made available under this heading shall*  
22 *be subject to the regular notification procedures of the*  
23 *Committees on Appropriations.*

24 *(c) TIBET.—*

1           (1) *The Secretary of the Treasury should instruct*  
2           *the United States executive director to each inter-*  
3           *national financial institution to use the voice and*  
4           *vote of the United States to support projects in Tibet*  
5           *if such projects do not provide incentives for the mi-*  
6           *gration and settlement of non-Tibetans into Tibet or*  
7           *facilitate the transfer of ownership of Tibetan land*  
8           *and natural resources to non-Tibetans; are based on*  
9           *a thorough needs-assessment; foster self-sufficiency of*  
10          *the Tibetan people and respect Tibetan culture and*  
11          *traditions; and are subject to effective monitoring.*

12          (2) *Notwithstanding any other provision of law,*  
13          *not less than \$5,000,000 of the funds appropriated by*  
14          *this Act under the heading “Economic Support*  
15          *Fund” should be made available to nongovernmental*  
16          *organizations to support activities which preserve cul-*  
17          *tural traditions and promote sustainable development*  
18          *and environmental conservation in Tibetan commu-*  
19          *nities in the Tibetan Autonomous Region and in*  
20          *other Tibetan communities in China, and not less*  
21          *than \$250,000 should be made available to the Na-*  
22          *tional Endowment for Democracy for human rights*  
23          *and democracy programs relating to Tibet.*

24           *PROHIBITION ON PUBLICITY OR PROPAGANDA*

25          *SEC. 639. No part of any appropriation contained in*  
26          *this Act shall be used for publicity or propaganda purposes*

1 *within the United States not authorized before the date of*  
 2 *the enactment of this Act by the Congress.*

3 *PROHIBITION OF PAYMENTS TO UNITED NATIONS MEMBERS*

4 *SEC. 640. None of the funds appropriated or made*  
 5 *available pursuant to this Act for carrying out the Foreign*  
 6 *Assistance Act of 1961, may be used to pay in whole or*  
 7 *in part any assessments, arrearages, or dues of any member*  
 8 *of the United Nations or, from funds appropriated by this*  
 9 *Act to carry out chapter 1 of part I of the Foreign Assist-*  
 10 *ance Act of 1961, the costs for participation of another*  
 11 *country's delegation at international conferences held under*  
 12 *the auspices of multilateral or international organizations.*

13 *REQUESTS FOR DOCUMENTS*

14 *SEC. 641. (a) None of the funds appropriated or made*  
 15 *available pursuant to this Act shall be available to a non-*  
 16 *governmental organization, including any contractor,*  
 17 *which fails to provide upon timely request any document,*  
 18 *file, or record necessary to the auditing requirements of the*  
 19 *United States Agency for International Development.*

20 *(b) Notwithstanding any other provision of law or reg-*  
 21 *ulation, the Administrator of the United States Agency for*  
 22 *International Development shall provide to the Committees*  
 23 *on Appropriations, on a timely basis, such information on*  
 24 *the obligation and expenditure of funds appropriated by*  
 25 *this Act and prior Acts, pursuant to grants, cooperative*  
 26 *agreements, and contracts entered into or financed by the*

1 agency, as may be requested by the Committee on Appro-  
2 priations to satisfy oversight responsibilities of those Com-  
3 mittees.

4 *PROHIBITION ON ASSISTANCE TO FOREIGN GOVERNMENTS*  
5 *THAT EXPORT LETHAL MILITARY EQUIPMENT TO*  
6 *COUNTRIES SUPPORTING INTERNATIONAL TERRORISM*

7 *SEC. 642. (a) None of the funds appropriated or other-*  
8 *wise made available by this Act may be available to any*  
9 *foreign government which provides lethal military equip-*  
10 *ment to a country the government of which the Secretary*  
11 *of State has determined is a terrorist government for pur-*  
12 *poses of section 6(j) of the Export Administration Act of*  
13 *1979. The prohibition under this section with respect to a*  
14 *foreign government shall terminate 12 months after that*  
15 *government ceases to provide such military equipment. This*  
16 *section applies with respect to lethal military equipment*  
17 *provided under a contract entered into after October 1,*  
18 *1997.*

19 *(b) Assistance restricted by subsection (a) or any other*  
20 *similar provision of law, may be furnished if the President*  
21 *determines that furnishing such assistance is important to*  
22 *the national interests of the United States.*

23 *(c) Whenever the President makes a determination*  
24 *pursuant to subsection (b), the President shall submit to*  
25 *the appropriate congressional committees a report with re-*  
26 *spect to the furnishing of such assistance. Any such report*

1 *shall include a detailed explanation of the assistance to be*  
2 *provided, including the estimated dollar amount of such as-*  
3 *sistance, and an explanation of how the assistance furthers*  
4 *United States national interests.*

5 *WITHHOLDING OF ASSISTANCE FOR PARKING FINES AND*  
6 *REAL PROPERTY TAXES OWED BY FOREIGN COUNTRIES*

7 *SEC. 643. (a) Subject to subsection (c), of the funds*  
8 *appropriated under titles II through V by this Act that are*  
9 *made available for assistance for a foreign country, an*  
10 *amount equal to 110 percent of the total amount of the un-*  
11 *paid fully adjudicated parking fines and penalties and un-*  
12 *paid property taxes owed by the central government of such*  
13 *country shall be withheld from obligation for assistance for*  
14 *the central government of such country until the Secretary*  
15 *of State submits a certification to the Committees on Appro-*  
16 *priations stating that such parking fines and penalties and*  
17 *unpaid property taxes are fully paid.*

18 *(b) Funds withheld from obligation pursuant to sub-*  
19 *section (a) may be made available for other programs or*  
20 *activities funded by this Act, after consultation with and*  
21 *subject to the regular notification procedures of the Commit-*  
22 *tees on Appropriations, provided that no such funds shall*  
23 *be made available for assistance for the central government*  
24 *of a foreign country that has not paid the total amount*  
25 *of the fully adjudicated parking fines and penalties and un-*  
26 *paid property taxes owed by such country.*



1       (c) Subsection (a) shall not include amounts that have  
2       been withheld under any other provision of law.

3       (d)(1) The Secretary of State may waive the require-  
4       ments set forth in subsection (a) with respect to parking  
5       fines and penalties no sooner than 60 days from the date  
6       of enactment of this Act, or at any time with respect to  
7       a particular country, if the Secretary determines that it  
8       is in the national interests of the United States to do so.

9       (2) The Secretary of State may waive the requirements  
10      set forth in subsection (a) with respect to the unpaid prop-  
11      erty taxes if the Secretary of State determines that it is  
12      in the national interests of the United States to do so.

13      (e) Not later than 6 months after the initial exercise  
14      of the waiver authority in subsection (d), the Secretary of  
15      State, after consultations with the City of New York, shall  
16      submit a report to the Committees on Appropriations de-  
17      scribing a strategy, including a timetable and steps cur-  
18      rently being taken, to collect the parking fines and penalties  
19      and unpaid property taxes and interest owed by nations  
20      receiving foreign assistance under this Act.

21      (f) In this section:

22           (1) The term “fully adjudicated” includes cir-  
23      cumstances in which the person to whom the vehicle  
24      is registered—

1           (A)(i) *has not responded to the parking vio-*  
 2           *lation summons; or*

3           (ii) *has not followed the appropriate adju-*  
 4           *dication procedure to challenge the summons;*  
 5           *and*

6           (B) *the period of time for payment of or*  
 7           *challenge to the summons has lapsed.*

8           (2) *The term “parking fines and penalties”*  
 9           *means parking fines and penalties—*

10           (A) *owed to—*

11                   (i) *the District of Columbia; or*

12                   (ii) *New York, New York; and*

13           (B) *incurred during the period April 1,*  
 14           *1997, through September 30, 2007.*

15           (3) *The term “unpaid property taxes” means the*  
 16           *amount of unpaid taxes and interest determined to be*  
 17           *owed by a foreign country on real property in the*  
 18           *District of Columbia or New York, New York in a*  
 19           *court order or judgment entered against such country*  
 20           *by a court of the United States or any State or sub-*  
 21           *division thereof.*

22   *LIMITATION ON ASSISTANCE FOR THE PLO FOR THE WEST*

23                               *BANK AND GAZA*

24           *SEC. 644. None of the funds appropriated by this Act*  
 25           *may be obligated for assistance for the Palestine Liberation*  
 26           *Organization for the West Bank and Gaza unless the Presi-*

1 *dent has exercised the authority under section 604(a) of the*  
 2 *Middle East Peace Facilitation Act of 1995 (title VI of Pub-*  
 3 *lic Law 104–107) or any other legislation to suspend or*  
 4 *make inapplicable section 307 of the Foreign Assistance Act*  
 5 *of 1961 and that suspension is still in effect: Provided, That*  
 6 *if the President fails to make the certification under section*  
 7 *604(b)(2) of the Middle East Peace Facilitation Act of 1995*  
 8 *or to suspend the prohibition under other legislation, funds*  
 9 *appropriated by this Act may not be obligated for assistance*  
 10 *for the Palestine Liberation Organization for the West Bank*  
 11 *and Gaza.*

12 *WAR CRIMES TRIBUNALS DRAWDOWN*

13 *SEC. 645. If the President determines that doing so*  
 14 *will contribute to a just resolution of charges regarding*  
 15 *genocide or other violations of international humanitarian*  
 16 *law, the President may direct a drawdown pursuant to sec-*  
 17 *tion 552(c) of the Foreign Assistance Act of 1961 of up to*  
 18 *\$30,000,000 of commodities and services for the United Na-*  
 19 *tions War Crimes Tribunal established with regard to the*  
 20 *former Yugoslavia by the United Nations Security Council*  
 21 *or such other tribunals or commissions as the Council may*  
 22 *establish or authorize to deal with such violations, without*  
 23 *regard to the ceiling limitation contained in paragraph (2)*  
 24 *thereof: Provided, That the determination required under*  
 25 *this section shall be in lieu of any determinations otherwise*  
 26 *required under section 552(c): Provided further, That funds*

1 *made available for tribunals other than Yugoslavia, Rwan-*  
2 *da, or the Special Court for Sierra Leone shall be made*  
3 *available subject to the regular notification procedures of*  
4 *the Committees on Appropriations.*

5 *LANDMINES*

6 *SEC. 646. Notwithstanding any other provision of law,*  
7 *demining equipment available to the United States Agency*  
8 *for International Development and the Department of State*  
9 *and used in support of the clearance of landmines and*  
10 *unexploded ordnance for humanitarian purposes may be*  
11 *disposed of on a grant basis in foreign countries, subject*  
12 *to such terms and conditions as the President may pre-*  
13 *scribe.*

14 *RESTRICTIONS CONCERNING THE PALESTINIAN AUTHORITY*

15 *SEC. 647. None of the funds appropriated by this Act*  
16 *may be obligated or expended to create in any part of Jeru-*  
17 *salem a new office of any department or agency of the*  
18 *United States Government for the purpose of conducting of-*  
19 *ficial United States Government business with the Pales-*  
20 *tinian Authority over Gaza and Jericho or any successor*  
21 *Palestinian governing entity provided for in the Israel-PLO*  
22 *Declaration of Principles: Provided, That this restriction*  
23 *shall not apply to the acquisition of additional space for*  
24 *the existing Consulate General in Jerusalem.*

1        *PROHIBITION OF PAYMENT OF CERTAIN EXPENSES*

2        *SEC. 648. None of the funds appropriated or otherwise*  
 3 *made available by this Act under the heading “Inter-*  
 4 *national Military Education and Training” or “Foreign*  
 5 *Military Financing Program” for Informational Program*  
 6 *activities or under the headings “Global Health Programs”,*  
 7 *“Development Assistance”, and “Economic Support Fund”*  
 8 *may be obligated or expended to pay for—*

9                *(1) alcoholic beverages; or*

10              *(2) entertainment expenses for activities that are*  
 11 *substantially of a recreational character, including*  
 12 *but not limited to entrance fees at sporting events,*  
 13 *theatrical and musical productions, and amusement*  
 14 *parks.*

15                                *WESTERN HEMISPHERE*

16        *SEC. 649. (a) CENTRAL AMERICA.—Of the funds ap-*  
 17 *propriated by this Act under the headings “Global Health*  
 18 *Programs” and “Development Assistance”, not less than the*  
 19 *amount of funds initially allocated for each such account*  
 20 *pursuant to section 653(a) of the Foreign Assistance Act*  
 21 *of 1961 for fiscal year 2006 shall be made available for El*  
 22 *Salvador, Guatemala, Nicaragua, Honduras, Ecuador,*  
 23 *Peru, Bolivia, Brazil, Latin America and Caribbean Re-*  
 24 *gional, Central America Regional, and South America Re-*  
 25 *gional: Provided, That for the purposes of this subsection,*

1 *“Global Health Programs” shall mean “Child Survival and*  
2 *Health Programs Fund”.*

3       (b)(1) *HAITI.—Of the funds appropriated by this Act*  
4 *under the headings “Development Assistance” and “Eco-*  
5 *nomic Support Fund”, not less than \$106,200,000 shall be*  
6 *made available for assistance for Haiti, of which not less*  
7 *than \$5,000,000 shall be for programs to improve court ad-*  
8 *ministration and reduce pre-trial detention and of which*  
9 *not less than \$5,000,000 shall be made available for water-*  
10 *shed remediation and reforestation activities.*

11       (2) *The Government of Haiti shall be eligible to pur-*  
12 *chase defense articles and services under the Arms Export*  
13 *Control Act (22 U.S.C. 2751 et seq.), for the Coast Guard.*

14       (3) *None of the funds made available in this Act under*  
15 *the heading “International Narcotics Control and Law En-*  
16 *forcement” may be used to transfer excess weapons, ammu-*  
17 *nition or other lethal property of an agency of the United*  
18 *States Government to the Government of Haiti for use by*  
19 *the Haitian National Police until the Secretary of State*  
20 *certifies to the Committees on Appropriations that the*  
21 *United Nations Mission in Haiti has ensured that any*  
22 *members of the Haitian National Police who have been*  
23 *credibly alleged to have committed serious crimes, including*  
24 *drug trafficking and human rights violations, have been*  
25 *suspended.*

1 (c) *DOMINICAN REPUBLIC.*—Of the funds appropriated  
2 by this Act under the headings “Global Health Programs”  
3 and “Development Assistance”, not less than \$23,600,000  
4 shall be made available for assistance for the Dominican  
5 Republic, of which not less than \$5,000,000 shall be made  
6 available for basic health care, nutrition, sanitation, edu-  
7 cation, and shelter for migrant sugar cane workers and  
8 other residents of batey communities.

## LIMITATION ON ASSISTANCE TO THE PALESTINIAN

## AUTHORITY

11            *SEC. 650. (a) PROHIBITION OF FUNDS.—None of the*  
12 *funds appropriated by this Act to carry out the provisions*  
13 *of chapter 4 of part II of the Foreign Assistance Act of 1961*  
14 *may be obligated or expended with respect to providing*  
15 *funds to the Palestinian Authority.*

(b) *WAIVER.—The prohibition included in subsection (a) shall not apply if the President certifies in writing to the Committees on Appropriations that waiving such prohibition is important to the national security interests of the United States.*

(c) *PERIOD OF APPLICATION OF WAIVER.*—Any waiver pursuant to subsection (b) shall be effective for no more than a period of 6 months at a time and shall not apply beyond 12 months after the enactment of this Act.

