

1 DIVISION J—DEPARTMENT OF STATE, FOREIGN
2 OPERATIONS, AND RELATED PROGRAMS
3 APPROPRIATIONS ACT, 2008

4 TITLE I

5 DEPARTMENT OF STATE AND RELATED
6 AGENCIES

7 DEPARTMENT OF STATE

8 ADMINISTRATION OF FOREIGN AFFAIRS

9 DIPLOMATIC AND CONSULAR PROGRAMS

10 (INCLUDING TRANSFER OF FUNDS)

11 For necessary expenses of the Department of State
12 and the Foreign Service not otherwise provided for, includ-
13 ing employment, without regard to civil service and classi-
14 fication laws, of persons on a temporary basis (not to ex-
15 ceed \$700,000 of this appropriation), as authorized by
16 section 801 of the United States Information and Edu-
17 cational Exchange Act of 1948; representation to certain
18 international organizations in which the United States
19 participates pursuant to treaties ratified pursuant to the
20 advice and consent of the Senate or specific Acts of Con-
21 gress; arms control, nonproliferation and disarmament ac-
22 tivities as authorized; acquisition by exchange or purchase
23 of passenger motor vehicles as authorized by law; and for
24 expenses of general administration, \$4,385,042,000: *Pro-*
25 *vided*, That of the amount provided by this paragraph,
26 \$575,000,000 is designated as described in section 5 (in

1 the matter preceding division A of this consolidated Act):
2 *Provided further*, That of the amount made available
3 under this heading, not to exceed \$10,000,000 may be
4 transferred to, and merged with, “Emergencies in the Dip-
5 lomatic and Consular Service”, to be available only for
6 emergency evacuations and terrorism rewards: *Provided*
7 *further*, That of the amount made available under this
8 heading, not less than \$360,905,000 shall be available
9 only for public diplomacy international information pro-
10 grams: *Provided further*, That of the funds made available
11 under this heading, \$5,000,000 shall be made available
12 for a demonstration program to expand access to consular
13 services: *Provided further*, That of the amount appro-
14 priated under this heading, \$2,000,000 shall be available
15 for the Secretary to establish and operate a public/private
16 interagency public diplomacy center which shall serve as
17 a program integration and coordination entity for United
18 States public diplomacy programs: *Provided further*, That
19 of the amounts appropriated under this heading,
20 \$4,000,000, to remain available until expended, shall be
21 for compensation to the families of members of the For-
22 eign Service or other United States Government employees
23 or their dependents, who were killed in terrorist attacks
24 since 1979: *Provided further*, That none of the funds made
25 available for compensation in the previous proviso may be

1 obligated without specific authorization in a subsequent
2 Act of Congress: *Provided further*, That during fiscal year
3 2008, foreign service annuitants may be employed, not-
4 withstanding section 316.401 of title 5, Code of Federal
5 Regulations, pursuant to waivers under section
6 824(g)(1)(C)(ii) of the Foreign Service Act of 1980 (22
7 U.S.C. 4064(g)(1)(C)(ii)): *Provided further*, That of the
8 funds appropriated under this heading, \$5,000,000 shall
9 be made available for the Ambassador's Fund for Cultural
10 Preservation: *Provided further*, That of the funds appro-
11 priated under this heading, \$500,000 may not be available
12 for obligation until the Secretary of State submits a report
13 to the Committees on Appropriations outlining a plan to
14 increase the capacity of United States Embassy Moscow
15 to monitor human rights and Russian laws relating to the
16 press and civil society groups, and consults with the Com-
17 mittees on Appropriations concerning such plan: *Provided*
18 *further*, That the Secretary may transfer to and merge
19 with "Emergencies in the Diplomatic and Consular Serv-
20 ice" for rewards payments unobligated balances of funds
21 appropriated under "Diplomatic and Consular Programs"
22 for this fiscal year and for each fiscal year hereafter, at
23 no later than the end of the fifth fiscal year after the fiscal
24 year for which any such funds were appropriated or other-
25 wise made available: *Provided further*, That funds avail-

1 able under this heading may be available for a United
2 States Government interagency task force to examine, co-
3 ordinate and oversee United States participation in the
4 United Nations headquarters renovation project: *Provided*
5 *further*, That no funds may be obligated or expended for
6 processing licenses for the export of satellites of United
7 States origin (including commercial satellites and satellite
8 components) to the People's Republic of China unless, at
9 least 15 days in advance, the Committees on Appropria-
10 tions are notified of such proposed action: *Provided fur-*
11 *ther*, That funds appropriated under this heading are
12 available, pursuant to 31 U.S.C. 1108(g), for the field ex-
13 amination of programs and activities in the United States
14 funded from any account contained in this title.

15 In addition, not to exceed \$1,558,390 shall be derived
16 from fees collected from other executive agencies for lease
17 or use of facilities located at the International Center in
18 accordance with section 4 of the International Center Act;
19 in addition, as authorized by section 5 of such Act,
20 \$490,000, to be derived from the reserve authorized by
21 that section, to be used for the purposes set out in that
22 section; in addition, as authorized by section 810 of the
23 United States Information and Educational Exchange
24 Act, not to exceed \$6,000,000, to remain available until
25 expended, may be credited to this appropriation from fees

1 or other payments received from English teaching, library,
2 motion pictures, and publication programs and from fees
3 from educational advising and counseling and exchange
4 visitor programs; and, in addition, not to exceed \$15,000,
5 which shall be derived from reimbursements, surcharges,
6 and fees for use of Blair House facilities.

7 In addition, for the costs of worldwide security pro-
8 tection, \$974,760,000, to remain available until expended:
9 *Provided*, That of the amount provided by this paragraph,
10 \$206,632,000 is designated as described in section 5 (in
11 the matter preceding division A of this consolidated Act).

12 CAPITAL INVESTMENT FUND

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

18 OFFICE OF INSPECTOR GENERAL

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

23 EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

24 For expenses of educational and cultural exchange
25 programs, as authorized, \$505,441,000, to remain avail-
26 able until expended: *Provided*, That not to exceed

1 \$5,000,000, to remain available until expended, may be
2 credited to this appropriation from fees or other payments
3 received from or in connection with English teaching, edu-
4 cational advising and counseling programs, and exchange
5 visitor programs as authorized.

6 REPRESENTATION ALLOWANCES

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

9 PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

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

14 EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

15 For necessary expenses for carrying out the Foreign
16 Service Buildings Act of 1926 (22 U.S.C. 292–303), pre-
17 serving, maintaining, repairing, and planning for buildings
18 that are owned or directly leased by the Department of
19 State, renovating, in addition to funds otherwise available,
20 the Harry S Truman Building, and carrying out the Dip-
21 lomatic Security Construction Program as authorized,
22 \$761,216,000, to remain available until expended as au-
23 thorized, of which not to exceed \$25,000 may be used for
24 domestic and overseas representation as authorized: *Pro-*
25 *vided*, That none of the funds appropriated in this para-
26 graph shall be available for acquisition of furniture, fur-

1 nishings, or generators for other departments and agen-
2 cies.

3 In addition, for the costs of worldwide security up-
4 grades, acquisition, and construction as authorized,
5 \$676,000,000, to remain available until expended.

6 EMERGENCIES IN THE DIPLOMATIC AND CONSULAR

7 SERVICE

8 (INCLUDING TRANSFER OF FUNDS)

9 For expenses necessary to enable the Secretary of
10 State to meet unforeseen emergencies arising in the Diplo-
11 matic and Consular Service, \$9,000,000, to remain avail-
12 able until expended as authorized, of which not to exceed
13 \$1,000,000 may be transferred to and merged with the
14 "Repatriation Loans Program Account", subject to the
15 same terms and conditions.

16 REPATRIATION LOANS PROGRAM ACCOUNT

17 (INCLUDING TRANSFER OF FUNDS)

18 For the cost of direct loans, \$678,000, as authorized:
19 *Provided*, That such costs, including the cost of modifying
20 such loans, shall be as defined in section 502 of the Con-
21 gressional Budget Act of 1974.

22 In addition, for administrative expenses necessary to
23 carry out the direct loan program, \$607,000, which may
24 be transferred to and merged with "Diplomatic and Con-
25 sular Programs".

1 PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

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

4 PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND
5 DISABILITY FUND

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

8 INTERNATIONAL ORGANIZATIONS

9 CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

10 For expenses, not otherwise provided for, necessary
11 to meet annual obligations of membership in international
12 multilateral organizations, pursuant to treaties ratified
13 pursuant to the advice and consent of the Senate, conven-
14 tions or specific Acts of Congress, \$1,354,400,000: *Pro-*
15 *vided*, That the Secretary of State shall, at the time of
16 the submission of the President's budget to Congress
17 under section 1105(a) of title 31, United States Code,
18 transmit to the Committees on Appropriations the most
19 recent biennial budget prepared by the United Nations for
20 the operations of the United Nations: *Provided further*,
21 That the Secretary of State shall notify the Committees
22 on Appropriations at least 15 days in advance (or in an
23 emergency, as far in advance as is practicable) of any
24 United Nations action to increase funding for any United
25 Nations program without identifying an offsetting de-
26 crease elsewhere in the United Nations budget and cause

1 the United Nations budget for the biennium 2008–2009
2 to exceed the revised United Nations budget level for the
3 biennium 2006–2007 of \$4,173,895,900: *Provided further,*
4 That any payment of arrearages under this title shall be
5 directed toward activities that are mutually agreed upon
6 by the United States and the respective international orga-
7 nization: *Provided further,* That none of the funds appro-
8 priated in this paragraph shall be available for a United
9 States contribution to an international organization for
10 the United States share of interest costs made known to
11 the United States Government by such organization for
12 loans incurred on or after October 1, 1984, through exter-
13 nal borrowings.

14 CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING
15 ACTIVITIES

16 For necessary expenses to pay assessed and other ex-
17 penses of international peacekeeping activities directed to
18 the maintenance or restoration of international peace and
19 security, \$1,700,500,000, of which 15 percent shall re-
20 main available until September 30, 2009: *Provided,* That
21 none of the funds made available under this Act shall be
22 obligated or expended for any new or expanded United
23 Nations peacekeeping mission unless, at least 15 days in
24 advance of voting for the new or expanded mission in the
25 United Nations Security Council (or in an emergency as
26 far in advance as is practicable): (1) the Committees on

1 Appropriations and other appropriate committees of the
2 Congress are notified of the estimated cost and length of
3 the mission, the national interest that will be served, and
4 the planned exit strategy; (2) the Committees on Appro-
5 priations and other appropriate committees of the Con-
6 gress are notified that the United Nations has taken ap-
7 propriate measures to prevent United Nations employees,
8 contractor personnel, and peacekeeping forces serving in
9 any United Nations peacekeeping mission from trafficking
10 in persons, exploiting victims of trafficking, or committing
11 acts of illegal sexual exploitation, and to hold accountable
12 individuals who engage in such acts while participating in
13 the peacekeeping mission, including the prosecution in
14 their home countries of such individuals in connection with
15 such acts; and (3) a reprogramming of funds pursuant
16 to section 615 of this Act is submitted, and the procedures
17 therein followed, setting forth the source of funds that will
18 be used to pay for the cost of the new or expanded mission:
19 *Provided further,* That funds shall be available for peace-
20 keeping expenses only upon a certification by the Sec-
21 retary of State to the Committees on Appropriations that
22 American manufacturers and suppliers are being given op-
23 portunities to provide equipment, services, and material
24 for United Nations peacekeeping activities equal to those
25 being given to foreign manufacturers and suppliers: *Pro-*

1 *vided further*, That of the amount provided by this para-
2 graph, \$468,000,000 is designated as described in section
3 5 (in the matter preceding division A of this consolidated
4 Act).

5 INTERNATIONAL COMMISSIONS

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

9 INTERNATIONAL BOUNDARY AND WATER COMMISSION,
10 UNITED STATES AND MEXICO

11 For necessary expenses for the United States Section
12 of the International Boundary and Water Commission,
13 United States and Mexico, and to comply with laws appli-
14 cable to the United States Section, including not to exceed
15 \$6,000 for representation; as follows:

16 SALARIES AND EXPENSES

17 For salaries and expenses, not otherwise provided for,
18 \$30,430,000.

19 CONSTRUCTION

20 For detailed plan preparation and construction of au-
21 thorized projects, \$88,425,000, to remain available until
22 expended, as authorized.

23 AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

24 For necessary expenses, not otherwise provided, for
25 the International Joint Commission and the International
26 Boundary Commission, United States and Canada, as au-

1 thORIZED by treaties between the United States and Can-
2 ADA or Great Britain, and for the Border Environment
3 COOPERATION Commission as authorized by Public Law
4 103-182, \$10,940,000: *Provided*, That of the amount pro-
5 VIDED under this heading for the International Joint Com-
6 MISSION, \$9,000 may be made available for representation
7 EXPENSES 45 days after submission to the Committees on
8 APPROPRIATIONS of a report detailing obligations, expendi-
9 TURES and associated activities for fiscal years 2005, 2006
10 AND 2007, including any unobligated funds which expired
11 AT THE END of each fiscal year and the justification for why
12 SUCH FUNDS were not obligated.

13 Of the funds made available in the Science, State,
14 JUSTICE, Commerce, and Related Agencies Appropriations
15 ACT, 2006, Public Law 109-108, as continued by the Con-
16 TINUING Appropriations Resolution, 2007 (division B of
17 PUBLIC LAW 109-289, as amended by Public Law 110-
18 5), for the International Joint Commission (119 Stat.
19 2323), \$300,000 for the Lake Champlain Basin Program
20 SHALL REMAIN available for the purposes intended until Sep-
21 TEMBER 30, 2009.

22 INTERNATIONAL FISHERIES COMMISSIONS

23 For necessary expenses for international fisheries
24 COMMISSIONS, not otherwise provided for, as authorized by
25 LAW, \$26,527,000: *Provided*, That the United States share
26 OF SUCH EXPENSES may be advanced to the respective com-

1 missions pursuant to 31 U.S.C. 3324: *Provided further*,
2 That funds appropriated under this heading shall be avail-
3 able for programs in the amounts contained in the table
4 included in the explanatory statement described in section
5 4 (in the matter preceding division A of this consolidated
6 Act) accompanying this Act and no proposal for deviation
7 from those amounts shall be considered.

8 OTHER

9 PAYMENT TO THE ASIA FOUNDATION

10 For a grant to the Asia Foundation, as authorized
11 by the Asia Foundation Act (22 U.S.C. 4402),
12 \$15,500,000, to remain available until expended, as au-
13 thorized.

14 CENTER FOR MIDDLE EASTERN-WESTERN DIALOGUE

15 TRUST FUND

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

21 EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

22 For necessary expenses of Eisenhower Exchange Fel-
23 lowships, Incorporated, as authorized by sections 4 and
24 5 of the Eisenhower Exchange Fellowship Act of 1990 (20
25 U.S.C. 5204–5205), all interest and earnings accruing to
26 the Eisenhower Exchange Fellowship Program Trust

1 Fund on or before September 30, 2008, to remain avail-
2 able until expended: *Provided*, That none of the funds ap-
3 propriated herein shall be used to pay any salary or other
4 compensation, or to enter into any contract providing for
5 the payment thereof, in excess of the rate authorized by
6 5 U.S.C. 5376; or for purposes which are not in accord-
7 ance with OMB Circulars A-110 (Uniform Administrative
8 Requirements) and A-122 (Cost Principles for Non-profit
9 Organizations), including the restrictions on compensation
10 for personal services.

11 ISRAELI ARAB SCHOLARSHIP PROGRAM

12 For necessary expenses of the Israeli Arab Scholar-
13 ship Program as authorized by section 214 of the Foreign
14 Relations Authorization Act, Fiscal Years 1992 and 1993
15 (22 U.S.C. 2452), all interest and earnings accruing to
16 the Israeli Arab Scholarship Fund on or before September
17 30, 2008, to remain available until expended.

18 EAST-WEST CENTER

19 To enable the Secretary of State to provide for car-
20 rying out the provisions of the Center for Cultural and
21 Technical Interchange Between East and West Act of
22 1960, by grant to the Center for Cultural and Technical
23 Interchange Between East and West in the State of Ha-
24 waii, \$19,500,000: *Provided*, That none of the funds ap-
25 propriated herein shall be used to pay any salary, or enter

1 into any contract providing for the payment thereof, in
2 excess of the rate authorized by 5 U.S.C. 5376.

3 RELATED AGENCIES

4 BROADCASTING BOARD OF GOVERNORS

5 INTERNATIONAL BROADCASTING OPERATIONS

6 For expenses necessary to enable the Broadcasting
7 Board of Governors, as authorized, to carry out inter-
8 national communication activities, including the purchase,
9 rent, construction, and improvement of facilities for radio
10 and television transmission and reception and purchase,
11 lease, and installation of necessary equipment for radio
12 and television transmission and reception to Cuba, and to
13 make and supervise grants for radio and television broad-
14 casting to the Middle East, \$676,727,000: *Provided*, That
15 of the total amount in this heading, not to exceed \$16,000
16 may be used for official receptions within the United
17 States as authorized, not to exceed \$35,000 may be used
18 for representation abroad as authorized, and not to exceed
19 \$39,000 may be used for official reception and representa-
20 tion expenses of Radio Free Europe/Radio Liberty; and
21 in addition, notwithstanding any other provision of law,
22 not to exceed \$2,000,000 in receipts from advertising and
23 revenue from business ventures, not to exceed \$500,000
24 in receipts from cooperating international organizations,
25 and not to exceed \$1,000,000 in receipts from privatiza-

1 tion efforts of the Voice of America and the International
2 Broadcasting Bureau, to remain available until expended
3 for carrying out authorized purposes: *Provided further,*
4 That of the amount provided by this paragraph,
5 \$12,000,000 is designated as described in section 5 (in
6 the matter preceding division A of this consolidated Act).

7 BROADCASTING CAPITAL IMPROVEMENTS

8 For the purchase, rent, construction, and improve-
9 ment of facilities for radio and television transmission and
10 reception, and purchase and installation of necessary
11 equipment for radio and television transmission and recep-
12 tion as authorized, \$10,748,000, to remain available until
13 expended, as authorized.

14 COMMISSION FOR THE PRESERVATION OF AMERICA'S
15 HERITAGE ABROAD

16 SALARIES AND EXPENSES

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

20 COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

21 SALARIES AND EXPENSES

22 For necessary expenses for the United States Com-
23 mission on International Religious Freedom, as authorized
24 by title II of the International Religious Freedom Act of
25 1998 (Public Law 105-292), \$3,300,000, to remain avail-
26 able until September 30, 2009.

1 COMMISSION ON SECURITY AND COOPERATION IN
2 EUROPE
3 SALARIES AND EXPENSES

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

8 CONGRESSIONAL-EXECUTIVE COMMISSION ON THE
9 PEOPLE'S REPUBLIC OF CHINA
10 SALARIES AND EXPENSES

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

1 UNITED STATES-CHINA ECONOMIC AND SECURITY
2 REVIEW COMMISSION
3 SALARIES AND EXPENSES

4 For necessary expenses of the United States-China
5 Economic and Security Review Commission, \$4,000,000,
6 including not more than \$4,000 for the purpose of official
7 representation, to remain available until September 30,
8 2009: *Provided*, That the Commission shall submit a
9 spending plan to the Committees on Appropriations no
10 later than March 1, 2008 which effectively addresses the
11 recommendations of the Government Accountability Of-
12 fice's audit of the Commission (GAO-07-1128): *Provided*
13 *further*, That the Commission shall provide to the Commit-
14 tees on Appropriations a quarterly accounting of the cu-
15 mulative balances of any unobligated funds that were re-
16 ceived by the Commission during any previous fiscal year:
17 *Provided further*, That for purposes of costs relating to
18 printing and binding, the Commission shall be deemed, ef-
19 fective on the date of its establishment, to be a committee
20 of Congress: *Provided further*, That compensation for the
21 executive director of the Commission may not exceed the
22 rate payable for level II of the Executive Schedule under
23 section 5314 of title 5, United States Code: *Provided fur-*
24 *ther*, That section 1238(c)(1) of the Floyd D. Spence Na-
25 tional Defense Authorization Act for Fiscal Year 2001,

1 is amended by striking “June” and inserting “December”:
2 *Provided further*, That travel by members of the Commis-
3 sion and its staff shall be arranged and conducted under
4 the rules and procedures applying to travel by members
5 of the House of Representatives and its staff.

1 UNITED STATES SENATE-CHINA INTERPARLIAMENTARY
2 GROUP
3 SALARIES AND EXPENSES

4 For necessary expenses of the United States Senate-
5 China Interparliamentary Group, as authorized under sec-
6 tion 153 of the Consolidated Appropriations Act, 2004 (22
7 U.S.C. 276n; Public Law 108-99; 118 Stat. 448),
8 \$150,000, to remain available until September 30, 2009.

9 UNITED STATES INSTITUTE OF PEACE
10 OPERATING EXPENSES

11 For necessary expenses of the United States Institute
12 of Peace as authorized in the United States Institute of
13 Peace Act, \$25,000,000, to remain available until Sep-
14 tember 30, 2009.

15 GENERAL PROVISIONS—THIS TITLE

16 ALLOWANCES AND DIFFERENTIALS

17 SEC. 101. Funds appropriated under title I of this
18 Act shall be available, except as otherwise provided, for
19 allowances and differentials as authorized by subchapter
20 59 of title 5, United States Code; for services as author-
21 ized by 5 U.S.C. 3109; and for hire of passenger transpor-
22 tation pursuant to 31 U.S.C. 1343(b).

23 UNOBLIGATED BALANCES REPORT

24 SEC. 102. The Department of State and the Broad-
25 casting Board of Governors shall provide to the Commit-
26 tees on Appropriations a quarterly accounting of the cu-

1 cumulative balances of any unobligated funds that were re-
2 ceived by such agency during any previous fiscal year.

3 EMBASSY CONSTRUCTION

4 SEC. 103. (a) Of funds provided under title I of this
5 Act, except as provided in subsection (b), a project to con-
6 struct a diplomatic facility of the United States may not
7 include office space or other accommodations for an em-
8 ployee of a Federal agency or department if the Secretary
9 of State determines that such department or agency has
10 not provided to the Department of State the full amount
11 of funding required by subsection (e) of section 604 of
12 the Secure Embassy Construction and Counterterrorism
13 Act of 1999 (as enacted into law by section 1000(a)(7)
14 of Public Law 106-113 and contained in appendix G of
15 that Act; 113 Stat. 1501A-453), as amended by section
16 629 of the Departments of Commerce, Justice, and State,
17 the Judiciary, and Related Agencies Appropriations Act,
18 2005.

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

23 PEACEKEEPING MISSIONS

24 SEC. 104. None of the funds made available under
25 title I of this Act may be used for any United Nations
26 undertaking when it is made known to the Federal official

1 having authority to obligate or expend such funds that:
2 (1) the United Nations undertaking is a peacekeeping mis-
3 sion; (2) such undertaking will involve United States
4 Armed Forces under the command or operational control
5 of a foreign national; and (3) the President's military advi-
6 sors have not submitted to the President a recommenda-
7 tion that such involvement is in the national security inter-
8 ests of the United States and the President has not sub-
9 mitted to the Congress such a recommendation.

10

DENIAL OF VISAS

11 SEC. 105. (a) None of the funds appropriated or oth-
12 erwise made available under title I of this Act shall be
13 expended for any purpose for which appropriations are
14 prohibited by section 616 of the Departments of Com-
15 merce, Justice, and State, the Judiciary, and Related
16 Agencies Appropriations Act, 1999.

17 (b) The requirements in subsections (b) and (c) of
18 section 616 of that Act shall continue to apply during fis-
19 cal year 2008.

20

SENIOR POLICY OPERATING GROUP

21 SEC. 106. (a) The Senior Policy Operating Group on
22 Trafficking in Persons, established under section 105(f)
23 of the Victims of Trafficking and Violence Protection Act
24 of 2000 (22 U.S.C. 7103(f)) to coordinate agency activi-
25 ties regarding policies (including grants and grant poli-
26 cies) involving the international trafficking in persons,

1 shall coordinate all such policies related to the activities
2 of traffickers and victims of severe forms of trafficking.

3 (b) None of the funds provided under title I of this
4 or any other Act making appropriations for Department
5 of State and Related Agencies shall be expended to per-
6 form functions that duplicate coordinating responsibilities
7 of the Operating Group.

8 (c) The Operating Group shall continue to report only
9 to the authorities that appointed them pursuant to section
10 105(f).

11 UNITED STATES CITIZENS BORN IN JERUSALEM

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

17 CONSULTING SERVICES

18 SEC. 108. The expenditure of any appropriation
19 under title I of this Act for any consulting service through
20 procurement contract, pursuant to 5 U.S.C. 3109, shall
21 be limited to those contracts where such expenditures are
22 a matter of public record and available for public inspec-
23 tion, except where otherwise provided under existing law,
24 or under existing Executive order issued pursuant to exist-
25 ing law.

1 COMPLIANCE WITH SECTION 609

2 SEC. 109. (a) None of the funds appropriated or oth-
3 erwise made available under title I of this Act shall be
4 expended for any purpose for which appropriations are
5 prohibited by section 609 of the Departments of Com-
6 merce, Justice, and State, the Judiciary, and Related
7 Agencies Appropriations Act, 1999.

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

11 STATE DEPARTMENT AUTHORITIES

12 SEC. 110. Funds appropriated under title I of this
13 Act for the Broadcasting Board of Governors and the De-
14 partment of State may be obligated and expended notwith-
15 standing section 15 of the State Department Basic Au-
16 thorities Act of 1956, section 313 of the Foreign Relations
17 Authorization Act, Fiscal Years 1994 and 1995 (Public
18 Law 103-236), and section 504(a)(1) of the National Se-
19 curity Act of 1947 (50 U.S.C. 414(a)(1)).

20 PERSONNEL ACTIONS

21 SEC. 111. Any costs incurred by a department or
22 agency funded under this Act resulting from personnel ac-
23 tions taken in response to funding reductions included in
24 this Act shall be absorbed within the total budgetary re-
25 sources available to such department or agency: *Provided,*
26 That the authority to transfer funds between appropria-

1 tions accounts as may be necessary to carry out this sec-
2 tion is provided in addition to authorities included else-
3 where in this Act: *Provided further*, That use of funds to
4 carry out this section shall be treated as a reprogramming
5 of funds under section 615 of title VI of this Act and shall
6 not be available for obligation or expenditure except in
7 compliance with the procedures set forth in that section.

8 RESTRICTIONS ON UNITED NATIONS DELEGATIONS

9 SEC. 112. None of the funds made available under
10 title I of this Act may be used to pay expenses for any
11 United States delegation to any specialized agency, body,
12 or commission of the United Nations if such commission
13 is chaired or presided over by a country, the government
14 of which the Secretary of State has determined, for pur-
15 poses of section 6(j)(1) of the Export Administration Act
16 of 1979 (50 U.S.C. App. 2405(j)(1)), has provided sup-
17 port for acts of international terrorism.

18 PEACEKEEPING ASSESSMENT

19 SEC. 113. Section 404(b)(2)(B) of the Foreign Rela-
20 tions Authorization Act, Fiscal Years 1994 and 1995, (22
21 U.S.C. 287e note) is amended at the end by adding the
22 following: “(v) For assessments made during calendar
23 year 2008, 27.1 percent.”.

24 ALHURRA BROADCASTING

25 SEC. 114. Funds appropriated for the programs and
26 activities of Alhurra in fiscal year 2008 may be made

1 available only if the Secretary of State certifies and re-
2 ports to the Committees on Appropriations that Alhurra
3 does not advocate on behalf of any organization that the
4 Secretary knows, or has reason to believe, engages in ter-
5 rorist activities.

