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**[House Appropriations Committee Print]**

**Consolidated Appropriations Act, 2008**  
**(H.R. 2764; Public Law 110-161)**

**DIVISION J—DEPARTMENT OF STATE, FOR-  
EIGN OPERATIONS, AND RELATED PRO-  
GRAMS APPROPRIATIONS ACT, 2008**

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*[CLERK'S NOTE: Six sections which precede division A in the Consolidated Appropriations Act apply to all divisions of the Act, including this one. The text of these sections is as follows:*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Consolidated Appropriations Act, 2008”.

**SEC. 2. TABLE OF CONTENTS.**

*[Text omitted for purposes of this note]*

**SEC. 3. REFERENCES.**

Except as expressly provided otherwise, any reference to “this Act” contained in any division of this Act shall be treated as referring only to the provisions of that division.

**SEC. 4. EXPLANATORY STATEMENT.**

The explanatory statement regarding the consolidated appropriations amendment of the House of Representatives to the amendment of the Senate to H.R. 2764, printed in the House section of the Congressional Record on or about December 17, 2007 by the Chairman of the Committee on Appropriations of the House, shall have the same effect with respect to the allocation of funds and implementation of divisions A through K of this Act as if it were a joint explanatory statement of a committee of conference.

**SEC. 5. EMERGENCY DESIGNATIONS.**

Any designation in any division of this Act referring to this section is a designation of an amount as an emergency requirement and necessary to meet emergency needs pursuant to subsections (a) and (b) of section 204 of S. Con. Res. 21 (110th Congress), the concurrent resolution on the budget for fiscal year 2008.

**SEC. 6. STATEMENT OF APPROPRIATIONS.**

The following sums in this Act are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2008.

*Reproduced below is the text of division J of the Consolidated Appropriations Act, 2008 (H.R. 2764; P.L. 110–161) as presented to the President for signature.]*

## LEGISLATIVE TEXT, DIVISION J

## DIVISION J—DEPARTMENT OF STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2008

## TITLE I

## DEPARTMENT OF STATE AND RELATED AGENCIES

## DEPARTMENT OF STATE

## ADMINISTRATION OF FOREIGN AFFAIRS

## DIPLOMATIC AND CONSULAR PROGRAMS

## (INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Department of State and the Foreign Service not otherwise provided for, including employment, without regard to civil service and classification laws, of persons on a temporary basis (not to exceed \$700,000 of this appropriation), as authorized by section 801 of the United States Information and Educational Exchange Act of 1948; representation to certain international organizations in which the United States participates pursuant to treaties ratified pursuant to the advice and consent of the Senate or specific Acts of Congress; arms control, nonproliferation and disarmament activities as authorized; acquisition by exchange or purchase of passenger motor vehicles as authorized by law; and for expenses of general administration, \$4,385,042,000: *Provided*, That of the amount provided by this paragraph, \$575,000,000 is designated as described in section 5 (in the matter preceding division A of this consolidated Act): *Provided further*, That of the amount made available under this heading, not to exceed \$10,000,000 may be transferred to, and merged with, “Emergencies in the Diplomatic and Consular Service”, to be available only for emergency evacuations and terrorism rewards: *Provided further*, That of the amount made available under this heading, not less than \$360,905,000 shall be available only for public diplomacy international information programs: *Provided further*, That of the funds made available under this heading, \$5,000,000 shall be made available for a demonstration program to expand access to consular services: *Provided further*, That of the amount appropriated under this heading, \$2,000,000 shall be available for the Secretary to establish and operate a public/private interagency public diplomacy center which shall serve as a program integration and coordination entity for United States public diplomacy programs: *Provided further*, That of the amounts appropriated under this heading, \$4,000,000, to remain available until expended, shall be for compensation to the families of members of the Foreign Service or other United States Government employees or their dependents, who were killed in terrorist attacks since 1979: *Provided further*, That none of the funds made available for compensation in the previous proviso may be obligated without specific authorization in a subsequent Act of Congress: *Provided further*, That during fiscal year 2008, foreign service annuitants may be employed, notwith-

standing section 316.401 of title 5, Code of Federal Regulations, pursuant to waivers under section 824(g)(1)(C)(ii) of the Foreign Service Act of 1980 (22 U.S.C. 4064(g)(1)(C)(ii)): *Provided further*, That of the funds appropriated under this heading, \$5,000,000 shall be made available for the Ambassador's Fund for Cultural Preservation: *Provided further*, That of the funds appropriated under this heading, \$500,000 may not be available for obligation until the Secretary of State submits a report to the Committees on Appropriations outlining a plan to increase the capacity of United States Embassy Moscow to monitor human rights and Russian laws relating to the press and civil society groups, and consults with the Committees on Appropriations concerning such plan: *Provided further*, That the Secretary may transfer to and merge with "Emergencies in the Diplomatic and Consular Service" for rewards payments unobligated balances of funds appropriated under "Diplomatic and Consular Programs" for this fiscal year and for each fiscal year hereafter, at no later than the end of the fifth fiscal year after the fiscal year for which any such funds were appropriated or otherwise made available: *Provided further*, That funds available under this heading may be available for a United States Government interagency task force to examine, coordinate and oversee United States participation in the United Nations headquarters renovation project: *Provided further*, That no funds may be obligated or expended for processing licenses for the export of satellites of United States origin (including commercial satellites and satellite components) to the People's Republic of China unless, at least 15 days in advance, the Committees on Appropriations are notified of such proposed action: *Provided further*, That funds appropriated under this heading are available, pursuant to 31 U.S.C. 1108(g), for the field examination of programs and activities in the United States funded from any account contained in this title.

In addition, not to exceed \$1,558,390 shall be derived from fees collected from other executive agencies for lease or use of facilities located at the International Center in accordance with section 4 of the International Center Act; in addition, as authorized by section 5 of such Act, \$490,000, to be derived from the reserve authorized by that section, to be used for the purposes set out in that section; in addition, as authorized by section 810 of the United States Information and Educational Exchange Act, not to exceed \$6,000,000, to remain available until expended, may be credited to this appropriation from fees or other payments received from English teaching, library, motion pictures, and publication programs and from fees from educational advising and counseling and exchange visitor programs; and, in addition, not to exceed \$15,000, which shall be derived from reimbursements, surcharges, and fees for use of Blair House facilities.

In addition, for the costs of worldwide security protection, \$974,760,000, to remain available until expended: *Provided*, That of the amount provided by this paragraph, \$206,632,000 is designated as described in section 5 (in the matter preceding division A of this consolidated Act).

## CAPITAL INVESTMENT FUND

For necessary expenses of the Capital Investment Fund, \$60,062,000, to remain available until expended, as authorized: *Provided*, That section 135(e) of Public Law 103-236 shall not apply to funds available under this heading.

## OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, \$34,008,000, notwithstanding section 209(a)(1) of the Foreign Service Act of 1980 (Public Law 96-465), as it relates to post inspections.

## EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

For expenses of educational and cultural exchange programs, as authorized, \$505,441,000, to remain available until expended: *Provided*, That not to exceed \$5,000,000, to remain available until expended, may be credited to this appropriation from fees or other payments received from or in connection with English teaching, educational advising and counseling programs, and exchange visitor programs as authorized.

## REPRESENTATION ALLOWANCES

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

## PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

For expenses, not otherwise provided, to enable the Secretary of State to provide for extraordinary protective services, as authorized, \$23,000,000, to remain available until September 30, 2009.

## EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

For necessary expenses for carrying out the Foreign Service Buildings Act of 1926 (22 U.S.C. 292-303), preserving, maintaining, repairing, and planning for buildings that are owned or directly leased by the Department of State, renovating, in addition to funds otherwise available, the Harry S Truman Building, and carrying out the Diplomatic Security Construction Program as authorized, \$761,216,000, to remain available until expended as authorized, of which not to exceed \$25,000 may be used for domestic and overseas representation as authorized: *Provided*, That none of the funds appropriated in this paragraph shall be available for acquisition of furniture, furnishings, or generators for other departments and agencies.

In addition, for the costs of worldwide security upgrades, acquisition, and construction as authorized, \$676,000,000, to remain available until expended.

## EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

## (INCLUDING TRANSFER OF FUNDS)

For expenses necessary to enable the Secretary of State to meet unforeseen emergencies arising in the Diplomatic and Consular Service, \$9,000,000, to remain available until expended as authorized, of which not to exceed \$1,000,000 may be transferred to and



merged with the “Repatriation Loans Program Account”, subject to the same terms and conditions.

REPATRIATION LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, \$678,000, as authorized: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

In addition, for administrative expenses necessary to carry out the direct loan program, \$607,000, which may be transferred to and merged with “Diplomatic and Consular Programs”.

PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

For necessary expenses to carry out the Taiwan Relations Act (Public Law 96–8), \$16,351,000.

PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

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

INTERNATIONAL ORGANIZATIONS

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

For expenses, not otherwise provided for, necessary to meet annual obligations of membership in international multilateral organizations, pursuant to treaties ratified pursuant to the advice and consent of the Senate, conventions or specific Acts of Congress, \$1,354,400,000: *Provided*, That the Secretary of State shall, at the time of the submission of the President’s budget to Congress under section 1105(a) of title 31, United States Code, transmit to the Committees on Appropriations the most recent biennial budget prepared by the United Nations for the operations of the United Nations: *Provided further*, That the Secretary of State shall notify the Committees on Appropriations at least 15 days in advance (or in an emergency, as far in advance as is practicable) of any United Nations action to increase funding for any United Nations program without identifying an offsetting decrease elsewhere in the United Nations budget and cause the United Nations budget for the biennium 2008–2009 to exceed the revised United Nations budget level for the biennium 2006–2007 of \$4,173,895,900: *Provided further*, That any payment of arrearages under this title shall be directed toward activities that are mutually agreed upon by the United States and the respective international organization: *Provided further*, That none of the funds appropriated in this paragraph shall be available for a United States contribution to an international organization for the United States share of interest costs made known to the United States Government by such organization for loans incurred on or after October 1, 1984, through external borrowings.

## CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

For necessary expenses to pay assessed and other expenses of international peacekeeping activities directed to the maintenance or restoration of international peace and security, \$1,700,500,000, of which 15 percent shall remain available until September 30, 2009: *Provided*, That none of the funds made available under this Act shall be obligated or expended for any new or expanded United Nations peacekeeping mission unless, at least 15 days in advance of voting for the new or expanded mission in the United Nations Security Council (or in an emergency as far in advance as is practicable): (1) the Committees on Appropriations and other appropriate committees of the Congress are notified of the estimated cost and length of the mission, the national interest that will be served, and the planned exit strategy; (2) the Committees on Appropriations and other appropriate committees of the Congress are notified that the United Nations has taken appropriate measures to prevent United Nations employees, contractor personnel, and peacekeeping forces serving in any United Nations peacekeeping mission from trafficking in persons, exploiting victims of trafficking, or committing acts of illegal sexual exploitation, and to hold accountable individuals who engage in such acts while participating in the peacekeeping mission, including the prosecution in their home countries of such individuals in connection with such acts; and (3) a reprogramming of funds pursuant to section 615 of this Act is submitted, and the procedures therein followed, setting forth the source of funds that will be used to pay for the cost of the new or expanded mission: *Provided further*, That funds shall be available for peacekeeping expenses only upon a certification by the Secretary of State to the Committees on Appropriations that American manufacturers and suppliers are being given opportunities to provide equipment, services, and material for United Nations peacekeeping activities equal to those being given to foreign manufacturers and suppliers: *Provided further*, That of the amount provided by this paragraph, \$468,000,000 is designated as described in section 5 (in the matter preceding division A of this consolidated Act).

## INTERNATIONAL COMMISSIONS

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

## INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO

For necessary expenses for the United States Section of the International Boundary and Water Commission, United States and Mexico, and to comply with laws applicable to the United States Section, including not to exceed \$6,000 for representation; as follows:

## SALARIES AND EXPENSES

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

## CONSTRUCTION

For detailed plan preparation and construction of authorized projects, \$88,425,000, to remain available until expended, as authorized.

## AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

For necessary expenses, not otherwise provided, for the International Joint Commission and the International Boundary Commission, United States and Canada, as authorized by treaties between the United States and Canada or Great Britain, and for the Border Environment Cooperation Commission as authorized by Public Law 103-182, \$10,940,000: *Provided*, That of the amount provided under this heading for the International Joint Commission, \$9,000 may be made available for representation expenses 45 days after submission to the Committees on Appropriations of a report detailing obligations, expenditures, and associated activities for fiscal years 2005, 2006, and 2007, including any unobligated funds which expired at the end of each fiscal year and the justification for why such funds were not obligated.

Of the funds made available in the Science, State, Justice, Commerce, and Related Agencies Appropriations Act, 2006, Public Law 109-108, as continued by the Continuing Appropriations Resolution, 2007 (division B of Public Law 109-289, as amended by Public Law 110-5), for the International Joint Commission (119 Stat. 2323), \$300,000 for the Lake Champlain Basin Program shall remain available for the purposes intended until September 30, 2009.

## INTERNATIONAL FISHERIES COMMISSIONS

For necessary expenses for international fisheries commissions, not otherwise provided for, as authorized by law, \$26,527,000: *Provided*, That the United States share of such expenses may be advanced to the respective commissions pursuant to 31 U.S.C. 3324: *Provided further*, That funds appropriated under this heading shall be available for programs in the amounts contained in the table included in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act) accompanying this Act and no proposal for deviation from those amounts shall be considered.

## OTHER

## PAYMENT TO THE ASIA FOUNDATION

For a grant to the Asia Foundation, as authorized by the Asia Foundation Act (22 U.S.C. 4402), \$15,500,000, to remain available until expended, as authorized.

## CENTER FOR MIDDLE EASTERN-WESTERN DIALOGUE TRUST FUND

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

## EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

For necessary expenses of Eisenhower Exchange Fellowships, Incorporated, as authorized by sections 4 and 5 of the Eisenhower Exchange Fellowship Act of 1990 (20 U.S.C. 5204–5205), all interest and earnings accruing to the Eisenhower Exchange Fellowship Program Trust Fund on or before September 30, 2008, to remain available until expended: *Provided*, That none of the funds appropriated herein shall be used to pay any salary or other compensation, or to enter into any contract providing for the payment thereof, in excess of the rate authorized by 5 U.S.C. 5376; or for purposes which are not in accordance with OMB Circulars A–110 (Uniform Administrative Requirements) and A–122 (Cost Principles for Non-profit Organizations), including the restrictions on compensation for personal services.

## ISRAELI ARAB SCHOLARSHIP PROGRAM

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

## EAST-WEST CENTER

To enable the Secretary of State to provide for carrying out the provisions of the Center for Cultural and Technical Interchange Between East and West Act of 1960, by grant to the Center for Cultural and Technical Interchange Between East and West in the State of Hawaii, \$19,500,000: *Provided*, That none of the funds appropriated herein shall be used to pay any salary, or enter into any contract providing for the payment thereof, in excess of the rate authorized by 5 U.S.C. 5376.

## RELATED AGENCIES

## BROADCASTING BOARD OF GOVERNORS

## INTERNATIONAL BROADCASTING OPERATIONS

For expenses necessary to enable the Broadcasting Board of Governors, as authorized, to carry out international communication activities, including the purchase, rent, construction, and improvement of facilities for radio and television transmission and reception and purchase, lease, and installation of necessary equipment for radio and television transmission and reception to Cuba, and to make and supervise grants for radio and television broadcasting to the Middle East, \$676,727,000: *Provided*, That of the total amount in this heading, not to exceed \$16,000 may be used for official receptions within the United States as authorized, not to exceed \$35,000 may be used for representation abroad as authorized, and not to exceed \$39,000 may be used for official reception and representation expenses of Radio Free Europe/Radio Liberty; and in addition, notwithstanding any other provision of law, not to exceed \$2,000,000 in receipts from advertising and revenue from business ventures, not to exceed \$500,000 in receipts from cooperating inter-

national organizations, and not to exceed \$1,000,000 in receipts from privatization efforts of the Voice of America and the International Broadcasting Bureau, to remain available until expended for carrying out authorized purposes: *Provided further*, That of the amount provided by this paragraph, \$12,000,000 is designated as described in section 5 (in the matter preceding division A of this consolidated Act).

BROADCASTING CAPITAL IMPROVEMENTS

For the purchase, rent, construction, and improvement of facilities for radio and television transmission and reception, and purchase and installation of necessary equipment for radio and television transmission and reception as authorized, \$10,748,000, to remain available until expended, as authorized.

COMMISSION FOR THE PRESERVATION OF AMERICA'S HERITAGE  
ABROAD

SALARIES AND EXPENSES

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

COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

SALARIES AND EXPENSES

For necessary expenses for the United States Commission on International Religious Freedom, as authorized by title II of the International Religious Freedom Act of 1998 (Public Law 105-292), \$3,300,000, to remain available until September 30, 2009.

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

SALARIES AND EXPENSES

For necessary expenses of the Commission on Security and Cooperation in Europe, as authorized by Public Law 94-304, \$2,370,000, to remain available until September 30, 2009.

CONGRESSIONAL-EXECUTIVE COMMISSION ON THE PEOPLE'S  
REPUBLIC OF CHINA

SALARIES AND EXPENSES

For necessary expenses of the Congressional-Executive Commission on the People's Republic of China, as authorized, \$2,000,000, including not more than \$3,000 for the purpose of official representation, to remain available until September 30, 2009.

UNITED STATES-CHINA ECONOMIC AND SECURITY REVIEW  
COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the United States-China Economic and Security Review Commission, \$4,000,000, including not more than \$4,000 for the purpose of official representation, to remain avail-

able until September 30, 2009: *Provided*, That the Commission shall submit a spending plan to the Committees on Appropriations no later than March 1, 2008, which effectively addresses the recommendations of the Government Accountability Office's audit of the Commission (GAO-07-1128): *Provided further*, That the Commission shall provide to the Committees on Appropriations a quarterly accounting of the cumulative balances of any unobligated funds that were received by the Commission during any previous fiscal year: *Provided further*, That for purposes of costs relating to printing and binding, the Commission shall be deemed, effective on the date of its establishment, to be a committee of Congress: *Provided further*, That compensation for the executive director of the Commission may not exceed the rate payable for level II of the Executive Schedule under section 5314 of title 5, United States Code: *Provided further*, That section 1238(c)(1) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001, is amended by striking "June" and inserting "December": *Provided further*, That travel by members of the Commission and its staff shall be arranged and conducted under the rules and procedures applying to travel by members of the House of Representatives and its staff.

#### UNITED STATES SENATE-CHINA INTERPARLIAMENTARY GROUP

##### SALARIES AND EXPENSES

For necessary expenses of the United States Senate-China Interparliamentary Group, as authorized under section 153 of the Consolidated Appropriations Act, 2004 (22 U.S.C. 276n; Public Law 108-99; 118 Stat. 448), \$150,000, to remain available until September 30, 2009.

#### UNITED STATES INSTITUTE OF PEACE

##### OPERATING EXPENSES

For necessary expenses of the United States Institute of Peace as authorized in the United States Institute of Peace Act, \$25,000,000, to remain available until September 30, 2009.

#### GENERAL PROVISIONS—THIS TITLE

##### ALLOWANCES AND DIFFERENTIALS

SEC. 101. Funds appropriated under title I of this Act shall be available, except as otherwise provided, for allowances and differentials as authorized by subchapter 59 of title 5, United States Code; for services as authorized by 5 U.S.C. 3109; and for hire of passenger transportation pursuant to 31 U.S.C. 1343(b).

##### UNOBLIGATED BALANCES REPORT

SEC. 102. The Department of State and the Broadcasting Board of Governors shall provide to the Committees on Appropriations a quarterly accounting of the cumulative balances of any unobligated funds that were received by such agency during any previous fiscal year.

## EMBASSY CONSTRUCTION

SEC. 103. (a) Of funds provided under title I of this Act, except as provided in subsection (b), a project to construct a diplomatic facility of the United States may not include office space or other accommodations for an employee of a Federal agency or department if the Secretary of State determines that such department or agency has not provided to the Department of State the full amount of funding required by subsection (e) of section 604 of the Secure Embassy Construction and Counterterrorism Act of 1999 (as enacted into law by section 1000(a)(7) of Public Law 106–113 and contained in appendix G of that Act; 113 Stat. 1501A–453), as amended by section 629 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2005.

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

## PEACEKEEPING MISSIONS

SEC. 104. None of the funds made available under title I of this Act may be used for any United Nations undertaking when it is made known to the Federal official having authority to obligate or expend such funds that: (1) the United Nations undertaking is a peacekeeping mission; (2) such undertaking will involve United States Armed Forces under the command or operational control of a foreign national; and (3) the President's military advisors 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 perform functions that duplicate coordinating responsibilities of the Operating Group.

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

#### UNITED STATES CITIZENS BORN IN JERUSALEM

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

#### CONSULTING SERVICES

SEC. 108. The expenditure of any appropriation under title I of this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

#### COMPLIANCE WITH SECTION 609

SEC. 109. (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 609 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1999.

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

#### STATE DEPARTMENT AUTHORITIES

SEC. 110. Funds appropriated under title I of this Act for the Broadcasting Board of Governors and the Department of State may be obligated and expended notwithstanding section 15 of the State Department Basic Authorities Act of 1956, section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103-236), and section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 414(a)(1)).

#### PERSONNEL ACTIONS

SEC. 111. Any costs incurred by a department or agency funded under this Act resulting from personnel actions taken in response to funding reductions included in this Act shall be absorbed within the total budgetary resources available to such department or agency: *Provided*, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: *Provided further*, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 615 of title VI of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

#### RESTRICTIONS ON UNITED NATIONS DELEGATIONS

SEC. 112. None of the funds made available under title I of this Act may be used to pay expenses for any United States delegation



to any specialized agency, body, or commission of the United Nations if such commission is chaired or presided over by a country, the government of which the Secretary of State has determined, for purposes of section 6(j)(1) of the Export Administration Act of 1979 (50 U.S.C. App. 2405(j)(1)), has provided support for acts of international terrorism.

#### PEACEKEEPING ASSESSMENT

SEC. 113. 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.”.

#### ALHURRA BROADCASTING

SEC. 114. Funds appropriated for the programs and activities of Alhurra in fiscal year 2008 may be made available only if the Secretary of State certifies and reports to the Committees on Appropriations that Alhurra does not advocate on behalf of any organization that the Secretary knows, or has reason to believe, engages in terrorist activities.

#### DEPARTMENT OF STATE INSPECTOR GENERAL

SEC. 115. (a) LINK TO OFFICE OF INSPECTOR GENERAL FROM HOMEPAGE OF DEPARTMENT OF STATE.—Not later than 30 days after the date of the enactment of this Act, the Secretary of State shall establish and maintain on the homepage of the Internet website of the Department of State a direct link to the Internet website of the Office of Inspector General of the Department of State.

(b) ANONYMOUS REPORTING OF WASTE, FRAUD, OR ABUSE.—Not later than 30 days after the date of the enactment of this Act, the Inspector General of the Department of State shall establish and maintain on the homepage of the Internet website of the Office of Inspector General a mechanism by which individuals can anonymously report cases of waste, fraud, or abuse with respect to the Department of State.

#### CONSULAR OPERATIONS

SEC. 116. The Secretary of State shall establish limited consular operations in Iraq within 180 days of enactment of this Act in which designated categories of aliens may apply and interview for admission to the United States.

#### INTERNATIONAL BOUNDARY AND WATER COMMISSION

SEC. 117. Of the funds appropriated in this Act under the heading “International Boundary and Water Commission, United States and Mexico, Construction” (IBWC), up to \$66,000,000 may be expended for construction of secondary wastewater treatment capability of at least 25 million gallons per day (mgd) from the Tijuana River, subject to the following conditions: (1) IBWC shall resume negotiations in accordance with section 804 of Public Law 106–457; (2) IBWC shall prepare design and engineering plans to upgrade the South Bay International Wastewater Treatment Plant to treat

25 mgd to secondary treatment and update its conceptual designs for a scalable project capable of treating up to 100 mgd to secondary at the facility; and (3) none of the funds made available by this section may be obligated for construction before the Government Accountability Office completes a report on the proposed projects.

COMMISSION FINANCIAL MANAGEMENT

SEC. 118. (a) REQUIREMENT FOR PERFORMANCE REVIEWS.—The United States-China Economic and Security Review Commission shall comply with chapter 43 of title 5, United States Code, regarding the establishment and regular review of employee performance appraisals.

(b) LIMITATION ON CASH AWARDS.—The United States-China Economic and Security Review Commission shall comply with section 4505a of title 5, United States Code, with respect to limitations on payment of performance-based cash awards.

TITLE II

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.

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 contracts and commitments without regard to fiscal year limitations, as provided by section 104 of the Government Corporation Control Act, as may be necessary in carrying out the program for the current fiscal year for such corporation: *Provided*, That none of the funds available during the current fiscal year may be used to make expenditures, contracts, or commitments for the export of nuclear equipment, fuel, or technology to any country, other than a nuclear-weapon state as defined in Article IX of the Treaty on the Non-Proliferation of Nuclear Weapons eligible to receive economic or military assistance under this Act, that has detonated a nuclear explosive after the date of the enactment of this Act: *Provided further*, That notwithstanding section 1(c) of Public Law 103–428, as amended, sections 1(a) and (b) of Public Law 103–428 shall remain in effect through October 1, 2008: *Provided further*, That not less than 10 percent of the aggregate loan, guarantee, and insurance authority available to the Export-Import Bank under this Act should be used for renewable energy and environmentally beneficial products and services.

## SUBSIDY APPROPRIATION

For the cost of direct loans, loan guarantees, insurance, and tied-aid grants as authorized by section 10 of the Export-Import Bank Act of 1945, as amended, \$68,000,000, to remain available until September 30, 2011: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That such sums shall remain available until September 30, 2026, for the disbursement of direct loans, loan guarantees, insurance and tied-aid grants obligated in fiscal years 2008, 2009, 2010, and 2011: *Provided further*, That none of the funds appropriated by this Act or any prior Act appropriating funds for foreign operations, export financing, and related programs for tied-aid credits or grants may be used for any other purpose except through the regular notification procedures of the Committees on Appropriations: *Provided further*, That funds appropriated by this paragraph are made available notwithstanding section 2(b)(2) of the Export-Import Bank Act of 1945, in connection with the purchase or lease of any product by any Eastern European country, any Baltic State or any agency or national thereof.

## ADMINISTRATIVE EXPENSES

For administrative expenses to carry out the direct and guaranteed loan and insurance programs, including hire of passenger motor vehicles and services as authorized by 5 U.S.C. 3109, and not to exceed \$30,000 for official reception and representation expenses for members of the Board of Directors, \$78,000,000: *Provided*, That the Export-Import Bank may accept, and use, payment or services provided by transaction participants for legal, financial, or technical services in connection with any transaction for which an application for a loan, guarantee or insurance commitment has been made: *Provided further*, That notwithstanding subsection (b) of section 117 of the Export Enhancement Act of 1992, subsection (a) thereof shall remain in effect until October 1, 2008.

## RECEIPTS COLLECTED

Receipts collected pursuant to the Export-Import Bank Act of 1945, as amended, and the Federal Credit Reform Act of 1990, as amended, in an amount not to exceed the amount appropriated herein, shall be credited as offsetting collections to this account: *Provided*, That the sums herein appropriated from the General Fund shall be reduced on a dollar-for-dollar basis by such offsetting collections so as to result in a final fiscal year appropriation from the General Fund estimated at \$0: *Provided further*, That amounts collected in fiscal year 2008 in excess of obligations, up to \$50,000,000, shall become available October 1, 2008 and shall remain available until September 30, 2011.

## OVERSEAS PRIVATE INVESTMENT CORPORATION

## NONCREDIT ACCOUNT

The Overseas Private Investment Corporation is authorized to make, without regard to fiscal year limitations, as provided by 31

U.S.C. 9104, such expenditures and commitments within the limits of funds available to it and in accordance with law as may be necessary: *Provided*, That the amount available for administrative expenses to carry out the credit and insurance programs (including an amount for official reception and representation expenses which shall not exceed \$35,000) shall not exceed \$47,500,000: *Provided further*, That project-specific transaction costs, including direct and indirect costs incurred in claims settlements, and other direct costs associated with services provided to specific investors or potential investors pursuant to section 234 of the Foreign Assistance Act of 1961, shall not be considered administrative expenses for the purposes of this heading.

#### PROGRAM ACCOUNT

For the cost of direct and guaranteed loans, \$23,500,000, as authorized by section 234 of the Foreign Assistance Act of 1961, to be derived by transfer from the Overseas Private Investment Corporation Noncredit Account: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That such sums shall be available for direct loan obligations and loan guaranty commitments incurred or made during fiscal years 2008, 2009, and 2010: *Provided further*, That funds so obligated in fiscal year 2008 remain available for disbursement through 2016; funds obligated in fiscal year 2009 remain available for disbursement through 2017; funds obligated in fiscal year 2010 remain available for disbursement through 2018: *Provided further*, That notwithstanding any other provision of law, the Overseas Private Investment Corporation is authorized to undertake any program authorized by title IV of the Foreign Assistance Act of 1961 in Iraq: *Provided further*, That funds made available pursuant to the authority of the previous proviso shall be subject to the regular notification procedures of the Committees on Appropriations.

In addition, such sums as may be necessary for administrative expenses to carry out the credit program may be derived from amounts available for administrative expenses to carry out the credit and insurance programs in the Overseas Private Investment Corporation Noncredit Account and merged with said account.

#### FUNDS APPROPRIATED TO THE PRESIDENT

##### TRADE AND DEVELOPMENT AGENCY

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

#### TITLE III

##### BILATERAL ECONOMIC ASSISTANCE

#### FUNDS APPROPRIATED TO THE PRESIDENT

For expenses necessary to enable the President to carry out the provisions of the Foreign Assistance Act of 1961, and for other pur-

poses, to remain available until September 30, 2008, unless otherwise specified herein, as follows:

GLOBAL HEALTH AND CHILD SURVIVAL

(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, \$1,843,150,000, to remain available until September 30, 2009, and which shall be apportioned directly to the United States Agency for International Development: *Provided*, That this amount shall be made available for such activities as: (1) child survival and maternal health 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 infected or affected by AIDS; and (6) family planning/reproductive health: *Provided further*, That none of the funds appropriated under this paragraph 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 paragraph, 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, maternal and family planning/reproductive health, and infectious disease programs: *Provided further*, That of the funds appropriated under this paragraph the following amounts should be allocated as follows: \$450,150,000 for child survival and maternal health; \$15,000,000 for vulnerable children; \$350,000,000 for HIV/AIDS; \$633,000,000 for other infectious diseases, including \$153,000,000 for tuberculosis control, of which \$15,000,000 shall be used for the Global TB Drug Facility; and \$395,000,000 for family planning/reproductive health, including in areas where population growth threatens biodiversity or endangered species: *Provided further*, That of the funds appropriated under this paragraph, \$72,500,000 should be made available for a United States contribution to The GAVI Fund, and up to \$6,000,000 may be transferred to and merged with funds appropriated by this Act under the heading "Operating Expenses of the United States Agency for International Development" for costs directly related to global health, but funds made available for such costs may not be derived from amounts made available for contribution under this and preceding provisos: *Provided further*, That of the funds appropriated under this paragraph, \$115,000,000 shall be made available to combat avian influenza, of which \$15,000,000 shall be made available, notwithstanding any other provision of law except section 551 of Public Law 109-102, to enhance the preparedness of militaries in Asia and Africa to respond to an avian influenza pandemic, subject to the regular notification procedures of the Committees on Appro-

priations: *Provided further*, That none of the funds made available in this Act nor any unobligated balances from prior appropriations may be made available to any organization or program which, as determined by the President of the United States, supports or participates in the management of a program of coercive abortion or involuntary sterilization: *Provided further*, That any determination made under the previous proviso must be made no later than six months after the date of enactment of this Act, and must be accompanied by a comprehensive analysis as well as the complete evidence and criteria utilized to make the determination: *Provided further*, That none of the funds made available under this Act may be used to pay for the performance of abortion as a method of family planning or to motivate or coerce any person to practice abortions: *Provided further*, That nothing in this paragraph shall be construed to alter any existing statutory prohibitions against abortion under section 104 of the Foreign Assistance Act of 1961: *Provided further*, That none of the funds made available under this Act may be used to lobby for or against abortion: *Provided further*, That in order to reduce reliance on abortion in developing nations, funds shall be available only to voluntary family planning projects which offer, either directly or through referral to, or information about access to, a broad range of family planning methods and services, and that any such voluntary family planning project shall meet the following requirements: (1) service providers or referral agents in the project shall not implement or be subject to quotas, or other numerical targets, of total number of births, number of family planning acceptors, or acceptors of a particular method of family planning (this provision shall not be construed to include the use of quantitative estimates or indicators for budgeting and planning purposes); (2) the project shall not include payment of incentives, bribes, gratuities, or financial reward to: (A) an individual in exchange for becoming a family planning acceptor; or (B) program personnel for achieving a numerical target or quota of total number of births, number of family planning acceptors, or acceptors of a particular method of family planning; (3) the project shall not deny any right or benefit, including the right of access to participate in any program of general welfare or the right of access to health care, as a consequence of any individual's decision not to accept family planning services; (4) the project shall provide family planning acceptors comprehensible information on the health benefits and risks of the method chosen, including those conditions that might render the use of the method inadvisable and those adverse side effects known to be consequent to the use of the method; and (5) the project shall ensure that experimental contraceptive drugs and devices and medical procedures are provided only in the context of a scientific study in which participants are advised of potential risks and benefits; and, not less than 60 days after the date on which the Administrator of the United States Agency for International Development determines that there has been a violation of the requirements contained in paragraph (1), (2), (3), or (5) of this proviso, or a pattern or practice of violations of the requirements contained in paragraph (4) of this proviso, the Administrator shall submit to the Committees on Appropriations a report containing a description of such violation and the corrective action

taken by the Agency: *Provided further*, That in awarding grants for natural family planning under section 104 of the Foreign Assistance Act of 1961 no applicant shall be discriminated against because of such applicant's religious or conscientious commitment to offer only natural family planning; and, additionally, all such applicants shall comply with the requirements of the previous proviso: *Provided further*, That for purposes of this or any other Act authorizing or appropriating funds for foreign operations, export financing, and related programs, the term "motivate", as it relates to family planning assistance, shall not be construed to prohibit the provision, consistent with local law, of information or counseling about all pregnancy options: *Provided further*, That to the maximum extent feasible, taking into consideration cost, timely availability, and best health practices, funds appropriated in this Act or prior appropriations Acts that are made available for condom procurement shall be made available only for the procurement of condoms manufactured in the United States: *Provided further*, That information provided about the use of condoms as part of projects or activities that are funded from amounts appropriated by this Act shall be medically accurate and shall include the public health benefits and failure rates of such use: *Provided further*, That of the amount provided by this paragraph, \$115,000,000 is designated as described in section 5 (in the matter preceding division A of this consolidated Act).

In addition, for necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961 for the prevention, treatment, and control of, and research on, HIV/AIDS, \$4,700,000,000, to remain available until expended, and which shall be apportioned directly to the Department of State: *Provided*, That of the funds appropriated under this paragraph, \$550,000,000 shall be made available, notwithstanding any other provision of law, except for the United States Leadership Against HIV/AIDS, Tuberculosis and Malaria Act of 2003 (Public Law 108-25) for a United States contribution to the Global Fund to Fight AIDS, Tuberculosis and Malaria, and shall be expended at the minimum rate necessary to make timely payment for projects and activities: *Provided further*, That up to 5 percent of the aggregate amount of funds made available to the Global Fund in fiscal year 2008 may be made available to the United States Agency for International Development for technical assistance related to the activities of the Global Fund: *Provided further*, That of the funds appropriated under this paragraph, up to \$13,000,000 may be made available, in addition to amounts otherwise available for such purposes, for administrative expenses of the Office of the Global AIDS Coordinator: *Provided further*, That funds made available under this heading shall be made available notwithstanding the second sentence of section 403(a) of Public Law 108-25.

#### DEVELOPMENT ASSISTANCE

For necessary expenses to carry out the provisions of sections 103, 105, 106, and sections 251 through 255, and chapter 10 of part I of the Foreign Assistance Act of 1961, \$1,636,881,000, to remain available until September 30, 2009: *Provided*, That of the funds appropriated under this heading that are made available for assist-

ance programs for displaced and orphaned children and victims of war, not to exceed \$43,000, in addition to funds otherwise available for such purposes, may be used to monitor and provide oversight of such programs: *Provided further*, That \$400,000,000 should be allocated for basic education: *Provided further*, That of the funds appropriated by this Act, not less than \$245,000,000 shall be made available for microenterprise and microfinance development programs for the poor, especially women: *Provided further*, That of the funds appropriated under this heading, not less than \$28,000,000 shall be made available for Collaborative Research Support Programs: *Provided further*, That of the funds appropriated under this heading, \$750,000 shall be made available to implement 7 U.S.C. section 1736g-2(a)(2)(C) to improve food aid product quality and nutrient delivery: *Provided further*, That of the funds appropriated under this heading, not less than \$22,500,000 shall be made available for the American Schools and Hospitals Abroad program: *Provided further*, That of the funds appropriated under this heading, \$12,000,000 should be made available for cooperative development programs within the Office of Private and Voluntary Cooperation: *Provided further*, That funds appropriated under this heading should be made available for programs to address sexual and gender-based violence: *Provided further*, That of the funds appropriated in this Act, not less than \$300,000,000 shall be made available for safe drinking water and sanitation supply projects, including water management related to safe drinking water and sanitation, only to implement the Senator Paul Simon Water for the Poor Act of 2005 (Public Law 109-121), of which not less than \$125,000,000 should be made available for such projects in Africa: *Provided further*, That of the funds appropriated under this heading, not less than \$15,000,000 shall be made available for programs to improve women's leadership capacity in recipient countries, and \$10,000,000 may be made available to support a fund that enhances economic opportunities for very poor, poor, and low-income women in developing countries.

#### INTERNATIONAL DISASTER ASSISTANCE

For necessary expenses to carry out the provisions of section 491 of the Foreign Assistance Act of 1961 for international disaster relief, rehabilitation, and reconstruction assistance, \$432,350,000, to remain available until expended, of which \$20,000,000 should be for famine prevention and relief: *Provided further*, That of the amount provided by this paragraph, \$110,000,000 is designated as described in section 5 (in the matter preceding division A of this consolidated Act).

#### TRANSITION INITIATIVES

For necessary expenses for international disaster rehabilitation and reconstruction assistance pursuant to section 491 of the Foreign Assistance Act of 1961, \$45,000,000, to remain available until expended, to support transition to democracy and to long-term development of countries in crisis: *Provided*, That such support may include assistance to develop, strengthen, or preserve democratic institutions and processes, revitalize basic infrastructure, and foster the peaceful resolution of conflict: *Provided further*, That the



United States Agency for International Development shall submit a report to the Committees on Appropriations at least 5 days prior to beginning a new program of assistance: *Provided further*, That if the President determines that it is important to the national interests of the United States to provide transition assistance in excess of the amount appropriated under this heading, up to \$15,000,000 of the funds appropriated by this Act to carry out the provisions of part I of the Foreign Assistance Act of 1961 may be used for purposes of this heading and under the authorities applicable to funds appropriated under this heading: *Provided further*, That funds made available pursuant to the previous proviso shall be made available subject to prior consultation with the Committees on Appropriations.

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

In addition, for administrative expenses to carry out credit programs administered by the United States Agency for International Development, \$8,160,000, which may be transferred to and merged with the appropriation for Operating Expenses of the United States Agency for International Development: *Provided*, That funds made available under this heading shall remain available until September 30, 2010.

OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR  
INTERNATIONAL DEVELOPMENT

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the provisions of section 667 of the Foreign Assistance Act of 1961, \$655,800,000, of which up to \$25,000,000 may remain available until September 30, 2009: *Provided*, That none of the funds appropriated under this heading and under the heading "Capital Investment Fund" may be made available to finance the construction (including architect and engineering services), purchase, or long-term lease of offices for use by the United States Agency for International Development, unless the Administrator has identified such proposed construction (including architect and engineering services), purchase, or long-term lease of offices in a report submitted to the Committees on Appropriations at least 15 days prior to the obligation of these funds for such purposes: *Provided further*, That the previous proviso shall not apply where the total cost of construction (including architect and engineering services), purchase, or long-term lease of offices does not exceed \$1,000,000: *Provided further*, That contracts or agreements entered into with funds appropriated under this heading may entail commitments for the expenditure of such funds through fiscal year 2009: *Provided further*, That any decision to open a new overseas mission or office of the United States Agency for International Development or, except where there is a substantial security risk to mission personnel, to close or significantly reduce the number of personnel of any such mission or office, shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That the authority of sections 610 and 109 of the Foreign Assistance Act of 1961 may be exercised by the Secretary of State to transfer funds appropriated to carry out chapter 1 of part I of such Act to "Operating Expenses of the United States Agency for International Development" in accordance with the provisions of those sections: *Provided further*, That of the amount provided by this paragraph, \$20,800,000 is designated as described in section 5 (in the matter preceding division A of this consolidated Act).

CAPITAL INVESTMENT FUND OF THE UNITED STATES AGENCY FOR  
INTERNATIONAL DEVELOPMENT

For necessary expenses for overseas construction and related costs, and for the procurement and enhancement of information technology and related capital investments, pursuant to section 667 of the Foreign Assistance Act of 1961, \$88,000,000, to remain available until expended: *Provided*, That this amount is in addition to funds otherwise available for such purposes: *Provided further*, That funds appropriated under this heading shall be available for obligation only pursuant to the regular notification procedures of the Committees on Appropriations.

OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR  
INTERNATIONAL DEVELOPMENT OFFICE OF INSPECTOR GENERAL

For necessary expenses to carry out the provisions of section 667 of the Foreign Assistance Act of 1961, \$38,000,000, to remain available until September 30, 2009, which sum shall be available for the Office of the Inspector General of the United States Agency for International Development.

## OTHER BILATERAL ECONOMIC ASSISTANCE

## ECONOMIC SUPPORT FUND

## (INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961, \$2,994,823,000, to remain available until September 30, 2009: *Provided*, That of the funds appropriated under this heading, not less than \$415,000,000 shall be available only for Egypt, which sum shall be provided on a grant basis, and of which sum cash transfer assistance shall be provided with the understanding that Egypt will undertake significant economic and democratic reforms which are additional to those which were undertaken in previous fiscal years: *Provided further*, That with respect to the provision of assistance for Egypt for democracy, human rights and governance activities, the organizations implementing such assistance and the specific nature of that assistance shall not be subject to the prior approval by the Government of Egypt: *Provided further*, That of the funds appropriated under this heading for assistance for Egypt, not less than \$135,000,000 shall be made available for project assistance, of which not less than \$20,000,000 shall be made available for democracy, human rights and governance programs and not less than \$50,000,000 shall be used for education programs, of which not less than \$10,000,000 should be made available for scholarships for Egyptian students with high financial need to attend United States accredited institutions of higher education in Egypt: *Provided further*, That \$11,000,000 of the funds appropriated under this heading should be made available for Cyprus to be used only for scholarships, administrative support of the scholarship program, bicomunal projects, and measures aimed at reunification of the island and designed to reduce tensions and promote peace and cooperation between the two communities on Cyprus: *Provided further*, That of the funds appropriated under this heading, not less than \$363,547,000 shall be made available only for assistance for Jordan: *Provided further*, That of the funds appropriated under this heading that are made available for assistance for Jordan, up to \$40,000,000 may be transferred to, and merged with, funds appropriated by this Act under the heading "Debt Restructuring" for the costs, as defined in section 502 of the Congressional Budget Act of 1974, of reducing or cancelling amounts owed to the United States or any agency of the United States by the Hashemite Kingdom of Jordan: *Provided further*, That of the funds appropriated under this heading not more than \$218,500,000 may be made available for assistance for the West Bank and Gaza, of which not to exceed \$2,000,000 may be used for administrative expenses of the United

States Agency for International Development, in addition to funds otherwise available for such purposes, to carry out programs in the West Bank and Gaza: *Provided further*, That if the President exercises the waiver authority under section 650 of this Act, of the funds made available under this heading for assistance to the Palestinian Authority, not more than \$100,000,000 of the funds made available under this heading for cash transfer assistance to the Palestinian Authority may be obligated for such assistance until the Secretary of State certifies and reports to the Committees on Appropriations that the Palestinian Authority has established a single treasury account for all Palestinian Authority financing and all financing mechanisms flow through this account, has eliminated all parallel financing mechanisms outside of the Palestinian Authority treasury account, and has established a single comprehensive civil service roster and payroll: *Provided further*, That none of the funds appropriated under this heading for cash transfer assistance to the Palestinian Authority may be obligated for salaries of personnel of the Palestinian Authority located in Gaza: *Provided further*, That none of the funds appropriated under this heading for cash transfer assistance to the Palestinian Authority may be obligated or expended for assistance to Hamas or any entity effectively controlled by Hamas or any power-sharing government with Hamas unless Hamas has accepted the principles contained in section 620K(b)(1)(A) and (B) of the Foreign Assistance Act of 1961, as amended: *Provided further*, That the Secretary of State shall ensure that Federal or non-Federal audits of all funds appropriated under this heading for cash transfer assistance to the Palestinian Authority are conducted on at least an annual basis to ensure compliance with this Act, and such audit shall include a detailed accounting of all programs, projects, and activities carried out using such funds, including both obligations and expenditures, and that the audit is compliant with generally accepted accounting standards: *Provided further*, That funds made available under this heading for cash transfer assistance to the Palestinian Authority shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That \$45,000,000 of the funds appropriated under this heading shall be made available for assistance for Lebanon, of which not less than \$10,000,000 should be made available for scholarships and direct support of American educational institutions in Lebanon: *Provided further*, That not more than \$300,000,000 of the funds made available for assistance for Afghanistan under this heading may be obligated for such assistance until the Secretary of State certifies to the Committees on Appropriations that the Government of Afghanistan at both the national and provincial level is cooperating fully with United States funded poppy eradication and interdiction efforts in Afghanistan: *Provided further*, That the President may waive the previous proviso if he determines and reports to the Committees on Appropriations that to do so is vital to the national security interests of the United States: *Provided further*, That such report shall include an analysis of the steps being taken by the Government of Afghanistan, at the national and provincial level, to cooperate fully with United States funded poppy eradication and interdiction efforts in Afghanistan: *Provided further*, That of the funds appropriated

under this heading, \$196,000,000 shall be apportioned directly to the United States Agency for International Development (USAID) for alternative development/institution building and sustainable development programs in Colombia and may be transferred to, and merged with, funds appropriated under the heading "Development Assistance" to continue programs administered by USAID: *Provided further*, That with respect to funds apportioned to USAID for programs in Colombia under this heading, the responsibility for policy decisions for the use of such funds, including which activities will be funded and the amount of funds that will be provided for each of those activities, shall be the responsibility of the Administrator of USAID in consultation with the Assistant Secretary of State for International Narcotics and Law Enforcement Affairs: *Provided further*, That of the funds appropriated under this heading that are available for assistance for the Democratic Republic of Timor-Leste, up to \$1,000,000 may be available for administrative expenses of the United States Agency for International Development in addition to amounts otherwise made available for such purposes: *Provided further*, That notwithstanding any other provision of law, funds appropriated under this heading may be made available for programs and activities for the Central Highlands of Vietnam: *Provided further*, That notwithstanding any other provision of law, of the funds appropriated under this heading, up to \$53,000,000 may be made available for energy-related assistance for North Korea, subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That funds appropriated under this heading that are made available for a Middle East Financing Facility, Middle East Enterprise Fund, or any other similar entity in the Middle East shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That of the amount provided by this paragraph, \$542,568,000 is designated as described in section 5 (in the matter preceding division A of this consolidated Act).