25 (d) *REPORT.*—Whenever the waiver authority pursu-  
26 ant to subsection (b) is exercised, the President shall submit

1 *a report to the Committees on Appropriations detailing the*  
 2 *justification for the waiver, the purposes for which the funds*  
 3 *will be spent, and the accounting procedures in place to*  
 4 *ensure that the funds are properly disbursed.*

5 *LIMITATION ON ASSISTANCE TO SECURITY FORCES*

6 *SEC. 651. Chapter 1 of part III of the Foreign Assist-*  
 7 *ance Act of 1961 is amended by adding the following sec-*  
 8 *tion:*

9 **“SEC. 620J. LIMITATION ON ASSISTANCE TO SECURITY**  
 10 **FORCES.**

11 *“(a) IN GENERAL.—No assistance shall be furnished*  
 12 *under this Act or the Arms Export Control Act to any unit*  
 13 *of the security forces of a foreign country if the Secretary*  
 14 *of State has credible evidence that such unit has committed*  
 15 *gross violations of human rights.*

16 *“(b) EXCEPTION.—The prohibition in subsection (a)*  
 17 *shall not apply if the Secretary determines and reports to*  
 18 *the Committee on Foreign Relations of the Senate, the Com-*  
 19 *mittee on Foreign Affairs of the House of Representatives,*  
 20 *and the Committees on Appropriations that the government*  
 21 *of such country is taking effective measures to bring the re-*  
 22 *sponsible members of the security forces unit to justice.*

23 *“(c) DUTY TO INFORM.—In the event that funds are*  
 24 *withheld from any unit pursuant to this section, the Sec-*  
 25 *retary of State shall promptly inform the foreign govern-*  
 26 *ment of the basis for such action and shall, to the maximum*



1 *extent practicable, assist the foreign government in taking*  
 2 *effective measures to bring the responsible members of the*  
 3 *security forces to justice.”.*

4 *FOREIGN MILITARY TRAINING REPORT*

5 *SEC. 652. The annual foreign military training report*  
 6 *required by section 656 of the Foreign Assistance Act of*  
 7 *1961 shall be submitted by the Secretary of Defense and*  
 8 *the Secretary of State to the Committees on Appropriations*  
 9 *by the date specified in that section.*

10 *AUTHORIZATION REQUIREMENT*

11 *SEC. 653. Funds appropriated by this Act, except*  
 12 *funds appropriated under the headings “Trade and Devel-*  
 13 *opment Agency” and “Overseas Private Investment Cor-*  
 14 *poration”, may be obligated and expended notwithstanding*  
 15 *section 10 of Public Law 91–672 and section 15 of the State*  
 16 *Department Basic Authorities Act of 1956.*

17 *AVIAN INFLUENZA PREPAREDNESS*

18 *SEC. 654. Notwithstanding any other provision of law*  
 19 *except section 551 of Public Law 109–102, of the funds ap-*  
 20 *propriated by this Act under the heading “Foreign Military*  
 21 *Financing Program”, \$12,500,000 shall be made available*  
 22 *to enhance the preparedness of militaries in Asia and Afri-*  
 23 *ca to respond to an avian influenza pandemic, and of the*  
 24 *funds appropriated by this Act under the heading “Peace-*  
 25 *keeping Operations”, \$12,500,000 shall be transferred to,*  
 26 *and merged with, funds made available under the heading*

1 *“Foreign Military Financing Program” to be used for this*  
 2 *purpose.*

3 *PALESTINIAN STATEHOOD*

4 *SEC. 655. (a) LIMITATION ON ASSISTANCE.—None of*  
 5 *the funds appropriated by this Act may be provided to sup-*  
 6 *port a Palestinian state unless the Secretary of State deter-*  
 7 *mines and certifies to the appropriate congressional com-*  
 8 *mittees that—*

9 *(1) the governing entity of a new Palestinian*  
 10 *state—*

11 *(A) has demonstrated a commitment to*  
 12 *peaceful co-existence with the State of Israel;*

13 *(B) is taking appropriate measures to*  
 14 *counter terrorism and terrorist financing in the*  
 15 *West Bank and Gaza, including the dismantling*  
 16 *of terrorist infrastructures, and is cooperating*  
 17 *with appropriate Israeli and other appropriate*  
 18 *security organizations; and*

19 *(2) the Palestinian Authority (or the governing*  
 20 *entity of a new Palestinian state) is working with*  
 21 *other countries in the region to establish a just, last-*  
 22 *ing, and comprehensive peace in the Middle East that*  
 23 *will enable Israel and an independent Palestinian*  
 24 *state to exist within the context of full and normal re-*  
 25 *lationships, which should include—*

1           (A) *termination of all claims or states of*  
2           *belligerency;*

3           (B) *respect for and acknowledgement of the*  
4           *sovereignty, territorial integrity, and political*  
5           *independence of every state in the area through*  
6           *measures including the establishment of demili-*  
7           *tarized zones;*

8           (C) *their right to live in peace within secure*  
9           *and recognized boundaries free from threats or*  
10          *acts of force;*

11          (D) *freedom of navigation through inter-*  
12          *national waterways in the area; and*

13          (E) *a framework for achieving a just settle-*  
14          *ment of the refugee problem.*

15          (b) *SENSE OF CONGRESS.—It is the sense of Congress*  
16          *that the governing entity should enact a constitution assur-*  
17          *ing the rule of law, an independent judiciary, and respect*  
18          *for human rights for its citizens, and should enact other*  
19          *laws and regulations assuring transparent and accountable*  
20          *governance.*

21          (c) *WAIVER.—The President may waive subsection (a)*  
22          *if he determines that it is important to the national security*  
23          *interests of the United States to do so.*

24          (d) *EXEMPTION.—The restriction in subsection (a)*  
25          *shall not apply to assistance intended to help reform the*

1 *Palestinian Authority and affiliated institutions, or the*  
 2 *governing entity, in order to help meet the requirements of*  
 3 *subsection (a), consistent with the provisions of section 650*  
 4 *of this Act (“Limitation on Assistance to the Palestinian*  
 5 *Authority”).*

6 *COLOMBIA*

7 *SEC. 656. (a) FUNDING.—Funds appropriated by this*  
 8 *Act that are available for assistance for Colombia shall be*  
 9 *made available in the amounts indicated in the table in*  
 10 *the accompanying report.*

11 *(b) DETERMINATION AND CERTIFICATION RE-*  
 12 *QUIRED.—Funds appropriated by this Act that are avail-*  
 13 *able for assistance for the Colombian Armed Forces, may*  
 14 *be made available as follows:*

15 *(1) Up to 70 percent of such funds may be obli-*  
 16 *gated prior to the certification and report by the Sec-*  
 17 *retary of State pursuant to paragraph (2).*

18 *(2) Up to 15 percent of such funds may be obli-*  
 19 *gated only after the Secretary of State consults with,*  
 20 *and subsequently certifies and submits a written re-*  
 21 *port to, the Committees on Appropriations that:*

22 *(A) The Commander General of the Colom-*  
 23 *bian Armed Forces is suspending from the*  
 24 *Armed Forces those members, of whatever rank*  
 25 *who, according to the Minister of Defense, the At-*  
 26 *torney General or the Procuraduria General de*

1        *la Nacion, have been credibly alleged to have*  
2        *committed gross violations of human rights, in-*  
3        *cluding extra-judicial killings, or to have aided*  
4        *or abetted paramilitary organizations or suc-*  
5        *cessor armed groups.*

6                *(B) The Colombian Government is vigor-*  
7        *ously investigating and prosecuting, in the civil-*  
8        *ian justice system, those members of the Colom-*  
9        *bian Armed Forces, of whatever rank, who have*  
10       *been credibly alleged to have committed gross*  
11       *violations of human rights, including extra-judi-*  
12       *cial killings, or to have aided or abetted para-*  
13       *military organizations or successor armed*  
14       *groups, and is promptly punishing those mem-*  
15       *bers of the Colombian Armed Forces found to*  
16       *have committed such violations of human rights*  
17       *or to have aided or abetted such organizations or*  
18       *successor groups.*

19                *(C) The Colombian Armed Forces are co-*  
20       *operating fully with civilian prosecutors and ju-*  
21       *dicial authorities in such cases (including pro-*  
22       *viding requested information, such as the iden-*  
23       *tity of persons suspended from the Armed Forces*  
24       *and the nature and cause of the suspension, and*

1        *access to witnesses, relevant military documents,*  
2        *and other requested information).*

3                *(D) The Colombian Armed Forces have*  
4        *taken all necessary steps to sever links (including*  
5        *denying access to military intelligence, vehicles,*  
6        *and other equipment or supplies, and ceasing*  
7        *other forms of active or tacit cooperation) at the*  
8        *command, battalion, and brigade levels, with*  
9        *paramilitary organizations and successor armed*  
10       *groups, especially in regions where such organi-*  
11       *zations or successor groups have a significant*  
12       *presence.*

13               *(E) The Colombian Government is disman-*  
14       *tling paramilitary leadership and financial net-*  
15       *works by arresting and prosecuting under civil-*  
16       *ian criminal law individuals who have provided*  
17       *financial, planning, or logistical support, or*  
18       *have otherwise aided or abetted paramilitary or-*  
19       *ganizations or successor armed groups, by identi-*  
20       *fying and confiscating land and other assets ille-*  
21       *gally acquired by such organizations or their as-*  
22       *sociates and returning such land or assets to*  
23       *their rightful owners, by revoking reduced sen-*  
24       *tences for demobilized paramilitaries who engage*  
25       *in new criminal activity, and by arresting, pros-*

1        *ecuting under civilian criminal law, and when*  
2        *requested, promptly extraditing to the United*  
3        *States members of successor armed groups.*

4                *(F) The Colombian Armed Forces are not*  
5        *violating the land and property rights of Colom-*  
6        *bia's indigenous and Afro-Colombian commu-*  
7        *nities, and are distinguishing between civilians,*  
8        *including displaced persons, and combatants in*  
9        *their operations.*

10              *(3) The balance of such funds may be obligated*  
11        *after July 31, 2008, if, before such date, the Secretary*  
12        *of State consults with, and subsequently certifies and*  
13        *submits a written report to, the Committees on Ap-*  
14        *propriations, that the Colombian Armed Forces are*  
15        *continuing to meet the conditions contained in para-*  
16        *graph (2) and are conducting vigorous operations to*  
17        *restore civilian government authority and respect for*  
18        *human rights in areas under the effective control of*  
19        *paramilitary organizations or successor armed groups*  
20        *and guerrilla organizations.*

21              *(c) REPORT.—The reports required by subsections*  
22        *(a)(2) and (a)(3) of this section shall contain, with respect*  
23        *to each such subsection, a detailed description of the actions*  
24        *taken by the Colombian Government or Armed Forces which*  
25        *support each requirement of the certification, and the cases*

1 *or issues brought to the attention of the Secretary for which*  
2 *the actions taken by the Colombian Government or Armed*  
3 *Forces have been inadequate.*

4 (d) *CONGRESSIONAL NOTIFICATION.—Funds made*  
5 *available by this Act for the Colombian Armed Forces shall*  
6 *be subject to the regular notification procedures of the Com-*  
7 *mittees on Appropriations.*

8 (e) *CONSULTATIVE PROCESS.—Not later than 60 days*  
9 *after the date of enactment of this Act, and every 90 days*  
10 *thereafter until September 30, 2008, the Secretary of State*  
11 *shall consult with Colombian and internationally recog-*  
12 *nized human rights organizations regarding progress in*  
13 *meeting the conditions contained in subsection (a).*

14 (f) *DEFINITIONS.—In this section:*

15 (1) *AIDED OR ABETTED.—The term “aided or*  
16 *abetted” means to provide any support to para-*  
17 *military or successor armed groups, including taking*  
18 *actions which allow, facilitate, or otherwise foster the*  
19 *activities of such groups.*

20 (2) *PARAMILITARY GROUPS.—The term “para-*  
21 *military groups” means illegal self-defense groups*  
22 *and illegal security cooperatives, including those*  
23 *groups and cooperatives that have formerly demobi-*  
24 *lized but continue illegal operations, as well as parts*  
25 *thereof.*



## ILLEGAL ARMED GROUPS

1  
2       *SEC. 657. (a) DENIAL OF VISAS.—Subject to sub-*  
3 *section (b), the Secretary of State shall not issue a visa to*  
4 *any alien who the Secretary determines, based on credible*  
5 *evidence—*

6           *(1) has willfully provided any support to the*  
7 *Revolutionary Armed Forces of Colombia (FARC), the*  
8 *National Liberation Army (ELN), or the United Self-*  
9 *Defense Forces of Colombia (AUC), or successor*  
10 *armed groups, including taking actions or failing to*  
11 *take actions which allow, facilitate, or otherwise foster*  
12 *the activities of such groups; or*

13           *(2) has committed, ordered, incited, assisted, or*  
14 *otherwise participated in the commission of gross vio-*  
15 *lations of human rights, including extra-judicial*  
16 *killings, in Colombia.*

17       *(b) WAIVER.—Subsection (a) shall not apply if the*  
18 *Secretary of State certifies and reports to the appropriate*  
19 *congressional committees, on a case-by-case basis, that the*  
20 *issuance of a visa to the alien is necessary to support the*  
21 *peace process in Colombia or for humanitarian reasons.*

## WEST BANK AND GAZA ASSISTANCE

22  
23       *SEC. 658. (a) VETTING.—Prior to the obligation of*  
24 *funds appropriated by this Act under the heading “Eco-*  
25 *nomie Support Fund” for assistance for the West Bank and*  
26 *Gaza, the Secretary of State shall take all appropriate steps*

1 *to ensure that such assistance is not provided to or through*  
2 *any individual, private or government entity, or edu-*  
3 *cational institution that the Secretary knows or has reason*  
4 *to believe advocates, plans, sponsors, engages in, or has en-*  
5 *gaged in, terrorist activity. The Secretary of State shall ter-*  
6 *minate assistance to any individual, entity, or educational*  
7 *institution which the Secretary has determined to be in-*  
8 *volved in or advocating terrorist activity.*

9       **(b) PROHIBITION.**—*None of the funds appropriated by*  
10 *this Act for assistance under the West Bank and Gaza pro-*  
11 *gram may be made available for the purpose of recognizing*  
12 *or otherwise honoring individuals who commit, or have*  
13 *committed, acts of terrorism.*

14       **(c) AUDITS.**—

15           **(1)** *The Administrator of the United States*  
16 *Agency for International Development shall ensure*  
17 *that Federal or non-Federal audits of all contractors*  
18 *and grantees, and significant subcontractors and sub-*  
19 *grantees, under the West Bank and Gaza Program,*  
20 *are conducted at least on an annual basis to ensure,*  
21 *among other things, compliance with this section.*

22           **(2)** *Of the funds appropriated by this Act under*  
23 *the heading “Economic Support Fund” that are made*  
24 *available for assistance for the West Bank and Gaza,*  
25 *up to \$500,000 may be used by the Office of the In-*

7        *SEC. 659. (a)(1) None of the funds appropriated or*  
8   *otherwise made available pursuant to this Act may be made*  
9   *available for assistance, and the Secretary of the Treasury*  
10   *shall instruct the United States executive directors to the*  
11   *international financial institutions to vote against any new*  
12   *project involving the extension by such institutions of any*  
13   *financial or technical assistance, to any country, entity, or*  
14   *municipality whose competent authorities have failed, as*  
15   *determined by the Secretary of State, to take necessary and*  
16   *significant steps to implement its international legal obli-*  
17   *gations to apprehend and transfer to the International*  
18   *Criminal Tribunal for the former Yugoslavia (the “Tri-*  
19   *bunal”) all persons in their territory who have been in-*  
20   *dicted by the Tribunal and to otherwise cooperate with the*  
21   *Tribunal.*

22           (2) *The provisions of this subsection shall not apply*  
23 *to humanitarian assistance or assistance for democratiza-*  
24 *tion.*

25       (b) *The provisions of subsection (a) shall apply unless*  
26 *the Secretary of State determines and reports to the appro-*

1 *priate congressional committees that the competent authori-*  
2 *ties of such country, entity, or municipality are—*

3 *(1) cooperating with the Tribunal, including ac-*  
4 *cess for investigators to archives and witnesses, the*  
5 *provision of documents, and the surrender and trans-*  
6 *fer of indictees or assistance in their apprehension;*  
7 *and*

8 *(2) are acting consistently with the Dayton Ac-*  
9 *cords.*

10 *(c) Not less than 10 days before any vote in an inter-*  
11 *national financial institution regarding the extension of*  
12 *any new project involving financial or technical assistance*  
13 *or grants to any country or entity described in subsection*  
14 *(a), the Secretary of the Treasury, in consultation with the*  
15 *Secretary of State, shall provide to the Committees on Ap-*  
16 *propriations a written justification for the proposed assist-*  
17 *ance, including an explanation of the United States posi-*  
18 *tion regarding any such vote, as well as a description of*  
19 *the location of the proposed assistance by municipality, its*  
20 *purpose, and its intended beneficiaries.*

21 *(d) In carrying out this section, the Secretary of State,*  
22 *the Administrator of the United States Agency for Inter-*  
23 *national Development, and the Secretary of the Treasury*  
24 *shall consult with representatives of human rights organiza-*  
25 *tions and all government agencies with relevant informa-*

1 tion to help prevent indicted war criminals from benefiting  
 2 from any financial or technical assistance or grants pro-  
 3 vided to any country or entity described in subsection (a).