6 DEPARTMENT OF STATE INSPECTOR GENERAL

7 SEC. 115. (a) LINK TO OFFICE OF INSPECTOR GEN-
8 ERAL FROM HOMEPAGE OF DEPARTMENT OF STATE.—
9 Not later than 30 days after the date of the enactment
10 of this Act, the Secretary of State shall establish and
11 maintain on the homepage of the Internet website of the
12 Department of State a direct link to the Internet website
13 of the Office of Inspector General of the Department of
14 State.

15 (b) ANONYMOUS REPORTING OF WASTE, FRAUD, OR
16 ABUSE.—Not later than 30 days after the date of the en-
17 actment of this Act, the Inspector General of the Depart-
18 ment of State shall establish and maintain on the home-
19 page of the Internet website of the Office of Inspector
20 General a mechanism by which individuals can anony-
21 mously report cases of waste, fraud, or abuse with respect
22 to the Department of State.

23 CONSULAR OPERATIONS

24 SEC. 116. The Secretary of State shall establish lim-
25 ited consular operations in Iraq within 180 days of enact-
26 ment of this Act in which designated categories of aliens

1 may apply and interview for admission to the United
2 States.

3 INTERNATIONAL BOUNDARY AND WATER COMMISSION

4 SEC. 117. Of the funds appropriated in this Act
5 under the heading "International Boundary and Water
6 Commission, United States and Mexico, Construction"
7 (IBWC), up to \$66,000,000 may be expended for con-
8 struction of secondary wastewater treatment capability of
9 at least 25 million gallons per day (mgd) from the Tijuana
10 River, subject to the following conditions: (1) IBWC shall
11 resume negotiations in accordance with section 804 of
12 Public Law 106-457; (2) IBWC shall prepare design and
13 engineering plans to upgrade the South Bay International
14 Wastewater Treatment Plant to treat 25 mgd to sec-
15 ondary treatment and update its conceptual designs for
16 a scalable project capable of treating up to 100 mgd to
17 secondary at the facility; and (3) none of the funds made
18 available by this section may be obligated for construction
19 before the Government Accountability Office completes a
20 report on the proposed projects.

1 COMMISSION FINANCIAL MANAGEMENT

2 SEC. 118. (a) REQUIREMENT FOR PERFORMANCE

3 REVIEWS.—The United States-China Economic and Secu-
4 rity Review Commission shall comply with chapter 43 of
5 title 5, United States Code, regarding the establishment
6 and regular review of employee performance appraisals.

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

1 TITLE II
2 EXPORT AND INVESTMENT ASSISTANCE
3 EXPORT-IMPORT BANK OF THE UNITED STATES
4 INSPECTOR GENERAL

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

9 PROGRAM ACCOUNT

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

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

6 ADMINISTRATIVE EXPENSES

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

21 RECEIPTS COLLECTED

22 Receipts collected pursuant to the Export-Import
23 Bank Act of 1945, as amended, and the Federal Credit
24 Reform Act of 1990, as amended, in an amount not to
25 exceed the amount appropriated herein, shall be credited
26 as offsetting collections to this account: *Provided*, That the

1 sums herein appropriated from the General Fund shall be
2 reduced on a dollar-for-dollar basis by such offsetting col-
3 lections so as to result in a final fiscal year appropriation
4 from the General Fund estimated at \$0: *Provided further,*
5 That amounts collected in fiscal year 2008 in excess of
6 obligations, up to \$50,000,000, shall become available Oc-
7 tober 1, 2008 and shall remain available until September
8 30, 2011.

9 OVERSEAS PRIVATE INVESTMENT CORPORATION

10 NONCREDIT ACCOUNT

11 The Overseas Private Investment Corporation is au-
12 thorized to make, without regard to fiscal year limitations,
13 as provided by 31 U.S.C. 9104, such expenditures and
14 commitments within the limits of funds available to it and
15 in accordance with law as may be necessary: *Provided,*
16 That the amount available for administrative expenses to
17 carry out the credit and insurance programs (including an
18 amount for official reception and representation expenses
19 which shall not exceed \$35,000) shall not exceed
20 \$47,500,000: *Provided further,* That project-specific trans-
21 action costs, including direct and indirect costs incurred
22 in claims settlements, and other direct costs associated
23 with services provided to specific investors or potential in-
24 vestors pursuant to section 234 of the Foreign Assistance

1 Act of 1961, shall not be considered administrative ex-
2 penses for the purposes of this heading.

3 PROGRAM ACCOUNT

4 For the cost of direct and guaranteed loans,
5 \$23,500,000, as authorized by section 234 of the Foreign
6 Assistance Act of 1961, to be derived by transfer from
7 the Overseas Private Investment Corporation Noncredit
8 Account: *Provided*, That such costs, including the cost of
9 modifying such loans, shall be as defined in section 502
10 of the Congressional Budget Act of 1974: *Provided fur-*
11 *ther*, That such sums shall be available for direct loan obli-
12 gations and loan guaranty commitments incurred or made
13 during fiscal years 2008, 2009, and 2010: *Provided fur-*
14 *ther*, That funds so obligated in fiscal year 2008 remain
15 available for disbursement through 2016; funds obligated
16 in fiscal year 2009 remain available for disbursement
17 through 2017; funds obligated in fiscal year 2010 remain
18 available for disbursement through 2018: *Provided further*,
19 That notwithstanding any other provision of law, the
20 Overseas Private Investment Corporation is authorized to
21 undertake any program authorized by title IV of the For-
22 eign Assistance Act of 1961 in Iraq: *Provided further*,
23 That funds made available pursuant to the authority of
24 the previous proviso shall be subject to the regular notifi-
25 cation procedures of the Committees on Appropriations.

1 In addition, such sums as may be necessary for ad-
2 ministrative expenses to carry out the credit program may
3 be derived from amounts available for administrative ex-
4 penses to carry out the credit and insurance programs in
5 the Overseas Private Investment Corporation Noncredit
6 Account and merged with said account.

7 FUNDS APPROPRIATED TO THE PRESIDENT

8 TRADE AND DEVELOPMENT AGENCY

9 For necessary expenses to carry out the provisions
10 of section 661 of the Foreign Assistance Act of 1961,
11 \$50,400,000, to remain available until September 30,
12 2009.

13 TITLE III

14 BILATERAL ECONOMIC ASSISTANCE

15 FUNDS APPROPRIATED TO THE PRESIDENT

16 For expenses necessary to enable the President to
17 carry out the provisions of the Foreign Assistance Act of
18 1961, and for other purposes, to remain available until
19 September 30, 2008, unless otherwise specified herein, as
20 follows:

21 GLOBAL HEALTH AND CHILD SURVIVAL

22 (INCLUDING TRANSFER OF FUNDS)

23 For necessary expenses to carry out the provisions
24 of chapters 1 and 10 of part I of the Foreign Assistance
25 Act of 1961, for global health activities, in addition to
26 funds otherwise available for such purposes,

1 \$1,843,150,000, to remain available until September 30,
2 2009, and which shall be apportioned directly to the
3 United States Agency for International Development: *Pro-*
4 *vided*, That this amount shall be made available for such
5 activities as: (1) child survival and maternal health pro-
6 grams; (2) immunization and oral rehydration programs;
7 (3) other health, nutrition, water and sanitation programs
8 which directly address the needs of mothers and children,
9 and related education programs; (4) assistance for chil-
10 dren displaced or orphaned by causes other than AIDS;
11 (5) programs for the prevention, treatment, control of, and
12 research on HIV/AIDS, tuberculosis, polio, malaria, and
13 other infectious diseases, and for assistance to commu-
14 nities severely affected by HIV/AIDS, including children
15 infected or affected by AIDS; and (6) family planning/re-
16 productive health: *Provided further*, That none of the
17 funds appropriated under this paragraph may be made
18 available for nonproject assistance, except that funds may
19 be made available for such assistance for ongoing health
20 activities: *Provided further*, That of the funds appropriated
21 under this paragraph, not to exceed \$350,000, in addition
22 to funds otherwise available for such purposes, may be
23 used to monitor and provide oversight of child survival,
24 maternal and family planning/reproductive health, and in-
25 fectious disease programs: *Provided further*, That of the

1 funds appropriated under this paragraph the following
2 amounts should be allocated as follows: \$450,150,000 for
3 child survival and maternal health; \$15,000,000 for vul-
4 nerable children; \$350,000,000 for HIV/AIDS;
5 \$633,000,000 for other infectious diseases, including
6 \$153,000,000 for tuberculosis control, of which
7 \$15,000,000 shall be used for the Global TB Drug Facil-
8 ity; and \$395,000,000 for family planning/reproductive
9 health, including in areas where population growth threat-
10 ens biodiversity or endangered species: *Provided further,*
11 That of the funds appropriated under this paragraph,
12 \$72,500,000 should be made available for a United States
13 contribution to The GAVI Fund, and up to \$6,000,000
14 may be transferred to and merged with funds appropriated
15 by this Act under the heading "Operating Expenses of the
16 United States Agency for International Development" for
17 costs directly related to global health, but funds made
18 available for such costs may not be derived from amounts
19 made available for contribution under this and preceding
20 provisos: *Provided further,* That of the funds appropriated
21 under this paragraph, \$115,000,000 shall be made avail-
22 able to combat avian influenza, of which \$15,000,000 shall
23 be made available, notwithstanding any other provision of
24 law except section 551 of Public Law 109-102, to enhance
25 the preparedness of militaries in Asia and Africa to re-

1 spond to an avian influenza pandemic, subject to the reg-
2 ular notification procedures of the Committees on Appro-
3 priations: *Provided further*, That none of the funds made
4 available in this Act nor any unobligated balances from
5 prior appropriations may be made available to any organi-
6 zation or program which, as determined by the President
7 of the United States, supports or participates in the man-
8 agement of a program of coercive abortion or involuntary
9 sterilization: *Provided further*, That any determination
10 made under the previous proviso must be made no later
11 than six months after the date of enactment of this Act,
12 and must be accompanied by a comprehensive analysis as
13 well as the complete evidence and criteria utilized to make
14 the determination: *Provided further*, That none of the
15 funds made available under this Act may be used to pay
16 for the performance of abortion as a method of family
17 planning or to motivate or coerce any person to practice
18 abortions: *Provided further*, That nothing in this para-
19 graph shall be construed to alter any existing statutory
20 prohibitions against abortion under section 104 of the
21 Foreign Assistance Act of 1961: *Provided further*, That
22 none of the funds made available under this Act may be
23 used to lobby for or against abortion: *Provided further*,
24 That in order to reduce reliance on abortion in developing
25 nations, funds shall be available only to voluntary family

1 planning projects which offer, either directly or through
2 referral to, or information about access to, a broad range
3 of family planning methods and services, and that any
4 such voluntary family planning project shall meet the fol-
5 lowing requirements: (1) service providers or referral
6 agents in the project shall not implement or be subject
7 to quotas, or other numerical targets, of total number of
8 births, number of family planning acceptors, or acceptors
9 of a particular method of family planning (this provision
10 shall not be construed to include the use of quantitative
11 estimates or indicators for budgeting and planning pur-
12 poses); (2) the project shall not include payment of incen-
13 tives, bribes, gratuities, or financial reward to: (A) an indi-
14 vidual in exchange for becoming a family planning accep-
15 tor; or (B) program personnel for achieving a numerical
16 target or quota of total number of births, number of fam-
17 ily planning acceptors, or acceptors of a particular method
18 of family planning; (3) the project shall not deny any right
19 or benefit, including the right of access to participate in
20 any program of general welfare or the right of access to
21 health care, as a consequence of any individual's decision
22 not to accept family planning services; (4) the project shall
23 provide family planning acceptors comprehensible infor-
24 mation on the health benefits and risks of the method cho-
25 sen, including those conditions that might render the use

1 of the method inadvisable and those adverse side effects
2 known to be consequent to the use of the method; and
3 (5) the project shall ensure that experimental contracep-
4 tive drugs and devices and medical procedures are pro-
5 vided only in the context of a scientific study in which
6 participants are advised of potential risks and benefits;
7 and, not less than 60 days after the date on which the
8 Administrator of the United States Agency for Inter-
9 national Development determines that there has been a
10 violation of the requirements contained in paragraph (1),
11 (2), (3), or (5) of this proviso, or a pattern or practice
12 of violations of the requirements contained in paragraph
13 (4) of this proviso, the Administrator shall submit to the
14 Committees on Appropriations a report containing a de-
15 scription of such violation and the corrective action taken
16 by the Agency: *Provided further*, That in awarding grants
17 for natural family planning under section 104 of the For-
18 eign Assistance Act of 1961 no applicant shall be discrimi-
19 nated against because of such applicant's religious or con-
20 scientious commitment to offer only natural family plan-
21 ning; and, additionally, all such applicants shall comply
22 with the requirements of the previous proviso: *Provided*
23 *further*, That for purposes of this or any other Act author-
24 izing or appropriating funds for foreign operations, export
25 financing, and related programs, the term "motivate", as

1 it relates to family planning assistance, shall not be con-
2 strued to prohibit the provision, consistent with local law,
3 of information or counseling about all pregnancy options:
4 *Provided further*, That to the maximum extent feasible,
5 taking into consideration cost, timely availability, and best
6 health practices, funds appropriated in this Act or prior
7 appropriations Acts that are made available for condom
8 procurement shall be made available only for the procure-
9 ment of condoms manufactured in the United States: *Pro-*
10 *vided further*, That information provided about the use of
11 condoms as part of projects or activities that are funded
12 from amounts appropriated by this Act shall be medically
13 accurate and shall include the public health benefits and
14 failure rates of such use: *Provided further*, That of the
15 amount provided by this paragraph, \$115,000,000 is des-
16 igned as described in section 5 (in the matter preceding
17 division A of this consolidated Act).

18 In addition, for necessary expenses to carry out the
19 provisions of the Foreign Assistance Act of 1961 for the
20 prevention, treatment, and control of, and research on,
21 HIV/AIDS, \$4,700,000,000, to remain available until ex-
22 pended, and which shall be apportioned directly to the De-
23 partment of State: *Provided*, That of the funds appro-
24 priated under this paragraph, \$550,000,000 shall be made
25 available, notwithstanding any other provision of law, ex-

1 cept for the United States Leadership Against HIV/AIDS,
2 Tuberculosis and Malaria Act of 2003 (Public Law 108–
3 25) for a United States contribution to the Global Fund
4 to Fight AIDS, Tuberculosis and Malaria, and shall be
5 expended at the minimum rate necessary to make timely
6 payment for projects and activities: *Provided further*, That
7 up to 5 percent of the aggregate amount of funds made
8 available to the Global Fund in fiscal year 2008 may be
9 made available to the United States Agency for Inter-
10 national Development for technical assistance related to
11 the activities of the Global Fund: *Provided further*, That
12 of the funds appropriated under this paragraph, up to
13 \$13,000,000 may be made available, in addition to
14 amounts otherwise available for such purposes, for admin-
15 istrative expenses of the Office of the Global AIDS Coordi-
16 nator: *Provided further*, That funds made available under
17 this heading shall be made available notwithstanding the
18 second sentence of section 403(a) of Public Law 108–25.

19 DEVELOPMENT ASSISTANCE

20 For necessary expenses to carry out the provisions
21 of sections 103, 105, 106, and sections 251 through 255,
22 and chapter 10 of part I of the Foreign Assistance Act
23 of 1961, \$1,636,881,000, to remain available until Sep-
24 tember 30, 2009: *Provided*, That of the funds appro-
25 priated under this heading that are made available for as-
26 sistance programs for displaced and orphaned children

1 and victims of war, not to exceed \$43,000, in addition to
2 funds otherwise available for such purposes, may be used
3 to monitor and provide oversight of such programs: *Pro-*
4 *vided further*, That \$400,000,000 should be allocated for
5 basic education: *Provided further*, That of the funds appro-
6 priated by this Act, not less than \$245,000,000 shall be
7 made available for microenterprise and microfinance devel-
8 opment programs for the poor, especially women: *Provided*
9 *further*, That of the funds appropriated under this head-
10 ing, not less than \$28,000,000 shall be made available for
11 Collaborative Research Support Programs: *Provided fur-*
12 *ther*, That of the funds appropriated under this heading,
13 \$750,000 shall be made available to implement 7 U.S.C.
14 section 1736g-2(a)(2)(C) to improve food aid product
15 quality and nutrient delivery: *Provided further*, That of the
16 funds appropriated under this heading, not less than
17 \$22,500,000 shall be made available for the American
18 Schools and Hospitals Abroad program: *Provided further*,
19 That of the funds appropriated under this heading,
20 \$12,000,000 should be made available for cooperative de-
21 velopment programs within the Office of Private and Vol-
22 untary Cooperation: *Provided further*, That funds appro-
23 priated under this heading should be made available for
24 programs to address sexual and gender-based violence:
25 *Provided further*, That of the funds appropriated in this

1 Act, not less than \$300,000,000 shall be made available
2 for safe drinking water and sanitation supply projects, in-
3 cluding water management related to safe drinking water
4 and sanitation, only to implement the Senator Paul Simon
5 Water for the Poor Act of 2005 (Public Law 109-121),
6 of which not less than \$125,000,000 should be made avail-
7 able for such projects in Africa: *Provided further*, That of
8 the funds appropriated under this heading, not less than
9 \$15,000,000 shall be made available for programs to im-
10 prove women's leadership capacity in recipient countries,
11 and \$10,000,000 may be made available to support a fund
12 that enhances economic opportunities for very poor, poor,
13 and low-income women in developing countries.

14 INTERNATIONAL DISASTER ASSISTANCE

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

24 TRANSITION INITIATIVES

25 For necessary expenses for international disaster re-
26 habilitation and reconstruction assistance pursuant to sec-

1 tion 491 of the Foreign Assistance Act of 1961,
2 \$45,000,000, to remain available until expended, to sup-
3 port transition to democracy and to long-term develop-
4 ment of countries in crisis: *Provided*, That such support
5 may include assistance to develop, strengthen, or preserve
6 democratic institutions and processes, revitalize basic in-
7 frastructure, and foster the peaceful resolution of conflict:
8 *Provided further*, That the United States Agency for Inter-
9 national Development shall submit a report to the Com-
10 mittees on Appropriations at least 5 days prior to begin-
11 ning a new program of assistance: *Provided further*, That
12 if the President determines that it is important to the na-
13 tional interests of the United States to provide transition
14 assistance in excess of the amount appropriated under this
15 heading, up to \$15,000,000 of the funds appropriated by
16 this Act to carry out the provisions of part I of the For-
17 eign Assistance Act of 1961 may be used for purposes of
18 this heading and under the authorities applicable to funds
19 appropriated under this heading: *Provided further*, That
20 funds made available pursuant to the previous proviso
21 shall be made available subject to prior consultation with
22 the Committees on Appropriations.

23 DEVELOPMENT CREDIT AUTHORITY

24 (INCLUDING TRANSFER OF FUNDS)

25 For the cost of direct loans and loan guarantees pro-
26 vided by the United States Agency for International De-

1 velopment, as authorized by sections 256 and 635 of the
2 Foreign Assistance Act of 1961, up to \$21,000,000 may
3 be derived by transfer from funds appropriated by this Act
4 to carry out part I of such Act and under the heading
5 "Assistance for Eastern Europe and the Baltic States":
6 *Provided*, That such funds shall be made available only
7 for micro and small enterprise programs, urban programs,
8 and other programs which further the purposes of part
9 I of the Act: *Provided further*, That such costs, including
10 the cost of modifying such direct and guaranteed loans,
11 shall be as defined in section 502 of the Congressional
12 Budget Act of 1974, as amended: *Provided further*, That
13 funds made available by this paragraph may be used for
14 the cost of modifying any such guaranteed loans under
15 this Act or prior Acts, and funds used for such costs shall
16 be subject to the regular notification procedures of the
17 Committees on Appropriations: *Provided further*, That the
18 provisions of section 107A(d) (relating to general provi-
19 sions applicable to the Development Credit Authority) of
20 the Foreign Assistance Act of 1961, as contained in sec-
21 tion 306 of H.R. 1486 as reported by the House Com-
22 mittee on International Relations on May 9, 1997, shall
23 be applicable to direct loans and loan guarantees provided
24 under this heading: *Provided further*, That these funds are

1 available to subsidize total loan principal, any portion of
2 which is to be guaranteed, of up to \$700,000,000.

3 In addition, for administrative expenses to carry out
4 credit programs administered by the United States Agency
5 for International Development, \$8,160,000, which may be
6 transferred to and merged with the appropriation for Op-
7 erating Expenses of the United States Agency for Inter-
8 national Development: *Provided*, That funds made avail-
9 able under this heading shall remain available until Sep-
10 tember 30, 2010.

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

14 For necessary expenses to carry out the provisions
15 of section 667 of the Foreign Assistance Act of 1961,
16 \$655,800,000, of which up to \$25,000,000 may remain
17 available until September 30, 2009: *Provided*, That none
18 of the funds appropriated under this heading and under
19 the heading "Capital Investment Fund" may be made
20 available to finance the construction (including architect
21 and engineering services), purchase, or long-term lease of
22 offices for use by the United States Agency for Inter-
23 national Development, unless the Administrator has iden-
24 tified such proposed construction (including architect and
25 engineering services), purchase, or long-term lease of of-
26 fices in a report submitted to the Committees on Appro-

1 priations at least 15 days prior to the obligation of these
2 funds for such purposes: *Provided further*, That the pre-
3 vious proviso shall not apply where the total cost of con-
4 struction (including architect and engineering services),
5 purchase, or long-term lease of offices does not exceed
6 \$1,000,000: *Provided further*, That contracts or agree-
7 ments entered into with funds appropriated under this
8 heading may entail commitments for the expenditure of
9 such funds through fiscal year 2009: *Provided further*,
10 That any decision to open a new overseas mission or office
11 of the United States Agency for International Develop-
12 ment or, except where there is a substantial security risk
13 to mission personnel, to close or significantly reduce the
14 number of personnel of any such mission or office, shall
15 be subject to the regular notification procedures of the
16 Committees on Appropriations: *Provided further*, That the
17 authority of sections 610 and 109 of the Foreign Assist-
18 ance Act of 1961 may be exercised by the Secretary of
19 State to transfer funds appropriated to carry out chapter
20 1 of part I of such Act to "Operating Expenses of the
21 United States Agency for International Development" in
22 accordance with the provisions of those sections: *Provided*
23 *further*, That of the amount provided by this paragraph,
24 \$20,800,000 is designated as described in section 5 (in
25 the matter preceding division A of this consolidated Act).

1 CAPITAL INVESTMENT FUND OF THE UNITED STATES

2 AGENCY FOR INTERNATIONAL DEVELOPMENT

3 For necessary expenses for overseas construction and
4 related costs, and for the procurement and enhancement
5 of information technology and related capital investments,
6 pursuant to section 667 of the Foreign Assistance Act of
7 1961, \$88,000,000, to remain available until expended:
8 *Provided*, That this amount is in addition to funds other-
9 wise available for such purposes: *Provided further*, That
10 funds appropriated under this heading shall be available
11 for obligation only pursuant to the regular notification
12 procedures of the Committees on Appropriations.

13 OPERATING EXPENSES OF THE UNITED STATES AGENCY
14 FOR INTERNATIONAL DEVELOPMENT OFFICE OF IN-
15 SPECTOR GENERAL

16 For necessary expenses to carry out the provisions
17 of section 667 of the Foreign Assistance Act of 1961,
18 \$38,000,000, to remain available until September 30,
19 2009, which sum shall be available for the Office of the
20 Inspector General of the United States Agency for Inter-
21 national Development.

22 OTHER BILATERAL ECONOMIC ASSISTANCE

23 ECONOMIC SUPPORT FUND

24 (INCLUDING TRANSFER OF FUNDS)

25 For necessary expenses to carry out the provisions
26 of chapter 4 of part II of the Foreign Assistance Act of

1 1961, \$2,994,823,000, to remain available until Sep-
2 tember 30, 2009: *Provided*, That of the funds appro-
3 priated under this heading, not less than \$415,000,000
4 shall be available only for Egypt, which sum shall be pro-
5 vided on a grant basis, and of which sum cash transfer
6 assistance shall be provided with the understanding that
7 Egypt will undertake significant economic and democratic
8 reforms which are additional to those which were under-
9 taken in previous fiscal years: *Provided further*, That with
10 respect to the provision of assistance for Egypt for democ-
11 racy, human rights and governance activities, the organi-
12 zations implementing such assistance and the specific na-
13 ture of that assistance shall not be subject to the prior
14 approval by the Government of Egypt: *Provided further*,
15 That of the funds appropriated under this heading for as-
16 sistance for Egypt, not less than \$135,000,000 shall be
17 made available for project assistance, of which not less
18 than \$20,000,000 shall be made available for democracy,
19 human rights and governance programs and not less than
20 \$50,000,000 shall be used for education programs, of
21 which not less than \$10,000,000 should be made available
22 for scholarships for Egyptian students with high financial
23 need to attend United States accredited institutions of
24 higher education in Egypt: *Provided further*, That
25 \$11,000,000 of the funds appropriated under this heading

1 should be made available for Cyprus to be used only for
2 scholarships, administrative support of the scholarship
3 program, bicommunal projects, and measures aimed at re-
4 unification of the island and designed to reduce tensions
5 and promote peace and cooperation between the two com-
6 munities on Cyprus: *Provided further*, That of the funds
7 appropriated under this heading, not less than
8 \$363,547,000 shall be made available only for assistance
9 for Jordan: *Provided further*, That of the funds appro-
10 priated under this heading that are made available for as-
11 sistance for Jordan, up to \$40,000,000 may be trans-
12 ferred to, and merged with, funds appropriated by this Act
13 under the heading "Debt Restructuring" for the costs, as
14 defined in section 502 of the Congressional Budget Act
15 of 1974, of reducing or cancelling amounts owed to the
16 United States or any agency of the United States by the
17 Hashemite Kingdom of Jordan: *Provided further*, That of
18 the funds appropriated under this heading not more than
19 \$218,500,000 may be made available for assistance for the
20 West Bank and Gaza, of which not to exceed \$2,000,000
21 may be used for administrative expenses of the United
22 States Agency for International Development, in addition
23 to funds otherwise available for such purposes, to carry
24 out programs in the West Bank and Gaza: *Provided fur-*
25 *ther*, That if the President exercises the waiver authority

1 under section 650 of this Act, of the funds made available
2 under this heading for assistance to the Palestinian Au-
3 thority, not more than \$100,000,000 of the funds made
4 available under this heading for cash transfer assistance
5 to the Palestinian Authority may be obligated for such as-
6 sistance until the Secretary of State certifies and reports
7 to the Committees on Appropriations that the Palestinian
8 Authority has established a single treasury account for all
9 Palestinian Authority financing and all financing mecha-
10 nisms flow through this account, has eliminated all par-
11 allel financing mechanisms outside of the Palestinian Au-
12 thority treasury account, and has established a single com-
13 prehensive civil service roster and payroll: *Provided fur-*
14 *ther*, That none of the funds appropriated under this head-
15 ing for cash transfer assistance to the Palestinian Author-
16 ity may be obligated for salaries of personnel of the Pales-
17 tinian Authority located in Gaza: *Provided further*, That
18 none of the funds appropriated under this heading for
19 cash transfer assistance to the Palestinian Authority may
20 be obligated or expended for assistance to Hamas or any
21 entity effectively controlled by Hamas or any power-shar-
22 ing government with Hamas unless Hamas has accepted
23 the principles contained in section 620K(b)(1)(A) and (B)
24 of the Foreign Assistance Act of 1961, as amended: *Pro-*
25 *vided further*, That the Secretary of State shall ensure that

1 Federal or non-Federal audits of all funds appropriated
2 under this heading for cash transfer assistance to the Pal-
3 estinian Authority are conducted on at least an annual
4 basis to ensure compliance with this Act, and such audit
5 shall include a detailed accounting of all programs,
6 projects, and activities carried out using such funds, in-
7 cluding both obligations and expenditures, and that the
8 audit is compliant with generally accepted accounting
9 standards: *Provided further*, That funds made available
10 under this heading for cash transfer assistance to the Pal-
11 estinian Authority shall be subject to the regular notifica-
12 tion procedures of the Committees on Appropriations: *Pro-*
13 *vided further*, That \$45,000,000 of the funds appropriated
14 under this heading shall be made available for assistance
15 for Lebanon, of which not less than \$10,000,000 should
16 be made available for scholarships and direct support of
17 American educational institutions in Lebanon: *Provided*
18 *further*, That not more than \$300,000,000 of the funds
19 made available for assistance for Afghanistan under this
20 heading may be obligated for such assistance until the
21 Secretary of State certifies to the Committees on Appro-
22 priations that the Government of Afghanistan at both the
23 national and provincial level is cooperating fully with
24 United States funded poppy eradication and interdiction
25 efforts in Afghanistan: *Provided further*, That the Presi-

1 dent may waive the previous proviso if he determines and
2 reports to the Committees on Appropriations that to do
3 so is vital to the national security interests of the United
4 States: *Provided further*, That such report shall include
5 an analysis of the steps being taken by the Government
6 of Afghanistan, at the national and provincial level, to co-
7 operate fully with United States funded poppy eradication
8 and interdiction efforts in Afghanistan: *Provided further*,
9 That of the funds appropriated under this heading,
10 \$196,000,000 shall be apportioned directly to the United
11 States Agency for International Development (USAID)
12 for alternative development/institution building and sus-
13 tainable development programs in Colombia and may be
14 transferred to, and merged with, funds appropriated under
15 the heading "Development Assistance" to continue pro-
16 grams administered by USAID: *Provided further*, That
17 with respect to funds apportioned to USAID for programs
18 in Colombia under this heading, the responsibility for pol-
19 icy decisions for the use of such funds, including which
20 activities will be funded and the amount of funds that will
21 be provided for each of those activities, shall be the re-
22 sponsibility of the Administrator of USAID in consulta-
23 tion with the Assistant Secretary of State for Inter-
24 national Narcotics and Law Enforcement Affairs: *Pro-*
25 *vided further*, That of the funds appropriated under this

1 heading that are available for assistance for the Demo-
2 cratic Republic of Timor-Leste, up to \$1,000,000 may be
3 available for administrative expenses of the United States
4 Agency for International Development in addition to
5 amounts otherwise made available for such purposes: *Pro-*
6 *vided further*, That notwithstanding any other provision of
7 law, funds appropriated under this heading may be made
8 available for programs and activities for the Central High-
9 lands of Vietnam: *Provided further*, That notwithstanding
10 any other provision of law, of the funds appropriated
11 under this heading, up to \$53,000,000 may be made avail-
12 able for energy-related assistance for North Korea, subject
13 to the regular notification procedures of the Committees
14 on Appropriations: *Provided further*, That funds appro-
15 priated under this heading that are made available for a
16 Middle East Financing Facility, Middle East Enterprise
17 Fund, or any other similar entity in the Middle East shall
18 be subject to the regular notification procedures of the
19 Committees on Appropriations: *Provided further*, That of
20 the amount provided by this paragraph, \$~~512~~⁵⁴²,568,000 is
21 designated as described in section 5 (in the matter pre-
22 ceding division A of this consolidated Act).

