

110TH CONGRESS
1ST SESSION

H. R. 2764

AN ACT

Making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

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

5 TITLE I

6 DEPARTMENT OF STATE

7 DEPARTMENT OF STATE AND RELATED

8 AGENCIES

9 DEPARTMENT OF STATE

10 ADMINISTRATION OF FOREIGN AFFAIRS

11 DIPLOMATIC AND CONSULAR PROGRAMS

12 (INCLUDING TRANSFER OF FUNDS)

13 For necessary expenses of the Department of State
14 and the Foreign Service not otherwise provided for, includ-
15 ing employment, without regard to civil service and classi-
16 fication laws, of persons on a temporary basis (not to ex-
17 ceed \$700,000 of this appropriation), as authorized by
18 section 801 of the United States Information and Edu-
19 cational Exchange Act of 1948; representation to certain
20 international organizations in which the United States
21 participates pursuant to treaties ratified pursuant to the
22 advice and consent of the Senate or specific Acts of Con-
23 gress; arms control, nonproliferation and disarmament ac-
24 tivities as authorized; acquisition by exchange or purchase
25 of passenger motor vehicles as authorized by law; and for
26 expenses of general administration, \$3,820,018,000 (re-

1 duced by \$36,700,000) (reduced by \$1,000,000): *Pro-*
2 *vided*, That of the amount made available under this head-
3 ing, not to exceed \$10,000,000 may be transferred to, and
4 merged with, funds in the “Emergencies in the Diplomatic
5 and Consular Service” appropriations account, to be avail-
6 able only for emergency evacuations and terrorism re-
7 wards: *Provided further*, That of the amount made avail-
8 able under this heading, not less than \$363,905,000 shall
9 be available only for public diplomacy international infor-
10 mation programs: *Provided further*, That of the amount
11 appropriated under this heading, \$5,000,000 shall be
12 available for the Secretary to establish and operate a pub-
13 lic/private interagency public diplomacy center which shall
14 serve as a program integration and coordination entity for
15 United States public diplomacy programs: *Provided fur-*
16 *ther*, That of the amounts appropriated under this head-
17 ing, \$4,000,000, to remain available until expended, shall
18 be for compensation to the families of members of the For-
19 eign Service or other United States Government employees
20 or their dependents, who were killed in terrorist attacks
21 since 1979: *Provided further*, That none of the funds made
22 available for compensation in the previous proviso may be
23 obligated without specific authorization in a subsequent
24 Act of Congress: *Provided further*, That of the amount
25 made available under this heading, \$3,000,000 shall be

1 available only for the operations of the Office on Right-
2 Sizing the United States Government Overseas Presence:
3 *Provided further*, That not less than \$5,000,000 shall be
4 for 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): *Provided further*, That funds
9 available under this heading may be available for a United
10 States Government interagency task force to examine, co-
11 ordinate and oversee United States participation in the
12 United Nations headquarters renovation project: *Provided*
13 *further*, That no funds may be obligated or expended for
14 processing licenses for the export of satellites of United
15 States origin (including commercial satellites and satellite
16 components) to the People’s Republic of China unless, at
17 least 15 days in advance, the Committees on Appropria-
18 tions of the House of Representatives and the Senate are
19 notified of such proposed action: *Provided further*, That
20 funds appropriated under this heading are available, pur-
21 suant to 31 U.S.C. 1108(g), for the field examination of
22 programs and activities in the United States funded from
23 any account contained in this title.

24 In addition, not to exceed \$1,558,390 shall be derived
25 from fees collected from other executive agencies for lease

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

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

18 CAPITAL INVESTMENT FUND

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

24 OFFICE OF INSPECTOR GENERAL

25 For necessary expenses of the Office of Inspector
26 General, \$32,508,000, notwithstanding section 209(a)(1)

1 of the Foreign Service Act of 1980 (Public Law 96–465),
2 as it relates to post inspections.

3 EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

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

16 REPRESENTATION ALLOWANCES

17 For representation allowances as authorized,
18 \$8,175,000.

19 PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

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

24 EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

25 For necessary expenses for carrying out the Foreign
26 Service Buildings Act of 1926 (22 U.S.C. 292–303), pre-

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

13 In addition, for the costs of worldwide security up-
14 grades, acquisition, and construction as authorized,
15 \$806,900,000, to remain available until expended.