4 (e) The Secretary of State may waive the application  
 5 of subsection (a) with respect to projects within a country,  
 6 entity, or municipality upon a written determination to  
 7 the Committees on Appropriations that such assistance di-  
 8 rectly supports the implementation of the Dayton Accords.

9 (f) *DEFINITIONS.*—As used in this section:

10 (1) *COUNTRY.*—The term “country” means Bos-  
 11 nia and Herzegovina, Croatia and Serbia.

12 (2) *ENTITY.*—The term “entity” refers to the  
 13 Federation of Bosnia and Herzegovina, Kosovo, Mon-  
 14 tenegro and the Republika Srpska.

15 (3) *MUNICIPALITY.*—The term “municipality”  
 16 means a city, town or other subdivision within a  
 17 country or entity as defined herein.

18 (4) *DAYTON ACCORDS.*—The term “Dayton Ac-  
 19 cords” means the General Framework Agreement for  
 20 Peace in Bosnia and Herzegovina, together with an-  
 21 nexes relating thereto, done at Dayton, November 10  
 22 through 16, 1995.

#### 23 *USER FEES*

24 *SEC. 660.* The Secretary of the Treasury shall instruct  
 25 the United States Executive Director at each international  
 26 financial institution (as defined in section 1701(c)(2) of the

1 *International Financial Institutions Act) and the Inter-*  
 2 *national Monetary Fund to oppose any loan, grant, strat-*  
 3 *egy or policy of these institutions that would require user*  
 4 *fees or service charges on poor people for primary education*  
 5 *or primary healthcare, including prevention and treatment*  
 6 *for HIV/AIDS, malaria, tuberculosis, and infant, child, and*  
 7 *maternal well-being, in connection with the institutions' fi-*  
 8 *nancing programs.*

9 *FUNDING FOR SERBIA*

10 *SEC. 661. (a) Funds appropriated by this Act may*  
 11 *be made available for assistance for the central Government*  
 12 *of Serbia after May 31, 2008, if the President has made*  
 13 *the determination and certification contained in subsection*  
 14 *(c).*

15 *(b) After May 31, 2008, the Secretary of the Treasury*  
 16 *should instruct the United States executive directors to the*  
 17 *international financial institutions to support loans and*  
 18 *assistance to the Government of Serbia subject to the condi-*  
 19 *tions in subsection (c).*

20 *(c) The determination and certification referred to in*  
 21 *subsection (a) is a determination by the President and a*  
 22 *certification to the Committees on Appropriations that the*  
 23 *Government of Serbia is—*

24 *(1) cooperating with the International Criminal*  
 25 *Tribunal for the former Yugoslavia including access*  
 26 *for investigators, the provision of documents, timely*

1        *information on the location, movement, and sources of*  
 2        *financial support of indictees, and the surrender and*  
 3        *transfer of indictees or assistance in their apprehen-*  
 4        *sion, including Ratko Mladic and Radovan Karadzic;*

5            *(2) taking steps that are consistent with the*  
 6        *Dayton Accords to end Serbian financial, political,*  
 7        *security and other support which has served to main-*  
 8        *tain separate Republika Srpska institutions; and*

9            *(3) taking steps to implement policies which re-*  
 10        *flect a respect for minority rights and the rule of law.*

11        *(d) This section shall not apply to Kosovo, humani-*  
 12        *tarian assistance or assistance to promote democracy.*

13            *COMMUNITY-BASED POLICE ASSISTANCE*

14        *SEC. 662. (a) AUTHORITY.—Funds made available by*  
 15        *this Act to carry out the provisions of chapter 1 of part*  
 16        *I and chapter 4 of part II of the Foreign Assistance Act*  
 17        *of 1961, may be used, notwithstanding section 660 of that*  
 18        *Act, to enhance the effectiveness and accountability of civil-*  
 19        *ian police authority through training and technical assist-*  
 20        *ance in human rights, the rule of law, strategic planning,*  
 21        *and through assistance to foster civilian police roles that*  
 22        *support democratic governance including assistance for*  
 23        *programs to prevent conflict, respond to disasters, address*  
 24        *gender-based violence, and foster improved police relations*  
 25        *with the communities they serve.*

1       (b) *NOTIFICATION.*—Assistance provided under sub-  
 2       section (a) shall be subject to prior consultation with, and  
 3       the regular notification procedures of, the Committees on  
 4       Appropriations.

5               *SPECIAL DEBT RELIEF FOR THE POOREST*

6       *SEC. 663. (a) AUTHORITY TO REDUCE DEBT.*—The  
 7       President may reduce amounts owed to the United States  
 8       (or any agency of the United States) by an eligible country  
 9       as a result of—

10           (1) *guarantees issued under sections 221 and 222*  
 11       *of the Foreign Assistance Act of 1961;*

12           (2) *credits extended or guarantees issued under*  
 13       *the Arms Export Control Act; or*

14           (3) *any obligation or portion of such obligation,*  
 15       *to pay for purchases of United States agricultural*  
 16       *commodities guaranteed by the Commodity Credit*  
 17       *Corporation under export credit guarantee programs*  
 18       *authorized pursuant to section 5(f) of the Commodity*  
 19       *Credit Corporation Charter Act of June 29, 1948, as*  
 20       *amended, section 4(b) of the Food for Peace Act of*  
 21       *1966, as amended (Public Law 89–808), or section*  
 22       *202 of the Agricultural Trade Act of 1978, as amend-*  
 23       *ed (Public Law 95–501).*

24       (b) *LIMITATIONS.*—

25           (1) *The authority provided by subsection (a)*  
 26       *may be exercised only to implement multilateral offi-*



1        *cial debt relief and referendum agreements, commonly*  
2        *referred to as “Paris Club Agreed Minutes”.*

3            (2) *The authority provided by subsection (a)*  
4        *may be exercised only in such amounts or to such ex-*  
5        *tent as is provided in advance by appropriations*  
6        *Acts.*

7            (3) *The authority provided by subsection (a)*  
8        *may be exercised only with respect to countries with*  
9        *heavy debt burdens that are eligible to borrow from*  
10       *the International Development Association, but not*  
11       *from the International Bank for Reconstruction and*  
12       *Development, commonly referred to as “IDA-only”*  
13       *countries.*

14        (c) *CONDITIONS.—The authority provided by sub-*  
15       *section (a) may be exercised only with respect to a country*  
16       *whose government—*

17            (1) *does not have an excessive level of military*  
18        *expenditures;*

19            (2) *has not repeatedly provided support for acts*  
20        *of international terrorism;*

21            (3) *is not failing to cooperate on international*  
22        *narcotics control matters;*

23            (4) *(including its military or other security*  
24        *forces) does not engage in a consistent pattern of gross*

1        *violations of internationally recognized human rights;*  
 2        *and*

3            *(5) is not ineligible for assistance because of the*  
 4        *application of section 527 of the Foreign Relations*  
 5        *Authorization Act, Fiscal Years 1994 and 1995.*

6        *(d) AVAILABILITY OF FUNDS.—The authority provided*  
 7        *by subsection (a) may be used only with regard to the funds*  
 8        *appropriated by this Act under the heading “Debt Restruc-*  
 9        *turing”.*

10        *(e) CERTAIN PROHIBITIONS INAPPLICABLE.—A reduc-*  
 11        *tion of debt pursuant to subsection (a) shall not be consid-*  
 12        *ered assistance for the purposes of any provision of law lim-*  
 13        *iting assistance to a country. The authority provided by*  
 14        *subsection (a) may be exercised notwithstanding section*  
 15        *620(r) of the Foreign Assistance Act of 1961 or section 321*  
 16        *of the International Development and Food Assistance Act*  
 17        *of 1975.*

18        *AUTHORITY TO ENGAGE IN DEBT BUYBACKS OR SALES*

19        *SEC. 664. (a) LOANS ELIGIBLE FOR SALE, REDUC-*  
 20        *TION, OR CANCELLATION.—*

21            *(1) AUTHORITY TO SELL, REDUCE, OR CANCEL*  
 22        *CERTAIN LOANS.—Notwithstanding any other provi-*  
 23        *sion of law, the President may, in accordance with*  
 24        *this section, sell to any eligible purchaser any*  
 25        *concessional loan or portion thereof made before Jan-*  
 26        *uary 1, 1995, pursuant to the Foreign Assistance Act*

1       of 1961, to the government of any eligible country as  
2       defined in section 702(6) of that Act or on receipt of  
3       payment from an eligible purchaser, reduce or cancel  
4       such loan or portion thereof, only for the purpose of  
5       facilitating—

6               (A) debt-for-equity swaps, debt-for-develop-  
7       ment swaps, or debt-for-nature swaps; or

8               (B) a debt buyback by an eligible country  
9       of its own qualified debt, only if the eligible  
10      country uses an additional amount of the local  
11      currency of the eligible country, equal to not less  
12      than 40 percent of the price paid for such debt  
13      by such eligible country, or the difference between  
14      the price paid for such debt and the face value  
15      of such debt, to support activities that link con-  
16      servation and sustainable use of natural re-  
17      sources with local community development, and  
18      child survival and other child development, in a  
19      manner consistent with sections 707 through 710  
20      of the Foreign Assistance Act of 1961, if the sale,  
21      reduction, or cancellation would not contravene  
22      any term or condition of any prior agreement  
23      relating to such loan.

24              (2) *TERMS AND CONDITIONS.*—Notwithstanding  
25      any other provision of law, the President shall, in ac-

1        *cordance with this section, establish the terms and*  
2        *conditions under which loans may be sold, reduced, or*  
3        *canceled pursuant to this section.*

4            (3) *ADMINISTRATION.*—*The Facility, as defined*  
5        *in section 702(8) of the Foreign Assistance Act of*  
6        *1961, shall notify the administrator of the agency*  
7        *primarily responsible for administering part I of the*  
8        *Foreign Assistance Act of 1961 of purchasers that the*  
9        *President has determined to be eligible, and shall di-*  
10       *rect such agency to carry out the sale, reduction, or*  
11       *cancellation of a loan pursuant to this section. Such*  
12       *agency shall make adjustment in its accounts to re-*  
13       *flect the sale, reduction, or cancellation.*

14           (4) *LIMITATION.*—*The authorities of this sub-*  
15       *section shall be available only to the extent that ap-*  
16       *propriations for the cost of the modification, as de-*  
17       *finied in section 502 of the Congressional Budget Act*  
18       *of 1974, are made in advance.*

19           (b) *DEPOSIT OF PROCEEDS.*—*The proceeds from the*  
20       *sale, reduction, or cancellation of any loan sold, reduced,*  
21       *or canceled pursuant to this section shall be deposited in*  
22       *the United States Government account or accounts estab-*  
23       *lished for the repayment of such loan.*

24           (c) *ELIGIBLE PURCHASERS.*—*A loan may be sold pur-*  
25       *suant to subsection (a)(1)(A) only to a purchaser who pre-*

1 *sents plans satisfactory to the President for using the loan*  
 2 *for the purpose of engaging in debt-for-equity swaps, debt-*  
 3 *for-development swaps, or debt-for-nature swaps.*

4 (d) *DEBTOR CONSULTATIONS.*—*Before the sale to any*  
 5 *eligible purchaser, or any reduction or cancellation pursu-*  
 6 *ant to this section, of any loan made to an eligible country,*  
 7 *the President should consult with the country concerning*  
 8 *the amount of loans to be sold, reduced, or canceled and*  
 9 *their uses for debt-for-equity swaps, debt-for-development*  
 10 *swaps, or debt-for-nature swaps.*

11 (e) *AVAILABILITY OF FUNDS.*—*The authority provided*  
 12 *by subsection (a) may be used only with regard to funds*  
 13 *appropriated by this Act under the heading “Debt Restruc-*  
 14 *turing”.*

#### 15 RECONCILIATION PROGRAMS

16 SEC. 665. *Of the funds appropriated under the heading*  
 17 *“Economic Support Fund”, not less than \$20,000,000 shall*  
 18 *be made available to support reconciliation programs and*  
 19 *activities which bring together individuals of different eth-*  
 20 *nic, religious, and political backgrounds from areas of civil*  
 21 *conflict and war.*

#### 22 SUDAN

23 SEC. 666. (a) *LIMITATION ON ASSISTANCE.*—*Subject*  
 24 *to subsection (b):*

25 (1) *Notwithstanding section 501(a) of the Inter-*  
 26 *national Malaria Control Act of 2000 (Public Law*

1       106–570) or any other provision of law, none of the  
2       funds appropriated by this Act may be made avail-  
3       able for assistance for the Government of Sudan.

4               (2) None of the funds appropriated by this Act  
5       may be made available for the cost, as defined in sec-  
6       tion 502, of the Congressional Budget Act of 1974, of  
7       modifying loans and loan guarantees held by the Gov-  
8       ernment of Sudan, including the cost of selling, reduc-  
9       ing, or canceling amounts owed to the United States,  
10      and modifying concessional loans, guarantees, and  
11      credit agreements.