23 INTERNATIONAL FUND FOR IRELAND

24 For necessary expenses to carry out the provisions
25 of chapter 4 of part II of the Foreign Assistance Act of
26 1961, \$15,000,000, which shall be available for the United

1 States contribution to the International Fund for Ireland
2 and shall be made available in accordance with the provi-
3 sions of the Anglo-Irish Agreement Support Act of 1986
4 (Public Law 99-415): *Provided*, That such amount shall
5 be expended at the minimum rate necessary to make time-
6 ly payment for projects and activities: *Provided further*,
7 That funds made available under this heading shall re-
8 main available until September 30, 2009.

9 ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC
10 STATES

11 (a) For necessary expenses to carry out the provisions
12 of the Foreign Assistance Act of 1961 and the Support
13 for East European Democracy (SEED) Act of 1989,
14 \$295,950,000, to remain available until September 30,
15 2009, which shall be available, notwithstanding any other
16 provision of law, for assistance and for related programs
17 for Eastern Europe and the Baltic States.

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

23 (c) The provisions of section 628 of this Act shall
24 apply to funds appropriated under this heading: *Provided*,
25 That notwithstanding any provision of this or any other
26 Act, including provisions in this subsection regarding the

1 application of section 628 of this Act, local currencies gen-
2 erated by, or converted from, funds appropriated by this
3 Act and by previous appropriations Acts and made avail-
4 able for the economic revitalization program in Bosnia
5 may be used in Eastern Europe and the Baltic States to
6 carry out the provisions of the Foreign Assistance Act of
7 1961 and the Support for East European Democracy
8 SEED Act of 1989.

9 (d) The President is authorized to withhold funds ap-
10 propriated under this heading made available for economic
11 revitalization programs in Bosnia and Herzegovina, if he
12 determines and certifies to the Committees on Appropria-
13 tions that the Federation of Bosnia and Herzegovina has
14 not complied with article III of annex 1-A of the General
15 Framework Agreement for Peace in Bosnia and
16 Herzegovina concerning the withdrawal of foreign forces,
17 and that intelligence cooperation on training, investiga-
18 tions, and related activities between state sponsors of ter-
19 rorism and terrorist organizations and Bosnian officials
20 has not been terminated.

21 ASSISTANCE FOR THE INDEPENDENT STATES OF THE
22 FORMER SOVIET UNION

23 For necessary expenses to carry out the provisions
24 of chapters 11 and 12 of part I of the Foreign Assistance
25 Act of 1961 and the FREEDOM Support Act, for assist-
26 ance for the Independent States of the former Soviet

1 Union and for related programs, \$399,735,000, to remain
2 available until September 30, 2009: *Provided*, That the
3 provisions of such chapters shall apply to funds appro-
4 priated by this paragraph: *Provided further*, That funds
5 made available for the Southern Caucasus region may be
6 used, notwithstanding any other provision of law, for con-
7 fidence-building measures and other activities in further-
8 ance of the peaceful resolution of regional conflicts, espe-
9 cially those in the vicinity of Abkhazia and Nagorno-
10 Karabagh: *Provided further*, That notwithstanding any
11 other provision of law, funds appropriated under this
12 heading in this Act or prior Acts making appropriations
13 for foreign operations, export financing, and related pro-
14 grams, that are made available pursuant to the provisions
15 of section 807 of Public Law 102-511 shall be subject
16 to a 6 percent ceiling on administrative expenses.

17 INDEPENDENT AGENCIES

18 INTER-AMERICAN FOUNDATION

19 For necessary expenses to carry out the functions of
20 the Inter-American Foundation in accordance with the
21 provisions of section 401 of the Foreign Assistance Act
22 of 1969, \$21,000,000, to remain available until September
23 30, 2009.

24 AFRICAN DEVELOPMENT FOUNDATION

25 For necessary expenses to carry out title V of the
26 International Security and Development Cooperation Act

1 of 1980, Public Law 96-533, \$30,000,000, to remain
2 available until September 30, 2009: *Provided*, That funds
3 made available to grantees may be invested pending ex-
4 penditure for project purposes when authorized by the
5 Board of Directors of the Foundation: *Provided further*,
6 That interest earned shall be used only for the purposes
7 for which the grant was made: *Provided further*, That not-
8 withstanding section 505(a)(2) of the African Develop-
9 ment Foundation Act, (1) in exceptional circumstances the
10 Board of Directors of the Foundation may waive the
11 \$250,000 limitation contained in that section with respect
12 to a project and (2) a project may exceed the limitation
13 by up to \$10,000 if the increase is due solely to foreign
14 currency fluctuation: *Provided further*, That the Founda-
15 tion shall provide a report to the Committees on Appro-
16 priations after each time such waiver authority is exer-
17 cised.

18 PEACE CORPS

19 (INCLUDING TRANSFER OF FUNDS)

20 For necessary expenses to carry out the provisions
21 of the Peace Corps Act (75 Stat. 612), including the pur-
22 chase of not to exceed five passenger motor vehicles for
23 administrative purposes for use outside of the United
24 States, \$333,500,000, to remain available until September
25 30, 2009: *Provided*, That none of the funds appropriated
26 under this heading shall be used to pay for abortions: *Pro-*

1 *vided further*, That the Director may transfer to the For-
2 eign Currency Fluctuations Account, as authorized by 22
3 U.S.C. 2515, an amount not to exceed \$2,000,000: *Pro-*
4 *vided further*, That funds transferred pursuant to the pre-
5 vious proviso may not be derived from amounts made
6 available for Peace Corps overseas operations.

7 MILLENNIUM CHALLENGE CORPORATION

8 For necessary expenses to carry out the provisions
9 of the Millennium Challenge Act of 2003, \$1,557,000,000,
10 to remain available until expended: *Provided*, That of the
11 funds appropriated under this heading, up to \$88,000,000
12 may be available for administrative expenses of the Millen-
13 nium Challenge Corporation: *Provided further*, That up to
14 10 percent of the funds appropriated under this heading
15 may be made available to carry out the purposes of section
16 616 of the Millennium Challenge Act of 2003 for can-
17 didate countries for fiscal year 2008: *Provided further*,
18 That none of the funds available to carry out section 616
19 of such Act may be made available until the Chief Execu-
20 tive Officer of the Millennium Challenge Corporation pro-
21 vides a report to the Committees on Appropriations listing
22 the candidate countries that will be receiving assistance
23 under section 616 of such Act, the level of assistance pro-
24 posed for each such country, a description of the proposed
25 programs, projects and activities, and the implementing
26 agency or agencies of the United States Government: *Pro-*

1 *vided further*, That section 605(e)(4) of the Millennium
2 Challenge Act of 2003 shall apply to funds appropriated
3 under this heading: *Provided further*, That funds appro-
4 priated under this heading may be made available for a
5 Millennium Challenge Compact entered into pursuant to
6 section 609 of the Millennium Challenge Act of 2003 only
7 if such Compact obligates, or contains a commitment to
8 obligate subject to the availability of funds and the mutual
9 agreement of the parties to the Compact to proceed, the
10 entire amount of the United States Government funding
11 anticipated for the duration of the Compact.

12 DEPARTMENT OF STATE

13 DEMOCRACY FUND

14 (a) For necessary expenses to carry out the provisions
15 of the Foreign Assistance Act of 1961 for the promotion
16 of democracy globally, \$164,000,000, of which the fol-
17 lowing amounts shall be made available, subject to the reg-
18 ular notification procedures of the Committees on Appro-
19 priations, until September 30, 2010—

20 (1) \$64,000,000 for the Human Rights and De-
21 mocracy Fund of the Bureau of Democracy, Human
22 Rights and Labor, Department of State, of which
23 \$15,000,000 shall be for democracy and rule of law
24 programs in the People's Republic of China, Hong
25 Kong, and Taiwan: *Provided*, That assistance for

1 Taiwan should be matched from sources other than
2 the United States Government: *Provided further,*
3 That \$5,000,000 shall be made available for pro-
4 grams and activities for the promotion of democracy
5 in countries located outside the Middle East region
6 with a significant Muslim population, and where
7 such programs and activities would be important to
8 United States efforts to respond to, deter, or prevent
9 acts of international terrorism: *Provided further,*
10 That funds used for such purposes should support
11 new initiatives and activities in those countries: *Pro-*
12 *vided further,* That \$15,000,000 shall be made avail-
13 able for an internet freedom initiative to expand ac-
14 cess and information in closed societies, including in
15 the Middle East and Asia: *Provided further,* That
16 the Department of State shall consult with the Com-
17 mittees on Appropriations prior to the initial obliga-
18 tion of funds made available pursuant to the pre-
19 vious proviso; and

20 (2) \$100,000,000 for the National Endowment
21 for Democracy: *Provided,* That of the funds appro-
22 priated by this Act under the headings "Develop-
23 ment Assistance", "Economic Support Fund", "As-
24 sistance for Eastern Europe and the Baltic States",
25 and "Assistance for the Independent States of the

1 Former Soviet Union”, an additional \$11,000,000
2 should be made available to support the ongoing pro-
3 grams and activities of the National Endowment for
4 Democracy.

5 (b) Funds appropriated by this Act that are made
6 available for the promotion of democracy may be made
7 available notwithstanding any other provision of law and,
8 with regard to the National Endowment for Democracy,
9 any regulation. Funds appropriated under this heading
10 are in addition to funds otherwise available for such pur-
11 poses.

12 (c) For the purposes of funds appropriated by this
13 Act, the term “promotion of democracy” means programs
14 that support good governance, human rights, independent
15 media, and the rule of law, and otherwise strengthen the
16 capacity of democratic political parties, governments, non-
17 governmental organizations and institutions, and citizens
18 to support the development of democratic states, institu-
19 tions, and practices that are responsive and accountable
20 to citizens.

21 (d) Any contract, grant or cooperative agreement (or
22 any amendment to any contract, grant, or cooperative
23 agreement) in excess of \$2,500,000 for the promotion of
24 democracy under this Act shall be subject to the regular

1 notification procedures of the Committees on Appropria-
2 tions.

3 INTERNATIONAL NARCOTICS CONTROL AND LAW

4 ENFORCEMENT

5 For necessary expenses to carry out section 481 of
6 the Foreign Assistance Act of 1961, \$558,449,000, to re-
7 main available until September 30, 2010: *Provided*, That
8 during fiscal year 2008, the Department of State may also
9 use the authority of section 608 of the Foreign Assistance
10 Act of 1961, without regard to its restrictions, to receive
11 excess property from an agency of the United States Gov-
12 ernment for the purpose of providing it to a foreign coun-
13 try under chapter 8 of part I of that Act subject to the
14 regular notification procedures of the Committees on Ap-
15 propriations: *Provided further*, That the Secretary of State
16 shall provide to the Committees on Appropriations not
17 later than 45 days after the date of the enactment of this
18 Act and prior to the initial obligation of funds appro-
19 priated under this heading, a report on the proposed uses
20 of all funds under this heading on a country-by-country
21 basis for each proposed program, project, or activity: *Pro-*
22 *vided further*, That none of the funds provided under this
23 heading for counter narcotics activities in Afghanistan
24 shall be made available for eradication programs through
25 the aerial spraying of herbicides: *Provided further*, That
26 of the funds appropriated under this heading, not less

1 than \$39,750,000 shall be made available for judicial,
2 human rights, rule of law and related activities for Colom-
3 bia, of which not less than \$20,000,000 shall be made
4 available for the Office of the Attorney General, of which
5 \$5,000,000 shall be for the Human Rights Unit,
6 \$5,000,000 shall be for the Justice and Peace Unit,
7 \$7,000,000 shall be used to support a witness protection
8 program for victims of armed groups, and \$3,000,000
9 shall be for investigations of mass graves and identifica-
10 tion of remains: *Provided further*, That of the funds appro-
11 priated under this heading that are available for assistance
12 for Colombia, \$8,000,000 shall be available for human
13 rights activities, \$5,500,000 shall be available for judicial
14 reform, \$3,000,000 shall be for the Office of the
15 Procuraduria General de la Nacion, \$2,000,000 shall be
16 for the Office of the Defensoria del Pueblo, and \$750,000
17 should be made available for a United States contribution
18 to the Office of the United Nations High Commissioner
19 for Human Rights in Colombia to support monitoring and
20 public reporting of human rights conditions in the field:
21 *Provided further*, That of the funds appropriated under
22 this heading, not more than \$38,000,000 may be available
23 for administrative expenses.

1 ANDEAN COUNTERDRUG PROGRAMS
2 (INCLUDING TRANSFER OF FUNDS)

3 For necessary expenses to carry out section 481 of
4 the Foreign Assistance Act of 1961 to support
5 counterdrug activities in the Andean region of South
6 America, \$327,460,000, to remain available until Sep-
7 tember 30, 2010: *Provided*, That the Secretary of State,
8 in consultation with the Administrator of the United
9 States Agency for International Development, shall pro-
10 vide to the Committees on Appropriations not later than
11 45 days after the date of the enactment of this Act and
12 prior to the initial obligation of funds appropriated under
13 this heading, a report on the proposed uses of all funds
14 under this heading on a country-by-country basis for each
15 proposed program, project, or activity: *Provided further*,
16 That section 482(b) of the Foreign Assistance Act of 1961
17 shall not apply to funds appropriated under this heading:
18 *Provided further*, That assistance provided with funds ap-
19 propriated under this heading that is made available not-
20 withstanding section 482(b) of the Foreign Assistance Act
21 of 1961 shall be made available subject to the regular noti-
22 fication procedures of the Committees on Appropriations:
23 *Provided further*, That funds made available to the De-
24 partment of State for assistance to the Government of Co-
25 lombia in this Act may be used to support a unified cam-
26 paign against narcotics trafficking and organizations des-

1 ignated as Foreign Terrorist Organizations, and to take
2 actions to protect human health and welfare in emergency
3 circumstances, including undertaking rescue operations:
4 *Provided further*, That this authority shall cease to be ef-
5 fective if the Secretary of State has credible evidence that
6 the Colombian Armed Forces are not conducting vigorous
7 operations to restore government authority and respect for
8 human rights in areas under the effective control of para-
9 military organizations, illegal self-defense groups, illegal
10 security cooperatives, or other criminal, guerrilla or suc-
11 cessor armed groups or organizations: *Provided further*,
12 That the President shall ensure that if any helicopter pro-
13 cured with funds in this Act or prior Acts making appro-
14 priations for foreign operations, export financing, and re-
15 lated programs, is used to aid or abet the operations of
16 any illegal self-defense group, paramilitary organization,
17 illegal security cooperative or successor organizations in
18 Colombia, such helicopter shall be immediately returned
19 to the United States: *Provided further*, That no United
20 States Armed Forces personnel or United States civilian
21 contractor employed by the United States will participate
22 in any combat operation in connection with assistance
23 made available by this Act for Colombia: *Provided further*,
24 That rotary and fixed wing aircraft supported with funds
25 appropriated under this heading for assistance for Colom-

1 bia may be used for aerial or manual drug eradication and
2 interdiction including to transport personnel and supplies
3 and to provide security for such operations, and to provide
4 transport in support of alternative development programs
5 and investigations of cases under the jurisdiction of the
6 Attorney General, the Procuraduria General de la Nacion,
7 and the Defensoria del Pueblo: *Provided further*, That of
8 the funds appropriated under this heading that are avail-
9 able for Colombia, up to \$2,500,000 shall be transferred
10 to, and merged with, funds appropriated under the head-
11 ing "Foreign Military Financing Program" and shall be
12 made available only for assistance for the Colombian
13 Armed Forces to provide security for manual eradication
14 programs and up to \$2,500,000 shall be transferred to,
15 and merged with, funds appropriated under the heading
16 "International Narcotics Control and Law Enforcement"
17 and shall be made available only for assistance for the Co-
18 lombian National Police to provide security for manual
19 eradication programs: *Provided further*, That of the funds
20 available for the Colombian national police for the pro-
21 curement of chemicals for aerial coca and poppy eradi-
22 cation programs, not more than 20 percent of such funds
23 may be made available for such eradication programs un-
24 less the Secretary of State certifies to the Committees on
25 Appropriations that: (1) the herbicide is being used in ac-

1 cordance with EPA label requirements for comparable use
2 in the United States and with Colombian laws; and (2)
3 the herbicide, in the manner it is being used, does not
4 pose unreasonable risks or adverse effects to humans or
5 the environment including endemic species: *Provided fur-*
6 *ther*, That such funds may not be made available unless
7 the Secretary of State certifies to the Committees on Ap-
8 propriations that complaints of harm to health or licit
9 crops caused by such aerial eradication are thoroughly
10 evaluated and fair compensation is being paid in a timely
11 manner for meritorious claims: *Provided further*, That the
12 Secretary shall submit a report to the Committees on Ap-
13 propriations detailing all claims, evaluations, and com-
14 pensation paid during the twelve month period prior to
15 the date of enactment of this Act: *Provided further*, That
16 such funds may not be made available for such purposes
17 unless programs are being implemented by United States
18 Agency for International Development, the Government of
19 Colombia, or other organizations, in consultation and co-
20 ordination with local communities, to provide alternative
21 sources of income in areas where security permits for
22 small-acreage growers and communities whose illicit crops
23 are targeted for aerial eradication: *Provided further*, That
24 none of the funds appropriated by this Act shall be made
25 available for the cultivation or processing of African oil

1 palm, if doing so would contribute to significant loss of
2 native species, disrupt or contaminate natural water
3 sources, reduce local food security, or cause the forced dis-
4 placement of local people: *Provided further*, That funds ap-
5 propriated by this Act may be used for aerial eradication
6 in Colombia's national parks or reserves only if the Sec-
7 retary of State certifies to the Committees on Appropria-
8 tions on a case-by-case basis that there are no effective
9 alternatives and the eradication is conducted in accord-
10 ance with Colombian laws: *Provided further*, That funds
11 appropriated under this heading that are made available
12 for assistance for the Bolivian military and police may be
13 made available for such purposes only if the Secretary of
14 State certifies to the Committees on Appropriations that
15 the Bolivian military and police are respecting human
16 rights and cooperating fully with investigations and pros-
17 ecutions by civilian judicial authorities of military and po-
18 lice personnel who have been implicated in gross violations
19 of human rights: *Provided further*, That of the funds ap-
20 propriated under this heading, not more than \$17,000,000
21 may be available for administrative expenses of the De-
22 partment of State, and not more than \$7,800,000 may
23 be available, in addition to amounts otherwise available for
24 such purposes, for administrative expenses of the United
25 States Agency for International Development.

1 MIGRATION AND REFUGEE ASSISTANCE

2 For expenses, not otherwise provided for, necessary
3 to enable the Secretary of State to provide, as authorized
4 by law, a contribution to the International Committee of
5 the Red Cross, assistance to refugees, including contribu-
6 tions to the International Organization for Migration and
7 the United Nations High Commissioner for Refugees, and
8 other activities to meet refugee and migration needs; sala-
9 ries and expenses of personnel and dependents as author-
10 ized by the Foreign Service Act of 1980; allowances as
11 authorized by sections 5921 through 5925 of title 5,
12 United States Code; purchase and hire of passenger motor
13 vehicles; and services as authorized by section 3109 of title
14 5, United States Code, \$1,029,900,000, to remain avail-
15 able until expended: *Provided*, That not more than
16 \$23,000,000 may be available for administrative expenses:
17 *Provided further*, That not less than \$40,000,000 of the
18 funds made available under this heading shall be made
19 available for refugees resettling in Israel: *Provided further*,
20 That funds made available under this heading shall be
21 made available for assistance for refugees from North
22 Korea: *Provided further*, That of the amount provided by
23 this paragraph, \$200,000,000 is designated as described
24 in section 5 (in the matter preceding division A of this
25 consolidated Act).

1 UNITED STATES EMERGENCY REFUGEE AND MIGRATION
2 ASSISTANCE FUND

3 For necessary expenses to carry out the provisions
4 of section 2(c) of the Migration and Refugee Assistance
5 Act of 1962, as amended (22 U.S.C. 2601(c)),
6 \$45,000,000, to remain available until expended.

7 NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND
8 RELATED PROGRAMS

9 For necessary expenses for nonproliferation, anti-ter-
10 rorism, demining and related programs and activities,
11 \$487,000,000, to carry out the provisions of chapter 8 of
12 part II of the Foreign Assistance Act of 1961 for anti-
13 terrorism assistance, chapter 9 of part II of the Foreign
14 Assistance Act of 1961, section 504 of the FREEDOM
15 Support Act, section 23 of the Arms Export Control Act
16 or the Foreign Assistance Act of 1961 for demining activi-
17 ties, the clearance of unexploded ordnance, the destruction
18 of small arms, and related activities, notwithstanding any
19 other provision of law, including activities implemented
20 through nongovernmental and international organizations,
21 and section 301 of the Foreign Assistance Act of 1961
22 for a voluntary contribution to the International Atomic
23 Energy Agency (IAEA), and for a United States contribu-
24 tion to the Comprehensive Nuclear Test Ban Treaty Pre-
25 paratory Commission: *Provided*, That of this amount not
26 to exceed \$34,000,000, to remain available until expended,

1 may be made available for the Nonproliferation and Disar-
2 mament Fund, notwithstanding any other provision of
3 law, to promote bilateral and multilateral activities relat-
4 ing to nonproliferation and disarmament: *Provided further,*
5 That such funds may also be used for such countries other
6 than the Independent States of the former Soviet Union
7 and international organizations when it is in the national
8 security interest of the United States to do so: *Provided*
9 *further,* That of the funds appropriated under this head-
10 ing, not less than \$26,000,000 shall be made available for
11 the Biosecurity Engagement Program: *Provided further,*
12 That funds appropriated under this heading may be made
13 available for the International Atomic Energy Agency only
14 if the Secretary of State determines (and so reports to
15 the Congress) that Israel is not being denied its right to
16 participate in the activities of that Agency: *Provided fur-*
17 *ther,* That of the funds made available for demining and
18 related activities, not to exceed \$700,000, in addition to
19 funds otherwise available for such purposes, may be used
20 for administrative expenses related to the operation and
21 management of the demining program: *Provided further,*
22 That funds appropriated under this heading that are avail-
23 able for "Anti-terrorism Assistance" and "Export Control
24 and Border Security" shall remain available until Sep-
25 tember 30, 2009.

1 DEPARTMENT OF THE TREASURY

2 INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

3 For necessary expenses to carry out the provisions
4 of section 129 of the Foreign Assistance Act of 1961,
5 \$20,400,000, to remain available until September 30,
6 2010, which shall be available notwithstanding any other
7 provision of law.

8 DEBT RESTRUCTURING

9 For the cost, as defined in section 502 of the Con-
10 gressional Budget Act of 1974, of modifying loans and
11 loan guarantees, as the President may determine, for
12 which funds have been appropriated or otherwise made
13 available for programs within the International Affairs
14 Budget Function 150, including the cost of selling, reduc-
15 ing, or canceling amounts owed to the United States as
16 a result of concessional loans made to eligible countries,
17 pursuant to parts IV and V of the Foreign Assistance Act
18 of 1961, of modifying concessional credit agreements with
19 least developed countries, as authorized under section 411
20 of the Agricultural Trade Development and Assistance Act
21 of 1954, as amended, of concessional loans, guarantees
22 and credit agreements, as authorized under section 572
23 of the Foreign Operations, Export Financing, and Related
24 Programs Appropriations Act, 1989 (Public Law 100-
25 461), and of canceling amounts owed, as a result of loans
26 or guarantees made pursuant to the Export-Import Bank

1 Act of 1945, by countries that are eligible for debt reduc-
2 tion pursuant to title V of H.R. 3425 as enacted into law
3 by section 1000(a)(5) of Public Law 106-113,
4 \$30,300,000, to remain available until September 30,
5 2010: *Provided*, That not less than \$20,000,000 of the
6 funds appropriated under this heading shall be made avail-
7 able to carry out the provisions of part V of the Foreign
8 Assistance Act of 1961: *Provided further*, That amounts
9 paid to the HIPC Trust Fund may be used only to fund
10 debt reduction under the enhanced HIPC initiative by—

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

16 *Provided further*, That funds may not be paid to the HIPC
17 Trust Fund for the benefit of any country if the Secretary
18 of State has credible evidence that the government of such
19 country is engaged in a consistent pattern of gross viola-
20 tions of internationally recognized human rights or in mili-
21 tary or civil conflict that undermines its ability to develop
22 and implement measures to alleviate poverty and to devote
23 adequate human and financial resources to that end: *Pro-*
24 *vided further*, That on the basis of final appropriations,
25 the Secretary of the Treasury shall consult with the Com-

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

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

21 (2) have documented and demonstrated their
22 commitment to redirect their budgetary resources
23 from international debt repayments to programs to
24 alleviate poverty and promote economic growth that

1 are additional to or expand upon those previously
2 available for such purposes:

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

12 TITLE IV

13 MILITARY ASSISTANCE

14 FUNDS APPROPRIATED TO THE PRESIDENT

15 INTERNATIONAL MILITARY EDUCATION AND TRAINING

16 For necessary expenses to carry out the provisions
17 of section 541 of the Foreign Assistance Act of 1961,
18 \$85,877,000, of which up to \$3,000,000 may remain
19 available until expended: *Provided*, That funds appro-
20 priated under this heading shall not be available for Equa-
21 torial Guinea: *Provided further*, That the civilian personnel
22 for whom military education and training may be provided
23 under this heading may include civilians who are not mem-
24 bers of a government whose participation would contribute
25 to improved civil-military relations, civilian control of the

1 military, or respect for human rights: *Provided further,*
2 That funds appropriated under this heading that are made
3 available for assistance for Angola, Cameroon, Central Af-
4 rican Republic, Chad, Cote d'Ivoire, Guinea, Libya, and
5 Nepal may be made available only for expanded inter-
6 national military education and training: *Provided further,*
7 That funds made available under this heading in the sec-
8 ond proviso and for assistance for Haiti, Guatemala, the
9 Democratic Republic of the Congo, Sri Lanka, Ethiopia,
10 Bangladesh, Libya, Angola, and Nigeria may only be pro-
11 vided through the regular notification procedures of the
12 Committees on Appropriations and any such notification
13 shall include a detailed description of proposed activities.