16 EMERGENCIES IN THE DIPLOMATIC AND CONSULAR
17 SERVICE
18 (INCLUDING TRANSFER OF FUNDS)

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

1 REPATRIATION LOANS PROGRAM ACCOUNT
2 (INCLUDING TRANSFER OF FUNDS)

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

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

11 PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

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

14 PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND
15 DISABILITY FUND

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

18 INTERNATIONAL ORGANIZATIONS

19 CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

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

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

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

15 INTERNATIONAL COMMISSIONS

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

19 INTERNATIONAL BOUNDARY AND WATER COMMISSION,

20 UNITED STATES AND MEXICO

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

1 SALARIES AND EXPENSES

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

4 CONSTRUCTION

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

8 AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

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

18 INTERNATIONAL FISHERIES COMMISSIONS

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

1 OTHER

2 PAYMENT TO THE ASIA FOUNDATION

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

7 CENTER FOR MIDDLE EASTERN-WESTERN DIALOGUE

8 TRUST FUND

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

14 EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

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

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

4 ISRAELI ARAB SCHOLARSHIP PROGRAM

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

11 NATIONAL ENDOWMENT FOR DEMOCRACY

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

16 RELATED AGENCIES

17 BROADCASTING BOARD OF GOVERNORS

18 INTERNATIONAL BROADCASTING OPERATIONS

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

1 casting to the Middle East, \$671,632,000 (increased by
2 \$10,000,000) (reduced by \$10,000,000): *Provided*, That
3 of the total amount in this heading, not to exceed \$16,000
4 may be used for official receptions within the United
5 States as authorized, not to exceed \$35,000 may be used
6 for representation abroad as authorized, and not to exceed
7 \$39,000 may be used for official reception and representa-
8 tion expenses of Radio Free Europe/Radio Liberty; and
9 in addition, notwithstanding any other provision of law,
10 not to exceed \$2,000,000 in receipts from advertising and
11 revenue from business ventures, not to exceed \$500,000
12 in receipts from cooperating international organizations,
13 and not to exceed \$1,000,000 in receipts from privatiza-
14 tion efforts of the Voice of America and the International
15 Broadcasting Bureau, to remain available until expended
16 for carrying out authorized purposes.

17 BROADCASTING CAPITAL IMPROVEMENTS

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

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

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

7 COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM
8 SALARIES AND EXPENSES

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

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

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

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

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

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

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

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

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

3 UNITED STATES INSTITUTE OF PEACE

4 OPERATING EXPENSES

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

9 GENERAL PROVISIONS—DEPARTMENT OF

10 STATE AND RELATED AGENCIES

11 ALLOWANCES AND DIFFERENTIALS

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

18 UNOBLIGATED BALANCES REPORT

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

24 EMBASSY CONSTRUCTION

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

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

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

18 PEACEKEEPING MISSIONS

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

1 sors have not submitted to the President a recommenda-
2 tion that such involvement is in the national security inter-
3 ests of the United States and the President has not sub-
4 mitted to the Congress such a recommendation.