12      (b) Subsection (a) shall not apply if the Secretary of  
13      State determines and certifies and reports to the Commit-  
14      tees on Appropriations that—

15              (1) the Government of Sudan is honoring its  
16      pledges to cease attacks upon civilians and has dis-  
17      armed and demobilized the Janjaweed and other gov-  
18      ernment-supported militias;

19              (2) the Government of Sudan and all govern-  
20      ment-supported militia groups are honoring their  
21      commitments made in all previous cease-fire agree-  
22      ments; and

23              (3) the Government of Sudan is allowing  
24      unimpeded access to Darfur to humanitarian aid or-  
25      ganizations, the human rights investigation and hu-

1        *humanitarian teams of the United Nations, including*  
2        *protection officers, and an international monitoring*  
3        *team that is based in Darfur and that has the sup-*  
4        *port of the United States.*

5        (c) *EXCEPTIONS.*—*The provisions of subsection (a)*  
6        *shall not apply to—*

7                (1) *humanitarian assistance;*

8                (2) *assistance for Darfur and for areas outside*  
9        *the control of the Government of Sudan; and*

10                (3) *assistance to support implementation of the*  
11        *Comprehensive Peace Agreement and the Darfur*  
12        *Peace Agreement or any other internationally-recog-*  
13        *nized peace agreement in Sudan.*

14        (d) *DEFINITIONS.*—*For the purposes of this Act, the*  
15        *term “Government of Sudan” shall not include the Govern-*  
16        *ment of Southern Sudan.*

17                        *TRANSPARENCY AND ACCOUNTABILITY*

18        *SEC. 667. (a) UNITED NATIONS DEVELOPMENT PRO-*  
19        *GRAM.*—*Prior to the initial obligation of funds appro-*  
20        *priated in this Act under the heading “International Orga-*  
21        *nizations and Programs” for a United States contribution*  
22        *to the United Nations Development Program (UNDP), the*  
23        *Secretary of State shall certify and report to the Committees*  
24        *on Appropriations that UNDP is—*

25                (1) *giving adequate and appropriate access to*  
26        *information to the United States Mission to the*

1       *United Nations regarding UNDP's programs and ac-*  
2       *tivities, as requested, including in North Korea and*  
3       *Burma;*

4             (2) *conducting appropriate oversight of UNDP*  
5       *programs and activities globally; and*

6             (3) *implementing the whistleblower protection*  
7       *policy established by the United Nations Secretariat*  
8       *in December 2005.*

9       (b) *WORLD BANK.*—*Twenty percent of the funds ap-*  
10      *propriated by this Act under the heading "International*  
11      *Development Association" shall be withheld from disburse-*  
12      *ment until the Secretary of the Treasury reports to the*  
13      *Committees on Appropriations that—*

14             (1) *the World Bank has made publicly available,*  
15      *in an appropriate manner, financial disclosure forms*  
16      *of senior World Bank personnel, including those at*  
17      *the level of managing director, vice president, and*  
18      *above;*

19             (2) *the World Bank has established a plan and*  
20      *maintains a schedule for conducting regular, inde-*  
21      *pendent audits of internal management controls and*  
22      *procedures for meeting operational objectives, and is*  
23      *making reports describing the scope and findings of*  
24      *such audits available to the public;*



1           (3) *the World Bank is adequately staffing and*  
2           *sufficiently funding the Department of Institutional*  
3           *Integrity;*

4           (4) *the World Bank has made publicly available*  
5           *the Department of Institutional Integrity’s November*  
6           *23, 2005 “Report of Investigation into Reproductive*  
7           *and Child Health I Project Credit N0180 India” and*  
8           *any subsequent detailed implementation review, and*  
9           *is implementing the recommendations of the Depart-*  
10          *ment of Institutional Integrity regarding this project,*  
11          *including recommendations concerning the prosecu-*  
12          *tion of individuals engaged in corrupt practices; and*

13          (5) *the World Bank has made publicly available*  
14          *the “Volker Panel” report regarding the review and*  
15          *evaluation of the mandate and authorities, policies,*  
16          *procedures, practices, independence, reporting lines,*  
17          *and oversight mechanisms of the World Bank’s De-*  
18          *partment of Institutional Integrity.*

19          (c) *REPORT.—The Comptroller General of the United*  
20          *States shall conduct an assessment of the financial manage-*  
21          *ment and oversight of programs and activities funded under*  
22          *the headings “Millennium Challenge Corporation”, “Global*  
23          *Health Programs” (for HIV/AIDS programs), and “Global*  
24          *HIV/AIDS Initiative” in this Act and prior Acts making*  
25          *appropriations for foreign operations, export financing,*

1 *and related programs. The assessment shall include an ex-*  
2 *amination of donor coordination efforts, and recommenda-*  
3 *tions for improving financial oversight of such programs*  
4 *and activities.*

5 *(d) NATIONAL BUDGET TRANSPARENCY.—(1) None of*  
6 *the funds appropriated by this Act may be made available*  
7 *for assistance for the central government of any country*  
8 *that fails to make publicly available on an annual basis*  
9 *its national budget, to include income and expenditures.*

10 *(2) The Secretary of State may waive subsection*  
11 *(d)(1) on a country-by-country basis if the Secretary*  
12 *reports to the Committees on Appropriations that to*  
13 *do so is important to the national interests of the*  
14 *United States.*

15 *(3) The reporting requirement pursuant to sec-*  
16 *tion 585(b) of Public Law 108–7 regarding fiscal*  
17 *transparency and accountability in countries whose*  
18 *central governments receive United States foreign as-*  
19 *sistance shall apply to this Act.*

20 *EXCESS DEFENSE ARTICLES FOR CENTRAL AND SOUTH*  
21 *EUROPEAN COUNTRIES AND CERTAIN OTHER COUNTRIES*

22 *SEC. 668. Notwithstanding section 516(e) of the For-*  
23 *ign Assistance Act of 1961 (22 U.S.C. 2321j(e)), during*  
24 *fiscal year 2008, funds available to the Department of De-*  
25 *fense may be expended for crating, packing, handling, and*  
26 *transportation of excess defense articles transferred under*

1 *the authority of section 516 of such Act to Albania, Afghani-*  
 2 *stan, Bulgaria, Croatia, Estonia, Former Yugoslavian Re-*  
 3 *public of Macedonia, Georgia, India, Iraq, Latvia, Lith-*  
 4 *uania, Moldova, Mongolia, Pakistan, Romania, Slovakia,*  
 5 *and Ukraine.*

6

## ZIMBABWE

7 *SEC. 669. The Secretary of the Treasury shall instruct*  
 8 *the United States executive director to each international*  
 9 *financial institution to vote against any extension by the*  
 10 *respective institution of any loans to the Government of*  
 11 *Zimbabwe, except to meet basic human needs or to promote*  
 12 *democracy, unless the Secretary of State determines and*  
 13 *certifies to the Committees on Appropriations that the rule*  
 14 *of law has been restored in Zimbabwe, including respect*  
 15 *for ownership and title to property, freedom of speech and*  
 16 *association.*

17

## DEVELOPMENT GRANTS PROGRAM

18 *SEC. 670. (a) ESTABLISHMENT OF THE PROGRAM.—*  
 19 *There is established within the United States Agency for*  
 20 *International Development (USAID) a Development Grants*  
 21 *Program (DGP) to provide small grants to United States*  
 22 *and indigenous nongovernmental organizations for the pur-*  
 23 *pose of carrying out the provisions of chapters 1 and 10*  
 24 *of part I and chapter 4 of part II of the Foreign Assistance*  
 25 *Act of 1961.*

1       (b) *ELIGIBILITY FOR GRANTS.*—*Grants from the DGP*  
2 *shall be made only for proposals of nongovernmental orga-*  
3 *nizations identified in the report accompanying this Act*  
4 *that are recommended for consideration for funding by that*  
5 *report, and for proposals of other nongovernmental organi-*  
6 *zations that apply.*

7       (c) *COMPETITION.*—*To the maximum extent prac-*  
8 *ticable, grants made pursuant to the authority of this sec-*  
9 *tion shall be open, transparent and competitive.*

10      (d) *SIZE OF PROGRAM AND INDIVIDUAL GRANTS.*—

11           (1) *Of the funds appropriated by this Act to*  
12 *carry out chapter 1 of part I and chapter 4 of part*  
13 *II of the Foreign Assistance Act of 1961, not less than*  
14 *\$50,000,000 shall be made available for purposes of*  
15 *this section: Provided, That not more than 50 percent*  
16 *of this amount shall be derived from funds appro-*  
17 *priated to carry out chapter 1 of part I of such Act.*

18           (2) *No individual grant, or grant amendment,*  
19 *made pursuant to this section shall exceed \$2,000,000.*

20      (e) *AVAILABILITY OF OTHER FUNDS.*—*Funds made*  
21 *available under this section are in addition to other funds*  
22 *available for such purposes including funds designated by*  
23 *this Act by section 665, Reconciliation Programs.*

24      (f) *DEFINITION.*—*For purposes of this section, the term*  
25 *“nongovernmental organization” means a private and vol-*

1 untary organization or for-profit entity, and shall not in-  
 2 clude entities owned in whole or in part by a government  
 3 or governmental entity.

4 (g) *REPORT.*—Within 90 days from the date of enact-  
 5 ment of this Act, and after consultation with the Commit-  
 6 tees on Appropriations, the Administrator of USAID shall  
 7 submit a report to those Committees describing the proce-  
 8 dures and mechanisms USAID will use to implement this  
 9 section.

#### 10 MONITORING OF MILITARY ASSISTANCE

11 *SEC. 671.* Not later than 90 days after enactment of  
 12 this Act, the Secretary of State shall submit a report to  
 13 the Committees on Appropriations detailing the procedures  
 14 being applied, on a country-by-country basis, to monitor  
 15 whether funds appropriated by this Act under the heading  
 16 “Foreign Military Financing Program” for assistance for  
 17 Bangladesh, Democratic Republic of the Congo, Ethiopia,  
 18 Pakistan, Philippines, and Sri Lanka, are misused by  
 19 units of the security forces of such countries against civil-  
 20 ians, including civilians who are members of political oppo-  
 21 sition parties and human rights groups.

#### 22 DISASTER ASSISTANCE AND RECOVERY

23 *SEC. 672. (a)* Funds made available to the Comptroller  
 24 General under chapter 4 of title I of the Emergency Supple-  
 25 mental Appropriations Act (Public Law 106–31; 113 Stat.  
 26 69) and section 593 of the Foreign Operations, Export Fi-

1 nancing, and Programs Agencies Appropriations Act, 2001  
 2 (Public Law 106–429; 114 Stat. 1900A–59) to monitor the  
 3 provisions of assistance to address the effects of hurricanes  
 4 in Central America and the Caribbean and the earthquake  
 5 in Colombia, and to monitor the earthquake relief and re-  
 6 construction efforts in El Salvador under section 561 of the  
 7 Foreign Operations, Export Financing, and Programs  
 8 Agencies Appropriations Act, 2002 (Public Law 107–115;  
 9 115 Stat. 2162) shall also be available to the Comptroller  
 10 General to monitor any other disaster assistance and recov-  
 11 ery effort.

12 (b) This section shall apply with respect to fiscal year  
 13 2008 and each year thereafter.

14 UNITED STATES AGENCY FOR INTERNATIONAL  
 15 DEVELOPMENT MANAGEMENT  
 16 (INCLUDING TRANSFER OF FUNDS)

17 SEC. 673. (a) AUTHORITY.—Up to \$81,000,000 of the  
 18 funds made available in this Act to carry out the provisions  
 19 of part I of the Foreign Assistance Act of 1961, including  
 20 funds appropriated under the heading “Assistance for East-  
 21 ern Europe and the Baltic States”, may be used by the  
 22 United States Agency for International Development  
 23 (USAID) to hire and employ individuals in the United  
 24 States and overseas on a limited appointment basis pursu-  
 25 ant to the authority of sections 308 and 309 of the Foreign  
 26 Service Act of 1980.

1       (b) *RESTRICTIONS.*—

2           (1) *The number of individuals hired in any fis-*  
3       *cal year pursuant to the authority contained in sub-*  
4       *section (a) may not exceed 175.*

5           (2) *The authority to hire individuals contained*  
6       *in subsection (a) shall expire on September 30, 2009.*

7       (c) *CONDITIONS.*—*The authority of subsection (a) may*  
8       *only be used to the extent that an equivalent number of posi-*  
9       *tions that are filled by personal services contractors or other*  
10       *nondirect-hire employees of USAID, who are compensated*  
11       *with funds appropriated to carry out part I of the Foreign*  
12       *Assistance Act of 1961, including funds appropriated under*  
13       *the heading “Assistance for Eastern Europe and the Baltic*  
14       *States”, are eliminated.*

15       (d) *PRIORITY SECTORS.*—*In exercising the authority*  
16       *of this section, primary emphasis shall be placed on ena-*  
17       *bling USAID to meet personnel positions in technical skill*  
18       *areas currently encumbered by contractor or other non-*  
19       *direct-hire personnel.*

20       (e) *CONSULTATIONS.*—*The USAID Administrator*  
21       *shall consult with the Committees on Appropriations at*  
22       *least on a quarterly basis concerning the implementation*  
23       *of this section.*

24       (f) *PROGRAM ACCOUNT CHARGED.*—*The account*  
25       *charged for the cost of an individual hired and employed*

1 *under the authority of this section shall be the account to*  
2 *which such individual's responsibilities primarily relate.*  
3 *Funds made available to carry out this section may be*  
4 *transferred to and merged and consolidated with funds ap-*  
5 *propriated for "Operating Expenses of the United States*  
6 *Agency for International Development".*

7       (g) *MANAGEMENT REFORM PILOT.—Of the funds made*  
8 *available in subsection (a), USAID may use, in addition*  
9 *to funds otherwise available for such purposes, up to*  
10 *\$15,000,000 to fund overseas support costs of members of*  
11 *the Foreign Service with a Foreign Service rank of four*  
12 *or below: Provided, That such authority is only used to re-*  
13 *duce USAID's reliance on overseas personal services con-*  
14 *tractors or other nondirect-hire employees compensated with*  
15 *funds appropriated to carry out part I of the Foreign As-*  
16 *sistance Act of 1961, including funds appropriated under*  
17 *the heading "Assistance for Eastern Europe and the Baltic*  
18 *States".*

19       (h) *DISASTER SURGE CAPACITY.—Funds appro-*  
20 *priated by this Act to carry out part I of the Foreign Assist-*  
21 *ance Act of 1961, including funds appropriated under the*  
22 *heading "Assistance for Eastern Europe and the Baltic*  
23 *States", may be used, in addition to funds otherwise avail-*  
24 *able for such purposes, for the cost (including the support*  
25 *costs) of individuals detailed to or employed by the United*



1 *States Agency for International Development whose pri-*  
2 *mary responsibility is to carry out programs in response*  
3 *to natural disasters.*

4 *OPIC TRANSFER AUTHORITY*

5 *(INCLUDING TRANSFER OF FUNDS)*

6 *SEC. 674. Whenever the President determines that it*  
7 *is in furtherance of the purposes of the Foreign Assistance*  
8 *Act of 1961, up to a total of \$20,000,000 of the funds appro-*  
9 *priated under title II of this Act may be transferred to and*  
10 *merged with funds appropriated by this Act for the Over-*  
11 *seas Private Investment Corporation Program Account, to*  
12 *be subject to the terms and conditions of that account: Pro-*  
13 *vided, That such funds shall not be available for adminis-*  
14 *trative expenses of the Overseas Private Investment Cor-*  
15 *poration: Provided further, That funds earmarked by this*  
16 *Act shall not be transferred pursuant to this section: Pro-*  
17 *vided further, That the exercise of such authority shall be*  
18 *subject to the regular notification procedures of the Commit-*  
19 *tees on Appropriations.*