14 FOREIGN MILITARY FINANCING PROGRAM

15 (INCLUDING TRANSFER OF FUNDS)

16 For expenses necessary for grants to enable the
17 President to carry out the provisions of section 23 of the
18 Arms Export Control Act, \$4,588,325,000: *Provided,*
19 That of the funds appropriated under this heading, not
20 less than \$2,400,000,000 shall be available for grants only
21 for Israel, and not less than \$1,300,000,000 shall be made
22 available for grants only for Egypt: *Provided further,* That
23 the funds appropriated by this paragraph for Israel shall
24 be disbursed within 30 days of the enactment of this Act:
25 *Provided further,* That to the extent that the Government
26 of Israel requests that funds be used for such purposes,

1 grants made available for Israel by this paragraph shall,
2 as agreed by Israel and the United States, be available
3 for advanced weapons systems, of which not less than
4 \$631,200,000 shall be available for the procurement in
5 Israel of defense articles and defense services, including
6 research and development: *Provided further*, That of the
7 funds appropriated by this paragraph, \$300,000,000 shall
8 be made available for assistance for Jordan: *Provided fur-*
9 *ther*, That of the funds appropriated under this heading,
10 not more than \$53,000,000 shall be available for Colom-
11 bia, of which \$5,000,000 should be made available for
12 medical and rehabilitation assistance, removal of land-
13 mines, and to enhance communications capabilities: *Pro-*
14 *vided further*, That of the funds appropriated under this
15 heading, \$3,655,000 may be made available for assistance
16 for Morocco, and an additional \$1,000,000 may be made
17 available if the Secretary of State certifies to the Commit-
18 tees on Appropriations that the Government of Morocco
19 is continuing to make progress on human rights, and is
20 allowing all persons to advocate freely their views regard-
21 ing the status and future of the Western Sahara through
22 the exercise of their rights to peaceful expression, associa-
23 tion and assembly and to document violations of human
24 rights in that territory without harassment: *Provided fur-*
25 *ther*, That funds appropriated or otherwise made available

1 by this paragraph shall be nonrepayable notwithstanding
2 any requirement in section 23 of the Arms Export Control
3 Act: *Provided further*, That funds made available under
4 this paragraph shall be obligated upon apportionment in
5 accordance with paragraph (5)(C) of title 31, United
6 States Code, section 1501(a): *Provided further*, That
7 \$4,000,000 of the funds appropriated under this heading
8 shall be transferred to and merged with funds appro-
9 priated under the heading "Diplomatic and Consular Pro-
10 grams" to be made available to the Bureau of Democracy,
11 Human Rights and Labor, Department of State, to ensure
12 adequate monitoring of the uses of assistance made avail-
13 able under this heading in countries where such moni-
14 toring is most needed, in addition to amounts otherwise
15 available for such purposes.

16 None of the funds made available under this heading
17 shall be available to finance the procurement of defense
18 articles, defense services, or design and construction serv-
19 ices that are not sold by the United States Government
20 under the Arms Export Control Act unless the foreign
21 country proposing to make such procurements has first
22 signed an agreement with the United States Government
23 specifying the conditions under which such procurements
24 may be financed with such funds: *Provided*, That all coun-
25 try and funding level increases in allocations shall be sub-

1 mitted through the regular notification procedures of sec-
2 tion 615 of this Act: *Provided further*, That none of the
3 funds appropriated under this heading shall be available
4 for assistance for Sudan: *Provided further*, That none of
5 the funds appropriated under this heading may be made
6 available for assistance for Haiti, Guatemala, Nepal, Sri
7 Lanka, Pakistan, Bangladesh, Philippines, Indonesia,
8 Bosnia and Herzegovina, Ethiopia, and Democratic Re-
9 public of the Congo except pursuant to the regular notifi-
10 cation procedures of the Committees on Appropriations:
11 *Provided further*, That funds made available under this
12 heading may be used, notwithstanding any other provision
13 of law, for demining, the clearance of unexploded ord-
14 nance, and related activities, and may include activities
15 implemented through nongovernmental and international
16 organizations: *Provided further*, That only those countries
17 for which assistance was justified for the "Foreign Mili-
18 tary Sales Financing Program" in the fiscal year 1989
19 congressional presentation for security assistance pro-
20 grams may utilize funds made available under this heading
21 for procurement of defense articles, defense services or de-
22 sign and construction services that are not sold by the
23 United States Government under the Arms Export Con-
24 trol Act: *Provided further*, That funds appropriated under
25 this heading shall be expended at the minimum rate nec-

1 essary to make timely payment for defense articles and
2 services: *Provided further*, That not more than
3 \$41,900,000 of the funds appropriated under this heading
4 may be obligated for necessary expenses, including the
5 purchase of passenger motor vehicles for replacement only
6 for use outside of the United States, for the general costs
7 of administering military assistance and sales: *Provided*
8 *further*, That not more than \$395,000,000 of funds real-
9 ized pursuant to section 21(e)(1)(A) of the Arms Export
10 Control Act may be obligated for expenses incurred by the
11 Department of Defense during fiscal year 2008 pursuant
12 to section 43(b) of the Arms Export Control Act, except
13 that this limitation may be exceeded only through the reg-
14 ular notification procedures of the Committees on Appro-
15 priations: *Provided further*, That foreign military financing
16 program funds estimated to be outlayed for Egypt during
17 fiscal year 2008 shall be transferred to an interest bearing
18 account for Egypt in the Federal Reserve Bank of New
19 York within 30 days of enactment of this Act: *Provided*
20 *further*, That of the amount provided by this paragraph,
21 \$100,000,000 is designated as described in section 5 (in
22 the matter preceding division A of this consolidated Act).

23

PEACEKEEPING OPERATIONS

24 For necessary expenses to carry out the provisions
25 of section 551 of the Foreign Assistance Act of 1961,
26 \$263,230,000: *Provided*, That of the funds made available

1 under this heading, not less than \$25,000,000 shall be
2 made available for a United States contribution to the
3 Multinational Force and Observers mission in the Sinai:
4 *Provided further*, That none of the funds appropriated
5 under this heading shall be obligated or expended except
6 as provided through the regular notification procedures of
7 the Committees on Appropriations: *Provided further*, That
8 of the amount provided by this paragraph, \$35,000,000
9 is designated as described in section 5 (in the matter pre-
10 ceding division A of this consolidated Act).

11 TITLE V

12 MULTILATERAL ECONOMIC ASSISTANCE

13 FUNDS APPROPRIATED TO THE PRESIDENT

14 INTERNATIONAL FINANCIAL INSTITUTIONS

15 GLOBAL ENVIRONMENT FACILITY

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

21 CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT

22 ASSOCIATION

23 For payment to the International Development Asso-
24 ciation by the Secretary of the Treasury, \$950,000,000,
25 to remain available until expended.

1 CONTRIBUTION TO THE ENTERPRISE FOR THE AMERICAS
2 MULTILATERAL INVESTMENT FUND

3 For payment to the Enterprise for the Americas Mul-
4 tilateral Investment Fund by the Secretary of the Treas-
5 ury, for the United States contribution to the fund,
6 \$25,000,000, to remain available until expended.

7 CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

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

13 CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK

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

18 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

19 The United States Governor of the African Develop-
20 ment Bank may subscribe without fiscal year limitation
21 for the callable capital portion of the United States share
22 of such capital stock in an amount not to exceed
23 \$31,918,770.

24 CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

25 For the United States contribution by the Secretary
26 of the Treasury to the increase in resources of the African

1 Development Fund, \$135,684,000, to remain available
2 until expended.

3 CONTRIBUTION TO THE EUROPEAN BANK FOR
4 RECONSTRUCTION AND DEVELOPMENT

5 For payment to the European Bank for Reconstruc-
6 tion and Development by the Secretary of the Treasury,
7 \$10,159 for the United States share of the paid-in portion
8 of the increase in capital stock, to remain available until
9 expended.

10 CONTRIBUTION TO THE INTERNATIONAL FUND FOR
11 AGRICULTURAL DEVELOPMENT

12 For the United States contribution by the Secretary
13 of the Treasury to increase the resources of the Inter-
14 national Fund for Agricultural Development,
15 \$18,072,000, to remain available until expended.

16 INTERNATIONAL ORGANIZATIONS AND PROGRAMS

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

21 TITLE VI

22 GENERAL PROVISIONS

23 COMPENSATION FOR UNITED STATES EXECUTIVE
24 DIRECTORS TO INTERNATIONAL FINANCIAL INSTITUTIONS

25 SEC. 601. (a) No funds appropriated in titles II
26 through V of this Act may be made as payment to any

1 international financial institution while the United States
2 Executive Director to such institution is compensated by
3 the institution at a rate which, together with whatever
4 compensation such Director receives from the United
5 States, is in excess of the rate provided for an individual
6 occupying a position at level IV of the Executive Schedule
7 under section 5315 of title 5, United States Code, or while
8 any alternate United States Director to such institution
9 is compensated by the institution at a rate in excess of
10 the rate provided for an individual occupying a position
11 at level V of the Executive Schedule under section 5316
12 of title 5, United States Code.

13 (b) For purposes of this section "international finan-
14 cial institutions" are: the International Bank for Recon-
15 struction and Development, the Inter-American Develop-
16 ment Bank, the Asian Development Bank, the Asian De-
17 velopment Fund, the African Development Bank, the Afri-
18 can Development Fund, the International Monetary Fund,
19 the North American Development Bank, and the Euro-
20 pean Bank for Reconstruction and Development.

21 RESTRICTION ON CONTRIBUTIONS TO THE UNITED
22 NATIONS

23 SEC. 602. None of the funds appropriated or other-
24 wise made available under any title of this Act may be
25 made available to make any assessed contribution or vol-
26 untary payment of the United States to the United Na-

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

3 LIMITATION ON RESIDENCE EXPENSES

4 SEC. 603. Of the funds appropriated or made avail-
5 able pursuant to title III of this Act, not to exceed
6 \$100,500 shall be for official residence expenses of the
7 United States Agency for International Development dur-
8 ing the current fiscal year: *Provided*, That appropriate
9 steps shall be taken to assure that, to the maximum extent
10 possible, United States-owned foreign currencies are uti-
11 lized in lieu of dollars.

12 UNOBLIGATED BALANCES REPORT

13 SEC. 604. Any Department or Agency to which funds
14 are appropriated or otherwise made available by this Act
15 shall provide to the Committees on Appropriations a quar-
16 terly accounting of cumulative balances by program,
17 project, and activity of the funds received by such Depart-
18 ment or Agency in this fiscal year or any previous fiscal
19 year that remain unobligated and unexpended.

20 LIMITATION ON REPRESENTATIONAL ALLOWANCES

21 SEC. 605. Of the funds appropriated or made avail-
22 able pursuant to titles II through V of this Act, not to
23 exceed \$250,000 shall be available for representation and
24 entertainment allowances, of which not to exceed \$4,000
25 shall be available for entertainment allowances, for the
26 United States Agency for International Development dur-

1 ing the current fiscal year: *Provided*, That no such enter-
2 tainment funds may be used for the purposes listed in sec-
3 tion 648 of this Act: *Provided further*, That appropriate
4 steps shall be taken to assure that, to the maximum extent
5 possible, United States-owned foreign currencies are uti-
6 lized in lieu of dollars: *Provided further*, That of the funds
7 made available by this Act for general costs of admin-
8 istering military assistance and sales under the heading
9 “Foreign Military Financing Program”, not to exceed
10 \$4,000 shall be available for entertainment expenses and
11 not to exceed \$130,000 shall be available for representa-
12 tion allowances: *Provided further*, That of the funds made
13 available by this Act under the heading “International
14 Military Education and Training”, not to exceed \$55,000
15 shall be available for entertainment allowances: *Provided*
16 *further*, That of the funds made available by this Act for
17 the Inter-American Foundation, not to exceed \$3,000
18 shall be available for entertainment and representation al-
19 lowances: *Provided further*, That of the funds made avail-
20 able by this Act for the Peace Corps, not to exceed a total
21 of \$4,000 shall be available for entertainment expenses:
22 *Provided further*, That of the funds made available by this
23 Act under the heading “Trade and Development Agency”,
24 not to exceed \$4,000 shall be available for representation
25 and entertainment allowances: *Provided further*, That of

1 the funds made available by this Act under the heading
2 “Millennium Challenge Corporation”, not to exceed
3 \$115,000 shall be available for representation and enter-
4 tainment allowances.

5 PROHIBITION ON TAXATION OF UNITED STATES

6 ASSISTANCE

7 SEC. 606. (a) PROHIBITION ON TAXATION.—None of
8 the funds appropriated under titles II through V of this
9 Act may be made available to provide assistance for a for-
10 eign country under a new bilateral agreement governing
11 the terms and conditions under which such assistance is
12 to be provided unless such agreement includes a provision
13 stating that assistance provided by the United States shall
14 be exempt from taxation, or reimbursed, by the foreign
15 government, and the Secretary of State shall expeditiously
16 seek to negotiate amendments to existing bilateral agree-
17 ments, as necessary, to conform with this requirement.

18 (b) REIMBURSEMENT OF FOREIGN TAXES.—An
19 amount equivalent to 200 percent of the total taxes as-
20 sessed during fiscal year 2008 on funds appropriated by
21 this Act by a foreign government or entity against com-
22 modities financed under United States assistance pro-
23 grams for which funds are appropriated by this Act, either
24 directly or through grantees, contractors and subcontrac-
25 tors shall be withheld from obligation from funds appro-
26 priated for assistance for fiscal year 2009 and allocated

1 for the central government of such country and for the
2 West Bank and Gaza Program to the extent that the Sec-
3 retary of State certifies and reports in writing to the Com-
4 mittees on Appropriations that such taxes have not been
5 reimbursed to the Government of the United States.

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

9 (d) REPROGRAMMING OF FUNDS.—Funds withheld
10 from obligation for each country or entity pursuant to sub-
11 section (b) shall be reprogrammed for assistance to coun-
12 tries which do not assess taxes on United States assistance
13 or which have an effective arrangement that is providing
14 substantial reimbursement of such taxes.

15 (e) DETERMINATIONS.—

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

19 (A) does not assess taxes on United States
20 assistance or which has an effective arrange-
21 ment that is providing substantial reimburse-
22 ment of such taxes; or

23 (B) the foreign policy interests of the
24 United States outweigh the policy of this sec-

1 tion to ensure that United States assistance is
2 not subject to taxation.

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

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

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

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

17 (2) the term “bilateral agreement” refers to a
18 framework bilateral agreement between the Govern-
19 ment of the United States and the government of
20 the country receiving assistance that describes the
21 privileges and immunities applicable to United
22 States foreign assistance for such country generally,
23 or an individual agreement between the Government
24 of the United States and such government that de-
25 scribes, among other things, the treatment for tax

1 purposes that will be accorded the United States as-
2 sistance provided under that agreement.

3 PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN
4 COUNTRIES

5 SEC. 607. None of the funds appropriated or other-
6 wise made available pursuant to this Act shall be obligated
7 or expended to finance directly any assistance or repara-
8 tions to Cuba, North Korea, Iran, or Syria: *Provided*, That
9 for purposes of this section, the prohibition on obligations
10 or expenditures shall include direct loans, credits, insur-
11 ance and guarantees of the Export-Import Bank or its
12 agents.

13 MILITARY COUPS

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

1 able pursuant to the previous provisos shall be subject to
2 the regular notification procedures of the Committees on
3 Appropriations.

4 TRANSFER AUTHORITY

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

24 (b) EXPORT FINANCING TRANSFER AUTHORITIES.—
25 Not to exceed 5 percent of any appropriation other than
26 for administrative expenses made available for fiscal year

1 2008, for programs under title II of this Act may be trans-
2 ferred between such appropriations for use for any of the
3 purposes, programs, and activities for which the funds in
4 such receiving account may be used, but no such appro-
5 priation, except as otherwise specifically provided, shall be
6 increased by more than 25 percent by any such transfer:
7 *Provided*, That the exercise of such authority shall be sub-
8 ject to the regular notification procedures of the Commit-
9 tees on Appropriations.

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

17 (2) Notwithstanding paragraph (1), in addition to
18 transfers made by, or authorized elsewhere in, this Act,
19 funds appropriated by this Act to carry out the purposes
20 of the Foreign Assistance Act of 1961 may be allocated
21 or transferred to agencies of the United States Govern-
22 ment pursuant to the provisions of sections 109, 610, and
23 632 of the Foreign Assistance Act of 1961.

24 (d) TRANSFERS BETWEEN ACCOUNTS.—None of the
25 funds made available under titles II through V of this Act

1 may be obligated under an appropriation account to which
2 they were not appropriated, except for transfers specifi-
3 cally provided for in this Act, unless the President pro-
4 vides notification in accordance with the regular notifica-
5 tion procedures of the Committees on Appropriations.

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

19 COMMERCIAL LEASING OF DEFENSE ARTICLES

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

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

8

AVAILABILITY OF FUNDS

9 SEC. 611. No part of any appropriation contained in
10 this Act shall remain available for obligation after the ex-
11 piration of the current fiscal year unless expressly so pro-
12 vided in this Act: *Provided*, That funds appropriated for
13 the purposes of chapters 1, 8, 11, and 12 of part I, section
14 661, section 667, chapters 4, 5, 6, 8, and 9 of part II
15 of the Foreign Assistance Act of 1961, section 23 of the
16 Arms Export Control Act, and funds provided under the
17 headings "Assistance for Eastern Europe and the Baltic
18 States" and "Development Credit Authority", shall re-
19 main available for an additional 4 years from the date on
20 which the availability of such funds would otherwise have
21 expired, if such funds are initially obligated before the ex-
22 piration of their respective periods of availability contained
23 in this Act: *Provided further*, That, notwithstanding any
24 other provision of this Act, any funds made available for
25 the purposes of chapter 1 of part I and chapter 4 of part
26 II of the Foreign Assistance Act of 1961 which are allo-

1 cated or obligated for cash disbursements in order to ad-
2 dress balance of payments or economic policy reform ob-
3 jectives, shall remain available until expended.

4 LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

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

16 COMMERCE AND TRADE

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

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

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

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

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

3 SURPLUS COMMODITIES

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

22 REPROGRAMMING NOTIFICATION REQUIREMENTS

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

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

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

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

13 (c) For the purposes of providing the executive
14 branch with the necessary administrative flexibility, none
15 of the funds made available under titles II through V of
16 this Act for "Global Health and Child Survival", "Devel-
17 opment Assistance", "International Organizations and
18 Programs", "Trade and Development Agency", "Inter-
19 national Narcotics Control and Law Enforcement", "An-
20 dean Counterdrug Programs", "Assistance for Eastern
21 Europe and the Baltic States", "Assistance for the Inde-
22 pendent States of the Former Soviet Union", "Economic
23 Support Fund", "Democracy Fund", "Peacekeeping Op-
24 erations", "Capital Investment Fund", "Operating Ex-
25 penses of the United States Agency for International De-

1 velopment”, “Operating Expenses of the United States
2 Agency for International Development Office of Inspector
3 General”, “Nonproliferation, Anti-terrorism, Demining
4 and Related Programs”, “Millennium Challenge Corpora-
5 tion” (by country only), “Foreign Military Financing Pro-
6 gram”, “International Military Education and Training”,
7 “Peace Corps”, and “Migration and Refugee Assistance”,
8 shall be available for obligation for activities, programs,
9 projects, type of materiel assistance, countries, or other
10 operations not justified or in excess of the amount justi-
11 fied to the Committees on Appropriations for obligation
12 under any of these specific headings unless the Commit-
13 tees on Appropriations of both Houses of Congress are
14 previously notified 15 days in advance: *Provided*, That the
15 President shall not enter into any commitment of funds
16 appropriated for the purposes of section 23 of the Arms
17 Export Control Act for the provision of major defense
18 equipment, other than conventional ammunition, or other
19 major defense items defined to be aircraft, ships, missiles,
20 or combat vehicles, not previously justified to Congress or
21 20 percent in excess of the quantities justified to Congress
22 unless the Committees on Appropriations are notified 15
23 days in advance of such commitment: *Provided further*,
24 That this subsection shall not apply to any reprogramming
25 for an activity, program, or project for which funds are

1 appropriated under titles III or IV of this Act of less than
2 10 percent of the amount previously justified to the Con-
3 gress for obligation for such activity, program, or project
4 for the current fiscal year.

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

20 LIMITATION ON AVAILABILITY OF FUNDS FOR
21 INTERNATIONAL ORGANIZATIONS AND PROGRAMS

22 SEC. 616. Subject to the regular notification proce-
23 dures of the Committees on Appropriations, funds appro-
24 priated under titles II through V of this Act or any pre-
25 viously enacted Act making appropriations for foreign op-
26 erations, export financing, and related programs, which

1 are returned or not made available for organizations and
2 programs because of the implementation of section 307(a)
3 of the Foreign Assistance Act of 1961, shall remain avail-
4 able for obligation until September 30, 2009: *Provided*,
5 That section 307(a) of the Foreign Assistance Act of 1961
6 is amended by striking “Libya,”.

7 INDEPENDENT STATES OF THE FORMER SOVIET UNION

8 SEC. 617. (a) None of the funds appropriated under
9 the heading “Assistance for the Independent States of the
10 Former Soviet Union” shall be made available for assist-
11 ance for a government of an Independent State of the
12 former Soviet Union if that government directs any action
13 in violation of the territorial integrity or national sov-
14 ereignty of any other Independent State of the former So-
15 viet Union, such as those violations included in the Hel-
16 sinki Final Act: *Provided*, That such funds may be made
17 available without regard to the restriction in this sub-
18 section if the President determines that to do so is in the
19 national security interest of the United States.

20 (b) None of the funds appropriated under the heading
21 “Assistance for the Independent States of the Former So-
22 viet Union” shall be made available for any state to en-
23 hance its military capability: *Provided*, That this restric-
24 tion does not apply to demilitarization, demining or non-
25 proliferation programs.

1 (c) Funds appropriated under the heading “Assist-
2 ance for the Independent States of the Former Soviet
3 Union” for the Russian Federation, Armenia,
4 Kazakhstan, and Uzbekistan shall be subject to the reg-
5 ular notification procedures of the Committees on Appro-
6 priations.

7 (d) Funds made available in this Act for assistance
8 for the Independent States of the former Soviet Union
9 shall be subject to the provisions of section 117 (relating
10 to environment and natural resources) of the Foreign As-
11 sistance Act of 1961.

12 (e)(1) Of the funds appropriated under the heading
13 “Assistance for the Independent States of the Former So-
14 viet Union” that are allocated for assistance for the Gov-
15 ernment of the Russian Federation, 60 percent shall be
16 withheld from obligation until the President determines
17 and certifies in writing to the Committees on Appropria-
18 tions that the Government of the Russian Federation—

19 (A) has terminated implementation of arrange-
20 ments to provide Iran with technical expertise, train-
21 ing, technology, or equipment necessary to develop a
22 nuclear reactor, related nuclear research facilities or
23 programs, or ballistic missile capability; and

24 (B) is providing full access to international non-
25 government organizations providing humanitarian

1 relief to refugees and internally displaced persons in
2 Chechnya.

3 (2) Paragraph (1) shall not apply to—

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

7 (B) activities authorized under title V (Non-
8 proliferation and Disarmament Programs and Ac-
9 tivities) of the FREEDOM Support Act.

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

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

16 (2) any assistance provided by the Trade and
17 Development Agency under section 661 of the For-
18 eign Assistance Act of 1961 (22 U.S.C. 2421);

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

22 (4) any insurance, reinsurance, guarantee or
23 other assistance provided by the Overseas Private
24 Investment Corporation under title IV of chapter 2

1 of part I of the Foreign Assistance Act of 1961 (22
2 U.S.C. 2191 et seq.);

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

5 (6) humanitarian assistance.

6 PROHIBITION ON FUNDING FOR ABORTIONS AND

7 INVOLUNTARY STERILIZATION

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

1 such country or organization would violate any of the
2 above provisions related to abortions and involuntary steri-
3 lizations.

4 ALLOCATIONS

5 SEC. 619. (a) Funds provided in this Act for the fol-
6 lowing accounts shall be made available for programs and
7 countries in the amounts contained in the respective tables
8 included in the explanatory statement described in section
9 4 (in the matter preceding division A of this consolidated
10 Act) accompanying this Act:

11 "Educational and Cultural Exchange Pro-
12 grams".

13 "American Sections, International Commis-
14 sions".

15 "International Broadcasting Operations".

16 "Global Health and Child Survival".

17 "Economic Support Fund".

18 "Assistance for Eastern Europe and the Baltic
19 States".

20 "Assistance for the Independent States of the
21 Former Soviet Union".

22 "Democracy Fund".

23 "International Narcotics Control and Law En-
24 forcement".

25 "Andean Counterdrug Programs".

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

3 “Foreign Military Financing Program”.

4 “Peacekeeping Operations”.

5 “International Organizations and Programs”.

6 (b) Any proposed increases or decreases to the
7 amounts contained in such tables in the explanatory state-
8 ment described in section 4 (in the matter preceding divi-
9 sion A of this consolidated Act) shall be subject to the
10 regular notification procedures of the Committees on Ap-
11 propriations and section 634A of the Foreign Assistance
12 Act of 1961.

13 SPECIAL NOTIFICATION REQUIREMENTS

14 SEC. 620. None of the funds appropriated under ti-
15 tles II through V of this Act shall be obligated or expended
16 for assistance for Serbia, Sudan, Zimbabwe, Pakistan,
17 Cuba, Iran, Haiti, Libya, Ethiopia, Mexico, Nepal, or
18 Cambodia except as provided through the regular notifica-
19 tion procedures of the Committees on Appropriations.