#### INTERNATIONAL FUND FOR IRELAND

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

#### ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC STATES

(a) For necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961 and the Support for East European Democracy (SEED) Act of 1989, \$295,950,000, to remain available until September 30, 2009, which shall be available, notwithstanding any other provision of law, for assistance and for related programs for Eastern Europe and the Baltic States.

(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.

(c) The provisions of section 628 of this Act shall apply to funds appropriated under this heading: *Provided*, That notwithstanding any provision of this or any other Act, including provisions in this subsection regarding the application of section 628 of this Act, local currencies generated by, or converted from, funds appropriated by this Act and by previous appropriations Acts and made available for the economic revitalization program in Bosnia may be used in Eastern Europe and the Baltic States to carry out the provisions of the Foreign Assistance Act of 1961 and the Support for East European Democracy SEED Act of 1989.

(d) The President is authorized to withhold funds appropriated under this heading made available for economic revitalization programs in Bosnia and Herzegovina, if he determines and certifies to the Committees on Appropriations that the Federation of Bosnia and Herzegovina has not complied with article III of annex 1–A of the General Framework Agreement for Peace in Bosnia and Herzegovina concerning the withdrawal of foreign forces, and that intelligence cooperation on training, investigations, and related activities between state sponsors of terrorism and terrorist organizations and Bosnian officials has not been terminated.

ASSISTANCE FOR THE INDEPENDENT STATES OF THE FORMER SOVIET  
UNION

For necessary expenses to carry out the provisions of chapters 11 and 12 of part I of the Foreign Assistance Act of 1961 and the FREEDOM Support Act, for assistance for the Independent States of the former Soviet Union and for related programs, \$399,735,000, to remain available until September 30, 2009: *Provided*, That the provisions of such chapters shall apply to funds appropriated by this paragraph: *Provided further*, That funds made available for the Southern Caucasus region may be used, notwithstanding any other provision of law, for confidence-building measures and other activities in furtherance of the peaceful resolution of regional conflicts, especially those in the vicinity of Abkhazia and Nagorno-Karabagh: *Provided further*, That notwithstanding any other provision of law, funds appropriated under this heading in this Act or prior Acts making appropriations for foreign operations, export financing, and related programs, that are made available pursuant to the provisions of section 807 of Public Law 102–511 shall be subject to a 6 percent ceiling on administrative expenses.

INDEPENDENT AGENCIES  
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, \$21,000,000, to remain available until September 30, 2009.

## AFRICAN DEVELOPMENT FOUNDATION

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*, That interest earned shall be used only for the purposes for which the grant was made: *Provided further*, That notwithstanding section 505(a)(2) of the African Development Foundation Act, (1) in exceptional circumstances the Board of Directors of the Foundation may waive the \$250,000 limitation contained in that section with respect to a project and (2) a project may exceed the limitation by up to \$10,000 if the increase is due solely to foreign currency fluctuation: *Provided further*, That the Foundation shall provide a report to the Committees on Appropriations after each time such waiver authority is exercised.

## PEACE CORPS

## (INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the provisions of the Peace Corps Act (75 Stat. 612), including the purchase of not to exceed five passenger motor vehicles for administrative purposes for use outside of the United States, \$333,500,000, to remain available until September 30, 2009: *Provided*, That none of the funds appropriated under this heading shall be used to pay for abortions: *Provided further*, That the Director may transfer to the Foreign Currency Fluctuations Account, as authorized by 22 U.S.C. 2515, an amount not to exceed \$2,000,000: *Provided further*, That funds transferred pursuant to the previous proviso may not be derived from amounts made available for Peace Corps overseas operations.

## MILLENNIUM CHALLENGE CORPORATION

For necessary expenses to carry out the provisions of the Millennium Challenge Act of 2003, \$1,557,000,000, to remain available until expended: *Provided*, That of the funds appropriated under this heading, up to \$88,000,000 may be available for administrative expenses of the Millennium Challenge Corporation: *Provided further*, That up to 10 percent of the funds appropriated under this heading may be made available to carry out the purposes of section 616 of the Millennium Challenge Act of 2003 for candidate countries for fiscal year 2008: *Provided further*, That none of the funds available to carry out section 616 of such Act may be made available until the Chief Executive Officer of the Millennium Challenge Corporation provides a report to the Committees on Appropriations listing the candidate countries that will be receiving assistance under section 616 of such Act, the level of assistance proposed for each such country, a description of the proposed programs, projects and activities, and the implementing agency or agencies of the United States Government: *Provided further*, That section 605(e)(4) of the Millennium Challenge Act of 2003 shall apply to funds appropriated under this heading: *Provided further*, That funds appro-

priated under this heading may be made available for a Millennium Challenge Compact entered into pursuant to section 609 of the Millennium Challenge Act of 2003 only if such Compact obligates, or contains a commitment to obligate subject to the availability of funds and the mutual agreement of the parties to the Compact to proceed, the entire amount of the United States Government funding anticipated for the duration 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, \$164,000,000, 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) \$64,000,000 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 \$5,000,000 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: *Provided further*, That \$15,000,000 shall be made available for an internet freedom initiative to expand access and information in closed societies, including in the Middle East and Asia: *Provided further*, That the Department of State shall consult with the Committees on Appropriations prior to the initial obligation of funds made available pursuant to the previous proviso; and

(2) \$100,000,000 for the National Endowment for Democracy: *Provided*, That of the funds appropriated by this Act under the headings "Development Assistance", "Economic Support Fund", "Assistance for Eastern Europe and the Baltic States", and "Assistance for the Independent States of the Former Soviet Union", an additional \$11,000,000 should be made available to support the ongoing programs and activities of the National Endowment for Democracy.

(b) Funds appropriated by this Act that are made available for the promotion of democracy may be made available notwithstanding any other provision of law and, with regard to the National Endowment for Democracy, any regulation. Funds appropriated under this heading are in addition to funds otherwise available for such purposes.

(c) For the purposes of funds appropriated by this Act, the term "promotion of democracy" means programs that support good governance, human rights, independent media, and the rule of law,



and otherwise strengthen the capacity of democratic political parties, governments, nongovernmental organizations and institutions, and citizens to support the development of democratic states, institutions, and practices that are responsive and accountable to citizens.

(d) Any contract, grant or cooperative agreement (or any amendment to any contract, grant, or cooperative agreement) in excess of \$2,500,000 for the promotion of democracy under this Act shall be subject to the regular notification procedures of the Committees on Appropriations.

#### INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

For necessary expenses to carry out section 481 of the Foreign Assistance Act of 1961, \$558,449,000, to remain available until September 30, 2010: *Provided*, That during fiscal year 2008, the Department of State may also use the authority of section 608 of the Foreign Assistance Act of 1961, without regard to its restrictions, to receive excess property from an agency of the United States Government for the purpose of providing it to a foreign country under chapter 8 of part I of that Act subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That the Secretary of State shall provide to the Committees on Appropriations not later than 45 days after the date of the enactment of this Act and prior to the initial obligation of funds appropriated under this heading, a report on the proposed uses of all funds under this heading on a country-by-country basis for each proposed program, project, or activity: *Provided further*, That none of the funds provided under this heading for counter narcotics activities in Afghanistan shall be made available for eradication programs through the aerial spraying of herbicides: *Provided further*, That of the funds appropriated under this heading, not less than \$39,750,000 shall be made available for judicial, human rights, rule of law and related activities for Colombia, of which not less than \$20,000,000 shall be made available for the Office of the Attorney General, of which \$5,000,000 shall be for the Human Rights Unit, \$5,000,000 shall be for the Justice and Peace Unit, \$7,000,000 shall be used to support a witness protection program for victims of armed groups, and \$3,000,000 shall be for investigations of mass graves and identification of remains: *Provided further*, That of the funds appropriated under this heading that are available for assistance for Colombia, \$8,000,000 shall be available for human rights activities, \$5,500,000 shall be available for judicial reform, \$3,000,000 shall be for the Office of the Procuraduria General de la Nacion, \$2,000,000 shall be for the Office of the Defensoria del Pueblo, and \$750,000 should be made available for a United States contribution to the Office of the United Nations High Commissioner for Human Rights in Colombia to support monitoring and public reporting of human rights conditions in the field: *Provided further*, That of the funds appropriated under this heading, not more than \$38,000,000 may be available for administrative expenses.

ANDEAN COUNTERDRUG PROGRAMS  
(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out section 481 of the Foreign Assistance Act of 1961 to support counterdrug activities in the Andean region of South America, \$327,460,000, to remain available until September 30, 2010: *Provided*, That the Secretary of State, in consultation with the Administrator of the United States Agency for International Development, shall provide to the Committees on Appropriations not later than 45 days after the date of the enactment of this Act and prior to the initial obligation of funds appropriated under this heading, a report on the proposed uses of all funds under this heading on a country-by-country basis for each proposed program, project, or activity: *Provided further*, That section 482(b) of the Foreign Assistance Act of 1961 shall not apply to funds appropriated under this heading: *Provided further*, That assistance provided with funds appropriated under this heading that is made available notwithstanding section 482(b) of the Foreign Assistance Act of 1961 shall be made available subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That funds made available to the Department of State for assistance to the Government of Colombia in this Act may be used to support a unified campaign against narcotics trafficking and organizations designated as Foreign Terrorist Organizations, and to take actions to protect human health and welfare in emergency circumstances, including undertaking rescue operations: *Provided further*, That this authority shall cease to be effective if the Secretary of State has credible evidence that the Colombian Armed Forces are not conducting vigorous operations to restore government authority and respect for human rights in areas under the effective control of paramilitary organizations, illegal self-defense groups, illegal security cooperatives, or other criminal, guerrilla or successor armed groups or organizations: *Provided further*, That the President shall ensure that if any helicopter procured with funds in this Act or prior Acts making appropriations for foreign operations, export financing, and related programs, is used to aid or abet the operations of any illegal self-defense group, paramilitary organization, illegal security cooperative or successor organizations in Colombia, such helicopter shall be immediately returned to the United States: *Provided further*, That no United States Armed Forces personnel or United States civilian contractor employed by the United States will participate in any combat operation in connection with assistance made available by this Act for Colombia: *Provided further*, That rotary and fixed wing aircraft supported with funds appropriated under this heading for assistance for Colombia may be used for aerial or manual drug eradication and interdiction including to transport personnel and supplies and to provide security for such operations, and to provide transport in support of alternative development programs and investigations of cases under the jurisdiction of the Attorney General, the Procuraduria General de la Nacion, and the Defensoria del Pueblo: *Provided further*, That of the funds appropriated under this heading that are available for Colombia, up to \$2,500,000 shall be transferred to, and merged with, funds appropriated under the

heading "Foreign Military Financing Program" and shall be made available only for assistance for the Colombian Armed Forces to provide security for manual eradication programs and up to \$2,500,000 shall be transferred to, and merged with, funds appropriated under the heading "International Narcotics Control and Law Enforcement" and shall be made available only for assistance for the Colombian National Police to provide security for manual eradication programs: *Provided further*, That of the funds available for the Colombian national police for the procurement of chemicals for aerial coca and poppy eradication programs, not more than 20 percent of such funds may be made available for such eradication programs unless the Secretary of State certifies to the Committees on Appropriations that: (1) the herbicide is being used in accordance with EPA label requirements for comparable use in the United States and with Colombian laws; and (2) the herbicide, in the manner it is being used, does not pose unreasonable risks or adverse effects to humans or the environment including endemic species: *Provided further*, That such funds may not be made available unless the Secretary of State certifies to the Committees on Appropriations that complaints of harm to health or licit crops caused by such aerial eradication are thoroughly evaluated and fair compensation is being paid in a timely manner for meritorious claims: *Provided further*, That the Secretary shall submit a report to the Committees on Appropriations detailing all claims, evaluations, and compensation paid during the twelve month period prior to the date of enactment of this Act: *Provided further*, That such funds may not be made available for such purposes unless programs are being implemented by United States Agency for International Development, the Government of Colombia, or other organizations, in consultation and coordination with local communities, to provide alternative sources of income in areas where security permits for small-acreage growers and communities whose illicit crops are targeted for aerial eradication: *Provided further*, That none of the funds appropriated by this Act shall be made available for the cultivation or processing of African oil palm, if doing so would contribute to significant loss of native species, disrupt or contaminate natural water sources, reduce local food security, or cause the forced displacement of local people: *Provided further*, That funds appropriated by this Act may be used for aerial eradication in Colombia's national parks or reserves only if the Secretary of State certifies to the Committees on Appropriations on a case-by-case basis that there are no effective alternatives and the eradication is conducted in accordance with Colombian laws: *Provided further*, That funds appropriated under this heading that are made available for assistance for the Bolivian military and police may be made available for such purposes only if the Secretary of State certifies to the Committees on Appropriations that the Bolivian military and police are respecting human rights and cooperating fully with investigations and prosecutions by civilian judicial authorities of military and police personnel who have been implicated in gross violations of human rights: *Provided further*, That of the funds appropriated under this heading, not more than \$17,000,000 may be available for administrative expenses of the Department of State, and not more than \$7,800,000 may be avail-

able, in addition to amounts otherwise available for such purposes, for administrative expenses of the United States Agency for International Development.

#### MIGRATION AND REFUGEE ASSISTANCE

For expenses, not otherwise provided for, necessary to enable the Secretary of State to provide, as authorized by law, a contribution to the International Committee of the Red Cross, assistance to refugees, including contributions to the International Organization for Migration and the United Nations High Commissioner for Refugees, and other activities to meet refugee and migration needs; salaries and expenses of personnel and dependents as authorized by the Foreign Service Act of 1980; allowances as authorized by sections 5921 through 5925 of title 5, United States Code; purchase and hire of passenger motor vehicles; and services as authorized by section 3109 of title 5, United States Code, \$1,029,900,000, to remain available until expended: *Provided*, That not more than \$23,000,000 may be available for administrative expenses: *Provided further*, That not less than \$40,000,000 of the funds made available under this heading shall be made available for refugees resettling in Israel: *Provided further*, That funds made available under this heading shall be made available for assistance for refugees from North Korea: *Provided further*, That of the amount provided by this paragraph, \$200,000,000 is designated as described in section 5 (in the matter preceding division A of this consolidated Act).

#### UNITED STATES EMERGENCY REFUGEE AND MIGRATION ASSISTANCE FUND

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

#### NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

For necessary expenses for nonproliferation, anti-terrorism, demining and related programs and activities, \$487,000,000, to carry out the provisions of chapter 8 of part II of the Foreign Assistance Act of 1961 for anti-terrorism assistance, chapter 9 of part II of the Foreign Assistance Act of 1961, section 504 of the FREEDOM Support Act, section 23 of the Arms Export Control Act or the Foreign Assistance Act of 1961 for demining activities, the clearance of unexploded ordnance, the destruction of small arms, and related activities, notwithstanding any other provision of law, including activities implemented through nongovernmental and international organizations, and section 301 of the Foreign Assistance Act of 1961 for a voluntary contribution to the International Atomic Energy Agency (IAEA), and for a United States contribution to the Comprehensive Nuclear Test Ban Treaty Preparatory Commission: *Provided*, That of this amount not to exceed \$34,000,000, to remain available until expended, may be made available for the Nonproliferation and Disarmament Fund, notwithstanding any other provision of law, to promote bilateral and

multilateral activities relating to nonproliferation and disarmament: *Provided further*, That such funds may also be used for such countries other than the Independent States of the former Soviet Union and international organizations when it is in the national security interest of the United States to do so: *Provided further*, That of the funds appropriated under this heading, not less than \$26,000,000 shall be made available for the Biosecurity Engagement Program: *Provided further*, That funds appropriated under this heading may be made available for the International Atomic Energy Agency only if the Secretary of State determines (and so reports to the Congress) that Israel is not being denied its right to participate in the activities of that Agency: *Provided further*, That of the funds made available for demining and related activities, not to exceed \$700,000, in addition to funds otherwise available for such purposes, may be used for administrative expenses related to the operation and management of the demining program: *Provided further*, That funds appropriated under this heading that are available for “Anti-terrorism Assistance” and “Export Control and Border Security” shall remain available until September 30, 2009.

#### DEPARTMENT OF THE TREASURY

##### INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

For necessary expenses to carry out the provisions of section 129 of the Foreign Assistance Act of 1961, \$20,400,000, to remain available until September 30, 2010, which shall be available notwithstanding any other provision of law.

##### DEBT RESTRUCTURING

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, of modifying loans and loan guarantees, as the President may determine, for which funds have been appropriated or otherwise made available for programs within the International Affairs Budget Function 150, including the cost of selling, reducing, or canceling amounts owed to the United States as a result of concessional loans made to eligible countries, pursuant to parts IV and V of the Foreign Assistance Act of 1961, of modifying concessional credit agreements with least developed countries, as authorized under section 411 of the Agricultural Trade Development and Assistance Act of 1954, as amended, of concessional loans, guarantees and credit agreements, as authorized under section 572 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1989 (Public Law 100–461), and of canceling amounts owed, as a result of loans or guarantees made pursuant to the Export-Import Bank Act of 1945, by countries that are eligible for debt reduction pursuant to title V of H.R. 3425 as enacted into law by section 1000(a)(5) of Public Law 106–113, \$30,300,000, to remain available until September 30, 2010: *Provided*, That not less than \$20,000,000 of the funds appropriated under this heading shall be made available to carry out the provisions of part V of the Foreign Assistance Act of 1961: *Provided further*, That amounts paid to the HIPC Trust Fund may be used only to fund debt reduction under the enhanced HIPC initiative by—

- (1) the Inter-American Development Bank;
- (2) the African Development Fund;
- (3) the African Development Bank; and
- (4) the Central American Bank for Economic Integration:

*Provided further*, That funds may not be paid to the HIPC Trust Fund for the benefit of any country if the Secretary of State has credible evidence that the government of such country is engaged in a consistent pattern of gross violations of internationally recognized human rights or in military or civil conflict that undermines its ability to develop and implement measures to alleviate poverty and to devote adequate human and financial resources to that end:

*Provided further*, That on the basis of final appropriations, the Secretary of the Treasury shall consult with the Committees on Appropriations concerning which countries and international financial institutions are expected to benefit from a United States contribution to the HIPC Trust Fund during the fiscal year: *Provided further*, That the Secretary of the Treasury shall inform the Committees on Appropriations not less than 15 days in advance of the signature of an agreement by the United States to make payments to the HIPC Trust Fund of amounts for such countries and institutions: *Provided further*, That the Secretary of the Treasury may disburse funds designated for debt reduction through the HIPC Trust Fund only for the benefit of countries that—

- (1) have committed, for a period of 24 months, not to accept new market-rate loans from the international financial institution receiving debt repayment as a result of such disbursement, other than loans made by such institutions to export-oriented commercial projects that generate foreign exchange which are generally referred to as “enclave” loans; and

- (2) have documented and demonstrated their commitment to redirect their budgetary resources from international debt repayments to programs to alleviate poverty and promote economic growth that are additional to or expand upon those previously available for such purposes:

*Provided further*, That any limitation of subsection (e) of section 411 of the Agricultural Trade Development and Assistance Act of 1954 shall not apply to funds appropriated under this heading: *Provided further*, That none of the funds made available under this heading in this or any other appropriations Act shall be made available for Sudan or Burma unless the Secretary of the Treasury determines and notifies the Committees on Appropriations that a democratically elected government has taken office.

#### TITLE IV

#### MILITARY ASSISTANCE

#### FUNDS APPROPRIATED TO THE PRESIDENT

#### INTERNATIONAL MILITARY EDUCATION AND TRAINING

For necessary expenses to carry out the provisions of section 541 of the Foreign Assistance Act of 1961, \$85,877,000, of which up to \$3,000,000 may remain available until expended: *Provided*, That funds appropriated under this heading shall not be available for

Equatorial Guinea: *Provided further*, That the civilian personnel for whom military education and training may be provided under this heading may include civilians who are not members of a government whose participation would contribute to improved civil-military relations, civilian control of the military, or respect for human rights: *Provided further*, That funds appropriated under this heading that are made available for assistance for Angola, Cameroon, Central African Republic, Chad, Cote d'Ivoire, Guinea, Libya, and Nepal may be made available only for expanded international military education and training: *Provided further*, That funds made available under this heading in the second proviso and for assistance for Haiti, Guatemala, the Democratic Republic of the Congo, Sri Lanka, Ethiopia, Bangladesh, Libya, Angola, and Nigeria may only be provided through the regular notification procedures of the Committees on Appropriations and any such notification shall include a detailed description of proposed activities.

## FOREIGN MILITARY FINANCING PROGRAM

## (INCLUDING TRANSFER OF FUNDS)

For expenses necessary for grants to enable the President to carry out the provisions of section 23 of the Arms Export Control Act, \$4,588,325,000: *Provided*, That of the funds appropriated under this heading, not less than \$2,400,000,000 shall be available for grants only for Israel, and not less than \$1,300,000,000 shall be made available for grants only for Egypt: *Provided further*, That the funds appropriated by this paragraph for Israel shall be disbursed within 30 days of the enactment of this Act: *Provided further*, That to the extent that the Government of Israel requests that funds be used for such purposes, grants made available for Israel by this paragraph shall, as agreed by Israel and the United States, be available for advanced weapons systems, of which not less than \$631,200,000 shall be available for the procurement in Israel of defense articles and defense services, including research and development: *Provided further*, That of the funds appropriated by this paragraph, \$300,000,000 shall be made available for assistance for Jordan: *Provided further*, That of the funds appropriated under this heading, not more than \$53,000,000 shall be available for Colombia, of which \$5,000,000 should be made available for medical and rehabilitation assistance, removal of landmines, and to enhance communications capabilities: *Provided further*, That of the funds appropriated under this heading, \$3,655,000 may be made available for assistance for Morocco, and an additional \$1,000,000 may be made available if the Secretary of State certifies to the Committees on Appropriations that the Government of Morocco is continuing to make progress on human rights, and is allowing all persons to advocate freely their views regarding the status and future of the Western Sahara through the exercise of their rights to peaceful expression, association and assembly and to document violations of human rights in that territory without harassment: *Provided further*, That funds appropriated or otherwise made available by this paragraph shall be nonrepayable notwithstanding any requirement in section 23 of the Arms Export Control Act: *Provided further*, That funds made available under this paragraph shall be

obligated upon apportionment in accordance with paragraph (5)(C) of title 31, United States Code, section 1501(a): *Provided further*, That \$4,000,000 of the funds appropriated under this heading shall be transferred to and merged with funds appropriated under the heading "Diplomatic and Consular Programs" to be made available to the Bureau of Democracy, Human Rights and Labor, Department of State, to ensure adequate monitoring of the uses of assistance made available under this heading in countries where such monitoring is most needed, in addition to amounts otherwise available for such purposes.

None of the funds made available under this heading shall be available to finance the procurement of defense articles, defense services, or design and construction services that are not sold by the United States Government under the Arms Export Control Act unless the foreign country proposing to make such procurements has first signed an agreement with the United States Government specifying the conditions under which such procurements may be financed with such funds: *Provided*, That all country and funding level increases in allocations shall be submitted through the regular notification procedures of section 615 of this Act: *Provided further*, That none of the funds appropriated under this heading shall be available for assistance for Sudan: *Provided further*, That none of the funds appropriated under this heading may be made available for assistance for Haiti, Guatemala, Nepal, Sri Lanka, Pakistan, Bangladesh, Philippines, Indonesia, Bosnia and Herzegovina, Ethiopia, and Democratic Republic of the Congo except pursuant to the regular notification procedures of the Committees on Appropriations: *Provided further*, That funds made available under this heading may be used, notwithstanding any other provision of law, for demining, the clearance of unexploded ordnance, and related activities, and may include activities implemented through non-governmental and international organizations: *Provided further*, That only those countries for which assistance was justified for the "Foreign Military Sales Financing Program" in the fiscal year 1989 congressional presentation for security assistance programs may utilize funds made available under this heading for procurement of defense articles, defense services or design and construction services that are not sold by the United States Government under the Arms Export Control Act: *Provided further*, That funds appropriated under this heading shall be expended at the minimum rate necessary to make timely payment for defense articles and services: *Provided further*, That not more than \$41,900,000 of the funds appropriated under this heading may be obligated for necessary expenses, including the purchase of passenger motor vehicles for replacement only for use outside of the United States, for the general costs of administering military assistance and sales: *Provided further*, That not more than \$395,000,000 of funds realized pursuant to section 21(e)(1)(A) of the Arms Export Control Act may be obligated for expenses incurred by the Department of Defense during fiscal year 2008 pursuant to section 43(b) of the Arms Export Control Act, except that this limitation may be exceeded only through the regular notification procedures of the Committees on Appropriations: *Provided further*, That foreign military financing program funds estimated to be outlayed for Egypt during fiscal year



2008 shall be transferred to an interest bearing account for Egypt in the Federal Reserve Bank of New York within 30 days of enactment of this Act: *Provided further*, That of the amount provided by this paragraph, \$100,000,000 is designated as described in section 5 (in the matter preceding division A of this consolidated Act).

PEACEKEEPING OPERATIONS

For necessary expenses to carry out the provisions of section 551 of the Foreign Assistance Act of 1961, \$263,230,000: *Provided*, That of the funds made available under this heading, not less than \$25,000,000 shall be made available for a United States contribution to the Multinational Force and Observers mission in the Sinai: *Provided further*, That none of the funds appropriated under this heading shall be obligated or expended except as provided through the regular notification procedures of the Committees on Appropriations: *Provided further*, That of the amount provided by this paragraph, \$35,000,000 is designated as described in section 5 (in the matter preceding division A of this consolidated Act).

TITLE V

MULTILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL FINANCIAL INSTITUTIONS

GLOBAL ENVIRONMENT FACILITY

For the United States contribution for the Global Environment Facility, \$81,763,000 to the International Bank for Reconstruction and Development as trustee for the Global Environment Facility, by the Secretary of the Treasury, to remain available until expended.

CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT ASSOCIATION

For payment to the International Development Association by the Secretary of the Treasury, \$950,000,000, to remain available until expended.

CONTRIBUTION TO THE ENTERPRISE FOR THE AMERICAS

MULTILATERAL INVESTMENT FUND

For payment to the Enterprise for the Americas Multilateral Investment Fund by the Secretary of the Treasury, for the United States contribution to the fund, \$25,000,000, to remain available until expended.

CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

For the United States contribution by the Secretary of the Treasury to the increase in resources of the Asian Development Fund, as authorized by the Asian Development Bank Act, as amended, \$75,153,000, to remain available until expended.

## CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK

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

## LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the African Development Bank may subscribe without fiscal year limitation for the callable capital portion of the United States share of such capital stock in an amount not to exceed \$31,918,770.

## CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

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

## CONTRIBUTION TO THE EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT

For payment to the European Bank for Reconstruction and Development by the Secretary of the Treasury, \$10,159 for the United States share of the paid-in portion of the increase in capital stock, to remain available until expended.

## CONTRIBUTION TO THE INTERNATIONAL FUND FOR AGRICULTURAL DEVELOPMENT

For the United States contribution by the Secretary of the Treasury to increase the resources of the International Fund for Agricultural Development, \$18,072,000, to remain available until expended.

## INTERNATIONAL ORGANIZATIONS AND PROGRAMS

For necessary expenses to carry out the provisions of section 301 of the Foreign Assistance Act of 1961, and of section 2 of the United Nations Environment Program Participation Act of 1973, \$319,485,000.

## TITLE VI

## GENERAL PROVISIONS

## COMPENSATION FOR UNITED STATES EXECUTIVE DIRECTORS TO INTERNATIONAL FINANCIAL INSTITUTIONS

SEC. 601. (a) No funds appropriated in titles II through V of this Act may be made as payment to any international financial institution while the United States Executive Director to such institution is compensated by the institution at a rate which, together with whatever compensation such Director receives from the United States, is in excess of the rate provided for an individual occupying a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code, or while any alternate United States Director to such institution is compensated by the institution at a rate in excess of the rate provided for an individual occupying a po-

sition at level V of the Executive Schedule under section 5316 of title 5, United States Code.

(b) For purposes of this section "international financial institutions" are: the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank, the Asian Development Fund, the African Development Bank, the African Development Fund, the International Monetary Fund, the North American Development Bank, and the European Bank for Reconstruction and Development.

#### RESTRICTION ON CONTRIBUTIONS TO THE UNITED NATIONS

SEC. 602. None of the funds appropriated or otherwise made available under any title of this Act may be made available to make any assessed contribution or voluntary payment of the United States to the United Nations if the United Nations implements or imposes any taxation on any United States persons.

#### LIMITATION ON RESIDENCE EXPENSES

SEC. 603. Of the funds appropriated or made available pursuant to title III of this Act, not to exceed \$100,500 shall be for official residence expenses of the United States Agency for International Development during the current fiscal year: *Provided*, 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.

#### 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 \$4,000 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 648 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 representation 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 \$3,000 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 stating that assistance provided by the United States shall be exempt from taxation, or reimbursed, by the foreign government, and the Secretary of State shall expeditiously seek to negotiate amendments to existing bilateral agreements, as necessary, to conform with this requirement.

(b) REIMBURSEMENT OF FOREIGN TAXES.—An amount equivalent to 200 percent of the total taxes assessed during fiscal year 2008 on funds appropriated by this Act by a foreign government or entity against commodities financed under United States assistance programs for which funds are appropriated by this Act, either directly or through grantees, contractors and subcontractors shall be withheld from obligation from funds appropriated for assistance for fiscal year 2009 and allocated for the central government of such country and for the West Bank and Gaza Program to the extent that the Secretary of State certifies and reports in writing to the Committees on Appropriations that such taxes have not been reimbursed to the Government of the United States.

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

(d) REPROGRAMMING OF FUNDS.—Funds withheld from obligation for each country or entity pursuant to subsection (b) shall be reprogrammed for assistance to countries which do not assess taxes on United States assistance or which have an effective arrangement that is providing substantial reimbursement of such taxes.

(e) DETERMINATIONS.—

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

(A) does not assess taxes on United States assistance or which has an effective arrangement that is providing substantial reimbursement of such taxes; or

(B) the foreign policy interests of the United States outweigh the policy of this section to ensure that United States assistance is not subject to taxation.

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

(f) IMPLEMENTATION.—The Secretary of State shall issue rules, regulations, or policy guidance, as appropriate, to implement the prohibition against the taxation of assistance contained in this section.

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

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

(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

SEC. 607. None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to finance directly any assistance or reparations to Cuba, North Korea, Iran, or Syria: *Provided*, That for purposes of this section, the prohibition on obligations or expenditures shall include direct loans, credits, insurance and guarantees of the Export-Import Bank or its agents.

#### MILITARY COUPS

SEC. 608. None of the funds appropriated or otherwise made available pursuant to titles II through V of this Act shall be obligated or expended to finance directly any assistance to the government of any country whose duly elected head of government is deposed by military coup or decree: *Provided*, That assistance may be resumed to such government if the President determines and certifies to the Committees on Appropriations that subsequent to the termination of assistance a democratically elected government has taken office: *Provided further*, That the provisions of this section shall not apply to assistance to promote democratic elections or public participation in democratic processes: *Provided further*, That funds made available pursuant to the previous provisos shall be subject to the regular notification procedures of the Committees on Appropriations.

#### TRANSFER AUTHORITY

SEC. 609. (a) DEPARTMENT OF STATE AND BROADCASTING BOARD OF GOVERNORS.—Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of State under title I of this Act may be transferred between such ap-

appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: *Provided*, That not to exceed 5 percent of any appropriation made available for the current fiscal year for the Broadcasting Board of Governors under title I of this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: *Provided further*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 615 (a) and (b) of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

(b) EXPORT FINANCING TRANSFER AUTHORITIES.—Not to exceed 5 percent of any appropriation other than for administrative expenses made available for fiscal year 2008, for programs under title II of this Act may be transferred between such appropriations for use for any of the purposes, programs, and activities for which the funds in such receiving account may be used, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 25 percent by any such transfer: *Provided*, That the exercise of such authority shall be subject to the regular notification procedures of the Committees on Appropriations.

(c)(1) LIMITATION ON TRANSFERS BETWEEN AGENCIES.—None of the funds made available under titles II through V of this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

(2) Notwithstanding paragraph (1), in addition to transfers made by, or authorized elsewhere in, this Act, funds appropriated by this Act to carry out the purposes of the Foreign Assistance Act of 1961 may be allocated or transferred to agencies of the United States Government pursuant to the provisions of sections 109, 610, and 632 of the Foreign Assistance Act of 1961.

(d) TRANSFERS BETWEEN ACCOUNTS.—None of the funds made available under titles II through V of this Act may be obligated under an appropriation account to which they were not appropriated, except for transfers specifically provided for in this Act, unless the President provides notification in accordance with the regular notification procedures of the Committees on Appropriations.

(e) AUDIT OF INTER-AGENCY TRANSFERS.—Any agreement for the transfer or allocation of funds appropriated by this Act, or prior Acts, entered into between the United States Agency for International Development and another agency of the United States Government under the authority of section 632(a) of the Foreign Assistance Act of 1961 or any comparable provision of law, shall expressly provide that the Office of the Inspector General for the agency receiving the transfer or allocation of such funds shall perform periodic program and financial audits of the use of such funds: *Provided*, That funds transferred under such authority may be made available for the cost of such audits.

## COMMERCIAL LEASING OF DEFENSE ARTICLES

SEC. 610. Notwithstanding any other provision of law, and subject to the regular notification procedures of the Committees on Appropriations, the authority of section 23(a) of the Arms Export Control Act may be used to provide financing to Israel, Egypt and NATO and major non-NATO allies for the procurement by leasing (including leasing with an option to purchase) of defense articles from United States commercial suppliers, not including Major Defense Equipment (other than helicopters and other types of aircraft having possible civilian application), if the President determines that there are compelling foreign policy or national security reasons for those defense articles being provided by commercial lease rather than by government-to-government sale under such Act.

## AVAILABILITY OF FUNDS

SEC. 611. No part of any appropriation contained in this Act shall remain available for obligation after the expiration of the current fiscal year unless expressly so provided in this Act: *Provided*, That funds appropriated for the purposes of chapters 1, 8, 11, and 12 of part I, section 661, section 667, chapters 4, 5, 6, 8, and 9 of part II of the Foreign Assistance Act of 1961, section 23 of the Arms Export Control Act, and funds provided under the headings "Assistance for Eastern Europe and the Baltic States" and "Development Credit Authority", shall remain available for an additional 4 years from the date on which the availability of such funds would otherwise have expired, if such funds are initially obligated before the expiration of their respective periods of availability contained in this Act: *Provided further*, That, notwithstanding any other provision of this Act, any funds made available for the purposes of chapter 1 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961 which are allocated or obligated for cash disbursements in order to address balance of payments or economic policy reform objectives, shall remain available until expended.

## LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

SEC. 612. No part of any appropriation provided under titles II through V in this Act shall be used to furnish assistance to the government of any country which is in default during a period in excess of one calendar year in payment to the United States of principal or interest on any loan made to the government of such country by the United States pursuant to a program for which funds are appropriated under this Act unless the President determines, following consultations with the Committees on Appropriations, that assistance to such country is in the national interest of the United States.

## COMMERCE AND TRADE

SEC. 613. (a) None of the funds appropriated or made available pursuant to titles II through V of this Act for direct assistance and none of the funds otherwise made available to the Export-Import Bank and the Overseas Private Investment Corporation shall be obligated or expended to finance any loan, any assistance or any other financial commitments for establishing or expanding produc-

tion of any commodity for export by any country other than the United States, if the commodity is likely to be in surplus on world markets at the time the resulting productive capacity is expected to become operative and if the assistance will cause substantial injury to United States producers of the same, similar, or competing commodity: *Provided*, That such prohibition shall not apply to the Export-Import Bank if in the judgment of its Board of Directors the benefits to industry and employment in the United States are likely to outweigh the injury to United States producers of the same, similar, or competing commodity, and the Chairman of the Board so notifies the Committees on Appropriations.

(b) None of the funds appropriated by this or any other Act to carry out chapter 1 of part I of the Foreign Assistance Act of 1961 shall be available for any testing or breeding feasibility study, variety improvement or introduction, consultancy, publication, conference, or training in connection with the growth or production in a foreign country of an agricultural commodity for export which would compete with a similar commodity grown or produced in the United States: *Provided*, That this subsection shall not prohibit—

- (1) activities designed to increase food security in developing countries where such activities will not have a significant impact on the export of agricultural commodities of the United States; or
- (2) research activities intended primarily to benefit American producers.

#### SURPLUS COMMODITIES

SEC. 614. The Secretary of the Treasury shall instruct the United States Executive Directors of the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, the Inter-American Development Bank, the International Monetary Fund, the Asian Development Bank, the Inter-American Investment Corporation, the North American Development Bank, the European Bank for Reconstruction and Development, the African Development Bank, and the African Development Fund to use the voice and vote of the United States to oppose any assistance by these institutions, using funds appropriated or made available pursuant to titles II through V of this Act, for the production or extraction of any commodity or mineral for export, if it is in surplus on world markets and if the assistance will cause substantial injury to United States producers of the same, similar, or competing commodity.

#### REPROGRAMMING NOTIFICATION REQUIREMENTS

SEC. 615. (a) None of the funds made available in title I of this Act, or in prior appropriations Acts to the agencies and departments funded by this Act that remain available for obligation or expenditure in fiscal year 2008, or provided from any accounts in the Treasury of the United States derived by the collection of fees or of currency reflows or other offsetting collections, or made available by transfer, to the agencies and departments funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that: (1) creates new programs; (2) eliminates a program, project, or activity; (3) increases funds or per-



sonnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) closes or opens a mission or post; (6) reorganizes or renames offices; (7) reorganizes programs or activities; or (8) contracts out or privatizes any functions or activities presently performed by Federal employees; unless the Committees on Appropriations are notified 15 days in advance of such reprogramming of funds.

(b) For the purposes of providing the executive branch with the necessary administrative flexibility, none of the funds provided under title I of this Act, or provided under previous appropriations Acts to the agencies or department funded under title I of this Act that remain available for obligation or expenditure in fiscal year 2008, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies or department funded by title I of this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming of funds in excess of \$750,000 or 10 percent, whichever is less, that: (1) augments existing programs, projects, or activities; (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or (3) results from any general savings, including savings from a reduction in personnel, which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Committees on Appropriations are notified 15 days in advance of such reprogramming of funds.

(c) For the purposes of providing the executive branch with the necessary administrative flexibility, none of the funds made available under titles II through V of this Act for "Global Health and Child Survival", "Development Assistance", "International Organizations and Programs", "Trade and Development Agency", "International Narcotics Control and Law Enforcement", "Andean Counterdrug Programs", "Assistance for Eastern Europe and the Baltic States", "Assistance for the Independent States of the Former Soviet Union", "Economic Support Fund", "Democracy Fund", "Peacekeeping Operations", "Capital Investment Fund", "Operating Expenses of the United States Agency for International Development", "Operating Expenses of the United States Agency for International Development Office of Inspector General", "Non-proliferation, Anti-terrorism, Demining and Related Programs", "Millennium Challenge Corporation" (by country only), "Foreign Military Financing Program", "International Military Education and Training", "Peace Corps", and "Migration and Refugee Assistance", shall be available for obligation for activities, programs, projects, type of materiel assistance, countries, or other operations not justified or in excess of the amount justified to the Committees on Appropriations for obligation under any of these specific headings unless the Committees on Appropriations of both Houses of Congress are previously notified 15 days in advance: *Provided*, That the President shall not enter into any commitment of funds appropriated for the purposes of section 23 of the Arms Export Control Act for the provision of major defense equipment, other than conventional ammunition, or other major defense items defined to be aircraft, ships, missiles, or combat vehicles, not previously justified to Congress or 20 percent in excess of the quan-

tities justified to Congress unless the Committees on Appropriations are notified 15 days in advance of such commitment: *Provided further*, That this subsection shall not apply to any reprogramming for an activity, program, or project for which funds are appropriated under titles III or IV of this Act of less than 10 percent of the amount previously justified to the Congress for obligation for such activity, program, or project for the current fiscal year.

(d) The requirements of this section or any similar provision of this Act or any other Act, including any prior Act requiring notification in accordance with the regular notification procedures of the Committees on Appropriations, may be waived if failure to do so would pose a substantial risk to human health or welfare: *Provided*, That in case of any such waiver, notification to the Congress, or the appropriate congressional committees, shall be provided as early as practicable, but in no event later than 3 days after taking the action to which such notification requirement was applicable, in the context of the circumstances necessitating such waiver: *Provided further*, That any notification provided pursuant to such a waiver shall contain an explanation of the emergency circumstances.

#### LIMITATION ON AVAILABILITY OF FUNDS FOR INTERNATIONAL ORGANIZATIONS AND PROGRAMS

SEC. 616. Subject to the regular notification procedures of the Committees on Appropriations, funds appropriated under titles II through V of this Act or any previously enacted Act making appropriations for foreign operations, export financing, and related programs, which are returned or not made available for organizations and programs because of the implementation of section 307(a) of the Foreign Assistance Act of 1961, shall remain available for obligation until September 30, 2009: *Provided*, That section 307(a) of the Foreign Assistance Act of 1961 is amended by striking "Libya,".

#### INDEPENDENT STATES OF THE FORMER SOVIET UNION

SEC. 617. (a) None of the funds appropriated under the heading "Assistance for the Independent States of the Former Soviet Union" shall be made available for assistance for a government of an Independent State of the former Soviet Union if that government directs any action in violation of the territorial integrity or national sovereignty of any other Independent State of the former Soviet Union, such as those violations included in the Helsinki Final Act: *Provided*, That such funds may be made available without regard to the restriction in this subsection if the President determines that to do so is in the national security interest of the United States.

(b) None of the funds appropriated under the heading "Assistance for the Independent States of the Former Soviet Union" shall be made available for any state to enhance its military capability: *Provided*, That this restriction does not apply to demilitarization, demining or nonproliferation programs.

(c) Funds appropriated under the heading "Assistance for the Independent States of the Former Soviet Union" for the Russian Federation, Armenia, Kazakhstan, and Uzbekistan shall be subject to the regular notification procedures of the Committees on Appropriations.

(d) Funds made available in this Act for assistance for the Independent States of the former Soviet Union shall be subject to the provisions of section 117 (relating to environment and natural resources) of the Foreign Assistance Act of 1961.

(e)(1) Of the funds appropriated under the heading "Assistance for the Independent States of the Former Soviet Union" that are allocated for assistance for the Government of the Russian Federation, 60 percent shall be withheld from obligation until the President determines and certifies in writing to the Committees on Appropriations that the Government of the Russian Federation—

(A) has terminated implementation of arrangements to provide Iran with technical expertise, training, technology, or equipment necessary to develop a nuclear reactor, related nuclear research facilities or programs, or ballistic missile capability; and

(B) is providing full access to international non-government organizations providing humanitarian relief to refugees and internally displaced persons in Chechnya.

(2) Paragraph (1) shall not apply to—

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

(B) activities authorized under title V (Nonproliferation and Disarmament Programs and Activities) of the FREEDOM Support Act.

(f) Section 907 of the FREEDOM Support Act shall not apply to—

(1) activities to support democracy or assistance under title V of the FREEDOM Support Act and section 1424 of Public Law 104-201 or non-proliferation assistance;

(2) any assistance provided by the Trade and Development Agency under section 661 of the Foreign Assistance Act of 1961 (22 U.S.C. 2421);

(3) any activity carried out by a member of the United States and Foreign Commercial Service while acting within his or her official capacity;

(4) any insurance, reinsurance, guarantee or other assistance provided by the Overseas Private Investment Corporation under title IV of chapter 2 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2191 et seq.);

(5) any financing provided under the Export-Import Bank Act of 1945; or

(6) humanitarian assistance.

PROHIBITION ON FUNDING FOR ABORTIONS AND INVOLUNTARY  
STERILIZATION

SEC. 618. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for the performance of abortions as a method of family planning or to motivate or coerce any person to practice abortions. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for the performance of involuntary sterilization as a method of family planning or to coerce or provide any financial incentive to any person

to undergo sterilizations. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for any biomedical research which relates in whole or in part, to methods of, or the performance of, abortions or involuntary sterilization as a means of family planning. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be obligated or expended for any country or organization if the President certifies that the use of these funds by any such country or organization would violate any of the above provisions related to abortions and involuntary sterilizations.

#### ALLOCATIONS

SEC. 619. (a) Funds provided in this Act for the following accounts shall be made available for programs and countries in the amounts contained in the respective tables included in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act) accompanying this Act:

“Educational and Cultural Exchange Programs”.

“American Sections, International Commissions”.

“International Broadcasting Operations”.

“Global Health and Child Survival”.

“Economic Support Fund”.

“Assistance for Eastern Europe and the Baltic States”.

“Assistance for the Independent States of the Former Soviet Union”.

“Democracy Fund”.

“International Narcotics Control and Law Enforcement”.

“Andean Counterdrug Programs”.

“Nonproliferation, Anti-Terrorism, Demining and Related Programs”.

“Foreign Military Financing Program”.

“Peacekeeping Operations”.

“International Organizations and Programs”.

(b) Any proposed increases or decreases to the amounts contained in such tables in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act) shall be subject to the regular notification procedures of the Committees on Appropriations and section 634A of the Foreign Assistance Act of 1961.

#### SPECIAL NOTIFICATION REQUIREMENTS

SEC. 620. None of the funds appropriated under titles II through V of this Act shall be obligated or expended for assistance for Serbia, Sudan, Zimbabwe, Pakistan, Cuba, Iran, Haiti, Libya, Ethiopia, Mexico, Nepal, or Cambodia except as provided through the regular notification procedures of the Committees on Appropriations.

#### DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

SEC. 621. For the purpose of titles II through V of this Act “program, project, and activity” shall be defined at the appropriations Act account level and shall include all appropriations and author-

izations Acts funding directives, ceilings, and limitations with the exception that for the following accounts: "Economic Support Fund" and "Foreign Military Financing Program", "program, project, and activity" shall also be considered to include country, regional, and central program level funding within each such account; for the development assistance accounts of the United States Agency for International Development "program, project, and activity" shall also be considered to include central, country, regional, and program level funding, either as: (1) justified to the Congress; or (2) allocated by the executive branch in accordance with a report, to be provided to the Committees on Appropriations within 30 days of the enactment of this Act, as required by section 653(a) of the Foreign Assistance Act of 1961.

#### GLOBAL HEALTH AND CHILD SURVIVAL ACTIVITIES

SEC. 622. Up to \$13,500,000 of the funds made available by this Act in title III for assistance under the heading "Global Health and Child Survival", may be used to reimburse United States Government agencies, agencies of State governments, institutions of higher learning, and private and voluntary organizations for the full cost of individuals (including for the personal services of such individuals) detailed or assigned to, or contracted by, as the case may be, the United States Agency for International Development for the purpose of carrying out activities under that heading: *Provided*, That up to \$3,500,000 of the funds made available by this Act for assistance under the heading "Development Assistance" may be used to reimburse such agencies, institutions, and organizations for such costs of such individuals carrying out other development assistance activities: *Provided further*, That funds appropriated by titles III and IV of this Act that are made available for bilateral assistance for child survival activities or disease programs including activities relating to research on, and the prevention, treatment and control of, HIV/AIDS may be made available notwithstanding any other provision of law except for the provisions under the heading "Global Health and Child Survival" and the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (117 Stat. 711; 22 U.S.C. 7601 et seq.), as amended: *Provided further*, That of the funds appropriated under title III of this Act, not less than \$461,000,000 shall be made available for family planning/reproductive health.

#### AFGHANISTAN

SEC. 623. Of the funds appropriated under titles III and IV of this Act, not less than \$1,057,050,000 should be made available for assistance for Afghanistan: *Provided*, That of the funds made available pursuant to this section, \$3,000,000 should be made available for reforestation activities: *Provided further*, That funds made available pursuant to the previous proviso should be matched, to the maximum extent possible, with contributions from American and Afghan businesses: *Provided further*, That of the funds allocated for assistance for Afghanistan from this Act not less than \$75,000,000 shall be made available to support programs that directly address the needs of Afghan women and girls, including for the Afghan Independent Human Rights Commission, the Afghan

Ministry of Women's Affairs, and for women-led nonprofit organizations in Afghanistan: *Provided further*, That of the funds appropriated by this Act that are available for Afghanistan, \$20,000,000 should be made available through United States universities to develop agriculture extension services for Afghan farmers, \$2,000,000 should be made available for a United States contribution to the North Atlantic Treaty Organization/International Security Assistance Force Post-Operations Humanitarian Relief Fund, and not less than \$10,000,000 should be made available for continued support of the United States Agency for International Development's Afghan Civilian Assistance Program.

#### NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

SEC. 624. Prior to providing excess Department of Defense articles in accordance with section 516(a) of the Foreign Assistance Act of 1961, the Department of Defense shall notify the Committees on Appropriations to the same extent and under the same conditions as are other committees pursuant to subsection (f) of that section: *Provided*, That before issuing a letter of offer to sell excess defense articles under the Arms Export Control Act, the Department of Defense shall notify the Committees on Appropriations in accordance with the regular notification procedures of such Committees if such defense articles are significant military equipment (as defined in section 47(9) of the Arms Export Control Act) or are valued (in terms of original acquisition cost) at \$7,000,000 or more, or if notification is required elsewhere in this Act for the use of appropriated funds for specific countries that would receive such excess defense articles: *Provided further*, That such Committees shall also be informed of the original acquisition cost of such defense articles.

#### GLOBAL FUND MANAGEMENT

SEC. 625. (a) Notwithstanding any other provision of this Act, 20 percent of the funds that are appropriated by this Act for a contribution to support the Global Fund to Fight AIDS, Tuberculosis and Malaria (the "Global Fund") shall be withheld from obligation to the Global Fund until the Secretary of State certifies to the Committees on Appropriations that the Global Fund—

- (1) is releasing incremental disbursements only if grantees demonstrate progress against clearly defined performance indicators;
- (2) is providing support and oversight to country-level entities, such as country coordinating mechanisms, principal recipients, and Local Fund Agents (LFAs), to enable them to fulfill their mandates;
- (3) has a full-time, professional, independent Office of Inspector General that is fully operational;
- (4) requires LFAs to assess whether a principal recipient has the capacity to oversee the activities of sub-recipients;
- (5) is making progress toward implementing a reporting system that breaks down grantee budget allocations by programmatic activity;
- (6) has adopted and is implementing a policy to publish on a publicly available website the reports of the Global Fund's Inspector General in a manner that is consistent with the Pol-

icy for Disclosure of Reports of the Inspector General as approved at the 16th Meeting of the Board of the Global Fund to Fight AIDS, Tuberculosis and Malaria; and

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

(b) The Secretary of State shall submit a report to the Committees on Appropriations not later than 120 days after enactment of this Act on the involvement of faith-based organizations in Global Fund programs. The report shall include—

(1) on a country-by-country basis—

(A) a description of the amount of grants and sub-grants provided to faith-based organizations; and

(B) a detailed description of the involvement of faith-based organizations in the Country Coordinating Mechanism (CCM) process of the Global Fund; and

(2) a description of actions the Global Fund is taking to enhance the involvement of faith-based organizations in the CCM process, particularly in countries in which the involvement of faith-based organizations has been underrepresented.

#### PROHIBITION ON BILATERAL ASSISTANCE TO TERRORIST COUNTRIES

SEC. 626. (a) Funds appropriated for bilateral assistance under any heading of this Act and funds appropriated under any such heading in a provision of law enacted prior to the enactment of this Act, shall not be made available to any country which the President determines—

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

(2) otherwise supports international terrorism.

(b) The President may waive the application of subsection (a) to a country if the President determines that national security or humanitarian reasons justify such waiver. The President shall publish each waiver in the Federal Register and, at least 15 days before the waiver takes effect, shall notify the Committees on Appropriations of the waiver (including the justification for the waiver) in accordance with the regular notification procedures of the Committees on Appropriations.

#### DEBT-FOR-DEVELOPMENT

SEC. 627. In order to enhance the continued participation of nongovernmental organizations in debt-for-development and debt-for-nature exchanges, a nongovernmental organization which is a grantee or contractor of the United States Agency for International Development may place in interest bearing accounts local currencies which accrue to that organization as a result of economic assistance provided under title III of this Act and, subject to the regular notification procedures of the Committees on Appropriations, any interest earned on such investment shall be used for the purpose for which the assistance was provided to that organization.

## SEPARATE ACCOUNTS

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

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

(A) require that local currencies be deposited in a separate account established by that government;

(B) enter into an agreement with that government which sets forth—

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

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

(C) establish by agreement with that government the responsibilities of the United States Agency for International Development and that government to monitor and account for deposits into and disbursements from the separate account.

(2) USES OF LOCAL CURRENCIES.—As may be agreed upon with the foreign government, local currencies deposited in a separate account pursuant to subsection (a), or an equivalent amount of local currencies, shall be used only—

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

(i) project and sector assistance activities; or

(ii) debt and deficit financing; or

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

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

(4) TERMINATION OF ASSISTANCE PROGRAMS.—Upon termination of assistance to a country under chapter 1 or 10 of part I or chapter 4 of part II (as the case may be), any unencumbered balances of funds which remain in a separate account established pursuant to subsection (a) shall be disposed of for such purposes as may be agreed to by the government of that country and the United States Government.

(5) REPORTING REQUIREMENT.—The Administrator of the United States Agency for International Development shall report on an annual basis as part of the justification documents submitted to the Committees on Appropriations on the use of local currencies for the administrative requirements of the United States Government as authorized in subsection (a)(2)(B), and such report shall include the amount of local cur-



rency (and United States dollar equivalent) used and/or to be used for such purpose in each applicable country.

(b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—

(1) If assistance is made available to the government of a foreign country, under chapter 1 or 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961, as cash transfer assistance or as nonproject sector assistance, that country shall be required to maintain such funds in a separate account and not commingle them with any other funds.

(2) APPLICABILITY OF OTHER PROVISIONS OF LAW.—Such funds may be obligated and expended notwithstanding provisions of law which are inconsistent with the nature of this assistance including provisions which are referenced in the Joint Explanatory Statement of the Committee of Conference accompanying House Joint Resolution 648 (House Report No. 98–1159).

(3) NOTIFICATION.—At least 15 days prior to obligating any such cash transfer or nonproject sector assistance, the President shall submit a notification 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.—Nonproject 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.

#### FINANCIAL MARKET ASSISTANCE

SEC. 630. Of the funds appropriated by this Act under the headings “Trade and Development Agency”, “Development Assistance”, “Transition Initiatives”, “Economic Support Fund”, “International Affairs Technical Assistance”, “Assistance for the Independent States of the Former Soviet Union”, “Nonproliferation, Anti-Terrorism, Demining and Related Programs”, and “Assistance for Eastern Europe and Baltic States”, not less than \$40,000,000 should be made available for building capital markets and financial systems in countries eligible to receive United States assistance.

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

SEC. 631. Unless expressly provided to the contrary, provisions of this or any other Act, including provisions contained in prior Acts authorizing or making appropriations for foreign operations, export financing, and related programs, shall not be construed to prohibit activities authorized by or conducted under the Peace Corps Act, the Inter-American Foundation Act or the African Development Foundation Act. The agency shall promptly report to the Committees on Appropriations whenever it is conducting activities or is proposing to conduct activities in a country for which assistance is prohibited.

IMPACT ON JOBS IN THE UNITED STATES

SEC. 632. None of the funds appropriated under titles II through V of this Act may be obligated or expended to provide—

(1) any financial incentive to a business enterprise currently located in the United States for the purpose of inducing such an enterprise to relocate outside the United States if such incentive or inducement is likely to reduce the number of employees of such business enterprise in the United States because United States production is being replaced by such enterprise outside the United States; or

(2) assistance for any program, project, or activity that contributes to the violation of internationally recognized workers rights, as defined in section 507(4) of the Trade Act of 1974, of workers in the recipient country, including any designated zone or area in that country: *Provided*, That the application of section 507(4)(D) and (E) of such Act should be commensurate with the level of development of the recipient country and sector, and shall not preclude assistance for the informal sector in such country, micro and small-scale enterprise, and smallholder agriculture.

COMPREHENSIVE EXPENDITURES REPORT

SEC. 633. Not later than 180 days after the date of enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations detailing the total amount of United States Government expenditures in fiscal years 2005 and 2006, by Federal agency, for programs and activities in each foreign country, identifying the line item as presented in the President's Budget Appendix and the purpose for which the funds were provided: *Provided*, That if required, information may be submitted in classified form.

SPECIAL AUTHORITIES

SEC. 634. (a) AFGHANISTAN, IRAQ, PAKISTAN, LEBANON, MONTE-NEGRO, VICTIMS OF WAR, DISPLACED CHILDREN, AND DISPLACED BURMESE.—Funds appropriated under titles II through V of this Act that are made available for assistance for Afghanistan may be made available notwithstanding section 612 of this Act or any similar provision of law and section 660 of the Foreign Assistance Act of 1961, and funds appropriated in titles II and III of this Act that

are made available for Iraq, Lebanon, Montenegro, Pakistan, and for victims of war, displaced children, and displaced Burmese, and to assist victims of trafficking in persons and, subject to the regular notification procedures of the Committees on Appropriations, to combat such trafficking, may be made available notwithstanding any other provision of law.

(b) TROPICAL FORESTRY AND BIODIVERSITY CONSERVATION ACTIVITIES.—Funds appropriated by this Act to carry out the provisions of sections 103 through 106, and chapter 4 of part II, of the Foreign Assistance Act of 1961 may be used, notwithstanding any other provision of law, for the purpose of supporting tropical forestry and biodiversity conservation activities and energy programs aimed at reducing greenhouse gas emissions: *Provided*, That such assistance shall be subject to sections 116, 502B, and 620A of the Foreign Assistance Act of 1961.

(c) PERSONAL SERVICES CONTRACTORS.—Funds appropriated by this Act to carry out chapter 1 of part I, chapter 4 of part II, and section 667 of the Foreign Assistance Act of 1961, and title II of the Agricultural Trade Development and Assistance Act of 1954, may be used by the United States Agency for International Development to employ up to 25 personal services contractors in the United States, notwithstanding any other provision of law, for the purpose of providing direct, interim support for new or expanded overseas programs and activities managed by the agency until permanent direct hire personnel are hired and trained: *Provided*, That not more than 10 of such contractors shall be assigned to any bureau or office: *Provided further*, That such funds appropriated to carry out title II of the Agricultural Trade Development and Assistance Act of 1954, may be made available only for personal services contractors assigned to the Office of Food for Peace.

(d)(1) WAIVER.—The President may waive the provisions of section 1003 of Public Law 100–204 if the President determines and certifies in writing to the Speaker of the House of Representatives and the President pro tempore of the Senate that it is important to the national security interests of the United States.

(2) PERIOD OF APPLICATION OF WAIVER.—Any waiver pursuant to paragraph (1) 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.

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

(f) VIETNAMESE REFUGEES.—Section 594(a) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2005 (enacted as division D of Public Law 108–447; 118 Stat. 3038) is amended by striking “2007” and inserting “2009”.

(g) RECONSTITUTING CIVILIAN POLICE AUTHORITY.—In providing assistance with funds appropriated by this Act under section 660(b)(6) of the Foreign Assistance Act of 1961, support for a nation emerging from instability may be deemed to mean support for

regional, district, municipal, or other sub-national entity emerging from instability, as well as a nation emerging from instability.

(h) CHINA PROGRAMS.—Notwithstanding any other provision of law, of the funds appropriated under the heading “Development Assistance” in this Act, not less than \$10,000,000 shall be made available to United States educational institutions and nongovernmental organizations for programs and activities in the People’s Republic of China relating to the environment, democracy, and the rule of law: *Provided*, That funds made available pursuant to this authority shall be subject to the regular notification procedures of the Committees on Appropriations.

(i) MIDDLE EAST FOUNDATION.—Funds appropriated by this Act and prior Acts for a Middle East Foundation shall be subject to the regular notification procedures of the Committees on Appropriations.

(j) EXTENSION OF AUTHORITY.—Section 1365(c) of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 22 U.S.C. 2778 note) is amended by striking “During the 16 year period beginning on October 23, 1992” and inserting “During the 22 year period beginning on October 23, 1992” before the period at the end.

(k) EXTENSION OF AUTHORITY.—The Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990 (Public Law 101–167) is amended—

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

(A) in subsection (b)(3), by striking “and 2007” and inserting “2007, and 2008”; and

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

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

(l) WORLD FOOD PROGRAM.—Of the funds managed by the Bureau for Democracy, Conflict, and Humanitarian Assistance of the United States Agency for International Development, from this or any other Act, not less than \$10,000,000 shall be made available as a general contribution to the World Food Program, notwithstanding any other provision of law.

(m) CAPITAL SECURITY COST-SHARING.—Notwithstanding any other provision of law, of the funds appropriated under the heading “Embassy Security, Construction, and Maintenance”, not less than \$2,000,000 shall be made available for the Capital Security Cost-Sharing fees of the Library of Congress.

(n) DISARMAMENT, DEMOBILIZATION AND REINTEGRATION.—Notwithstanding any other provision of law, regulation or Executive order, funds appropriated by this Act and prior Acts making appropriations for foreign operations, export financing, and related programs under the headings “Economic Support Fund”, “Peacekeeping Operations”, “International Disaster Assistance”, and “Transition Initiatives” should be made available to support programs to disarm, demobilize, and reintegrate into civilian society former members of foreign terrorist organizations: *Provided*, That the Secretary of State shall consult with the Committees on Appropriations prior to the obligation of funds pursuant to this subsection: *Provided further*, That for the purposes of this subsection,

“International Disaster Assistance” may also mean “International Disaster and Famine Assistance”: *Provided further*, That for the purposes of this subsection the term “foreign terrorist organization” means an organization designated as a terrorist organization under section 219 of the Immigration and Nationality Act.

(o) NONGOVERNMENTAL ORGANIZATIONS.—With respect to the provision of assistance for democracy, human rights and governance activities, the organizations implementing such assistance and the specific nature of that assistance shall not be subject to the prior approval by the government of any foreign country.

(p) PRISON CONDITIONS.—Funds appropriated by this Act to carry out the provisions of chapters 1 and 11 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961, and the Support for East European Democracy (SEED) Act of 1989, may be used to provide assistance to improve conditions in prison facilities administered by foreign governments, including among other things, activities to improve prison sanitation and ensure the availability of adequate food, drinking water and medical care for prisoners: *Provided*, That assistance made available under this subsection may be made available notwithstanding section 660 of the Foreign Assistance Act of 1961, and subject to the regular notification procedures of the Committees on Appropriations.

(q) PROGRAM FOR RESEARCH AND TRAINING ON EASTERN EUROPE AND THE INDEPENDENT STATES OF THE FORMER SOVIET UNION.—Of the funds appropriated by this Act under the heading, “Economic Support Fund”, not less than \$5,000,000 shall be made available to carry out the Program for Research and Training on Eastern Europe and the Independent States of the Former Soviet Union (title VIII) as authorized by the Soviet-Eastern European Research and Training Act of 1983 (22 U.S.C. 4501–4508, as amended).

(r) BROADCASTING BOARD OF GOVERNORS AUTHORITY.—Section 504(c) of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107–228; 22 U.S.C. 6206 note) is amended by striking “December 31, 2007” and inserting “December 31, 2008”.

(s) TRANSATLANTIC LEGISLATORS’ DIALOGUE AUTHORITY.—Section 109(c) of Public Law 98–164 is amended by striking “\$50,000” and inserting “\$100,000”.

(t) OPIC AUTHORITY.—Notwithstanding section 235(a)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2195(a)(2)), the authority of subsections (a) through (c) of section 234 of such Act shall remain in effect through April 1, 2008.

#### ARAB LEAGUE BOYCOTT OF ISRAEL

SEC. 635. It is the sense of the Congress that—

(1) the Arab League boycott of Israel, and the secondary boycott of American firms that have commercial ties with Israel, is an impediment to peace in the region and to United States investment and trade in the Middle East and North Africa;

(2) the Arab League boycott, which was regrettably reinstated in 1997, should be immediately and publicly terminated, and the Central Office for the Boycott of Israel immediately disbanded;

(3) all Arab League states should normalize relations with their neighbor Israel;

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

(5) the President should report to Congress annually on specific steps being taken by the United States to encourage Arab League states to normalize their relations with Israel to bring about the termination of the Arab League boycott of Israel, including those to encourage allies and trading partners of the United States to enact laws prohibiting businesses from complying with the boycott and penalizing businesses that do comply.

#### ELIGIBILITY FOR ASSISTANCE

SEC. 636. (a) ASSISTANCE THROUGH NONGOVERNMENTAL ORGANIZATIONS.—Restrictions contained under titles II through V of this or any other Act with respect to assistance for a country shall not be construed to restrict assistance in support of programs of nongovernmental organizations from funds appropriated by this Act to carry out the provisions of chapters 1, 10, 11, and 12 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961, and from funds appropriated under the heading “Assistance for Eastern Europe and the Baltic States”: *Provided*, That before using the authority of this subsection to furnish assistance in support of programs of nongovernmental organizations, the President shall notify the Committees on Appropriations under the regular notification procedures of those committees, including a description of the program to be assisted, the assistance to be provided, and the reasons for furnishing such assistance: *Provided further*, That nothing in this subsection shall be construed to alter any existing statutory prohibitions against abortion or involuntary sterilizations contained in this or any other Act.

(b) PUBLIC LAW 480.—During fiscal year 2008, restrictions contained in this or any other Act with respect to assistance for a country shall not be construed to restrict assistance under the Agricultural Trade Development and Assistance Act of 1954: *Provided*, That none of the funds appropriated to carry out title I of such Act and made available pursuant to this subsection may be obligated or expended except as provided through the regular notification procedures of the Committees on Appropriations.

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

(1) with respect to section 620A of the Foreign Assistance Act of 1961 or any comparable provision of law prohibiting assistance to countries that support international terrorism; or

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

#### RESERVATIONS OF FUNDS

SEC. 637. (a) Funds appropriated under titles II through V of this Act which are specifically designated may be reprogrammed for

other programs within the same account notwithstanding the designation if compliance with the designation is made impossible by operation of any provision of this or any other Act: *Provided*, That any such reprogramming shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That assistance that is reprogrammed pursuant to this subsection shall be made available under the same terms and conditions as originally provided.

(b) In addition to the authority contained in subsection (a), the original period of availability of funds appropriated by this Act and administered by the United States Agency for International Development that are specifically designated for particular programs or activities by this or any other Act shall be extended for an additional fiscal year if the Administrator of such agency determines and reports promptly to the Committees on Appropriations that the termination of assistance to a country or a significant change in circumstances makes it unlikely that such designated funds can be obligated during the original period of availability: *Provided*, That such designated funds that are continued available for an additional fiscal year shall be obligated only for the purpose of such designation.

(c) Ceilings and specifically designated funding levels contained in this Act shall not be applicable to funds or authorities appropriated or otherwise made available by any subsequent Act unless such Act specifically so directs. Specifically designated funding levels or minimum funding requirements contained in any other Act shall not be applicable to funds appropriated by this Act.

#### ASIA

SEC. 638. (a) FUNDING LEVELS.—Of the funds appropriated by this Act under the headings “Global Health and Child Survival” and “Development Assistance”, not less than the amount of funds initially allocated for each such account pursuant to subsection 653(a) of the Foreign Assistance Act of 1961 for fiscal year 2007 shall be made available for Cambodia, Philippines, Vietnam, Asia and Near East Regional, and Regional Development Mission/Asia: *Provided*, That for the purposes of this subsection, “Global Health and Child Survival” shall mean “Child Survival and Health Programs Fund”.

(b) BURMA.—

(1) The Secretary of the Treasury shall instruct the United States executive director to each appropriate international financial institution in which the United States participates, to oppose and vote against the extension by such institution any loan or financial or technical assistance or any other utilization of funds of the respective bank to and for Burma.

(2) Of the funds appropriated by this Act under the heading “Economic Support Fund”, not less than \$13,000,000 shall be made available to support democracy activities in Burma, along the Burma-Thailand border, for activities of Burmese student groups and other organizations located outside Burma, and for the purpose of supporting the provision of humanitarian assistance to displaced Burmese along Burma’s borders: *Provided*, That such funds may be made available notwith-

standing any other provision of law: *Provided further*, That in addition to assistance for Burmese refugees provided under the heading "Migration and Refugee Assistance" in this Act, not less than \$3,000,000 shall be made available for community-based organizations operating in Thailand to provide food, medical and other humanitarian assistance to internally displaced persons in eastern Burma: *Provided further*, That funds made available under this paragraph shall be subject to the regular notification procedures of the Committees on Appropriations.

(c) TIBET.—

(1) The Secretary of the Treasury should instruct the United States executive director to each international financial institution to use the voice and vote of the United States to support projects in Tibet if such projects do not provide incentives for the migration and settlement of non-Tibetans into Tibet or facilitate the transfer of ownership of Tibetan land and natural resources to non-Tibetans; are based on a thorough needs-assessment; foster self-sufficiency of the Tibetan people and respect Tibetan culture and traditions; and are subject to effective monitoring.

(2) Notwithstanding any other provision of law, not less than \$5,000,000 of the funds appropriated by this Act under the heading "Economic Support Fund" should be made available to nongovernmental organizations to support activities which preserve cultural traditions and promote sustainable development and environmental conservation in Tibetan communities in the Tibetan Autonomous Region and in other Tibetan communities in China, and not less than \$250,000 should be made available to the National Endowment for Democracy for human rights and democracy programs relating to Tibet.

PROHIBITION ON PUBLICITY OR PROPAGANDA

SEC. 639. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes within the United States not authorized before the date of the enactment of this Act by the Congress: *Provided*, That not to exceed \$25,000 may be made available to carry out the provisions of section 316 of Public Law 96-533.

PROHIBITION OF PAYMENTS TO UNITED NATIONS MEMBERS

SEC. 640. None of the funds appropriated or made available pursuant to titles II through V of this Act for carrying out the Foreign Assistance Act of 1961, may be used to pay in whole or in part any assessments, arrearages, or dues of any member of the United Nations or, from funds appropriated by this Act to carry out chapter 1 of part I of the Foreign Assistance Act of 1961, the costs for participation of another country's delegation at international conferences held under the auspices of multilateral or international organizations.



## REQUESTS FOR DOCUMENTS

SEC. 641. None of the funds appropriated or made available pursuant to titles II through V of this Act shall be available to a non-governmental organization, including any contractor, which fails to provide upon timely request any document, file, or record necessary to the auditing requirements of the United States Agency for International Development.

## PROHIBITION ON ASSISTANCE TO FOREIGN GOVERNMENTS THAT EXPORT LETHAL MILITARY EQUIPMENT TO COUNTRIES SUPPORTING INTERNATIONAL TERRORISM

SEC. 642. (a) None of the funds appropriated or otherwise made available by titles II through V of this Act may be available to any foreign government which provides lethal military equipment to a country the government of which the Secretary of State has determined is a terrorist government for purposes of section 6(j) of the Export Administration Act of 1979. The prohibition under this section with respect to a foreign government shall terminate 12 months after that government ceases to provide such military equipment. This section applies with respect to lethal military equipment provided under a contract entered into after October 1, 1997.

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

(c) Whenever the President makes a determination pursuant to subsection (b), the President shall submit to the appropriate congressional committees a report with respect to the furnishing of such assistance. Any such report shall include a detailed explanation of the assistance to be provided, including the estimated dollar amount of such assistance, and an explanation of how the assistance furthers United States national interests.

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

SEC. 643. (a) Subject to subsection (c), of the funds appropriated under titles II through V by this Act that are made available for assistance for a foreign country, an amount equal to 110 percent of the total amount of the unpaid fully adjudicated parking fines and penalties and unpaid property taxes owed by the central government of such country shall be withheld from obligation for assistance for the central government of such country until the Secretary of State submits a certification to the Committees on Appropriations stating that such parking fines and penalties and unpaid property taxes are fully paid.

(b) Funds withheld from obligation pursuant to subsection (a) may be made available for other programs or activities funded by this Act, after consultation with and subject to the regular notification procedures of the Committees on Appropriations, provided that no such funds shall be made available for assistance for the central government of a foreign country that has not paid the total amount

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

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

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

(2) The Secretary of State may waive the requirements set forth in subsection (a) with respect to the unpaid property taxes if the Secretary of State determines that it is in the national interests of the United States to do so.

(e) Not later than 6 months after the initial exercise of the waiver authority in subsection (d), the Secretary of State, after consultations with the City of New York, shall submit a report to the Committees on Appropriations describing a strategy, including a timetable and steps currently being taken, to collect the parking fines and penalties and unpaid property taxes and interest owed by nations receiving foreign assistance under this Act.

(f) In this section:

(1) The term “fully adjudicated” includes circumstances in which the person to whom the vehicle is registered—

(A)(i) has not responded to the parking violation summons; or

(ii) has not followed the appropriate adjudication procedure to challenge the summons; and

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

(2) The term “parking fines and penalties” means parking fines and penalties—

(A) owed to—

(i) the District of Columbia; or

(ii) New York, New York; and

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

(3) The term “unpaid property taxes” means the amount of unpaid taxes and interest determined to be owed by a foreign country on real property in the District of Columbia or New York, New York in a court order or judgment entered against such country by a court of the United States or any State or subdivision thereof.

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

SEC. 644. None of the funds appropriated under titles II through V of this Act may be obligated for assistance for the Palestine Liberation Organization for the West Bank and Gaza unless the President has exercised the authority under section 604(a) of the Middle East Peace Facilitation Act of 1995 (title VI of Public Law 104–107) or any other legislation to suspend or make inapplicable section 307 of the Foreign Assistance Act of 1961 and that suspension is still in effect: *Provided*, That if the President fails to make the cer-

tification under section 604(b)(2) of the Middle East Peace Facilitation Act of 1995 or to suspend the prohibition under other legislation, funds appropriated by this Act may not be obligated for assistance for the Palestine Liberation Organization for the West Bank and Gaza.

#### WAR CRIMES TRIBUNALS DRAWDOWN

SEC. 645. If the President determines that doing so will contribute to a just resolution of charges regarding genocide or other violations of international humanitarian law, the President may direct a drawdown pursuant to section 552(c) of the Foreign Assistance Act of 1961 of up to \$30,000,000 of commodities and services for the United Nations War Crimes Tribunal established with regard to the former Yugoslavia by the United Nations Security Council or such other tribunals or commissions as the Council may establish or authorize to deal with such violations, without regard to the ceiling limitation contained in paragraph (2) thereof: *Provided*, That the determination required under this section shall be in lieu of any determinations otherwise required under section 552(c): *Provided further*, That funds made available for tribunals other than Yugoslavia, Rwanda, or the Special Court for Sierra Leone shall be made available subject to the regular notification procedures of the Committees on Appropriations.

#### LANDMINES AND CLUSTER MUNITIONS

SEC. 646. (a) LANDMINES.—Notwithstanding any other provision of law, demining equipment available to the United States Agency for International Development and the Department of State and used in support of the clearance of landmines and unexploded ordnance for humanitarian purposes may be disposed of on a grant basis in foreign countries, subject to such terms and conditions as the President may prescribe.

(b) CLUSTER MUNITIONS.—During the current fiscal year, no military assistance shall be furnished for cluster munitions, no defense export license for cluster munitions may be issued, and no cluster munitions or cluster munitions technology shall be sold or transferred, unless—

(1) the submunitions of the cluster munitions have a 99 percent or higher tested rate; and

(2) the agreement applicable to the assistance, transfer, or sale of the cluster munitions or cluster munitions technology specifies that the cluster munitions will only be used against clearly defined military targets and will not be used where civilians are known to be present.

#### RESTRICTIONS CONCERNING THE PALESTINIAN AUTHORITY

SEC. 647. None of the funds appropriated under titles II through V of this Act may be obligated or expended to create in any part of Jerusalem a new office of any department or agency of the United States Government for the purpose of conducting official United States Government business with the Palestinian Authority over Gaza and Jericho or any successor Palestinian governing entity provided for in the Israel-PLO Declaration of Principles: *Pro-*

*vided*, That this restriction shall not apply to the acquisition of additional space for the existing Consulate General in Jerusalem: *Provided further*, That meetings between officers and employees of the United States and officials of the Palestinian Authority, or any successor Palestinian governing entity provided for in the Israel-PLO Declaration of Principles, for the purpose of conducting official United States Government business with such authority should continue to take place in locations other than Jerusalem. As has been true in the past, officers and employees of the United States Government may continue to meet in Jerusalem on other subjects with Palestinians (including those who now occupy positions in the Palestinian Authority), have social contacts, and have incidental discussions.

PROHIBITION OF PAYMENT OF CERTAIN EXPENSES

SEC. 648. None of the funds appropriated or otherwise made available under titles III or IV of this Act under the heading "International Military Education and Training" or "Foreign Military Financing Program" for Informational Program activities or under the headings "Global Health and Child Survival", "Development Assistance", and "Economic Support Fund" may be obligated or expended to pay for—

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

COLOMBIA

SEC. 649. (a) ASSISTANCE FOR COLOMBIA.—Of the funds appropriated in titles III and IV of this Act, not more than \$545,608,000 shall be available for assistance for Colombia.

(b) FUNDING AMOUNTS AND NOTIFICATION.—Funds appropriated by this Act that are available for assistance for Colombia shall be made available in the amounts indicated in the table in the accompanying explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act) and any proposed increases or decreases to the amounts contained in such table shall be subject to the regular notification procedures of the Committees on Appropriations.

(c) ASSISTANCE FOR THE COLOMBIAN ARMED FORCES.—

(1) FUNDING.—Funds appropriated by this Act that are available for assistance for the Colombian Armed Forces, may be made available as follows:

(A) Up to 70 percent of such funds may be obligated prior to the certification and report by the Secretary of State pursuant to subparagraph (B).

(B) Up to 15 percent of such funds may be obligated only after the Secretary of State consults with, and subsequently certifies and submits a written report to, the Committees on Appropriations that the Government of Colombia is meeting the requirements described in paragraph (2).

(2) REQUIREMENTS.—The requirements referred to in paragraph (1) are as follows:

(A) The Commander General of the Colombian Armed Forces is suspending or placing on administrative duty, if requested by the prosecutor, those members of the Armed Forces, of whatever rank, who, according to the Minister of Defense, the Attorney General or the Procuraduria General de la Nacion, have been credibly alleged to have committed gross violations of human rights, including extra-judicial killings, or to have aided or abetted paramilitary organizations or successor armed groups.

(B) The Government of Colombia is investigating and prosecuting, in the civilian justice system, those members of the Colombian Armed Forces, of whatever rank, who have been credibly alleged to have committed gross violations of human rights, including extra-judicial killings, or to have aided or abetted paramilitary organizations or successor armed groups.

(C) The Colombian Armed Forces are cooperating fully with civilian prosecutors and judicial authorities in such cases (including providing requested information, such as the identity of persons suspended from the Armed Forces and the nature and cause of the suspension, and access to witnesses, relevant military documents, and other requested information).

(D) The Colombian Armed Forces have taken all necessary steps to sever links (including denying access to military intelligence, vehicles, and other equipment or supplies, and ceasing other forms of active or tacit cooperation) at all levels, with paramilitary organizations or successor armed groups, especially in regions where such organizations have a significant presence.

(E) The Government of Colombia is dismantling paramilitary leadership and financial networks by arresting and prosecuting under civilian criminal law individuals who have provided financial, planning, or logistical support, or have otherwise aided or abetted paramilitary organizations or successor armed groups; by identifying and seizing land and other assets illegally acquired by such organizations or their associates and returning such land or assets to their rightful occupants or owners; by revoking reduced sentences for demobilized paramilitaries who engage in new criminal activity; and by arresting and prosecuting under civilian criminal law, and when requested, promptly extraditing to the United States members of successor armed groups.

(F) The Government of Colombia is ensuring that the Colombian Armed Forces are not violating the land and property rights of Colombia's indigenous and Afro-Colombian communities, and that the Colombian Armed Forces are implementing procedures to distinguish between civilians, including displaced persons, and combatants in their operations.

(3) The balance of such funds may be obligated after July 31, 2008, if, before such date, the Secretary of State consults with, and submits a written certification to, the Committees on Appropriations that the Colombian Armed Forces are continuing to meet the requirements described in paragraph (2) and are conducting vigorous operations to restore civilian government authority and respect for human rights in areas under the effective control of paramilitary organizations or successor armed groups and guerrilla organizations.

(4) CERTAIN FUNDS EXEMPTED.—The requirement to withhold funds from obligation shall not apply with respect to funds made available under the heading “Andean Counterdrug Programs” for continued support for the Critical Flight Safety Program or for any alternative development programs in Colombia administered by the Bureau of International Narcotics and Law Enforcement Affairs of the Department of State.

(5) REPORT.—At the time the Secretary of State submits certifications pursuant to paragraphs (1)(B) and (3) of this subsection, the Secretary shall also submit to the Committees on Appropriations a report that contains, with respect to each such paragraph, a detailed description of the specific actions taken by both the Colombian Government and Colombian Armed Forces which support each requirement of the certification, and the cases or issues brought to the attention of the Secretary, including through the Department of State’s annual Country Reports on Human Rights Practices, for which the actions taken by the Colombian Government or Armed Forces have been determined by the Secretary of State to be inadequate.

(d) CONSULTATIVE PROCESS.—Not later than 60 days after the date of enactment of this Act, and every 90 days thereafter until September 30, 2008, the Secretary of State shall consult with Colombian and internationally recognized human rights organizations regarding progress in meeting the requirements contained in subsection (c)(2).

(e) ASSISTANCE FOR DEMOBILIZATION AND DISARMAMENT OF FORMER COMBATANTS IN COLOMBIA.—

(1) AVAILABILITY OF FUNDS.—Of the funds appropriated in this Act under the heading “Economic Support Fund”, up to \$11,442,000 may be made available in fiscal year 2008 for assistance for the disarmament, demobilization, and reintegration of former members of foreign terrorist organizations (FTOs) in Colombia, if the Secretary of State consults with and makes a certification described in paragraph (2) to the Committees on Appropriations prior to the initial obligation of amounts for such assistance for the fiscal year involved.

(2) CERTIFICATION.—A certification described in this subsection is a certification that—

(A) assistance for the fiscal year will be provided only for individuals who have: (i) verifiably renounced and terminated any affiliation or involvement with FTOs or other illegal armed groups; (ii) are meeting all the requirements of the Colombia demobilization program, including having disclosed their involvement in past crimes and their

knowledge of the FTO's structure, financing sources, illegal assets, and the location of kidnapping victims and bodies of the disappeared; and (iii) are not involved in acts of intimidation or violence;

(B) the Government of Colombia is providing full cooperation to the Government of the United States to extradite the leaders and members of the FTOs who have been indicted in the United States for murder, kidnapping, narcotics trafficking, or other violations of United States law, and is extraditing to the United States those commanders, leaders and members indicted in the United States who have breached the terms of the Colombian demobilization program, including by failing to fully confess their crimes, failing to disclose their illegal assets, or committing new crimes since the approval of the Justice and Peace Law;

(C) the Government of Colombia is not knowingly taking any steps to legalize the titles of land or other assets illegally obtained and held by FTOs, their associates, or successors, has established effective procedures to identify such land and other assets, and is seizing and returning such land and other assets to their rightful occupants or owners;

(D) the Government of Colombia is implementing a concrete and workable framework for dismantling the organizational structures of foreign terrorist organizations; and

(E) funds shall not be made available as cash payments to individuals and are available only for activities under the following categories: verification, reintegration (including training and education), vetting, recovery of assets for reparations for victims, and investigations and prosecutions.

(f) **ILLEGAL ARMED GROUPS.—**

(1) **DENIAL OF VISAS TO SUPPORTERS OF COLOMBIAN ILLEGAL ARMED GROUPS.—**Subject to paragraph (2), the Secretary of State shall not issue a visa to any alien who the Secretary determines, based on credible evidence—

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

(B) has committed, ordered, incited, assisted, or otherwise participated in the commission of a gross violation of human rights, including extra-judicial killings, in Colombia.

(2) **WAIVER.—**Paragraph (1) shall not apply if the Secretary of State certifies to the Committees on Appropriations, on a case-by-case basis, that the issuance of a visa to the alien is necessary to support the peace process in Colombia or for urgent humanitarian reasons.

(g) **DEFINITIONS.—**In this section:

(1) **AIDED OR ABETTED.—**The term “aided or abetted” means to provide any support to paramilitary or successor armed

groups, including taking actions which allow, facilitate, or otherwise foster the activities of such groups.

(2) **PARAMILITARY GROUPS.**—The term “paramilitary groups” means illegal self-defense groups and illegal security cooperatives, including those groups and cooperatives that have formerly demobilized but continue illegal operations, as well as parts thereof.

(3) **FOREIGN TERRORIST ORGANIZATION.**—The term “foreign terrorist organization” means an organization designated as a terrorist organization under section 219 of the Immigration and Nationality Act.

#### LIMITATION ON ASSISTANCE TO THE PALESTINIAN AUTHORITY

**SEC. 650. (a) PROHIBITION OF FUNDS.**—None of the funds appropriated by this Act to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961 may be obligated or expended with respect to providing funds to the Palestinian Authority.

(b) **WAIVER.**—The prohibition included in subsection (a) shall not apply if the President certifies in writing to the Speaker of the House of Representatives, the President pro tempore of the Senate, and 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.

(d) **REPORT.**—Whenever the waiver authority pursuant to subsection (b) is exercised, the President shall submit a report to the Committees on Appropriations detailing the justification for the waiver, the purposes for which the funds will be spent, and the accounting procedures in place to ensure that the funds are properly disbursed. The report shall also detail the steps the Palestinian Authority has taken to arrest terrorists, confiscate weapons and dismantle the terrorist infrastructure.

#### LIMITATION ON ASSISTANCE TO SECURITY FORCES

**SEC. 651.** Chapter 1 of part III of the Foreign Assistance Act of 1961 is amended by adding the following section:

**“SEC. 620J. LIMITATION ON ASSISTANCE TO SECURITY FORCES.**

“(a) **IN GENERAL.**—No assistance shall be furnished under this Act or the Arms Export Control Act to any unit of the security forces of a foreign country if the Secretary of State has credible evidence that such unit has committed gross violations of human rights.

“(b) **EXCEPTION.**—The prohibition in subsection (a) shall not apply if the Secretary determines and reports to the Committee on Foreign Relations of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Committees on Appropriations that the government of such country is taking effective measures to bring the responsible members of the security forces unit to justice.



“(c) DUTY TO INFORM.—In the event that funds are withheld from any unit pursuant to this section, the Secretary of State shall promptly inform the foreign government of the basis for such action and shall, to the maximum extent practicable, assist the foreign government in taking effective measures to bring the responsible members of the security forces to justice.”.

#### FOREIGN MILITARY TRAINING REPORT

SEC. 652. The annual foreign military training report required by section 656 of the Foreign Assistance Act of 1961 shall be submitted by the Secretary of Defense and the Secretary of State to the Committees on Appropriations by the date specified in that section.

#### AUTHORIZATION REQUIREMENT

SEC. 653. Funds appropriated by this Act, except funds appropriated under the headings “Trade and Development Agency” and “Overseas Private Investment Corporation”, may be obligated and expended notwithstanding section 10 of Public Law 91–672 and section 15 of the State Department Basic Authorities Act of 1956.

#### LIBYA

SEC. 654. (a) None of the funds appropriated or otherwise made available by this Act shall be obligated or expended to finance directly any assistance for Libya.

(b) The prohibition of subsection (a) shall no longer apply if the Secretary of State certifies to the Committees on Appropriations that the Government of Libya has made the final settlement payments to the Pan Am 103 victims’ families, paid to the LaBelle Disco bombing victims the agreed upon settlement amounts, and is engaging in good faith settlement discussions regarding other relevant terrorism cases.

(c) Not later than 180 days after enactment of this Act, the Secretary shall submit a report to the Committees on Appropriations describing (1) actions taken by the Department of State to facilitate a resolution of these cases; and (2) United States commercial activities in Libya’s energy sector.

#### PALESTINIAN STATEHOOD

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

- (1) the governing entity of a new Palestinian state—
  - (A) has demonstrated a firm commitment to peaceful coexistence with the State of Israel;
  - (B) is taking appropriate measures to counter terrorism and terrorist financing in the West Bank and Gaza, including the dismantling of terrorist infrastructures, and is cooperating with appropriate Israeli and other appropriate security organizations; and

(2) the Palestinian Authority (or the governing entity of a new Palestinian state) is working with other countries in the region to vigorously pursue efforts to establish a just, lasting, and comprehensive peace in the Middle East that will enable Israel and an independent Palestinian state to exist within the context of full and normal relationships, which should include—

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

(B) respect for and acknowledgement of the sovereignty, territorial integrity, and political independence of every state in the area through measures including the establishment of demilitarized zones;

(C) their right to live in peace within secure and recognized boundaries free from threats or acts of force;

(D) freedom of navigation through international waterways in the area; and

(E) a framework for achieving a just settlement of the refugee problem.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the governing entity should enact a constitution assuring the rule of law, an independent judiciary, and respect for human rights for its citizens, and should enact other laws and regulations assuring transparent and accountable governance.

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

(d) EXEMPTION.—The restriction in subsection (a) shall not apply to assistance intended to help reform the Palestinian Authority and affiliated institutions, or the governing entity, in order to help meet the requirements of subsection (a), consistent with the provisions of section 650 of this Act (“Limitation on Assistance to the Palestinian Authority”).

#### PROHIBITION ON ASSISTANCE TO THE PALESTINIAN BROADCASTING CORPORATION

SEC. 656. None of the funds appropriated or otherwise made available by this Act may be used to provide equipment, technical support, consulting services, or any other form of assistance to the Palestinian Broadcasting Corporation.

#### WEST BANK AND GAZA ASSISTANCE

SEC. 657. (a) OVERSIGHT.—For fiscal year 2008, 30 days prior to the initial obligation of funds for the bilateral West Bank and Gaza Program, the Secretary of State shall certify to the Committees on Appropriations that procedures have been established to assure the Comptroller General of the United States will have access to appropriate United States financial information in order to review the uses of United States assistance for the Program funded under the heading “Economic Support Fund” for the West Bank and Gaza.

(b) VETTING.—Prior to the obligation of funds appropriated by this Act under the heading “Economic Support Fund” for assistance for the West Bank and Gaza, the Secretary of State shall take all appropriate steps to ensure that such assistance is not provided to or through any individual, private or government entity, or edu-

cational institution that the Secretary knows or has reason to believe advocates, plans, sponsors, engages in, or has engaged in, terrorist activity nor, with respect to private entities or educational institutions, those that have as a principal officer of the entity's governing board or governing board of trustees any individual that has been determined to be involved in, or advocating terrorist activity or determined to be a member of a designated foreign terrorist organization. The Secretary of State shall, as appropriate, establish procedures specifying the steps to be taken in carrying out this subsection and shall terminate assistance to any individual, entity, or educational institution which she has determined to be involved in or advocating terrorist activity.

(c) PROHIBITION.—

(1) None of the funds appropriated under titles II through V of this Act for assistance under the West Bank and Gaza Program may be made available for the purpose of recognizing or otherwise honoring individuals who commit, or have committed acts of terrorism.

(2) Notwithstanding any other provision of law, none of the funds made available by this or prior appropriations act, including funds made available by transfer, may be made available for obligation for security assistance for the West Bank and Gaza until the Secretary of State reports to the Committees on Appropriations on the benchmarks that have been established for security assistance for the West Bank and Gaza and reports on the extent of Palestinian compliance with such benchmarks.

(d) AUDITS.—

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

(2) Of the funds appropriated by this Act up to \$500,000 may be used by the Office of the Inspector General of the United States Agency for International Development for audits, inspections, and other activities in furtherance of the requirements of this subsection. Such funds are in addition to funds otherwise available for such purposes.

(e) Subsequent to the certification specified in subsection (a), the Comptroller General of the United States shall conduct an audit and an investigation of the treatment, handling, and uses of all funds for the bilateral West Bank and Gaza Program in fiscal year 2008 under the heading "Economic Support Fund". The audit shall address—

(1) the extent to which such Program complies with the requirements of subsections (b) and (c), and

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

(f) Not later than 180 days after enactment of this Act, the Secretary of State shall submit a report to the Committees on Appro-

priations updating the report contained in section 2106 of chapter 2 of title II of Public Law 109–13.