20 *REPORTING REQUIREMENT*

21 *SEC. 675. The Secretary of State shall provide the*  
22 *Committees on Appropriations, not later than April 1,*  
23 *2008, and for each fiscal quarter, a report in writing on*  
24 *the uses of funds made available under the headings “For-*  
25 *ign Military Financing Program”, “International Mili-*  
26 *tary Education and Training”, and “Peacekeeping Oper-*

1 *ations”: Provided, That such report shall include a descrip-*  
 2 *tion of the obligation and expenditure of funds, and the spe-*  
 3 *cific country in receipt of, and the use or purpose of the*  
 4 *assistance provided by such funds.*

5 *ENVIRONMENT AND ENERGY CONSERVATION PROGRAMS*

6 *SEC. 676. (a) BIODIVERSITY.—Of the funds appro-*  
 7 *priated under the heading “Development Assistance”, not*  
 8 *less than \$195,000,000 shall be made available for programs*  
 9 *and activities which directly protect biodiversity, including*  
 10 *forests, in developing countries, of which not less than the*  
 11 *amount of funds initially allocated pursuant to section*  
 12 *653(a) of the Foreign Assistance Act of 1961 for fiscal year*  
 13 *2006 shall be made available for such activities in Brazil,*  
 14 *Colombia, Ecuador, Peru and Bolivia, and that in addition*  
 15 *to such amounts for such countries not less than*  
 16 *\$15,000,000 shall be made available for the United States*  
 17 *Agency for International Development’s Amazon Basin*  
 18 *Conservation Initiative: Provided, That of the funds appro-*  
 19 *priated by this Act, not less than \$2,000,000 should be made*  
 20 *available for wildlife conservation and protected area man-*  
 21 *agement in the Boma-Jonglei landscape of Southern Sudan,*  
 22 *and not less than \$17,500,000 shall be made available for*  
 23 *the Congo Basin Forest Partnership of which not less than*  
 24 *\$2,500,000 shall be made available to the United States*  
 25 *Fish and Wildlife Service for wildlife conservation pro-*  
 26 *grams in Central Africa.*

1       (b) *ENERGY.*—

2           (1) *Of the funds appropriated by this Act, not*  
3       *less than \$195,000,000 shall be made available to sup-*  
4       *port clean energy and other climate change programs*  
5       *in developing countries, of which not less than*  
6       *\$125,000,000 should be made available to directly*  
7       *promote and deploy energy conservation, energy effi-*  
8       *ciency, and renewable and clean energy technologies*  
9       *with an emphasis on small hydro, solar and wind en-*  
10      *ergy, and of which the balance should be made avail-*  
11      *able to directly: (1) reduce greenhouse gas emissions;*  
12      *(2) increase carbon sequestration activities; and (3)*  
13      *support climate change mitigation and adaptation*  
14      *programs.*

15          (2) *The Secretary of State shall convene an*  
16      *interagency committee, including appropriate offi-*  
17      *cial of the Department of State, the United States*  
18      *Agency for International Development, and the Envi-*  
19      *ronmental Protection Agency, to evaluate the specific*  
20      *needs of developing countries in adapting to climate*  
21      *change impacts: Provided, That the Secretary shall*  
22      *submit a report to the Committees on Appropriations*  
23      *not later than September 1, 2008, describing such*  
24      *needs, on a country-by-country and regional basis,*  
25      *and the actions planned and being taken by the*

1 *United States, including funding provided to devel-*  
2 *oping countries specifically for adaptation to climate*  
3 *change impacts.*

4 *(c) EXTRACTION OF NATURAL RESOURCES.—*

5 *(1) The Secretary of the Treasury shall inform*  
6 *the managements of the international financial insti-*  
7 *tutions and the public that it is the policy of the*  
8 *United States that any assistance by such institutions*  
9 *(including but not limited to any loan, credit, grant,*  
10 *or guarantee) for the extraction and export of oil, gas,*  
11 *coal, timber, or other natural resource should not be*  
12 *provided unless the government of the country has in*  
13 *place functioning systems for: (A) accurately account-*  
14 *ing for revenues and expenditures in connection with*  
15 *the extraction and export of the type of natural re-*  
16 *source to be extracted or exported; (B) the inde-*  
17 *pendent auditing of such accounts and the widespread*  
18 *public dissemination of the audits; and (C) verifying*  
19 *government receipts against company payments in-*  
20 *cluding widespread dissemination of such payment*  
21 *information, and disclosing such documents as Host*  
22 *Government Agreements, Concession Agreements, and*  
23 *bidding documents, allowing in any such dissemina-*  
24 *tion or disclosure for the redaction of, or exceptions*

1       *for, information that is commercially proprietary or*  
 2       *that would create competitive disadvantage.*

3               *(2) Not later than 180 days after the enactment*  
 4       *of this Act, the Secretary of the Treasury shall submit*  
 5       *a report to the Committees on Appropriations describ-*  
 6       *ing, for each international financial institution, the*  
 7       *amount and type of assistance provided, by country,*  
 8       *for the extraction and export of oil, gas, coal, timber,*  
 9       *or other national resource since September 30, 2007,*  
 10       *and whether each institution considered, in its pro-*  
 11       *posal for such assistance, the extent to which the*  
 12       *country has functioning systems described in para-*  
 13       *graph (c)(1).*

14               *(d) Funds appropriated under titles II, III and IV of*  
 15       *this Act shall to the maximum extent practicable, be subject*  
 16       *to the provisions of section 117 (relating to environment*  
 17       *and natural resources) of the Foreign Assistance Act of*  
 18       *1961.*

19   UZBEKISTAN

20       *SEC. 677. (a) LIMITATION ON ASSISTANCE.—Funds*  
 21       *appropriated by this Act may be made available for assist-*  
 22       *ance for the central Government of Uzbekistan only if the*  
 23       *Secretary of State determines and reports to the Committees*  
 24       *on Appropriations that—*

25               *(1) the Government of Uzbekistan is making sub-*  
 26       *stantial and continuing progress in meeting its com-*

1        *mitments under the “Declaration on the Strategic*  
2        *Partnership and Cooperation Framework Between the*  
3        *Republic of Uzbekistan and the United States of*  
4        *America”, including respect for human rights, estab-*  
5        *lishing a genuine multi-party system, and ensuring*  
6        *free and fair elections, freedom of expression, and the*  
7        *independence of the media; and*

8                *(2) a credible international investigation of the*  
9        *May 13, 2005, shootings in Andijan is underway*  
10        *with the support of the Government of Uzbekistan.*

11        *(b) SANCTIONS.—Not later than 90 days after the date*  
12        *of enactment of this Act, the Secretary of State shall send*  
13        *to the appropriate congressional committees a list of offi-*  
14        *cials of the Government of Uzbekistan and their immediate*  
15        *family members who the Secretary has credible evidence to*  
16        *believe have been involved in the Andijan massacre or in*  
17        *other gross violations of human rights in Uzbekistan;*

18        *(c) IMPOSITION OF SANCTIONS.—Not later than 10*  
19        *days after the list described in subsection (b) is submitted*  
20        *to the appropriate congressional committees, the following*  
21        *sanctions shall apply:*

22                *(1) Any individual on the list submitted under*  
23        *subsection (b) shall be ineligible for a visa to enter the*  
24        *United States.*

1           (2) *No property or interest in property belonging*  
2           *to an individual on the list submitted under sub-*  
3           *section (b), or to a member of the immediate family*  
4           *of such individual if the property is effectively under*  
5           *the control of such individual, may be transferred,*  
6           *paid, exported, withdrawn, or otherwise dealt with, if*  
7           *the property is within the United States or within the*  
8           *possession or control of a United States person, in-*  
9           *cluding the overseas branch of such person, or after*  
10          *the date of the enactment of this Act comes within the*  
11          *control of such person.*

12          (3) *No United States person may engage in fi-*  
13          *nancial transactions with an individual on the list*  
14          *submitted under subsection (b), or with a member of*  
15          *the immediate family of such individual if the trans-*  
16          *action will benefit an individual on the list submitted*  
17          *under subsection (b).*

18          (c) *FREEZING OF ASSETS.—*

19          (1) *IN GENERAL.—The Secretary of the Treasury*  
20          *shall immediately block any assets, property, trans-*  
21          *actions in foreign exchange, currency, or securities,*  
22          *and transfers of credit or payments between, by,*  
23          *through, or to any banking institution under the ju-*  
24          *risdiction of the United States of an individual iden-*  
25          *tified under subsection (b) of this section.*

1           (2) *REPORTING REQUIREMENT.*—Not later than  
 2       15 days after a decision to freeze the assets identified  
 3       in this subsection of any individual identified under  
 4       subsection (b), the Secretary of the Treasury shall—

5                   (A) report the name of such individual to  
 6       the Committees on Appropriations; and

7                   (B) require any United States financial in-  
 8       stitution holding such funds or assets to prompt-  
 9       ly report those funds and assets to the Office of  
 10      Foreign Assets Control.

11                                   CENTRAL ASIA

12      SEC. 678. (a) *Funds appropriated by this Act may*  
 13      *be made available for assistance for the Government of*  
 14      *Kazakhstan only if the Secretary of State determines and*  
 15      *reports to the Committees on Appropriations that the Gov-*  
 16      *ernment of Kazakhstan has made significant improvements*  
 17      *in the protection of human rights during the preceding 6*  
 18      *month period.*

19           (b) *The Secretary of State may waive subsection (a)*  
 20      *if the Secretary determines and reports to the Committees*  
 21      *on Appropriations that such a waiver is important to the*  
 22      *national security of the United States.*

23           (c) *Not later than October 1, 2008, the Secretary of*  
 24      *State shall submit a report to the Committees on Appro-*  
 25      *priations and the Committee on Foreign Relations of the*



(1) *The defense articles, defense services, and financial assistance provided by the United States to the countries of Central Asia during the 12-month period ending 30 days prior to submission of such report.*

8                   (2) *The use during such period of defense arti-*  
9                   *cles, defense services, and financial assistance pro-*  
10                  *vided by the United States by units of the armed*  
11                  *forces, border guards, or other security forces of such*  
12                  *countries.*

(d) For purposes of this section, the term “countries of Central Asia” means Uzbekistan, Kazakhstan, Kyrgyz Republic, Tajikistan, and Turkmenistan.

16 *DISABILITY PROGRAMS*

SEC. 679. (a) Of the funds appropriated by this Act under the heading “Economic Support Fund”, not less than \$4,000,000 shall be made available for programs and activities administered by the United States Agency for International Development (USAID) to address the needs and protect the rights of people with disabilities in developing countries, of which \$1,500,000 should be made available to disability advocacy organizations that have expertise in working to protect the rights and increasing the independence and full participation of people with disabilities: Pro-

1 vided, That funds for disability advocacy organizations  
2 should be used for training and technical assistance for for-  
3 eign disabled persons organizations in such areas as advo-  
4 cacy, education, independent living, and transportation,  
5 with the goal of promoting equal participation of people  
6 with disabilities in developing countries: Provided further,  
7 That USAID should seek to disburse at least 25 percent of  
8 the funds made available pursuant to this subsection in the  
9 form of small grants.

10 (b) Funds appropriated under the heading “Operating  
11 Expenses of the United States Agency for International De-  
12 velopment” shall be made available to develop and imple-  
13 ment training for staff in overseas USAID missions to pro-  
14 mote the full inclusion and equal participation of people  
15 with disabilities in developing countries.

16 (c) The Secretary of State, the Secretary of the Treas-  
17 ury, and the Administrator of USAID shall seek to ensure  
18 that, where appropriate, construction projects funded by  
19 this Act are accessible to people with disabilities and in  
20 compliance with the USAID Policy on Standards for Acces-  
21 sibility for the Disabled, or other similar accessibility  
22 standards.

23 (d) Of the funds made available pursuant to subsection  
24 (a), not more than 7 percent may be for management, over-  
25 sight and technical support.

1       (e) Not later than 180 days after the date of enactment  
2 of this Act, and 180 days thereafter, the Administrator of  
3 USAID shall submit a report describing the programs, ac-  
4 tivities, and organizations funded pursuant to this section.

5                   NEGLECTED TROPICAL DISEASES

6       SEC. 680. Of the funds appropriated under the heading  
7 “Global Health Programs”, not less than \$15,000,000 shall  
8 be made available for continued support of the United  
9 States Agency for International Development’s cooperative  
10 agreement to implement an integrated response to the con-  
11 trol of neglected diseases including intestinal parasites,  
12 schistosomiasis, lymphatic filariasis, onchocerciasis, tra-  
13 choma and leprosy: Provided, That the Administrator of the  
14 United States Agency for International Development shall  
15 work with relevant technical organizations addressing the  
16 specific diseases, recipient countries, donor countries, the  
17 private sector, UNICEF and the World Health Organiza-  
18 tion to develop a multilateral, integrated initiative to con-  
19 trol these diseases that will enhance coordination and effec-  
20 tiveness and maximize the leverage of United States con-  
21 tributions with those of other donors: Provided further, That  
22 funds made available pursuant to this section shall be sub-  
23 ject to the regular notification procedures of the Committees  
24 on Appropriations.

1        *ORPHANS, DISPLACED AND ABANDONED CHILDREN*

2        *SEC. 681. Of the funds appropriated under title III*  
3 *of this Act, \$3,000,000 should be made available for activi-*  
4 *ties to improve the capacity of foreign government agencies*  
5 *and nongovernmental organizations to prevent child aban-*  
6 *donment, address the needs of orphans, displaced and aban-*  
7 *doned children and provide permanent homes through fam-*  
8 *ily reunification, guardianship and domestic adoptions:*  
9 *Provided, That funds made available under title III of this*  
10 *Act should be made available, as appropriate, consistent*  
11 *with—*

12            *(1) the goal of enabling children to remain in the*  
13 *care of their family of origin, but when not possible,*  
14 *placing children in permanent homes through adop-*  
15 *tion;*

16            *(2) the principle that such placements should be*  
17 *based on informed consent which has not been in-*  
18 *duced by payment or compensation;*

19            *(3) the view that long-term foster care or institu-*  
20 *tionalization are not permanent options and should*  
21 *be used when no other suitable permanent options are*  
22 *available; and*

23            *(4) the recognition that programs that protect*  
24 *and support families can reduce the abandonment*  
25 *and exploitation of children.*

1     COORDINATOR OF ACTIVITIES RELATING TO INDIGENOUS  
2                                     PEOPLES INTERNATIONALLY

3             SEC. 682. (a) COORDINATOR.—*After consultation with*  
4 *the Committees on Appropriations and not later than 90*  
5 *days after the enactment of this Act, there shall be estab-*  
6 *lished within the Department of State in the immediate of-*  
7 *fice of the Director of United States Foreign Assistance a*  
8 *Coordinator of Activities Relating to Indigenous Peoples*  
9 *Internationally (hereinafter in this section referred to as*  
10 *the “Coordinator”), who shall be appointed by the Director.*  
11 *The Coordinator shall report directly to the Director.*

12             (b) RESPONSIBILITIES.—*The Coordinator shall:*

13                     (1) *Serve as a principal advisor to the Director*  
14 *of United States Foreign Assistance and the Adminis-*  
15 *trator of the United States Agency for International*  
16 *Development on matters relating to the rights and*  
17 *needs of indigenous peoples internationally and*  
18 *should represent the United States Government on*  
19 *such matters in meetings with foreign governments*  
20 *and multilateral institutions.*