5 DENIAL OF VISAS

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

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

15 SENIOR POLICY OPERATING GROUP

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

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

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

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

6 UNITED STATES CITIZENS BORN IN JERUSALEM

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

12 E-GOVERNMENT INITIATIVES

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

17 CONSULTING SERVICES

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

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

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

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

12 STATE DEPARTMENT AUTHORITIES

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

21 RESTRICTION ON CONTRIBUTIONS TO THE UNITED
22 NATIONS

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

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

3 PERSONNEL ACTIONS

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

17 RESTRICTIONS ON UNITED NATIONS DELEGATIONS

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

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

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

9 PROGRAM ACCOUNT

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

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

9 SUBSIDY APPROPRIATION

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

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

6 ADMINISTRATIVE EXPENSES

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

21 OVERSEAS PRIVATE INVESTMENT CORPORATION

22 NON-CREDIT ACCOUNT

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

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

13 PROGRAM ACCOUNT

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

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

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

16 TRADE AND DEVELOPMENT AGENCY

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

21 TITLE III—BILATERAL ECONOMIC ASSISTANCE

22 FUNDS APPROPRIATED TO THE PRESIDENT

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

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

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

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

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

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

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

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

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

24 DEVELOPMENT ASSISTANCE

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

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

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

3 INTERNATIONAL DISASTER AND FAMINE ASSISTANCE

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

10 TRANSITION INITIATIVES

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

1 DEVELOPMENT CREDIT AUTHORITY
2 (INCLUDING TRANSFER OF FUNDS)

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

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

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

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

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

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

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

10 CAPITAL INVESTMENT FUND OF THE UNITED STATES

11 AGENCY FOR INTERNATIONAL DEVELOPMENT

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

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

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

10 OTHER BILATERAL ECONOMIC ASSISTANCE

11 ECONOMIC SUPPORT FUND

12 (INCLUDING TRANSFER OF FUNDS)

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

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

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

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

13 INTERNATIONAL FUND FOR IRELAND

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

1 ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC
2 STATES

3 (a) For necessary expenses to carry out the provisions
4 of the Foreign Assistance Act of 1961 and the Support
5 for East European Democracy (SEED) Act of 1989,
6 \$297,332,000, to remain available until September 30,
7 2009, which shall be available, notwithstanding any other
8 provision of law, for assistance and for related programs
9 for Eastern Europe and the Baltic States.

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

15 (c) The provisions of section 628 of this Act shall
16 apply to funds appropriated under this heading: *Provided*,
17 That notwithstanding any provision of this or any other
18 Act, including provisions in this subsection regarding the
19 application of section 628 of this Act, local currencies gen-
20 erated by, or converted from, funds appropriated by this
21 Act and by previous appropriations Acts and made avail-
22 able for the economic revitalization program in Bosnia
23 may be used in Eastern Europe and the Baltic States to
24 carry out the provisions of the Foreign Assistance Act of

1 1961 and the Support for East European Democracy
2 SEED Act of 1989.

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

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

17 (a) For necessary expenses to carry out the provisions
18 of chapters 11 and 12 of part I of the Foreign Assistance
19 Act of 1961 and the FREEDOM Support Act, for assist-
20 ance for the Independent States of the former Soviet
21 Union and for related programs, \$397,585,000, to remain
22 available until September 30, 2009: *Provided*, That the
23 provisions of such chapters shall apply to funds appro-
24 priated by this paragraph: *Provided further*, That funds
25 made available for the Southern Caucasus region may be
26 used, notwithstanding any other provision of law, for con-

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

11 (6) humanitarian assistance.

12 INDEPENDENT AGENCIES

13 INTER-AMERICAN FOUNDATION

14 For necessary expenses to carry out the functions of
15 the Inter-American Foundation in accordance with the
16 provisions of section 401 of the Foreign Assistance Act
17 of 1969, \$19,000,000, to remain available until September
18 30, 2009.

19 AFRICAN DEVELOPMENT FOUNDATION

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

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

13 PEACE CORPS

14 (INCLUDING TRANSFER OF FUNDS)

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

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

3 MILLENNIUM CHALLENGE CORPORATION

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

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

8 DEPARTMENT OF STATE

9 GLOBAL HIV/AIDS INITIATIVE

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

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

7 INTERNATIONAL NARCOTICS CONTROL AND LAW
8 ENFORCEMENT

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

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

16 ANDEAN COUNTERDRUG INITIATIVE

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

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

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

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

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

11 MIGRATION AND REFUGEE ASSISTANCE

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

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

5 UNITED STATES EMERGENCY REFUGEE AND MIGRATION
6 ASSISTANCE FUND

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

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

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

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

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

3 DEPARTMENT OF THE TREASURY

4 INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

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

11 DEBT RESTRUCTURING

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

1 Programs Appropriations Act, 1989 (Public Law 100–
2 461), and of canceling amounts owed, as a result of loans
3 or guarantees made pursuant to the Export-Import Bank
4 Act of 1945, by countries that are eligible for debt reduc-
5 tion pursuant to title V of H.R. 3425 as enacted into law
6 by section 1000(a)(5) of Public Law 106–113,
7 \$200,300,000, to remain available until September 30,
8 2010: *Provided*, That not less than \$20,000,000 of the
9 funds appropriated under this heading shall be made avail-
10 able to carry out the provisions of part V of the Foreign
11 Assistance Act of 1961: *Provided further*, That amounts
12 paid to the HIPC Trust Fund may be used only to fund
13 debt reduction under the enhanced HIPC initiative by—