20 DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

21 SEC. 621. For the purpose of titles II through V of
22 this Act “program, project, and activity” shall be defined
23 at the appropriations Act account level and shall include
24 all appropriations and authorizations Acts funding direc-
25 tives, ceilings, and limitations with the exception that for
26 the following accounts: “Economic Support Fund” and

1 “Foreign Military Financing Program”, “program,
2 project, and activity” shall also be considered to include
3 country, regional, and central program level funding with-
4 in each such account; for the development assistance ac-
5 counts of the United States Agency for International De-
6 velopment “program, project, and activity” shall also be
7 considered to include central, country, regional, and pro-
8 gram level funding, either as: (1) justified to the Congress;
9 or (2) allocated by the executive branch in accordance with
10 a report, to be provided to the Committees on Appropria-
11 tions within 30 days of the enactment of this Act, as re-
12 quired by section 653(a) of the Foreign Assistance Act
13 of 1961.

14 GLOBAL HEALTH AND CHILD SURVIVAL ACTIVITIES

15 SEC. 622. Up to \$13,500,000 of the funds made
16 available by this Act in title III for assistance under the
17 heading “Global Health and Child Survival”, may be used
18 to reimburse United States Government agencies, agencies
19 of State governments, institutions of higher learning, and
20 private and voluntary organizations for the full cost of in-
21 dividuals (including for the personal services of such indi-
22 viduals) detailed or assigned to, or contracted by, as the
23 case may be, the United States Agency for International
24 Development for the purpose of carrying out activities
25 under that heading: *Provided*, That up to \$3,500,000 of
26 the funds made available by this Act for assistance under

1 the heading "Development Assistance" may be used to re-
2 imburse such agencies, institutions, and organizations for
3 such costs of such individuals carrying out other develop-
4 ment assistance activities: *Provided further*, That funds
5 appropriated by titles III and IV of this Act that are made
6 available for bilateral assistance for child survival activi-
7 ties or disease programs including activities relating to re-
8 search on, and the prevention, treatment and control of,
9 HIV/AIDS may be made available notwithstanding any
10 other provision of law except for the provisions under the
11 heading "Global Health and Child Survival" and the
12 United States Leadership Against HIV/AIDS, Tuber-
13 culosis, and Malaria Act of 2003 (117 Stat. 711; 22
14 U.S.C. 7601 et seq.), as amended: *Provided further*, That
15 of the funds appropriated under title III of this Act, not
16 less than \$461,000,000 shall be made available for family
17 planning/reproductive health.

18 AFGHANISTAN

19 SEC. 623. Of the funds appropriated under titles III
20 and IV of this Act, not less than \$1,057,050,000 should
21 be made available for assistance for Afghanistan: *Pro-*
22 *vided*, That of the funds made available pursuant to this
23 section, \$3,000,000 should be made available for reforest-
24 ation activities: *Provided further*, That funds made avail-
25 able pursuant to the previous proviso should be matched,
26 to the maximum extent possible, with contributions from

1 American and Afghan businesses: *Provided further*, That
2 of the funds allocated for assistance for Afghanistan from
3 this Act not less than \$75,000,000 shall be made available
4 to support programs that directly address the needs of Af-
5 ghan women and girls, including for the Afghan Inde-
6 pendent Human Rights Commission, the Afghan Ministry
7 of Women's Affairs, and for women-led nonprofit organi-
8 zations in Afghanistan: *Provided further*, That of the
9 funds appropriated by this Act that are available for Af-
10 ghanistan, \$20,000,000 should be made available through
11 United States universities to develop agriculture extension
12 services for Afghan farmers, \$2,000,000 should be made
13 available for a United States contribution to the North
14 Atlantic Treaty Organization/International Security As-
15 sistance Force Post-Operations Humanitarian Relief
16 Fund, and not less than \$10,000,000 should be made
17 available for continued support of the United States Agen-
18 cy for International Development's Afghan Civilian Assist-
19 ance Program.

20 NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

21 SEC. 624. Prior to providing excess Department of
22 Defense articles in accordance with section 516(a) of the
23 Foreign Assistance Act of 1961, the Department of De-
24 fense shall notify the Committees on Appropriations to the
25 same extent and under the same conditions as are other
26 committees pursuant to subsection (f) of that section: *Pro-*

1 *vided*, That before issuing a letter of offer to sell excess
2 defense articles under the Arms Export Control Act, the
3 Department of Defense shall notify the Committees on
4 Appropriations in accordance with the regular notification
5 procedures of such Committees if such defense articles are
6 significant military equipment (as defined in section 47(9)
7 of the Arms Export Control Act) or are valued (in terms
8 of original acquisition cost) at \$7,000,000 or more, or if
9 notification is required elsewhere in this Act for the use
10 of appropriated funds for specific countries that would re-
11 ceive such excess defense articles: *Provided further*, That
12 such Committees shall also be informed of the original ac-
13 quisition cost of such defense articles.

14 GLOBAL FUND MANAGEMENT

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

22 (1) is releasing incremental disbursements only
23 if grantees demonstrate progress against clearly de-
24 fined performance indicators;

25 (2) is providing support and oversight to coun-
26 try-level entities, such as country coordinating mech-

1 anisms, principal recipients, and Local Fund Agents
2 (LFAs), to enable them to fulfill their mandates;

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

5 (4) requires LFAs to assess whether a principal
6 recipient has the capacity to oversee the activities of
7 sub-recipients;

8 (5) is making progress toward implementing a
9 reporting system that breaks down grantee budget
10 allocations by programmatic activity;

11 (6) has adopted and is implementing a policy to
12 publish on a publicly available website the reports of
13 the Global Fund's Inspector General in a manner
14 that is consistent with the Policy for Disclosure of
15 Reports of the Inspector General as approved at the
16 16th Meeting of the Board of the Global Fund to
17 Fight AIDS, Tuberculosis and Malaria; and

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

22 (b) The Secretary of State shall submit a report to
23 the Committees on Appropriations not later than 120 days
24 after enactment of this Act on the involvement of faith-

1 based organizations in Global Fund programs. The report
2 shall include—

3 (1) on a country-by-country basis—

4 (A) a description of the amount of grants
5 and sub-grants provided to faith-based organi-
6 zations; and

7 (B) a detailed description of the involve-
8 ment of faith-based organizations in the Coun-
9 try Coordinating Mechanism (CCM) process of
10 the Global Fund; and

11 (2) a description of actions the Global Fund is
12 taking to enhance the involvement of faith-based or-
13 ganizations in the CCM process, particularly in
14 countries in which the involvement of faith-based or-
15 ganizations has been underrepresented.

16 PROHIBITION ON BILATERAL ASSISTANCE TO TERRORIST
17 COUNTRIES

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

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

26 (2) otherwise supports international terrorism.

1 (b) The President may waive the application of sub-
2 section (a) to a country if the President determines that
3 national security or humanitarian reasons justify such
4 waiver. The President shall publish each waiver in the
5 Federal Register and, at least 15 days before the waiver
6 takes effect, shall notify the Committees on Appropria-
7 tions of the waiver (including the justification for the waiv-
8 er) in accordance with the regular notification procedures
9 of the Committees on Appropriations.

10

DEBT-FOR-DEVELOPMENT

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

23

SEPARATE ACCOUNTS

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

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

8 (A) require that local currencies be depos-
9 ited in a separate account established by that
10 government;

11 (B) enter into an agreement with that gov-
12 ernment which sets forth—

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

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

18 (C) establish by agreement with that gov-
19 ernment the responsibilities of the United
20 States Agency for International Development
21 and that government to monitor and account
22 for deposits into and disbursements from the
23 separate account.

24 (2) USES OF LOCAL CURRENCIES.—As may be
25 agreed upon with the foreign government, local cur-

1 rencies deposited in a separate account pursuant to
2 subsection (a), or an equivalent amount of local cur-
3 rencies, shall be used only—

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

7 (i) project and sector assistance activi-
8 ties; or

9 (ii) debt and deficit financing; or

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

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

20 (4) TERMINATION OF ASSISTANCE PRO-
21 GRAMS.—Upon termination of assistance to a coun-
22 try under chapter 1 or 10 of part I or chapter 4 of
23 part II (as the case may be), any unencumbered bal-
24 ances of funds which remain in a separate account
25 established pursuant to subsection (a) shall be dis-

1 posed of for such purposes as may be agreed to by
2 the government of that country and the United
3 States Government.

4 (5) REPORTING REQUIREMENT.—The Adminis-
5 trator of the United States Agency for International
6 Development shall report on an annual basis as part
7 of the justification documents submitted to the Com-
8 mittees on Appropriations on the use of local cur-
9 rencies for the administrative requirements of the
10 United States Government as authorized in sub-
11 section (a)(2)(B), and such report shall include the
12 amount of local currency (and United States dollar
13 equivalent) used and/or to be used for such purpose
14 in each applicable country.

15 (b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—

16 (1) If assistance is made available to the gov-
17 ernment of a foreign country, under chapter 1 or 10
18 of part I or chapter 4 of part II of the Foreign As-
19 sistance Act of 1961, as cash transfer assistance or
20 as nonproject sector assistance, that country shall be
21 required to maintain such funds in a separate ac-
22 count and not commingle them with any other
23 funds.

24 (2) APPLICABILITY OF OTHER PROVISIONS OF
25 LAW.—Such funds may be obligated and expended

1 notwithstanding provisions of law which are incon-
2 sistent with the nature of this assistance including
3 provisions which are referenced in the Joint Explan-
4 atory Statement of the Committee of Conference ac-
5 companying House Joint Resolution 648 (House Re-
6 port No. 98-1159).

7 (3) NOTIFICATION.—At least 15 days prior to
8 obligating any such cash transfer or nonproject sec-
9 tor assistance, the President shall submit a notifica-
10 tion through the regular notification procedures of
11 the Committees on Appropriations, which shall in-
12 clude a detailed description of how the funds pro-
13 posed to be made available will be used, with a dis-
14 cussion of the United States interests that will be
15 served by the assistance (including, as appropriate,
16 a description of the economic policy reforms that will
17 be promoted by such assistance).

18 (4) EXEMPTION.—Nonproject sector assistance
19 funds may be exempt from the requirements of sub-
20 section (b)(1) only through the notification proce-
21 dures of the Committees on Appropriations.

22 ENTERPRISE FUND RESTRICTIONS

23 SEC. 629. (a) Prior to the distribution of any assets
24 resulting from any liquidation, dissolution, or winding up
25 of an Enterprise Fund, in whole or in part, the President
26 shall submit to the Committees on Appropriations, in ac-

1 cordance with the regular notification procedures of the
2 Committees on Appropriations, a plan for the distribution
3 of the assets of the Enterprise Fund.

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

8 FINANCIAL MARKET ASSISTANCE

9 SEC. 630. Of the funds appropriated by this Act
10 under the headings "Trade and Development Agency",
11 "Development Assistance", "Transition Initiatives",
12 "Economic Support Fund", "International Affairs Tech-
13 nical Assistance", "Assistance for the Independent States
14 of the Former Soviet Union", "Nonproliferation, Anti-
15 Terrorism, Demining and Related Programs", and "As-
16 sistance for Eastern Europe and Baltic States", not less
17 than \$40,000,000 should be made available for building
18 capital markets and financial systems in countries eligible
19 to receive United States assistance.

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

22 SEC. 631. Unless expressly provided to the contrary,
23 provisions of this or any other Act, including provisions
24 contained in prior Acts authorizing or making appropria-
25 tions for foreign operations, export financing, and related
26 programs, shall not be construed to prohibit activities au-

1 thORIZED by or conducted under the Peace Corps Act, the
2 Inter-American Foundation Act or the African Develop-
3 ment Foundation Act. The agency shall promptly report
4 to the Committees on Appropriations whenever it is con-
5 ducting activities or is proposing to conduct activities in
6 a country for which assistance is prohibited.

7 IMPACT ON JOBS IN THE UNITED STATES

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

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

19 (2) assistance for any program, project, or ac-
20 tivity that contributes to the violation of internation-
21 ally recognized workers rights, as defined in section
22 507(4) of the Trade Act of 1974, of workers in the
23 recipient country, including any designated zone or
24 area in that country: *Provided*, That the application
25 of section 507(4)(D) and (E) of such Act should be
26 commensurate with the level of development of the

1 recipient country and sector, and shall not preclude
2 assistance for the informal sector in such country,
3 micro and small-scale enterprise, and smallholder
4 agriculture.

5 COMPREHENSIVE EXPENDITURES REPORT

6 SEC. 633. Not later than 180 days after the date of
7 enactment of this Act, the Secretary of State shall submit
8 a report to the Committees on Appropriations detailing
9 the total amount of United States Government expendi-
10 tures in fiscal years 2005 and 2006, by Federal agency,
11 for programs and activities in each foreign country, identi-
12 fying the line item as presented in the President's Budget
13 Appendix and the purpose for which the funds were pro-
14 vided: *Provided*, That if required, information may be sub-
15 mitted in classified form.

16 SPECIAL AUTHORITIES

17 SEC. 634. (a) AFGHANISTAN, IRAQ, PAKISTAN, LEB-
18 ANON, MONTENEGRO, VICTIMS OF WAR, DISPLACED
19 CHILDREN, AND DISPLACED BURMESE.—Funds appro-
20 priated under titles II through V of this Act that are made
21 available for assistance for Afghanistan may be made
22 available notwithstanding section 612 of this Act or any
23 similar provision of law and section 660 of the Foreign
24 Assistance Act of 1961, and funds appropriated in titles
25 II and III of this Act that are made available for Iraq,
26 Lebanon, Montenegro, Pakistan, and for victims of war,

1 displaced children, and displaced Burmese, and to assist
2 victims of trafficking in persons and, subject to the regular
3 notification procedures of the Committees on Appropria-
4 tions, to combat such trafficking, may be made available
5 notwithstanding any other provision of law.

6 (b) TROPICAL FORESTRY AND BIODIVERSITY CON-
7 SERVATION ACTIVITIES.—Funds appropriated by this Act
8 to carry out the provisions of sections 103 through 106,
9 and chapter 4 of part II, of the Foreign Assistance Act
10 of 1961 may be used, notwithstanding any other provision
11 of law, for the purpose of supporting tropical forestry and
12 biodiversity conservation activities and energy programs
13 aimed at reducing greenhouse gas emissions: *Provided,*
14 That such assistance shall be subject to sections 116,
15 502B, and 620A of the Foreign Assistance Act of 1961.

16 (c) PERSONAL SERVICES CONTRACTORS.—Funds ap-
17 propriated by this Act to carry out chapter 1 of part I,
18 chapter 4 of part II, and section 667 of the Foreign As-
19 sistance Act of 1961, and title II of the Agricultural Trade
20 Development and Assistance Act of 1954, may be used
21 by the United States Agency for International Develop-
22 ment to employ up to 25 personal services contractors in
23 the United States, notwithstanding any other provision of
24 law, for the purpose of providing direct, interim support
25 for new or expanded overseas programs and activities

1 managed by the agency until permanent direct hire per-
2 sonnel are hired and trained: *Provided*, That not more
3 than 10 of such contractors shall be assigned to any bu-
4 reau or office: *Provided further*, That such funds appro-
5 priated to carry out title II of the Agricultural Trade De-
6 velopment and Assistance Act of 1954, may be made avail-
7 able only for personal services contractors assigned to the
8 Office of Food for Peace.

9 (d)(1) WAIVER.—The President may waive the provi-
10 sions of section 1003 of Public Law 100–204 if the Presi-
11 dent determines and certifies in writing to the Speaker
12 of the House of Representatives and the President pro
13 tempore of the Senate that it is important to the national
14 security interests of the United States.

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

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

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

6 (g) RECONSTITUTING CIVILIAN POLICE AUTHOR-
7 ITY.—In providing assistance with funds appropriated by
8 this Act under section 660(b)(6) of the Foreign Assistance
9 Act of 1961, support for a nation emerging from insta-
10 bility may be deemed to mean support for regional, dis-
11 trict, municipal, or other sub-national entity emerging
12 from instability, as well as a nation emerging from insta-
13 bility.

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

24 (i) MIDDLE EAST FOUNDATION.—Funds appro-
25 priated by this Act and prior Acts for a Middle East Foun-

1 dation shall be subject to the regular notification proce-
2 dures of the Committees on Appropriations.

3 (j) EXTENSION OF AUTHORITY.—Section 1365(c) of
4 the National Defense Authorization Act for Fiscal Year
5 1993 (Public Law 102–484; 22 U.S.C. 2778 note) is
6 amended by striking “During the 16 year period beginning
7 on October 23, 1992” and inserting “During the 22 year
8 period beginning on October 23, 1992” before the period
9 at the end.

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

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

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

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

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

21 (l) WORLD FOOD PROGRAM.—Of the funds managed
22 by the Bureau for Democracy, Conflict, and Humanitarian
23 Assistance of the United States Agency for International
24 Development, from this or any other Act, not less than
25 \$10,000,000 shall be made available as a general contribu-

1 tion to the World Food Program, notwithstanding any
2 other provision of law.

3 (m) CAPITAL SECURITY COST-SHARING.—Notwith-
4 standing any other provision of law, of the funds appro-
5 priated under the heading “Embassy Security, Construc-
6 tion, and Maintenance”, not less than \$2,000,000 shall
7 be made available for the Capital Security Cost-Sharing
8 fees of the Library of Congress.

9 (n) DISARMAMENT, DEMOBILIZATION AND RE-
10 INTEGRATION.—Notwithstanding any other provision of
11 law, regulation or Executive Order, funds appropriated by
12 this Act and prior Acts making appropriations for foreign
13 operations, export financing, and related programs under
14 the headings “Economic Support Fund”, “Peacekeeping
15 Operations”, “International Disaster Assistance”, and
16 “Transition Initiatives” should be made available to sup-
17 port programs to disarm, demobilize, and reintegrate into
18 civilian society former members of foreign terrorist organi-
19 zations: *Provided*, That the Secretary of State shall con-
20 sult with the Committees on Appropriations prior to the
21 obligation of funds pursuant to this subsection: *Provided*
22 *further*, That for the purposes of this subsection, “Inter-
23 national Disaster Assistance” may also mean “Inter-
24 national Disaster and Famine Assistance”: *Provided fur-*
25 *ther*, That for the purposes of this subsection the term

1 “foreign terrorist organization” means an organization
2 designated as a terrorist organization under section 219
3 of the Immigration and Nationality Act.

4 (o) NONGOVERNMENTAL ORGANIZATIONS.—With re-
5 spect to the provision of assistance for democracy, human
6 rights and governance activities, the organizations imple-
7 menting such assistance and the specific nature of that
8 assistance shall not be subject to the prior approval by
9 the government of any foreign country.

10 (p) PRISON CONDITIONS.—Funds appropriated by
11 this Act to carry out the provisions of chapters 1 and 11
12 of part I and chapter 4 of part II of the Foreign Assist-
13 ance Act of 1961, and the Support for East European De-
14 mocracy (SEED) Act of 1989, may be used to provide
15 assistance to improve conditions in prison facilities admin-
16 istered by foreign governments, including among other
17 things, activities to improve prison sanitation and ensure
18 the availability of adequate food, drinking water and med-
19 ical care for prisoners: *Provided*, That assistance made
20 available under this subsection may be made available not-
21 withstanding section 660 of the Foreign Assistance Act
22 of 1961, and subject to the regular notification procedures
23 of the Committees on Appropriations.

24 (q) PROGRAM FOR RESEARCH AND TRAINING ON
25 EASTERN EUROPE AND THE INDEPENDENT STATES OF

1 THE FORMER SOVIET UNION.—Of the funds appropriated
2 by this Act under the heading, “Economic Support Fund”,
3 not less than \$5,000,000 shall be made available to carry
4 out the Program for Research and Training on Eastern
5 Europe and the Independent States of the Former Soviet
6 Union (title VIII) as authorized by the Soviet-Eastern Eu-
7 ropean Research and Training Act of 1983 (22 U.S.C.
8 4501–4508, as amended).

9 (r) BROADCASTING BOARD OF GOVERNORS AUTHOR-
10 ITY.—Section 504(c) of the Foreign Relations Authoriza-
11 tion Act, Fiscal Year 2003 (Public Law 107–228; 22
12 U.S.C. 6206 note) is amended by striking “December 31,
13 2007” and inserting “December 31, 2008”.

14 (s) TRANSATLANTIC LEGISLATORS’ DIALOGUE AU-
15 THORITY.—Section 109(c) of Public Law 98–164 is
16 amended by striking “\$50,000” and inserting
17 “\$100,000”.

18 (t) OPIC AUTHORITY.—Notwithstanding section
19 235(a)(2) of the Foreign Assistance Act of 1961 (22
20 U.S.C. 2195(a)(2)), the authority of subsections (a)
21 through (c) of section 234 of such Act shall remain in
22 effect through April 1, 2008.

23 ARAB LEAGUE BOYCOTT OF ISRAEL

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

25 (1) the Arab League boycott of Israel, and the
26 secondary boycott of American firms that have com-

1 mercial ties with Israel, is an impediment to peace
2 in the region and to United States investment and
3 trade in the Middle East and North Africa;

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

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

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

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

1 ELIGIBILITY FOR ASSISTANCE

2 SEC. 636. (a) ASSISTANCE THROUGH NONGOVERN-
3 MENTAL ORGANIZATIONS.—Restrictions contained under
4 titles II through V of this or any other Act with respect
5 to assistance for a country shall not be construed to re-
6 strict assistance in support of programs of nongovern-
7 mental organizations from funds appropriated by this Act
8 to carry out the provisions of chapters 1, 10, 11, and 12
9 of part I and chapter 4 of part II of the Foreign Assist-
10 ance Act of 1961, and from funds appropriated under the
11 heading “Assistance for Eastern Europe and the Baltic
12 States”: *Provided*, That before using the authority of this
13 subsection to furnish assistance in support of programs
14 of nongovernmental organizations, the President shall no-
15 tify the Committees on Appropriations under the regular
16 notification procedures of those committees, including a
17 description of the program to be assisted, the assistance
18 to be provided, and the reasons for furnishing such assist-
19 ance: *Provided further*, That nothing in this subsection
20 shall be construed to alter any existing statutory prohibi-
21 tions against abortion or involuntary sterilizations con-
22 tained in this or any other Act.

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

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

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

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

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

18 RESERVATIONS OF FUNDS

19 SEC. 637. (a) Funds appropriated under titles II
20 through V of this Act which are specifically designated
21 may be reprogrammed for other programs within the same
22 account notwithstanding the designation if compliance
23 with the designation is made impossible by operation of
24 any provision of this or any other Act: *Provided*, That any
25 such reprogramming shall be subject to the regular notifi-
26 cation procedures of the Committees on Appropriations:

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

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

19 (c) Ceilings and specifically designated funding levels
20 contained in this Act shall not be applicable to funds or
21 authorities appropriated or otherwise made available by
22 any subsequent Act unless such Act specifically so directs.
23 Specifically designated funding levels or minimum funding
24 requirements contained in any other Act shall not be appli-
25 cable to funds appropriated by this Act.

1 ASIA

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

13 (b) BURMA.—

14 (1) The Secretary of the Treasury shall instruct
15 the United States executive director to each appro-
16 priate international financial institution in which the
17 United States participates, to oppose and vote
18 against the extension by such institution any loan or
19 financial or technical assistance or any other utiliza-
20 tion of funds of the respective bank to and for
21 Burma.

22 (2) Of the funds appropriated by this Act under
23 the heading “Economic Support Fund”, not less
24 than \$13,000,000 shall be made available to support
25 democracy activities in Burma, along the Burma-

1 Thailand border, for activities of Burmese student
2 groups and other organizations located outside
3 Burma, and for the purpose of supporting the provi-
4 sion of humanitarian assistance to displaced Bur-
5 mese along Burma's borders: *Provided*, That such
6 funds may be made available notwithstanding any
7 other provision of law: *Provided further*, That in ad-
8 dition to assistance for Burmese refugees provided
9 under the heading "Migration and Refugee Assist-
10 ance" in this Act, not less than \$3,000,000 shall be
11 made available for community-based organizations
12 operating in Thailand to provide food, medical and
13 other humanitarian assistance to internally displaced
14 persons in eastern Burma: *Provided further*, That
15 funds made available under this paragraph shall be
16 subject to the regular notification procedures of the
17 Committees on Appropriations.

18 (c) TIBET.—

19 (1) The Secretary of the Treasury should in-
20 struct the United States executive director to each
21 international financial institution to use the voice
22 and vote of the United States to support projects in
23 Tibet if such projects do not provide incentives for
24 the migration and settlement of non-Tibetans into
25 Tibet or facilitate the transfer of ownership of Ti-

1 betan land and natural resources to non-Tibetans;
2 are based on a thorough needs-assessment; foster
3 self-sufficiency of the Tibetan people and respect Ti-
4 betan culture and traditions; and are subject to ef-
5 fective monitoring.

6 (2) Notwithstanding any other provision of law,
7 not less than \$5,000,000 of the funds appropriated
8 by this Act under the heading "Economic Support
9 Fund" should be made available to nongovernmental
10 organizations to support activities which preserve
11 cultural traditions and promote sustainable develop-
12 ment and environmental conservation in Tibetan
13 communities in the Tibetan Autonomous Region and
14 in other Tibetan communities in China, and not less
15 than \$250,000 should be made available to the Na-
16 tional Endowment for Democracy for human rights
17 and democracy programs relating to Tibet.

18 PROHIBITION ON PUBLICITY OR PROPAGANDA

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

1 PROHIBITION OF PAYMENTS TO UNITED NATIONS

2 MEMBERS

3 SEC. 640. None of the funds appropriated or made
4 available pursuant to titles II through V of this Act for
5 carrying out the Foreign Assistance Act of 1961, may be
6 used to pay in whole or in part any assessments, arrear-
7 ages, or dues of any member of the United Nations or,
8 from funds appropriated by this Act to carry out chapter
9 1 of part I of the Foreign Assistance Act of 1961, the
10 costs for participation of another country's delegation at
11 international conferences held under the auspices of multi-
12 lateral or international organizations.

13 REQUESTS FOR DOCUMENTS

14 SEC. 641. None of the funds appropriated or made
15 available pursuant to titles II through V of this Act shall
16 be available to a nongovernmental organization, including
17 any contractor, which fails to provide upon timely request
18 any document, file, or record necessary to the auditing re-
19 quirements of the United States Agency for International
20 Development.

21 PROHIBITION ON ASSISTANCE TO FOREIGN GOVERN-
22 MENTS THAT EXPORT LETHAL MILITARY EQUIP-
23 MENT TO COUNTRIES SUPPORTING INTERNATIONAL
24 TERRORISM

25 SEC. 642. (a) None of the funds appropriated or oth-
26 erwise made available by titles II through V of this Act

1 may be available to any foreign government which provides
2 lethal military equipment to a country the government of
3 which the Secretary of State has determined is a terrorist
4 government for purposes of section 6(j) of the Export Ad-
5 ministration Act of 1979. The prohibition under this sec-
6 tion with respect to a foreign government shall terminate
7 12 months after that government ceases to provide such
8 military equipment. This section applies with respect to
9 lethal military equipment provided under a contract en-
10 tered into after October 1, 1997.

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

15 (c) Whenever the President makes a determination
16 pursuant to subsection (b), the President shall submit to
17 the appropriate congressional committees a report with re-
18 spect to the furnishing of such assistance. Any such report
19 shall include a detailed explanation of the assistance to
20 be provided, including the estimated dollar amount of such
21 assistance, and an explanation of how the assistance fur-
22 thers United States national interests.

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

25 SEC. 643. (a) Subject to subsection (c), of the funds
26 appropriated under titles II through V by this Act that

1 are made available for assistance for a foreign country,
2 an amount equal to 110 percent of the total amount of
3 the unpaid fully adjudicated parking fines and penalties
4 and unpaid property taxes owed by the central government
5 of such country shall be withheld from obligation for as-
6 sistance for the central government of such country until
7 the Secretary of State submits a certification to the Com-
8 mittees on Appropriations stating that such parking fines
9 and penalties and unpaid property taxes are fully paid.