21                     (2) *Provide for the oversight and coordination of*  
22 *all resources, programs, projects, and activities of the*  
23 *United States Government to protect the rights and*  
24 *address the needs of indigenous peoples internation-*  
25 *ally; and*

1           (3) *Develop and coordinate assistance strategies*  
 2           *with specific goals, guidelines, benchmarks, and im-*  
 3            *pact assessments (including support for local indige-*  
 4           *nous peoples' organizations).*

5           (c) *FUNDS.*—*Of the funds appropriated by this Act*  
 6           *under the heading “Diplomatic and Consular Programs”,*  
 7           *not less than \$250,000 shall be made available for imple-*  
 8           *menting the provisions of this section.*

9           (d) *REPORT.*—*Not later than one year after the enact-*  
 10          *ment of this Act, the Secretary shall submit a report to the*  
 11          *Committees on Appropriations describing progress made in*  
 12          *implementing this section.*

13                               OVERSIGHT OF IRAQ RECONSTRUCTION

14          SEC. 683. *Subsection (o) of section 3001 of the Emer-*  
 15          *gency Supplemental Appropriations Act for Defense and for*  
 16          *the Reconstruction of Iraq and Afghanistan, 2004 (Public*  
 17          *Law 108–106; 117 Stat. 1234; 5 U.S.C. App. 3 section 8G*  
 18          *note), as amended by section 1054(b) of the John Warner*  
 19          *National Defense Authorization Act for Fiscal Year 2007*  
 20          *(Public Law 109–364; 129 Stat. 2397), section 2 of the Iraq*  
 21          *Reconstruction Accountability Act of 2006 (Public Law*  
 22          *109–440), and section 3801 of the U.S. Troop Readiness,*  
 23          *Veterans' Care, Katrina Recovery, and Iraq Accountability*  
 24          *Appropriations Act, 2007 (Public Law 110–28) is amend-*  
 25          *ed—*

1           (1) in subsection (o)(1)(B) by striking “fiscal  
2           year 2006 or fiscal year 2007” and inserting “fiscal  
3           years 2006 through 2008”. Section 1054 of Public  
4           Law 109–364 is amended by striking “fiscal year  
5           2006” and inserting “fiscal years 2006 through  
6           2008”; and

7           (2) by adding at the end of such section the fol-  
8           lowing subsection:

9           “(p) *RULE OF CONSTRUCTION.*—For the purposes of  
10          carrying out the duties of the Inspector General, any United  
11          States funds appropriated or otherwise made available for  
12          fiscal years 2006 through 2008 for the reconstruction of  
13          Iraq, irrespective of the designation of such funds, shall be  
14          deemed to be amounts appropriated or otherwise made  
15          available to the Iraq Relief and Reconstruction Fund.”.

16          *DEMOBILIZATION AND DISARMAMENT IN COLOMBIA*

17          *SEC. 684. (a) AVAILABILITY OF FUNDS.*—Of the funds  
18          appropriated in this Act, up to \$12,000,000 may be made  
19          available in fiscal year 2008 for assistance for the demobili-  
20          zation and reintegration of former members of foreign ter-  
21          rorist organizations (FTOs) in Colombia, if the Secretary  
22          of State consults with and makes a certification described  
23          in subsection (b) to the Committees on Appropriations prior  
24          to the initial obligation of amounts for such assistance for  
25          the fiscal year involved.

1       (b) *CERTIFICATION.*—*A certification described in this*  
2 *subsection is a certification that—*

3           (1) *assistance for the fiscal year will be provided*  
4 *only for individuals who have: (A) verifiably re-*  
5 *nounced and terminated any affiliation or involve-*  
6 *ment with FTOs or other illegal armed groups; (B)*  
7 *are meeting all the requirements of the Colombia De-*  
8 *mobilization Program, including having disclosed*  
9 *their involvement in past crimes and their knowledge*  
10 *of the FTO's structure, financing sources, illegal as-*  
11 *sets, and the location of kidnapping victims and bod-*  
12 *ies of the disappeared; and (C) are not involved in*  
13 *acts of intimidation or violence;*

14           (2) *the Government of Colombia is providing full*  
15 *cooperation to the Government of the United States to*  
16 *extradite the leaders and members of the FTOs who*  
17 *have been indicted in the United States for murder,*  
18 *kidnapping, narcotics trafficking, or other violations*  
19 *of United States law, and is immediately extraditing*  
20 *to the United States those commanders, leaders and*  
21 *members indicted in the United States who have*  
22 *breached the terms of the Colombia Demobilization*  
23 *Program, including by failing to fully confess their*  
24 *crimes, failing to disclose their illegal assets, or com-*



1        *mitting new crimes since the approval of the Justice*  
2        *and Peace Law;*

3            *(3) the Government of Colombia is not taking*  
4        *any steps to legalize the titles of land or other assets*  
5        *illegally obtained and held by FTOs, their associates,*  
6        *or successors, has established effective procedures to*  
7        *identify such land and other assets, and is confis-*  
8        *cating and returning such land and other assets to*  
9        *their rightful owners;*

10          *(4) the Government of Colombia is implementing*  
11        *a concrete and workable framework for dismantling*  
12        *the organizational structures of foreign terrorist orga-*  
13        *nizations; and*

14          *(5) funds shall not be made available as cash*  
15        *payments to individuals and are available only for*  
16        *activities under the following categories: verification,*  
17        *reintegration (including training and education), vet-*  
18        *ting, recovery of assets for reparations for victims,*  
19        *and investigations and prosecutions.*

20          *(c) NOTIFICATION.—Funds made available by this Act*  
21        *for demobilization and reintegration of members of FTOs*  
22        *shall be subject to the regular notification procedures of the*  
23        *Committees on Appropriations.*

24          *(d) DEFINITIONS.—In this section:*

1           (1) *APPROPRIATE CONGRESSIONAL COMMIT-*  
 2           *TEES.*—*The term “appropriate congressional commit-*  
 3           *tees” means—*

4                     (A) *the Committee on Appropriations and*  
 5                     *the Committee on Foreign Affairs of the House*  
 6                     *of Representatives; and*

7                     (B) *the Committee on Appropriations and*  
 8                     *the Committee on Foreign Relations of the Sen-*  
 9                     *ate.*

10          (2) *FOREIGN TERRORIST ORGANIZATION.*—*The*  
 11          *term “foreign terrorist organization” means an orga-*  
 12          *nization designated as a terrorist organization under*  
 13          *section 219 of the Immigration and Nationality Act.*

14                                     *INDONESIA*

15          *SEC. 685. Of the funds appropriated under the heading*  
 16          *“Foreign Military Financing Program”, \$15,700,000 may*  
 17          *be made available for assistance for Indonesia, and an ad-*  
 18          *ditional \$2,000,000 may be made available when the Sec-*  
 19          *retary of State reports to the Committees on Appropriations*  
 20          *that the Government of Indonesia has written plans to effec-*  
 21          *tively—*

22                     (1) *provide accountability for past violations of*  
 23                     *human rights by members of the Indonesian military;*

24                     (2) *allow public access to West Papua; and*

1           (3) *pursue the criminal investigation, and pro-*  
2           *vide the projected timeframe for completing the inves-*  
3           *tigation, of the murder of Munir Said Thalib.*

4                           *ASSISTANCE FOR GUATEMALA*

5           *SEC. 686. (a) Funds appropriated by this Act under*  
6           *the heading “International Military Education and Train-*  
7           *ing” that are available for assistance for Guatemala, other*  
8           *than for expanded international military education and*  
9           *training, may be made available only for the Guatemalan*  
10          *Air Force and Navy: Provided, That such funds may be*  
11          *made available only if the Secretary of State certifies that*  
12          *the Guatemalan Air Force and Navy are respecting human*  
13          *rights and are cooperating with civilian judicial investiga-*  
14          *tions and prosecutions of military personnel who have been*  
15          *credibly alleged to have committed violations of human*  
16          *rights.*

17          *(b) Of the funds appropriated by this Act under the*  
18          *heading “Foreign Military Financing Program”, not more*  
19          *than \$500,000 may be made available for the Guatemalan*  
20          *Air Force and Navy: Provided, That such funds may be*  
21          *made available only if the Secretary of State certifies that*  
22          *the Guatemalan Air Force and Navy are respecting human*  
23          *rights and are cooperating with civilian judicial investiga-*  
24          *tions and prosecutions of military personnel who have been*  
25          *credibly alleged to have committed violations of human*  
26          *rights, and the Guatemalan Armed Forces are fully cooper-*

1 *ating with the International Commission Against Impu-*  
 2 *nity in Guatemala.*

3 *(c) Funds made available for assistance for Guatemala*  
 4 *under the headings referred to in this section shall be subject*  
 5 *to the regular notification procedures of the Committees on*  
 6 *Appropriations.*

7 *CHILD SOLDIERS*

8 *SEC. 687. (a) No military assistance shall be furnished*  
 9 *with funds appropriated by this Act and, during the cur-*  
 10 *rent fiscal year, no military equipment or technology shall*  
 11 *be sold or transferred pursuant to the authorities contained*  
 12 *in this Act or any other Act, to the government of a country*  
 13 *that is identified by the Department of State's 2006 Coun-*  
 14 *try Reports on Human Rights Practices as having govern-*  
 15 *mental armed forces or government-supported armed*  
 16 *groups, including paramilitaries, militias, or civil defense*  
 17 *forces, forces that recruit or use child soldiers.*

18 *(b) The Secretary of State may provide assistance or*  
 19 *defense articles otherwise prohibited under subsection (a) to*  
 20 *a country upon certifying to the Committees on Appropria-*  
 21 *tions that the government of such country has implemented*  
 22 *effective measures to demobilize children from its forces or*  
 23 *from government-supported armed groups and prohibit and*  
 24 *prevent the future recruitment or use of child soldiers.*

25 *(c) The Secretary of State may waive the application*  
 26 *to a country of the prohibition in subsection (a) if the Sec-*

5        *SEC. 688. Of the funds appropriated by this Act under*  
6 *the heading “Foreign Military Financing Program”, not*  
7 *to exceed \$30,000,000 may be made available for assistance*  
8 *for the Philippines, and an additional \$2,000,000 may be*  
9 *made available when the Secretary of State reports to the*  
10 *Committees on Appropriations that—*

(2) the Philippine Government is implementing a policy of promoting military personnel who demonstrate professionalism and respect for human rights, and is investigating and prosecuting military personnel and others who have been credibly alleged to have committed extrajudicial executions or other violations of human rights; and

**HR 2764 PP**

## PAKISTAN

1  
2       *SEC. 689. (a) Of the funds appropriated by this Act*  
3 *under the heading “Foreign Military Financing Program”,*  
4 *\$300,000,000 may be made available for assistance for*  
5 *Pakistan, unless the Secretary of State reports to the Com-*  
6 *mittees on Appropriations that the Government of Pakistan*  
7 *is not—*

8               *(1) making effective and consistent efforts to pre-*  
9       *vent Al Qaeda and associated terrorist groups from*  
10       *operating in the territory of Pakistan, including by*  
11       *eliminating terrorist training camps or facilities, ar-*  
12       *resting members of Al Qaeda and associated terrorist*  
13       *groups, and countering recruitment efforts;*

14              *(2) making effective and consistent efforts to pre-*  
15       *vent the Taliban from using the territory of Pakistan*  
16       *as a sanctuary from which to launch attacks within*  
17       *Afghanistan, including by arresting Taliban leaders,*  
18       *stopping cross-border incursions, and countering re-*  
19       *ruitment efforts; and*

20              *(3) implementing democratic reforms, including*  
21       *by—*

22                    *(A) allowing free, fair and inclusive elec-*  
23        *tions in accordance with internationally recog-*  
24        *nized democratic norms;*

1                   (B) ensuring freedom of expression and end-  
2                   ing harassment of journalists and government  
3                   critics by security and intelligence forces; and

4                   (C) respecting the independence of the judi-  
5                   ciary and implementing judicial decisions.

6           (b) If the Secretary reports pursuant to subsection (a),  
7 funds that are available for assistance for Pakistan pursu-  
8 ant to this section which have not been made available may  
9 be transferred to and merged with funds appropriated by  
10 this Act under the heading “Economic Support Fund” and  
11 used for basic education, health, micro-enterprise develop-  
12 ment, and democracy programs in Pakistan.

13   SRI LANKA

14       SEC. 690. None of the funds appropriated by this Act  
15 under the heading “Foreign Military Financing Program”  
16 may be made available for assistance for Sri Lanka, no  
17 defense export license may be issued, and no military equip-  
18 ment or technology shall be sold or transferred to Sri Lanka  
19 pursuant to the authorities contained in this Act or any  
20 other Act, unless the Secretary of State certifies and reports  
21 to the Committees on Appropriations that—

22                   (1) the Sri Lankan military is suspending and  
23                   the Sri Lankan Government is bringing to justice  
24                   members of the military who have been credibly al-  
25                   leged to have committed gross violations of human

6           (3) *the Sri Lankan Government has agreed to*  
7           *the establishment of a field presence of the Office of*  
8           *the United Nations High Commissioner for Human*  
9           *Rights in Sri Lanka.*

SEC. 691. (a) *ESTABLISHMENT OF FUND.*—There is established in the Treasury of the United States a fund for the Peace Corps to provide separation pay for host country resident personal services contractors of the Peace Corps.

(1) amounts previously obligated and not canceled for separation pay of host country resident personal services contractors of the Peace Corps; and

(c) *AVAILABILITY.*—Beginning in fiscal year 2007 and thereafter, amounts in the fund are available without fiscal year limitation for severance, retirement, or other separa-



1 *tion payments to host country resident personal services*  
 2 *contractors of the Peace Corps in countries where such pay*  
 3 *is legally authorized.*

4 *MULTILATERAL DEVELOPMENT BANKS*

5 *SEC. 692. (a) INDEPENDENT AUDITING AND INSPEC-*  
 6 *TOR GENERAL.—The Secretary of the Treasury shall in-*  
 7 *struct the United States Executive Director to each multi-*  
 8 *lateral development bank to inform the bank of, and use*  
 9 *the voice and vote of the United States to achieve at the*  
 10 *bank, the following United States policy goals:*

11 *(1) Each multilateral development bank*  
 12 *should—*

13 *(A) establish an independent Office of In-*  
 14 *spector General, establish or strengthen an inde-*  
 15 *pendent auditing function at the bank, and re-*  
 16 *quire that the Inspector General and the audit-*  
 17 *ing function report directly to the board of direc-*  
 18 *tors of the bank; and*

19 *(B) adopt and implement an internation-*  
 20 *ally recognized internal controls framework, allo-*  
 21 *cate adequate staffing to auditing and super-*  
 22 *vision, require external audits of internal con-*  
 23 *trols, and external audits of loans where fraud is*  
 24 *suspected.*

1           (2) *Each multilateral development bank should*  
2           *establish effective procedures for the receipt, retention,*  
3           *and treatment of—*

4                   (A) *complaints received by the bank regard-*  
5                   *ing fraud, accounting, mismanagement, internal*  
6                   *accounting controls, or auditing matters; and*

7                   (B) *the confidential, anonymous submis-*  
8                   *sion, particularly by employees of the bank, of*  
9                   *concerns regarding fraud, accounting, mis-*  
10                  *management, internal accounting controls, or*  
11                  *auditing matters.*

12          (b) *WORLD BANK INSPECTION PANEL.—The Secretary*  
13          *of the Treasury shall instruct the United States Executive*  
14          *Director to the World Bank to inform the Bank of, and use*  
15          *the voice and vote of the United States to achieve trans-*  
16          *parency reforms of the selection process for members of the*  
17          *World Bank Inspection Panel, including—*

18                  (1) *Widely circulating Inspection Panel position*  
19                  *vacancy announcements on the Inspection Panel’s*  
20                  *website and in appropriate publications;*

21                  (2) *Notifying civil society organizations on the*  
22                  *Inspection Panel’s website and on other appropriate*  
23                  *World Bank websites and inviting nominations from*  
24                  *such groups;*

1           (3) *Making public the schedule of the selection*  
2     *process;*

3           (4) *Posting the list of nominees and applicants*  
4     *on the Inspection Panel’s website; and*

5           (5) *Including a civil society representative on the*  
6     *World Bank selection committee for the Inspection*  
7     *Panel member.*

8     (c) *ANTI-CORRUPTION TRUST PILOT PROGRAM.—*

9           (1) *AUTHORITY.—The Secretary of the Treasury*  
10     *shall seek the creation of a pilot program that estab-*  
11     *lishes an Anti-Corruption Trust at the World Bank,*  
12     *the purposes of which should include—*

13           (A) *to assist poor countries in investiga-*  
14     *tions and prosecutions of fraud and corruption*  
15     *related to loans, grants, or credits of the World*  
16     *Bank; and*

17           (B) *to determine whether such a program*  
18     *should be carried out at other multilateral devel-*  
19     *opment banks.*

20           (2) *POOR COUNTRIES DEFINED.—In this sub-*  
21     *section, the term “poor countries” means countries el-*  
22     *igible to borrow from the International Development*  
23     *Association.*

24           (3) *REPORT.—Not later than 180 days after en-*  
25     *actment of this Act, the Secretary shall submit to the*

appropriate congressional committees a report detailing the actions taken to establish the Anti-Corruption Trust.