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

19 *Provided further*, That funds may not be paid to the HIPC
20 Trust Fund for the benefit of any country if the Secretary
21 of State has credible evidence that the government of such
22 country is engaged in a consistent pattern of gross viola-
23 tions of internationally recognized human rights or in mili-
24 tary or civil conflict that undermines its ability to develop
25 and implement measures to alleviate poverty and to devote

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

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

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

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

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

14 TITLE IV—MILITARY ASSISTANCE

15 FUNDS APPROPRIATED TO THE PRESIDENT

16 INTERNATIONAL MILITARY EDUCATION AND TRAINING

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

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

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

16 FOREIGN MILITARY FINANCING PROGRAM

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

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

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

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

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

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

14 PEACEKEEPING OPERATIONS

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

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

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

11 CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT
12 ASSOCIATION

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

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

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

22 CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

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

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

3 CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK

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

8 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

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

14 CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

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

19 CONTRIBUTION TO THE INTERNATIONAL FUND FOR

20 AGRICULTURAL DEVELOPMENT

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

1 INTERNATIONAL ORGANIZATIONS AND PROGRAMS

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

10 TITLE VI—GENERAL PROVISIONS

11 COMPENSATION FOR UNITED STATES EXECUTIVE

12 DIRECTORS TO INTERNATIONAL FINANCIAL INSTITUTIONS

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

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

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

11 RESTRICTIONS ON VOLUNTARY CONTRIBUTIONS TO
12 UNITED NATIONS AGENCIES

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

18 LIMITATION ON RESIDENCE EXPENSES

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

1 UNOBLIGATED BALANCES REPORT

2 SEC. 604. Any Department or Agency to which funds
3 are appropriated or otherwise made available by this Act
4 shall provide to the Committees on Appropriations a quar-
5 terly accounting of cumulative balances by program,
6 project, and activity of the funds received by such Depart-
7 ment or Agency in this fiscal year or any previous fiscal
8 year that remain unobligated and unexpended.

9 LIMITATION ON REPRESENTATIONAL ALLOWANCES

10 SEC. 605. Of the funds appropriated or made avail-
11 able pursuant to titles II through V of this Act, not to
12 exceed \$250,000 shall be available for representation and
13 entertainment allowances, of which not to exceed \$2,500
14 shall be available for entertainment allowances, for the
15 United States Agency for International Development dur-
16 ing the current fiscal year: *Provided*, That no such enter-
17 tainment funds may be used for the purposes listed in sec-
18 tion 647 of this Act: *Provided further*, That appropriate
19 steps shall be taken to assure that, to the maximum extent
20 possible, United States-owned foreign currencies are uti-
21 lized in lieu of dollars: *Provided further*, That of the funds
22 made available by this Act for general costs of admin-
23 istering military assistance and sales under the heading
24 “Foreign Military Financing Program”, not to exceed
25 \$4,000 shall be available for entertainment expenses and
26 not to exceed \$130,000 shall be available for representa-

1 tion allowances: *Provided further*, That of the funds made
2 available by this Act under the heading “International
3 Military Education and Training”, not to exceed \$55,000
4 shall be available for entertainment allowances: *Provided*
5 *further*, That of the funds made available by this Act for
6 the Inter-American Foundation, not to exceed \$2,000
7 shall be available for entertainment and representation al-
8 lowances: *Provided further*, That of the funds made avail-
9 able by this Act for the Peace Corps, not to exceed a total
10 of \$4,000 shall be available for entertainment expenses:
11 *Provided further*, That of the funds made available by this
12 Act under the heading “Trade and Development Agency”,
13 not to exceed \$4,000 shall be available for representation
14 and entertainment allowances: *Provided further*, That of
15 the funds made available by this Act under the heading
16 “Millennium Challenge Corporation”, not to exceed
17 \$115,000 shall be available for representation and enter-
18 tainment allowances.