WAR CRIMINALS

SEC. 658. (a)(1) None of the funds appropriated or otherwise made available under titles II through V of this Act may be made available for assistance, and the Secretary of the Treasury shall instruct the United States Executive Director at each international financial institution to vote against any new project involving the extension by such institutions of any financial or technical assistance, to any country, entity, or municipality whose competent authorities have failed, as determined by the Secretary of State, to take necessary and significant steps to implement its international legal obligations to apprehend and transfer to the International Criminal Tribunal for the former Yugoslavia (the “Tribunal”) all persons in their territory who have been indicted by the Tribunal and to otherwise cooperate with the Tribunal.

(2) The provisions of this subsection shall not apply to humanitarian assistance or assistance for democratization.

(b) The provisions of subsection (a) shall apply unless the Secretary of State determines and reports to the appropriate congressional committees that the competent authorities of such country, entity, or municipality are—

(1) cooperating with the Tribunal, including access for investigators to archives and witnesses, the provision of documents, and the surrender and transfer of indictees or assistance in their apprehension; and

(2) are acting consistently with the Dayton Accords.

(c) Not less than 10 days before any vote in an international financial institution regarding the extension of any new project involving financial or technical assistance or grants to any country or entity described in subsection (a), the Secretary of the Treasury, in consultation with the Secretary of State, shall provide to the Committees on Appropriations a written justification for the proposed assistance, including an explanation of the United States position regarding any such vote, as well as a description of the location of the proposed assistance by municipality, its purpose, and its intended beneficiaries.

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

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

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

(1) COUNTRY.—The term “country” means 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.

#### USER FEES

SEC. 659. The Secretary of the Treasury shall instruct the United States Executive Director at each international financial institution (as defined in section 1701(c)(2) of the International Financial Institutions Act) and the International Monetary Fund to oppose any loan, grant, strategy or policy of these institutions that would require user fees or service charges on poor people for primary education or primary healthcare, including prevention, care and treatment for HIV/AIDS, malaria, tuberculosis, and infant, child, and maternal well-being, in connection with the institutions’ financing programs.

#### CONTRIBUTION TO THE UNITED NATIONS POPULATION FUND

SEC. 660. (a) LIMITATIONS ON AMOUNT OF CONTRIBUTION.—Of the amounts made available under “International Organizations and Programs” and “Global Health and Child Survival” accounts for fiscal year 2008, \$40,000,000 shall be made available for the United Nations Population Fund (UNFPA): *Provided*, That of this amount, not less than \$7,000,000 shall be derived from funds appropriated under the heading “International Organizations and Programs”.

(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 because of the operation of any provision of law, shall be transferred to the “Global Health and Child Survival” account and shall be made available for family planning, maternal, and reproductive health activities, subject to the regular notification procedures of the Committees on Appropriations.

(c) PROHIBITION ON USE OF FUNDS IN CHINA.—None of the funds made available under this Act may be used by UNFPA for a country program in the People’s Republic of China.

(d) CONDITIONS ON AVAILABILITY OF FUNDS.—Amounts made available under this Act for UNFPA may not be made available to UNFPA unless—

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

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

(3) UNFPA does not fund abortions.

(e) REPORT TO CONGRESS AND DOLLAR-FOR-DOLLAR WITHHOLDING OF FUNDS.—

(1) Not later than 4 months after the date of enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations indicating the amount of funds that the UNFPA is budgeting for the year in which the report is submitted for a country program in the People's Republic of China.

(2) If a report under paragraph (1) indicates that the UNFPA plans to spend funds for a country program in the People's Republic of China in the year covered by the report, then the amount of such funds that the UNFPA plans to spend in the People's Republic of China shall be deducted from the funds made available to the UNFPA after March 1 for obligation for the remainder of the fiscal year in which the report is submitted.

(f) Nothing in this section shall be construed to limit the authority of the President to deny funds to any organization by reason of the application of another provision of this Act or any other provision of law.

#### COMMUNITY-BASED POLICE ASSISTANCE

SEC. 661. (a) AUTHORITY.—Funds made available by title III of this Act to carry out the provisions of chapter 1 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961, may be used, notwithstanding section 660 of that Act, to enhance the effectiveness and accountability of civilian police authority through training and technical assistance in human rights, the rule of law, strategic planning, and through assistance to foster civilian police roles that support democratic governance including assistance for programs to prevent conflict, respond to disasters, address gender-based violence, and foster improved police relations with the communities they serve.

(b) NOTIFICATION.—Assistance provided under subsection (a) shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

#### SPECIAL DEBT RELIEF FOR THE POOREST

SEC. 662. (a) AUTHORITY TO REDUCE DEBT.—The President may reduce amounts owed to the United States (or any agency of the United States) by an eligible country as a result of—

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

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

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

(b) LIMITATIONS.—

(1) The authority provided by subsection (a) may be exercised only to implement multilateral official debt relief and ref-

erendum agreements, commonly referred to as “Paris Club Agreed Minutes”.

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

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

(c) CONDITIONS.—The authority provided by subsection (a) may be exercised only with respect to a country whose government—

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

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

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

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

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

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

(e) CERTAIN PROHIBITIONS INAPPLICABLE.—A reduction of debt pursuant to subsection (a) shall not be considered assistance for the purposes of any provision of law limiting assistance to a country. The authority provided by subsection (a) may be exercised notwithstanding section 620(r) of the Foreign Assistance Act of 1961 or section 321 of the International Development and Food Assistance Act of 1975.

#### AUTHORITY TO ENGAGE IN DEBT BUYBACKS OR SALES

SEC. 663. (a) LOANS ELIGIBLE FOR SALE, REDUCTION, OR CANCELLATION.—

(1) AUTHORITY TO SELL, REDUCE, OR CANCEL CERTAIN LOANS.—Notwithstanding any other provision of law, the President may, in accordance with this section, sell to any eligible purchaser any concessional loan or portion thereof made before January 1, 1995, pursuant to the Foreign Assistance Act of 1961, to the government of any eligible country as defined in section 702(6) of that Act or on receipt of payment from an eligible purchaser, reduce or cancel such loan or portion thereof, only for the purpose of facilitating—

(A) debt-for-equity swaps, debt-for-development swaps, or debt-for-nature swaps; or

(B) a debt buyback by an eligible country of its own qualified debt, only if the eligible country uses an additional amount of the local currency of the eligible country, equal to not less than 40 percent of the price paid for such debt by such eligible country, or the difference between the

price paid for such debt and the face value of such debt, to support activities that link conservation and sustainable use of natural resources with local community development, and child survival and other child development, in a manner consistent with sections 707 through 710 of the Foreign Assistance Act of 1961, if the sale, reduction, or cancellation would not contravene any term or condition of any prior agreement relating to such loan.

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

(3) ADMINISTRATION.—The Facility, as defined in section 702(8) of the Foreign Assistance Act of 1961, shall notify the administrator of the agency primarily responsible for administering part I of the Foreign Assistance Act of 1961 of purchasers that the President has determined to be eligible, and shall direct such agency to carry out the sale, reduction, or cancellation of a loan pursuant to this section. Such agency shall make adjustment in its accounts to reflect the sale, reduction, or cancellation.

(4) LIMITATION.—The authorities of this subsection shall be available only to the extent that appropriations for the cost of the modification, as defined in section 502 of the Congressional Budget Act of 1974, are made in advance.

(b) DEPOSIT OF PROCEEDS.—The proceeds from the sale, reduction, or cancellation of any loan sold, reduced, or canceled pursuant to this section shall be deposited in the United States Government account or accounts established 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.

(e) 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

SEC. 664. (a) IN GENERAL.—Of the funds appropriated by title III of this Act, not less than \$700,000,000 shall be made available for assistance for developing countries for basic education, of which not less than \$190,000,000 shall be provided and implemented in countries that have an approved national education plan.

(b) COORDINATOR.—There shall be established within the Department of State in the immediate office of the Director of United States Foreign Assistance, a Coordinator of United States Government activities to provide basic education assistance in developing



countries (hereinafter in this section referred to as the “Coordinator”).

(c) RESPONSIBILITIES.—That the Coordinator shall have primary responsibility for the oversight and coordination of all resources and international activities of the United States Government that provide assistance in developing countries for basic education. The individual serving as the Coordinator may not hold any other position in the Federal Government during the individual’s time of service as Coordinator.

(d) STRATEGY.—The President shall develop a comprehensive integrated United States Government strategy to provide assistance in developing countries for basic education within 90 days of enactment of this Act.

(e) REPORT TO CONGRESS.—Not later than September 30, 2008, the Secretary of State shall report to the Committees on Appropriations on the implementation of United States Government assistance programs in developing countries for basic education.

(f) Funds appropriated by title II of Public Law 109–102 and provided to the Comptroller General pursuant to section 567 of that Act shall be available until expended and are also available to the Comptroller General to conduct further evaluations of basic education programs in developing countries under the direction of the Committees on Appropriations.

#### RECONCILIATION PROGRAMS

SEC. 665. Of the funds appropriated by title III of this Act under the heading “Economic Support Fund”, \$16,000,000 shall be made available to support reconciliation programs which bring together individuals of different ethnic, religious and political backgrounds from areas of civil conflict and war, and an additional \$9,000,000 shall be made available to support programs in the Middle East: *Provided*, That the Administrator of the United States Agency for International Development shall consult with the Committees on Appropriations, prior to the initial obligation of funds, on the most effective uses of such funds.

#### SUDAN

SEC. 666. (a) LIMITATION ON ASSISTANCE.—Subject to subsection (b):

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

(2) None of the funds appropriated by this Act may be made available for the cost, as defined in section 502, of the Congressional Budget Act of 1974, of modifying loans and loan guarantees held by the Government of Sudan, including the cost of selling, reducing, or canceling amounts owed to the United States, and modifying concessional loans, guarantees, and credit agreements.

(b) Subsection (a) shall not apply if the Secretary of State determines and certifies to the Committees on Appropriations that:

(1) The Government of Sudan honors its pledges to cease attacks upon civilians and disarms and demobilizes the Janjaweed and other government-supported militias.

(2) The Government of Sudan and all government-supported militia groups are honoring their commitments made in all previous cease-fire agreements.

(3) The Government of Sudan is allowing unimpeded access to Darfur to humanitarian aid organizations, the human rights investigation and humanitarian teams of the United Nations, including protection officers, and an international monitoring team that is based in Darfur and has the support of the United States.

(c) EXCEPTIONS.—The provisions of subsection (a) shall not apply to—

(1) humanitarian assistance;

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

(3) assistance to support implementation of the Comprehensive Peace Agreement and the Darfur Peace Agreement or any other internationally-recognized viable peace agreement in Sudan.

(d) DEFINITIONS.—For the purposes of this Act, the term “Government of Sudan” shall not include the Government of Southern Sudan.

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

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

(2) not later than 15 days before the provision of any such assistance, notifies the Committees on Appropriations and the Committee on Foreign Relations in the Senate and the Committee on Foreign Affairs in the House of Representatives of such determination.

(f) CHAD.—Notwithstanding any other provision of law, of the funds appropriated by this Act for assistance for Sudan, up to \$5,000,000 shall be made available for administrative and other expenses of the United States Agency for International Development in Chad.

#### TRADE CAPACITY BUILDING

SEC. 667. 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 Programs”, and “Assistance for the Independent States of the Former Soviet Union”, not less than \$550,000,000 should be made available for trade capacity building assistance.

#### TRANSPARENCY AND ACCOUNTABILITY

SEC. 668. (a) PUBLIC DISCLOSURE.—Ten percent of the funds appropriated in this Act under the heading “International Organizations and Programs” for a contribution to any United Nations agency may be withheld from disbursement if the Secretary of State reports to the Committees on Appropriations that such agency does

not have or is not implementing a policy of posting on a publicly available website information such as: (1) audits, budget reports, and information related to procurement activities; (2) procedures for protecting whistleblowers; and (3) efforts to ensure the independence of internal oversight bodies, adopt international public sector accounting standards, and limit administrative costs.

(b) UNITED NATIONS DEVELOPMENT PROGRAM.—Twenty percent of the funds appropriated by this Act under the heading “International Organizations and Programs” for a United States contribution to the United Nations Development Program (UNDP) shall be withheld from disbursement until the Secretary of State reports to the Committees on Appropriations that UNDP is—

(1) giving adequate access to information to the Department of State regarding UNDP’s programs and activities as requested, including in North Korea and Burma;

(2) conducting oversight of UNDP programs and activities globally; and

(3) implementing a whistleblower protection policy equivalent to that recommended by the United Nations Secretary General on December 3, 2007.

(c)(1) WORLD BANK.—Ten percent of the funds appropriated by this Act under the heading “International Development Association” shall be withheld from disbursement until the Secretary of the Treasury reports to the Committees on Appropriations that—

(A) the World Bank has made publicly available, in an appropriate manner, financial disclosure forms of senior World Bank personnel, including those at the level of managing director, vice president, and above;

(B) the World Bank has established a plan and maintains a schedule for conducting regular, independent audits of internal management controls and procedures for meeting operational objectives, and is making reports describing the scope and findings of such audits available to the public;

(C) the World Bank is adequately staffing and sufficiently funding the Department of Institutional Integrity;

(D) the World Bank has made publicly available the reports of the Department of Institutional Integrity, and any subsequent review of corrective actions for such reports, including, but not limited to, the November 23, 2005 “Report of Investigation into Reproductive and Child Health I Project Credit N0180 India”, and the May 2006 report on Credit Number 3703 DRC, Grant number H193 DRC, and Grant number H010 DRC; and

(E) the World Bank is implementing the recommendations of the “Volcker Panel” report in a timely manner.

(2) ANTICORRUPTION PROVISIONS.—In addition to the funds withheld in subsection (b)(1), 10 percent of the funds appropriated by this Act under the heading “International Development Association” shall be withheld from disbursement until the Secretary of the Treasury reports to the Committees on Appropriations on the extent to which the World Bank has completed the following:

(A) World Bank procurement guidelines, including the World Bank’s Standard Bidding Documents, have been applied to all procurement financed in whole or in part by a loan from the

World Bank or a credit agreement or grant from the International Development Association (IDA);

(B) the World Bank maintains a strong central procurement office staffed with senior experts who are designated to address commercial concerns, questions, and complaints regarding procurement procedures and payments under IDA and World Bank projects;

(C) thresholds for international competitive bidding have been established to maximize international competitive bidding in accordance with sound procurement practices, including transparency, competition, and cost-effective results for the Borrowers;

(D) the World Bank is consulting with the appropriate private and public sector representatives regarding implementation of the country procurement pilots outlined in the June 2007 report to the Board; and

(E) all countries selected for the procurement pilot program must adhere to all World Bank anti-fraud and anti-corruption policies and must demonstrate a strong anti-fraud enforcement record.

(d) REPORT.—

(1)(A) The Comptroller General of the United States shall conduct an assessment of the programs and activities funded under the heading “Millennium Challenge Corporation” (MCC) in this Act and prior Acts making appropriations for foreign operations, export financing, and related programs to include a review of the financial controls and procurement practices of the Corporation and its accountable entities, and the results achieved by MCC’s compacts.

(B) Of the funds appropriated under the heading “Millennium Challenge Corporation” in this Act, up to \$250,000 shall be made available to the Comptroller for the requirements of subsection (1)(A).

(2)(A) The Comptroller General of the United States shall conduct an assessment of the HIV/AIDS programs and activities funded under the headings “Child Survival and Health Programs Fund”, “Global HIV/AIDS Initiative”, and “Global Health and Child Survival” in this Act and prior Acts making appropriations for foreign operations, export financing, and related programs to include a review of the procurement and results monitoring activities of United States bilateral HIV/AIDS programs. The assessment should also address the impact of Global HIV/AIDS Initiative funding on other United States global health programming.

(B) Of the funds appropriated under the heading “Global Health and Child Survival”, up to \$125,000 shall be made available to the Comptroller for the requirements of subsection (2)(A).

(e) NATIONAL BUDGET TRANSPARENCY.—

(1) None of the funds appropriated by this Act may be made available for assistance for the central government of any country that fails to make publicly available on an annual basis its national budget, to include income and expenditures.

(2) The Secretary of State may waive subsection (e)(1) if the Secretary reports to the Committees on Appropriations that to do so is in the national interests of the United States.

(3) The reporting requirement pursuant to section 585(b) of Public Law 108–7 regarding fiscal transparency and accountability in countries whose central governments receive United States foreign assistance shall apply to this Act.

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

SEC. 669. 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 Yugoslav Republic of Macedonia, Georgia, India, Iraq, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Moldova, Mongolia, Pakistan, Romania, Slovakia, Tajikistan, Turkmenistan, and Ukraine.

GENDER-BASED VIOLENCE

SEC. 670. Programs funded under titles III and IV of this Act that provide training for foreign police, judicial, and military officials, shall include, where appropriate, programs and activities that address gender-based violence.

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

SEC. 671. (a) None of the funds made available in this Act under the heading “Economic Support Fund” may be used to provide assistance to the government of a country that is a party to the International Criminal Court and has not entered into an agreement with the United States pursuant to Article 98 of the Rome Statute preventing the International Criminal Court from proceeding against United States personnel present in such country.

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

(c) The President may, with prior notice to Congress, waive the prohibition of subsection (a) with respect to a particular country if he determines and reports to the appropriate congressional committees that such country has entered into an agreement with the United States pursuant to Article 98 of the Rome Statute preventing the International Criminal Court from proceeding against United States personnel present in such country.

(d) The prohibition of this section shall not apply to countries otherwise eligible for assistance under the Millennium Challenge Act of 2003, notwithstanding section 606(a)(2)(B) of such Act.

WESTERN HEMISPHERE

SEC. 672. (a) CENTRAL AND SOUTH AMERICA.—Of the funds appropriated by this Act under the headings “Global Health and Child Survival” and “Development Assistance”, not less than the amount of funds initially allocated for each such account pursuant to section 653(a) of the Foreign Assistance Act of 1961 for fiscal year 2007 shall be made available for El Salvador, Guatemala, Nicaragua, Honduras, Ecuador, Peru, Bolivia, Brazil, Latin America and Caribbean Regional, Central America Regional, and South America Regional: *Provided*, That for the purposes of this subsection, “Global Health and Child Survival” shall mean “Child Survival and Health Programs Fund”.

(b) HAITI.—

(1) The Government of Haiti shall be eligible to purchase defense articles and services under the Arms Export Control Act (22 U.S.C. 2751 et seq.), for the Coast Guard.

(2) Of the funds appropriated by this Act under titles III and IV, not less than \$201,584,000 shall be available for assistance for Haiti.

(3) None of the funds made available by this Act under the heading “International Narcotics Control and Law Enforcement” may be used to transfer excess weapons, ammunition or other lethal property of an agency of the United States Government to the Government of Haiti for use by the Haitian National Police until the Secretary of State certifies to the Committees on Appropriations that any members of the Haitian National Police who have been credibly alleged to have committed serious crimes, including drug trafficking and human rights violations, have been suspended and the Haitian Government is cooperating in a reform and restructuring plan for the Haitian National Police and the reform of the judicial system as called for in United Nations Security Council Resolution 1608 adopted on June 22, 2005.

(c) DOMINICAN REPUBLIC.—Of the funds appropriated by this Act under the headings “Global Health and Child Survival” and “Development Assistance”, not less than \$23,000,000 shall be made available for assistance for the Dominican Republic, of which not less than \$5,000,000 shall be made available for basic health care, nutrition, sanitation, education, and shelter for migrant workers and other residents of batey communities.

(d) ASSISTANCE FOR GUATEMALA.—

(1) Of the funds appropriated by this Act under the heading “Economic Support Fund” that are available for assistance for Guatemala, not less than \$4,000,000 shall be made available for a United States contribution to the International Commission Against Impunity in Guatemala (CICIG).

(2) Funds appropriated by this Act under the heading “International Military Education and Training” (IMET) that are available for assistance for Guatemala, other than for expanded IMET, may be made available only for the Guatemalan

Air Force, Navy and Army Corps of Engineers: *Provided*, That assistance for the Guatemalan Army Corps of Engineers shall only be available for training to improve disaster response capabilities and to participate in international peacekeeping operations: *Provided further*, That such funds may be made available only if the Secretary of State certifies that the Guatemalan Air Force, Navy and Army Corps of Engineers are respecting human rights and are cooperating with civilian judicial investigations and prosecutions of current and retired military personnel who have been credibly alleged to have committed violations of human rights.

(3) Of the funds appropriated by this Act under the heading "Foreign Military Financing Program", not more than \$500,000 may be made available for the Guatemalan Air Force and Navy: *Provided*, That such funds may be made available only if the Secretary of State certifies that the Guatemalan Air Force and Navy are respecting human rights and are cooperating with civilian judicial investigations and prosecutions of current and retired military personnel who have been credibly alleged to have committed violations of human rights, and the Guatemalan Armed Forces are fully cooperating (including access for investigators, the provision of documents and other evidence, and testimony of witnesses) with the CICIG.

(e) FREE TRADE AGREEMENTS.—Of the funds appropriated by this Act under the heading "Economic Support Fund", not less than \$10,000,000 shall be made available for labor and environmental capacity building activities relating to the free trade agreements with countries of Central America and the Dominican Republic.

(f) NOTIFICATION REQUIREMENT.—Funds made available in this Act for assistance for Guatemala and Haiti under the headings referred to in this section shall be subject to the regular notification procedures of the Committees on Appropriations.

#### ZIMBABWE

SEC. 673. The Secretary of the Treasury shall instruct the United States executive director to each international financial institution to vote against any extension by the respective institution of any loans to the Government of Zimbabwe, except to meet basic human needs or to promote democracy, unless the Secretary of State determines and certifies to the Committees on Appropriations that the rule of law has been restored in Zimbabwe, including respect for ownership and title to property, freedom of speech and association.

#### DEVELOPMENT GRANTS PROGRAM

SEC. 674. (a) ESTABLISHMENT OF THE PROGRAM.—There is established within the United States Agency for International Development (USAID) a Development Grants Program (DGP) to provide small grants to United States and indigenous nongovernmental organizations for the purpose of carrying out the provisions of chapters 1 and 10 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961.

(b) ELIGIBILITY FOR GRANTS.—Grants from the DGP shall be made only for proposals of nongovernmental organizations.

(c) COMPETITION.—Grants made pursuant to the authority of this section shall be provided through an open, transparent and competitive process.

(d) SIZE OF PROGRAM AND INDIVIDUAL GRANTS.—

(1) Of the funds appropriated by this Act to carry out chapter 1 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961, not less than \$50,000,000 shall be made available for purposes of this section: *Provided*, That not more than 50 percent of this amount shall be derived from funds appropriated to carry out chapter 1 of part I of such Act.

(2) No individual organization can receive grants, or grant amendments, made pursuant to this section in excess of \$2,000,000.

(e) AVAILABILITY OF OTHER FUNDS.—Funds made available under this section are in addition to other funds available for such purposes including funds designated by this Act by section 665.

(f) DEFINITION.—For purposes of this section, the term “non-governmental organization” means a private voluntary organization, and shall not include entities owned in whole or in part by a government or governmental entity.

(g) REPORT.—Within 90 days from the date of enactment of this Act, and after consultation with the Committees on Appropriations, the Administrator of USAID shall submit a report to those Committees describing the procedures and mechanisms USAID will use to implement this section.

#### DISASTER ASSISTANCE AND RECOVERY

SEC. 675. Funds made available to the Comptroller General under chapter 4 of title I of the Emergency Supplemental Appropriations Act (Public Law 106–31; 113 Stat. 69) and section 593 of the Foreign Operations, Export Financing, and Programs Agencies Appropriations Act, 2001 (Public Law 106–429; 114 Stat. 1900A–59) to monitor the provisions of assistance to address the effects of hurricanes in Central America and the Caribbean and the earthquake in Colombia, and to monitor the earthquake relief and reconstruction efforts in El Salvador under section 561 of the Foreign Operations, Export Financing, and Programs Agencies Appropriations Act, 2002 (Public Law 107–115; 115 Stat. 2162) shall also be available to the Comptroller General to monitor any other disaster assistance and recovery effort.

#### UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT MANAGEMENT

#### (INCLUDING TRANSFER OF FUNDS)

SEC. 676. (a) AUTHORITY.—Up to \$81,000,000 of the funds made available in title III of this Act to carry out the provisions of part I of the Foreign Assistance Act of 1961, including funds appropriated under the heading “Assistance for Eastern Europe and the Baltic States”, may be used by the United States Agency for International Development (USAID) to hire and employ individuals in the United States and overseas on a limited appointment basis pursuant to the authority of sections 308 and 309 of the Foreign Service Act of 1980.



## (b) RESTRICTIONS.—

(1) The number of individuals hired in any fiscal year pursuant to the authority contained in subsection (a) may not exceed 175.

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

(c) CONDITIONS.—The authority of subsection (a) may only be used to the extent that an equivalent number of positions that are filled by personal services contractors or other non-direct hire employees of USAID, who are compensated with funds appropriated to carry out part I of the Foreign Assistance Act of 1961, including funds appropriated under the heading “Assistance for Eastern Europe and the Baltic States”, are eliminated.

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

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

(f) PROGRAM ACCOUNT CHARGED.—The account charged for the cost of an individual hired and employed under the authority of this section shall be the account to which such individual’s responsibilities primarily relate. Funds made available to carry out this section may be transferred to and merged and consolidated with funds appropriated for “Operating Expenses of the United States Agency for International Development”.

(g) MANAGEMENT REFORM PILOT.—Of the funds made available in subsection (a), USAID may use, in addition to funds otherwise available for such purposes, up to \$15,000,000 to fund overseas support costs of members of the Foreign Service with a Foreign Service rank of four or below: *Provided*, That such authority is only used to reduce USAID’s reliance on overseas personal services contractors or other non-direct hire employees compensated with funds appropriated to carry out part I of the Foreign Assistance Act of 1961, including funds appropriated under the heading “Assistance for Eastern Europe and the Baltic States”.

(h) DISASTER SURGE CAPACITY.—Funds appropriated under title III of this Act to carry out part I of the Foreign Assistance Act of 1961, including funds appropriated under the heading “Assistance for Eastern Europe and the Baltic States”, may be used, in addition to funds otherwise available for such purposes, for the cost (including the support costs) of individuals detailed to or employed by the United States Agency for International Development whose primary responsibility is to carry out programs in response to natural disasters.

## OPIC TRANSFER AUTHORITY

## (INCLUDING TRANSFER OF FUNDS)

SEC. 677. Whenever the President determines that it is in furtherance of the purposes of the Foreign Assistance Act of 1961, up to a total of \$20,000,000 of the funds appropriated under title III of this Act may be transferred to and merged with funds appro-

priated by this Act for the Overseas Private Investment Corporation Program Account, to be subject to the terms and conditions of that account: *Provided*, That such funds shall not be available for administrative expenses of the Overseas Private Investment Corporation: *Provided further*, That designated funding levels in this Act shall not be transferred pursuant to this section: *Provided further*, That the exercise of such authority shall be subject to the regular notification procedures of the Committees on Appropriations.

#### REPORTING REQUIREMENT

SEC. 678. The Secretary of State shall provide the Committees on Appropriations, not later than April 1, 2008, and for each fiscal quarter, a report in writing on the uses of funds made available under the headings “Foreign Military Financing Program”, “International Military Education and Training”, and “Peacekeeping Operations”: *Provided*, That such report shall include a description of the obligation and expenditure of funds, and the specific country in receipt of, and the use or purpose of the assistance provided by such funds.

#### INDONESIA

SEC. 679. (a) Of the funds appropriated by this Act under the heading “Foreign Military Financing Program” up to \$15,700,000 may be made available for assistance for Indonesia as follows—

(1) Of the amount provided in subsection (a), \$13,000,000 may be made available upon enactment of this Act.

(2) Of the amount provided in subsection (a), \$2,700,000 may not be made available until the Secretary of State reports to the Committees on Appropriations—

(A) on the steps taken by the Government of Indonesia on the following—

(i) prosecution and punishment, in a manner proportional to the crime, for members of the Armed Forces who have been credibly alleged to have committed gross violations of human rights in Timor-Leste and elsewhere, and cooperation by the Armed Forces with civilian judicial authorities and with international efforts to resolve cases of gross violations of human rights; and

(ii) implementation by the Armed Forces of reforms to increase the transparency and accountability of their operations and financial management; and

(B) that the Government of Indonesia has written plans to effectively provide accountability for past violations of human rights by members of the Armed Forces, and is implementing plans to effectively allow public access to Papua and to pursue the criminal investigation and provide the projected timeframe for completing the investigation of the murder of Munir Said Thalib.

(b) Of the funds appropriated by this Act under the heading “Economic Support Fund” that are available for assistance for Indonesia, not less than \$250,000 should be made available for grants for capacity building of Indonesian human rights organizations, including in Papua.

## LIMITATION ON BASING IN IRAQ

SEC. 680. 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 between the United States and Iraq.

## PROHIBITION ON USE OF TORTURE

SEC. 681. None of the funds made available in this Act shall be used in any way whatsoever to support or justify the use of torture, cruel or inhumane treatment by any official or contract employee of the United States Government.

## REPORT ON INDONESIA

SEC. 682. Not later than 90 days after enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations that describes—

(1) the steps taken by the Government of Indonesia to deny promotion, suspend from active service, and pursue prosecution of military officers indicted for serious crimes, and the extent to which past and present Indonesian military officials are cooperating with domestic inquiries into human rights abuses, including the forced disappearance and killing of student activists in 1998 and 1999;

(2) the responses of the Governments of Indonesia and Timor-Leste to the Final Report of the Commission for Reception, Truth and Reconciliation in Timor-Leste and the June 2006 report of the report to the Secretary-General of the Commission of Experts to Review the Prosecution of Serious Violations of Human Rights in Timor-Leste in 1999; and

(3) the steps taken by the Indonesian military to divest itself of illegal businesses.

## EXTRADITION

SEC. 683. (a) None of the funds appropriated in this Act for the Department of State may be used to provide assistance (other than funds provided under the headings “International Narcotics Control and Law Enforcement”, “Migration and Refugee Assistance”, “Emergency Migration and Refugee Assistance”, and “Nonproliferation, Anti-terrorism, Demining and Related Assistance”) for the central government of a country which has notified the Department of State of its refusal to extradite to the United States any individual indicted for a criminal offense for which the maximum penalty is life imprisonment without the possibility of parole or for killing a law enforcement officer, as specified in a United States extradition request.

(b) Subsection (a) shall only apply to the central government of a country with which the United States maintains diplomatic relations and with which the United States has an extradition treaty and the government of that country is in violation of the terms and conditions of the treaty.

(c) The Secretary of State may waive the restriction in subsection (a) on a case-by-case basis if the Secretary certifies to the Commit-

tees on Appropriations that such waiver is important to the national interests of the United States.

ENVIRONMENT AND ENERGY PROGRAMS

SEC. 684. (a) BIODIVERSITY.—Of the funds appropriated under the heading “Development Assistance”, not less than \$195,000,000 shall be made available for programs and activities which directly protect biodiversity, including forests, in developing countries, of which not less than the amount of funds initially allocated pursuant to section 653(a) of the Foreign Assistance Act of 1961 for fiscal year 2006 shall be made available for such activities in Brazil, Colombia, Ecuador, Peru and Bolivia, and that in addition to such amounts for such countries not less than \$15,000,000 shall be made available for the United States Agency for International Development’s Amazon Basin Conservation Initiative: *Provided*, That of the funds appropriated by this Act, not less than \$2,000,000 should be made available for wildlife conservation and protected area management in the Boma-Jonglei landscape of Southern Sudan, and not less than \$17,500,000 shall be made available for the Congo Basin Forest Partnership of which not less than \$2,500,000 shall be made available to the United States Fish and Wildlife Service for great apes conservation programs in Central Africa.

(b) ENERGY.—

(1) Of the funds appropriated by this Act, not less than \$195,000,000 shall be made available to support clean energy and other climate change programs in developing countries, of which not less than \$125,000,000 should be made available to directly promote and deploy energy conservation, energy efficiency, and renewable and clean energy technologies with an emphasis on small hydro, solar and wind energy, and of which the balance should be made available to directly: (1) reduce greenhouse gas emissions; (2) increase carbon sequestration activities; and (3) support climate change mitigation and adaptation programs.

(2) The Secretary of State shall convene an interagency committee, including appropriate officials of the Department of State, the United States Agency for International Development, and the Environmental Protection Agency, to evaluate the specific needs of developing countries in adapting to climate change impacts: *Provided*, That the Secretary shall submit a report to the Committees on Appropriations not later than September 1, 2008, describing such needs, on a country-by-country and regional basis, and the actions planned and being taken by the United States, including funding provided to developing countries specifically for adaptation to climate change impacts.

(c) EXTRACTION OF NATURAL RESOURCES.—

(1) The Secretary of the Treasury shall inform the managements of the international financial institutions and the public that it is the policy of the United States that any assistance by such institutions (including but not limited to any loan, credit, grant, or guarantee) for the extraction and export of oil, gas, coal, timber, or other natural resource should not be provided unless the government of the country has in place func-

tioning systems for: (A) accurately accounting for payments for companies involved in the extraction and export of natural resources; (B) the independent auditing of accounts receiving such payments and the widespread public dissemination of the findings of such 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 natural resources since September 30, 2006, and whether each institution considered, in its proposal for such assistance, the extent to which the country has functioning systems described in paragraph (c)(1).

#### UZBEKISTAN

SEC. 685. (a) Funds appropriated by this Act may be made available for assistance for the central Government of Uzbekistan only if the Secretary of State determines and reports to the Committees on Appropriations that the Government of Uzbekistan is making substantial and continuing progress—

(1) in meeting its commitments under the “Declaration on the Strategic Partnership and Cooperation Framework Between the Republic of Uzbekistan and the United States of America”, including respect for human rights, establishing a genuine multi-party system, and ensuring free and fair elections, freedom of expression, and the independence of the media; and

(2) in investigating and prosecuting the individuals responsible for the deliberate killings of civilians in Andijan in May 2005.

(b) If the Secretary of State has credible evidence that any current or former official of the Government of Uzbekistan was responsible for the deliberate killings of civilians in Andijan in May 2005, or for other gross violations of human rights in Uzbekistan, not later than 6 months after enactment of this Act any person identified by the Secretary pursuant to this subsection shall be ineligible for admission to the United States.

(c) The restriction in subsection (b) shall cease to apply if the Secretary determines and reports to the Committees on Appropriations that the Government of Uzbekistan has taken concrete and measurable steps to improve respect for internationally recognized human rights, including allowing peaceful political and religious expression, releasing imprisoned human rights defenders, and implementing recommendations made by the United Nations on torture.

(d) The Secretary may waive the application of subsection (b) if the Secretary determines that admission to the United States is necessary to attend the United Nations or to further United States law enforcement objectives.

(e) For the purpose of this section “assistance” shall include excess defense articles.

#### REPRESSION IN THE RUSSIAN FEDERATION

SEC. 686. (a) None of the funds appropriated for assistance under this Act may be made available for the Government of the Russian Federation, after 180 days from the date of the enactment of this Act, unless the President determines and certifies in writing to the Committees on Appropriations that the Government of the Russian Federation: (1) has implemented no statute, Executive order, regulation or similar government action that would discriminate, or which has as its principal effect discrimination, against religious groups or religious communities in the Russian Federation in violation of accepted international agreements on human rights and religious freedoms to which the Russian Federation is a party; and (2) is (A) honoring its international obligations regarding freedom of expression, assembly, and press, as well as due process; (B) investigating and prosecuting law enforcement personnel credibly alleged to have committed human rights abuses against political leaders, activists and journalists; and (C) immediately releasing political leaders, activists and journalists who remain in detention.

(b) The Secretary of State may waive the requirements of subsection (a) if the Secretary determines that to do so is important to the national interests of the United States.

#### WAR CRIMES IN AFRICA

SEC. 687. (a) The Congress reaffirms its support for the efforts of the International Criminal Tribunal for Rwanda (ICTR) and the Special Court for Sierra Leone (SCSL) to bring to justice individuals responsible for war crimes and crimes against humanity in a timely manner.

(b) Funds appropriated by this Act, including funds for debt restructuring, may be made available for assistance to the central government of a country in which individuals indicted by ICTR and SCSL are credibly alleged to be living, if the Secretary of State determines and reports to the Committees on Appropriations that such government is cooperating with ICTR and SCSL, including the surrender and transfer of indictees in a timely manner: *Provided*, That this subsection shall not apply to assistance provided under section 551 of the Foreign Assistance Act of 1961 or to project assistance under title II of this Act: *Provided further*, That the United States shall use its voice and vote in the United Nations Security Council to fully support efforts by ICTR and SCSL to bring to justice individuals indicted by such tribunals in a timely manner.

(c) The prohibition in subsection (b) may be waived on a country by country basis if the President determines that doing so is in the national security interest of the United States: *Provided*, That prior to exercising such waiver authority, the President shall submit a

report to the Committees on Appropriations, in classified form if necessary, on—

- (1) the steps being taken to obtain the cooperation of the government in surrendering the indictee in question to the court of jurisdiction;
- (2) a strategy, including a timeline, for bringing the indictee before such court; and
- (3) the justification for exercising the waiver authority.

#### COMBATTING PIRACY OF UNITED STATES COPYRIGHTED MATERIALS

SEC. 688. (a) PROGRAM AUTHORIZED.—The Secretary of State may carry out a program of activities to combat piracy in countries that are not members of the Organization for Economic Cooperation and Development, including activities as follows:

- (1) The provision of equipment and training for law enforcement, including in the interpretation of intellectual property laws.
- (2) The provision of training for judges and prosecutors, including in the interpretation of 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 assistance to the World Intellectual Property Organization in order to promote the integration of countries described in subsection (a) into the global intellectual property system.

(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).

#### NEGLECTED TROPICAL DISEASES

SEC. 689. Of the funds appropriated under the heading “Global Health and Child Survival”, not less than \$15,000,000 shall be made available to support the United States Agency for International Development’s ongoing program to implement an integrated response to the control of neglected diseases including intestinal parasites, schistosomiasis, lymphatic filariasis, onchocerciasis, trachoma and leprosy: *Provided*, That the Administrator of the United States Agency for International Development shall consult with the Committees on Appropriations, representatives from the relevant international technical and nongovernmental organizations addressing the specific diseases, recipient countries, donor countries, the private sector, UNICEF and the World Health Organization: (1) on the most effective uses of such funds to demonstrate the health and economic benefits of such an approach; and (2) to develop a multilateral, integrated initiative to control these diseases that will enhance coordination and effectiveness and maximize the leverage of United States contributions with those of other donors: *Provided further*, That funds made available pursu-

ant to this section shall be subject to the regular notification procedures of the Committees on Appropriations.

## EGYPT

SEC. 690. (a) Of the funds appropriated by this Act under the heading “Foreign Military Financing Program” or under the heading “Economic Support Fund” that are available for assistance for Egypt, \$100,000,000 shall not be made available for obligation until the Secretary of State certifies and reports to the Committees on Appropriations that the Government of Egypt has taken concrete and measurable steps to—

- (1) adopt and implement judicial reforms that protect the independence of the judiciary;
- (2) review criminal procedures and train police leadership in modern policing to curb police abuses; and
- (3) detect and destroy the smuggling network and tunnels that lead from Egypt to Gaza.

(b) Not less than 45 days after enactment of this Act, the Secretary may waive subsection (a) if the Secretary determines and reports to the Committees on Appropriations that such waiver is in the national security interest of the United States.

RELIEF FOR IRAQI, MONTAGNARDS, HMONG AND OTHER REFUGEES  
WHO DO NOT POSE A THREAT TO THE UNITED STATES

SEC. 691. (a) AMENDMENT TO AUTHORITY TO DETERMINE THE BAR TO ADMISSION INAPPLICABLE.—Section 212(d)(3)(B)(i) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(3)(B)(i)) is amended to read as follows:

“The Secretary of State, after consultation with the Attorney General and the Secretary of Homeland Security, or the Secretary of Homeland Security, after consultation with the Secretary of State and the Attorney General, may determine in such Secretary’s sole unreviewable discretion that subsection (a)(3)(B) shall not apply with respect to an alien within the scope of that subsection or that subsection (a)(3)(B)(vi)(III) shall not apply to a group within the scope of that subsection, except that no such waiver may be extended to an alien who is within the scope of subsection (a)(3)(B)(i)(II), no such waiver may be extended to an alien who is a member or representative of, has voluntarily and knowingly engaged in or endorsed or espoused or persuaded others to endorse or espouse or support terrorist activity on behalf of, or has voluntarily and knowingly received military-type training from a terrorist organization that is described in subclause (I) or (II) of subsection (a)(3)(B)(vi), and no such waiver may be extended to a group that has engaged terrorist activity against the United States or another democratic country or that has purposefully engaged in a pattern or practice of terrorist activity that is directed at civilians. Such a determination shall neither prejudice the ability of the United States Government to commence criminal or civil proceedings involving a beneficiary of such a determination or any other person, nor create any substantive or procedural right or benefit for a beneficiary of such a determination or any other person. Notwithstanding any other provision of law (statutory or nonstatutory), including section 2241 of title 28, or any other habeas corpus



provision, and sections 1361 and 1651 of such title, no court shall have jurisdiction to review such a determination or revocation except in a proceeding for review of a final order of removal pursuant to section 1252 of this title, and review shall be limited to the extent provided in section 1252(a)(2)(D). The Secretary of State may not exercise the discretion provided in this clause with respect to an alien at any time during which the alien is the subject of pending removal proceedings under section 1229a of this title.”

(b) **AUTOMATIC RELIEF FOR THE HMONG AND OTHER GROUPS THAT DO NOT POSE A THREAT TO THE UNITED STATES.**—For purposes of section 212(a)(3)(B) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)), the Karen National Union/Karen Liberation Army (KNU/KNLA), the Chin National Front/Chin National Army (CNF/CNA), the Chin National League for Democracy (CNLD), the Kayan New Land Party (KNLP), the Arakan Liberation Party (ALP), the Mustangs, the Alzados, the Karenni National Progressive Party, and appropriate groups affiliated with the Hmong and the Montagnards shall not be considered to be a terrorist organization on the basis of any act or event occurring before the date of enactment of this section. Nothing in this subsection may be construed to alter or limit the authority of the Secretary of State or the Secretary of Homeland Security to exercise his discretionary authority pursuant to section 212(d)(3)(B)(i) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(3)(B)(i)).

(c) **TECHNICAL CORRECTION.**—Section 212(a)(3)(B)(ii) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)(ii)) is amended by striking “Subclause (VII)” and inserting “Subclause (IX)”.

(d) **DESIGNATION OF THE TALIBAN AS A TERRORIST ORGANIZATION.**—For purposes of section 212(a)(3)(B) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)), the Taliban shall be considered to be a terrorist organization described in subclause (I) of clause (vi) of that section.

(e) **REPORT ON DURESS WAIVERS.**—The Secretary of Homeland Security shall provide to the Committees on the Judiciary of the United States Senate and House of Representatives a report, not less than 180 days after the enactment of this Act and every year thereafter, which may include a classified annex, if appropriate, describing—

(1) the number of individuals subject to removal from the United States for having provided material support to a terrorist group who allege that such support was provided under duress;

(2) a breakdown of the types of terrorist organizations to which the individuals described in paragraph (1) have provided material support;

(3) a description of the factors that the Department of Homeland Security considers when evaluating duress waivers; and

(4) any other information that the Secretary believes that the Congress should consider while overseeing the Department’s application of duress waivers.

(f) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on the date of enactment of this section, and these amendments and sections 212(a)(3)(B) and 212(d)(3)(B) of the Im-

migration and Nationality Act (8 U.S.C. 1182(a)(3)(B) and 1182(d)(3)(B)), as amended by these sections, shall apply to—

- (1) removal proceedings instituted before, on, or after the date of enactment of this section; and
- (2) acts and conditions constituting a ground for inadmissibility, excludability, deportation, or removal occurring or existing before, on, or after such date.

#### REPORT ON ANTI-CORRUPTION ACTIVITIES

SEC. 692. Not later than August 1, 2008, the Secretary of State, in consultation with the Administrator of the United States Agency for International Development and the Chief Executive Officer of the Millennium Challenge Corporation, shall submit to the Committees on Appropriations a report on the level of corruption in each country that receives development assistance appropriated in this Act.

#### DEMOCRACY, THE RULE OF LAW, AND GOVERNANCE IN IRAN

SEC. 693. Of the funds appropriated in this Act, \$60,000,000 should be made available for programs to promote democracy, the rule of law, and governance in Iran.

#### DENIAL OF VISAS RELATED TO REMOVAL OF ALIENS

SEC. 694. None of the funds made available in this Act may be expended in violation of section 243(d) of the Immigration and Nationality Act (8 U.S.C. 1253(d)) (relating to discontinuing granting visas to nationals of countries that are denying or delaying accepting aliens removed from the United States).

#### UNITED NATIONS HUMAN RIGHTS COUNCIL

SEC. 695. (a) None of the funds appropriated by this Act may be made available for a United States contribution to the United Nations Human Rights Council.

(b) The prohibition under subsection (a) shall not apply if—

- (1) the Secretary of State certifies to the Committees on Appropriations that the provision of funds to support the United Nations Human Rights Council is in the national interest of the United States; or
- (2) the United States is a member of the Human Rights Council.

#### ATTENDANCE AT INTERNATIONAL CONFERENCES

SEC. 696. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees of agencies or departments of the United States Government who are stationed in the United States, at any single international conference occurring outside the United States, unless the Secretary of State determines that such attendance is in the national interest: *Provided*, That for purposes of this section the term “international conference” shall mean a conference attended by representatives of the United States Government and representatives of foreign governments, international organizations, or nongovernmental organizations.

## SAUDI ARABIA

SEC. 697. None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to finance any assistance to Saudi Arabia: *Provided*, That the President may waive the prohibition of this section if the President certifies to the Committees on Appropriations, 15 days prior to the obligation of funds for assistance for Saudi Arabia, that Saudi Arabia is cooperating with efforts to combat international terrorism and that the proposed assistance will help facilitate that effort.

## CENTRAL ASIA

SEC. 698. (a) Funds appropriated by this Act may be made available for assistance for the Government of Kazakhstan only if the Secretary of State determines and reports to the Committees on Appropriations that the Government of Kazakhstan has made significant improvements in the protection of human rights and civil liberties during the preceding 6 month period, including by fulfilling obligations recommended by the Organization for Security and Cooperation in Europe (OSCE) in the areas of election procedures, media freedom, freedom of religion, free assembly and minority rights, and by meeting the commitments it made in connection with its assumption of the Chairmanship of the OSCE in 2010.

(b) The Secretary of State may waive subsection (a) if the Secretary determines and reports to the Committees on Appropriations that such a waiver is important to the national security of the United States.