(c) *AUTHORIZATIONS.*—

(1) Section 501(i) of title V of H.R. 3425 as enacted into law by section 1000(a)(5) of Public law 106–113, as amended by section 591(b) of Division D of Public Law 108–447, is further amended by striking “fiscal” and all that follows through “which” and inserting in lieu thereof “fiscal years 2000–2010, which”.

(2) Section 801(b)(1)(ii) of Public Law 106–429, as amended by section 591(a)(2) of Division D of Public law 108–447, is further amended by striking “fiscal years 2004–2006” and by inserting in lieu thereof “fiscal years 2004–2010.”.

#### *MILLENNIUM CHALLENGE CORPORATION*

*SEC. 693. Section 607(b) of the Millennium Challenge Act of 2003 (22 U.S.C. 7706) is amended—*

(1) in paragraph (2)(B) by striking “and the sustainable management of natural resources”;

(2) in paragraph (3)—

(A) in subparagraph (A), by striking “and”;

(B) in subparagraph (B), by striking the period and inserting “; and”; and

1 (C) by adding the following subparagraph:

2 “(C) promote the protection of biodiversity  
3 and the transparent and sustainable manage-  
4 ment and use of natural resources.”.

5 MATERIAL SUPPORT

6 RELIEF FOR IRAQI, MONTAGNARDS, HMONG AND OTHER  
7 REFUGEES WHO DO NOT POSE A THREAT TO THE  
8 UNITED STATES

9 SEC. 694. (a) AMENDMENT TO AUTHORITY TO DETER-  
10 MINE THE BAR TO ADMISSION INAPPLICABLE.—Section  
11 212(d)(3)(B)(i) of the Immigration and Nationality Act (8  
12 U.S.C. 1182(d)(3)(B)(i)) is amended to read as follows:

13 “The Secretary of State, after consultation with the At-  
14 torney General and the Secretary of Homeland Security,  
15 or the Secretary of Homeland Security, after consultation  
16 with the Secretary of State and the Attorney General, may  
17 determine in such Secretary’s sole unreviewable discretion  
18 that subsection (a)(3)(B) shall not apply with respect to  
19 an alien within the scope of that subsection or that sub-  
20 section (a)(3)(B)(vi)(III) shall not apply to a group within  
21 the scope of that subsection, except that no such waiver may  
22 be extended to an alien who is within the scope of subsection  
23 (a)(3)(B)(i)(II), no such waiver may be extended to an  
24 alien who is a member or representative of, has voluntarily  
25 and knowingly engaged in or endorsed or espoused or per-  
26 suaded others to endorse or espouse or support terrorist ac-

1 tivity on behalf of, or has voluntarily and knowingly re-  
2 ceived military-type training from a terrorist organization  
3 that is described in subclause (I) or (II) of subsection  
4 (a)(3)(B)(vi), and no such waiver may be extended to a  
5 group that has engaged terrorist activity against the United  
6 States or another democratic country or that has purpose-  
7 fully engaged in a pattern or practice of terrorist activity  
8 that is directed at civilians. Such a determination shall nei-  
9 ther prejudice the ability of the United States Government  
10 to commence criminal or civil proceedings involving a bene-  
11 ficiary of such a determination or any other person, nor  
12 create any substantive or procedural right or benefit for a  
13 beneficiary of such a determination or any other person.  
14 Notwithstanding any other provision of law (statutory or  
15 nonstatutory), including section 2241 of title 28, or any  
16 other habeas corpus provision, and sections 1361 and 1651  
17 of such title, no court shall have jurisdiction to review such  
18 a determination or revocation except in a proceeding for  
19 review of a final order of removal pursuant to section 1252  
20 of this title, and review shall be limited to the extent pro-  
21 vided in section 1252(a)(2)(D). The Secretary of State may  
22 not exercise the discretion provided in this clause with re-  
23 spect to an alien at any time during which the alien is  
24 the subject of pending removal proceedings under section  
25 1229a of this title.”.

1       (b) *AUTOMATIC RELIEF FOR THE HMONG AND OTHER*  
2 *GROUPS THAT DO NOT POSE A THREAT TO THE UNITED*  
3 *STATES.*—*For purposes of section 212(a)(3)(B) of the Im-*  
4 *migration and Nationality Act (8 U.S.C. 1182(a)(3)(B)),*  
5 *the Karen National Union/Karen Liberation Army (KNU/*  
6 *KNLA), the Chin National Front/Chin National Army*  
7 *(CNF/CNA), the Chin National League for Democracy*  
8 *(CNLD), the Kayan New Land Party (KNLP), the Arakan*  
9 *Liberation Party (ALP), the Mustangs, the Alzados, the*  
10 *Karenni National Progressive Party, and appropriate*  
11 *groups affiliated with the Hmong and the Montagnards*  
12 *shall not be considered to be a terrorist organization on the*  
13 *basis of any act or event occurring before the date of enact-*  
14 *ment of this section. Nothing in this subsection may be con-*  
15 *strued to alter or limit the authority of the Secretary of*  
16 *State or the Secretary of Homeland Security to exercise his*  
17 *discretionary authority pursuant to 212(d)(3)(B)(i) of the*  
18 *Immigration and Nationality Act (8 U.S.C.*  
19 *1182(d)(3)(B)(i)).*

20       (c) *TECHNICAL CORRECTION.*—(1) *In General.*—*Sec-*  
21 *tion 212(a)(3)(B)(ii) of the Immigration and Nationality*  
22 *Act (8 U.S.C. 1182(a)(3)(B)(ii)) is amended by striking*  
23 *“Subclause (VII)” and replacing it with “Subclause (IX)”.*

24       (d) *DESIGNATION OF THE TALIBAN AS A TERRORIST*  
25 *ORGANIZATION.*—*For purposes of section 212(a)(3)(B) of*

1 *the Immigration and Nationality Act (8 U.S.C.*  
2 *1182(a)(3)(B)), the Taliban shall be considered to be a ter-*  
3 *rorist organization described in subclause (I) of clause (vi)*  
4 *of that section.*

5 *(e) REPORT ON DURESS WAIVERS.—The Secretary of*  
6 *Homeland Security shall provide to the Committees on the*  
7 *Judiciary of the United States Senate and House of Rep-*  
8 *resentatives a report, not less than 180 days after the enact-*  
9 *ment of this Act and every year thereafter, which may in-*  
10 *clude a classified annex, if appropriate, describing—*

11 *(1) the number of individuals subject to removal*  
12 *from the United States for having provided material*  
13 *support to a terrorist group who allege that such sup-*  
14 *port was provided under duress;*

15 *(2) a breakdown of the types of terrorist organi-*  
16 *zations to which the individuals described in para-*  
17 *graph (1) have provided material support;*

18 *(3) a description of the factors that the Depart-*  
19 *ment of Homeland Security considers when evalu-*  
20 *ating duress waivers; and*

21 *(4) any other information that the Secretary be-*  
22 *lieves that the Congress should consider while over-*  
23 *seeing the Department's application of duress waiv-*  
24 *ers.*



1       (f) *EFFECTIVE DATE.*—*The amendments made by this*  
2 *section shall take effect on the date of enactment of this sec-*  
3 *tion, and these amendments and sections 212(a)(3)(B) and*  
4 *212(d)(3)(B) of the Immigration and Nationality Act (8*  
5 *U.S.C. 1182(a)(3)(B) and 1182(d)(3)(B)), as amended by*  
6 *these sections, shall apply to—*

7       (A) *removal proceedings instituted before, on, or after*  
8 *the date of enactment of this section; and*

9       (B) *acts and conditions constituting a ground for in-*  
10 *admissibility, excludability, deportation, or removal occur-*  
11 *ring or existing before, on, or after such date.*

12                                   *CLUSTER MUNITIONS*

13       *SEC. 695. During the current fiscal year, no military*  
14 *assistance shall be furnished for cluster munitions, no de-*  
15 *fense export license for cluster munitions may be issued,*  
16 *and no cluster munitions or cluster munitions technology*  
17 *shall be sold or transferred, unless—*

18               (1) *the submunitions of the cluster munitions*  
19       *have a 99 percent or higher tested rate; and*

20               (2) *the agreement applicable to the assistance,*  
21 *transfer, or sale of the cluster munitions or cluster*  
22 *munitions technology specifies that the cluster muni-*  
23 *tions will only be used against clearly defined mili-*  
24 *tary targets and will not be used where civilians are*  
25 *known to be present.*

## CUBA

1  
2       *SEC. 696. (a) Subject to subsection (b), of the funds*  
3 *appropriated by this Act under the heading “International*  
4 *Narcotics Control and Law Enforcement”, \$1,000,000 shall*  
5 *be made available for preliminary work by the Department*  
6 *of State, or such other entity as the Secretary of State may*  
7 *designate, to establish cooperation with appropriate agen-*  
8 *cies of the Government of Cuba on counter-narcotics mat-*  
9 *ters, including matters relating to cooperation, coordina-*  
10 *tion, and mutual assistance in the interdiction of illicit*  
11 *drugs being transported through Cuba airspace or over*  
12 *Cuba waters.*

13       *(b) The amount in subsection (a) shall not be available*  
14 *if the Secretary certifies to the Committees on Appropria-*  
15 *tions that—*

16             *(1) Cuba does not have in place appropriate pro-*  
17       *cedures to protect against the loss of innocent life in*  
18       *the air and on the ground in connection with the*  
19       *interdiction of illegal drugs; and*

20             *(2) there is credible evidence of involvement of*  
21       *the Government of Cuba in drug trafficking during*  
22       *the preceeding 10 years.*

## LIBYA

24       *SEC. 697. (a) None of the funds appropriated by this*  
25 *Act may be made available for—*

1           (1) *construction of a new United States embassy*  
2       *in Libya;*

3           (2) *activities in Libya related to energy develop-*  
4       *ment; or*

5           (3) *activities in Libya which support investment*  
6       *in Libya's hydrocarbon sector, including the proc-*  
7       *essing of applications for dual-use export licenses.*

8       (b) *The prohibitions in subsection (a) shall no longer*  
9       *apply if the Secretary of State certifies to the Committees*  
10      *on Appropriations that the Government of Libya has made*  
11      *the final settlement payments to the Pan Am 103 victims'*  
12      *families, paid to the LaBelle Disco bombing victims their*  
13      *agreed upon settlement amounts, and is engaging in good*  
14      *faith settlement discussions regarding other relevant ter-*  
15      *rorism cases.*

16       (c) *Not later than 90 days after enactment of this Act*  
17      *and 90 days thereafter, the Secretary shall submit a report*  
18      *to the Committees on Appropriations describing (1) actions*  
19      *taken by the Department of State to facilitate a resolution*  
20      *of these cases; and (2) United States commercial activities*  
21      *in Libya's energy sector.*

22      CARRY FORWARD OF UNUSED SPECIAL IMMIGRANT VISAS

23       SEC. 698. *Section 1059(c) of the National Defense Au-*  
24      *thorization Act for Fiscal Year 2006 (8 U.S.C. 1101 note)*  
25      *is amended by adding at the end the following:*

1           “(3) *CARRY FORWARD.*—*If the numerical limita-*  
 2           *tion described in paragraph (1) is not reached during*  
 3           *a given fiscal year, the numerical limitation for the*  
 4           *following fiscal year shall be increased by a number*  
 5           *equal to the difference between the number of visas*  
 6           *authorized for the given fiscal year and the number*  
 7           *of aliens provided special immigrant status during*  
 8           *the given fiscal year.”.*

9                               *GLOBAL FUND CONTRIBUTION*

10                           *(INCLUDING RESCISSION OF FUNDS)*

11           *SEC. 699. (a) The amount appropriated or otherwise*  
 12           *made available by title III for bilateral assistance for Glob-*  
 13           *al Health Programs is hereby increased by \$40,000,000.*

14           *(b) The amount appropriated or otherwise made avail-*  
 15           *able for such purpose and available for a United States con-*  
 16           *tribution to the Global Fund to Fight AIDS, Tuberculosis,*  
 17           *and Malaria is hereby increased by \$40,000,000.*

18           *(c) Of the unobligated balances of amounts appro-*  
 19           *priated or otherwise made available in prior appropria-*  
 20           *tions Acts under the heading “Economic Support Fund”,*  
 21           *\$40,000,000 is rescinded.*

22                               *REFERENCES*

23           *SEC. 699A. Except as otherwise provided, any ref-*  
 24           *erence in titles II through V, including the general provi-*  
 25           *sions for such titles, to “this Act” shall be deemed to be*  
 26           *a reference to titles II through V of the Department of State,*

1 *Foreign Operations, and Related Programs Appropriations*  
2 *Act, 2008.*

3 *SUPPORT FOR DEMOCRACY, THE RULE OF LAW, AND*  
4 *GOVERNANCE IN IRAN*

5 *SEC. 699B. Of the amount appropriated or otherwise*  
6 *made available by title III for other bilateral economic as-*  
7 *sistance under the heading “ECONOMIC SUPPORT FUND”,*  
8 *\$75,000,000 shall be made available for programs of the Bu-*  
9 *reau of Near Eastern Affairs of the Department of State*  
10 *to support democracy, the rule of law, and governance in*  
11 *Iran.*

12 *REMOVAL OF CERTAIN RESTRICTIVE ELIGIBILITY REQUIRE-*  
13 *MENTS APPLICABLE TO FOREIGN NONGOVERNMENTAL*  
14 *ORGANIZATIONS*

15 *SEC. 699C. Notwithstanding any other provision of*  
16 *law, regulation, or policy, in determining eligibility for as-*  
17 *sistance authorized under part I of the Foreign Assistance*  
18 *Act of 1961 (22 U.S.C. 2151 et seq.), foreign nongovern-*  
19 *mental organizations shall not be ineligible for such assist-*  
20 *ance solely on the basis of health or medical services, includ-*  
21 *ing counseling and referral services, provided by such orga-*  
22 *nizations with non-United States Government funds if such*  
23 *services do not violate the laws of the country in which they*  
24 *are being provided and would not violate United States*  
25 *Federal law if provided in the United States, and shall not*  
26 *be subject to requirements relating to the use of non-United*

1 *States Government funds for advocacy and lobbying activi-*  
 2 *ties other than those that apply to United States nongovern-*  
 3 *mental organizations receiving assistance under part I of*  
 4 *such Act.*

5 *SEC. 699D. None of the funds made available in this*  
 6 *Act may be expended in violation of section 243(d) of the*  
 7 *Immigration and Nationality Act (8 U.S.C. 1253(d)) (re-*  
 8 *lating to discontinuing granting visas to nationals of coun-*  
 9 *tries that are denying or delaying accepting aliens removed*  
 10 *from the United States).*

11 *ADDITIONAL PEACE CORPS FUNDING*

12 *SEC. 699E. (a) The amount appropriated or otherwise*  
 13 *made available by title III under the heading “PEACE*  
 14 *CORPS” is hereby increased by \$10,000,000.*

15 *(b) The amount appropriated or otherwise made avail-*  
 16 *able by title IV under the heading “FOREIGN MILITARY FI-*  
 17 *NANCING PROGRAM” is hereby reduced by \$10,000,000.*

18 *RIGHT TO BEAR ARMS*

19 *SEC. 699F. None of the funds made available under*  
 20 *this Act may be made available to any international orga-*  
 21 *nization, agency, or entity (including the United Nations)*  
 22 *that requires the registration of or taxes a gun owned by*  
 23 *a citizen of the United States.*

15                   (1) copies of all contracts, grants, subcontracts,  
16                   and subgrants awarded or utilized during fiscal year  
17                   2007;

21 (3) any other financial information deemed nec-  
22 essary by the Secretary.