19 PROHIBITION ON TAXATION OF UNITED STATES

20 ASSISTANCE

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

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

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

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

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

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

4 (e) DETERMINATIONS.—

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

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

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

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

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

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

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

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

17 PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN
18 COUNTRIES

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

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

10

MILITARY COUPS

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

TRANSFER AUTHORITY

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

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

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

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

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

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

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

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

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

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

4 LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

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

16 COMMERCE AND TRADE

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

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

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

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

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

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

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

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

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

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

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

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

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

12 INDEPENDENT STATES OF THE FORMER SOVIET UNION

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

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

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

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

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

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

7 PROHIBITION ON FUNDING FOR ABORTIONS AND
8 INVOLUNTARY STERILIZATION

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

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

5 STATEMENT

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

10 "ECONOMIC SUPPORT FUND";

11 "ASSISTANCE FOR EASTERN EUROPE
12 AND THE BALTIC STATES";

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

15 "ANDEAN COUNTERDRUG INITIATIVE";

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

19 "FOREIGN MILITARY FINANCING PRO-
20 GRAM"; and

21 "INTERNATIONAL ORGANIZATIONS AND
22 PROGRAMS".

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

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

3 SPECIAL NOTIFICATION REQUIREMENTS

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

9 DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

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

24 (1) justified to the Congress; or

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

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

4 CHILD SURVIVAL AND HEALTH ACTIVITIES

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

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

21 AFGHANISTAN

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

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

13 NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

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

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

7 GLOBAL FUND ACCOUNTABILITY

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

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

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

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

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

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

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

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

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

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

18 (1) on a county-by-country basis—

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

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

DEBT-FOR-DEVELOPMENT

1
2 SEC. 627. In order to enhance the continued partici-
3 pation of nongovernmental organizations in debt-for-devel-
4 opment and debt-for-nature exchanges, a nongovern-
5 mental organization which is a grantee or contractor of
6 the United States Agency for International Development
7 may place in interest bearing accounts local currencies
8 which accrue to that organization as a result of economic
9 assistance provided under title III of this Act and, subject
10 to the regular notification procedures of the Committees
11 on Appropriations, any interest earned on such investment
12 shall be used for the purpose for which the assistance was
13 provided to that organization.

SEPARATE ACCOUNTS

14
15 SEC. 628. (a) SEPARATE ACCOUNTS FOR LOCAL
16 CURRENCIES.—

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

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

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

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

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

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

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

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

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

24 (ii) debt and deficit financing; or

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

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

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

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

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

6 (b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—

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

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

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

1 tion through the regular notification procedures of
2 the Committees on Appropriations, which shall in-
3 clude a detailed description of how the funds pro-
4 posed to be made available will be used, with a dis-
5 cussion of the United States interests that will be
6 served by the assistance (including, as appropriate,
7 a description of the economic policy reforms that will
8 be promoted by such assistance).

9 (4) EXEMPTION.—Non-project sector assistance
10 funds may be exempt from the requirements of sub-
11 section (b)(1) only through the notification proce-
12 dures of the Committees on Appropriations.

13 ENTERPRISE FUND RESTRICTIONS

14 SEC. 629. (a) Prior to the distribution of any assets
15 resulting from any liquidation, dissolution, or winding up
16 of an Enterprise Fund, in whole or in part, the President
17 shall submit to the Committees on Appropriations, in ac-
18 cordance with the regular notification procedures of the
19 Committees on Appropriations, a plan for the distribution
20 of the assets of the Enterprise Fund.

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

1 FINANCIAL MARKET ASSISTANCE

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

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

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

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

3 IMPACT ON JOBS IN THE UNITED STATES

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

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

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

SPECIAL AUTHORITIES

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

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

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

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

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

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

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

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

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

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

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

4 (h) EXTENSION OF AUTHORITY.—

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

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

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

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

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

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

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

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

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

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

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

22 ARAB LEAGUE BOYCOTT OF ISRAEL

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

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

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

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

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

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

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

1 ELIGIBILITY FOR ASSISTANCE

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

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

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

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

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

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

18 RESERVATIONS OF FUNDS

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

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

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

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

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

3 PROHIBITION ON PUBLICITY OR PROPAGANDA

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

11 PROHIBITION OF PAYMENTS TO UNITED NATIONS

12 MEMBERS

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

23 NONGOVERNMENTAL ORGANIZATIONS—DOCUMENTATION

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

24 (f) In this section:

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

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

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

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

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

16 (A) owed to—

17 (i) the District of Columbia; or

18 (ii) New York, New York; and

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

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

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

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

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

20 WAR CRIMES TRIBUNALS DRAWDOWN

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

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

17

LANDMINES

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

1 PROHIBITION OF PAYMENT OF CERTAIN EXPENSES

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

11 (1) alcoholic beverages; or

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

17 HAITI

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

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

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

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

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

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

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

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

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

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

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

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

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

10 COLOMBIA

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

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

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

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

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

19 LIMITATION ON ASSISTANCE TO SECURITY FORCES

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

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

13 FOREIGN MILITARY TRAINING REPORT

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

20 AUTHORIZATION REQUIREMENT

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

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

3 LIBYA

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

16 PALESTINIAN STATEHOOD

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

24 LIMITATIONS ON ASSISTANCE TO COLOMBIA

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

11 (d) DEFINITIONS.—In this section:

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

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

23 PROHIBITION ON ASSISTANCE TO THE PALESTINIAN

24 BROADCASTING CORPORATION

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

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

4 SUPPORT OF PEACE PROCESS AND DEMOBILIZATION IN
5 COLOMBIA

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 the Secretary of State shall consult with internation-
2 ally recognized human rights and justice organiza-
3 tions, including organizations representing internally
4 displaced persons, and representatives of victims of
5 demobilized FTOs, regarding progress in meeting
6 the conditions contained in paragraph (3).

7 (6) FOREIGN TERRORIST ORGANIZATION DE-
8 FINED.—In this subsection the term “foreign ter-
9 rorist organization” means an organization des-
10 ignated as a terrorist organization under section 219
11 of the Immigration and Nationality Act.

12 (7) CONGRESSIONAL NOTIFICATION.—Funds
13 made available in title III of this Act for demobiliza-
14 tion/reintegration of former members of FTOs in
15 Colombia shall be subject to prior consultation with,
16 and the regular notification procedures of, the Com-
17 mittees on Appropriations.

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

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

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

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

8 WEST BANK AND GAZA PROGRAM

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

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

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

9 (c) PROHIBITION.—

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

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

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

3 (d) AUDITS.—

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

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

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

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

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

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

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

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

20 (3) UNFPA does not fund abortions.

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

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

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

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

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

18 WAR CRIMINALS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

14 COMMUNITY-BASED POLICE ASSISTANCE

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

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

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

7 SPECIAL DEBT RELIEF FOR THE POOREST

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

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

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

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

26 (b) LIMITATIONS.—

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

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

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

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

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

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

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

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

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

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

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

20 AUTHORITY TO ENGAGE IN DEBT BUYBACKS OR SALES

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3 RECONCILIATION PROGRAMS

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

13 SUDAN

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

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

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

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

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

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

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

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

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

23 (1) humanitarian assistance;

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

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

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

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

TRADE CAPACITY BUILDING

1
2 SEC. 670. Of the funds appropriated by this Act,
3 under the headings “DEVELOPMENT ASSISTANCE”,
4 “ASSISTANCE FOR EASTERN EUROPE AND THE
5 BALTIC STATES”, “ECONOMIC SUPPORT FUND”,
6 “ANDEAN COUNTERDRUG INITIATIVE”, and “AS-
7 SISTANCE FOR THE INDEPENDENT STATES OF
8 THE FORMER SOVIET UNION”, not less than
9 \$525,000,000 should be made available for trade capacity
10 building assistance: *Provided*, That \$10,000,000 of the
11 funds appropriated in this Act under the heading “ECO-
12 NOMIC SUPPORT FUND” shall be made available for
13 labor and environmental capacity building activities relat-
14 ing to the free trade agreement with the countries of Cen-
15 tral America and the Dominican Republic.