(c) Not later than October 1, 2008, the Secretary of State shall submit a report to the Committees on Appropriations and the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives describing the following:

(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.

(2) The use during such period of defense articles, defense services, and financial assistance provided by the United States by units of the armed forces, border guards, or other security forces of such countries.

(d) For purposes of this section, the term "countries of Central Asia" means Uzbekistan, Kazakhstan, Kyrgyz Republic, Tajikistan, and Turkmenistan.

## DISABILITY PROGRAMS

SEC. 699. (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: *Provided*, That funds

for disability advocacy organizations should be used for training and technical assistance for foreign disabled persons organizations in such areas as advocacy, education, independent living, and transportation, with the goal of promoting equal participation of people with disabilities in developing countries: *Provided further*, That USAID should seek to disburse at least 25 percent of the funds made available pursuant to this subsection in the form of small grants.

(b) Funds appropriated under the heading "Operating Expenses of the United States Agency for International Development" shall be made available to develop and implement training for staff in overseas USAID missions to promote the full inclusion and equal participation of people with disabilities in developing countries.

(c) The Secretary of State, the Secretary of the Treasury, and the Administrator of USAID shall seek to ensure that, where appropriate, construction projects funded by this Act are accessible to people with disabilities and in compliance with the USAID Policy on Standards for Accessibility for the Disabled, or other similar accessibility standards.

(d) Of the funds made available pursuant to subsection (a), not more than 7 percent may be for management, oversight and technical support.

(e) Not later than 180 days after the date of enactment of this Act, and 180 days thereafter, the Administrator of USAID shall submit a report describing the programs, activities, and organizations funded pursuant to this section.

#### ORPHANS, DISPLACED AND ABANDONED CHILDREN

SEC. 699A. Of the funds appropriated under title III of this Act, \$3,000,000 should be made available for activities to improve the capacity of foreign government agencies and nongovernmental organizations to prevent child abandonment, address the needs of orphans, displaced and abandoned children and provide permanent homes through family reunification, guardianship and domestic adoptions: *Provided*, That funds made available under title III of this Act should be made available, as appropriate, consistent with—

(1) the goal of enabling children to remain in the care of their family of origin, but when not possible, placing children in permanent homes through adoption;

(2) the principle that such placements should be based on informed consent which has not been induced by payment or compensation;

(3) the view that long-term foster care or institutionalization are not permanent options and should be used when no other suitable permanent options are available; and

(4) the recognition that programs that protect and support families can reduce the abandonment and exploitation of children.

#### ADVISOR FOR ACTIVITIES RELATING TO INDIGENOUS PEOPLES INTERNATIONALLY

SEC. 699B. (a) ADVISOR.—After consultation with the Committees on Appropriations and not later than 90 days after the enactment

of this Act, there shall be established within the Department of State in the immediate office of the Director of United States Foreign Assistance an Advisor for Activities Relating to Indigenous Peoples Internationally (hereinafter in this section referred to as the "Advisor"), who shall be appointed by the Director. The Advisor shall report directly to the Director.

(b) RESPONSIBILITIES.—The Advisor shall:

(1) Advise the Director of United States Foreign Assistance and the Administrator of the United States Agency for International Development on matters relating to the rights and needs of indigenous peoples internationally and should represent the United States Government on such matters in meetings with foreign governments and multilateral institutions.

(2) Provide for the oversight and coordination of all resources, programs, projects, and activities of the United States Government to protect the rights and address the needs of indigenous peoples internationally.

(3) Develop and coordinate assistance strategies with specific goals, guidelines, benchmarks, and impact assessments (including support for local indigenous peoples' organizations).

(c) FUNDS.—Of the funds appropriated by this Act under the heading "Diplomatic and Consular Programs", not less than \$250,000 shall be made available for implementing the provisions of this section.

(d) REPORT.—Not later than one year after the enactment of this Act, the Secretary shall submit a report to the Committees on Appropriations describing progress made in implementing this section.

#### CHILD SOLDIERS

SEC. 699C. (a) None of the funds appropriated or otherwise made available for foreign military financing, foreign military sales, direct commercial sales, or excess Defense articles by this Act or any other Act making appropriations for foreign operations, export financing, and related programs may be obligated or otherwise made available to the government of a country that is identified by the Department of State in the Department of State's most recent Country Reports on Human Rights Practices as having governmental armed forces or government supported armed groups, including paramilitaries, militias, or civil defense forces, that recruit or use child soldiers.

(b) The Secretary of State may provide assistance or defense articles otherwise prohibited under subsection (a) to a country upon certifying to the Committees on Appropriations that the government of such country has implemented effective measures to demobilize children from its forces or from government-supported armed groups and prohibit and prevent the future recruitment or use of child soldiers.

(c) The Secretary of State may waive the application to a country of the prohibition in subsection (a) if the Secretary determines and reports to the Committees on Appropriations that such waiver is important to the national interest of the United States.

## FUNDING FOR SERBIA

SEC. 699D. (a) Funds appropriated by this Act may be made available for assistance for the central Government of Serbia after May 31, 2008, if the President has made the determination and certification contained in subsection (c).

(b) After May 31, 2008, the Secretary of the Treasury should instruct the United States executive directors to the international financial institutions to support loans and assistance to the Government of Serbia subject to the conditions in subsection (c).

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

(1) cooperating with the International Criminal Tribunal for the former Yugoslavia including access for investigators, the provision of documents, timely information on the location, movement, and sources of financial support of indictees, and the surrender and transfer of indictees or assistance in their apprehension, including Ratko Mladic and Radovan Karadzic;

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

(3) taking steps to implement policies which reflect a respect for minority rights and the rule of law.

(d) This section shall not apply to Kosovo, humanitarian assistance or assistance to promote democracy.

## PHILIPPINES

SEC. 699E. Of the funds appropriated by this Act under the heading “Foreign Military Financing Program”, not to exceed \$30,000,000 may be made available for assistance for the Philippines, of which \$2,000,000 may only be made available after the Secretary of State reports to the Committees on Appropriations that—

(1) the Philippine Government is implementing the recommendations of the United Nations Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions;

(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

(3) the Philippine military is not engaging in acts of intimidation or violence against members of legal organizations who advocate for human rights.

## PAKISTAN

SEC. 699F. (a) Of the funds appropriated by this Act under the heading “Foreign Military Financing Program”, up to \$300,000,000 may be made available for assistance for Pakistan as follows:

(b) Of the amount provided in subsection (a), \$250,000,000 may be made available immediately for counter-terrorism and law en-

forcement activities directed against Al Qaeda and the Taliban and associated terrorist groups, and \$50,000,000 may be made available for such purposes after the Secretary of State reports to the Committees on Appropriations that the Government of Pakistan—

(1) is making concerted efforts to prevent Al Qaeda and associated terrorist groups from operating in the territory of Pakistan, including by eliminating terrorist training camps or facilities, arresting members of Al Qaeda and associated terrorist groups, and countering recruitment efforts;

(2) is making concerted efforts to prevent the Taliban from using the territory of Pakistan as a sanctuary from which to launch attacks within Afghanistan, including by arresting Taliban leaders, stopping cross-border incursions, and countering recruitment efforts; and

(3) is implementing democratic reforms, including—

(A) restoring the Constitution of Pakistan and ensuring freedoms of expression and assembly and other civil liberties guaranteed by the Constitution;

(B) releasing political detainees and allowing inclusive democratic elections;

(C) ending harassment and detention of journalists, human rights defenders and government critics by security and intelligence forces; and

(D) restoring an independent judiciary and ending interference in the judicial process.

(c) Of the funds appropriated by this Act under the heading “Economic Support Fund” for assistance for Pakistan, up to \$5,000,000 may be used for administrative expenses of the United States Agency for International Development: *Provided*, That none of the funds appropriated by this Act may be made available for cash transfer assistance for Pakistan.

#### SRI LANKA

SEC. 699G. (a) None of the funds appropriated by this Act under the heading “Foreign Military Financing Program” may be made available for assistance for Sri Lanka, no defense export license may be issued, and no military equipment or technology shall be sold or transferred to Sri Lanka pursuant to the authorities contained in this Act or any other Act, unless the Secretary of State certifies to the Committee on Appropriations that—

(1) the Sri Lankan military is suspending and the Sri Lankan Government is bringing to justice members of the military who have been credibly alleged to have committed gross violations of human rights or international humanitarian law, including complicity in the recruitment of child soldiers;

(2) the Sri Lankan Government is providing access to humanitarian organizations and journalists throughout the country consistent with international humanitarian law; and

(3) the Sri Lankan Government has agreed to the establishment of a field presence of the Office of the United Nations High Commissioner for Human Rights in Sri Lanka with sufficient staff and mandate to conduct full and unfettered monitoring throughout the country and to publicize its findings.

(b) Subsection (a) shall not apply to technology or equipment made available for the limited purposes of maritime and air surveillance and communications.

#### MULTILATERAL DEVELOPMENT BANKS

SEC. 699H. (a) WORLD BANK INSPECTION PANEL.—The Secretary of the Treasury shall instruct the United States Executive Director to the World Bank to inform the Bank of, and use the voice and vote of the United States to achieve transparency reforms of the selection process for members of the World Bank Inspection Panel, including—

(1) posting Inspection Panel position vacancy announcements on the Inspection Panel’s website and in publications that have wide circulation in member countries;

(2) making public official procedures for the selection of Inspection Panel vacancies; and

(3) posting on the Inspection Panel’s website the names of the members of the selection committee and the name or names of the individuals proposed by the selection committee to the President of the World Bank.

(b) 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. 699I. (a) 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”; and

(2) in paragraph (3)—

(A) in subparagraph (A), by striking “and”;

(B) in subparagraph (B), by striking the period and inserting “; and”; and

(C) by adding the following subparagraph:

“(C) promote the protection of biodiversity and the transparent and sustainable management and use of natural resources.”.

(b)(1) The Chief Executive Officer of the Millennium Challenge Corporation shall, not later than 30 days following enactment of this Act, submit to the Committees on Appropriations a report on the proposed uses, on a country-by-country basis, of all funds appropriated under the heading “Millennium Challenge Corporation” in this Act or prior Acts making appropriations for foreign operations, export financing, and related programs projected to be obligated and expended in fiscal year 2008 and subsequent fiscal years.



(2) The report required in paragraph (1) shall include, at a minimum, a description of—

(A) compacts in development, including the status of negotiations and the approximate range of value of the proposed compact;

(B) compacts in implementation, including the projected expenditure and disbursement of compact funds during fiscal year 2008 and subsequent fiscal years as determined by the country compact;

(C) threshold country programs in development, including the approximate range of value of the threshold country agreement;

(D) threshold country programs in implementation;

(E) use of administrative funds.

(3) The Chief Executive Officer of the Millennium Challenge Corporation shall notify the Committees on Appropriations not later than 15 days prior to signing any new country compact or new threshold country program; terminating or suspending any country compact or threshold country program; or commencing negotiations for any new compact or threshold country program.

(4) The report required in paragraph (1) shall be updated on a quarterly basis.

#### CARRY FORWARD OF UNUSED SPECIAL IMMIGRANT VISAS

SEC. 699J. Section 1059(c) of the National Defense Authorization Act for Fiscal Year 2006 (8 U.S.C. 1101 note) is amended by adding at the end the following:

“(3) CARRY FORWARD.—If the numerical limitation described in paragraph (1) is not reached during a given fiscal year, the numerical limitation for the following fiscal year shall be increased by a number equal to the difference between the number of visas authorized for the given fiscal year and the number of aliens provided special immigrant status during the given fiscal year.”.

#### IRAQ

SEC. 699K. (a) None of the funds appropriated or otherwise made available by this Act may be made available for assistance for Iraq.

(b) Subsection (a) shall not apply to funds appropriated by this Act under the heading “Economic Support Fund” that are made available to rescue Iraqi scholars and for the fund established by section 2108 of Public Law 109–13, to funds made available under the heading “Nonproliferation, Anti-Terrorism, Demining and Related Programs” for the removal and disposal of land mines and other unexploded ordnance, small arms and light weapons in Iraq, or for assistance for refugees and internally displaced persons.

#### ANTI-KLEPTOCRACY

SEC. 699L. (a) In furtherance of the National Strategy to Internationalize Efforts Against Kleptocracy and Presidential Proclamation 7750, the Secretary of State shall compile and maintain a list of officials of foreign governments and their immediate family members who the Secretary determines there is credible evidence

to believe have been involved in corruption relating to the extraction of natural resources in their countries.

(b) Any individual on the list submitted under subsection (a) shall be ineligible for admission to the United States.

(c) The Secretary may waive the application of subsection (a) if the Secretary determines that admission to the United States is necessary to attend the United Nations or to further United States law enforcement objectives, or that the circumstances which caused the individual to be included on the list have changed sufficiently to justify the removal of the individual from the list.

(d) Not later than 90 days after enactment of this Act and 180 days thereafter, the Secretary of State shall submit a report, in classified form if necessary, to the Committees on Appropriations describing the evidence considered in determining involvement pursuant to subsection (a).

#### COMPREHENSIVE NUCLEAR THREAT REDUCTION AND SECURITY PLAN

SEC. 699M. (a) Not later than 180 days after the date of the enactment of this Act, the President shall submit to Congress a comprehensive nuclear threat reduction and security plan, in classified and unclassified forms—

(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; and

(2) for working with other countries to ensure adequate accounting and security for such materials on an ongoing basis thereafter.

(b) For each element of the accounting and security effort described under subsection (a)(2), the plan shall—

(1) clearly designate agency and departmental responsibility and accountability;

(2) specify program goals, with metrics for measuring progress, estimated schedules, and specified milestones to be achieved;

(3) provide estimates of the program budget requirements and resources to meet the goals for each year; and

(4) provide the strategy for diplomacy and related tools and authority to accomplish the program element;

(5) provide a strategy for expanding the financial support and other assistance provided by other countries, particularly Russia, the European Union and its member states, China, and Japan, for the purposes of securing nuclear weapons and weapons-usable material worldwide; and

(6) outline the progress in and impediments to securing agreement from all countries that possess nuclear weapons or weapons-usable material on a set of global nuclear security standards, consistent with their obligation to comply with United Nations Security Council Resolution 1540.

#### PROHIBITION ON PROMOTION OF TOBACCO

SEC. 699N. None of the funds provided by this Act shall be available to promote the sale or export of tobacco or tobacco products, or to seek the reduction or removal by any foreign country of restrictions on the marketing of tobacco or tobacco products, except

for restrictions which are not applied equally to all tobacco or tobacco products of the same type.

UNOBLIGATED FUNDS RESCISSIONS

SEC. 699O. (a) Of the funds appropriated under the heading “Subsidy Appropriation” for the Export-Import Bank of the United States that are available for tied-aid grants in title I of Public Law 107–115 and under such heading in prior Acts making appropriations for foreign operations, export financing, and related programs, \$25,000,000 are rescinded.

(b) Of the funds appropriated under the heading “Economic Support Fund” in prior Acts making appropriations for foreign operations, export financing, and related programs, \$133,000,000 are rescinded.

ACROSS-THE-BOARD RESCISSION

SEC. 699P. (a) BILL-WIDE RESCISSIONS.—There is hereby rescinded an amount equal to .81 percent of the budget authority provided for fiscal year 2008 for any discretionary account in this Act.

(b) PROPORTIONATE APPLICATION.—Any rescission made by subsection (a) shall be applied proportionately—

(1) to each discretionary account and each item of budget authority described in subsection (a); and

(2) within each such account and item, to each program, project, and activity (with programs, projects, and activities as delineated in the appropriation Act or accompanying explanatory statements for the relevant fiscal year covering such account or item, or for accounts and items not included in appropriation Acts, as delineated in the most recently submitted President’s budget).

(c) OMB REPORT.—Within 30 days after the date of the enactment of this section, the Director of the Office of Management and Budget shall submit to the Committees on Appropriations a report specifying the account and amount of each rescission made pursuant to this section.

(d) EXCEPTION.—The rescission in subsection (a) shall not apply to funds provided in this Act designated as described in section 5 (in the matter preceding division A of this consolidated Act).

This division may be cited as the “Department of State, Foreign Operations, and Related Programs Appropriations Act, 2008”.

*[CLERK’S NOTE: Reproduced below is the material relating to division J contained in the “Explanatory Statement Submitted by Mr. Obey, Chairman of the House Committee on Appropriations, Regarding the Consolidated Appropriations Amendment of the House of Representatives to the Senate Amendment to H.R. 2764”.<sup>1</sup>*

*The amendment discussed in the Explanatory Statement was agreed to without change by both the House of Representatives and*

<sup>1</sup>This Explanatory Statement was submitted for printing in the Congressional Record on December 17, 2007, prior to House consideration of the Consolidated Appropriations amendment and as directed by the House of Representatives in section 3 of H. Res. 869. The Statement appears in books II and III of the December 17 Congressional Record, with the division I portion beginning on page H16381 of book III.

*the Senate. Therefore, the “amended bill” referred to in the Statement is the same as the legislation that has been signed into law.*

*Section 4 of the Consolidated Appropriations Act provides that this Explanatory Statement ‘shall have the same effect with respect to the allocation of funds and implementation of divisions A through K of this Act as if it were a joint explanatory statement of a committee of conference’.*]

#### EXPLANATORY STATEMENT, DIVISION J

##### DIVISION J—DEPARTMENT OF STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS APPROPRIATIONS

The following is an explanation of the effects of this division of the House amendment to the Senate amendment to H.R. 2764 (hereafter referred to as “the amended bill”) relative to the versions of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2008 (H.R. 2764) passed by the House of Representatives and the Senate. In implementing this amended bill, the departments, agencies, organizations, and commissions should be guided by the directives and instructions set forth in House Report 110–197 and Senate Report 110–128 accompanying the bill H.R. 2764, unless specifically addressed in the accompanying amended bill and explanatory statement to the contrary.

##### TITLE I—DEPARTMENT OF STATE AND RELATED AGENCIES

###### DEPARTMENT OF STATE

###### ADMINISTRATION OF FOREIGN AFFAIRS

###### DIPLOMATIC AND CONSULAR PROGRAMS

###### (INCLUDING TRANSFER OF FUNDS)

The amended bill provides \$5,359,802,000 for Diplomatic and Consular Programs, instead of \$4,747,078,000 as proposed by the House and \$4,729,973,000 as proposed by the Senate. Of this amount, \$781,632,000 is designated emergency spending pursuant to section 5 preceding division A of this Act, of which \$575,000,000 is for operations and \$206,632,000 is for worldwide security protection.

The amended bill includes a total of \$974,760,000 for worldwide security protection, instead of \$964,760,000 as proposed by the House and \$909,598,000 as proposed by the Senate.

The amended bill does not include a proviso proposed by the Senate regarding funding for the Office of the Director of United States Foreign Assistance. The Appropriations Committees are concerned that there are insufficient personnel to adequately explain the Department’s budget request and respond to congressional inquiries. The Appropriations Committees support expanding the Department’s budgetary operations. The Appropriations Committees request the Under Secretary of State for Management to assess the current capacity of resource management offices and make recommendations to develop an adequately staffed, integrated budget formulation, justification, and execution office. These recommenda-

tions should be submitted to the Appropriations Committees not later than May 1, 2008.

The amended bill includes \$360,905,000 for public diplomacy international information programs under this heading and an additional \$6,000,000 is available in fee revenue generated by the Border Security Program. This brings the estimated total for public diplomacy international information programs to \$366,904,000 in fiscal year 2008, which is \$2,000,000 above the budget request.

The amended bill includes \$2,000,000 to establish and operate a public/private public diplomacy center as proposed by the House. The Senate did not include a similar provision.

The amended bill includes \$5,000,000 for a demonstration program to expand access to consular services, including through the use of mobile consular services, as proposed by the Senate. The Department of State shall consult with the Appropriations Committees regarding this program prior to the initial obligation of funds.

The amended bill provides \$4,000,000 for compensation to the families of members of the Foreign Service or other United States Government employees or their dependents who were killed in terrorist attacks since 1979, as proposed by the House. All funds for compensation are available for obligation only upon enactment of a specific authorization in a subsequent Act of Congress.

The amended bill includes a proviso to allow the Secretary of State to reemploy Foreign Service annuitants on a temporary basis where necessary to meet the demand for passport adjudication and processing, as proposed by the Senate. The amended bill does not include \$40,000,000 for passport operations, facilities, and systems, as proposed by the Senate. As the Department of State has informed the Appropriations Committees that it intends to expend \$1,898,540,000 from fee revenue for the Border Security Program in fiscal year 2008 (an increase of \$612,213,000 above the fiscal year 2007 level), the Senate provision is not necessary at this time. The Appropriations Committees direct the Department of State to submit quarterly reports on obligations and expenditures for Consular Affairs including the level of personnel, personnel specifically for passport processing, the capacity of passport processing facilities, and projected and actual fee revenue, similar to the reporting requirements contained in House Report 110-197. The Committees will continue to closely monitor passport workload and backlogs to ensure that the Department has the resources, hiring authority and trained personnel necessary to provide timely passport services.

The amended bill does not include a proviso designating \$3,000,000 for the operations of the Office on Right-Sizing the United States Government Overseas Presence, as proposed by the House.

The amended bill does not include a proviso making \$5,000,000 available for the Program for Research and Training on Eastern Europe and the Independent States of the Former Soviet Union (title VIII), as proposed by the House. The funding and authority for this purpose are provided in section 634(q) of this Act.

The amended bill does not include a proviso granting the Secretary of State the authority to transfer up to \$200,000,000 from appropriations in this Act and prior Acts making appropriations for

the Department of State, foreign operations, and export financing to the Millennium Challenge Corporation (MCC), as proposed by the Senate.

The amended bill provides \$5,000,000 for the Ambassador's Fund for Cultural Preservation, instead of \$6,000,000 as proposed by the Senate. The House did not have a similar provision. Of this amount, not less than \$1,500,000 shall be used for grants of not less than \$500,000 for significant historic preservation projects, such as archeological restoration of Phnom Bakhen, Cambodia, and Mayan sites in the Peten region of Guatemala.

The Appropriations Committees support a pilot program to improve management and protection of United States Government properties overseas that have cultural, architectural, or historical value.

The amended bill includes a proviso, similar to that proposed by the House, prohibiting the use of funds under this heading to process licenses for the export of satellites of United States origin to the People's Republic of China.

The Department of State shall provide \$18,000,000 for security enhancements to soft targets such as overseas schools and residential compounds. The Appropriations Committees expect that the additional funds will be prioritized to those countries and regions impacted by political and religious extremism.

The amended bill includes a new proviso withholding \$500,000 in funds appropriated under this heading from obligation until the Secretary of State submits a report to the Appropriations Committees outlining a plan to increase the capacity of the United States Embassy Moscow to monitor human rights and Russian laws relating to the press and human rights and other civil society groups. The Department of State shall consult with the Appropriations Committees regarding this plan, prior to the obligation of funds.

The amended bill includes a new proviso giving the Secretary of State the authority to transfer certain unobligated balances of funds appropriated under the heading "Diplomatic and Consular Programs" to "Emergencies in the Diplomatic and Consular Service" for rewards payments.

The amended bill includes sufficient funds to maintain at not less than the current service level funding for the salaries and expenses of the Office of the Special Coordinator for Tibetan Issues.

The Appropriations Committees direct the Secretary to implement the Western Hemisphere Travel Initiative no earlier than the statutory deadline of June 1, 2009 and endorse the report required in Senate Report 110-128 related to travel document issuance.

The Bureau of Diplomatic Security should develop a comprehensive facility plan to consolidate and expand hard and soft skills training and report to the Appropriations Committees no later than May 1, 2008.

The Appropriations Committees are encouraged that the Department of State has provided access to Iraq for a small number of Government Accountability Office (GAO) personnel to conduct oversight; however, the Appropriations Committees are dismayed that the Department of State is attempting to limit access to Iraq by additional GAO temporary duty teams who may have need for extended field visits in the International Zone to conduct oversight.

Section 3804 of Public Law 110–28, the U.S. Troop Readiness, Veterans’ Care, Katrina Recovery, and Iraq Accountability Appropriations Act of 2007, provides for the GAO to operate in Iraq for not less than 45 consecutive days and for the provision of necessary life support, which shall include housing, food, and transportation. The Appropriations Committees direct the Secretary of State to certify not later than 30 days after enactment of this Act that section 3804 has been implemented.

The amended bill includes \$2,000,000 for the Library of Congress’s capital security cost sharing program fees (sec. 634(m)). The Appropriations Committees note that this one time appropriation is a result of an anomaly arising from the fiscal year 2007 continuing resolution.

The Appropriations Committees note that no funding is provided for the 2010 Olympics, as proposed by the Senate.

#### CAPITAL INVESTMENT FUND

The amended bill provides \$60,062,000 for the Capital Investment Fund, instead of \$59,062,000 as proposed by the House and \$63,743,000 as proposed by the Senate.

#### OFFICE OF INSPECTOR GENERAL

The amended bill provides \$34,008,000 for the Office of Inspector General (OIG), instead of \$32,508,000 as proposed by the House and \$35,508,000 as proposed by the Senate.

The Appropriations Committees support an independent Department of State OIG, which has sufficient resources and authority to properly carry out its duties as set forth in the Inspector General Act of 1978. The Appropriations Committees request that the OIG report not later than April 1, 2008 on personnel vacancies; the aggregate number of requests from other agencies and the Congress to assist in investigations or to conduct oversight; a summary of those requests which were not accommodated and whether denial of such requests was due to a lack of personnel, or insufficient resources, or for other reasons.

#### EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

The amended bill provides \$505,441,000 for Educational and Cultural Programs, instead of \$501,400,000 as proposed by the House and \$509,482,000 as proposed by the Senate.

The amended bill does not include language providing for the transfer of \$6,000,000 to the Trust Fund established by section 313 of the Legislative Branch Appropriations Act, 2001, as proposed by the House.

The amended bill does not include language providing up to \$2,000,000 for the Senator Paul Simon Study Abroad Foundation, subject to authorization, as proposed by the Senate. The Appropriations Committees are supportive of this effort, and will review the new authorities and funding requirements once the program is authorized. The Appropriations Committees support expanding study abroad opportunities for United States students, diversifying the study abroad population, and increasing study in non-traditional countries. Over the past decade study abroad by United States stu-

dents has increased by 150 percent and funding provided by the Congress has also increased significantly; the amount provided in fiscal year 2008 reflects an 8.4 percent increase in a single year. The Appropriations Committees endorse the report requirement contained in Senate Report 110–128 to expand the capacity of study abroad.

Funding under this heading should be allocated to the following activities in the amounts designated in the table below, subject to the requirements of section 619:

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS	
[Budget authority in thousands of dollars]	
<i>Programs and Activities</i>	<i>Budget Authority Total</i>
Academic Programs:	
Fulbright Program: Students, Scholars, Teachers, Humphrey, Undergraduates .....	\$222,645
Global Academic Exchanges:	
Educational Advising and Student Services .....	10,672
English Language Programs .....	14,531
Subtotal, Global Academic Exchanges .....	25,203
Special Academic Exchanges:	
Regional Graduate Fellowships .....	22,200
American Overseas Research Centers .....	3,816
South Pacific Exchanges .....	500
Timor Leste Exchanges .....	500
Mobility Exchange Clearinghouse .....	500
Benjamin Gilman International Scholarship Program .....	5,857
George Mitchell Fellowship Program .....	500
University of Miami Hemispheric Program .....	500
Tibet Fund .....	750
Subtotal, Special Academic Exchanges .....	35,123
Total, Academic Programs .....	282,971
Professional and Cultural Exchanges:	
International Visitor Program .....	78,255
Citizen Exchange Programs .....	73,977
Youth Exchange and Study Program (YES) .....	[24,000]
Special Professional and Cultural Exchanges:	
Congress Bundestag Youth Exchange .....	3,256
Mike Mansfield Fellowship Program .....	1,877
Irish Institute .....	1,000
Ngwang Choephel Fellows (Tibet) .....	650
Youth Science Leadership Institute of the Americas .....	150
Institute for Representative Government .....	500
Pakistan Literacy Training Program .....	375
Subtotal, Special Professional and Cultural Exchanges .....	7,808
Total, Professional and Cultural Exchanges .....	160,040
Competitive One-time Grant Program .....	10,000
Program and Performance:	
Evaluation Program .....	1,910
Alumni Global Networks Program .....	1,260
Subtotal, Program and Performance .....	3,170
Exchanges Support .....	49,260
Total, Educational and Cultural Exchange Programs ..	505,441



The Appropriations Committees support language as proposed by the House regarding the continuation of funding for several ongoing international exchange programs with Eurasia and Eastern Europe, and the Muskie Graduate Fellowship program.

The Appropriations Committees support language as proposed by the Senate related to expanding academic exchange with Latin America and recommend that funds provided under this heading be used to increase Access microscholarships, exchanges for student leaders and with community colleges, and the Bureau's opportunity grants program. The Appropriations Committees also support language as proposed by the House related to the development of expanded cultural, educational, and professional exchanges with the Caribbean.

The amended bill includes \$10,000,000 for a competitive one-time grants program, similar to proposals by both the House and Senate. In developing this competitive grants program, the Department of State is to be guided by the criteria outlined in both House Report 110-197 and Senate Report 110-128, including the directive to consult with the Appropriations Committees, prior to the submission of the program plan. Consistent with the preceding criteria, the Appropriations Committees recommend the following proposals for consideration:

Armenian Youth Federation for support of exchanges with Armenia;

Associated Colleges of the South to expand teaching of critical languages, such as Chinese and Arabic;

Carnegie Hall to support cultural exchanges with China;

Chapman University to support educational exchanges between the University and several universities in China;

Cultural History Exchange to provide for educational and cultural exchanges associated with the Lake Champlain Quadracentennial;

Dillard University for educational exchange and critical language training in East Asia and the Pacific, the Middle East, and Latin America;

Empower Peace Foundation to support cultural exchanges;

Facing History and Ourselves to support exchange programs for United States and international educators;

Flushing Council on Culture and the Arts, Inc. for a cultural exchange program with East Asian communities;

Great Lakes Consortium for International Development for support of the Paul E. Gillmor Freedom Citizen Exchanges;

Humanity in Action to support exchanges between the United States and Europe;

Levin Institute of the State University of New York to support exchanges with China;

Monmouth University to support professional exchanges with Armenia and with Ghana;

Montana State University, Bozeman to develop higher education partnerships in the Middle East;

Morehouse College for support of student and faculty exchanges;

National Italian American Foundation to support their Gift of Cultural Exchange program;

National Youth Science Foundation to support multi-cultural science exchanges with high school students;

Pacem in Terris Institute at La Roche College to support faculty exchange programs;

Peace, Health, Communications, Cooperation in the Middle East Program to provide for exchange of doctors, researchers, scientists, and youth with the Middle East;

Project Children to support exchanges between the United States and Ireland;

Roger William University to expand educational exchange with the Middle East;

Saint Anselm College for educational exchange in the Middle East in partnership with the American University of Beirut, Hebrew University, American University in Cairo, and Hebron University;

Saint Michael's College to develop young leaders from Latin America, particularly low-income and indigenous populations;

Sister Cities International to support educational and cultural exchanges;

South Dakota School of Mines and Technology to expand science, technology, and engineering exchanges with Mongolia;

Southwest Chamber Music Society to support cultural exchanges with Mexico and Asia;

Spelman College for student and faculty exchanges with China;

St. Bonaventure University's Father Mychal Judge Program for academic, civic, and cultural exchanges with Ireland;

Students In Free Enterprise to support exchanges with African countries;

University of Iowa for educational exchanges with universities in Indonesia, Singapore, and Malaysia;

University of Iowa to support exchange programs involving writers, East Timor, and Southeast Asian universities;

University of Louisville to expand Arabic language study;

University of Massachusetts Confucius Institute to expand educational exchanges in China;

University of Missouri, St. Louis to expand education in health and business;

University of Vermont to expand foreign language teacher training in Chinese languages to pre-college students;

Virginia Military Institute for support of an exchange program involving the Institute and Arabic speaking countries in the Middle East;

The Washington Center—Latin America and Africa Internship Program to support student exchanges;

Wayne State University to support exchanges between the U.S. and China; and

Western Carolina University for support of exchange programs with critical language countries.

#### REPRESENTATION ALLOWANCES

The amended bill provides \$8,175,000 for Representation Allowances, as proposed by the House and the Senate.

## PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

The amended bill provides \$23,000,000 for Protection of Foreign Missions and Officials, instead of \$28,000,000 as proposed by the House and \$14,000,000 as proposed by the Senate. The amended bill includes sufficient funds above the request to begin to reimburse eligible costs of providing security protection to diplomatic delegations to the United Nations and other international organizations that were incurred in prior years, as proposed by the House, and up to \$2,500,000 is available to reimburse certifiable costs incurred by municipalities hosting extraordinary events.

## EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

The amended bill provides \$1,437,216,000 for Embassy Security, Construction, and Maintenance, instead of \$1,536,798,000 as proposed by the House and \$1,441,812,000 as proposed by the Senate. Of the amount provided, \$676,000,000 is available only for priority worldwide security upgrades, acquisition, and construction.

The Appropriations Committees endorse the language in House Report 110–197 requiring the submission of a spending plan and notification if there are any facilities that the Department of State believes face serious security risks.

The Appropriations Committees direct the Department of State to provide sufficient funds to the United States Embassy Chad to rectify deficiencies in facilities identified by a recent assessment by the Bureau of Overseas Buildings Operations.

## EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

## (INCLUDING TRANSFER OF FUNDS)

The amended bill provides \$9,000,000 for Emergencies in the Diplomatic and Consular Service, as proposed by the Senate, instead of \$14,000,000 as proposed by the House.

The amended bill provides the funds under the heading as authorized, as proposed by the House. The Senate proposed that funds be used only for emergency evacuations and terrorism awards.

## REPATRIATION LOANS PROGRAM ACCOUNT

## (INCLUDING TRANSFER OF FUNDS)

The amended bill provides \$1,285,000 for the Repatriation Loans Program Account, as proposed by the House and Senate. Of this amount, \$678,000 is for the Direct Loans Subsidy and \$607,000 is for administrative expenses.

The amended bill includes language allowing funds under the heading for administrative expenses to be transferred to and merged with “Diplomatic and Consular Programs”, as proposed by the Senate. The House proposed similar language, but with minor technical differences.

## PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

The amended bill provides \$16,351,000 for Payment to the American Institute in Taiwan, as proposed by the House and Senate.

PAYMENT TO THE FOREIGN SERVICE  
RETIREMENT AND DISABILITY FUND

The amended bill provides \$158,900,000 for Payment to the Foreign Service Retirement and Disability Fund, as proposed by the House and Senate.

INTERNATIONAL ORGANIZATIONS  
CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

The amended bill provides \$1,354,400,000 for Contributions to International Organizations, as proposed by the House instead of \$1,374,400,000 as proposed by the Senate.

The amended bill does not include a Senate provision making funds available until September 30, 2009. The House did not have a similar provision.

The amended bill includes a provision similar to that proposed by the Senate that any payment of arrearages under this title shall be directed toward activities that are mutually agreed upon between the United States and the respective international organization. The House included a similar provision.

CONTRIBUTIONS FOR INTERNATIONAL  
PEACEKEEPING ACTIVITIES

The amended bill provides \$1,700,500,000 for Contributions for International Peacekeeping Activities, instead of \$1,302,000,000 as proposed by the House and \$1,352,000,000 as proposed by the Senate. Of this amount, \$468,000,000 is designated emergency spending pursuant to section 5 preceding division A of this Act.

The amended bill includes not less than \$550,373,000 to establish a new United Nations/African Union hybrid peacekeeping mission to Darfur (UNAMID). The Appropriations Committees will consider additional funding in subsequent legislation to ensure the United States fully funds its share of the UN-approved budget for this mission.

The amended bill includes language as proposed by the House that the UN should take appropriate measures to hold accountable employees, contractor personnel, or peacekeeping forces who engage in certain wrongful acts "including the prosecution in their home countries of such individuals." The Appropriations Committees direct that in cases involving alleged wrongdoing, the UN should provide all relevant information to the appropriate judicial authorities in the individual's home country.

The Secretary of State shall submit a financial plan of the planned expenditure of funds made available under this heading, which are subject to the regular reprogramming procedures of the Appropriations Committees.

## INTERNATIONAL COMMISSIONS

INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES  
AND MEXICO

The amended bill includes a total of \$118,855,000 for the International Boundary and Water Commission, United States and Mexico (IBWC), as proposed by the Senate instead of \$46,155,000 as proposed by the House. The amount provided includes \$30,430,000 for Salaries and Expenses and \$88,425,000 for Construction. The amended bill includes language authorizing not to exceed \$6,000 for representational expenses.

## SALARIES AND EXPENSES

The amended bill includes \$30,430,000 for the Salaries and Expenses account as proposed by both the House and Senate.

## CONSTRUCTION

The amended bill includes \$88,425,000 under this heading as proposed by the Senate instead of \$15,725,000 as proposed by the House. The funding allocations for construction shall address the following projects: \$66,000,000 for a secondary wastewater treatment facility; \$100,000 to repair, relocate, or replace fencing along the international border between the United States and Mexico; \$400,000 for the repair or replacement of the Nogales Wash Flood Control Project and International Outfall Interceptor; \$11,700,000 for the Rio Grande Canalization project in Dona Ana County, New Mexico for sediment removal and construction; and \$10,000,000 for levee rehabilitation and sediment removal associated with the Rio Grande Flood Control System Rehabilitation project in Texas and the review of the need for any additional infrastructure, as proposed by the House and Senate.

The amended bill includes language (sec. 117) regarding the construction of secondary wastewater treatment capability on the Tijuana River. The Appropriations Committees remain concerned about the continued delays in building treatment facilities to process sewage flowing into the United States in the Tijuana River. Construction of a facility capable of secondary treatment of at least 25 million gallons per day (mgd) is necessary to ensure compliance with the Clean Water Act. The Appropriations Committees direct IBWC to resume negotiations for a fee-for-services contract with the owner of a Mexican wastewater facility to address this problem. The Appropriations Committees also direct IBWC to concurrently prepare design and engineering plans to upgrade the International Wastewater Treatment Plant to treat 25 mgd to secondary treatment and update its conceptual designs for a phased, scalable project capable of treating up to 100 mgd to secondary. IBWC should report back to the Appropriations Committees with cost estimates and timelines for completing both the 25 mgd IWTP and the proposed 59 mgd Mexican facility within 120 days after enactment of this Act. These timelines should contain interim milestones including, but not limited to, the completion of final design and engineering plans, acquisition of land and/or necessary easements, diplomatic treaty minutes, permits, environmental reviews, and

other critical requirements necessary for the completion of each project.

The Appropriations Committees direct the Government Accountability Office (GAO) to continue its comprehensive review of the two proposed projects, but also request a report, detailing which project would bring IBWC into compliance with the Clean Water Act most rapidly, and which project is more cost effective. GAO should deliver this report to the Appropriations Committees 120 days after enactment of this Act.

AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

The amended bill provides \$10,940,000 for American Sections, International Commissions, instead of \$10,630,000 as proposed by the House and \$11,250,000 as proposed by the Senate. Funds are allocated in the following table, subject to the requirements of section 619:

AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

[Budget authority in thousands of dollars]

	<i>Budget Authority</i>
	<i>Total</i>
International Joint Commission—United States and Canada .....	7,190
<i>Lake Champlain Basin Program</i> .....	<i>[500]</i>
International Boundary Commission, United States and Canada ...	1,530
Border Environment Cooperation Commission .....	2,220
Total .....	10,940

Of the funds provided for the International Joint Commission, the amended bill includes \$500,000 for the Lake Champlain Basin Program, including language, which extends the availability of funds appropriated in fiscal year 2007.

INTERNATIONAL FISHERIES COMMISSIONS

The amended bill provides \$26,527,000 for the International Fisheries Commissions instead of \$26,000,000 as proposed by the House and \$27,054,000 as proposed by the Senate. This amount reflects the actual treaty-obligated dues for fiscal year 2008. The Department of State shall not deviate from funding levels recommended in the amended bill and allocated in the following table:

INTERNATIONAL FISHERIES COMMISSIONS

[Budget authority, dollars in thousands]

	<i>Budget Authority</i>
	<i>Total</i>
Inter-American Tropical Tuna Commission (IATTC) .....	\$1,800
Great Lakes Fishery Commission (GLFC) .....	16,763
<i>Lake Champlain Program</i> .....	<i>[700]</i>
Pacific Salmon Commission (PSC) .....	3,049
International Pacific Halibut Commission (IPHC) .....	2,810
Other Marine Conservation Organizations:	
International Whaling Commission (IWC) .....	260
North Pacific Anadromous Fish Commission (NPAFC) .....	140
International Commission for the Conservation of Atlantic Tunas (ICCAT) .....	270
Northwest Atlantic Fisheries Organization (NAFO) .....	250
Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) .....	95

	<i>Budget Authority</i>
	<i>Total</i>
North Atlantic Salmon Conservation Organization (NASCO) ....	50
International Council for the Exploration of the Sea (ICES) .....	220
North Pacific Marine Science Organization (PICES) .....	105
International Sea Turtle Conservation .....	140
Antarctic Treaty .....	50
Western and Central Pacific Fisheries Commission (WCPFC) ..	410
Expenses of the US Commissioners .....	115
	<hr/>
Subtotal, Other Marine Conservation Organizations .....	2,105
	<hr/> <hr/>
Total, International Fisheries Commissions .....	26,527

OTHER

PAYMENT TO THE ASIA FOUNDATION

The amended bill provides \$15,500,000 for Payment to the Asia Foundation, instead of \$15,000,000 as proposed by the House and \$16,000,000 as proposed by the Senate.

CENTER FOR MIDDLE EASTERN-WESTERN DIALOGUE TRUST FUND

The amended bill provides \$875,000 for the Center for Middle Eastern-Western Dialogue Trust Fund, as proposed by the House and Senate.

EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

The amended bill provides \$500,000 for the Eisenhower Exchange Fellowship Program, as proposed by the House and Senate.

ISRAELI ARAB SCHOLARSHIP PROGRAM

The amended bill provides \$375,000 for the Israeli Arab Scholarship Program, as proposed by the House and Senate.

EAST-WEST CENTER

The amended bill provides \$19,500,000 for the East-West Center, instead of \$20,000,000 as proposed by the Senate. The House did not include funding for this purpose.

NATIONAL ENDOWMENT FOR DEMOCRACY

The amended bill does not provide funding under this heading for the National Endowment for Democracy (NED), and instead provides funds under the "Democracy Fund" account, as proposed by the Senate.

RELATED AGENCIES

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

The amended bill provides \$676,727,000 for International Broadcasting Operations, instead of \$671,632,000 as proposed by the House and \$662,727,000 as proposed by the Senate. Of this amount, \$12,000,000 is designated as an emergency pursuant to section 5 preceding division A of this Act. The amended bill in-

cludes funding for Broadcasting to Cuba under this heading, as proposed by the House and Senate.

Funding under this heading should be allocated to the following activities in the amounts designated in the table below, subject to the requirements of section 619:

## INTERNATIONAL BROADCASTING OPERATIONS

[Budget authority in thousands]

	<i>Budget Authority</i>
	<i>Total</i>
Voice of America .....	194,093
Radio and TV Marti (Cuba) .....	33,681
Engineering and Technical Services .....	141,750
Agency Direction .....	28,933
Management .....	48,974
Program Support .....	19,688
	<hr/>
Subtotal, IBB .....	467,119
Independent Grantee Organizations:	
Radio Free Europe/Radio Liberty .....	80,471
Radio Free Asia .....	35,220
Middle East Broadcasting Networks .....	93,917
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Subtotal, IGO's .....	209,608
	<hr/> <hr/>
Total .....	676,727

The funding allocations for the International Broadcasting Bureau, Radio Free Europe/Radio Liberty, and Radio Free Asia restore the language services reductions in the fiscal year 2008 request, as proposed by the House and Senate.

The amended bill includes an additional \$2,000,000 to counter censorship efforts by Iran and China.

The allocations also include sufficient funds to carry out the directives in House Report 110-197 regarding 24/7 streaming, archiving on Alhurra's Web site of all original programs, and the random translation of up to 16 hours per week of Alhurra's original programming by an independent entity.

The Appropriations Committees are concerned with recent accounts of foreign government prohibition of independent transmissions of television and radio broadcasts to Russia, Burma, China, Iran, Venezuela, and Pakistan, and support restoring short-wave and medium wave transmission to these countries to ensure public access to a wide range of information.

The Appropriations Committees endorse language contained in House Report 110-197 and Senate Report 110-128 regarding broadcasting into North Korea.

The Appropriations Committees direct that the Broadcasting Board of Governors should increase support for broadcasting to Burma.

## BROADCASTING CAPITAL IMPROVEMENTS

The amended bill provides \$10,748,000 for Broadcasting Capital Improvements, as proposed by the House and Senate.



COMMISSION FOR THE PRESERVATION OF AMERICA'S HERITAGE  
ABROAD

## SALARIES AND EXPENSES

The amended bill provides \$499,000 for salaries and expenses of the Commission for the Preservation of America's Heritage Abroad, as proposed by the House and Senate.

## COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

## SALARIES AND EXPENSES

The amended bill provides \$3,300,000 for salaries and expenses of the Commission on International Religious Freedom, instead of \$3,400,000 as proposed by the House and \$3,000,000 as proposed by the Senate.

## COMMISSION ON SECURITY AND COOPERATION IN EUROPE

## SALARIES AND EXPENSES

The amended bill provides \$2,370,000 for salaries and expenses of the Commission on Security and Cooperation in Europe as proposed by the Senate, instead of \$2,037,000 as proposed by the House.

CONGRESSIONAL-EXECUTIVE COMMISSION ON THE PEOPLE'S  
REPUBLIC OF CHINA

## SALARIES AND EXPENSES

The amended bill provides \$2,000,000 for salaries and expenses of the Congressional-Executive Commission on the People's Republic of China, as proposed by the House and Senate.

UNITED STATES-CHINA ECONOMIC AND SECURITY REVIEW  
COMMISSION

## SALARIES AND EXPENSES

The amended bill provides \$4,000,000 for salaries and expenses of the United States-China Economic and Security Review Commission, as proposed by the House, instead of \$2,962,000 as proposed by the Senate.

The amended bill includes a proviso setting a limitation of not more than \$4,000 for official representation expenses, instead of \$5,000 as proposed by the House and \$3,000 as proposed by the Senate.

The amended bill includes a proviso requiring the Commission to provide to the Appropriations Committees a quarterly accounting of the cumulative balances of any unobligated funds, as proposed by Senate. The House did not include a similar provision.

The amended bill includes a proviso deeming the Commission to be a Congressional committee for the purposes of Government Printing Office printing and binding, as proposed by the House. The Senate did not include a similar provision.

The amended bill includes a proviso relating to compensation levels for the Commission's Executive Director, as proposed by the House. The Senate did not include a similar provision.

The amended bill includes a proviso changing the due date for the Commission's Annual Report from June to December, as proposed by the House. The Senate did not include a similar provision.

The amended bill includes a proviso treating travel by Commission members and staff under the same rules and procedures that apply to travel by Members and staff of the House of Representatives, as proposed by the House. The Senate did not include a similar provision.

The amended bill does not include a proviso that repeals the applicability to the Commission of the Federal Advisory Committee Act, as proposed by House. The Senate did not include a similar provision.

The amended bill includes a proviso requiring a report by March 1, 2008 on how the Commission effectively addresses the recommendations of the GAO's September 2007 audit report, similar to language proposed by the Senate. The House did not include a similar provision.

UNITED STATES SENATE-CHINA INTERPARLIAMENTARY GROUP  
SALARIES AND EXPENSES

The amended bill provides \$150,000 for salaries and expenses of the United States Senate-China Interparliamentary Group as proposed by the Senate. The House did not propose funding for this purpose.

UNITED STATES INSTITUTE OF PEACE  
OPERATING EXPENSES

The amended bill provides \$25,000,000 for operating expenses of the United States Institute of Peace (USIP) as proposed by the Senate, instead of \$26,000,000 as proposed by the House.

The amended bill includes sufficient funding to reconstitute the Iraq Study Group, also known as the Baker/Hamilton Commission, to continue to assess United States involvement in Iraq and to update the Commission's previous recommendations. The USIP is directed to provide necessary administrative support to this effort and report to the Appropriations Committees not later than 90 days after enactment of this Act on the Study Group's progress on this effort.

GENERAL PROVISIONS—THIS TITLE

(Note: If the provision proposed by the House and Senate is similar, except for a different section number, or minor technical differences in language, the section is not addressed in this explanatory statement. In addition, the amended bill includes in each general provision the scope of its application in this Act as proposed by the House, instead of by reference as proposed by the Senate.)

*Sec. 106. Senior Policy Operating Group*

The amended bill includes a general provision carried in prior years directing that the Senior Policy Operating Group on Trafficking in Persons is to coordinate policies involving international trafficking and prohibiting funds from being expended that duplicate the coordinating responsibilities of the Group, as proposed by the House. The Senate included no similar provision.

*Sec. 108. Consulting services*

The amended bill includes a general provision proposed by the House regarding the public availability of information concerning certain consulting service contracts. The Senate included no similar provision.

*Sec. 109. Compliance with section 609*

The amended bill includes a general provision prohibiting funds appropriated under title I of this Act in contravention of section 609 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1999, relating to diplomatic or consular posts in Vietnam, as proposed by the House, but under a modified heading. The Senate included no similar provision.

*Restriction on contributions to the United Nations*

The amended bill includes language restricting contributions to the United Nations if the United Nations imposes any taxation on any United States persons in title VI (sec. 602) of this Act, similar to the provision proposed by the House (sec. 112) and to the provision proposed by the Senate (sec. 108).

*Sec. 111. Personnel actions*

The amended bill includes the provision regarding personnel actions as proposed by the Senate (sec. 109) and similar to that proposed by the House (sec. 113).

*Attendance at international conferences*

The amended bill includes language regarding attendance at international conferences in title VI (sec. 696) of this Act, as proposed by the House (sec. 699M) and Senate (sec. 112). There are technical modifications to this language.

*Sec. 113. Peacekeeping assessment*

The amended bill includes a provision similar to that proposed by both the House (sec. 684) and Senate (sec. 113), which amends the cap on assessed costs from 25 percent to 27.1 percent.

*Sec. 114. Alhurra broadcasting*

The amended bill includes a provision similar to that proposed by the Senate prohibiting the availability of funds for Alhurra broadcasting until the Secretary certifies and reports to the Appropriations Committees that Alhurra does not advocate on behalf of any organization that the Secretary knows, or has reason to believe, engages in terrorist activities, as proposed by the Senate. The House did not include a similar provision.

*Sec. 115. Department of State Inspector General*

The amended bill includes a general provision directing the Secretary of State to establish and maintain a direct link between the Department of State's website and the website of the Department of State's OIG and to establish and maintain on the homepage of the OIG a mechanism by which individuals can anonymously report cases of waste, fraud, and abuse, as proposed by the Senate. The House included no similar provision.

*Sec. 116. Consular operations*

The amended bill includes a general provision, similar to section 120 proposed by the Senate, directing the Secretary of State to establish limited consular operations in Iraq within 180 days of enactment of this Act. The Department of State is directed to establish a process for conducting visa application interviews in Iraq for designated categories of aliens who are unable to travel to neighboring countries. In particular, Iraqis who are targeted for their affiliation with the United States (such as United States government direct hires or contractors, personnel affiliated with non-governmental organizations, or scholars) should be accommodated. The Secretary of State shall consult regularly with the Appropriations Committees on the implementation of this provision and the additional resources required. The House included no similar provision.

*Sec. 117. International Boundary and Water Commission*

The amended bill includes a new general provision regarding the construction of secondary treatment capability on the Tijuana River.

*Sec. 118. Commission financial management*

The amended bill includes a modified provision (sec. 118) requiring the United States-China Economic Security Review Commission to comply with Federal standards for performance reviews and cash awards, similar to language proposed by the Senate. The amended bill does not include an amendment to the Commission's underlying authority to establish commissioners' term limitations and also does not include a requirement to conduct an annual financial audit, as proposed by the Senate.

*Commission on Security and Cooperation in Europe*

The amended bill does not include section 116 of the Senate bill regarding funding for the "Commission on Security and Cooperation in Europe" and the "Diplomatic and Consular Programs" accounts. Funds for these activities are provided under the appropriate headings in this title.

*Cooperation with the Government of Mexico*

The amended bill does not include a general provision, without prejudice, proposed by the Senate regarding United States cooperation with Mexico on border security, education on immigration laws, and circular migration. In order to provide more timely information directly relevant to the consideration of future appropriations requests for Mexico, the Appropriations Committees direct that the reporting required in subsection (d) of the Senate amend-

ment be submitted to the Appropriations Committees not less than 90 days after enactment of this Act, instead of 180 days, and that the report also describe how the actions taken will address the underlying causes of illegal immigration, drug trafficking and gang violence, violence against women, human trafficking, and arms smuggling.

The Appropriations Committees note that the administration requested \$500,000,000 in fiscal year 2008 emergency supplemental assistance for counterdrug and rule of law programs in Mexico, and regret that the Department of State failed to adequately consult with Congress prior to submitting this budget amendment.

*Report regarding use of levees*

The amended bill does not include, without prejudice, a general provision proposed by the Senate (sec. 118) requiring the United States Commissioner of the International Boundary and Water Commission to submit a report regarding certain levee uses. The Appropriations Committees direct that the Commissioner shall comply with this reporting requirement.

*E-Government Initiatives*

The amended bill does not include, without prejudice, a general provision proposed by the House on E-Government Initiatives. The Appropriations Committees direct that funds made available by title I that are used to implement E-Government initiatives should be subject to the procedures set forth in section 615 of this Act.

TITLE II—EXPORT AND INVESTMENT ASSISTANCE

EXPORT-IMPORT BANK OF THE UNITED STATES

INSPECTOR GENERAL

The amended bill provides \$1,000,000 for the Inspector General, as proposed by the House and Senate.

SUBSIDY APPROPRIATION

The amended bill provides \$68,000,000 for the Subsidy Appropriation, as proposed by the House and Senate.

The amended bill includes a provision proposed by the House and Senate that directs that not less than 10 percent of the authority available to the Export-Import Bank should be used for renewable energy and environmentally beneficial products and services. The provision applies this requirement to funding provided in this Act, rather than to this and prior Acts as proposed by the House and Senate.

ADMINISTRATIVE EXPENSES

The amended bill provides \$78,000,000 for Administrative Expenses, as proposed by the House and Senate.

RECEIPTS COLLECTED

The amended bill includes a new account, Receipts Collected, as proposed by the Senate. The House included no similar account.

The amended bill includes a provision as proposed by the Senate that allows the Export-Import Bank to offset expenses with collected receipts (reduce on a dollar-for-dollar basis to result in a final fiscal year appropriation from the General Fund estimated at \$0). The Export-Import Bank shall continue to provide timely information to the Appropriations Committees about its programs, and this new authority shall not be interpreted to reduce the Export-Import Bank's accountability to the Congress.

#### OVERSEAS PRIVATE INVESTMENT CORPORATION

##### NONCREDIT ACCOUNT

The amended bill provides \$47,500,000 for administrative expenses, as proposed by the House and Senate.

##### PROGRAM ACCOUNT

The amended bill provides \$23,500,000 for the Program Account, instead of \$20,000,000 as proposed by the House and \$29,000,000 as proposed by the Senate.

#### FUNDS APPROPRIATED TO THE PRESIDENT

##### TRADE AND DEVELOPMENT AGENCY

The amended bill provides \$50,400,000 for the Trade and Development Agency, as proposed by the House and Senate.

#### TITLE III—BILATERAL ECONOMIC ASSISTANCE

#### FUNDS APPROPRIATED TO THE PRESIDENT

##### GLOBAL HEALTH AND CHILD SURVIVAL

##### (INCLUDING TRANSFER OF FUNDS)

The amended bill includes a consolidated health account, entitled "Global Health and Child Survival," similar to that proposed by the Senate instead of "Child Survival and Health Programs Fund" as proposed by the House. This account includes a total of \$6,543,150,000 for global health activities, including \$1,843,150,000 to be apportioned directly to the United States Agency for International Development (USAID) and \$4,700,000,000 to be apportioned directly to the Department of State for the Office of the Global AIDS Coordinator (OGAC). Within the total, \$115,000,000 is designated an emergency pursuant to section 5 preceding division A of this Act.

The Appropriations Committees intend this account to clarify overall United States Federal government spending on global health programs, and in no way is the consolidated health account intended to change the authorities or implementation of global health programs. The Department of State should present funding for global health in a unified global health account in the fiscal year 2009 budget request.

The Appropriations Committees endorse language in House Report 110–197 regarding USAID's annual report on programs and activities carried out under this heading, which is to be submitted

and made publicly available not later than September 30, 2008. USAID is to consult with the Appropriations Committees on additional reporting requirements.

The Appropriations Committees endorse language in House Report 110–197 regarding USAID’s child survival and maternal health portfolio. USAID is to consult with the Appropriations Committees on additional reporting requirements. The amended bill clarifies the types of programs that can be funded through this account as proposed by the House and Senate.

Funds in this account are allocated in the following table, subject to the requirements of section 619:

GLOBAL HEALTH AND CHILD SURVIVAL

[Budget authority in thousands]

	<i>Budget Authority</i>
	<i>Total</i>
USAID Child Survival and Maternal Health .....	450,150
USAID Vulnerable Children .....	15,000
USAID Infectious Diseases .....	633,000
Tuberculosis .....	[153,000]
Malaria .....	[350,000]
Avian Influenza .....	[115,000]
Neglected Tropical Diseases .....	[15,000]
USAID Family Planning/Reproductive Health .....	395,000
USAID HIV/AIDS .....	350,000
DOS HIV/AIDS .....	4,700,000
Global Fund to Fight AIDS, Tuberculosis, and Malaria .....	[550,000]
 Total .....	 6,543,150

The amended bill provides a total of \$450,150,000 for child survival and maternal health programs, instead of \$450,000,000 as proposed by the Senate, and \$374,150,000 as proposed by the House.

Of the funding provided for child survival and maternal health programs, \$72,500,000 is provided for the GAVI Fund, instead of \$70,000,000 as proposed by the House and \$75,000,000 as proposed by the Senate.

Of the funding provided for child survival and maternal health programs, \$20,000,000 is provided for programs to reduce Vitamin A deficiency and \$2,000,000 is provided for programs to address iodine deficiency, implementation of the program for blind children, and local HIV/AIDS media programs, as proposed in Senate Report 110–128.

Of the funding provided for vulnerable children, \$1,850,000 is provided for childhood blindness programs, instead of \$1,800,000 as proposed by the House and \$1,900,000 as proposed by the Senate.

The amended bill provides \$633,000,000 for other infectious diseases, instead of \$641,000,000 as proposed by the House and \$724,675,000 as proposed by the Senate.

The amended bill provides \$153,000,000 for tuberculosis control as proposed by the House instead of \$200,000,000 as proposed by the Senate. Of this amount, \$15,000,000 shall be used for the Global Tuberculosis Drug Facility as proposed by the Senate.

The amended bill provides \$350,000,000 for malaria control as proposed by the House instead of \$355,005,000 as proposed by the Senate.

The amended bill provides \$32,000,000 for polio programs, as proposed by the House and Senate.

The amended bill provides \$115,000,000 for programs to combat avian influenza. Of this amount, \$15,000,000 is provided to enhance the preparedness of militaries in Asia and Africa to respond to an avian influenza pandemic. USAID shall consult with the Appropriations Committees on proposed activities prior to the initial obligation of funds.

The amended bill provides \$15,000,000 for neglected diseases as proposed by the House, instead of \$18,000,000 as proposed by the Senate.

The amended bill provides \$350,000,000 for USAID's HIV/AIDS programs as proposed by the House and Senate. Of this funding, \$45,000,000 is provided for microbicides research, as proposed by the House and Senate.

The amended bill provides \$395,000,000 for family planning/reproductive health within the funds available under this heading as proposed by the Senate, instead of \$375,000,000 as proposed by the House.

The amended bill does not include language proposed by the Senate regarding restrictions on family planning, abortion, and the purchase of condoms.

The amended bill includes the reporting requirement as proposed by the House.

The amended bill provides \$4,700,000,000 for global HIV/AIDS programs to be apportioned to the Department of State as proposed by the Senate. The House provided this funding under the "Global HIV/AIDS Initiative" and the "Child Survival and Health Programs Fund" headings. The Appropriations Committees intend for this funding to be implemented by OGAC. Of this amount, \$35,000,000 is provided for a United States contribution to the United Nations AIDS program (UNAIDS) and \$13,000,000 is provided for administrative expenses of the Office of the Global AIDS Coordinator as proposed by the Senate.

The amended bill provides \$550,000,000 for a United States contribution to the Global Fund, as proposed by the House instead of \$590,000,000 as proposed by the Senate. The House proposed funds in two separate accounts.

OGAC is directed to provide not less than \$100,000,000 for programs that address short-term and long-term approaches to food security as components of a comprehensive approach to fighting HIV/AIDS, and is encouraged to support programs that address the development and implementation of nutrition support, guidelines, and care services for people living with HIV/AIDS.

OGAC is directed to provide not less than \$150,000,000 for joint HIV/TB programs.

The amended bill does not include language proposed by the Senate that requires a health care workforce strategy for each country. OGAC should support efforts to train health care workers, including doctors, nurses, and community health professionals. Training programs should be continued and expanded, including pediatric training. OGAC should submit a report to the Appropriations Committees not later than 90 days after enactment of this Act describing plans for health care worker training in fiscal year 2008 and



how this training will improve overall public health programs in the 15 focus countries.

The amended bill includes a provision related to HIV/AIDS prevention programs under this heading as proposed by the Senate, rather than under the "Global HIV/AIDS Initiative" heading as proposed by the House.

The amended bill provides not less than fiscal year 2007 allocations under the "Child Survival and Health Programs Fund" heading for Cambodia, Philippines, Vietnam, Asia and Near East Regional, and Regional Development Mission/Asia from amounts allocated to USAID under this heading.

#### DEVELOPMENT ASSISTANCE

The amended bill provides \$1,636,881,000 for Development Assistance, instead of \$1,733,760,000 as proposed by the House and \$1,455,000,000 as proposed by the Senate.

The amended bill provides a total of \$700,000,000 for basic education, of which \$400,000,000 is from this account instead of \$519,000,000 as proposed by the House. The Senate did not include a similar provision. USAID is directed to provide an increase above the budget request for basic education programs in Ethiopia. The amended bill includes modified language in section 664 to establish the Coordinator for basic education programs, as proposed by the House.

The amended bill provides \$15,000,000 for women's leadership capacity programs, instead of \$35,000,000 as proposed by the House. The Senate did not include a similar provision. The amended bill provides that \$10,000,000 may be used for a fund that enhances economic opportunities for poor, very poor, and low-income women. The House and Senate did not include a similar provision.

The amended bill provides \$75,000,000 for programs that directly address the needs of Afghan women and girls. The Department of State and USAID are directed to give preferential attention to improving the livelihood and status of Afghan women, including women who have overcome discrimination and other cultural disadvantages to achieve positions of leadership, such as teachers, lawyers, health workers, judges, and members of Parliament. The Department of State and USAID are directed to ensure that eligible women receive the opportunity to participate in all training programs, and to target the use of reconstruction funds to improving facilities where women work, such as courtrooms.

The amended bill provides \$43,000 to monitor assistance programs for displaced and orphaned children and victims of war as proposed by the Senate instead of \$42,500 as proposed by the House.

The amended bill provides \$245,000,000 for microfinance and microenterprise development programs for the poor, especially women. As required by section 251(c) of the Foreign Assistance Act of 1961, USAID is to target half of all microfinance and microenterprise funds to the very poor. Fifty percent of the funds made available should be grants to private NGOs, networks, and practitioner institutions, and \$30,000,000 should be provided to USAID's Office of Microenterprise through a central funding mechanism for contracts, cooperative agreements, and grants. Of the total,

\$20,000,000 should be used for microfinance service providers working with people infected and affected by HIV/AIDS.

The amended bill provides \$28,000,000 for Collaborative Research Support Programs, as proposed by the House instead of \$29,000,000 as proposed by the Senate.

The Appropriations Committees endorse language in Senate Report 110–128 providing \$750,000 to support USAID activities underway with the Food Aid Quality Enhancement Program to improve food aid product quality and nutrient delivery, consistent with the authority in 7 U.S.C. section 1736g-2(a)(2)(c). The House did not include a similar provision.

The amended bill provides \$22,500,000 for the American Schools and Hospitals Abroad program, instead of \$23,000,000 as proposed by the House and \$22,000,000 as proposed by the Senate.

The amended bill provides not less than \$300,000,000 from all accounts in this Act for long-term safe drinking water and sanitation supply projects, including water management related to safe drinking water and sanitation, to be expended in accordance with the Senator Paul Simon Water for the Poor Act of 2005 (P.L. 109–121). This funding should be provided to high priority countries that are selected based on the criteria in P.L. 109–121. Of this amount, not less than \$150,000,000 should be from the “Development Assistance” account and of the total \$125,000,000 should be made available for programs and activities in sub-Saharan Africa. The funding appropriated under the heading “International Disaster Assistance” should be used for international disaster relief, rehabilitation, and reconstruction assistance and USAID is discouraged from using that account for long-term safe drinking water and sanitation supply projects.

The amended bill includes a House provision related to gender-based violence. USAID is directed to fund programs and activities that provide education and training for livelihoods; support to affected children and families, including for children who accompany a family member to a medical facility; enhanced security for vulnerable populations; and comprehensive gender-based violence prevention education and training. These programs should be coordinated with health programs funded through the “Global Health and Child Survival” account that develop sustainable health systems, including training more healthcare workers in midwifery; psychological services; and support to medical facilities treating victims of violence. The Senate did not include a similar provision.

USAID is directed to provide \$12,000,000 for the cooperative development programs within the Office of Private and Voluntary Cooperation as proposed by the Senate. The House did not include a similar provision.

USAID is directed to provide \$195,000,000 for programs that promote energy efficiency, and renewable and cleaner technology as proposed by the Senate. The House included a similar recommendation.

USAID is directed to provide no less than the fiscal year 2007 funding levels for Western Hemisphere country programs rather than fiscal year 2006 funding levels as proposed by the House and Senate.

USAID is directed to provide not less than the funding levels for Afghanistan, the Democratic Republic of the Congo, Liberia, Pakistan, and Sudan under this heading in House Report 110–197. The Senate did not include a similar provision.

The amended bill includes \$195,000,000 for biodiversity conservation programs and activities, as proposed by the Senate instead of \$175,000,000 as proposed by the House. The Appropriations Committees note that USAID has not always disbursed biodiversity funds in a strategic way that targets the most urgent threats to global biodiversity loss. The USAID Administrator is directed to submit a report to the Appropriations Committees not later than 90 days after enactment of this Act, describing the key threats to biodiversity that USAID plans to address in fiscal year 2008, targeted countries, proposed funding levels, proposed recipients, and specific benchmarks for success. The report should also include an analysis and assessment of the impact of USAID's programs on local communities, wildlife, and fauna and how USAID intends to address these impacts.

Funding is provided for the Amazon Basin Conservation Initiative as proposed in Senate Report 110–128, and additional funding should be provided to support conservation activities through organizations that work to build the capacity of indigenous communities to manage and protect their reserves, particularly on-going programs in Brazil.

The Appropriations Committees endorse language in House Report 110–197 encouraging USAID to establish an institute for agriculture and natural resource management in southern Sudan, which should be named after the late John Garang de Mabior. The Senate did not include a similar provision.

USAID should implement a program to encourage the return of the Sudanese Lost Boys and Lost Girls to southern Sudan as outlined in House Report 110–197, but for a period of return of three years, instead of five years. The Senate did not include a similar provision.

USAID is directed to provide \$14,000,000 for the Patrick Leahy War Victims Fund, for medical and rehabilitation assistance, vocational, and other training for persons who are disabled as a result of armed conflict. USAID is urged to convene workshops and meetings to promote the exchange of conceptual approaches, experience, and best practices among private voluntary organizations, community activists, business enterprises, and government entities involved in community development on behalf of persons who have been disabled and disadvantaged as a result of war. USAID has supported innovative income generating projects involving such persons in need in Lebanon and other countries, and is directed to allocate additional funds so these experiences can be shared and replicated.

The amended bill provides not less than the fiscal year 2007 allocations for Cambodia, the Philippines, Vietnam, Asia and Near East Regional, and Regional Development Mission/Asia under this account.

The Appropriations Committees support language as proposed by House Report 110–197 and Senate Report 110–128 for a competi-

tive university grants program. USAID should consider the following proposals:

Alabama A&M University to research ion surface-processing in collaboration with Ege University in Turkey;

Ava Marie University's Nicaragua branch to improve their library;

Azusa Pacific University to establish a Masters of Arts program in Transformation Urban Leadership in India;

Brandeis University to fund the International Center for Democracy and Governance;

Cal Arts' Life Matters Media Center APEX;

CAMERA Center for Educational Excellence to use university expertise to elevate the condition of the Caribbean people;

DeKalb International Training Center for training student athletes from newly emerging democracies;

EARTH University Foundation to train leaders in small business in Latin America, Africa, and Asia;

Fordham University Law School to train foreign officials and judges in rule of law;

Franklin Pierce University in conjunction with the Luhansk National Pedagogical University in Ukraine for business education;

Georgetown University School of Law's International Law Institute to expand an international exchanges program on the judiciary and court systems in developing countries;

Georgia State University to establish advanced degree programs in partnership with Georgian, Azerbaijani, and Ukrainian universities;

Highline Community College for a partnership program with several colleges in South Africa and Namibia;

Indiana University at Bloomington to establish a database of Burmese human rights abuses;

Iowa State University to establish a program to reduce poverty in Mexico;

LaRoche College's Pacem In Terris program to provide educational opportunities to students from Africa;

Loma Linda University, California, to expand its medical education and health care programs in developing countries, including the refurbishment of the Wazir Akbar Khan Hospital in Kabul, Afghanistan;

Louisiana State University Law Center to establish the Louisiana State University/Latin American Commercial Law Program;

Marquette University to support the Les Aspin Center to train Liberian government and civil society leaders;

Monmouth University Department of Social Work to assist in establishing a long-term, school-based Social Work Initiative for children in Ghana;

Monmouth University to support social work in Ghana focusing on anti-trafficking activities;

Monmouth University in conjunction with the University of Ghana, to increase primary school enrollment and performance;

New Mexico State University Intercultural Communication and Conflict Science Initiative;

New Mexico State University to facilitate on-line communication between American and Mexican students, as well as Israeli and Palestinian students, concerning issues of mutual interest;

New School: India China Institute to engage in a comprehensive study regarding the growing migration crisis in China and India;

Northeastern University to support the Athletes for Human Rights initiative;

Ohio Wesleyan University to maintain international scholastic cooperation;

South Dakota School of Mines and Technology, the India Sri Ramakrishna Engineering College, and the Sri Ramakrishna Institute of Technology to support collaboration;

State University of New York College of Technology at Delhi to support the Nurse Education and Training Program for the Republic of Georgia;

Temple University to expand the criminal law procedure program with Tsinghua University;

Texas A&M University to lead a consortium of universities to assist the government of Afghanistan to develop an agricultural extension service;

Texas A&M University and other partnering universities for the Norman E. Borlaug International Science and Technology Fellows Program;

Texas A&M University to expand a criminal justice research and training effort for the prevention of cross-border criminal activities;

University of Alabama to create an industry-oriented Central American regional export association;

University of Alabama to establish a pilot program which will promote Central American food products in foreign markets and increase exports;

University of Arizona to implement the International Arid Lands Consortium;

University Business Education Partnership to build a partnership with universities in the Republic of Georgia, Azerbaijan, and the Ukraine;

University of California affiliated with the American University of Armenia;

University of Hawaii at Honolulu to establish the first Global Non-Killing Leadership Forum;

University of Hawaii at Manoa to establish an American Development Center;

University of Hawaii at Manoa in conjunction with universities in Northern Iraq and in the United States to train a diverse cadre of workers in Iraq in technical skills to promote reconstruction and self-sufficiency;

University of Iowa to support the Center for Digital Communications in Development and Education's WiderNet Project to improve primary and secondary education in Africa;

University of Iowa to train teachers and educational administrators in Timor-Leste;

University of Kentucky for coal mine safety programs in the former Soviet Union;

University of Kentucky's College of Law for programs in the former Soviet Union, East and South Asia, Latin America, and elsewhere;

University of Kentucky in conjunction with Indonesian universities, to further economic development in Indonesia;

University of Massachusetts to support programs that assist countries with developing democracies establish sound legal systems;

University of Miami to continue a collaborative initiative to improve child health in Ukraine;

University of Missouri at Columbia to apply biotechnology to grain legumes to improve nutrition in Vietnam;

University of Nebraska at Lincoln to develop a joint program with the Gimlekollen School of Journalism & Communication in Norway and the Government of Norway to train journalists from Ethiopia and Kosovo;

University of Nebraska at Omaha for a community-based education program to provide teacher and vocational training in Afghanistan;

University of Nebraska at Omaha for a community-based education project in Afghanistan, and a proposal to support the Afghanistan Young Leaders Program;

University of Notre Dame to continue work to eliminate lymphatic filariasis in Haiti;

University of Southern California Annenberg School to examine how Arab youth obtain the information that shapes their lives and world views;

University of Texas at San Antonio to develop a model program that focuses on youthful audiences that will learn and teach their peers how to engage in strategic and constructive peaceful dialogue;

Utah State University in conjunction with Texas A&M University, to develop an irrigation research, education, and training program in the Middle East;

Utah Valley State College to establish an AIDS Awareness and Action Center to work in Ghana;

Virginia Polytechnic Institute to provide agricultural and natural resource technical support to institutes of higher learning in South Sudan;

Western Kentucky University for the continued funding of an international journalist training program; and

Western Kentucky University to address environmental health issues in China.

#### INTERNATIONAL DISASTER ASSISTANCE

The amended bill provides \$432,350,000 for International Disaster Assistance, instead of \$322,350,000 as proposed by the House and Senate, of which \$110,000,000 is designated an emergency pursuant to section 5 preceding division A of this Act.

The amended bill includes additional funds above both the House and Senate levels to support the growing humanitarian needs of persons affected by violence in Iraq and to ensure sufficient resources are available to rapidly provide relief, rehabilitation, and reconstruction assistance to countries affected by natural and man-made disasters.

The amended bill includes the heading “International Disaster Assistance,” as proposed by the Senate. The House had included the heading carried in prior years, “International Disaster and Famine Assistance.”

The Appropriations Committees endorse language in House Report 110–197 regarding a pilot study to evaluate the relative advantages of purchasing local food commodities.

#### TRANSITION INITIATIVES

The amended bill provides \$45,000,000 for Transition Initiatives, instead of \$40,000,000 as proposed by the House and \$50,000,000 as proposed by the Senate.

The amended bill includes a provision that allows a transfer of \$15,000,000 to provide transition assistance as proposed by the Senate. The House did not include a similar provision.

#### DEVELOPMENT CREDIT AUTHORITY

##### (INCLUDING TRANSFER OF FUNDS)

The amended bill provides \$8,160,000 for the administrative expenses of the Development Credit Authority, instead of \$7,400,000 as proposed by the House and \$8,920,000 as proposed by the Senate. In addition, \$21,000,000 is provided by transfer for programs, as proposed by the House and Senate.

#### OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

##### (INCLUDING TRANSFER OF FUNDS)

The amended bill provides \$655,800,000 for Operating Expenses of USAID, instead of \$625,700,000 as proposed by the House and \$645,700,000 as proposed by the Senate. Within the total, \$20,800,000 is designated an emergency pursuant to section 5 preceding division A of this Act.

The amended bill includes the provision related to opening, closing or reducing the size of an overseas mission, as proposed by the Senate. The House included a similar provision.

The amended bill does not include the provisions related to the leasing of office space as proposed by the House. The Senate did not include similar provisions.

#### CAPITAL INVESTMENT FUND OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

The amended bill provides \$88,000,000 for USAID’s Capital Investment Fund, instead of \$87,300,000 as proposed by the House and \$90,508,000 as proposed by the Senate.

USAID shall provide a spending plan to the Appropriations Committees not later than 60 days after enactment of this Act as to the allocation of this funding.

OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR  
INTERNATIONAL DEVELOPMENT OFFICE OF INSPECTOR GENERAL

The amended bill provides \$38,000,000 for Operating Expenses of the USAID Office of Inspector General, the same as proposed by the House and Senate.

OTHER BILATERAL ECONOMIC ASSISTANCE

ECONOMIC SUPPORT FUND

(INCLUDING TRANSFER OF FUNDS)

The amended bill provides \$2,994,823,000 under the Economic Support Fund heading, instead of \$2,668,206,000 as proposed by the House and \$3,015,000,000 as proposed by the Senate. Of this amount, \$542,568,000 is designated an emergency pursuant to section 5 preceding division A of this Act for urgent assistance requirements in the West Bank, North Korea, Jordan, and Afghanistan.

Funds in this account are allocated in the following table, subject to the requirements of section 619:

ECONOMIC SUPPORT FUND

[Budget Authority in thousands of dollars]

<i>Country / Program</i>	<i>Budget Authority Total</i>
Africa	
Democratic Republic of the Congo .....	\$19,000
Liberia .....	43,545
Sierra Leone (Special Court) .....	12,500
Sudan .....	101,700
East Asia and the Pacific	
Burma .....	13,000
Cambodia .....	15,000
Indonesia .....	65,000
North Korea .....	53,000
Philippines .....	28,000
Tibet/China .....	5,000
Democracy Training and Education .....	[250]
Timor-Leste .....	17,000
Vietnam .....	10,700
Europe and Eurasia	
Cyprus .....	11,000
Irish Visa Program .....	1,000
Near East	
Egypt .....	415,000
Iran .....	21,800
Jordan .....	363,547
Lebanon .....	45,000
Scholarships for American Ed. Institutions .....	[10,000]
Morocco .....	16,500
Tunisia .....	2,000
West Bank/Gaza .....	218,500
Middle East Partnership Initiative .....	55,000
Scholarships .....	[7,000]
Iraqi Scholars .....	[10,000]
Middle East Regional Cooperation .....	5,000



<i>Country/Program</i>	<i>Budget Authority Total</i>
South Asia	
Afghanistan .....	543,000
Women and Girls .....	[75,000]
Afghan Civilian Assistance .....	[10,000]
India .....	3,000
Nepal .....	9,500
Women in Parliament and Civil Society .....	[2,000]
Pakistan .....	350,000
Human Rights, Rule of Law, and Democracy Programs .....	[15,000]
Western Hemisphere	
Bolivia .....	17,000
Colombia .....	196,000
Cuba .....	45,700
Dominican Republic .....	15,000
Ecuador .....	6,000
Guatemala .....	12,000
Anti-violence Programs .....	[1,000]
International Commission Against Impunity in Guatemala .....	[4,000]
Haiti .....	68,394
Justice Reform Activities .....	[1,000]
Watershed Restoration .....	[5,000]
Mexico .....	12,000
Peru .....	30,000
Labor and Environment .....	[6,000]
Trade Capacity Building .....	10,000
Global	
Disability Programs .....	4,000
East Asia and the Pacific Environment Program .....	2,500
Extractive Industries Transparency .....	3,000
East Europe and the Independent States—Title VIII Program .....	5,000
Forensic Assistance .....	5,000
House Democracy Assistance program .....	2,000
Kimberley Process .....	3,000
Marla Ruzicka Fund .....	5,000
Reconciliation Programs .....	25,000
Middle East .....	[9,000]
Trafficking in Persons .....	12,000
Wheelchairs .....	5,000
Total .....	2,926,886

The amended bill provides not less than \$415,000,000 for assistance for Egypt, as proposed by the House and Senate. Of this amount, \$135,000,000 shall be for project assistance, of which not less than \$20,000,000 is for democracy, human rights, and governance programs and not less than \$50,000,000 is for education programs, including \$10,000,000 for scholarships for Egyptian students with high financial need. Similar language and directives were proposed by the House and Senate.

The amended bill provides \$11,000,000 for assistance for Cyprus, to be used only for certain purposes, similar to language proposed by the House and Senate.

The amended bill provides \$363,547,000 for assistance for Jordan the same as proposed by the Senate, instead of \$263,547,000 as proposed by the House. In addition, the amended bill authorizes up to \$40,000,000 of the assistance for Jordan to be transferred to funds appropriated by this Act under the heading “Debt Restructuring” for reducing or cancelling amounts owed to the United States or any agency of the United States by the Hashemite Kingdom of Jordan. The Appropriations Committees endorse language

in Senate Report 110–128 regarding the uses of additional assistance for Jordan.

The amended bill provides \$218,500,000 for assistance for the West Bank and Gaza, of which \$2,000,000 may be used for administrative expenses of USAID to facilitate program implementation. The amended bill also includes new language establishing strict conditions on the use, fiscal management, and audit requirements of any funds made available under this heading for cash transfer assistance to the Palestinian Authority and makes the cash transfer assistance subject to the regular notification procedures of the Appropriations Committees.

The amended bill provides \$45,000,000 for assistance for Lebanon, of which not less than \$10,000,000 should be made available for scholarships and support of American educational institutions in Lebanon, as proposed by the House and Senate.

The amended bill provides \$500,000 for United States Forest Service's forest management and wildlife conservation programs in Lebanon.

The amended bill provides that not more than \$300,000,000 of the funds available for Afghanistan under this heading may be obligated for assistance until the Secretary of State certifies that the Government of Afghanistan is cooperating fully with United States poppy eradication and interdiction efforts in Afghanistan or unless the Secretary waives the application of the proviso if the Secretary determines and reports that it is in the national security interests of the United States, as proposed by the House. The Senate did not include a similar provision.

The amended bill includes language similar to that proposed by the House, which provides not less than \$196,000,000 to carry out alternative development/institution building and sustainable development programs in Colombia. Of this amount: up to \$15,000,000 may be made available for economic development activities in Afro-Colombian and indigenous communities; not less than \$5,000,000 shall be made available to protect biodiversity in Colombia's national parks and indigenous reserves; not less than \$1,700,000 shall be made available to the Organization of American States mission to monitor the demobilization and reintegration of former combatants in Colombia; and not less than \$300,000 is available to the Inter-American Commission on Human Rights to conduct monitoring of the demobilization process. The amended bill directs that the assistance for Colombia shall be apportioned directly to USAID and may be transferred and merged with funds under the heading "Development Assistance." The Appropriations Committees direct that the responsibility for deciding the activities to be funded, the funding levels and policy decisions concerning the program shall be the responsibility of the USAID Administrator in consultation with the Assistant Secretary of State for International Narcotics and Law Enforcement Affairs.

The amended bill provides that up to \$1,000,000 may be available for administrative expenses of USAID to help carry out the assistance programs in the Democratic Republic of Timor-Leste, as proposed by the Senate. The House included a similar provision.

The amended bill includes language providing the authority to carry out certain assistance for the Central Highlands of Vietnam, similar to language proposed by both the House and Senate.

The amended bill includes a provision subjecting any funds that are made available for a Middle East Financing Facility, Middle East Enterprise Fund, or any other similar entity in the Middle East to the regular notification procedures of the Appropriations Committees, as proposed by the House and Senate.

The amended bill includes funding for programs to promote democracy and human rights in North Korea under the heading "Democracy Fund" and not under this heading, as proposed by the Senate.

The amended bill provides \$53,000,000 for energy-related assistance for North Korea, subject to the regular notification procedures of the Appropriations Committees.

The Appropriations Committees direct USAID to provide up to \$74,900,000 for global health and child survival programs under this heading, of which \$20,700,000 is for child survival and maternal health; \$47,200,000 is for family planning/reproductive health; \$4,000,000 is for HIV/AIDS; \$500,000 is for tuberculosis; and \$2,500,000 is for malaria programs.

The amended bill provides not less than \$5,000,000 for wheelchair programs in developing countries. The funding for wheelchair programs shall be allocated through a fully open and competitive process based on merit.

The Appropriations Committees support the use of prior year funds, as proposed by the House, to assist religious minorities in the Nineveh Plain region of Iraq, and direct that prior to the obligation of funds, the Department of State consult with ethno-religious minorities and locally-elected representatives to identify Iraq-based non-governmental organizations to implement these programs.

The Appropriations Committees are concerned about the threat to the existence of Iraq's most vulnerable minorities, particularly the Assyrian/Chaldean/Syriac Christians, who are confronting ethno-religious cleansing in Iraq. The Appropriations Committees expect the Department of State and USAID to designate a point person within the Department to focus, coordinate, and improve United States Government efforts to provide for these minorities' humanitarian, security, and development needs.

USAID and the United States Forest Service should continue to collaborate with Greece to improve wild land fire management and emergency management.

The amended bill provides \$5,000,000 for programs to locate and identify persons missing as a result of armed conflict and violations of human rights, to be administered by the Bureau for Democracy, Human Rights and Labor, Department of State (DRL). The Department of State shall use these funds for equipment and training for forensic teams involved in investigations of war crimes, crimes against humanity, and genocide. The House did not include a similar provision.

The amended bill does not include language proposed by the Senate providing not more than \$500,000 should be made available for the Department of Energy's National Nuclear Security Administra-

tion to support initiatives relating to North Korea. The Department of State is directed to make \$500,000 available for this purpose.

The amended bill does not include funding for the Asia Pacific Partnership in fiscal year 2008.

The amended bill provides \$13,000,000 for assistance for democracy and humanitarian programs in Burma and along the Thai-Burma border. The Appropriations Committees condemn the State Peace and Development Council's brutal crackdown on democracy and other activists in Burma, and request the Department of State to consult on the uses of funds provided above the fiscal year 2007 enacted level.

The Appropriations Committees endorse language in Senate Report 110-128 regarding corrupt Cambodian officials and Presidential Proclamation 7750. As in previous years, the Appropriations Committees direct that \$15,000,000 for assistance for Cambodia shall be made available to support democracy, the rule of law, and human rights in Cambodia, including for democratic political parties.

The Appropriations Committees recommend that funds provided to support democracy and human rights in Iran should also be used to support groups, organizations, and individuals in the Middle East who adhere to democratic principles and who may counter in a nonviolent manner the meddling of Iran in the domestic political affairs of neighboring countries. The Appropriations Committees direct that the Director of United States Foreign Assistance shall have responsibility for the programmatic and financial oversight of Iran programs implemented by the Bureau of Near Eastern Affairs at the Department of State.

The amended bill provides \$350,000,000 for assistance for Pakistan, of which \$15,000,000 is for human rights and democracy programs. The Appropriations Committees note that up to \$50,900,000 is available for assistance for Pakistan under the "Development Assistance" heading.

The amended bill provides \$10,000,000 to rescue scholars in Iraq. The Department of State is directed to consult with the Appropriations Committees on the uses of these funds, including to continue existing programs and to expand placement opportunities for scholars in the region.

The amended bill provides not less than \$28,000,000 for assistance for the Philippines, instead of \$20,000,000 as proposed by the House and \$30,000,000 as proposed by the Senate.

The amended bill provides not less than \$10,700,000 for assistance for Vietnam as proposed by the Senate, instead of \$5,000,000 as proposed by the House, to support a wide range of ongoing programs.

The amended bill provides not less than \$9,500,000 for assistance for Nepal. These funds are to be used to support implementation of the peace agreement, including democratic elections, training, and capacity building to promote the role of women in Parliament and civil society, and to provide economic opportunities for Nepal's rural poor.

The amended bill provides \$5,000,000 for the fund established by section 2108 of Public Law 109-13, the Marla Ruzicka Iraqi War

Victims Fund, as proposed by the Senate. The House did not include a similar provision. This fund is administered by USAID.

The amended bill provides not less than \$3,000,000 for a United States contribution to the Extractive Industries Transparency Initiative Trust Fund, as proposed by the Senate instead of \$1,000,000 as proposed by the House.

The amended bill provides not less than \$3,000,000 to support implementation of the Kimberley Process Certification Scheme, with an emphasis on support for regional efforts to combat cross-border smuggling and for monitoring by civil society groups, as proposed by the Senate. The House included no similar provision.

The amended bill provides \$5,000,000 to support USAID's watershed reforestation program to stabilize Haiti's fragile hillsides and support sustainable agriculture.

INTERNATIONAL FUND FOR IRELAND

The amended bill provides \$15,000,000 for the International Fund for Ireland, as proposed by the House. The Senate did not include funding for this program.

ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC STATES

The amended bill provides \$295,950,000 for Assistance for Eastern Europe and the Baltic States, instead of \$297,332,000 as proposed by the House and \$294,568,000 as proposed by the Senate.

The Appropriations Committees direct USAID to provide up to \$2,400,000 for global health and child survival under this account, of which \$700,000 is for child survival and maternal health, and \$1,700,000 is for family planning/reproductive health programs.

Funds in this account are allocated in the following table, subject to the requirements of section 619:

ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC STATES

[Budget authority, dollars in thousands]

	<i>Budget Authority</i>
	<i>Total</i>
Albania .....	\$18,000
Bosnia and Herzegovina .....	28,000
Kosovo .....	148,000
Macedonia .....	22,000
Montenegro .....	8,000
Serbia .....	54,000
Europe, Regional .....	17,950
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Total .....	295,950

ASSISTANCE FOR THE INDEPENDENT STATES OF THE FORMER SOVIET UNION

The amended bill provides \$399,735,000 for Assistance for the Independent States of the Former Soviet Union, instead of \$397,585,000 as proposed by the House and \$401,885,000 as proposed by the Senate.

The Appropriations Committees direct USAID to provide up to \$47,229,000 for global health and child survival programs, of which \$5,119,000 is for child survival and maternal health; \$10,110,000 is for family planning/reproductive health programs; \$22,000,000 is

for HIV/AIDS programs; and \$10,000,000 is for infectious disease programs.

The Appropriations Committees continue to be concerned with the downward spiral of democracy and personal freedoms in Russia. The Appropriations Committees believe that the Cold War rhetoric of the Russian President undermines United States-Russian relations, and his crackdown on political opposition, civil society, and journalists erodes that country's democratic achievements since the end of the Cold War.

Funds in this account are allocated in the following table, subject to the requirements of section 619:

ASSISTANCE FOR THE INDEPENDENT STATES OF THE FORMER SOVIET  
UNION

[Budget authority, dollars in thousands]

	<i>Budget Authority Total</i>
Europe and Eurasia	
Armenia .....	\$58,500
Azerbaijan .....	19,000
Belarus .....	10,275
Georgia .....	50,500
Moldova .....	14,300
Russia .....	72,225
Ukraine .....	73,000
Europe/Eurasia Regional .....	18,711
Subtotal, Europe and Eurasia .....	316,511
South and Central Asia	
Kazakhstan .....	15,000
Kyrgyz Republic .....	25,250
Tajikistan .....	26,000
Turkmenistan .....	5,500
Uzbekistan .....	8,474
Central Asia Regional .....	3,000
Subtotal, South and Central Asia .....	83,224
Total .....	399,735

The amended bill provides \$500,000 for United States Forest Service programs in the Russian Far East, as proposed by the Senate. The Appropriations Committees endorse language in Senate Report 110-128 on this issue. The House did not include a similar provision.

The amended bill provides \$8,000,000 for humanitarian, conflict mitigation, human rights, civil society and relief and recovery assistance for Chechnya, Ingushetia, Dagestan, and North Ossetia-Alania in the North Caucasus, as proposed by the Senate. The House did not include a similar provision.

INDEPENDENT AGENCIES

INTER-AMERICAN FOUNDATION

The amended bill provides \$21,000,000 for the Inter-American Foundation, instead of \$19,000,000 as proposed by the House and \$22,000,000 as proposed by the Senate.

## AFRICAN DEVELOPMENT FOUNDATION

The amended bill provides \$30,000,000 for the African Development Foundation, as proposed by the House and Senate.

## PEACE CORPS

## (INCLUDING TRANSFER OF FUNDS)

The amended bill provides \$333,500,000 for the Peace Corps, as proposed by the House and the Senate.

The Appropriations Committees direct the Peace Corps to assign volunteers in a cost effective manner and provide priority to countries with which the United States has important foreign policy interests, and where there is hostility toward the United States, including in predominantly Muslim countries and the former Soviet republics. The Peace Corps is directed to examine, in consultation with the Appropriations Committees, its assignments of volunteers in the context of changed circumstances since 2001 and to submit a report to the Appropriations Committees not later than 90 days after enactment of this Act on its planned assignments of volunteers for fiscal years 2008 and 2009.

## MILLENNIUM CHALLENGE CORPORATION

The amended bill provides \$1,557,000,000 for the Millennium Challenge Corporation (MCC), instead of \$1,800,000,000 as proposed by the House and \$1,200,000,000 as proposed by the Senate.

The Appropriations Committees direct the MCC to ensure that compact goals and objectives are realistic and attainable, and that oversight of programs is sufficient. The MCC shall report to the Appropriations Committees not later than 90 days after enactment of this Act on the steps it is taking to improve disbursement while ensuring adequate oversight and appropriate country ownership.

The Appropriations Committees are concerned with the initial findings by the Comptroller General that some compacts are falling short of stated objectives (GAO-07-909). The amended bill includes language in section 668, similar to that proposed by the Senate, regarding a Comptroller General assessment of financial controls and programmatic results of MCC activities.

The amended bill includes a new paragraph in section 699I that requires a report on the proposed uses, on a country-by-country basis of all funds projected to be obligated and expended by the MCC in fiscal year 2008. This is a new provision.

## DEPARTMENT OF STATE

## GLOBAL HIV/AIDS INITIATIVE

The amended bill includes funding for global HIV/AIDS programs implemented by OGAC under the "Global Health and Child Survival" heading as proposed by the Senate. The House proposed funds for global HIV/AIDS managed by OGAC under this heading.

## DEMOCRACY FUND

The amended bill provides \$164,000,000 for the Democracy Fund, instead of \$177,000,000 as proposed by the Senate. Of this amount,

\$64,000,000 is for the Department of State’s Human Rights and Democracy Fund (HRDF) and \$100,000,000 is for NED. The House included funds for democracy programs under other headings in the bill.

Funds in this account are allocated in the following table, subject to the requirements of section 619:

HUMAN RIGHTS AND DEMOCRACY FUND

[Budget authority, dollars in thousands]

	<i>Budget Authority</i>
	<i>Total</i>
China, Hong Kong, Taiwan .....	\$15,000
Islamic countries (outside Middle East) .....	5,000
Syria .....	1,000
Iran .....	8,000
Internet Freedom .....	15,000
North Korea .....	3,000
Religious Freedom .....	4,000
HRDF-Global .....	13,000
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Total .....	64,000

DRL is directed to maintain its focus, creativity, and ability to respond to opportunities to promote democracy and human rights overseas. Reports have emerged of excessive bureaucracy and lack of strategic focus within the bureau, which unnecessarily hampers responsiveness and effectiveness of programs.

A total of \$4,000,000 is provided for programs that promote international religious freedom and these programs should be implemented as outlined in House Report 110–197. The Department of State should consult with the Appropriations Committees prior to the initial obligation of funds.

The Appropriations Committees endorse concerns with internet freedom contained in House Report 110–197, and provide \$15,000,000 for a competitively awarded grant program to provide anti-censorship tools and services for the advancement of information freedom in closed societies, including the Middle East and Asia. DRL should ensure that recipients of funds employ internet technology programs and protocols that facilitate and promote widespread and secure internet use. Such programs should be field tested and have the capacity to support large numbers of users simultaneously in a hostile internet environment. The Department of State should consult with the Appropriations Committees prior to the initial obligation of funds. In addition to amounts provided under this heading, \$2,000,000 is included under the “Broadcasting Board of Governors, International Broadcasting Operations” heading.

The amended bill does not include the provisos regarding specific authorities for the Assistant Secretary of State for Democracy, Human Rights, and Labor as proposed by the Senate.

Funds in this account are allocated in the following table, subject to the requirements of section 619:



NATIONAL ENDOWMENT FOR DEMOCRACY-CORE

[Budget authority, dollars in thousands]

	<i>Budget Authority</i>
	<i>Total</i>
Africa .....	\$16,750
Asia .....	17,250
Middle East .....	17,000
Central and Eastern Europe .....	5,000
Independent States of the Former Soviet Union .....	14,000
Latin America/Caribbean .....	12,000
Multiregional .....	6,500
Administration .....	9,500
Democratic Activities .....	2,000
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National Endowment for Democracy Core .....	100,000

The NED is expected to apportion these additional core funds in the traditional and customary fashion among the core institutes.

The NED should receive an additional \$11,000,000 from other accounts in this Act to continue ongoing programs, including the Reagan-Fascell Democracy Fellowship program and the World Movement for Democracy, and activities in Burma, Russia, Cuba, and elsewhere. The Department of State is expected to consult with the Appropriations Committees not later than 90 days after enactment of this Act on this additional funding.

The amended bill includes the proviso defining democracy programs, as proposed by the Senate, which is intended to assist the Administration in determining what constitutes such programs.

The amended bill includes a provision as proposed by the Senate that requires that any contract, grant, or cooperative agreement in excess of \$2,500,000 for the promotion of democracy shall be subject to the regular notification procedures of the Appropriations Committees. The House did not have a similar provision.

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

(INCLUDING TRANSFER OF FUNDS)

The amended bill provides \$558,449,000 for International Narcotics Control and Law Enforcement (INCLE), as proposed by the Senate, instead of \$568,475,000 as proposed by the House.

The amended bill includes a provision, similar to that proposed by the House, prohibiting assistance for aerial spraying in Afghanistan. The Senate did not include a similar provision. The Appropriations Committees note that the Government of Afghanistan (GoA) does not support the use of spraying to counter the drug trade in Afghanistan, and will revisit this issue should the GoA's position change.

The amended bill includes not less than \$39,750,000 for judicial, human rights, rule of law and related activities in Colombia.

The amended bill does not include provisions proposed by the House related to demand reduction programs and programs to combat transnational crime and criminal youth gangs. The Senate did not include similar provisions.

The amended bill does not include a provision related to programs that combat anti-trafficking in persons, as proposed by the Senate.

The amended bill does not include provisions proposed by the House and Senate making INCLE funding available for activities and training programs at the International Law Enforcement Training Academies.

Funds in this account are allocated in the following table, subject to the requirements of section 619:

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

[Budget authority, dollars in thousands]

	<i>Budget Authority</i>
	<i>Total</i>
Colombia .....	\$39,250
Afghanistan .....	274,800
INL Anticrime Programs .....	12,000
Civilian Police Programs .....	2,000
Criminal Youth Gangs .....	8,000
Demand Reduction .....	12,000
International Law Enforcement Academies .....	19,000
International Organizations .....	4,000
Interregional Aviation Support .....	55,100
Program Development and Support .....	19,500
Trafficking in Persons .....	6,000
Administrative Expenses .....	\$38,000
Other Countries and Programs .....	68,799
<b>Total .....</b>	<b>558,449</b>

The amended bill provides not more than \$38,000,000 for administrative expenses at the Department of State, which does not include funding for Iraq administrative expenses.

The amended bill does not include a provision proposed by the Senate regarding kidnapped United States citizens. The Appropriations Committees direct the Department of State to make funds available to support the efforts of foreign law enforcement authorities to locate United States citizens who have been kidnapped in, or are otherwise missing from, areas affected by violent drug trafficking.

The Appropriations Committees believe that the Jordan International Police Training Center (JIPTC) is underutilized in meeting law enforcement, border, and security training needs throughout the region, including personnel from Lebanon and the West Bank. Therefore, the Department of State is directed, after consultation with the Government of Jordan, to submit a plan on the uses of JIPTC, as proposed by the Senate, no later than April 1, 2008. The plan should include a cost analysis on using the Center for such purposes over a five-year period.

ANDEAN COUNTERDRUG PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

The amended bill provides \$327,460,000 for Andean Counterdrug Programs, instead of \$312,460,000 as proposed by the House and \$415,050,000 as proposed by the Senate.

The amended bill continues current law with regard to a unified campaign against narcotics traffickers and foreign terrorist organizations, and the prohibition against United States Armed Forces personnel or civilian contractors employed by the United States government from participating in any combat operations.

The amended bill includes a modified provision proposed by both the House and Senate that rotary and fixed wing aircraft supported by funding from this heading may be used for aerial and manual drug eradication and interdiction efforts to include transport of personnel and supplies, support of alternative development programs and investigations by the Colombian Attorney General's, Prosecutor General's and Public Defender's offices.

The amended bill allows a transfer of up to \$2,500,000 of funds to the "Foreign Military Financing Program" heading for the Colombian Armed Forces to provide security for manual eradication efforts similar to that proposed by the Senate. The amended bill also allows a transfer of up to \$2,500,000 to the heading "International Narcotics Control and Law Enforcement" for the Colombian National Police to provide security for manual eradication efforts.

The amended bill continues current law with regard to certification requirements on aerial spraying in Colombia and prohibits the availability of funds under this heading for the cultivation or processing of African oil palm if doing so contributes to environmental degradation or forced displacement of the local populace as proposed by the Senate.

Funds in this account are allocated in the following table, subject to the requirements of section 619:

#### ANDEAN COUNTERDRUG PROGRAM

[Budget authority, dollars in thousands]

	<i>Budget Authority Total</i>
Bolivia	
Interdiction .....	\$30,000
Subtotal—Bolivia .....	30,000
Colombia	
Interdiction & Eradication .....	251,616
Transfer to FMF .....	[2,500]
Transfer to INCLE .....	[2,500]
Subtotal—Colombia .....	251,616
Ecuador	
Interdiction .....	7,000
Subtotal—Ecuador .....	7,000
Peru	
Interdiction .....	36,844
Subtotal—Peru .....	36,844
Brazil .....	1,000
Panama .....	1,000
Total .....	327,460

The Appropriations Committees are aware of the needs of Colombian soldiers and civilians who have been severely injured by landmines and other causes, and who need medical, rehabilitation, vocational and related assistance. The Department of State is encouraged to provide funding for these purposes. Any such assistance should be matched with contributions from the Colombian Government.

The amended bill includes not more than \$17,000,000 for administrative expenses for the Department of State and not more than \$7,800,000 may be used for administrative expenses at USAID.

#### MIGRATION AND REFUGEE ASSISTANCE

The amended bill provides \$1,029,900,000 for Migration and Refugee Assistance, instead of \$829,900,000 as proposed by the House and \$889,000,000 as proposed by the Senate. Of this amount, \$200,000,000 is designated an emergency pursuant to section 5 preceding division A of this Act for programs to address the pressing needs of Iraqi refugees and of Palestinian refugees in Lebanon, the West Bank, and Gaza.

The amended bill includes \$23,000,000 for administrative expenses of the program, as proposed by the Senate instead of \$22,500,000 as proposed by the House.

The amended bill includes language, similar to that carried in the House and Senate bills, stating that not less than \$40,000,000 should be made available for assistance for refugees resettling in Israel.

The amended bill includes a proviso stating that funds shall be made available for assistance for refugees from North Korea, as proposed by the Senate. The House included no similar provision.

The Appropriations Committees recognize increased humanitarian needs for refugees and internally displaced persons and expect additional assistance to be available for these purposes in the fiscal year 2008 emergency supplemental Act.

The Appropriations Committees note the sizeable gaps between fiscal year 2007 actual costs and the fiscal year 2008 request, and expect the Administration to request adequate funds in fiscal year 2009 to more fully address the needs of global refugees and internally displaced persons (IDPs), including emergency appeals, repatriation and new emergencies. The Appropriations Committees remain deeply concerned with the plight of Iraqi refugees and IDPs.

#### UNITED STATES EMERGENCY REFUGEE AND MIGRATION ASSISTANCE FUND

The amended bill provides \$45,000,000 for the United States Emergency Refugee and Migration Assistance Fund, as proposed by the House and Senate.

The amended bill does not include language proposed by the Senate that provides the funds notwithstanding section 2(c)(2) of the Migration and Refugee Assistance Act of 1962.

#### NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

The amended bill provides \$487,000,000 for Nonproliferation, Anti-terrorism, Demining and Related Programs (NADR), instead of \$467,000,000 as proposed by the House and \$499,000,000 as proposed by the Senate.

The amended bill provides \$34,000,000 for the Nonproliferation and Disarmament Fund, to remain available until expended.

The amended bill provides that not less than \$26,000,000 shall be available for the Biosecurity Engagement Program.

The amended bill provides that funds available for “Anti-terrorism Assistance” and “Export Control and Border Security” shall be available until September 30, 2009.

Funds in this account are allocated in the following table, subject to the requirements of section 619:

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

[Budget authority, dollars in thousands]

	<i>Budget Authority Total</i>
Nonproliferation Programs:	
Nonproliferation and Disarmament Fund .....	\$34,000
Export Control and Related Border Security Assistance .....	46,000
Global Threat Reduction (formerly NWMDE) .....	57,395
Biosecurity Engagement .....	[26,000]
IAEA Voluntary Contribution .....	51,500
CTBT International Monitoring System .....	24,000
Subtotal—Nonproliferation Programs .....	212,895
Anti-Terrorism Programs	
Anti-terrorism Assistance .....	124,311
Terrorist Interdiction Program .....	18,345
CT Engagement with Allies .....	1,000
Counterterrorism Financing .....	6,368
Subtotal—Anti-Terrorism Programs .....	150,024
Regional Stability & Humanitarian Assistance	
Humanitarian Demining Program .....	66,485
International Trust Fund .....	12,875
Small Arms/Light Weapons Destruction .....	44,721
Subtotal—Regional Stability & Humanitarian Assistance ..	124,081
Total .....	487,000

The Department of State is directed to continue funding at not less than current levels for humanitarian demining and other unexploded ordnance clearance programs in Vietnam and Laos.

DEPARTMENT OF THE TREASURY

INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

The amended bill provides \$20,400,000 for International Affairs Technical Assistance, instead of \$18,000,000 as proposed by the House and \$22,800,000 as proposed by the Senate.

DEBT RESTRUCTURING

The amended bill provides \$30,300,000 for Debt Restructuring, instead of \$200,300,000 as proposed by the House and Senate. This reduction is made without prejudice and the Appropriations Committees intend to re-examine the need for resources to support debt relief in subsequent legislation.

## TITLE IV—MILITARY ASSISTANCE

## FUNDS APPROPRIATED TO THE PRESIDENT

## INTERNATIONAL MILITARY EDUCATION AND TRAINING

The amended bill provides \$85,877,000 for International Military Education and Training (IMET), as proposed by the Senate instead of \$85,076,000 as proposed by the House.

The amended bill includes language proposed by the House and Senate restricting IMET assistance for Equatorial Guinea. The Appropriations Committees are concerned with reports of killings of civilians by Equatorial Guinea security forces and direct the Department of State to consult with the Appropriations Committees prior to any decision to provide military assistance for Equatorial Guinea.

The amended bill provides that funds made available for Haiti, Guatemala, the Democratic Republic of the Congo, Sri Lanka, Ethiopia, Bangladesh, Libya, Angola, and Nigeria may only be provided through the regular notification procedures of the Appropriations Committees and any such notification shall include a detailed description of the proposed activities.

The Department of State is directed to submit a report to the Appropriations Committees not later than 60 days after enactment of this Act on how the Western Hemisphere Institute for Security Cooperation (a.k.a. School of the Americas) IMET program for fiscal year 2008 contributes to the promotion of human rights, respect for civilian authority and the rule of law, establishment of legitimate judicial mechanisms for the military, and the goal of right sizing military forces.

## FOREIGN MILITARY FINANCING PROGRAM

The amended bill provides \$4,588,325,000 for the Foreign Military Financing Program (FMF), instead of \$4,509,236,000 as proposed by the House and \$4,579,000,000 as proposed by the Senate. Of this amount, \$100,000,000 is designated an emergency pursuant to section 5 preceding division A of this Act.

The amended bill includes not less than \$2,400,000,000 for grants only to Israel; \$1,300,000,000 shall be available for grants only to Egypt; and that \$300,000,000 shall be made available for assistance for Jordan. The Appropriations Committees endorse language in Senate Report 110–128 on the uses of additional assistance for Jordan.

The amended bill provides \$8,413,000 for assistance for Tunisia under this heading. The Appropriations Committees recognize Tunisia's role as a valuable partner to the United States in the region. The Appropriations Committees urge the Government of Tunisia to more effectively address concerns regarding reports of police abuse and restrictions on peaceful expression and association.

The amended bill includes language similar to that proposed by the House in section 649, which provides not more than \$53,000,000 for Colombia, including \$5,000,000 for medical and rehabilitation assistance, removal of landmines and enhancement of communications capabilities as proposed by the Senate.

The Appropriations Committees direct that \$4,000,000 be made available for "Western Hemisphere Regional" to be used to continue the naval cooperation program in the Caribbean to strengthen the ability of Central American and Caribbean countries to secure their maritime domains and cooperatively secure international waters.

The amended bill includes a provision similar to that proposed by the Senate making \$3,655,000 available for assistance to Morocco and an additional \$1,000,000 if the Secretary of State makes a certification to the Appropriations Committees.

Funds in this account are allocated in the following table, subject to the requirements of section 619:

#### FOREIGN MILITARY FINANCING PROGRAM

[Budget Authority in thousands of dollars]

	<i>Budget Authority</i>
	<i>Total</i>
Armenia .....	\$3,000
Azerbaijan .....	3,000
Colombia .....	53,000
Egypt .....	1,300,000
El Salvador .....	4,800
Guatemala .....	500
Haiti .....	990
Honduras .....	500
Indonesia .....	15,700
Israel .....	2,400,000
Jordan .....	300,000
Lebanon .....	7,000
Nicaragua .....	500
Pakistan .....	300,000
Philippines .....	30,000
Poland .....	27,200
Tunisia .....	8,413
Western Hemisphere Regional .....	4,000
FMF Admin Cost (DSCA) .....	41,900
Unallocated .....	87,822
	<hr/>
Total .....	4,588,325

The amended bill provides for the transfer of \$4,000,000 to the "Diplomatic and Consular Programs" account to be administered by DRL for monitoring of FMF assistance in countries where such monitoring is most needed, in addition to amounts otherwise available for such purposes. These funds are intended to be used for activities such as providing hardware and software upgrades for monitoring the use of United States equipment and for vetting of foreign participants in United States military training programs; personnel and travel costs in country to conduct monitoring; and other costs associated with training United States-based and overseas staff in how to interpret and implement the Leahy Law and other human rights mandates, such as bringing human rights reporting officers to training seminars.

The Appropriations Committees direct the Secretary of State to submit a report not later than 90 days after enactment of this Act, detailing the procedures being applied, on a country-by-country basis, to ensure that FMF assistance for Bangladesh, the Democratic Republic of the Congo, Ethiopia, Pakistan, Philippines, and Sri Lanka, is not misused by units of the security forces of such

countries against civilians, including civilians who are members of political opposition parties and human rights groups.

PEACEKEEPING OPERATIONS

The amended bill provides \$263,230,000 for Peacekeeping Operations, instead of \$293,200,000 as proposed by the House and \$273,200,000 as proposed by the Senate. Of this amount, \$35,000,000 is designated an emergency pursuant to section 5 preceding division A of this Act.

The amended bill includes \$25,000,000 for a United States contribution to the Multinational Force and Observers (MFO) mission in the Sinai, as proposed by the Senate. The Appropriations Committees are aware of the security threats to the MFO and additional force protection requirements, including an operations center upgrade. The Appropriations Committees encourage the Administration to consider support for these requirements in its fiscal year 2009 budget request for the MFO.

Funds in this account are allocated in the following table, subject to the requirements of section 619:

PEACEKEEPING OPERATIONS

[Budget authority, dollars in thousands]

	<i>Budget Authority</i>
	<i>Total</i>
Democratic Republic of the Congo .....	\$5,500
Liberia .....	51,800
Somalia .....	2,300
Sudan .....	41,400
Darfur .....	30,000
Trans-Sahara Counter-Terrorism Program .....	10,000
Global Peace Operations Initiative .....	97,230
Multinational Force and Observers .....	25,000
	<hr/>
Total .....	263,230

TITLE V—MULTILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL FINANCIAL INSTITUTIONS

GLOBAL ENVIRONMENT FACILITY

The amended bill provides \$81,763,000 for the Global Environment Facility, instead of \$106,763,000 as proposed by the House and Senate.

CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT ASSOCIATION

The amended bill provides \$950,000,000 for the contribution to the International Development Association, as proposed by the House instead of \$1,000,000,000 as proposed by the Senate.

The amended bill does not include a provision as proposed by the Senate requiring written assurance from the President of the World Bank that the Bank's management will not recommend or support any financing for any infrastructure project which would contribute to significant loss of tropical forest or biodiversity. The Appropriations Committees are alarmed at the rate of tropical de-



forestation and species loss and expect the Bank's management to reject, and the Department of the Treasury to oppose, any loan, grant, credit or other financing that would contribute significantly to such a result.

The Secretary of the Treasury is directed to report to the Appropriations Committees not later than 120 days after enactment of this Act on the following: the implementation of the IMF Decision on Bilateral Surveillance Over Members Policies, announced on June 15, 2007, which establishes a new system for IMF bilateral surveillance on exchange rate policies of member countries; and which member countries are in violation of the Decision including those that are manipulating exchange rates for the purpose of securing fundamental exchange rate misalignment in the form of an undervalued exchange rate with the purpose to increase net exports.

CONTRIBUTION TO THE ENTERPRISE FOR THE AMERICAS  
MULTILATERAL INVESTMENT FUND

The amended bill provides \$25,000,000 for the contribution to the Enterprise for the Americas Multilateral Investment Fund, as proposed by the House and Senate.

CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

The amended bill provides \$75,153,000 for the contribution to the Asian Development Fund, instead of \$115,306,000 as proposed by the House and \$65,000,000 as proposed by the Senate.

CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK

The amended bill provides \$2,037,000 for the contribution to the African Development Bank International Organizations, as proposed by the House and Senate.

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The amended bill provides a limitation of \$31,918,770 for the United States share of the African Development Bank's callable capital, as proposed by the House and Senate.

CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

The amended bill provides \$135,684,000 for the contribution to the African Development Fund, as proposed by the House instead of \$105,000,000 as proposed by the Senate.

CONTRIBUTION TO THE EUROPEAN BANK FOR RECONSTRUCTION AND  
DEVELOPMENT

The amended bill provides \$10,159 for the contribution to the European Bank for Reconstruction and Development as proposed by the Senate. The House did not include funding for this purpose.

CONTRIBUTION TO THE INTERNATIONAL FUND FOR AGRICULTURAL  
DEVELOPMENT

The amended bill provides \$18,072,000 for the contribution to the International Fund for Agricultural Development as proposed by the House and Senate.

## INTERNATIONAL ORGANIZATIONS AND PROGRAMS

The amended bill provides \$319,485,000 for International Organizations and Programs, instead of \$333,400,000 as proposed by the House and \$313,925,000 as proposed by the Senate.

Funds are allocated in the following table, subject to the requirements of section 619:

<i>Program / Activity</i>	<i>Budget Authority</i>
	<i>Total</i>
Center for Human Settlements (UN-HABITAT) .....	1,000
International Civil Aviation Organization .....	950
International Conservation Programs .....	6,500
International Contributions for Scientific, Educational & Cultural Activities .....	1,000
International Development Law Organization .....	300
IMO Maritime Security Programs .....	400
International Panel on Climate Change/UN Framework Convention on Climate Change .....	5,500
Montreal Protocol Multilateral Fund .....	19,000
OAS Development Assistance Programs .....	5,500
OAS Fund for Strengthening Democracy .....	3,500
Organization for Security & Cooperation in Europe .....	4,500
UN Children's Fund (UNICEF) .....	129,000
UN Development Program (UNDP) .....	98,160
UN Environment Program (UNEP) .....	10,500
UN High Commissioner for Human Rights .....	7,000
UN Office for the Coordinator of Humanitarian Affairs (OCHA) .....	3,000
UN Population Fund (UNFPA) .....	7,000
UN Voluntary Fund for Technical Cooperation in the Field of Human Rights .....	1,425
UN Voluntary Fund for Victims of Torture .....	7,000
UN Women's Fund (UNIFEM) .....	3,600
UNIFEM Trust Fund .....	1,800
World Meteorological Organization .....	1,900
World Trade Organization Technical Assistance .....	950
Total .....	319,485

The amended bill does not include the provision related to the United Nations Democracy Fund (UNDF) as proposed by the House. The Senate did not include a similar provision and did not provide funding for the UNDF.

The amended bill does not include the provision related to the Organization of American States Fund for Strengthening Democracy as proposed by the Senate. The House did not include a similar provision.

## TITLE VI

## GENERAL PROVISIONS

(Note: If the provision proposed by the House and Senate is similar, except for a different section number, or minor technical differences in language, the section is not addressed in this explanatory statement. In addition, the amended bill includes in each general provision the scope of its application in this Act as proposed by the House, instead of by reference as proposed by the Senate.)

*Sec. 602. Restriction on Contributions to the United Nations.*

The amended bill modifies House (sections 112, 602) and Senate (sec.108) language to prohibit the use of funds from all titles of this

Act to make any assessed contribution or voluntary payment to the UN if the UN implements or imposes any taxation on any United States persons.

*Sec. 604. Unobligated Balances Report.*

The amended bill includes a provision requiring departments and agencies funded under this Act to submit quarterly reports on cumulative balances by program, project, and activity that remain unobligated, as proposed by the House (sec. 604) and Senate (sec. 604).

*Sec. 605. Limitation on Representational Allowances.*

The amended bill includes a provision similar to that proposed by the House (sec. 605) and Senate (sec. 605) regarding limitations on certain representational allowances. There are modifications to the funding levels.

*Sec. 606. Prohibition on Taxation of United States Assistance.*

The amended bill includes a provision regarding a prohibition on the taxation of United States assistance, as proposed by the House (sec. 606). The Senate included a similar provision (sec. 606).

*Sec. 607. Prohibition Against Direct Funding for Certain Countries.*

The amended bill includes a provision similar to that proposed by the House (sec. 607) and Senate (sec. 607), which prohibits direct funding for certain countries. The provision removes Libya from the list of prohibited countries, as proposed by the Senate.

*Sec. 609. Transfer Authority.*

The amended bill includes a provision as proposed by the House limiting transfers in all titles of this Act.

*Sec. 611. Availability of Funds.*

The amended bill includes a provision similar to that proposed by the House (sec. 611) and Senate (sec. 611) that addresses the availability of funds. The “International Military Education and Training,” “Trade and Development Agency,” and “Development Credit Authority” accounts have been added to the provision.

*Sec. 615. Reprogramming Notification Requirements.*

The amended bill includes a provision similar to that proposed by the House (sec. 615) and Senate (sec. 615), with modifications, which requires the application of reprogramming oversight procedures to all titles of this Act. The amended bill includes a provision as proposed by the Senate requiring notification and consultation for a significant reduction in staff in addition to the proposed closure of a mission. Any reduction in excess of 15 percent below the current staff would be viewed as a “significant” reduction requiring prior consultation with the Appropriations Committees.

*Sec. 616. Limitation on Availability of Funds for International Organizations and Programs.*

The amended bill includes a provision similar to that proposed by the House (sec. 616) and Senate (sec. 616) related to with-

holding the United States proportionate share for certain programs of international organizations. The amended bill includes a provision, as proposed by the Senate, which strikes Libya from the list of countries addressed by section 307(a) of the Foreign Assistance Act.

*Sec. 617. Independent States of the Former Soviet Union.*

The amended bill includes a provision similar to that proposed by the House (sec. 617) and Senate (sec. 617), with modifications. As proposed by the Senate, the amended bill includes Kazakhstan in the list of countries for which funds are subject to notification procedures. The amended bill includes making the funds available subject to section 117 of the Foreign Assistance Act as proposed by the House.

*Sec. 619. Allocations.*

The amended bill includes a provision similar to that proposed by the House (sec. 619) and Senate (sec. 619) that requires that funds in the specified accounts shall be allocated as indicated in the respective tables in the explanatory statement. Any change to these allocations shall be subject to the regular reprogramming procedures of the Appropriations Committees.

*Sec. 620. Special Notification Requirements.*

The amended bill includes a provision similar to that proposed by the Senate (sec. 620), which requires that funds for Serbia, Sudan, Zimbabwe, Pakistan, Cuba, Iran, Haiti, Mexico, Nepal, and Cambodia be subject to the special notification procedures of this section, instead of a similar provision proposed by the House (sec. 620). The amended bill further adds Libya and Ethiopia to the list of countries.

*Sec. 622. Global Health and Child Survival Activities.*

The amended bill includes a provision regarding child survival programs. There are technical modifications to the language and the provision designates that not less than \$461,000,000 should be provided for family planning/reproductive health programs from this Act. The amended bill does not include a provision, as proposed by the House and Senate, related to donated contraceptives.

*Sec. 623. Afghanistan.*

The amended bill includes a provision similar to that proposed by the House (sec. 623) and Senate (sec. 623), which provides not less than \$1,057,050,000 should be available for assistance for Afghanistan. The amended bill provides that not less than \$3,000,000 should be for reforestation activities, as proposed by the House and Senate.

The amended bill provides \$75,000,000 for programs that directly address the needs of Afghan women and girls, including for the Afghan Independent Human Rights Commission, the Afghan Ministry of Women's Affairs and for women-led civil society organizations. The Department of State is directed to provide a report as recommended in Senate Report 110-128 under the "Development Assistance" heading. The report should describe how funds have

been used since fiscal year 2002 for each sector, the amounts provided, the types of activities supported, best practices identified, and the measurable impacts on the livelihood and status of women and girls. In addition to the sectors listed in the Senate report, the following should be included: agriculture, alternative development, democracy and governance (including judicial reform), and grants or programs implemented by Provincial Reconstruction Teams.

The amended bill provides \$20,000,000 for agriculture extension services in Afghanistan, as proposed by the Senate. This funding should be provided through a transparent and competitively bid process.

The amended bill provides that \$2,000,000 should be for a United States contribution to the NATO/International Security Assistance Force Post-Operations Humanitarian Relief Fund, as proposed by the Senate.

The amended bill provides \$10,000,000 for USAID's Afghan Civilian Assistance Program, as proposed by the Senate.

*Sec. 625. Global Fund Management.*

The amended bill includes a provision related to Global Fund management, as proposed by the House and Senate. There are modifications to the language including technical changes, and modifications to the certification requirements.

*Sec. 630. Financial Market Assistance.*

The amended bill includes a provision as proposed by the House (sec. 630), which requires that not less than \$40,000,000 should be made available for building capital markets and financial systems. The Senate did not include a similar provision.

*Sec. 633. Comprehensive Expenditures Report.*

The amended bill includes a provision similar to that proposed by the Senate (sec. 633), which requires the Secretary of State to detail expenditures in fiscal years 2005 and 2006 by Federal agency for programs and activities in each foreign country and the purpose for which funds were provided in a report that should be submitted to the Appropriations Committees no later than 180 days after enactment of this Act, in a classified form if necessary.

*Sec. 634. Special Authorities.*

The amended bill includes a provision similar to that proposed by the House (sec. 633) and Senate (sec. 634), which provides special authorities as follows:

In subsection (a), the amended bill includes language proposed by the House and Senate that provides certain authority for assistance for Afghanistan, Iraq, Pakistan, Lebanon, Montenegro, victims of war, displaced children, and displaced Burmese.

In subsection (f), the amended bill includes language as proposed by the Senate, which extends until 2009 the application of a law making certain Vietnamese nationals eligible for resettlement in the United States. The House did not include this provision.

In subsection (h), the amended bill includes language similar to that proposed by the Senate that provides \$10,000,000 for American educational institutions and nongovernmental organizations in

the People's Republic of China. The House did not include this provision.

In subsection (i), the amended bill includes modified language that subjects the Middle East Foundation to the regular notification procedures of the Appropriations Committees.

In subsection (k), the amended bill includes language proposed by the Senate, which extends authorities for refugee status for certain categories of refugees. The House did not include this provision.

In subsection (m), the amended bill includes language as proposed by the Senate, which provides that notwithstanding any other provision of law, not less than \$2,000,000 of funds appropriated under the heading "Embassy Security, Construction, and Maintenance" shall be available for the Capital Security Cost-Sharing fees of the Library of Congress for fiscal year 2008.

In subsection (n), the amended bill includes language proposed by the Senate related to the support of programs to demobilize, disarm, and reintegrate into civilian society former members of foreign terrorist organizations who have renounced involvement in such organizations. The language also defines the term foreign terrorist organization.

In subsection (o), the amended bill includes language as proposed by the Senate, which provides that democracy, human rights, and governance activities of non-governmental organizations shall not be subject to prior approval by the host government.

In subsection (p), the amended bill provides new authority for USAID to provide assistance to improve conditions in prison facilities administered by foreign governments, including sanitation and adequate food, drinking water and medical care where prisoners are confined in inhumane and dangerous conditions often without due process.

In subsection (q), the amended bill includes \$5,000,000 for the Program for Research and Training on Eastern Europe and the Independent States of the Former Soviet Union (title VIII).

In subsection (r), the amended bill includes new language that extends the authority of the Broadcasting Board of Governors for personal service contractors.

In subsection (s), the amended bill includes new language that increases the authorized funding level of the Transatlantic Legislators' Dialogue from \$50,000 to \$100,000.

In subsection (t), the amended bill includes new language that extends the authority of the Overseas Private Investment Corporation.

The amended bill does not include subsection (h) of the House bill and subsection (i) of the Senate bill, which addressed waivers on assistance to Pakistan. This matter is addressed in section 2042(g) of Public Law 110-53.

The amended bill does not include a provision in this section proposed by the Senate that made funds available for administrative expenses of USAID with respect to programs in the West Bank and Gaza. The House did not include this provision. The issue is addressed under the heading "Economic Support Fund" of this Act.

*Sec. 636. Eligibility for Assistance.*

The amended bill includes a provision similar to that proposed by the House (sec. 635) and Senate (sec. 636), which applies restrictions contained under titles II through V of this or any other Act with respect to assistance for a country.

*Sec. 637. Reservations of Funds.*

The amended bill includes a provision similar to that proposed by the House (sec. 636) and Senate (sec. 637) related to the reprogramming of certain funds under certain conditions notwithstanding any other provision of this or any other Act. The amended bill also includes a provision as proposed by the Senate stating that funding ceilings and specifically designated funding levels contained in this Act shall not apply to funds or authorities in any subsequent Act unless specifically so directed.

*Sec. 638. Asia.*

In subsection (a), the amended bill includes a provision as proposed by the Senate (sec. 638), which requires that funding in this Act under the headings "Global Health and Child Survival" and "Development Assistance" be provided at not less than the funding levels allocated for each account in the fiscal year 2007 653(a) report for Cambodia, Philippines, Vietnam, Asia and Near East Regional, and Regional Development Mission/Asia. The House did not include a similar provision.

In subsection (b), the amended bill includes a provision on Burma as proposed by the Senate that provides not less than \$13,000,000 in funds under the heading "Economic Support Fund" shall be available to support democracy activities in Burma, along the Burma-Thailand border, and for Burmese student groups and other organizations. The amended bill also includes not less than \$3,000,000 under the "Migration and Refugee Assistance" heading for community-based organizations operating in Thailand to provide food, medical and other humanitarian assistance to internally displaced persons in eastern Burma. The House did not include a similar provision.

In subsection (c), the amended bill includes a provision on Tibet similar to that proposed by the House (sec. 676) and Senate (sec. 638(c)), which provides that not less than \$5,000,000 in funds under the heading "Economic Support Fund" is available to preserve cultural traditions, to support sustainable development, and for environmental conservation.

*Sec. 639. Prohibition on Publicity or Propaganda.*

The amended bill includes a provision similar to that proposed by the House (sec. 638) and Senate (sec. 639) prohibiting the use of funds for publicity or propaganda purposes. The amended bill continues current law as proposed by the House. The Senate did not include this provision.

*Sec. 641. Requests for Documents.*

The amended bill includes a provision similar to that proposed by the House (sec. 641) and Senate (sec. 642), which prohibits the provision of funds from titles II through V to any nongovernmental

organization or contractor that fails to provide any document, file, or record necessary to USAID’s auditing requirements. The amended bill does not include the additional disclosure requirement as proposed by the Senate.

*Sec. 642. Prohibition on Assistance to Foreign Governments that Export Lethal Military Equipment to Countries Supporting International Terrorism.*

The amended bill includes a provision similar to that proposed by the House (sec. 641) and Senate (sec. 642), which prohibits funds in titles II through V of this Act from being made available to any foreign government that provides lethal military equipment to certain countries.

*Sec. 646. Landmines and Cluster Munitions.*

The amended bill includes a provision similar to that proposed by the House (sec. 645) and Senate (sec. 646), which continues the authority in current law regarding the provision of demining equipment notwithstanding any other provision of law.

The amended bill adds a new subsection to the provision, which was proposed as a separate section of the Senate amendment (sec. 695). The language prohibits the issuance of defense export licenses for cluster munitions, the provision of military assistance for the purchase of cluster munitions, or the transfer of such weapons or associated technology unless: 1) sub-munitions of cluster bombs have been tested to have a 99 percent effective detonation rate, and 2) end use agreements specify such weapons will only be used in non-civilian areas against clearly identified military targets. The House did not include a similar provision.

*Sec. 647. Restrictions Concerning the Palestinian Authority.*

The amended bill includes a provision similar to that proposed by the House (sec. 646) regarding a prohibition on the creation of a United States government office in Jerusalem and holding meetings in Jerusalem.

*Sec. 649. Colombia.*

The amended bill includes a combined provision regarding assistance to Colombia. The language in this provision incorporates the content of sections 649, 656 and 672 as proposed by the House and sections 656, 657 and 684 as proposed by the Senate with some modifications.

The amended bill provides that not more than \$545,608,000 of the funds appropriated by titles III and IV shall be made available for assistance for Colombia, instead of \$530,608,000 as proposed by the House and \$560,748,000 as proposed by the Senate. Funds are allocated in the following table:

COLOMBIA

[Budget authority, dollars in thousands]

	<i>Budget Authority</i>
	<i>Total</i>
Foreign Military Financing (FMF) .....	53,000
Transfer from ACP .....	2,500



	<i>Budget Authority</i>
	<i>Total</i>
International Military Education and Training (IMET) .....	1,500
Nonproliferation, Anti-terrorism, Demining and Related Programs (NADR) .....	3,742
International Narcotics Control and Law Enforcement (INCLE) .....	39,750
Transfer from ACP .....	2,500
Economic Support Fund (ESF) .....	196,000
Andean Counterdrug Program (ACP)	
Interdiction/Eradication (Support for the Colombia National Police and Military) .....	244,016
Transfer to FMF .....	-2,500
Transfer to INCLE .....	-2,500
Program, Development and Support .....	7,600
Critical Flight Safety Program .....	[39,300]
	<hr/>
Total—Andean Counterdrug Program .....	246,616
	<hr/>
Total—Colombia .....	545,608

The amended bill sets funding levels by reference and provides that any changes shall be subject to the regular notification procedures of the Appropriations Committees and continues current law certification requirements on assistance to the Colombian military. The amended bill provides that \$11,422,000 is available for demobilization and disarmament assistance to former combatants under the heading “Economic Support Fund” and continues the current law with regard to denial of visas for supporters of Colombian illegal armed groups.

*Sec. 650. Limitation on Assistance to the Palestinian Authority.*

The amended bill includes a reporting requirement proposed by the House (sec. 650(d)) and Senate (sec. 650(d)), which provides that whenever the waiver authority of this section is exercised the President shall submit a report to the Appropriations Committees detailing the justification for the waiver; the purposes for which the funds will be spent; the accounting procedures in place to ensure that the funds are properly disbursed; and the steps taken by the Palestinian Authority to arrest terrorists, confiscate weapons and dismantle the terrorist infrastructure.

*Sec. 651. Limitation on Assistance to Security Forces.*

The amended bill includes language proposed by the Senate, adding a new section to the Foreign Assistance Act of 1961 entitled “Limitation on Assistance for Security Forces.” This provision is consistent with longstanding United States law and practice. The House provision provided a one-year extension of this prohibition.

*Sec. 654. Libya.*

The amended bill includes a provision similar to that proposed by the Senate (sec. 697) and the House (sec. 654), which limits certain types of assistance to Libya.

*Sec. 655. Palestinian Statehood.*

The amended bill includes a provision similar to that proposed by the House (sec. 655) and the Senate (sec. 655), which addresses certain restrictions on assistance to a Palestinian state.

*Sec. 656. Prohibition on Assistance to the Palestinian Broadcasting Corporation.*

The amended bill includes a provision as proposed by the House (sec. 657) that applies the prohibition to all titles in this Act. The Senate provision (sec. 111) only applied the prohibition to funds in title I of this Act.

*Sec. 657. West Bank and Gaza Assistance.*

The amended bill includes a provision similar to the House (sec. 659) and Senate (sec. 658), which addresses funds available for the West Bank and Gaza Program. The language includes a provision as proposed by the House that requires the Comptroller General of the United States to conduct an audit of fiscal year 2008 funds and continues a provision that requires the Secretary of State to submit a report required in section 2106 of chapter 2 of title II of P.L. 109–13.

*Sec. 660. Contribution to the United Nations Population Fund.*

The amended bill includes a provision related to the United States contribution to the United Nations Population Fund as proposed by the House (sec. 660) and Senate (sec. 630). There are technical modifications to the language, and changes to the funding level from the “International Organizations and Programs” account.

*Sec. 664. Basic Education.*

The amended bill includes a provision related to basic education similar to that proposed by the House (sec. 667). The provision is similar to the House provision with minor modifications regarding funding levels, and the placement of the Coordinator. The Senate did not include a similar provision.

*Sec. 665. Reconciliation Programs.*

The amended bill includes a provision similar to those proposed by the House (sec. 668) and Senate (sec. 665) related to reconciliation programs. \$16,000,000 is provided to support reconciliation programs, and an additional \$9,000,000 is provided for reconciliation programs in the Middle East. Programs in the Middle East shall support people-to-people coexistence and reconciliation programs, which will increase dialogue between Israelis, Palestinians, Arabs, Jews, and Muslims in the region. This funding should be provided through an open, transparent and competitively bid process. The Department of State and USAID are expected to consult with the Appropriations Committees not later than 90 days after enactment of this Act on these programs.

*Sec. 666. Sudan.*

The amended bill includes a provision similar to both the House (sec. 669) and Senate (sec. 666) related to Sudan with technical modifications to the language. The amended bill provides USAID with the authority to use up to \$5,000,000 for administrative and other expenses in Chad. These funds will be used for the permanent placement of personnel in Eastern Chad. The Appropriations Committees remain concerned with the dire situation faced by refugees and internally displaced persons populations from Sudan and

the Central African Republic, as well as by host communities whose already limited resources are further challenged by increased populations. The Appropriations Committees believe that a permanent presence of a USAID employee in Eastern Chad may help facilitate the delivery of assistance and better coordinate humanitarian and other efforts with the UN, European Union, and other organizations.

*Sec. 667. Trade Capacity Building.*

The amended bill includes a provision proposed by the House (sec. 670) that makes not less than \$550,000,000 available for trade capacity building assistance from title III of this Act. The Senate did not include a similar provision.

The House included a proviso to provide \$10,000,000 under the heading "Economic Support Fund" for labor and environmental capacity building activities relating to the Central America Free Trade Agreement. The Senate funded this program under the "Economic Support Fund" heading. The amended bill has moved this initiative to section 672 of this Act.

*Sec. 668. Transparency and Accountability.*

The amended bill includes language in this provision similar to that proposed by the Senate regarding transparency and accountability at the United Nations Development Program, the World Bank, and a Comptroller General report on the MCC and HIV/AIDS programs.

The amended bill includes language similar to that proposed by the Senate restricting assistance for the central government of any country that fails to make publicly available its national budget. In exercising the waiver authority provided, the Secretary of State shall provide the Appropriations Committees with a list of countries to be waived and specific efforts undertaken by the United States, if any, to assist those foreign governments to increase the transparency of national budgets.

*Sec. 670. Gender-Based Violence.*

The amended bill includes a provision as proposed by the House, which requires that police, military and judicial official training programs funded by titles III and IV of this Act shall include instruction on how to address incidences of gender-based violence. The Senate did not include a similar provision.

*Sec. 671. Limitation on Economic Support Fund Assistance for Certain Foreign Governments That Are Parties to the International Criminal Court.*

The amended bill continues current year language as proposed by the House, which prohibits the use of funds under the "Economic Support Fund" heading for assistance to any government of a country that is a party to the International Criminal Court.

*Sec. 672. Western Hemisphere.*

The amended bill includes provisions similar to that proposed by the House (sec. 677) and Senate (sec. 649). In subsection (a), the amended bill includes a provision, which requires that funding in

this Act under the headings “Global Health and Child Survival” and “Development Assistance” should be provided at not less than the funding levels allocated for each account in the fiscal year 2007 (according to the Foreign Assistance Act section 653(a) report) for El Salvador, Guatemala, Nicaragua, Honduras, Ecuador, Peru, Bolivia, Brazil, Latin America and Caribbean Regional, Central America Regional and South America Regional.

In subsection (b), the amended bill includes a provision on assistance for Haiti as proposed by the House, which provides not less than \$201,548,000 in funds appropriated under titles III and IV of this Act available to Haiti, provides that the Government of Haiti is eligible to purchase defense articles for the Coast Guard, and includes a restriction on certain INCLE funding in this Act.

In subsection (c), the amended bill includes a provision on the Dominican Republic as proposed by the Senate, which provides not less than \$23,000,000 in funds under the headings “Global Health and Child Survival” and “Development Assistance” shall be for assistance to the Dominican Republic, of which not less than \$5,000,000 is for basic needs of migrant workers and other residents of batey communities.

In subsection (d), the amended bill includes a provision similar to the House and Senate on assistance for Guatemala, which provides \$4,000,000 in funding under the “Economic Support Fund” heading for a United States contribution to the International Commission Against Impunity in Guatemala. Additionally, the language provides authority for funding from the “International Military Education and Training” and “Foreign Military Financing” accounts if certain conditions are met.

In subsection (e), the amended bill provides not less than \$10,000,000 from the “Economic Support Fund” account for labor and environmental capacity building activities relating to the free trade agreement of Central America and the Dominican Republic.

*Sec. 673. Zimbabwe.*

The amended bill includes a provision as proposed by the Senate (sec. 669), which directs the Secretary of the Treasury to instruct the United States executive director to each international financial institution to vote against any extension of any loan to the Government of Zimbabwe. The House did not include a similar provision.

*Sec. 674. Development Grants Program.*

The amended bill includes a provision related to the Development Grants Program, as proposed by the Senate. There are minor modifications relating to eligibility requirements and grant award levels. The Appropriations Committees intend this program to be available for small grants to small nongovernmental organizations, which may lack the capacity to compete for or implement large grants.

*Sec. 675. Disaster Assistance and Recovery.*

The amended bill includes a provision as proposed by the Senate (sec. 672) that extends the available uses of unexpended funds previously appropriated to the Government Accountability Office to

fiscal year 2008. The language does not include the provision that the authority is available in ensuing years.

*Sec. 676. United States Agency for International Development Management.*

The amended bill includes a provision related to USAID management as proposed by the House (sec. 678) and the Senate (sec. 673). There are technical modifications to the language. The language also provides up to \$15,000,000 to fund overseas support costs of members of the Foreign Service with a Foreign Service rank of four or below as proposed by the Senate.

*Sec. 679. Indonesia.*

The amended bill provides \$15,700,000 for assistance for Indonesia under the heading "Foreign Military Financing Program", of which \$13,000,000 may be obligated immediately. The remaining \$2,700,000 may not be made available until the Secretary of State reports to the Appropriations Committees on steps taken, and plans developed, by the Government of Indonesia to address certain human rights concerns involving the Indonesian Armed Forces. The House (sec. 682) and Senate (sec. 685) included similar provisions.

*Sec. 680. Limitation on Basing in Iraq.*

The amended bill includes a provision as proposed by the House (sec. 685), regarding basing rights in Iraq.

*Sec. 681. Prohibition on Use of Torture.*

The amended bill includes a provision similar to that by the House (sec. 686) that prohibits the use of funds from this Act to support torture or cruel or inhumane treatment by any official or contract employee of the United States Government. The Senate did not contain a similar provision.

*Sec. 682. Report on Indonesia.*

The amended bill includes a provision requiring the Secretary of State to report not later than 90 days after enactment of this Act on certain steps that the Indonesian Government has taken similar to that proposed by the House (sec. 687).

*Sec. 683. Extradition.*

The amended bill combines three provisions included in the House bill (sections 688, 689, 699K) that prohibit the use of funds in this Act for assistance when governments fail to permit the extradition of certain individuals. The provision has been modified to provide a waiver of the restriction on a case-by-case basis if the Secretary of State certifies to the Appropriations Committees that such a waiver is important to the national interests of the United States.

*Sec. 684. Environment and Energy Programs.*

The amended bill modifies a provision similar to that proposed by the House and Senate. There are technical modifications to the language, modifications to the funding level, and modifications to

the Extractive Industries report. The amended bill includes language proposed by the Senate that not less than \$2,000,000 should be made available for wildlife conservation and protected area management in the Boma-Jonglei landscape of Southern Sudan. USAID is directed to consult with the Appropriations Committees prior to the obligation of funds.

*Sec. 685. Uzbekistan.*

The amended bill includes a modified provision, as proposed by the House (sec. 692) and Senate (sec. 677) regarding assistance for Uzbekistan. The language adds an additional requirement with regard to individuals credibly alleged to have been involved in violations of human rights.

*Sec. 686. Repression in the Russian Federation.*

The amended bill modifies a provision as proposed by the House (sec. 693) that withholds funding from the Government of the Russian Federation until the President certifies that the Russian Central Government is not acting to discriminate against minority religious faiths. The amended bill includes new language regarding the repression of civil society, the press and political opposition parties. A national security waiver is included. The Senate did not include a similar provision.

*Sec. 687. War Crimes in Africa.*

The amended bill includes a modified provision as proposed by the House (sec. 694), requiring a certification by the Secretary of State before any funding may be made available to the central government of any country in which a person indicted by the Special Court for Sierra Leone or International Criminal Tribunal for Rwanda is living. The Senate did not include a similar provision.

*Sec. 688. Combating Piracy of United States Copyrighted Materials.*

The amended bill includes a provision as proposed by the House (sec. 695) regarding the use of funds under the heading "International Narcotics Control and Law Enforcement" to combat piracy of United States copyrighted materials overseas. The Senate did not include a similar provision.

*Sec. 689. Neglected Tropical Diseases.*

The amended bill includes a modified provision similar to those proposed by the House (sec. 698) and Senate (sec. 680) with a change to the funding level.

*Sec. 690. Egypt.*

The amended bill includes a modified provision, similar to that proposed by the House, which sets certain conditions on \$100,000,000 of assistance funds for Egypt provided under the headings "Foreign Military Financing Program" or under the heading "Economic Support Fund", unless the Secretary of State determines it is in the national security interest to waive the conditions. The Senate did not include a similar provision.

*Sec. 691. Relief for Iraqi, Montagnards, Hmong and other Refugees who do not Pose a Threat to the United States.*

The amended bill includes a provision as proposed by the House (sec. 699A) and Senate (sec. 694), which amends section 212(a)(3)(B) of the Immigration and Nationality Act to modify admission qualifications for certain Hmong and other groups that do not pose a threat to the United States, to designate the Taliban as a terrorist organization, and to make certain other technical corrections.

*Sec. 692. Report on Anti-Corruption Activities.*

The amended bill includes a provision requiring a report on corruption in countries receiving United States development assistance and on the specific anti-corruption programs and activities supported by United States assistance as proposed by the House. Corruption is an impediment to the economic development and political stability of many countries as well as to the effectiveness of United States development assistance. The Secretary of State, the USAID Administrator, and other senior United States development officials should incorporate anti-corruption activities into development assistance strategies and programs. At a minimum, the report shall:

(a) include a comparative corruption rating of countries receiving United States development assistance;

(b) identify which countries are of concern for fiscal years 2008 and 2009, including countries that the Secretary of State determines are not making significant efforts to combat corruption;

(c) for each country determined to be of concern:

(1) describe steps it has taken to combat corruption;

(2) include information on the level of corruption in its public and private sectors;

(3) assess the extent to which political processes are credible, transparent and inclusive; and

(4) describe at the program, project, and activity level how United States assistance in fiscal year 2008, and proposed for 2009, is designed to strengthen anti-corruption activities, including specific outcome goals and objectives.

The Secretary of State should utilize available assessments and methodology to the extent possible to develop the comparative corruption rating. The Secretary of State shall consult with the Appropriations Committees and shall report not later than May 1, 2008, on the methodology and criteria that will be used to develop the ratings and to determine which countries are of concern.

*Sec. 693. Democracy, Rule of Law, and Governance in Iran.*

The amended bill modifies the provisions proposed by the House (sec. 699C) and Senate (sec. 699B) making \$60,000,000 available for programs to promote democracy, rule of law and governance in Iran.

*Sec. 694. Denial of Visas Related to Removal of Aliens.*

The amended bill includes a provision as proposed by the Senate (sec. 699D) that provides that no funds may be used to grant visas to individuals of countries that are denying or delaying accepting

aliens removed from the United States. The House included a similar provision (sec. 699G).

*Sec. 695. United Nations Human Rights Council.*

The amended bill includes a provision as proposed by the Senate (sec. 699H) and the House (sec. 699J), which prohibits support to the United Nations Human Rights Council unless the Secretary of State certifies to the Appropriations Committees that it is in the national interest to do so.

*Sec. 696. Attendance at International Conferences.*

The amended bill includes a provision as proposed by the Senate (sec. 699M) related to attendance at international meetings. The House included a similar provision.

*Sec. 697. Saudi Arabia.*

The amended bill modifies the provision related to Saudi Arabia as proposed by the House (sec. 699N) to reflect current law.

*Sec. 698. Central Asia.*

The amended bill includes a provision similar to that proposed by the Senate (sec. 678) regarding assistance to Central Asia. The House did not include a similar provision.

*Sec. 699. Disability Programs.*

The amended bill includes a provision related to disability programs as proposed by the Senate. The House did not include a similar provision.

*Sec. 699A. Orphans, Displaced and Abandoned Children.*

The amended bill includes a provision related to programs for orphans, displaced and abandoned children as proposed by the Senate. The House did not include a similar provision.

*Sec. 699B. Advisor for Activities Relating to Indigenous Peoples Internationally.*

The amended bill includes a modified provision to establish an Advisor of Activities Related to Indigenous Peoples Internationally similar to that proposed by the Senate. The House did not include a similar provision.

*Sec. 699C. Child Soldiers.*

The amended bill modifies a provision as proposed by the Senate (sec. 687), which prohibits the furnishing of military assistance, equipment or technology to a country that is identified by the Department of State's 2006 Country Reports on Human Rights Practices as recruiting or using child soldiers. The House did not include a similar provision.

*Sec. 699D. Funding for Serbia.*

The amended bill includes a provision proposed by the Senate (sec. 661), and similar to that proposed by the House (sec. 663), which restricts assistance for the central government of Serbia, after May 31, 2008, for certain specified conditions.



*Sec. 699E. Philippines.*

The amended bill includes a provision as proposed by the Senate (sec. 688), which provides \$28,000,000 in assistance under the "Foreign Military Financing" heading for the Philippines and provides an additional \$2,000,000 if the Secretary of State reports to the Appropriations Committees on certain issues.

*Sec. 699F. Pakistan.*

The amended bill includes a modified provision similar to that proposed by the Senate, making \$250,000,000 in FMF available immediately and the remaining \$50,000,000 available after a report by the Secretary of State. The House did not include a similar provision.

*Sec. 699G. Sri Lanka.*

The amended bill includes a provision related to Sri Lanka as proposed by the Senate (sec. 690) modified to allow certain surveillance and communication equipment. The House did not include a similar provision.

*Sec. 699H. Multilateral Development Banks.*

The amended bill includes a modified provision regarding the Inspection Panel at the World Bank, as proposed by the Senate. The House did not include a similar provision. The provision related to the Anti-Corruption Trust Pilot Program as proposed by the Senate was not included in the amended bill.

The Appropriations Committees expect the Secretary of the Treasury to develop and submit to the Committees on Appropriations, by June 1, 2008, a proposal for the establishment of an anti-corruption trust fund, or other mechanism, for the multilateral development banks, the purposes of which shall include: to assist poor countries in investigations and prosecutions of fraud and corruption related to loans, grants, or credits provided to them by a multilateral development bank; to provide the means for prosecutorial training and education in order to better equip recipient countries to fight fraud and corruption; and to build the capacity of recipient countries to prevent fraud and corruption. The Appropriations Committees define 'poor countries' as countries eligible to borrow from the International Development Association.

*Sec. 699I. Millennium Challenge Corporation.*

The amended bill includes a provision related to the environmental impact of MCC compacts, as proposed by the Senate. The House did not include a similar provision. New language is included that directs the MCC to submit a report to the Appropriations Committees regarding the MCC's fiscal year 2008 plans and implementation of compacts.

*Sec. 699J. Carry Forward of Unused Special Immigrant Visas.*

The amended bill includes a provision as proposed by the Senate (sec. 698) related to special immigrant visas for translators in Iraq. The House did not include a similar provision.

*Sec. 699K. Iraq.*

The amended bill includes a provision as proposed by the Senate (sec. 699M), which prohibits funds from this Act for assistance for Iraq; exempting assistance for humanitarian demining, assistance for refugees and internally displaced persons, \$5,000,000 for the Marla Ruzicka Iraqi War Victims Fund and \$10,000,000 for the rescue of Iraqi scholars under the heading "Economic Support Fund." The House did not include a similar provision.

The Department of State shall provide the Appropriations Committees with the report contained in sec. 699M(b) of the Senate bill in the manner and timeline prescribed.

The amended bill does not include a provision as proposed by the Senate restricting assistance for Iraq in this Act or prior Acts making appropriations for foreign operations, export financing, and related programs on a Secretary of State certification that the Appropriations Committees are given adequate access to conduct needed oversight of Iraq programs. Should this access not improve, the Appropriations Committees will address this matter more forcefully in subsequent appropriations bills.

*Sec. 699L. Anti-Kleptocracy.*

The amended bill includes a provision as proposed by the Senate (sec. 699N), which requires the Secretary of State to compile and maintain a list of foreign government officials and their immediate family members who have been involved in corruption relating to the extraction of natural resources in their countries. The section also requires the imposition of particular sanctions on these individuals and requires a report.

*Sec. 699M. Comprehensive Nuclear Threat Reduction and Security Plan.*

The amended bill includes a modified provision as proposed by the Senate (sec. 699P), which provides that not later than 180 days after enactment of this Act, the President shall submit a comprehensive nuclear threat reduction and security plan, in both classified and unclassified forms.

*Sec. 699N. Prohibition on Promotion of Tobacco.*

The amended bill includes new language related to the promotion of tobacco and tobacco products in the developing world, which continues current law.

*Sec. 699O. Unobligated Funds Rescissions.*

The amended bill includes rescissions totaling \$158,000,000. Of this amount, \$25,000,000 is from prior year funds under the heading "Subsidy Appropriation" for the Export-Import Bank of the United States. The remaining \$133,000,000 is from prior year balances under the heading "Economic Support Fund."

*Sec. 699P. Across-the-Board Rescission.*

The amended bill includes an across-the-board rescission of 0.81 percent.

## PROVISIONS NOT INCLUDED IN THE AMENDED BILL

The amended bill does not include a provision proposed by the Senate (sec. 301) regarding kidnapping or missing United States citizens. The Appropriations Committees direct that funds should be made available for this purpose under the heading "International Narcotics Control and Law Enforcement."

The amended bill does not include a provision proposed by the Senate (sec. 619) regarding export financing transfer authorities. This provision was included in the Transfer Authority section of the House bill. The amended bill addresses limiting export financing transfer authorities in section 609(b) of this Act.

The amended bill does not include a provision proposed by the House (sec. 637) regarding the application in subsequent Acts of funding ceilings and specifically designated funding levels. The amended bill addresses this provision in section 637.

The amended bill does not include a provision proposed by the House (sec. 648) regarding Haiti. The Senate included this provision in the "Western Hemisphere" general provision (sec. 649). The amended bill addresses this provision in section 672, a new "Western Hemisphere" general provision.

The amended bill does not include a provision proposed by the House (sec. 673) or Senate (sec. 696) regarding assistance for Cuba.

The amended bill does not include a provision as proposed by the House (sec. 672), "Assistance to Colombia Law Enforcement to Combat Illegal Armed Groups" or Senate provision (sec. 657) "Illegal Armed Groups." The amended bill addresses these issues in section 649.

The amended bill does not include a provision proposed by both the House (sec. 656) and Senate (sec. 656) that addressed funding restrictions on the Colombian armed forces and instead adds the issues addressed by these provisions in section 649.

The amended bill does not include a provision as proposed by the Senate (sec. 671) requiring the Secretary of State to submit a report on procedures for monitoring the use of FMF assistance for certain countries. The Appropriations Committees direct the Secretary of State to submit a report not later than 90 days after enactment of this Act, detailing the procedures being applied, on a country-by-country basis, to ensure that FMF assistance for Bangladesh, the Democratic Republic of the Congo, Ethiopia, Pakistan, Philippines, and Sri Lanka is not used by units of the security forces of such countries against civilians, including civilians who are members of political opposition parties and human rights groups. The House did not include a similar provision.

The amended bill does not include a provision as proposed by the House (sec. 681) regarding anticorruption provisions. The issues addressed by this provision are included in section 668.

The amended bill does not include a provision "United Nations Headquarters Renovation" as proposed by the House (sec. 697). The Senate did not have a similar provision. The Appropriations Committees are concerned that the United Nations facilities located in New York, New York are not currently in full compliance with all New York city fire, building and safety codes. The Department of State is directed to submit within 45 days of the date of enactment

of this Act a report on whether the United Nations facilities are: 1) currently in compliance with New York city fire, building and safety codes, 2) have renovation plans for such facilities that meet the requirements of New York city fire, building and safety codes, 3) have plans for such renovated facilities to maintain compliance over time, and 4) have plans for the interim facilities that will be occupied during the renovation to also meet the fire, building and safety codes.

The amended bill does not include a provision as proposed by the House (sec. 683) establishing the GROWTH fund. Language regarding a similar fund is under the "Development Assistance" heading.

The amended bill does not include a provision as proposed by the House (sec. 690) that required the United States Executive Director at the International Monetary Fund (IMF) to use the voice of the United States to ensure that any loan, agreement, or other program of the IMF does not penalize countries for increased government spending on health care or education as proposed by the House. The Appropriations Committees expect the United States Executive Director to support IMF efforts to responsibly expand health care, education, and development spending in developing countries. The Senate did not have a similar provision.

The amended bill does not include the provision proposed by the House (sec. 696) or the Senate (sec. 683) regarding oversight of Iraq reconstruction as the Appropriations Committees understand this matter is addressed in other legislation.

The amended bill does not include a provision proposed by the House regarding Taiwan. The Appropriations Committees affirm that the Taiwan Relations Act (Public Law 96-8) provides the legal framework for relations between the United States and Taiwan. The Appropriations Committees underscore the importance of peace and stability in the Taiwan Strait, and deplore the recent decision of the People's Republic of China to block United States naval vessels from visiting Hong Kong, particularly two ships seeking safe harbor from a storm.

The amended bill does not include a Senate provision (sec. 699O) concerning a strategy for United States efforts to resolve the conflict in northern Uganda. The Appropriations Committees direct the Secretary of State to submit a report to the Committees on Appropriations not later than 90 days after enactment of the Act, detailing a strategy for substantially enhancing United States efforts to resolve the conflict between the Lord's Resistance Army (LRA) and the Government of Uganda (GOU), including direct and sustained participation by the U.S. in confidence-building measures in furtherance of the peace process; increased diplomatic pressure on the Democratic Republic of the Congo (to eliminate the LRA's current safe haven) and on Sudan; brokering direct negotiations between the GOU and the leaders of the LRA on personal security arrangements; and financial support for disarmament, demobilization, and reintegration to provide mid-level LRA commanders incentives to return to civilian life. The amended bill provides \$5,000,000 to implement the strategy.

The amended bill does not include a provision proposed by the Senate (sec. 699F) restricting assistance to any international orga-

nization (including the United Nations) that requires the registration of or taxes a gun owned by a citizen of the United States. USAID shall consult with the Appropriations Committees on its conservation programs in Africa involving hunting.

The amended bill does not include the following House provisions: sections 699D, 699H, 699F, 699I, 699L, and 699O. The amended bill does not include the following Senate provisions: sections 686, 691, 695, 699, 699A, 699C, 699E, 699F, 699G, 699I, 699J, 699K, 699L, 699N, and 699O.

DISCLOSURE OF EARMARKS AND CONGRESSIONAL DIRECTED  
SPENDING ITEMS

Neither the text nor the explanatory statement for this division of the House amendment contains any congressional earmarks, congressionally directed spending items, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI of the Rules of the House of Representatives and rule XLIV of the Standing Rules of the Senate.

HOUSE AMENDMENT TO SENATE AMENDMENT TO H.R. 2764  
 DIVISION J - DEPARTMENT OF STATE FOREIGN OPERATIONS AND RELATED AGENCIES APPROPRIATIONS ACT 2008  
 (Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	House	Senate	Amended Bill	Amended Bill vs. Enacted
<b>TITLE I - DEPARTMENT OF STATE AND RELATED AGENCY</b>						
<b>DEPARTMENT OF STATE</b>						
<b>Administration of Foreign Affairs</b>						
Diplomatic and consular programs.....	3,656,564	3,977,940	3,782,318	3,820,375	3,779,181	+153,478
(Transfer out).....	(-3,949)	---	---	(210,000)	---	(+3,949)
Emergency appropriations (Division J, H.R. 2764)...	---	---	---	---	575,000	+575,000
Worldwide security protection.....	681,949	964,760	964,760	909,598	761,906	+86,179
Emergency appropriations (P.L. 110-28).....	870,658	---	---	---	---	-870,658
Emergency appropriations (P.L. 110-28) (Transfer out).....	(-20,000)	---	---	---	---	(+20,000)
Emergency Appropriations (H.R. 2764).....	---	---	---	---	206,632	+206,632
Subtotal, Worldwide Security Protection.....	1,552,607	964,760	964,760	909,598	968,538	-577,847
<b>Total, Diplomatic and consular programs.....</b>						
	5,209,171	4,942,700	4,747,078	4,729,973	5,322,719	+150,631
Emergency appropriations.....	870,658	---	---	---	781,632	-89,026
Capital investment fund.....	58,143	70,743	59,062	63,743	59,575	+1,919
Office of Inspector General.....	29,914	32,508	32,508	35,508	33,733	+4,094
Emergency appropriations (P.L. 110-28).....	36,500	---	---	---	---	-36,500
Emergency appropriations (P.L. 110-28) Special IG for Iraq reconstruction (By transfer).....	(35,000)	---	---	---	---	(-35,000)

HOUSE AMENDMENT TO SENATE AMENDMENT TO H.R. 2764  
 DIVISION J - DEPARTMENT OF STATE FOREIGN OPERATIONS AND RELATED AGENCIES APPROPRIATIONS ACT 2008  
 (Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	House	Senate	Amended Bill	Amended Bill vs. Enacted
Educational and cultural exchange programs.....	445,671	486,400	501,400	509,482	501,347	+59,770
(Transfer out).....	---	---	(-6,000)	---	---	---
Emergency appropriations (P.L. 110-28).....	20,000	---	---	---	---	-20,000
Representation allowances.....	8,175	8,175	8,175	8,175	8,109	---
Protection of foreign missions and officials.....	9,270	18,000	28,000	14,000	22,814	+13,730
Embassy security, construction, and maintenance.....	592,277	792,534	729,898	792,534	755,050	+168,939
Worldwide security upgrades.....	898,575	806,900	806,900	649,278	670,524	-222,575
Emergencies in the diplomatic and consular service....	4,940	19,000	14,000	9,000	8,927	+4,060
Emergency appropriations (P.L. 110-28) (By transfer).....	(20,000)	---	---	---	---	(-20,000)
(By transfer).....	---	---	---	(10,000)	---	---
Repatriation Loans Program Account:						
Direct loans subsidy.....	703	678	678	678	673	-25
Administrative expenses.....	599	607	607	607	602	+8
Total, Repatriation loans program account.....	1,302	1,285	1,285	1,285	1,275	-17
Payment to the American Institute in Taiwan.....	15,826	16,351	16,351	16,351	16,219	+525
Payment to the Foreign Service Retirement and Disability Fund.....	125,000	122,500	158,900	158,900	158,900	+33,900
Total, Administration of Foreign Affairs.....	7,454,764	7,317,096	7,103,557	6,988,229	7,559,192	+158,476

HOUSE AMENDMENT TO SENATE AMENDMENT TO H. R. 2764  
 DIVISION J - DEPARTMENT OF STATE FOREIGN OPERATIONS AND RELATED AGENCIES APPROPRIATIONS ACT 2008  
 (Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	House	Senate	Amended Bill	Amended Bill vs. Enacted
<b>International Organizations</b>						
Contributions to international organizations, current year assessment.....	1,151,318	1,354,400	1,354,400	1,374,400	1,343,429	+203,082
Emergency appropriations (P.L. 110-28).....	50,000	---	---	---	---	-50,000
Contributions for international peacekeeping activities, current year.....	1,135,275	1,107,000	1,302,000	1,352,000	1,222,517	+97,225
Emergency appropriations (P.L. 110-28).....	283,000	---	---	---	---	-283,000
Emergency Appropriations (H.R. 2764).....	---	---	---	---	468,000	+468,000
Subtotal, International Peacekeeping.....	1,418,275	1,107,000	1,302,000	1,352,000	1,690,517	+282,225
<b>Total, International Organizations.....</b>						
Emergency appropriations.....	2,619,593	2,461,400	2,656,400	2,726,400	3,033,946	+435,307
Emergency appropriations.....	333,000	---	---	---	468,000	+135,000
<b>International Commissions</b>						
<b>International Boundary and Water Commission, United States and Mexico:</b>						
Salaries and expenses.....	27,718	30,430	30,430	30,430	30,184	+2,712
Construction.....	5,232	71,725	15,725	88,425	87,709	+83,193
American sections, international commissions.....	9,962	10,395	10,630	11,250	10,851	+978
International fisheries commissions.....	23,694	21,000	26,000	27,054	26,312	+2,833
Total, International commissions.....	66,606	133,550	82,785	157,159	155,056	+89,716



HOUSE AMENDMENT TO SENATE AMENDMENT TO H.R. 2764  
 DIVISION J - DEPARTMENT OF STATE FOREIGN OPERATIONS AND RELATED AGENCIES APPROPRIATIONS ACT 2008  
 (Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	House	Senate	Amended Bill	Amended Bill Vs. Enacted
<b>Other</b>						
Payment to the Asia Foundation.....	13,821	10,000	15,000	16,000	15,374	+1,679
Center for Middle Eastern-Western dialogue.....	750	875	875	875	868	+125
Eisenhower Exchange Fellowship program.....	494	500	500	500	496	+6
Israeli Arab scholarship program.....	370	375	375	375	372	+5
East-West Center.....	18,994	10,000	---	20,000	19,342	+506
National Endowment for Democracy.....	74,042	80,000	80,000	---	---	-74,042
<b>Total, Department of State.....</b>	<b>10,249,434</b>	<b>10,013,796</b>	<b>9,939,492</b>	<b>9,909,538</b>	<b>10,784,646</b>	<b>+611,778</b>
Emergency appropriations.....	1,260,158	---	---	---	1,249,632	-10,526
<b>RELATED AGENCIES</b>						
<b>Broadcasting Board of Governors</b>						
International Broadcasting Operations.....	639,126	618,777	671,632	662,727	659,343	+25,601
Emergency appropriations (P.L. 110-28).....	10,000	---	---	---	---	-10,000
Emergency Appropriations (H.R. 2764).....	---	---	---	---	12,000	+12,000
<b>Subtotal, International Broadcasting Operations.....</b>	<b>649,126</b>	<b>618,777</b>	<b>671,632</b>	<b>662,727</b>	<b>671,343</b>	<b>+27,601</b>
Broadcasting to Cuba.....	---	38,700	---	---	---	---
Broadcasting capital improvements.....	7,624	10,748	10,748	10,748	10,661	+3,124
<b>Total, Broadcasting Board of Governors.....</b>	<b>656,750</b>	<b>668,225</b>	<b>682,380</b>	<b>673,475</b>	<b>682,004</b>	<b>+30,725</b>

HOUSE AMENDMENT TO SENATE AMENDMENT TO H.R. 2764  
 DIVISION J - DEPARTMENT OF STATE FOREIGN OPERATIONS AND RELATED AGENCIES APPROPRIATIONS ACT 2008  
 (Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	House	Senate	Amended Bill	Amended Bill vs. Enacted
-----						
Commission for the Preservation of America's Heritage Abroad	493	499	499	499	495	+6
Salaries and expenses.....						
Commission on International Religious Freedom						
Salaries and expenses.....	3,000	3,300	3,400	3,000	3,273	+300
Emergency appropriations (P.L. 110-28) (By transfer).....	(258)	---	---	---	---	(-258)
Commission on Security and Cooperation in Europe						
Salaries and expenses.....	2,004	2,037	2,037	2,037	2,351	+366
Congressional-Executive Commission on the People's Republic of China						
Salaries and expenses.....	1,876	2,000	2,000	2,000	1,984	+124
United States - China Economic and Security Review Commission						
Salaries and expenses.....	2,962	4,000	4,000	2,962	3,968	+1,038
United States Senate-China United States Senate Interparliamentary Groups						
Salaries and expenses.....	149	---	---	150	149	+1

HOUSE AMENDMENT TO SENATE AMENDMENT TO H. R. 2764  
 DIVISION J - DEPARTMENT OF STATE FOREIGN OPERATIONS AND RELATED AGENCIES APPROPRIATIONS ACT 2008  
 (Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	House	Senate	Amended Bill	Amended Bill vs. Enacted
<b>United States Institute of Peace</b>						
Operating expenses.....	22,064	30,000	26,000	25,000	24,797	+2,936
<b>Total, title I, Department of State and Related Agencies.....</b>						
Appropriations.....	10,938,732	10,723,857	10,659,808	10,618,661	11,503,667	+647,274
Emergency appropriations.....	(9,668,574)	(10,723,857)	(10,659,808)	(10,618,661)	(10,242,035)	(+655,800)
(Transfer out).....	1,270,158	---	---	---	1,261,632	-8,526
	(-3,949)	---	(-6,000)	(210,000)	---	(+3,949)

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**TITLE II - EXPORT AND INVESTMENT ASSISTANCE**

**EXPORT-IMPORT BANK OF THE UNITED STATES**

Subsidy appropriation.....	26,382	68,000	68,000	68,000	67,449	+41,618
Administrative expenses.....	72,468	78,000	78,000	78,000	77,368	+5,532
Inspector General.....	990	1,000	1,000	1,000	992	+10
Negative subsidy.....	-45,000	---	---	---	---	+45,000
Offsetting collections.....	---	-146,000	-146,000	-146,000	-146,000	-146,000
Total, Export-Import Bank of the United States..	54,840	1,000	1,000	1,000	-191	-53,840

HOUSE AMENDMENT TO SENATE AMENDMENT TO H. R. 2764  
 DIVISION J - DEPARTMENT OF STATE FOREIGN OPERATIONS AND RELATED AGENCIES APPROPRIATIONS ACT 2008  
 (Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	House	Senate	Amended Bill	Amended Bill vs. Enacted
<b>OVERSEAS PRIVATE INVESTMENT CORPORATION</b>						
Noncredit account:						
Administrative expenses.....	41,851	47,500	47,500	47,500	47,115	+5,649
Insurance fees and other offsetting collections...	-258,000	-237,000	-237,000	-237,000	-237,000	+21,000
Subsidy appropriation.....	20,073	29,000	20,000	21,000	23,310	+3,427
Total, Overseas Private Investment Corporation..	-196,076	-160,500	-169,500	-168,500	-166,575	+30,076
<b>FUNDS APPROPRIATED TO THE PRESIDENT</b>						
Trade and development agency.....	50,391	50,400	50,400	50,400	49,992	+9
Total, title II Export and investment assistance	-90,845	-109,100	-118,100	-117,100	-116,774	-23,755
<b>TITLE III - BILATERAL ECONOMIC ASSISTANCE</b>						
<b>FUNDS APPROPRIATED TO THE PRESIDENT</b>						
Global Health and Child Survival (USAID).....	1,718,150	1,564,279	1,980,150	6,621,425	1,714,152	+10,000
HIV/AIDS.....	---	---	---	(5,050,000)	---	---
Global Health and Child Survival (Dept. of State).	---	---	---	---	4,661,930	+4,700,000
Global fund contribution.....	(247,500)	---	(250,000)	(550,000)	(550,000)	(+302,500)
(Transfer out).....	(-5,940)	---	(-6,000)	---	---	(+5,940)
Emergency appropriations (P.L. 110-28).....	161,000	---	---	---	---	-161,000
Emergency Appropriations USAID (H.R. 2764).....	---	---	---	---	115,000	+115,000
Subtotal, Global Health and Child Survival.....	1,879,150	1,564,279	1,980,150	6,621,425	6,491,082	+4,664,000

HOUSE AMENDMENT TO SENATE AMENDMENT TO H.R. 2764  
 DIVISION J - DEPARTMENT OF STATE FOREIGN OPERATIONS AND RELATED AGENCIES APPROPRIATIONS ACT 2008  
 (Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	House	Senate	Amended Bill	Amended Bill vs. Enacted
Development assistance.....	1,508,760	1,041,248	1,733,760	1,455,000	1,623,622	+128,121
(Transfer out).....	(-20,790)	(-21,000)	(-21,000)	(-21,000)	(-21,000)	(-210)
International disaster assistance.....	361,350	297,300	322,350	322,350	319,739	-39,000
Emergency appropriations (P.L. 110-28).....	165,000	---	---	---	---	-165,000
Emergency Appropriations (H.R. 2764).....	---	---	---	---	110,000	+110,000
Subtotal, International Disaster Assistance.....	526,350	297,300	322,350	322,350	429,739	-94,000
Transition Initiatives.....	39,600	37,200	40,000	50,000	44,635	+5,400
Development Credit Authority: (By transfer).....	(20,790)	(21,000)	(21,000)	(21,000)	(21,000)	(+210)
Administrative expenses.....	7,920	7,400	7,400	8,920	8,094	+240
Subtotal, Development assistance.....	3,961,780	2,947,427	4,083,660	8,457,695	8,597,172	+4,703,761
Payment to the Foreign Service Retirement and Disability Fund.....	38,700	36,400	---	---	---	-38,700
Operating expenses of the U.S. Agency for International Development.....	626,832	609,000	625,700	645,700	629,856	+8,168
(By transfer).....	(5,940)	(6,000)	(6,000)	(6,000)	(6,000)	(+60)
Emergency appropriations (P.L. 110-28).....	8,700	---	---	---	---	-8,700
Emergency Appropriations (H.R. 2764).....	---	---	---	---	20,800	+20,800
Subtotal, Operating Expenses USAID.....	635,532	609,000	625,700	645,700	650,656	+20,268

HOUSE AMENDMENT TO SENATE AMENDMENT TO H.R. 2764  
 DIVISION J - DEPARTMENT OF STATE FOREIGN OPERATIONS AND RELATED AGENCIES APPROPRIATIONS ACT 2008  
 (Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	House	Senate	Amended Bill	Amended Bill vs. Enacted
Capital Investment Fund.....	69,300	126,000	87,300	90,508	87,287	+18,700
Operating expenses of the U.S. Agency for Inter- national Development Office of Inspector General.....	35,640	38,000	38,000	38,000	37,692	+2,360
Emergency appropriations (P.L. 110-28).....	7,000	---	---	---	---	-7,000
Subtotal, Operating Expenses USAID OIG.....	42,640	38,000	38,000	38,000	37,692	-4,640
Total, USAID.....	4,747,952	3,756,827	4,834,660	9,231,903	9,372,807	+4,699,389
Emergency appropriations.....	341,700	---	---	---	245,800	-95,900
Other Bilateral Economic Assistance						
Economic support fund:						
Israel.....	120,000	---	---	---	---	-120,000
Egypt.....	455,000	415,000	415,000	---	411,638	-40,000
Other.....	1,880,010	2,904,567	2,253,206	3,015,000	2,020,753	+157,245
Emergency appropriations (P.L. 110-28).....	2,624,300	---	---	---	---	-2,624,300
Emergency appropriations (P.L. 110-28) (By transfer) Dept. of Defense.....	(110,000)	---	---	---	---	(-110,000)
Emergency Appropriations (H.R. 2764).....	---	---	---	---	542,568	+542,568
Subtotal, Economic support fund.....	5,079,310	3,319,567	2,668,206	3,015,000	2,974,959	-2,084,487
International Fund for Ireland.....	13,365	---	15,000	---	14,878	+1,635
Assistance for Eastern Europe and the Baltic States.....	273,900	289,322	297,332	294,568	293,553	+22,050
Emergency appropriations (P.L. 110-28).....	214,000	---	---	---	---	-214,000

HOUSE AMENDMENT TO SENATE AMENDMENT TO H.R. 2764  
 DIVISION J - DEPARTMENT OF STATE FOREIGN OPERATIONS AND RELATED AGENCIES APPROPRIATIONS ACT 2008  
 (Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	House	Senate	Amended Bill	Amended Bill vs. Enacted
Assistance for the Independent States of the former Soviet Union.....	452,000	351,585	397,585	401,885	396,497	-52,265
Total, Other Bilateral Economic Assistance.....	6,032,575	3,960,474	3,378,123	3,711,453	3,679,887	-2,327,067
Emergency appropriations.....	2,838,300	---	---	---	542,568	-2,295,732
INDEPENDENT AGENCIES						
Inter-American Foundation	19,305	19,000	19,000	22,000	20,830	+1,695
Appropriation.....						
African Development Foundation	22,770	30,000	30,000	30,000	29,757	+7,230
Appropriation.....						
Peace Corps	319,640	333,500	333,500	323,500	330,799	+13,860
Appropriation.....						
Millennium Challenge Corporation	1,752,300	3,000,000	1,800,000	1,200,000	1,544,388	-195,300
Appropriation.....						
Department of State	3,246,520	4,150,000	4,450,000	---	---	-3,246,520
Global HIV/AIDS initiative.....	(377,500)	---	(300,000)	---	---	(-377,500)
Global fund contribution.....						

HOUSE AMENDMENT TO SENATE AMENDMENT TO H. R. 2764  
 DIVISION J - DEPARTMENT OF STATE FOREIGN OPERATIONS AND RELATED AGENCIES APPROPRIATIONS ACT 2008  
 (Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	House	Senate	Amended Bill	Amended Bill vs. Enacted
Democracy Fund.....	94,050	---	---	177,000	162,672	+69,950
Emergency appropriations (P.L. 110-28).....	260,000	---	---	---	---	-260,000
International narcotics control and law enforcement... Emergency appropriations (P.L. 110-28).....	472,616	634,600	568,475	558,449	553,926	+85,833
Emergency appropriations (P.L. 110-28) (Rescission).....	252,000	---	---	---	---	-252,000
	-13,000	---	---	---	---	+13,000
Andean Counterdrug Programs.....	721,500	442,812	312,460	415,050	324,808	-394,040
Migration and refugee assistance.....	833,033	773,500	829,900	889,000	823,178	-3,133
Emergency appropriations (P.L. 110-28).....	130,500	---	---	---	---	-130,500
Emergency Appropriations (H.R. 2764).....	---	---	---	---	200,000	+200,000
United States Emergency Refugee and Migration Assistance Fund.....	55,000	55,000	45,000	45,000	44,635	-10,000
Emergency appropriations (P.L. 110-28).....	55,000	---	---	---	---	-55,000
Nonproliferation, anti-terrorism, demining and related programs.....	405,999	464,000	467,000	499,000	483,055	+81,001
Emergency appropriations (P.L. 110-28).....	57,500	---	---	---	---	-57,500
Subtotal, Department of State.....	6,570,718	6,519,912	6,672,835	2,583,499	2,592,274	-3,958,909
Emergency appropriations.....	755,000	---	---	---	200,000	-555,000



HOUSE AMENDMENT TO SENATE AMENDMENT TO H.R. 2764  
 DIVISION J - DEPARTMENT OF STATE FOREIGN OPERATIONS AND RELATED AGENCIES APPROPRIATIONS ACT 2008  
 (Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	House	Senate	Amended Bill	Amended Bill vs. Enacted
Department of the Treasury						
International Affairs Technical Assistance.....	19,800	24,800	18,000	22,800	20,235	+600
Emergency appropriations (P.L. 110-28).....	2,750	---	---	---	---	-2,750
Debt restructuring.....	64,350	207,300	200,300	200,300	30,055	-34,050
Subtotal, Department of the Treasury.....	86,900	232,100	218,300	223,100	50,290	-36,200
=====						
Total, title III, Bilateral economic assistance.	19,552,160	17,851,813	17,286,418	17,325,455	17,621,032	-1,795,302
Appropriations.....	(15,627,410)	(17,851,813)	(17,286,418)	(17,325,455)	(16,632,664)	(+1,141,080)
Emergency appropriations.....	(3,924,750)	---	---	---	(988,368)	(-2,936,382)
(By transfer).....	(26,730)	(27,000)	(27,000)	(27,000)	(27,000)	(+270)
(Transfer out).....	(-26,730)	(-21,000)	(-27,000)	(-21,000)	(-21,000)	(+5,730)
=====						

HOUSE AMENDMENT TO SENATE AMENDMENT TO H. R. 2764  
 DIVISION J - DEPARTMENT OF STATE FOREIGN OPERATIONS AND RELATED AGENCIES APPROPRIATIONS ACT 2008  
 (Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	House	Senate	Amended Bill	Amended Bill vs. Enacted
<b>TITLE IV - MILITARY ASSISTANCE</b>						
<b>FUNDS APPROPRIATED TO THE PRESIDENT</b>						
International Military Education and Training.....	85,877	89,500	85,076	85,877	85,181	---
Foreign Military Financing Program:						
Grants:						
Israel.....	2,340,000	2,400,000	2,400,000	2,400,000	2,380,560	+60,000
Egypt.....	1,300,000	1,300,000	1,300,000	1,300,000	1,289,470	---
Other.....	910,800	836,000	809,236	879,000	781,940	-122,475
Emergency Appropriations (H.R. 2764).....	---	---	---	---	100,000	+100,000
Subtotal, Grants.....	4,550,800	4,536,000	4,509,236	4,579,000	4,551,970	+37,525
(Limitation on administrative expenses).....	(41,600)	(41,900)	(41,900)	(41,900)	(41,900)	(+300)
(by transfer).....	---	---	---	---	---	---
Emergency appropriations (P.L. 110-28).....	265,000	---	---	---	---	-265,000
Total, Foreign Military Financing.....	4,815,800	4,536,000	4,509,236	4,579,000	4,551,970	-227,475

HOUSE AMENDMENT TO SENATE AMENDMENT TO H. R. 2764  
 DIVISION J - DEPARTMENT OF STATE FOREIGN OPERATIONS AND RELATED AGENCIES APPROPRIATIONS ACT 2008  
 (Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	House	Senate	Amended Bill	Amended Bill vs. Enacted
Peacekeeping operations.....	223,250	221,200	293,200	273,200	226,381	+4,980
Emergency appropriations (P.L. 110-28).....	230,000	---	---	---	---	-230,000
Emergency Appropriations (H.R. 2764).....	---	---	---	---	35,000	+35,000
Subtotal, Peacekeeping operations.....	453,250	221,200	293,200	273,200	261,381	-190,020
Total, title IV, Military assistance.....	5,354,927	4,846,700	4,887,512	4,938,077	4,898,532	-417,495
Appropriations.....	(4,859,927)	(4,846,700)	(4,887,512)	(4,938,077)	(4,763,532)	(-57,495)
Emergency appropriations.....	(495,000)	---	---	---	(135,000)	(-360,000)
(Limitation on administrative expenses).....	(41,600)	(41,900)	(41,900)	(41,900)	(41,900)	(+300)

TITLE V - MULTILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

International Financial Institutions

World Bank Group

Contribution to the International Bank for Reconstruction and Development:						
Global Environment Facility.....	79,200	106,763	106,763	106,763	81,101	+2,563
Contribution to the International Development Association.....	940,500	1,060,000	950,000	1,000,000	942,305	+9,500

HOUSE AMENDMENT TO SENATE AMENDMENT TO H. R. 2764  
 DIVISION J - DEPARTMENT OF STATE FOREIGN OPERATIONS AND RELATED AGENCIES APPROPRIATIONS ACT 2008  
 (Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	House	Senate	Amended Bill	Amended Bill vs. Enacted
Contribution to Multilateral Investment Guarantee Agency.....	---	1,082	---	---	---	---
(Limitation on callable capital subscriptions).....	(8,127)	(7,300)	(7,300)	(7,300)	(7,300)	(-827)
Total, World Bank Group.....	1,019,700	1,167,845	1,056,763	1,106,763	1,023,406	+12,063
Contribution to the Inter-American Development Bank:						
Contribution to the Enterprise for the Americas Multilateral Investment Fund.....	1,725	29,232	25,000	25,000	24,797	+23,275
Inter-American Investment Corporation.....	---	7,264	---	---	---	---
Total, Inter-American Development Bank.....	1,725	36,496	25,000	25,000	24,797	+23,275
Contribution to the Asian Development Fund.....	99,000	133,906	115,306	65,000	74,544	-23,847
Contribution to the African Development Bank:						
Paid-in capital.....	3,602	2,037	2,037	2,037	2,021	-1,565
(Limitation on callable capital subscriptions).....	(88,334)	(31,919)	(31,919)	(31,919)	(31,919)	(-56,415)
Contribution to the African Development Fund.....	134,343	140,584	135,684	105,000	134,585	+1,341
Total, African Development Bank.....	137,945	142,621	137,721	107,037	136,606	-224
Contribution to the European Bank for Reconstruction and Development:						
Paid-in capital.....	---	10	---	10	10	+10
(Limitation on callable capital subscriptions).....	(2,250)	---	---	---	---	(-2,250)

HOUSE AMENDMENT TO SENATE AMENDMENT TO H. R. 2764  
 DIVISION J - DEPARTMENT OF STATE FOREIGN OPERATIONS AND RELATED AGENCIES APPROPRIATIONS ACT 2008

(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	House	Senate	Amended Bill	Amended Bill vs. Enacted
Contribution to the International Fund for Agricultural Development.....	14,850	18,072	18,072	18,072	17,926	+3,222
Total, International Financial Institutions.....	1,273,220	1,498,950	1,352,862	1,321,882	1,277,289	+14,499
International Organizations and Programs						
Appropriation.....	326,163	289,400	333,400	313,925	316,897	-6,678
Total, title V, Multilateral economic assistance.....	1,599,383	1,788,350	1,686,262	1,635,807	1,594,186	+7,821
(Limitation on callable capital subscript).....	(98,711)	(39,219)	(39,219)	(39,219)	(39,219)	(-59,492)

TITLE VI - GENERAL PROVISIONS

Sec. 116 Commission on Security and Cooperation in Europe.....				333		
Sec. 117 Diplomatic and Consular Programs reduction...				-333		
Sec. 694 material support.....						
Sec. 699 Global Fund additional amount.....				40,000		
Sec. 699 Economic Support fund (rescission).....				-40,000		
Expenditure transfer (Sec. 540).....						
Sec. 699e Additional Peace Corps funding.....				10,000		
Sec. 699d Foreign Military Financing reduction.....				-10,000		
Sec. 699n Overseas Private Investment Corporation program 699k.....				8,000		
Sec. 699n Contribution to the International Development Association.....				-8,000		

HOUSE AMENDMENT TO SENATE AMENDMENT TO H. R. 2764  
 DIVISION J - DEPARTMENT OF STATE FOREIGN OPERATIONS AND RELATED AGENCIES APPROPRIATIONS ACT 2008  
 (Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	House	Senate	Amended Bill	Amended Bill vs. Enacted
Sec. 6084 Security in Asia.....	9,900	---	---	---	---	-9,900
Rescission.....	-231,350	---	---	---	---	+231,350
Export-Import Bank rescission.....	---	---	---	---	-25,000	-25,000
Economic Support Fund rescission.....	---	---	---	---	-133,000	-133,000
ATB pay raise (Sec. 111 of HJ Res. 20).....	-1,746	---	---	---	---	+1,746
Total, title VI, General Provisions.....	-223,196	---	---	---	-158,000	+65,196
Appropriations.....	(8,154)	---	---	(40,000)	---	(-8,154)
Rescissions.....	(-231,350)	---	---	(-40,000)	(-158,000)	(+73,350)
Grand total.....	37,131,161	35,101,620	34,401,900	34,400,900	35,342,643	-1,516,261
Appropriations.....	(31,672,603)	(35,101,620)	(34,401,900)	(34,440,900)	(33,115,643)	(+1,715,297)
Emergency appropriations.....	(5,689,908)	---	---	---	(2,385,000)	(-3,304,908)
Rescissions.....	(-231,350)	---	---	(-40,000)	(-158,000)	(+73,350)
(By transfer).....	(26,730)	(27,000)	(27,000)	(37,000)	(27,000)	(+270)
(Transfer out).....	(-30,679)	(-21,000)	(-33,000)	(189,000)	(-21,000)	(+9,679)
(Limitation on administrative expenses).....	(41,600)	(41,900)	(41,900)	(41,900)	(41,900)	(+300)
(Limitation on callable capital subscript).....	(98,711)	(39,219)	(39,219)	(39,219)	(39,219)	(-59,492)

Note: This amended bill reflects the effect of a 0.81 percent across-the-board cut in Sec. 699p.

## AMENDED BILL TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for fiscal year 2008 provided in the amended bill, with comparisons to the fiscal year 2007 amount, the 2008 budget estimates, and the House and Senate bills for 2008 follow:

[In thousands of dollars]	
New budget (obligational) authority, fiscal year 2007 .....	\$37,131,161
Budget estimates of new (obligational) authority, fiscal year 2008 .....	35,101,620
House bill, fiscal year 2008 .....	34,401,900
Senate bill, fiscal year 2008 .....	34,400,900
Amended bill, fiscal year 2008 .....	35,343,826
Amended bill compared with:	
New budget (obligational) authority, fiscal year 2007 .....	-1,787,335
Budget estimates of new (obligational) authority, fiscal year 2008 .....	+242,206
House bill, fiscal year 2008 .....	+941,926
Senate bill, fiscal year 2008 .....	+942,926