**HR 2764 PP**

1 *protect the identity of whistleblowers or other informants*  
 2 *to investigations and reports and proprietary information*  
 3 *may be redacted.*

4 *WITHHOLDING OF UNITED STATES CONTRIBUTIONS TO THE*  
 5 *UNITED NATIONS HUMAN RIGHTS COUNCIL*

6 *SEC. 699H. (a)(1) No funds appropriated or otherwise*  
 7 *made available by this Act for contributions to inter-*  
 8 *national organizations may be made available to support*  
 9 *the United Nations Human Rights Council.*

10 *(2) The prohibition under paragraph (1) shall not*  
 11 *apply if—*

12 *(A) the President determines and certifies to the*  
 13 *Committee on Foreign Relations and the Committee*  
 14 *on Appropriations of the Senate and the Committee*  
 15 *on Foreign Affairs and the Committee on Appropria-*  
 16 *tions of the House of Representatives that the provi-*  
 17 *sion of funds to support the United Nations Human*  
 18 *Rights Council is in the national interest of the*  
 19 *United States; or*

20 *(B) the United States is a member of the Human*  
 21 *Rights Council.*

22 *SEC. 699I. STUDY OF WORLD BANK'S EFFORTS TO*  
 23 *MEASURE THE SUCCESS OF THE PROJECTS IT FINANCES.*

24 *(a) SENSE OF CONGRESS.—It is the sense of Congress that*  
 25 *the World Bank should increase its focus on performance*  
 26 *requirements and measurable results.*



1       (b) *STUDY.*—*The Comptroller General of the United*  
2 *States should conduct a study on the actions taken by the*  
3 *World Bank to—*

4           (1) *measure the success of the projects financed*  
5 *by IDA;*

6           (2) *employ accurate means to measure the effec-*  
7 *tiveness of projects financed by IDA;*

8           (3) *combat corruption in governments that re-*  
9 *ceive IDA funding;*

10          (4) *establish clear objectives for IDA projects and*  
11 *tangible means of assessing the success of such*  
12 *projects; and*

13          (5) *use World Bank processes and procedures for*  
14 *procurement of goods and services on projects receiv-*  
15 *ing financial assistance from the World Bank.*

16       *SEC. 669J. SENSE OF THE SENATE REGARDING IRAQ*  
17 *REFUGEE CRISIS. (a) FINDINGS.*—*Congress makes the fol-*  
18 *lowing findings:*

19           (1) *The annual United States worldwide ceiling*  
20 *for refugees has been 70,000 since 2002.*

21           (2) *The Department of State has yet to use all*  
22 *of the available allocation that could be used for Iraqi*  
23 *refugees.*

1           (3) *Since 2003, more than 2,000,000 Iraqis have*  
2           *fled their country and over 2,000,000 Iraqis are also*  
3           *displaced within Iraq.*

4           (4) *It has become increasingly clear that people*  
5           *who have assisted the United States, Iraqi Christians*  
6           *and other religious minorities cannot safely return to*  
7           *Iraq.*

8           (5) *The United States Government has an obli-*  
9           *gation to help these refugees and should act swiftly to*  
10          *do so.*

11          (6) *The United States Government should in-*  
12          *crease the allocation of refugee slots for Iraqi refugees*  
13          *for resettlement in the United States.*

14          (b) *SENSE OF THE SENATE.—It is the sense of the Sen-*  
15          *ate that the President should act swiftly to respond to the*  
16          *deepening humanitarian and refugee crisis in Iraq by using*  
17          *the entire United States refugee allocation for the Near*  
18          *East/South Asia region and any unused portion of the*  
19          *worldwide allocation for Iraqi refugees, particularly people*  
20          *who have assisted the United States and religious minori-*  
21          *ties.*

22                 OVERSEAS PRIVATE INVESTMENT CORPORATION

23          SEC. 699K. (a) *The amount appropriated or otherwise*  
24          *made available by title II for the Overseas Private Invest-*  
25          *ment Corporation under the heading “PROGRAM ACCOUNT”*  
26          *is hereby increased by \$8,000,000.*

1       (b) *The amount appropriated or otherwise made avail-*  
2 *able by title V for “CONTRIBUTION TO THE INTERNATIONAL*  
3 *DEVELOPMENT ASSOCIATION” is hereby reduced by*  
4 *\$8,000,000.*

5           *UNITED STATES-EGYPT FRIENDSHIP ENDOWMENT*

6       *SEC. 699L. Of the funds appropriated by this Act and*  
7 *prior Acts making appropriations for foreign operations,*  
8 *export financing, and related programs under the heading*  
9 *“Economic Support Fund” that are available for assistance*  
10 *for Egypt, up to \$500,000,000 may be made available for*  
11 *an endowment to further social, economic and political re-*  
12 *forms in Egypt: Provided, That the Secretary of State shall*  
13 *consult with the Committees on Appropriations on the es-*  
14 *tablishment of such an endowment and appropriate bench-*  
15 *marks for the uses of these funds.*

16   *IRAQ*

17       *SEC. 699M. (a) None of the funds appropriated or oth-*  
18 *erwise made available by this Act may be made available*  
19 *for assistance for Iraq.*

20       (b) *Not later than 30 days after enactment of this Act*  
21 *the Secretary of State shall submit a report to the Commit-*  
22 *tees on Appropriations detailing the extent to which the*  
23 *Government of Iraq is committed to combating corruption*  
24 *in Iraq and the specific actions and achievements of the*  
25 *Government of Iraq in combating corruption, to include a*

1 *list of those senior Iraqi leaders who have been credibly al-*  
 2 *leged to be engaged in corrupt practices and activities.*

3       (c) *Notwithstanding any other provision of law, policy,*  
 4 *or regulation, none of the funds made available in this Act*  
 5 *or any other Act making appropriations for foreign oper-*  
 6 *ations, export financing, and related programs may be*  
 7 *made available for assistance for Iraq unless the Secretary*  
 8 *of State, in consultation with the Secretary of Defense, cer-*  
 9 *tifies to the Committees on Appropriations that the Depart-*  
 10 *ments of State and Defense are providing the Committees*  
 11 *on Appropriations, including relevant staff, regular, full*  
 12 *and unfettered access to programs in Iraq for the purposes*  
 13 *of conducting oversight.*

14       (d) *Subsections (a) and (c) shall not apply to the ninth*  
 15 *and thirteenth provisos under the heading “Economic Sup-*  
 16 *port Fund” in this Act.*

17                                   ANTI-KLEPTOCRACY

18       SEC. 699N. (a) *In furtherance of the National Strategy*  
 19 *to Internationalize Efforts Against Kleptocracy and Presi-*  
 20 *dential Proclamation 7750, not later than 90 days after*  
 21 *the date of enactment of this Act the Secretary of State shall*  
 22 *send to the appropriate congressional committees a list of*  
 23 *officials of the governments of Angola, Burma, Cambodia,*  
 24 *Equatorial Guinea, Democratic Republic of the Congo, and*  
 25 *the Republic of the Congo, and their immediate family*  
 26 *members, who the Secretary has credible evidence to believe*

1 *have been involved in corruption relating to the extraction*  
2 *of natural resources in their countries.*

3 *(b) Not later than 10 days after the list described in*  
4 *subsection (a) is submitted to the appropriate congressional*  
5 *committees, the following sanctions shall apply:*

6 *(1) Any individual on the list submitted under*  
7 *subsection (a) shall be ineligible for a visa to enter the*  
8 *United States.*

9 *(2) No property or interest in property belonging*  
10 *to an individual on the list submitted under sub-*  
11 *section (a), or to a member of the immediate family*  
12 *of such individual if the property is effectively under*  
13 *the control of such individual, may be transferred,*  
14 *paid, exported, withdrawn, or otherwise dealt with, if*  
15 *the property is within the United States or within the*  
16 *possession or control of a United States person, in-*  
17 *cluding the overseas branch of such person, or after*  
18 *the date of the enactment of this Act comes within the*  
19 *control of such person.*

20 *(3) No United States person may engage in fi-*  
21 *nancial transactions with an individual on the list*  
22 *submitted under subsection (a), or with a member of*  
23 *the immediate family of such individual if the trans-*  
24 *action will benefit an individual on the list submitted*  
25 *under subsection (a).*

## UGANDA

1

2       *SEC. 699O. (a) Not later than 90 days after enactment*  
3 *of this Act, the Secretary of State shall submit a report to*  
4 *the Committees on Appropriations detailing a strategy for*  
5 *substantially enhancing United States efforts to resolve the*  
6 *conflict between the Lord's Resistance Army (LRA) and the*  
7 *Government of Uganda (GOU), including—*

8               *(1) direct and sustained participation by the*  
9 *United States in confidence-building measures in fur-*  
10 *therance of the peace process;*

11              *(2) increased diplomatic pressure on the Demo-*  
12 *cratic Republic of the Congo (to eliminate the LRA's*  
13 *current safe haven) and on Sudan;*

14              *(3) brokering direct negotiations between the*  
15 *GOU and the leaders of the LRA on personal security*  
16 *arrangements; and*

17              *(4) financial support for disarmament, demobili-*  
18 *zation, and reintegration to provide mid-level LRA*  
19 *commanders incentives to return to civilian life.*

20       *(b) Of the funds appropriated by this Act under the*  
21 *heading "Economic Support Fund", not less than*  
22 *\$5,000,000 shall be made available to implement the strat-*  
23 *egy described in subsection (a).*

(1) for ensuring that all nuclear weapons and weapons-usable material at vulnerable sites are secure by 2012 against the threats that terrorists have shown they can pose;

(3) for making security improvements to ensure, to the maximum extent feasible, that the existing United States nuclear weapons stockpile and weapons-usable material be protected from the threats terrorists have shown they can pose.

21 (1) clearly designate agency and departmental  
22 responsibility and accountability;

(2) specify program goals, with metrics for measuring progress, estimated schedules, and specified milestones to be achieved;

1           (3) provide estimates of the program budget re-  
2           quirements and resources to meet the goals for each  
3           year;

4           (4) provide the strategy for diplomacy and re-  
5           lated tools and authority to accomplish the program  
6           element;

7           (5) provide a strategy for expanding the finan-  
8           cial support and other assistance provided by other  
9           countries, particularly Russia, the European Union  
10          and its member states, China, and Japan, for the  
11          purposes of securing nuclear weapons and weapons-  
12          usable material worldwide;

13          (6) outline the progress in and impediments to  
14          securing agreement from all countries that possess nu-  
15          clear weapons or weapons-usable material on a set of  
16          global nuclear security standards, consistent with  
17          their obligation to comply with United Nations Secu-  
18          rity Council Resolution 1540;

19          (7) describe the steps required to overcome im-  
20          pediments that have been identified; and

21          (8) describe global efforts to promulgate best  
22          practices for securing nuclear materials.

23          (c) *SENSE OF THE SENATE.* The Administration shall  
24          not sign any agreement with the Russian Federation on  
25          low enriched uranium that does not include a requirement



1 *that a portion of the low enriched uranium be derived from*  
2 *highly enriched uranium.*

3 *RULE OF LAW AND BORDER SECURITY IN EGYPT*

4 *SEC. 699Q. (a) The Senate makes the following find-*  
5 *ings:*

6 *(1) Fighting in Gaza during the summer of 2007*  
7 *demonstrated that the terrorist organization Hamas,*  
8 *which unlawfully seized control over Gaza in June*  
9 *2007, has been able to achieve a dramatic increase in*  
10 *the quantity and sophistication of arms at its dis-*  
11 *posal.*

12 *(2) Without these arms, the terrorist organiza-*  
13 *tion would not have been able to seize control over the*  
14 *Gaza territory.*

15 *(3) There is substantial evidence that a signifi-*  
16 *cant proportion of these arms were smuggled across*  
17 *the border between Gaza and Egypt.*

18 *(4) The Egyptian military is a capable force,*  
19 *made possible in substantial part by a close relation-*  
20 *ship with the United States.*

21 *(5) Concurrent with the escalation of dangerous*  
22 *arms smuggling across the border between Egypt and*  
23 *Gaza has been a retrogression in the rule of law in*  
24 *Egypt.*

25 *(6) This loss of hard-earned ground has been*  
26 *characterized by reports of harsh reaction by the Gov-*

1        *ernment of Egypt to dissent, including the jailing of*  
2        *political opponents.*

3            *(7) The United States has provided aid to Egypt*  
4        *in excess of \$28,000,000,000 over the past three dec-*  
5        *ades.*

6        *(b) The Senate—*

7            *(1) reaffirms its long-standing friendship with*  
8        *the people of Egypt;*

9            *(2) believes that our friendship with Egypt re-*  
10       *quires the Senate to address such vital policy con-*  
11       *cerns;*

12           *(3) urges the Government of Egypt to make con-*  
13       *crete and measurable progress on restoring the rule of*  
14       *law, including improving the independence of the ju-*  
15       *diary and improving criminal procedures and due*  
16       *process rights and halting the cross-border flow of*  
17       *arms to Gaza;*

18           *(4) believes it is the best interest of Egypt, the*  
19       *region, and the United States that Egypt takes*  
20       *prompt action to demonstrate progress on these mat-*  
21       *ters; and*

22           *(5) urges the Department of State to work vigor-*  
23       *ously and expeditiously with the Government of*  
24       *Egypt and the Government of Israel to bring the bor-*

Attest: LORRAINE C. MILLER,  
Clerk.

Attest: NANCY ERICKSON,  
*Secretary.*