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

18 SEC. 671. Notwithstanding section 516(e) of the For-
19 eign Assistance Act of 1961 (22 U.S.C. 2321j(e)), during
20 fiscal year 2008, funds available to the Department of De-
21 fense may be expended for crating, packing, handling, and
22 transportation of excess defense articles transferred under
23 the authority of section 516 of such Act to Albania, Af-
24 ghanistan, Bulgaria, Croatia, Estonia, Former Yugo-
25 slavian Republic of Macedonia, Georgia, India, Iraq,
26 Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Moldova,

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

3 ASSISTANCE TO COLOMBIA LAW ENFORCEMENT TO

4 COMBAT ILLEGAL ARMED GROUPS

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

7 (1) WITHHOLDING OBLIGATIONS OF FUNDS.—

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

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

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

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

11 (b) ILLEGAL ARMED GROUPS.—

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

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

1 (B) has committed, ordered, incited, as-
2 sisted, or otherwise participated in the commis-
3 sion of gross violations of human rights, includ-
4 ing extra-judicial killings, in Colombia.

5 (2) WAIVER.—Paragraph (1) shall not apply if
6 the Secretary of State determines and certifies to
7 the Committees on Appropriations, on a case-by-case
8 basis, that the issuance of a visa to the alien is nec-
9 essary to support the peace process in Colombia or
10 for urgent humanitarian reasons.

11 CUBA

12 SEC. 673. None of the funds appropriated by this Act
13 under the heading “INTERNATIONAL NARCOTICS
14 CONTROL AND LAW ENFORCEMENT” may be made
15 available for assistance to the Government of Cuba.

16 GENDER-BASED VIOLENCE

17 SEC. 674. Programs funded under titles III and IV
18 of this Act that provide training for foreign police, judicial,
19 and military officials, shall include, where appropriate,
20 programs and activities that address gender-based vio-
21 lence.

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

25 SEC. 675. (a) None of the funds made available in
26 this Act under the heading “ECONOMIC SUPPORT

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

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

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

1 (d) The prohibition of this section shall not apply to
2 countries otherwise eligible for assistance under the Mil-
3 lennium Challenge Act of 2003, notwithstanding section
4 606(a)(2)(B) of such Act.

5 TIBET

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

17 (b) Notwithstanding any other provision of law, not
18 less than \$5,000,000 of the funds appropriated by title
19 III of this Act under the heading “ECONOMIC SUP-
20 PORT FUND” should be made available to nongovern-
21 mental organizations to support activities which preserve
22 cultural traditions and promote sustainable development
23 and environmental conservation in Tibetan communities
24 in the Tibetan Autonomous Region and in other Tibetan
25 communities in China, and not less than \$250,000 should
26 be made available to the National Endowment for Democ-

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

3 WESTERN HEMISPHERE

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

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

- 23 (1) \$48,000,000 for assistance for Colombia;
24 (2) \$4,800,000 for assistance for El Salvador;
25 (3) \$500,000 for assistance for Honduras;
26 (4) \$300,000 for assistance for Bolivia;

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

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

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

6 UNITED STATES AGENCY FOR INTERNATIONAL

7 DEVELOPMENT MANAGEMENT

8 (INCLUDING TRANSFER OF FUNDS)

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

20 (b) RESTRICTIONS.—

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

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

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

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

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

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

1 UNITED STATES AGENCY FOR INTERNATIONAL
2 DEVELOPMENT”.

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

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

1 OPIC TRANSFER AUTHORITY

2 (INCLUDING TRANSFER OF FUNDS)

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

17 REPORTING REQUIREMENT

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

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

3 ANTICORRUPTION PROVISIONS

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

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

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

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

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

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

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

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

11 INDONESIA

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

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

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

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

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

7 ESTABLISHMENT OF THE GROWTH FUND

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

10 (a) ESTABLISHMENT.—

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

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

20 (B) increasing property rights for women;

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

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

1 based organizations, and regulated financial
2 intermediaries;

3 (E) improving women's employment bene-
4 fits and conditions; and

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

7 (2) ROLE OF USAID MISSIONS.—The Fund shall
8 be available to USAID missions to apply for addi-
9 tional funding to support specific additional activi-
10 ties that enhance women's economic opportunities or
11 to integrate gender into existing economic oppor-
12 tunity programs.