10 (b) Funds withheld from obligation pursuant to sub-
11 section (a) may be made available for other programs or
12 activities funded by this Act, after consultation with and
13 subject to the regular notification procedures of the Com-
14 mittees on Appropriations, provided that no such funds
15 shall be made available for assistance for the central gov-
16 ernment of a foreign country that has not paid the total
17 amount of the fully adjudicated parking fines and pen-
18 alties and unpaid property taxes owed by such country.

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

21 (d)(1) The Secretary of State may waive the require-
22 ments set forth in subsection (a) with respect to parking
23 fines and penalties no sooner than 60 days from the date
24 of enactment of this Act, or at any time with respect to

1 a particular country, if the Secretary determines that it
2 is in the national interests of the United States to do so.

3 (2) The Secretary of State may waive the require-
4 ments set forth in subsection (a) with respect to the un-
5 paid property taxes if the Secretary of State determines
6 that it is in the national interests of the United States
7 to do so.

8 (e) Not later than 6 months after the initial exercise
9 of the waiver authority in subsection (d), the Secretary
10 of State, after consultations with the City of New York,
11 shall submit a report to the Committees on Appropriations
12 describing a strategy, including a timetable and steps cur-
13 rently being taken, to collect the parking fines and pen-
14 alties and unpaid property taxes and interest owed by na-
15 tions receiving foreign assistance under this Act.

16 (f) In this section:

17 (1) The term “fully adjudicated” includes cir-
18 cumstances in which the person to whom the vehicle
19 is registered—

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

22 (ii) has not followed the appropriate adju-
23 dication procedure to challenge the summons;
24 and

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

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

5 (A) owed to—

6 (i) the District of Columbia; or

7 (ii) New York, New York; and

8 (B) incurred during the period April 1,
9 1997, through September 30, 2007.

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

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

19 SEC. 644. None of the funds appropriated under ti-
20 tles II through V of this Act may be obligated for assist-
21 ance for the Palestine Liberation Organization for the
22 West Bank and Gaza unless the President has exercised
23 the authority under section 604(a) of the Middle East
24 Peace Facilitation Act of 1995 (title VI of Public Law
25 104–107) or any other legislation to suspend or make in-
26 applicable section 307 of the Foreign Assistance Act of

1 1961 and that suspension is still in effect: *Provided*, That
2 if the President fails to make the certification under sec-
3 tion 604(b)(2) of the Middle East Peace Facilitation Act
4 of 1995 or to suspend the prohibition under other legisla-
5 tion, funds appropriated by this Act may not be obligated
6 for assistance for the Palestine Liberation Organization
7 for the West Bank and Gaza.

8 WAR CRIMES TRIBUNALS DRAWDOWN

9 SEC. 645. If the President determines that doing so
10 will contribute to a just resolution of charges regarding
11 genocide or other violations of international humanitarian
12 law, the President may direct a drawdown pursuant to sec-
13 tion 552(c) of the Foreign Assistance Act of 1961 of up
14 to \$30,000,000 of commodities and services for the United
15 Nations War Crimes Tribunal established with regard to
16 the former Yugoslavia by the United Nations Security
17 Council or such other tribunals or commissions as the
18 Council may establish or authorize to deal with such viola-
19 tions, without regard to the ceiling limitation contained
20 in paragraph (2) thereof: *Provided*, That the determina-
21 tion required under this section shall be in lieu of any de-
22 terminations otherwise required under section 552(c): *Pro-*
23 *vided further*, That funds made available for tribunals
24 other than Yugoslavia, Rwanda, or the Special Court for
25 Sierra Leone shall be made available subject to the regular

1 notification procedures of the Committees on Appropria-
2 tions.

3 LANDMINES AND CLUSTER MUNITIONS

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

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

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

19 (2) the agreement applicable to the assistance,
20 transfer, or sale of the cluster munitions or cluster
21 munitions technology specifies that the cluster muni-
22 tions will only be used against clearly defined mili-
23 tary targets and will not be used where civilians are
24 known to be present.

1 RESTRICTIONS CONCERNING THE PALESTINIAN
2 AUTHORITY

3 SEC. 647. None of the funds appropriated under ti-
4 tles II through V of this Act may be obligated or expended
5 to create in any part of Jerusalem a new office of any
6 department or agency of the United States Government
7 for the purpose of conducting official United States Gov-
8 ernment business with the Palestinian Authority over
9 Gaza and Jericho or any successor Palestinian governing
10 entity provided for in the Israel-PLO Declaration of Prin-
11 ciples: *Provided*, That this restriction shall not apply to
12 the acquisition of additional space for the existing Con-
13 sulate General in Jerusalem: *Provided further*, That meet-
14 ings between officers and employees of the United States
15 and officials of the Palestinian Authority, or any successor
16 Palestinian governing entity provided for in the Israel-
17 PLO Declaration of Principles, for the purpose of con-
18 ducting official United States Government business with
19 such authority should continue to take place in locations
20 other than Jerusalem. As has been true in the past, offi-
21 cers and employees of the United States Government may
22 continue to meet in Jerusalem on other subjects with Pal-
23 estinians (including those who now occupy positions in the
24 Palestinian Authority), have social contacts, and have inci-
25 dental discussions.

1 PROHIBITION OF PAYMENT OF CERTAIN EXPENSES

2 SEC. 648. None of the funds appropriated or other-
3 wise made available under titles III or IV of this Act under
4 the heading “International Military Education and Train-
5 ing” or “Foreign Military Financing Program” for Infor-
6 mational Program activities or under the headings “Global
7 Health and Child Survival”, “Development Assistance”,
8 and “Economic Support Fund” may be obligated or ex-
9 pended to pay for—

10 (1) alcoholic beverages; or

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

16 COLOMBIA

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

21 (b) FUNDING AMOUNTS AND NOTIFICATION.—Funds
22 appropriated by this Act that are available for assistance
23 for Colombia shall be made available in the amounts indi-
24 cated in the table in the accompanying explanatory state-
25 ment described in section 4 (in the matter preceding divi-
26 sion A of this consolidated Act) and any proposed in-

1 creases or decreases to the amounts contained in such
2 table shall be subject to the regular notification procedures
3 of the Committees on Appropriations.

4 (c) ASSISTANCE FOR THE COLOMBIAN ARMED
5 FORCES.—

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

9 (A) Up to 70 percent of such funds may
10 be obligated prior to the certification and report
11 by the Secretary of State pursuant to subpara-
12 graph (B).

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

20 (2) REQUIREMENTS.—The requirements re-
21 ferred to in paragraph (1) are as follows:

22 (A) The Commander General of the Co-
23 lombian Armed Forces is suspending or placing
24 on administrative duty, if requested by the
25 prosecutor, those members of the Armed

1 Forces, of whatever rank, who, according to the
2 Minister of Defense, the Attorney General or
3 the Procuraduria General de la Nacion, have
4 been credibly alleged to have committed gross
5 violations of human rights, including extra-judi-
6 cial killings, or to have aided or abetted para-
7 military organizations or successor armed
8 groups.

9 (B) The Government of Colombia is inves-
10 tigating and prosecuting, in the civilian justice
11 system, those members of the Colombian Armed
12 Forces, of whatever rank, who have been
13 credibly alleged to have committed gross viola-
14 tions of human rights, including extra-judicial
15 killings, or to have aided or abetted para-
16 military organizations or successor armed
17 groups.

18 (C) The Colombian Armed Forces are co-
19 operating fully with civilian prosecutors and ju-
20 dicial authorities in such cases (including pro-
21 viding requested information, such as the iden-
22 tity of persons suspended from the Armed
23 Forces and the nature and cause of the suspen-
24 sion, and access to witnesses, relevant military
25 documents, and other requested information).

1 (D) The Colombian Armed Forces have
2 taken all necessary steps to sever links (includ-
3 ing denying access to military intelligence, vehi-
4 cles, and other equipment or supplies, and ceas-
5 ing other forms of active or tacit cooperation)
6 at all levels, with paramilitary organizations or
7 successor armed groups, especially in regions
8 where such organizations have a significant
9 presence.

10 (E) The Government of Colombia is dis-
11 mantling paramilitary leadership and financial
12 networks by arresting and prosecuting under ci-
13 vilian criminal law individuals who have pro-
14 vided financial, planning, or logistical support,
15 or have otherwise aided or abetted paramilitary
16 organizations or successor armed groups; by
17 identifying and seizing land and other assets il-
18 legally acquired by such organizations or their
19 associates and returning such land or assets to
20 their rightful occupants or owners; by revoking
21 reduced sentences for demobilized paramilitaries
22 who engage in new criminal activity; and by ar-
23 resting and prosecuting under civilian criminal
24 law, and when requested, promptly extraditing

1 to the United States members of successor
2 armed groups.

3 (F) The Government of Colombia is ensur-
4 ing that the Colombian Armed Forces are not
5 violating the land and property rights of Colom-
6 bia's indigenous and Afro-Colombian commu-
7 nities, and that the Colombian Armed Forces
8 are implementing procedures to distinguish be-
9 tween civilians, including displaced persons, and
10 combatants in their operations.

11 (3) The balance of such funds may be obligated
12 after July 31, 2008, if, before such date, the Sec-
13 retary of State consults with, and submits a written
14 certification to, the Committees on Appropriations
15 that the Colombian Armed Forces are continuing to
16 meet the requirements described in paragraph (2)
17 and are conducting vigorous operations to restore ci-
18 vilian government authority and respect for human
19 rights in areas under the effective control of para-
20 military organizations or successor armed groups
21 and guerrilla organizations.

22 (4) CERTAIN FUNDS EXEMPTED.—The require-
23 ment to withhold funds from obligation shall not
24 apply with respect to funds made available under the
25 heading "Andean Counterdrug Programs" for con-

1 tinued support for the Critical Flight Safety Pro-
2 gram or for any alternative development programs in
3 Colombia administered by the Bureau of Inter-
4 national Narcotics and Law Enforcement Affairs of
5 the Department of State.

6 (5) REPORT.—At the time the Secretary of
7 State submits certifications pursuant to paragraphs
8 (1)(B) and (3) of this subsection, the Secretary shall
9 also submit to the Committees on Appropriations a
10 report that contains, with respect to each such para-
11 graph, a detailed description of the specific actions
12 taken by both the Colombian Government and Co-
13 lombian Armed Forces which support each require-
14 ment of the certification, and the cases or issues
15 brought to the attention of the Secretary, including
16 through the Department of State's annual Country
17 Reports on Human Rights Practices, for which the
18 actions taken by the Colombian Government or
19 Armed Forces have been determined by the Sec-
20 retary of State to be inadequate.

21 (d) CONSULTATIVE PROCESS.—Not later than 60
22 days after the date of enactment of this Act, and every
23 90 days thereafter until September 30, 2008, the Sec-
24 retary of State shall consult with Colombian and inter-
25 nationally recognized human rights organizations regard-

1 ing progress in meeting the requirements contained in
2 subsection (c)(2).

3 (e) ASSISTANCE FOR DEMOBILIZATION AND DISAR-
4 MAMENT OF FORMER COMBATANTS IN COLOMBIA.—

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

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

18 (A) assistance for the fiscal year will be
19 provided only for individuals who have: (i)
20 verifiably renounced and terminated any affili-
21 ation or involvement with FTOs or other illegal
22 armed groups; (ii) are meeting all the require-
23 ments of the Colombia demobilization program,
24 including having disclosed their involvement in
25 past crimes and their knowledge of the FTO’s

1 structure, financing sources, illegal assets, and
2 the location of kidnapping victims and bodies of
3 the disappeared; and (iii) are not involved in
4 acts of intimidation or violence;

5 (B) the Government of Colombia is pro-
6 viding full cooperation to the Government of the
7 United States to extradite the leaders and
8 members of the FTOs who have been indicted
9 in the United States for murder, kidnapping,
10 narcotics trafficking, or other violations of
11 United States law, and is extraditing to the
12 United States those commanders, leaders and
13 members indicted in the United States who
14 have breached the terms of the Colombian de-
15 mobilization program, including by failing to
16 fully confess their crimes, failing to disclose
17 their illegal assets, or committing new crimes
18 since the approval of the Justice and Peace
19 Law;

20 (C) the Government of Colombia is not
21 knowingly taking any steps to legalize the titles
22 of land or other assets illegally obtained and
23 held by FTOs, their associates, or successors,
24 has established effective procedures to identify
25 such land and other assets, and is seizing and

1 returning such land and other assets to their
2 rightful occupants or owners;

3 (D) the Government of Colombia is imple-
4 menting a concrete and workable framework for
5 dismantling the organizational structures of for-
6 eign terrorist organizations; and

7 (E) funds shall not be made available as
8 cash payments to individuals and are available
9 only for activities under the following cat-
10 egories: verification, reintegration (including
11 training and education), vetting, recovery of as-
12 sets for reparations for victims, and investiga-
13 tions and prosecutions.

14 (f) ILLEGAL ARMED GROUPS.—

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

20 (A) has willfully provided any support to
21 the Revolutionary Armed Forces of Colombia
22 (FARC), the National Liberation Army (ELN),
23 the United Self-Defense Forces of Colombia
24 (AUC), or successor armed groups, including
25 taking actions or failing to take actions which

1 allow, facilitate, or otherwise foster the activi-
2 ties of such groups; or

3 (B) has committed, ordered, incited, as-
4 sisted, or otherwise participated in the commis-
5 sion of a gross violation of human rights, in-
6 cluding extra-judicial killings, in Colombia.

7 (2) WAIVER.—Paragraph (1) shall not apply if
8 the Secretary of State certifies to the Committees on
9 Appropriations, on a case-by-case basis, that the
10 issuance of a visa to the alien is necessary to sup-
11 port the peace process in Colombia or for urgent hu-
12 manitarian reasons.

13 (g) DEFINITIONS.—In this section:

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

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

1 the funds will be spent, and the accounting procedures in
2 place to ensure that the funds are properly disbursed. The
3 report shall also detail the steps the Palestinian Authority
4 has taken to arrest terrorists, confiscate weapons and dis-
5 mantle the terrorist infrastructure.

6 **LIMITATION ON ASSISTANCE TO SECURITY FORCES**

7 **SEC. 651.** Chapter 1 of part III of the Foreign Assist-
8 ance Act of 1961 is amended by adding the following sec-
9 tion:

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

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

17 **“(b) EXCEPTION.—**The prohibition in subsection (a)
18 shall not apply if the Secretary determines and reports
19 to the Committee on Foreign Relations of the Senate, the
20 Committee on Foreign Affairs of the House of Representa-
21 tives, and the Committees on Appropriations that the gov-
22 ernment of such country is taking effective measures to
23 bring the responsible members of the security forces unit
24 to justice.

25 **“(c) DUTY TO INFORM.—**In the event that funds are
26 withheld from any unit pursuant to this section, the Sec-

1 retary of State shall promptly inform the foreign govern-
2 ment of the basis for such action and shall, to the max-
3 imum extent practicable, assist the foreign government in
4 taking effective measures to bring the responsible mem-
5 bers of the security forces to justice.”.

6 FOREIGN MILITARY TRAINING REPORT

7 SEC. 652. The annual foreign military training report
8 required by section 656 of the Foreign Assistance Act of
9 1961 shall be submitted by the Secretary of Defense and
10 the Secretary of State to the Committees on Appropria-
11 tions by the date specified in that section.

12 AUTHORIZATION REQUIREMENT

13 SEC. 653. Funds appropriated by this Act, except
14 funds appropriated under the headings “Trade and Devel-
15 opment Agency” and “Overseas Private Investment Cor-
16 poration”, may be obligated and expended notwith-
17 standing section 10 of Public Law 91-672 and section 15
18 of the State Department Basic Authorities Act of 1956.

19 LIBYA

20 SEC. 654. (a) None of the funds appropriated or oth-
21 erwise made available by this Act shall be obligated or ex-
22 pended to finance directly any assistance for Libya.

23 (b) The prohibition of subsection (a) shall no longer
24 apply if the Secretary of State certifies to the Committees
25 on Appropriations that the Government of Libya has made
26 the final settlement payments to the Pan Am 103 victims’

1 families, paid to the LaBelle Disco bombing victims the
2 agreed upon settlement amounts, and is engaging in good
3 faith settlement discussions regarding other relevant ter-
4 rorism cases.

5 (c) Not later than 180 days after enactment of this
6 Act, the Secretary shall submit a report to the Committees
7 on Appropriations describing (1) actions taken by the De-
8 partment of State to facilitate a resolution of these cases;
9 and (2) United States commercial activities in Libya's en-
10 ergy sector.

11 PALESTINIAN STATEHOOD

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

17 (1) the governing entity of a new Palestinian
18 state—

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

21 (B) is taking appropriate measures to
22 counter terrorism and terrorist financing in the
23 West Bank and Gaza, including the dismantling
24 of terrorist infrastructures, and is cooperating
25 with appropriate Israeli and other appropriate
26 security organizations; and

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

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

11 (B) respect for and acknowledgement of
12 the sovereignty, territorial integrity, and polit-
13 ical independence of every state in the area
14 through measures including the establishment
15 of demilitarized zones;

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

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

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

23 (b) SENSE OF CONGRESS.—It is the sense of Con-
24 gress that the governing entity should enact a constitution
25 assuring the rule of law, an independent judiciary, and

1 respect for human rights for its citizens, and should enact
2 other laws and regulations assuring transparent and ac-
3 countable governance.

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

7 (d) EXEMPTION.—The restriction in subsection (a)
8 shall not apply to assistance intended to help reform the
9 Palestinian Authority and affiliated institutions, or the
10 governing entity, in order to help meet the requirements
11 of subsection (a), consistent with the provisions of section
12 650 of this Act (“Limitation on Assistance to the Pales-
13 tinian Authority”).

14 PROHIBITION ON ASSISTANCE TO THE PALESTINIAN
15 BROADCASTING CORPORATION

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

21 WEST BANK AND GAZA ASSISTANCE

22 SEC. 657. (a) OVERSIGHT.—For fiscal year 2008, 30
23 days prior to the initial obligation of funds for the bilateral
24 West Bank and Gaza Program, the Secretary of State
25 shall certify to the Committees on Appropriations that
26 procedures have been established to assure the Comp-

1 troller General of the United States will have access to
2 appropriate United States financial information in order
3 to review the uses of United States assistance for the Pro-
4 gram funded under the heading “Economic Support
5 Fund” for the West Bank and Gaza.

6 (b) VETTING.—Prior to the obligation of funds ap-
7 propriated by this Act under the heading “Economic Sup-
8 port Fund” for assistance for the West Bank and Gaza,
9 the Secretary of State shall take all appropriate steps to
10 ensure that such assistance is not provided to or through
11 any individual, private or government entity, or edu-
12 cational institution that the Secretary knows or has reason
13 to believe advocates, plans, sponsors, engages in, or has
14 engaged in, terrorist activity nor, with respect to private
15 entities or educational institutions, those that have as a
16 principal officer of the entity’s governing board or gov-
17 erning board of trustees any individual that has been de-
18 termined to be involved in, or advocating terrorist activity
19 or determined to be a member of a designated foreign ter-
20 rorist organization. The Secretary of State shall, as appro-
21 priate, establish procedures specifying the steps to be
22 taken in carrying out this subsection and shall terminate
23 assistance to any individual, entity, or educational institu-
24 tion which she has determined to be involved in or advo-
25 cating terrorist activity.

1 (c) PROHIBITION.—

2 (1) None of the funds appropriated under titles
3 II through V of this Act for assistance under the
4 West Bank and Gaza program may be made avail-
5 able for the purpose of recognizing or otherwise hon-
6 oring individuals who commit, or have committed
7 acts of terrorism.

8 (2) Notwithstanding any other provision of law,
9 none of the funds made available by this or prior ap-
10 propriations act, including funds made available by
11 transfer, may be made available for obligation for se-
12 curity assistance for the West Bank and Gaza until
13 the Secretary of State reports to the Committees on
14 Appropriations on the benchmarks that have been
15 established for security assistance for the West
16 Bank and Gaza and reports on the extent of Pales-
17 tinian compliance with such benchmarks.

18 (d) AUDITS.—

19 (1) The Administrator of the United States
20 Agency for International Development shall ensure
21 that Federal or non-Federal audits of all contractors
22 and grantees, and significant subcontractors and
23 sub-grantees, under the West Bank and Gaza Pro-
24 gram, are conducted at least on an annual basis to

1 ensure, among other things, compliance with this
2 section.

3 (2) Of the funds appropriated by this Act up to
4 \$500,000 may be used by the Office of the Inspector
5 General of the United States Agency for Inter-
6 national Development for audits, inspections, and
7 other activities in furtherance of the requirements of
8 this subsection. Such funds are in addition to funds
9 otherwise available for such purposes.

10 (e) Subsequent to the certification specified in sub-
11 section (a), the Comptroller General of the United States
12 shall conduct an audit and an investigation of the treat-
13 ment, handling, and uses of all funds for the bilateral
14 West Bank and Gaza Program in fiscal year 2008 under
15 the heading "Economic Support Fund". The audit shall
16 address—

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

20 (2) an examination of all programs, projects,
21 and activities carried out under such Program, in-
22 cluding both obligations and expenditures.

23 (f) Not later than 180 days after enactment of this
24 Act, the Secretary of State shall submit a report to the
25 Committees on Appropriations updating the report con-

1 tained in section 2106 of chapter 2 of title II of Public
2 Law 109-13.

3
4 WAR CRIMINALS

5 SEC. 658. (a)(1) None of the funds appropriated or
6 otherwise made available under titles II through V of this
7 Act may be made available for assistance, and the Sec-
8 retary of the Treasury shall instruct the United States Ex-
9 ecutive Director at each international financial institution
10 to vote against any new project involving the extension by
11 such institutions of any financial or technical assistance,
12 to any country, entity, or municipality whose competent
13 authorities have failed, as determined by the Secretary of
14 State, to take necessary and significant steps to imple-
15 ment its international legal obligations to apprehend and
16 transfer to the International Criminal Tribunal for the
17 former Yugoslavia (the "Tribunal") all persons in their
18 territory who have been indicted by the Tribunal and to
19 otherwise cooperate with the Tribunal.

20 (2) The provisions of this subsection shall not apply
21 to humanitarian assistance or assistance for democratiza-
22 tion.

23 (b) The provisions of subsection (a) shall apply unless
24 the Secretary of State determines and reports to the ap-
25 propriate congressional committees that the competent au-
thorities of such country, entity, or municipality are—

1 (1) cooperating with the Tribunal, including ac-
2 cess for investigators to archives and witnesses, the
3 provision of documents, and the surrender and
4 transfer of indictées or assistance in their apprehen-
5 sion; and

6 (2) are acting consistently with the Dayton Ac-
7 cords.

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

19 (d) In carrying out this section, the Secretary of
20 State, the Administrator of the United States Agency for
21 International Development, and the Secretary of the
22 Treasury shall consult with representatives of human
23 rights organizations and all government agencies with rel-
24 evant information to help prevent indicted war criminals
25 from benefiting from any financial or technical assistance

1 or grants provided to any country or entity described in
2 subsection (a).

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

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

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

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

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

17 (4) DAYTON ACCORDS.—The term “Dayton Ac-
18 cords” means the General Framework Agreement
19 for Peace in Bosnia and Herzegovina, together with
20 annexes relating thereto, done at Dayton, November
21 10 through 16, 1995.

22 USER FEES

23 SEC. 659. The Secretary of the Treasury shall in-
24 struct the United States Executive Director at each inter-
25 national financial institution (as defined in section
26 1701(c)(2) of the International Financial Institutions Act)

1 and the International Monetary Fund to oppose any loan,
2 grant, strategy or policy of these institutions that would
3 require user fees or service charges on poor people for pri-
4 mary education or primary healthcare, including preven-
5 tion, care and treatment for HIV/AIDS, malaria, tuber-
6 culosis, and infant, child, and maternal well-being, in con-
7 nection with the institutions' financing programs.

8 CONTRIBUTION TO THE UNITED NATIONS POPULATION
9 FUND

10 SEC. 660. (a) LIMITATIONS ON AMOUNT OF CON-
11 TRIBUTION.—Of the amounts made available under
12 “International Organizations and Programs” and “Global
13 Health and Child Survival” accounts for fiscal year 2008,
14 \$40,000,000 shall be made available for the United Na-
15 tions Population Fund (UNFPA): *Provided*, That of this
16 amount, not less than \$7,000,000 shall be derived from
17 funds appropriated under the heading “International Or-
18 ganizations and Programs”.

19 (b) AVAILABILITY OF FUNDS.—Funds appropriated
20 under the heading “International Organizations and Pro-
21 grams” in this Act that are available for UNFPA, that
22 are not made available for UNFPA because of the oper-
23 ation of any provision of law, shall be transferred to the
24 “Global Health and Child Survival” account and shall be
25 made available for family planning, maternal, and repro-

1 ductive health activities, subject to the regular notification
2 procedures of the Committees on Appropriations.

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

4 None of the funds made available under this Act may be
5 used by UNFPA for a country program in the People's
6 Republic of China.

7 (d) CONDITIONS ON AVAILABILITY OF FUNDS.—

8 Amounts made available under this Act for UNFPA may
9 not be made available to UNFPA unless—

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

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

16 (3) UNFPA does not fund abortions.

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

19 (1) Not later than 4 months after the date of
20 enactment of this Act, the Secretary of State shall
21 submit a report to the Committees on Appropria-
22 tions indicating the amount of funds that the
23 UNFPA is budgeting for the year in which the re-
24 port is submitted for a country program in the Peo-
25 ple's Republic of China.

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

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

14 COMMUNITY-BASED POLICE ASSISTANCE

15 SEC. 661. (a) AUTHORITY.—Funds made available
16 by title III of this Act to carry out the provisions of chap-
17 ter 1 of part I and chapter 4 of part II of the Foreign
18 Assistance Act of 1961, may be used, notwithstanding sec-
19 tion 660 of that Act, to enhance the effectiveness and ac-
20 countability of civilian police authority through training
21 and technical assistance in human rights, the rule of law,
22 strategic planning, and through assistance to foster civil-
23 ian police roles that support democratic governance in-
24 cluding assistance for programs to prevent conflict, re-
25 spond to disasters, address gender-based violence, and fos-

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

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

7 SPECIAL DEBT RELIEF FOR THE POOREST

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

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

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

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

26 (b) LIMITATIONS.—

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

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

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

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

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

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

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

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

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

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

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

20 AUTHORITY TO ENGAGE IN DEBT BUYBACKS OR SALES

21 SEC. 663. (a) LOANS ELIGIBLE FOR SALE, REDUC-
22 TION, OR CANCELLATION.—

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

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

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

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

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

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

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

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

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

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

13 (e) AVAILABILITY OF FUNDS.—The authority pro-
14 vided by subsection (a) may be used only with regard to
15 funds appropriated by this Act under the heading “Debt
16 Restructuring”.

17 BASIC EDUCATION

18 SEC. 664. (a) IN GENERAL.—Of the funds appro-
19 priated by title III of this Act, not less than \$700,000,000
20 shall be made available for assistance for developing coun-
21 tries for basic education, of which not less than
22 \$190,000,000 shall be provided and implemented in coun-
23 tries that have an approved national education plan.

24 (b) COORDINATOR.—There shall be established with-
25 in the Department of State in the immediate office of the
26 Director of United States Foreign Assistance, a Coordi-

1 nator of United States Government activities to provide
2 basic education assistance in developing countries (herein-
3 after in this section referred to as the “Coordinator”).

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

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

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

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

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

3 RECONCILIATION PROGRAMS

4 SEC. 665. Of the funds appropriated by title III of
5 this Act under the heading "Economic Support Fund",
6 \$16,000,000 shall be made available to support reconcili-
7 ation programs which bring together individuals of dif-
8 ferent ethnic, religious and political backgrounds from
9 areas of civil conflict and war, and an additional
10 \$9,000,000 shall be made available to support programs
11 in the Middle East: *Provided*, That the Administrator of
12 the United States Agency for International Development
13 shall consult with the Committees on Appropriations, prior
14 to the initial obligation of funds, on the most effective uses
15 of such funds.

16 SUDAN

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

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

23 (2) None of the funds appropriated by this Act
24 may be made available for the cost, as defined in
25 section 502, of the Congressional Budget Act of
26 1974, of modifying loans and loan guarantees held

1 by the Government of Sudan, including the cost of
2 selling, reducing, or canceling amounts owed to the
3 United States, and modifying concessional loans,
4 guarantees, and credit agreements.

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

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

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

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

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

25 (1) humanitarian assistance;

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

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

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

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

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

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

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

6 TRADE CAPACITY BUILDING

7 SEC. 667. Of the funds appropriated by this Act,
8 under the headings “Development Assistance”, “Assist-
9 ance for Eastern Europe and the Baltic States”, “Eco-
10 nomic Support Fund”, “Andean Counterdrug Programs”,
11 and “Assistance for the Independent States of the Former
12 Soviet Union”, not less than \$550,000,000 should be
13 made available for trade capacity building assistance.

14 TRANSPARENCY AND ACCOUNTABILITY

15 SEC. 668. (a) PUBLIC DISCLOSURE.—Ten percent of
16 the funds appropriated in this Act under the heading
17 “International Organizations and Programs” for a con-
18 tribution to any United Nations agency may be withheld
19 from disbursement if the Secretary of State reports to the
20 Committees on Appropriations that such agency does not
21 have or is not implementing a policy of posting on a pub-
22 licly available website information such as (1) audits,
23 budget reports, and information related to procurement
24 activities; (2) procedures for protecting whistleblowers;
25 and (3) efforts to ensure the independence of internal

1 oversight bodies, adopt international public sector ac-
2 counting standards, and limit administrative costs.

3 (b) UNITED NATIONS DEVELOPMENT PROGRAM.—

4 Twenty percent of the funds appropriated by this Act
5 under the heading “International Organizations and Pro-
6 grams” for a United States contribution to the United Na-
7 tions Development Program (UNDP) shall be withheld
8 from disbursement until the Secretary of State reports to
9 the Committees on Appropriations that UNDP is—

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

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

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

19 (c)(1) WORLD BANK.—Ten percent of the funds ap-
20 propriated by this Act under the heading “International
21 Development Association” shall be withheld from dis-
22 bursement until the Secretary of the Treasury reports to
23 the Committees on Appropriations that—

24 (A) the World Bank has made publicly avail-
25 able, in an appropriate manner, financial disclosure

1 forms of senior World Bank personnel, including
2 those at the level of managing director, vice presi-
3 dent, and above;

4 (B) the World Bank has established a plan and
5 maintains a schedule for conducting regular, inde-
6 pendent audits of internal management controls and
7 procedures for meeting operational objectives, and is
8 making reports describing the scope and findings of
9 such audits available to the public;

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

13 (D) the World Bank has made publicly avail-
14 able the reports of the Department of Institutional
15 Integrity, and any subsequent review of corrective
16 actions for such reports, including, but not limited
17 to, the November 23, 2005 "Report of Investigation
18 into Reproductive and Child Health I Project Credit
19 N0180 India", and the May 2006 report on Credit
20 Number 3703 DRC, Grant number H193 DRC, and
21 Grant number H010 DRC; and

22 (E) the World Bank is implementing the rec-
23 ommendations of the "Volcker Panel" report in a
24 timely manner.

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

8 (A) World Bank procurement guidelines, includ-
9 ing the World Bank’s Standard Bidding Documents,
10 have been applied to all procurement financed in
11 whole or in part by a loan from the World Bank or
12 a credit agreement or grant from the International
13 Development Association (IDA);

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

20 (C) thresholds for international competitive bid-
21 ding have been established to maximize international
22 competitive bidding in accordance with sound pro-
23 curement practices, including transparency, competi-
24 tion, and cost-effective results for the Borrowers;

1 (D) the World Bank is consulting with the ap-
2 propriate private and public sector representatives
3 regarding implementation of the country procure-
4 ment pilots outlined in the June 2007 report to the
5 Board; and

6 (E) all countries selected for the procurement
7 pilot program must adhere to all World Bank anti-
8 fraud and anti-corruption policies and must dem-
9 onstrate a strong anti-fraud enforcement record.

10 (d) REPORT.—

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

20 (B) Of the funds appropriated under the head-
21 ing “Millennium Challenge Corporation” in this Act,
22 up to \$250,000 shall be made available to the Comp-
23 troller for the requirements of subsection (1)(A).

24 (2)(A) The Comptroller General of the United
25 States shall conduct an assessment of the HIV/

1 AIDS programs and activities funded under the
2 headings “Child Survival and Health Programs
3 Fund”, “Global HIV/AIDS Initiative”, and “Global
4 Health and Child Survival” in this Act and prior
5 Acts making appropriations for foreign operations,
6 export financing, and related programs to include a
7 review of the procurement and results monitoring
8 activities of United States bilateral HIV/AIDS pro-
9 grams. The assessment should also address the im-
10 pact of Global HIV/AIDS Initiative funding on other
11 United States global health programming.

12 (B) Of the funds appropriated under the head-
13 ing “Global Health and Child Survival”, up to
14 \$125,000 shall be made available to the Comptroller
15 for the requirements of subsection (2)(A).

16 (e) NATIONAL BUDGET TRANSPARENCY.—

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

22 (2) The Secretary of State may waive sub-
23 section (e)(1) if the Secretary reports to the Com-
24 mittees on Appropriations that to do so is in the na-
25 tional interests of the United States.

1 LIMITATION ON ECONOMIC SUPPORT FUND ASSISTANCE
2 FOR CERTAIN FOREIGN GOVERNMENTS THAT ARE
3 PARTIES TO THE INTERNATIONAL CRIMINAL COURT
4 SEC. 671. (a) None of the funds made available in
5 this Act under the heading "Economic Support Fund"
6 may be used to provide assistance to the government of
7 a country that is a party to the International Criminal
8 Court and has not entered into an agreement with the
9 United States pursuant to Article 98 of the Rome Statute
10 preventing the International Criminal Court from pro-
11 ceeding against United States personnel present in such
12 country.

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

23 (c) The President may, with prior notice to Congress,
24 waive the prohibition of subsection (a) with respect to a
25 particular country if he determines and reports to the ap-

1 appropriate congressional committees that such country has
2 entered into an agreement with the United States pursu-
3 ant to Article 98 of the Rome Statute preventing the
4 International Criminal Court from proceeding against
5 United States personnel present in such country.

6 (d) The prohibition of this section shall not apply to
7 countries otherwise eligible for assistance under the Mil-
8 lennium Challenge Act of 2003, notwithstanding section
9 606(a)(2)(B) of such Act.

10 WESTERN HEMISPHERE

11 SEC. 672. (a) CENTRAL AND SOUTH AMERICA.—Of
12 the funds appropriated by this Act under the headings
13 “Global Health and Child Survival” and “Development
14 Assistance”, not less than the amount of funds initially
15 allocated for each such account pursuant to section 653(a)
16 of the Foreign Assistance Act of 1961 for fiscal year 2007
17 shall be made available for El Salvador, Guatemala, Nica-
18 ragua, Honduras, Ecuador, Peru, Bolivia, Brazil, Latin
19 America and Caribbean Regional, Central America Re-
20 gional, and South America Regional: *Provided*, That for
21 the purposes of this subsection, “Global Health and Child
22 Survival” shall mean “Child Survival and Health Pro-
23 grams Fund”.

24 (b) HAITI.—

25 (1) The Government of Haiti shall be eligible to
26 purchase defense articles and services under the

1 Arms Export Control Act (22 U.S.C. 2751 et seq.),
2 for the Coast Guard.

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

6 (3) None of the funds made available by this
7 Act under the heading “International Narcotics Con-
8 trol and Law Enforcement” may be used to transfer
9 excess weapons, ammunition or other lethal property
10 of an agency of the United States Government to
11 the Government of Haiti for use by the Haitian Na-
12 tional Police until the Secretary of State certifies to
13 the Committees on Appropriations that any mem-
14 bers of the Haitian National Police who have been
15 credibly alleged to have committed serious crimes,
16 including drug trafficking and human rights viola-
17 tions, have been suspended and the Haitian Govern-
18 ment is cooperating in a reform and restructuring
19 plan for the Haitian National Police and the reform
20 of the judicial system as called for in United Nations
21 Security Council Resolution 1608 adopted on June
22 22, 2005.

23 (c) DOMINICAN REPUBLIC.—Of the funds appro-
24 priated by this Act under the headings “Global Health and
25 Child Survival” and “Development Assistance”, not less

1 than \$23,000,000 shall be made available for assistance
2 for the Dominican Republic, of which not less than
3 \$5,000,000 shall be made available for basic health care,
4 nutrition, sanitation, education, and shelter for migrant
5 workers and other residents of batey communities.

6 (d) ASSISTANCE FOR GUATEMALA.—

7 (1) Of the funds appropriated by this Act under
8 the heading “Economic Support Fund” that are
9 available for assistance for Guatemala, not less than
10 \$4,000,000 shall be made available for a United
11 States contribution to the International Commission
12 Against Impunity in Guatemala (CICIG).

13 (2) Funds appropriated by this Act under the
14 heading “International Military Education and
15 Training” (IMET) that are available for assistance
16 for Guatemala, other than for expanded IMET, may
17 be made available only for the Guatemalan Air
18 Force, Navy and Army Corps of Engineers: *Pro-*
19 *vided*, That assistance for the Guatemalan Army
20 Corps of Engineers shall only be available for train-
21 ing to improve disaster response capabilities and to
22 participate in international peacekeeping operations:
23 *Provided further*, That such funds may be made
24 available only if the Secretary of State certifies that
25 the Guatemalan Air Force, Navy and Army Corps of

1 Engineers are respecting human rights and are co-
2 operating with civilian judicial investigations and
3 prosecutions of current and retired military per-
4 sonnel who have been credibly alleged to have com-
5 mitted violations of human rights.

6 (3) Of the funds appropriated by this Act under
7 the heading "Foreign Military Financing Program",
8 not more than \$500,000 may be made available for
9 the Guatemalan Air Force and Navy: *Provided*, That
10 such funds may be made available only if the Sec-
11 retary of State certifies that the Guatemalan Air
12 Force and Navy are respecting human rights and
13 are cooperating with civilian judicial investigations
14 and prosecutions of current and retired military per-
15 sonnel who have been credibly alleged to have com-
16 mitted violations of human rights, and the Guate-
17 malan Armed Forces are fully cooperating (including
18 access for investigators, the provision of documents
19 and other evidence, and testimony of witnesses) with
20 the CICIG.

21 (e) FREE TRADE AGREEMENTS.—Of the funds ap-
22 propriated by this Act under the heading "Economic Sup-
23 port Fund", not less than \$10,000,000 shall be made
24 available for labor and environmental capacity building ac-

1 tivities relating to the free trade agreements with coun-
2 tries of Central America and the Dominican Republic.

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

8 ZIMBABWE

9 SEC. 673. The Secretary of the Treasury shall in-
10 struct the United States executive director to each inter-
11 national financial institution to vote against any extension
12 by the respective institution of any loans to the Govern-
13 ment of Zimbabwe, except to meet basic human needs or
14 to promote democracy, unless the Secretary of State deter-
15 mines and certifies to the Committees on Appropriations
16 that the rule of law has been restored in Zimbabwe, in-
17 cluding respect for ownership and title to property, free-
18 dom of speech and association.

19 DEVELOPMENT GRANTS PROGRAM

20 SEC. 674. (a) ESTABLISHMENT OF THE PROGRAM.—
21 There is established within the United States Agency for
22 International Development (USAID) a Development
23 Grants Program (DGP) to provide small grants to United
24 States and indigenous nongovernmental organizations for
25 the purpose of carrying out the provisions of chapters 1

1 and 10 of part I and chapter 4 of part II of the Foreign
2 Assistance Act of 1961.

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

6 (c) COMPETITION.—Grants made pursuant to the au-
7 thority of this section shall be provided through an open,
8 transparent and competitive process.

9 (d) SIZE OF PROGRAM AND INDIVIDUAL GRANTS.—

10 (1) Of the funds appropriated by this Act to
11 carry out chapter 1 of part I and chapter 4 of part
12 II of the Foreign Assistance Act of 1961, not less
13 than \$50,000,000 shall be made available for pur-
14 poses of this section: *Provided*, That not more than
15 50 percent of this amount shall be derived from
16 funds appropriated to carry out chapter 1 of part I
17 of such Act.

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

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

1 (f) DEFINITION.—For purposes of this section, the
2 term “nongovernmental organization” means a private
3 voluntary organization, and shall not include entities
4 owned in whole or in part by a government or govern-
5 mental entity.

6 (g) REPORT.—Within 90 days from the date of enact-
7 ment of this Act, and after consultation with the Commit-
8 tees on Appropriations, the Administrator of USAID shall
9 submit a report to those Committees describing the proce-
10 dures and mechanisms USAID will use to implement this
11 section.

12 DISASTER ASSISTANCE AND RECOVERY

13 SEC. 675. Funds made available to the Comptroller
14 General under chapter 4 of title I of the Emergency Sup-
15 plemental Appropriations Act (Public Law 106–31; 113
16 Stat. 69) and section 593 of the Foreign Operations, Ex-
17 port Financing, and Programs Agencies Appropriations
18 Act, 2001 (Public Law 106–429; 114 Stat. 1900A–59) to
19 monitor the provisions of assistance to address the effects
20 of hurricanes in Central America and the Caribbean and
21 the earthquake in Colombia, and to monitor the earth-
22 quake relief and reconstruction efforts in El Salvador
23 under section 561 of the Foreign Operations, Export Fi-
24 nancing, and Programs Agencies Appropriations Act,
25 2002 (Public Law 107–115; 115 Stat. 2162) shall also

1 be available to the Comptroller General to monitor any
2 other disaster assistance and recovery effort.

3 UNITED STATES AGENCY FOR INTERNATIONAL
4 DEVELOPMENT MANAGEMENT
5 (INCLUDING TRANSFER OF FUNDS)

6 SEC. 676. (a) AUTHORITY.—Up to \$81,000,000 of
7 the funds made available in title III of this Act to carry
8 out the provisions of part I of the Foreign Assistance Act
9 of 1961, including funds appropriated under the heading
10 “Assistance for Eastern Europe and the Baltic States”,
11 may be used by the United States Agency for Inter-
12 national Development (USAID) to hire and employ indi-
13 viduals in the United States and overseas on a limited ap-
14 pointment basis pursuant to the authority of sections 308
15 and 309 of the Foreign Service Act of 1980.

16 (b) RESTRICTIONS.—

17 (1) The number of individuals hired in any fis-
18 cal year pursuant to the authority contained in sub-
19 section (a) may not exceed 175.

20 (2) The authority to hire individuals contained
21 in subsection (a) shall expire on September 30,
22 2009.

23 (c) CONDITIONS.—The authority of subsection (a)
24 may only be used to the extent that an equivalent number
25 of positions that are filled by personal services contractors
26 or other non-direct hire employees of USAID, who are

1 compensated with funds appropriated to carry out part I
2 of the Foreign Assistance Act of 1961, including funds
3 appropriated under the heading “Assistance for Eastern
4 Europe and the Baltic States”, are eliminated.

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

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

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

22 (g) MANAGEMENT REFORM PILOT.—Of the funds
23 made available in subsection (a), USAID may use, in addi-
24 tion to funds otherwise available for such purposes, up to
25 \$15,000,000 to fund overseas support costs of members

1 of the Foreign Service with a Foreign Service rank of four
2 or below: *Provided*, That such authority is only used to
3 reduce USAID's reliance on overseas personal services
4 contractors or other non-direct hire employees com-
5 pensated with funds appropriated to carry out part I of
6 the Foreign Assistance Act of 1961, including funds ap-
7 propriated under the heading "Assistance for Eastern Eu-
8 rope and the Baltic States".

9 (h) DISASTER SURGE CAPACITY.—Funds appro-
10 priated under title III of this Act to carry out part I of
11 the Foreign Assistance Act of 1961, including funds ap-
12 propriated under the heading "Assistance for Eastern Eu-
13 rope and the Baltic States", may be used, in addition to
14 funds otherwise available for such purposes, for the cost
15 (including the support costs) of individuals detailed to or
16 employed by the United States Agency for International
17 Development whose primary responsibility is to carry out
18 programs in response to natural disasters.

19 OPIC TRANSFER AUTHORITY

20 (INCLUDING TRANSFER OF FUNDS)

21 SEC. 677. Whenever the President determines that
22 it is in furtherance of the purposes of the Foreign Assist-
23 ance Act of 1961, up to a total of \$20,000,000 of the
24 funds appropriated under title III of this Act may be
25 transferred to and merged with funds appropriated by this
26 Act for the Overseas Private Investment Corporation Pro-

1 gram Account, to be subject to the terms and conditions
2 of that account: *Provided*, That such funds shall not be
3 available for administrative expenses of the Overseas Pri-
4 vate Investment Corporation: *Provided further*, That des-
5 ignated funding levels in this Act shall not be transferred
6 pursuant to this section: *Provided further*, That the exer-
7 cise of such authority shall be subject to the regular notifi-
8 cation procedures of the Committees on Appropriations.

9

REPORTING REQUIREMENT

10 SEC. 678. The Secretary of State shall provide the
11 Committees on Appropriations, not later than April 1,
12 2008, and for each fiscal quarter, a report in writing on
13 the uses of funds made available under the headings “For-
14 eign Military Financing Program”, “International Mili-
15 tary Education and Training”, and “Peacekeeping Oper-
16 ations”: *Provided*, That such report shall include a de-
17 scription of the obligation and expenditure of funds, and
18 the specific country in receipt of, and the use or purpose
19 of the assistance provided by such funds.

20

INDONESIA

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

1 (1) Of the amount provided in subsection (a),
2 \$13,000,000 may be made available upon enactment
3 of this Act.

4 (2) Of the amount provided in subsection (a),
5 \$2,700,000 may not be made available until the Sec-
6 retary of State reports to the Committees on Appro-
7 priations—

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

10 (i) prosecution and punishment, in a
11 manner proportional to the crime, for
12 members of the Armed Forces who have
13 been credibly alleged to have committed
14 gross violations of human rights in Timor-
15 Leste and elsewhere, and cooperation by
16 the Armed Forces with civilian judicial au-
17 thorities and with international efforts to
18 resolve cases of gross violations of human
19 rights; and

20 (ii) implementation by the Armed
21 Forces of reforms to increase the trans-
22 parency and accountability of their oper-
23 ations and financial management; and

24 (B) that the Government of Indonesia has
25 written plans to effectively provide account-

1 ability for past violations of human rights by
2 members of the Armed Forces, and is imple-
3 menting plans to effectively allow public access
4 to Papua and to pursue the criminal investiga-
5 tion and provide the projected timeframe for
6 completing the investigation of the murder of
7 Munir Said Thalib.

8 (b) Of the funds appropriated by this Act under the
9 heading "Economic Support Fund" that are available for
10 assistance for Indonesia, not less than \$250,000 should
11 be made available for grants for capacity building of Indo-
12 nesian human rights organizations, including in Papua.

13 LIMITATION ON BASING IN IRAQ

14 SEC. 680. None of the funds made available in this
15 Act may be used by the Government of the United States
16 to enter into a permanent basing rights agreement be-
17 tween the United States and Iraq.

18 PROHIBITION ON USE OF TORTURE

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

201

1 REPORT ON INDONESIA

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

5 (1) the steps taken by the Government of Indo-
6 nesia to deny promotion, suspend from active serv-
7 ice, and pursue prosecution of military officers in-
8 dicted for serious crimes, and the extent to which
9 past and present Indonesian military officials are co-
10 operating with domestic inquiries into human rights
11 abuses, including the forced disappearance and kill-
12 ing of student activists in 1998 and 1999;

13 (2) the responses of the Governments of Indo-
14 nesia and Timor Leste to the Final Report of the
15 Commission for Reception, Truth and Reconciliation
16 in Timor-Leste and the June 2006 report of the re-
17 port to the Secretary-General of the Commission of
18 Experts to Review the Prosecution of Serious Viola-
19 tions of Human Rights in Timor-Leste in 1999; and

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

22 EXTRADITION

23 SEC. 683. (a) None of the funds appropriated in this
24 Act for the Department of State may be used to provide
25 assistance (other than funds provided under the headings
26 “International Narcotics Control and Law Enforcement”,

1 “Migration and Refugee Assistance”, “Emergency Migra-
2 tion and Refugee Assistance”, and “Nonproliferation,
3 Anti-terrorism, Demining and Related Assistance”) for
4 the central government of a country which has notified
5 the Department of State of its refusal to extradite to the
6 United States any individual indicted for a criminal of-
7 fense for which the maximum penalty is life imprisonment
8 without the possibility of parole or for killing a law en-
9 forcement officer, as specified in a United States extra-
10 dition request.

11 (b) Subsection (a) shall only apply to the central gov-
12 ernment of a country with which the United States main-
13 tains diplomatic relations and with which the United
14 States has an extradition treaty and the government of
15 that country is in violation of the terms and conditions
16 of the treaty.

17 (c) The Secretary of State may waive the restriction
18 in subsection (a) on a case-by-case basis if the Secretary
19 certifies to the Committees on Appropriations that such
20 waiver is important to the national interests of the United
21 States.

22 ENVIRONMENT AND ENERGY PROGRAMS

23 SEC. 684. (a) BIODIVERSITY.—Of the funds appro-
24 priated under the heading “Development Assistance”, not
25 less than \$195,000,000 shall be made available for pro-
26 grams and activities which directly protect biodiversity, in-

1 cluding forests, in developing countries, of which not less
2 than the amount of funds initially allocated pursuant to
3 section 653(a) of the Foreign Assistance Act of 1961 for
4 fiscal year 2006 shall be made available for such activities
5 in Brazil, Colombia, Ecuador, Peru and Bolivia, and that
6 in addition to such amounts for such countries not less
7 than \$15,000,000 shall be made available for the United
8 States Agency for International Development's Amazon
9 Basin Conservation Initiative: *Provided*, That of the funds
10 appropriated by this Act, not less than \$2,000,000 should
11 be made available for wildlife conservation and protected
12 area management in the Boma-Jonglei landscape of
13 Southern Sudan, and not less than \$17,500,000 shall be
14 made available for the Congo Basin Forest Partnership
15 of which not less than \$2,500,000 shall be made available
16 to the United States Fish and Wildlife Service for great
17 apes conservation programs in Central Africa.

18 (b) ENERGY.—

19 (1) Of the funds appropriated by this Act, not
20 less than \$195,000,000 shall be made available to
21 support clean energy and other climate change pro-
22 grams in developing countries, of which not less than
23 \$125,000,000 should be made available to directly
24 promote and deploy energy conservation, energy effi-
25 ciency, and renewable and clean energy technologies

1 with an emphasis on small hydro, solar and wind en-
2 ergy, and of which the balance should be made avail-
3 able to directly: (1) reduce greenhouse gas emis-
4 sions; (2) increase carbon sequestration activities;
5 and (3) support climate change mitigation and adap-
6 tation programs.

7 (2) The Secretary of State shall convene an
8 interagency committee, including appropriate offi-
9 cials of the Department of State, the United States
10 Agency for International Development, and the En-
11 vironmental Protection Agency, to evaluate the spe-
12 cific needs of developing countries in adapting to cli-
13 mate change impacts: *Provided*, That the Secretary
14 shall submit a report to the Committees on Appro-
15 priations not later than September 1, 2008, describ-
16 ing such needs, on a country-by-country and regional
17 basis, and the actions planned and being taken by
18 the United States, including funding provided to de-
19 veloping countries specifically for adaptation to cli-
20 mate change impacts.

21 (c) EXTRACTION OF NATURAL RESOURCES.—

22 (1) The Secretary of the Treasury shall inform
23 the managements of the international financial insti-
24 tutions and the public that it is the policy of the
25 United States that any assistance by such institu-

1 tions (including but not limited to any loan, credit,
2 grant, or guarantee) for the extraction and export of
3 oil, gas, coal, timber, or other natural resource
4 should not be provided unless the government of the
5 country has in place functioning systems for: (A) ac-
6 curately accounting for payments for companies in-
7 volved in the extraction and export of natural re-
8 sources; (B) the independent auditing of accounts
9 receiving such payments and the widespread public
10 dissemination of the findings of such audits; and (C)
11 verifying government receipts against company pay-
12 ments including widespread dissemination of such
13 payment information, and disclosing such documents
14 as Host Government Agreements, Concession Agree-
15 ments, and bidding documents, allowing in any such
16 dissemination or disclosure for the redaction of, or
17 exceptions for, information that is commercially pro-
18 prietary or that would create competitive disadvan-
19 tage.

20 (2) Not later than 180 days after the enact-
21 ment of this Act, the Secretary of the Treasury shall
22 submit a report to the Committees on Appropria-
23 tions describing, for each international financial in-
24 stitution, the amount and type of assistance pro-
25 vided, by country, for the extraction and export of

1 oil, gas, coal, timber, or other natural resources
2 since September 30, 2006, and whether each institu-
3 tion considered, in its proposal for such assistance,
4 the extent to which the country has functioning sys-
5 tems described in paragraph (c)(1).

UZBEKISTAN

7 SEC. 685. (a) Funds appropriated by this Act may
8 be made available for assistance for the central Govern-
9 ment of Uzbekistan only if the Secretary of State deter-
10 mines and reports to the Committees on Appropriations
11 that the Government of Uzbekistan is making substantial
12 and continuing progress—

13 (1) in meeting its commitments under the
14 “Declaration on the Strategic Partnership and Co-
15 operation Framework Between the Republic of
16 Uzbekistan and the United States of America”, in-
17 cluding respect for human rights, establishing a gen-
18 uine multi-party system, and ensuring free and fair
19 elections, freedom of expression, and the independ-
20 ence of the media; and

21 (2) in investigating and prosecuting the individ-
22 uals responsible for the deliberate killings of civilians
23 in Andijan in May 13, 2005.

24 (b) If the Secretary of State ~~determines there is~~ cred-
25 ible evidence that any current or former official of the
26 Government of Uzbekistan was responsible for the delib-

(has

1 erate killings of civilians in Andijan in May, 2005, or for
2 other gross violations of human rights in Uzbekistan, not
3 later than 6 months after enactment of this Act any per-
4 son identified by the Secretary pursuant to this subsection
5 shall be ineligible for admission to the United States.

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

15 (d) The Secretary may waive the application of sub-
16 section (b) if the Secretary determines that admission to
17 the United States is necessary to attend the United Na-
18 tions or to further United States law enforcement objec-
19 tives.

20 (e) Not later than 90 days after enactment of this
21 Act, the Secretary of State shall submit a report, in classi-
22 fied form if necessary, to the Committees on Appropria-
23 tions describing the evidence considered in determining in-
24 volvement pursuant to subsection (b).

(e)

1 (f) For the purpose of this section "assistance" shall
2 include excess defense articles.

3 REPRESSION IN THE RUSSIAN FEDERATION

4 SEC. 686. (a) None of the funds appropriated for as-
5 sistance under this Act may be made available for the Gov-
6 ernment of the Russian Federation, after 180 days from
7 the date of the enactment of this Act, unless the President
8 determines and certifies in writing to the Committees on
9 Appropriations that the Government of the Russian Fed-
10 eration: (1) has implemented no statute, executive order,
11 regulation or similar government action that would dis-
12 criminate, or which has as its principal effect discrimina-
13 tion, against religious groups or religious communities in
14 the Russian Federation in violation of accepted inter-
15 national agreements on human rights and religious free-
16 doms to which the Russian Federation is a party; and (2)
17 is (A) honoring its international obligations regarding
18 freedom of expression, assembly, and press, as well as due
19 process; (B) investigating and prosecuting law enforce-
20 ment personnel credibly alleged to have committed human
21 rights abuses against political leaders, activists and jour-
22 nalists; and (C) immediately releasing political leaders, ac-
23 tivists and journalists who remain in detention.

24 (b) The Secretary of State may waive the require-
25 ments of subsection (a) if the Secretary determines that

1 to do so is important to the national interests of the
2 United States.

3 WAR CRIMES IN AFRICA

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

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

25 (c) The prohibition in subsection (b) may be waived
26 on a country by country basis if the President determines

1 that doing so is in the national security interest of the
2 United States: *Provided*, That prior to exercising such
3 waiver authority, the President shall submit a report to
4 the Committees on Appropriations, in classified form if
5 necessary, on—

6 (1) the steps being taken to obtain the coopera-
7 tion of the government in surrendering the indictee
8 in question to the court of jurisdiction;

9 (2) a strategy, including a timeline, for bringing
10 the indictee before such court; and

11 (3) the justification for exercising the waiver
12 authority.

13 COMBATTING PIRACY OF UNITED STATES COPYRIGHTED
14 MATERIALS

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

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

23 (2) The provision of training for judges and
24 prosecutors, including in the interpretation of intel-
25 lectual property laws.

1 the United States Agency for International Development
2 shall consult with the Committees on Appropriations, rep-
3 resentatives from the relevant international technical and
4 nongovernmental organizations addressing the specific dis-
5 eases, recipient countries, donor countries, the private sec-
6 tor, UNICEF and the World Health Organization: (1) on
7 the most effective uses of such funds to demonstrate the
8 health and economic benefits of such an approach; and
9 (2) to develop a multilateral, integrated initiative to con-
10 trol these diseases that will enhance coordination and ef-
11 fectiveness and maximize the leverage of United States
12 contributions with those of other donors: *Provided further,*
13 That funds made available pursuant to this section shall
14 be subject to the regular notification procedures of the
15 Committees on Appropriations.

1 EGYPT

2 SEC. 690. (a) Of the funds appropriated by this Act
3 under the heading "Foreign Military Financing Program"
4 or under the heading "Economic Support Fund" that are
5 available for assistance for Egypt, \$100,000,000 shall not
6 be made available for obligation until the Secretary of
7 State certifies and reports to the Committees on Appro-
8 priations that the Government of Egypt has taken con-
9 crete and measurable steps to—

10 (1) adopt and implement judicial reforms that
11 protect the independence of the judiciary;

12 (2) review criminal procedures and train police
13 leadership in modern policing to curb police abuses;
14 and

15 (3) detect and destroy the smuggling network
16 and tunnels that lead from Egypt to Gaza.

17 (b) Not less than 45 days after enactment of this Act,
18 the Secretary may waive subsection (a) if the Secretary
19 determines and reports to the Committees on Appropria-
20 tions that ~~it~~ is in the national security interest of the
21 United States.

such waiver

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

4 SEC. 691. (a) AMENDMENT TO AUTHORITY TO DE-
5 TERMINE THE BAR TO ADMISSION INAPPLICABLE.—Sec-
6 tion 212(d)(3)(B)(i) of the Immigration and Nationality
7 Act (8 U.S.C. 1182(d)(3)(B)(i)) is amended to read as
8 follows:

9 “The Secretary of State, after consultation with the
10 Attorney General and the Secretary of Homeland Secu-
11 rity, or the Secretary of Homeland Security, after con-
12 sultation with the Secretary of State and the Attorney
13 General, may determine in such Secretary’s sole
14 unreviewable discretion that subsection (a)(3)(B) shall not
15 apply with respect to an alien within the scope of that
16 subsection or that subsection (a)(3)(B)(vi)(III) shall not
17 apply to a group within the scope of that subsection, ex-
18 cept that no such waiver may be extended to an alien who
19 is within the scope of subsection (a)(3)(B)(i)(II), no such
20 waiver may be extended to an alien who is a member or
21 representative of, has voluntarily and knowingly engaged
22 in or endorsed or espoused or persuaded others to endorse
23 or espouse or support terrorist activity on behalf of, or
24 has voluntarily and knowingly received military-type train-
25 ing from a terrorist organization that is described in sub-

1 clause (I) or (II) of subsection (a)(3)(B)(vi), and no such
2 waiver may be extended to a group that has engaged ter-
3 rorist activity against the United States or another demo-
4 cratic country or that has purposefully engaged in a pat-
5 tern or practice of terrorist activity that is directed at ci-
6 vilians. Such a determination shall neither prejudice the
7 ability of the United States Government to commence
8 criminal or civil proceedings involving a beneficiary of such
9 a determination or any other person, nor create any sub-
10 stantive or procedural right or benefit for a beneficiary
11 of such a determination or any other person. Notwith-
12 standing any other provision of law (statutory or non-
13 statutory), including section 2241 of title 28, or any other
14 habeas corpus provision, and sections 1361 and 1651 of
15 such title, no court shall have jurisdiction to review such
16 a determination or revocation except in a proceeding for
17 review of a final order of removal pursuant to section 1252
18 of this title, and review shall be limited to the extent pro-
19 vided in section 1252(a)(2)(D). The Secretary of State
20 may not exercise the discretion provided in this clause with
21 respect to an alien at any time during which the alien is
22 the subject of pending removal proceedings under section
23 1229a of this title.”

24 (b) AUTOMATIC RELIEF FOR THE HMONG AND
25 OTHER GROUPS THAT DO NOT POSE A THREAT TO THE

1 UNITED STATES.—For purposes of section 212(a)(3)(B)
2 of the Immigration and Nationality Act (8 U.S.C.
3 1182(a)(3)(B)), the Karen National Union/Karen Libera-
4 tion Army (KNU/KNLA), the Chin National Front/Chin
5 National Army (CNF/CNA), the Chin National League
6 for Democracy (CNLD), the Kayan New Land Party
7 (KNLP), the Arakan Liberation Party (ALP), the Mus-
8 tangs, the Alzados, the Karenni National Progressive
9 Party, and appropriate groups affiliated with the Hmong
10 and the Montagnards shall not be considered to be a ter-
11 rorist organization on the basis of any act or event occur-
12 ring before the date of enactment of this section. Nothing
13 in this subsection may be construed to alter or limit the
14 authority of the Secretary of State or the Secretary of
15 Homeland Security to exercise his discretionary authority
16 pursuant to 212(d)(3)(B)(i) of the Immigration and Na-
17 tionality Act (8 U.S.C. 1182(d)(3)(B)(i)).

18 (c) TECHNICAL CORRECTION.—(1) In General.—Sec-
19 tion 212(a)(3)(B)(ii) of the Immigration and Nationality
20 Act (8 U.S.C. 1182(a)(3)(B)(ii)) is amended by striking
21 “Subclause (VII)” and replacing it with “Subclause (IX)”.

22 (d) DESIGNATION OF THE TALIBAN AS A TERRORIST
23 ORGANIZATION.—For purposes of section 212(a)(3)(B) of
24 the Immigration and Nationality Act (8 U.S.C.
25 1182(a)(3)(B)), the Taliban shall be considered to be a

1 terrorist organization described in subclause (I) of clause
2 (vi) of that section.

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

10 (1) the number of individuals subject to re-
11 moval from the United States for having provided
12 material support to a terrorist group who allege that
13 such support was provided under duress;

14 (2) a breakdown of the types of terrorist orga-
15 nizations to which the individuals described in para-
16 graph (1) have provided material support;

17 (3) a description of the factors that the Depart-
18 ment of Homeland Security considers when evalu-
19 ating duress waivers; and

20 (4) any other information that the Secretary
21 believes that the Congress should consider while
22 overseeing the Department's application of duress
23 waivers.

24 (f) EFFECTIVE DATE.—The amendments made by
25 this section shall take effect on the date of enactment of

1 this section, and these amendments and sections
2 212(a)(3)(B) and 212(d)(3)(B) of the Immigration and
3 Nationality Act (8 U.S.C. 1182(a)(3)(B) and
4 1182(d)(3)(B)), as amended by these sections, shall apply
5 to—

6 (1) removal proceedings instituted before, on, or
7 after the date of enactment of this section; and

8 (2) acts and conditions constituting a ground
9 for inadmissibility, excludability, deportation, or re-
10 moval occurring or existing before, on, or after such
11 date.

12 REPORT ON ANTI-CORRUPTION ACTIVITIES

13 SEC. 692. Not later than August 1, 2008, the Sec-
14 retary of State, in consultation with the Administrator of
15 the United States Agency for International Development
16 and the Chief Executive Officer of the Millennium Chal-
17 lenge Corporation, shall submit to the Committees on Ap-
18 propriations a report on the level of corruption in each
19 country that receives development assistance appropriated
20 in this Act.

21 DEMOCRACY, THE RULE OF LAW, AND GOVERNANCE IN

22 IRAN

23 SEC. 693. Of the funds appropriated in this Act,
24 \$60,000,000 should be made available for programs to
25 promote democracy, the rule of law, and governance in
26 Iran.

1 DENIAL OF VISAS RELATED TO REMOVAL OF ALIENS

2 SEC. 694. None of the funds made available in this
3 Act may be expended in violation of section 243(d) of the
4 Immigration and Nationality Act (8 U.S.C. 1253(d)) (re-
5 lating to discontinuing granting visas to nationals of coun-
6 tries that are denying or delaying accepting aliens removed
7 from the United States).

8 UNITED NATIONS HUMAN RIGHTS COUNCIL

9 SEC. 695. (a) None of the funds appropriated by this
10 Act may be made available for a United States contribu-
11 tion to the United Nations Human Rights Council.

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

14 (1) the Secretary of State certifies to the Com-
15 mittees on Appropriations that the provision of
16 funds to support the United Nations Human Rights
17 Council is in the national interest of the United
18 States; or

19 (2) the United States is a member of the
20 Human Rights Council.

21 ATTENDANCE AT INTERNATIONAL CONFERENCES

22 SEC. 696. None of the funds made available in this
23 Act may be used to send or otherwise pay for the attend-
24 ance of more than 50 employees of agencies or depart-
25 ments of the United States Government who are stationed
26 in the United States, at any single international con-

1 during the preceding 6 month period, including by ful-
2 filling obligations recommended by the Organization for
3 Security and Cooperation in Europe (OSCE) in the areas
4 of election procedures, media freedom, freedom of religion,
5 free assembly and minority rights, and by meeting the
6 commitments it made in connection with its assumption
7 of the Chairmanship of the OSCE in 2010.

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

12 (c) Not later than October 1, 2008, the Secretary of
13 State shall submit a report to the Committees on Appro-
14 priations and the Committee on Foreign Relations of the
15 Senate and the Committee on Foreign Affairs of the
16 House of Representatives describing the following:

17 (1) The defense articles, defense services, and
18 financial assistance provided by the United States to
19 the countries of Central Asia during the 12-month
20 period ending 30 days prior to submission of such
21 report.

22 (2) The use during such period of defense arti-
23 cles, defense services, and financial assistance pro-
24 vided by the United States by units of the armed

1 forces, border guards, or other security forces of
2 such countries.

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

6 DISABILITY PROGRAMS

7 SEC. 699. (a) Of the funds appropriated by this Act
8 under the heading "Economic Support Fund", not less
9 than \$4,000,000 shall be made available for programs and
10 activities administered by the United States Agency for
11 International Development (USAID) to address the needs
12 and protect the rights of people with disabilities in devel-
13 oping countries, of which \$1,500,000 should be made
14 available to disability advocacy organizations that have ex-
15 pertise in working to protect the rights and increasing the
16 independence and full participation of people with disabili-
17 ties: *Provided*, That funds for disability advocacy organi-
18 zations should be used for training and technical assist-
19 ance for foreign disabled persons organizations in such
20 areas as advocacy, education, independent living, and
21 transportation, with the goal of promoting equal participa-
22 tion of people with disabilities in developing countries:
23 *Provided further*, That USAID should seek to disburse at
24 least 25 percent of the funds made available pursuant to
25 this subsection in the form of small grants.

1 (b) Funds appropriated under the heading “Oper-
2 ating Expenses of the United States Agency for Inter-
3 national Development” shall be made available to develop
4 and implement training for staff in overseas USAID mis-
5 sions to promote the full inclusion and equal participation
6 of people with disabilities in developing countries.

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

14 (d) Of the funds made available pursuant to sub-
15 section (a), not more than 7 percent may be for manage-
16 ment, oversight and technical support.

17 (e) Not later than 180 days after the date of enact-
18 ment of this Act, and 180 days thereafter, the Adminis-
19 trator of USAID shall submit a report describing the pro-
20 grams, activities, and organizations funded pursuant to
21 this section.

22 ORPHANS, DISPLACED AND ABANDONED CHILDREN

23 SEC. 699A. Of the funds appropriated under title III
24 of this Act, \$3,000,000 should be made available for ac-
25 tivities to improve the capacity of foreign government
26 agencies and nongovernmental organizations to prevent

1 office of the Director of United States Foreign Assistance
2 an Advisor for Activities Relating to Indigenous Peoples
3 Internationally (hereinafter in this section referred to as
4 the “Advisor”), who shall be appointed by the Director.
5 The Advisor shall report directly to the Director.

6 (b) RESPONSIBILITIES.—The Advisor shall:

7 (1) Advise the Director of United States For-
8 eign Assistance and the Administrator of the United
9 States Agency for International Development on
10 matters relating to the rights and needs of indige-
11 nous peoples internationally and should represent
12 the United States Government on such matters in
13 meetings with foreign governments and multilateral
14 institutions.

15 (2) Provide for the oversight and coordination
16 of all resources, programs, projects, and activities of
17 the United States Government to protect the rights
18 and address the needs of indigenous peoples inter-
19 nationally; and

20 (3) Develop and coordinate assistance strategies
21 with specific goals, guidelines, benchmarks, and im-
22 pact assessments (including support for local indige-
23 nous peoples’ organizations).

24 (c) FUNDS.—Of the funds appropriated by this Act
25 under the heading “Diplomatic and Consular Programs”,

1 not less than \$250,000 shall be made available for imple-
2 menting the provisions of this section.

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

7 CHILD SOLDIERS

8 SEC. 699C. (a) None of the funds appropriated or
9 otherwise made available for foreign military financing,
10 foreign military sales, direct commercial sales, or excess
11 Defense articles by this Act or any other Act making ap-
12 propriations for foreign operations, export financing, and
13 related programs may be obligated or otherwise made
14 available to the government of a country that is identified
15 by the Department of State in the Department of State's
16 most recent Country Reports on Human Rights Practices
17 as having governmental armed forces or government sup-
18 ported armed groups, including paramilitaries, militias, or
19 civil defense forces, that recruit or use child soldiers.

20 (b) The Secretary of State may provide assistance or
21 defense articles otherwise prohibited under subsection (a)
22 to a country upon certifying to the Committees on Appro-
23 priations that the government of such country has imple-
24 mented effective measures to demobilize children from its
25 forces or from government-supported armed groups and

1 prohibit and prevent the future recruitment or use of child
2 soldiers.

3 (c) The Secretary of State may waive the application
4 to a country of the prohibition in subsection (a) if the Sec-
5 retary determines and reports to the Committees on Ap-
6 propriations that such waiver is important to the national
7 interest of the United States.

8 FUNDING FOR SERBIA

9 SEC. 699D. (a) Funds appropriated by this Act may
10 be made available for assistance for the central Govern-
11 ment of Serbia after May 31, 2008, if the President has
12 made the determination and certification contained in sub-
13 section (c).

14 (b) After May 31, 2008, the Secretary of the Treas-
15 ury should instruct the United States executive directors
16 to the international financial institutions to support loans
17 and assistance to the Government of Serbia subject to the
18 conditions in subsection (c).

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

23 (1) cooperating with the International Criminal
24 Tribunal for the former Yugoslavia including access
25 for investigators, the provision of documents, timely
26 information on the location, movement, and sources

1 of financial support of indictees, and the surrender
2 and transfer of indictees or assistance in their ap-
3 prehension, including Ratko Mladic and Radovan
4 Karadzic;

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

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

13 (d) This section shall not apply to Kosovo, humani-
14 tarian assistance or assistance to promote democracy.

15 PHILIPPINES

16 SEC. 699E. Of the funds appropriated by this Act
17 under the heading "Foreign Military Financing Pro-
18 gram", not to exceed \$30,000,000 may be made available
19 for assistance for the Philippines, of which \$2,000,000
20 may only be made available after the Secretary of State
21 reports to the Committees on Appropriations that—

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

- 1 (2) the Philippine Government is implementing
2 a policy of promoting military personnel who dem-
3 onstrate professionalism and respect for human
4 rights, and is investigating and prosecuting military
5 personnel and others who have been credibly alleged
6 to have committed extrajudicial executions or other
7 violations of human rights; and
- 8 (3) the Philippine military is not engaging in
9 acts of intimidation or violence against members of
10 legal organizations who advocate for human rights.

1 PAKISTAN

2 SEC. 699F. (a) Of the funds appropriated by this Act
3 under the heading "Foreign Military Financing Pro-
4 gram", up to \$300,000,000 may be made available for as-
5 sistance for Pakistan as follows—

6 (b) Of the amount provided in subsection (a),
7 \$250,000,000 may be made available immediately for
8 counter-terrorism and law enforcement activities directed
9 against Al Qaeda and the Taliban and associated terrorist
10 groups ~~and for "International Military Education and~~

~~11 Training" assistance,~~ and \$50,000,000 may be made
12 available for such purposes after the Secretary of State
13 reports to the Committees on Appropriations that the Gov-
14 ernment of Pakistan—

15 (1) is making concerted efforts to prevent Al
16 Qaeda and associated terrorist groups from oper-
17 ating in the territory of Pakistan, including by elimi-
18 nating terrorist training camps or facilities, arrest-
19 ing members of Al Qaeda and associated terrorist
20 groups, and countering recruitment efforts;

21 (2) is making concerted efforts to prevent the
22 Taliban from using the territory of Pakistan as a
23 sanctuary from which to launch attacks within Af-
24 ghanistan, including by arresting Taliban leaders,

1 stopping cross-border incursions, and countering re-
2 cruitment efforts; and

3 (3) is implementing democratic reforms, includ-
4 ing—

5 (A) restoring the Constitution of Pakistan
6 and ensuring freedoms of expression and as-
7 sembly and other civil liberties guaranteed by
8 the Constitution;

9 (B) releasing political detainees and allow-
10 ing inclusive democratic elections;

11 (C) ending harassment and detention of
12 journalists, human rights defenders and govern-
13 ment critics by security and intelligence forces;
14 and

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

17 (c) Of the funds appropriated by this Act under the
18 heading “Economic Support Fund” for assistance for
19 Pakistan, up to \$5,000,000 may be used for administra-
20 tive expenses of the United States Agency for Inter-
21 national Development: *Provided*, That none of the funds
22 appropriated by this Act may be made available for cash
23 transfer assistance for Pakistan.

1 SRI LANKA

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

10 (1) the Sri Lankan military is suspending and
11 the Sri Lankan Government is bringing to justice
12 members of the military who have been credibly al-
13 leged to have committed gross violations of human
14 rights or international humanitarian law, including
15 complicity in the recruitment of child soldiers;

16 (2) the Sri Lankan Government is providing ac-
17 cess to humanitarian organizations and journalists
18 throughout the country consistent with international
19 humanitarian law; and

20 (3) the Sri Lankan Government has agreed to
21 the establishment of a field presence of the Office of
22 the United Nations High Commissioner for Human
23 Rights in Sri Lanka with sufficient staff and man-
24 date to conduct full and unfettered monitoring
25 throughout the country and to publicize its findings.

1 (b) Subsection (a) shall not apply to technology or
2 equipment made available for the limited purposes of mar-
3 itime and air surveillance and communications.

4 MULTILATERAL DEVELOPMENT BANKS

5 SEC. 699H. (a) WORLD BANK INSPECTION
6 PANEL.—The Secretary of the Treasury shall instruct the
7 United States Executive Director to the World Bank to
8 inform the Bank of, and use the voice and vote of the
9 United States to achieve transparency reforms of the se-
10 lection process for members of the World Bank Inspection
11 Panel, including—

12 (1) Posting Inspection Panel position vacancy
13 announcements on the Inspection Panel's website
14 and in publications that have wide circulation in
15 member countries;

16 (2) Making public official procedures for the se-
17 lection of Inspection Panel vacancies; and

18 (3) Posting on the Inspection Panel's website
19 the names of the members of the selection committee
20 and the name or names of the individuals proposed
21 by the selection committee to the President of the
22 World Bank.

23 (b) AUTHORIZATIONS.—

24 (1) Section 501(i) of title V of H.R. 3425 as
25 enacted into law by section 1000(a)(5) of Public
26 Law 106–113, as amended by section 591(b) of divi-

1 sion D of Public Law 108-447, is further amended
2 by striking “fiscal” and all that follows through
3 “which” and inserting in lieu thereof “fiscal years
4 2000-2010, which”.

5 (2) Section 801(b)(1)(ii) of Public Law 106-
6 429, as amended by section 591(a)(2) of division D
7 of Public Law 108-447, is further amended by
8 striking “fiscal years 2004-2006” and by inserting
9 in lieu thereof “fiscal years 2004-2010”.

10 MILLENNIUM CHALLENGE CORPORATION

11 SEC. 699I. (a) Section 607(b) of the Millennium
12 Challenge Act of 2003 (22 U.S.C. 7706) is amended—

13 (1) in paragraph (2)(B) by striking “and the
14 sustainable management of natural resources”;

15 (2) in paragraph (3)—

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

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

20 (C) by adding the following subparagraph:

21 “(C) promote the protection of biodiversity
22 and the transparent and sustainable manage-
23 ment and use of natural resources.”.

24 (b)(1) The Chief Executive Officer of the Millennium
25 Challenge Corporation shall, not later than 30 days fol-
26 lowing enactment of this Act, submit to the Committees

1 on Appropriations a report on the proposed uses, on a
2 country-by-country basis, of all funds appropriated under
3 the heading "Millennium Challenge Corporation" in this
4 Act or prior Acts making appropriations for foreign oper-
5 ations, export financing, and related programs projected
6 to be obligated and expended in fiscal year 2008 and sub-
7 sequent fiscal years.

8 (2) The report required in paragraph (1) shall in-
9 clude, at a minimum, a description of:

10 (A) Compacts in development, including the
11 status of negotiations and the approximate range of
12 value of the proposed compact;

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

17 (C) Threshold country programs in develop-
18 ment, including the approximate range of value of
19 the threshold country agreement;

20 (D) Threshold country programs in implemen-
21 tation; and

22 (E) Use of administrative funds.

23 (3) The Chief Executive Officer of the Millennium
24 Challenge Corporation shall notify the Committees on Ap-
25 propriations not later than 15 days prior to signing any

1 new country compact or new threshold country program;
2 terminating or suspending any country compact or thresh-
3 old country program; or commencing negotiations for any
4 new compact or threshold country program.

5 (4) The report required in paragraph (1) shall be up-
6 dated on a quarterly basis.

7 CARRY FORWARD OF UNUSED SPECIAL IMMIGRANT VISAS

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

11 “(3) CARRY FORWARD.—If the numerical limi-
12 tation described in paragraph (1) is not reached dur-
13 ing a given fiscal year, the numerical limitation for
14 the following fiscal year shall be increased by a num-
15 ber equal to the difference between the number of
16 visas authorized for the given fiscal year and the
17 number of aliens provided special immigrant status
18 during the given fiscal year.”.

19 IRAQ

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

23 (b) Subsection (a) shall not apply to funds appro-
24 priated by this Act under the heading “Economic Support
25 Fund” that are made available to rescue Iraqi scholars
26 and for the fund established by section 2108 of Public

1 Law 109–13, to funds made available under the heading
2 “Nonproliferation, Anti-Terrorism, Demining and Related
3 Programs” for the removal and disposal of land mines and
4 other unexploded ordnance, small arms and light weapons
5 in Iraq, or for assistance for refugees and internally dis-
6 placed persons.

7
8 **ANTI-KLEPTOCRACY**

9 **SEC. 699L. (a)** In furtherance of the National Strat-
10 egy to Internationalize Efforts Against Kleptocracy and
11 Presidential Proclamation 7750, the Secretary of State
12 shall compile and maintain a list of officials of foreign gov-
13 ernments and their immediate family members who the
14 Secretary determines there is credible evidence to believe
15 have been involved in corruption relating to the extraction
16 of natural resources in their countries.

17 (b) Any individual on the list submitted under sub-
18 section (a) shall be ineligible for admission to the United
19 States.

20 (c) The Secretary may waive the application of sub-
21 section (a) if the Secretary determines that admission to
22 the United States is necessary to attend the United Na-
23 tions or to further United States law enforcement objec-
24 tives, or that the circumstances which caused the indi-
25 vidual to be included on the list have changed sufficiently
to justify the removal of the individual from the list.

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

7 COMPREHENSIVE NUCLEAR THREAT REDUCTION AND
8 SECURITY PLAN

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

13 (1) for ensuring that all nuclear weapons and
14 weapons-usable material at vulnerable sites are se-
15 cure by 2012 against the threats that terrorists have
16 shown they can pose; and

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

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

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

24 (2) specify program goals, with metrics for
25 measuring progress, estimated schedules, and speci-
26 fied milestones to be achieved;

1 (3) provide estimates of the program budget re-
2 quirements and resources to meet the goals for each
3 year;

4 (4) provide the strategy for diplomacy and re-
5 lated tools and authority to accomplish the program
6 element;

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

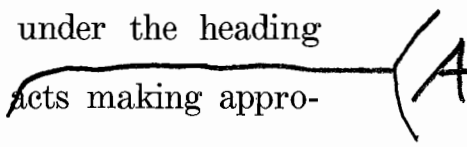
13 (6) outline the progress in and impediments to
14 securing agreement from all countries that possess
15 nuclear weapons or weapons-usable material on a set
16 of global nuclear security standards, consistent with
17 their obligation to comply with United Nations Secu-
18 rity Council Resolution 1540.

19 PROHIBITION ON PROMOTION OF TOBACCO

20 SEC. 699N. None of the funds provided by this Act
21 shall be available to promote the sale or export of tobacco
22 or tobacco products, or to seek the reduction or removal
23 by any foreign country of restrictions on the marketing
24 of tobacco or tobacco products, except for restrictions
25 which are not applied equally to all tobacco or tobacco
26 products of the same type.

1 UNOBLIGATED FUNDS RESCISSIONS

2 SEC. 699O. (a) Of the funds appropriated under the
3 heading "Subsidy Appropriation" for the Export-Import
4 Bank of the United States that are available for tied-aid
5 grants in title I of Public Law 107-115 and under such
6 heading in prior Acts making appropriations for foreign
7 operations, export financing, and related programs,
8 \$25,000,000 are rescinded.

9 (b) Of the funds appropriated under the heading
10 "Economic Support Fund" in prior acts making appro- 
11 priations for foreign operations, export financing, and re-
12 lated programs, \$133,000,000 are rescinded.

13 ACROSS-THE-BOARD RESCISSION

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

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

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

22 (2) within each such account and item, to each
23 program, project, and activity (with programs,
24 projects, and activities as delineated in the appro-
25 priation Act or accompanying explanatory state-
26 ments for the relevant fiscal year covering such ac-

1 count or item, or for accounts and items not in-
2 cluded in appropriation Acts, as delineated in the
3 most recently submitted President's budget).

4 (c) OMB REPORT.—Within 30 days after the date
5 of the enactment of this section the Director of the Office
6 of Management and Budget shall submit to the Commit-
7 tees on Appropriations a report specifying the account and
8 amount of each rescission made pursuant to this section.

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

13 This division may be cited as the “Department of
14 State, Foreign Operations, and Related Programs Appro-
15 priations Act, 2008”.