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

15 (1) initiatives to eliminate legal and institu-
16 tional barriers to women's ownership of assets, ac-
17 cess to credit, access to information and communica-
18 tion technologies, and engagement in business activi-
19 ties within or outside of the home;

20 (2) microfinance and microenterprise develop-
21 ment programs that—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

16 PEACEKEEPING CAP

17 SEC. 684. (a) IN GENERAL.—Section 404(b)(2)(B)
18 of the Foreign Relations Authorization Act, Fiscal Years
19 1994 and 1995, (22 U.S.C. 287e note) is amended at the
20 end by adding the following: “(v) For assessments made
21 during calendar year 2008, 27.1 percent.”.

22 LIMITATION ON BASING IN IRAQ

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

1 PROHIBITION ON USE OF TORTURE

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

6 REPORT ON INDONESIAN COOPERATION

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

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

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

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

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

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

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

1 GOVERNMENTS THAT HAVE FAILED TO PERMIT CERTAIN
2 EXTRADITIONS

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

14 INTERNATIONAL MONETARY FUND BUDGET AND HIRING
15 CEILINGS

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

1 ENVIRONMENT PROGRAMS

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

7 (b) CLIMATE CHANGE REPORT.—Not later than 60
8 days after the date on which the President’s fiscal year
9 2009 budget request is submitted to Congress, the Presi-
10 dent shall submit a report to the Committees on Appro-
11 priations describing in detail the following:

12 (1) All Federal agency obligations and expendi-
13 tures, domestic and international, for climate change
14 programs and activities in fiscal year 2009, includ-
15 ing an accounting of expenditures by agency with
16 each agency identifying climate change activities and
17 associated costs by line item as presented in the
18 President’s Budget Appendix.

19 (2) All fiscal year 2007 obligations and esti-
20 mated expenditures, fiscal year 2008 estimated ex-
21 penditures and estimated obligations, and fiscal year
22 2009 requested funds by the United States Agency
23 for International Development, by country and cen-
24 tral program, for each of the following—

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

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

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

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

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

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

1 (A) accurately accounting for revenues and ex-
2 penditures in connection with the extraction and ex-
3 port of the type of natural resource to be extracted
4 or exported;

5 (B) the independent auditing of such accounts
6 and the widespread public dissemination of the au-
7 dits; and

8 (C) verifying government receipts against com-
9 pany payments including widespread dissemination
10 of such payment information, and disclosing such
11 documents as Host Government Agreements, Con-
12 cession Agreements, and bidding documents, allow-
13 ing in any such dissemination or disclosure for the
14 redaction of, or exceptions for, information that is
15 commercially proprietary or that would create com-
16 petitive disadvantage.

17 (2) Not later than 180 days after the enactment of
18 this Act, the Secretary of the Treasury shall submit a re-
19 port to the Committees on Appropriations describing, for
20 each international financial institution, the amount and
21 type of assistance provided, by country, for the extraction
22 and export of oil, gas, coal, timber, or other national re-
23 source since September 30, 2005.

24 UZBEKISTAN

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

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

15 DISCRIMINATION AGAINST MINORITY RELIGIOUS FAITHS

16 IN THE RUSSIAN FEDERATION

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

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

4 WAR CRIMES IN AFRICA

5 SEC. 694. (a) The Congress reaffirms its support for
6 the efforts of the International Criminal Tribunal for
7 Rwanda (ICTR) and the Special Court for Sierra Leone
8 (SCSL) to bring to justice individuals responsible for war
9 crimes and crimes against humanity in a timely manner.

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

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

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

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

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

15 COMBATTING PIRACY OF UNITED STATES COPYRIGHTED
16 MATERIALS

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

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

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

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

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

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

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

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

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

6 UNITED NATIONS HEADQUARTERS RENOVATION

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

14 NEGLECTED DISEASES

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

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

10 ASSISTANCE FOR EGYPT

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

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

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

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

4 RELIEF FOR THE HMONG AND MONTAGNARDS

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

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

14 REPORT ON ANTI-CORRUPTION ACTIVITIES

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

11 PROHIBITION AGAINST ASSISTANCE TO SAUDI ARABIA

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

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

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

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

1 This Act may be cited as “The Department of State,
2 Foreign Operations and Related Programs Appropriations
3 Act, 2008”.

 Passed the House of Representatives June 22 (legis-
lative day, June 21), 2007.

Attest:

Clerk.

110TH CONGRESS
1ST SESSION

H. R. 2764

AN ACT

Making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes.