

In the Senate of the United States,

July 20, 2005.

Resolved, That the bill from the House of Representatives (H.R. 3057) entitled “An Act making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, and for other purposes.”, do pass with the following

AMENDMENTS:

Strike out all after the enacting clause and insert:

- 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, 2006, and for other pur-*
- 4 *poses, namely:*

1 *TITLE I—DEPARTMENT OF STATE AND RELATED*
2 *AGENCY*

3 *DEPARTMENT OF STATE*

4 *ADMINISTRATION OF FOREIGN AFFAIRS*

5 *DIPLOMATIC AND CONSULAR PROGRAMS*

6 *(INCLUDING TRANSFER OF FUNDS)*

7 *For necessary expenses of the Department of State and*
8 *the Foreign Service not otherwise provided for, including*
9 *employment, without regard to civil service and classifica-*
10 *tion laws, of persons on a temporary basis (not to exceed*
11 *\$700,000 of this appropriation), as authorized by section*
12 *801 of the United States Information and Educational Ex-*
13 *change Act of 1948; representation to certain international*
14 *organizations in which the United States participates pur-*
15 *suant to treaties ratified pursuant to the advice and consent*
16 *of the Senate or specific Acts of Congress; arms control, non-*
17 *proliferation and disarmament activities as authorized; ac-*
18 *quisition by exchange or purchase of passenger motor vehi-*
19 *cles as authorized by law; and for expenses of general ad-*
20 *ministration, \$3,755,118,000: Provided, That of the amount*
21 *made available under this heading, not to exceed \$4,000,000*
22 *may be transferred to, and merged with, funds in the*
23 *“Emergencies in the Diplomatic and Consular Service” ap-*
24 *propriations account, to be available only for emergency*
25 *evacuations and terrorism rewards: Provided further, That*
26 *of the amount made available under this heading, not less*

1 *than \$328,000,000 shall be available only for public diplo-*
 2 *macy international information programs: Provided fur-*
 3 *ther, That of the amount made available under this head-*
 4 *ing, not less than \$2,000,000 shall be made available for*
 5 *the Scholar Rescue Fund: Provided further, That funds*
 6 *available under this heading may be made available for a*
 7 *United States Government interagency task force to exam-*
 8 *ine, coordinate and oversee United States participation in*
 9 *the United Nations headquarters renovation project: Pro-*
 10 *vided further, That no funds may be obligated or expended*
 11 *for processing licenses for the export of satellites of United*
 12 *States origin (including commercial satellites and satellite*
 13 *components) to the People's Republic of China unless, at*
 14 *least 15 days in advance, the Committees on Appropria-*
 15 *tions of the House of Representatives and the Senate are*
 16 *notified of such proposed action.*

17 *In addition, not to exceed \$1,469,000 shall be derived*
 18 *from fees collected from other executive agencies for lease*
 19 *or use of facilities located at the International Center in*
 20 *accordance with section 4 of the International Center Act;*
 21 *in addition, as authorized by section 5 of such Act,*
 22 *\$490,000, to be derived from the reserve authorized by that*
 23 *section, to be used for the purposes set out in that section;*
 24 *in addition, as authorized by section 810 of the United*
 25 *States Information and Educational Exchange Act, not to*

1 exceed \$6,000,000, to remain available until expended, may
 2 be credited to this appropriation from fees or other pay-
 3 ments received from English teaching, library, motion pic-
 4 tures, and publication programs and from fees from edu-
 5 cational advising and counseling and exchange visitor pro-
 6 grams; and, in addition, not to exceed \$15,000, which shall
 7 be derived from reimbursements, surcharges, and fees for use
 8 of Blair House facilities.

9 In addition, for the costs of worldwide security up-
 10 grades, \$689,523,000, to remain available until expended.

11 CAPITAL INVESTMENT FUND

12 For necessary expenses of the Capital Investment
 13 Fund, \$58,895,000, to remain available until expended, as
 14 authorized: Provided, That section 135(e) of Public Law
 15 103–236 shall not apply to funds available under this head-
 16 ing.

17 CENTRALIZED INFORMATION TECHNOLOGY MODERNIZATION 18 PROGRAM

19 For expenses relating to the modernization of the infor-
 20 mation technology systems and networks of the Department
 21 of State, \$74,105,000, to remain available until expended.

22 OFFICE OF INSPECTOR GENERAL

23 For necessary expenses of the Office of Inspector Gen-
 24 eral, \$33,000,000, notwithstanding section 209(a)(1) of the
 25 Foreign Service Act of 1980 (Public Law 96–465), as it
 26 relates to post inspections.

1 *EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS*

2 *For expenses of educational and cultural exchange pro-*
 3 *grams, as authorized, \$440,200,000, to remain available*
 4 *until expended: Provided, That not to exceed \$2,000,000,*
 5 *to remain available until expended, may be credited to this*
 6 *appropriation from fees or other payments received from*
 7 *or in connection with English teaching, educational advis-*
 8 *ing and counseling programs, and exchange visitor pro-*
 9 *grams as authorized: Provided further, That notwith-*
 10 *standing any other provision of law, of the funds appro-*
 11 *priated under this heading, \$5,000,000 shall be made avail-*
 12 *able for an endowment for the Aung San Suu Kyi Center*
 13 *for Democracy, and not less than \$13,500,000 shall be made*
 14 *available for educational and cultural exchanges with the*
 15 *People's Republic of China, including for American studies*
 16 *programs.*

17 *REPRESENTATION ALLOWANCES*

18 *For representation allowances as authorized,*
 19 *\$8,281,000.*

20 *PROTECTION OF FOREIGN MISSIONS AND OFFICIALS*

21 *For expenses, not otherwise provided, to enable the Sec-*
 22 *retary of State to provide for extraordinary protective serv-*
 23 *ices, as authorized, \$9,390,000.*

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 build-*
 2 *ings that are owned or directly leased by the Department*
 3 *of State, renovating, in addition to funds otherwise avail-*
 4 *able, the Harry S Truman Building, and carrying out the*
 5 *Diplomatic Security Construction Program as authorized,*
 6 *\$603,800,000, 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 agencies.*

12 *In addition, for the costs of worldwide security up-*
 13 *grades, acquisition, and construction as authorized,*
 14 *\$900,200,000, to remain available until expended.*

15 *EMERGENCIES IN THE DIPLOMATIC AND CONSULAR*

16 *SERVICE*

17 *(INCLUDING TRANSFER OF FUNDS)*

18 *For expenses necessary to enable the Secretary of State*
 19 *to meet unforeseen emergencies arising in the Diplomatic*
 20 *and Consular Service, \$13,643,000, to remain available*
 21 *until expended as authorized, of which such sums as nec-*
 22 *essary may be transferred to and merged with funds in the*
 23 *“Repatriation Loans Program Account”, subject to the*
 24 *same terms and conditions.*

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

3 *For the cost of direct loans, \$712,000, as authorized:*
 4 *Provided, That such costs, including the cost of modifying*
 5 *such loans, shall be as defined in section 502 of the Congres-*
 6 *sional 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 “Diplomatic*
 10 *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), \$19,751,000, to remain avail-*
 14 *able until September 30, 2007.*

15 *PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND*
 16 *DISABILITY FUND*

17 *For payment to the Foreign Service Retirement and*
 18 *Disability Fund, as authorized by law, \$131,700,000.*

19 *INTERNATIONAL ORGANIZATIONS*

20 *CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS*

21 *For expenses, not otherwise provided for, necessary to*
 22 *meet annual obligations of membership in international*
 23 *multilateral organizations, pursuant to treaties ratified*
 24 *pursuant to the advice and consent of the Senate, conven-*
 25 *tions or specific Acts of Congress, \$1,166,212,000, to remain*
 26 *available until September 30, 2007: Provided, That the Sec-*

1 *retary of State shall, at the time of the submission of the*
2 *President's budget to Congress under section 1105(a) of title*
3 *31, United States Code, transmit to the Committees on Ap-*
4 *propriations the most recent biennial budget prepared by*
5 *the United Nations for the operations of the United Nations:*
6 *Provided further, That the Secretary of State shall notify*
7 *the Committees on Appropriations at least 15 days in ad-*
8 *vance (or in an emergency, as far in advance as is prac-*
9 *ticable) of any United Nations action to increase funding*
10 *for any United Nations program without identifying an off-*
11 *setting decrease elsewhere in the United Nations budget and*
12 *cause the United Nations budget for the biennium 2006–*
13 *2007 to exceed the revised United Nations budget level for*
14 *the biennium 2004–2005 of \$3,695,480,000: Provided fur-*
15 *ther, That any payment of arrearages under this title shall*
16 *be directed toward special activities that are mutually*
17 *agreed upon by the United States and the respective inter-*
18 *national organization: Provided further, That none of the*
19 *funds appropriated in this paragraph shall be available for*
20 *a United States contribution to an international organiza-*
21 *tion for the United States share of interest costs made*
22 *known to the United States Government by such organiza-*
23 *tion for loans incurred on or after October 1, 1984, through*
24 *external borrowings.*

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1 *peacekeeping activities equal to those being given to foreign*
 2 *manufacturers and suppliers: Provided further, That none*
 3 *of the funds made available under this heading are avail-*
 4 *able to pay the United States share of the cost of court mon-*
 5 *itoring that is part of any United Nations peacekeeping*
 6 *mission.*

7 *INTERNATIONAL COMMISSIONS*

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

11 *INTERNATIONAL BOUNDARY AND WATER COMMISSION,*

12 *UNITED STATES AND MEXICO*

13 *For necessary expenses for the United States Section*
 14 *of the International Boundary and Water Commission,*
 15 *United States and Mexico, and to comply with laws appli-*
 16 *cable to the United States Section, including not to exceed*
 17 *\$6,000 for representation; as follows:*

18 *SALARIES AND EXPENSES*

19 *For salaries and expenses, not otherwise provided for,*
 20 *\$28,700,000.*

21 *CONSTRUCTION*

22 *For detailed plan preparation and construction of au-*
 23 *thorized projects, \$5,300,000, to remain available until ex-*
 24 *pendent, as authorized.*

1 *AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS*

2 *For necessary expenses, not otherwise provided, for the*
 3 *International Joint Commission and the International*
 4 *Boundary Commission, United States and Canada, as au-*
 5 *thorized by treaties between the United States and Canada*
 6 *or Great Britain, and for the Border Environment Coopera-*
 7 *tion Commission as authorized by Public Law 103-182,*
 8 *\$10,400,000, of which not to exceed \$9,000 shall be available*
 9 *for representation expenses incurred by the International*
 10 *Joint Commission.*

11 *INTERNATIONAL FISHERIES COMMISSIONS*

12 *For necessary expenses for international fisheries com-*
 13 *missions, not otherwise provided for, as authorized by law,*
 14 *\$25,623,000: Provided, That the United States' share of*
 15 *such expenses may be advanced to the respective commis-*
 16 *sions pursuant to 31 U.S.C. 3324.*

17 *OTHER*

18 *PAYMENT TO THE ASIA FOUNDATION*

19 *For a grant to the Asia Foundation, as authorized by*
 20 *the Asia Foundation Act (22 U.S.C. 4402), \$15,000,000, to*
 21 *remain available until September 30, 2007, as authorized.*

22 *CENTER FOR MIDDLE EASTERN-WESTERN DIALOGUE TRUST*

23 *FUND*

24 *For a grant to the Center for Middle Eastern-Western*
 25 *Dialogue Trust Fund (22 U.S.C. 2078), \$7,000,000 for op-*

1 *eration of the Center for Middle Eastern-Western Dialogue*
 2 *in Istanbul, Turkey, to remain available until expended.*

3 *In addition, for necessary expenses of the Center for*
 4 *Middle Eastern-Western Dialogue Trust Fund, the total*
 5 *amount of the interest and earnings accruing to such Fund*
 6 *on or before September 30, 2006, to remain available until*
 7 *expended.*

8 *EISENHOWER EXCHANGE FELLOWSHIP PROGRAM*

9 *For necessary expenses of Eisenhower Exchange Fel-*
 10 *lowships, Incorporated, as authorized by sections 4 and 5*
 11 *of the Eisenhower Exchange Fellowship Act of 1990 (20*
 12 *U.S.C. 5204–5205), all interest and earnings accruing to*
 13 *the Eisenhower Exchange Fellowship Program Trust Fund*
 14 *on or before September 30, 2006, to remain available until*
 15 *expended: Provided, That none of the funds appropriated*
 16 *herein shall be used to pay any salary or other compensa-*
 17 *tion, or to enter into any contract providing for the pay-*
 18 *ment thereof, in excess of the rate authorized by 5 U.S.C.*
 19 *5376; or for purposes which are not in accordance with*
 20 *OMB Circulars A–110 (Uniform Administrative Require-*
 21 *ments) and A–122 (Cost Principles for Non-profit Organi-*
 22 *zations), including the restrictions on compensation for per-*
 23 *sonal services.*

24 *ISRAELI ARAB SCHOLARSHIP PROGRAM*

25 *For necessary expenses of the Israeli Arab Scholarship*
 26 *Program as authorized by section 214 of the Foreign Rela-*

1 *tions Authorization Act, Fiscal Years 1992 and 1993 (22*
 2 *U.S.C. 2452), all interest and earnings accruing to the*
 3 *Israeli Arab Scholarship Fund on or before September 30,*
 4 *2006, to remain available until expended.*

5 *EAST-WEST CENTER*

6 *To enable the Secretary of State to provide for car-*
 7 *rying out the provisions of the Center for Cultural and*
 8 *Technical Interchange Between East and West Act of 1960,*
 9 *by grant to the Center for Cultural and Technical Inter-*
 10 *change Between East and West in the State of Hawaii,*
 11 *\$20,000,000: Provided, That none of the funds appropriated*
 12 *herein shall be used to pay any salary, or enter into any*
 13 *contract providing for the payment thereof, in excess of the*
 14 *rate authorized by 5 U.S.C. 5376.*

15 *NATIONAL ENDOWMENT FOR DEMOCRACY*

16 *For grants made by the Department of State to the*
 17 *National Endowment for Democracy as authorized by the*
 18 *National Endowment for Democracy Act, \$8,800,000 to re-*
 19 *main available until expended.*

20 *COMMISSION FOR THE PRESERVATION OF AMERICA'S*

21 *HERITAGE ABROAD*

22 *SALARIES AND EXPENSES*

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

1 *COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM*2 *SALARIES AND EXPENSES*

3 *For necessary expenses for the United States Commis-*
 4 *sion on International Religious Freedom, as authorized by*
 5 *title II of the International Religious Freedom Act of 1998*
 6 *(Public Law 105–292), \$1,000,000.*

7 *COMMISSION ON SECURITY AND COOPERATION IN EUROPE*8 *SALARIES AND EXPENSES*

9 *For necessary expenses of the Commission on Security*
 10 *and Cooperation in Europe, as authorized by Public Law*
 11 *94–304, \$2,030,000, to remain available as authorized by*
 12 *section 3 of Public Law 99–7.*

13 *CONGRESSIONAL-EXECUTIVE COMMISSION ON THE*14 *PEOPLE’S REPUBLIC OF CHINA*15 *SALARIES AND EXPENSES*

16 *For necessary expenses of the Congressional-Executive*
 17 *Commission on the People’s Republic of China, as author-*
 18 *ized, \$1,900,000, including not more than \$3,000 for the*
 19 *purpose of official representation, to remain available until*
 20 *September 30, 2007.*

21 *UNITED STATES-CHINA ECONOMIC AND SECURITY REVIEW*22 *COMMISSION*23 *SALARIES AND EXPENSES*

24 *For necessary expenses of the United States-China*
 25 *Economic and Security Review Commission, \$2,800,000,*
 26 *including not more than \$5,000 for the purpose of official*

1 *representation, to remain available until September 30,*
 2 *2007.*

3 *UNITED STATES SENATE-CHINA INTERPARLIAMENTARY*
 4 *GROUP*
 5 *SALARIES AND EXPENSES*

6 *For necessary expenses of the United States Senate-*
 7 *China Interparliamentary Group, as authorized under sec-*
 8 *tion 153 of the Consolidated Appropriations Act, 2004 (22*
 9 *U.S.C. 276n; Public Law 108–99; 118 Stat. 448), \$150,000*
 10 *to remain available until September 30, 2007.*

11 *UNITED STATES INSTITUTE OF PEACE*
 12 *OPERATING EXPENSES*

13 *For necessary expenses of the United States Institute*
 14 *of Peace as authorized in the United States Institute of*
 15 *Peace Act, \$21,850,000, to remain available until Sep-*
 16 *tember 30, 2007.*

17 *RELATED AGENCY*

18 *BROADCASTING BOARD OF GOVERNORS*

19 *INTERNATIONAL BROADCASTING OPERATIONS*

20 *For expenses necessary to enable the Broadcasting*
 21 *Board of Governors, as authorized, to carry out inter-*
 22 *national communication activities, and to make and super-*
 23 *vise grants for radio and television broadcasting to the Mid-*
 24 *dle East, \$603,394,000: Provided, That of the total amount*
 25 *in this heading, not to exceed \$16,000 may be used for offi-*
 26 *cial receptions within the United States as authorized, not*

1 *to exceed \$35,000 may be used for representation abroad*
 2 *as authorized, and not to exceed \$39,000 may be used for*
 3 *official reception and representation expenses of Radio Free*
 4 *Europe/Radio Liberty; and in addition, notwithstanding*
 5 *any other provision of law, not to exceed \$2,000,000 in re-*
 6 *ceipts from advertising and revenue from business ventures,*
 7 *not to exceed \$500,000 in receipts from cooperating inter-*
 8 *national organizations, and not to exceed \$1,000,000 in re-*
 9 *ceipts from privatization efforts of the Voice of America and*
 10 *the International Broadcasting Bureau, to remain avail-*
 11 *able until expended for carrying out authorized purposes.*

12 *BROADCASTING TO CUBA*

13 *For necessary expenses to enable the Broadcasting*
 14 *Board of Governors to carry out broadcasting to Cuba, in-*
 15 *cluding the purchase, rent, construction, and improvement*
 16 *of facilities for radio and television transmission and recep-*
 17 *tion and purchase, lease, and installation of necessary*
 18 *equipment for radio and television transmission and recep-*
 19 *tion, \$37,656,000, to remain available until September 30,*
 20 *2007.*

21 *BROADCASTING CAPITAL IMPROVEMENTS*

22 *For the purchase, rent, construction, and improvement*
 23 *of facilities for radio transmission and reception, and pur-*
 24 *chase and installation of necessary equipment for radio and*
 25 *television transmission and reception as authorized,*

1 \$10,893,000, to remain available until expended, as author-
 2 ized.

3 TITLE II—EXPORT AND INVESTMENT

4 ASSISTANCE

5 EXPORT-IMPORT BANK OF THE UNITED STATES

6 INSPECTOR GENERAL OF THE EXPORT-IMPORT BANK

7 For necessary expenses of the Office of Inspector Gen-
 8 eral in carrying out the provisions of the Inspector General
 9 Act of 1978, as amended, \$1,000,000, to remain available
 10 until September 30, 2007.

11 EXPORT-IMPORT BANK LOANS PROGRAM ACCOUNT

12 The Export-Import Bank of the United States is au-
 13 thorized to make such expenditures within the limits of
 14 funds and borrowing authority available to such corpora-
 15 tion, and in accordance with law, and to make such con-
 16 tracts and commitments without regard to fiscal year limi-
 17 tations, as provided by section 104 of the Government Cor-
 18 poration Control Act, as may be necessary in carrying out
 19 the program for the current fiscal year for such corporation:
 20 Provided, That none of the funds available during the cur-
 21 rent fiscal year may be used to make expenditures, con-
 22 tracts, or commitments for the export of nuclear equipment,
 23 fuel, or technology to any country, other than a nuclear-
 24 weapon state as defined in Article IX of the Treaty on the
 25 Non-Proliferation of Nuclear Weapons eligible to receive
 26 economic or military assistance under this Act, that has

1 *detonated a nuclear explosive after the date of the enactment*
 2 *of this Act: Provided further, That notwithstanding section*
 3 *1(c) of Public Law 103–428, as amended, sections 1(a) and*
 4 *(b) of Public Law 103–428 shall remain in effect through*
 5 *October 1, 2006.*

6 *SUBSIDY APPROPRIATION*

7 *For the cost of direct loans, loan guarantees, insurance,*
 8 *and tied-aid grants as authorized by section 10 of the Ex-*
 9 *port-Import Bank Act of 1945, as amended, \$125,000,000,*
 10 *to remain available until September 30, 2009: Provided,*
 11 *That such costs, including the cost of modifying such loans,*
 12 *shall be as defined in section 502 of the Congressional Budg-*
 13 *et Act of 1974: Provided further, That such sums shall re-*
 14 *main available until September 30, 2024, for the disburse-*
 15 *ment of direct loans, loan guarantees, insurance and tied-*
 16 *aid grants obligated in fiscal years 2006, 2007, 2008, and*
 17 *2009: Provided further, That none of the funds appro-*
 18 *priated by this Act or any prior Act appropriating funds*
 19 *for foreign operations, export financing, and related pro-*
 20 *grams for tied-aid credits or grants may be used for any*
 21 *other purpose except through the regular notification proce-*
 22 *dures of the Committees on Appropriations: Provided fur-*
 23 *ther, That funds appropriated by this paragraph are made*
 24 *available notwithstanding section 2(b)(2) of the Export-Im-*
 25 *port Bank Act of 1945, in connection with the purchase*

1 *or lease of any product by any Eastern European country,*
 2 *any Baltic State or any agency or national thereof.*

3 *ADMINISTRATIVE EXPENSES*

4 *For administrative expenses to carry out the direct*
 5 *and guaranteed loan and insurance programs, including*
 6 *hire of passenger motor vehicles and services as authorized*
 7 *by 5 U.S.C. 3109, and not to exceed \$30,000 for official*
 8 *reception and representation expenses for members of the*
 9 *Board of Directors, \$73,200,000: Provided, That the Ex-*
 10 *port-Import Bank may accept, and use, payment or services*
 11 *provided by transaction participants for legal, financial,*
 12 *or technical services in connection with any transaction for*
 13 *which an application for a loan, guarantee or insurance*
 14 *commitment has been made: Provided further, That, not-*
 15 *withstanding subsection (b) of section 117 of the Export En-*
 16 *hancement Act of 1992, subsection (a) thereof shall remain*
 17 *in effect until October 1, 2006.*

18 *OVERSEAS PRIVATE INVESTMENT CORPORATION*

19 *NONCREDIT ACCOUNT*

20 *The Overseas Private Investment Corporation is au-*
 21 *thorized to make, without regard to fiscal year limitations,*
 22 *as provided by 31 U.S.C. 9104, such expenditures and com-*
 23 *mitments within the limits of funds available to it and in*
 24 *accordance with law as may be necessary: Provided, That*
 25 *the amount available for administrative expenses to carry*
 26 *out the credit and insurance programs (including an*

1 *amount for official reception and representation expenses*
 2 *which shall not exceed \$35,000) shall not exceed*
 3 *\$42,274,000: Provided further, That project-specific trans-*
 4 *action costs, including direct and indirect costs incurred*
 5 *in claims settlements, and other direct costs associated with*
 6 *services provided to specific investors or potential investors*
 7 *pursuant to section 234 of the Foreign Assistance Act of*
 8 *1961, shall not be considered administrative expenses for*
 9 *the purposes of this heading.*

10 *PROGRAM ACCOUNT*

11 *For the cost of direct and guaranteed loans,*
 12 *\$20,276,000, as authorized by section 234 of the Foreign*
 13 *Assistance Act of 1961, to be derived by transfer from the*
 14 *Overseas Private Investment Corporation Non-Credit Ac-*
 15 *count: Provided, That such costs, including the cost of modi-*
 16 *fying such loans, shall be as defined in section 502 of the*
 17 *Congressional Budget Act of 1974: Provided further, That*
 18 *such sums shall be available for direct loan obligations and*
 19 *loan guaranty commitments incurred or made during fiscal*
 20 *years 2006 and 2007: Provided further, That such sums*
 21 *shall remain available through fiscal year 2014 for the dis-*
 22 *bursement of direct and guaranteed loans obligated in fiscal*
 23 *year 2006, and through fiscal year 2015 for the disburse-*
 24 *ment of direct and guaranteed loans obligated in fiscal year*
 25 *2007: Provided further, That notwithstanding any other*
 26 *provision of law, the Overseas Private Investment Corpora-*

tion is authorized to undertake any program authorized by title IV of the Foreign Assistance Act of 1961 in Iraq: Provided further, That funds made available pursuant to the authority of the previous proviso shall be subject to the regular notification procedures of the Committees on Appropriations.

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

FUNDS APPROPRIATED TO THE PRESIDENT

TRADE AND DEVELOPMENT AGENCY

For necessary expenses to carry out the provisions of section 661 of the Foreign Assistance Act of 1961, \$50,900,000, to remain available until September 30, 2007.

TITLE III—BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

For expenses necessary to enable the President to carry out the provisions of the Foreign Assistance Act of 1961, and for other purposes, to remain available until September 30, 2006, unless otherwise specified herein, as follows:

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

5 *For necessary expenses to carry out the provisions of*
6 *chapters 1 and 10 of part I of the Foreign Assistance Act*
7 *of 1961, for child survival, health, and family planning/*
8 *reproductive health activities, in addition to funds other-*
9 *wise available for such purposes, \$1,659,000,000, to remain*
10 *available until September 30, 2007: Provided, That this*
11 *amount shall be made available for such activities as: (1)*
12 *immunization programs; (2) oral rehydration programs;*
13 *(3) health, nutrition, water and sanitation programs which*
14 *directly address the needs of mothers and children, and re-*
15 *lated education programs; (4) assistance for children dis-*
16 *placed or orphaned by causes other than AIDS; (5) pro-*
17 *grams for the prevention, treatment, control of, and research*
18 *on HIV/AIDS, tuberculosis, polio, malaria, and other infec-*
19 *tious diseases, and for assistance to communities severely*
20 *affected by HIV/AIDS, including children displaced or or-*
21 *phaned by AIDS; and (6) family planning/reproductive*
22 *health: Provided further, That none of the funds appro-*
23 *priated under this heading may be made available for non-*
24 *project assistance, except that funds may be made available*
25 *for such assistance for ongoing health activities: Provided*
26 *further, That of the funds appropriated under this heading,*

1 *not to exceed \$350,000, in addition to funds otherwise*
 2 *available for such purposes, may be used to monitor and*
 3 *provide oversight of child survival, maternal and family*
 4 *planning/reproductive health, and infectious disease pro-*
 5 *grams: Provided further, That the following amounts should*
 6 *be allocated as follows: \$375,000,000 for child survival and*
 7 *maternal health; \$30,000,000 for vulnerable children;*
 8 *\$350,000,000 for HIV/AIDS including not less than*
 9 *\$42,000,000 to support the development of microbicides as*
 10 *a means for combating HIV/AIDS; \$285,000,000 for other*
 11 *infectious diseases; and \$369,000,000 for family planning/*
 12 *reproductive health, including in areas where population*
 13 *growth threatens biodiversity or endangered species: Pro-*
 14 *vided further, That of the funds appropriated under this*
 15 *heading, and in addition to funds allocated under the pre-*
 16 *vious proviso, not less than \$250,000,000 shall be made*
 17 *available, notwithstanding any other provision of law, ex-*
 18 *cept for the United States Leadership Against HIV/AIDS,*
 19 *Tuberculosis and Malaria Act of 2003 (Public Law 108–*
 20 *25), for a United States contribution to the Global Fund*
 21 *to Fight AIDS, Tuberculosis and Malaria (the “Global*
 22 *Fund”), and shall be expended at the minimum rate nec-*
 23 *essary to make timely payment for projects and activities:*
 24 *Provided further, That up to 5 percent of the aggregate*
 25 *amount of funds made available to the Global Fund in fis-*

1 *cal year 2006 may be made available to the United States*
 2 *Agency for International Development for technical assist-*
 3 *ance related to the activities of the Global Fund: Provided*
 4 *further, That of the funds appropriated under this heading*
 5 *that are available for HIV/AIDS programs and activities,*
 6 *not less than \$35,000,000 should be made available for the*
 7 *International AIDS Vaccine Initiative: Provided further,*
 8 *That of the funds appropriated under this heading,*
 9 *\$70,000,000 should be made available for a United States*
 10 *contribution to The Vaccine Fund, and up to \$6,000,000*
 11 *may be transferred to and merged with funds appropriated*
 12 *by this Act under the heading “Operating Expenses of the*
 13 *United States Agency for International Development” for*
 14 *costs directly related to international health, but funds*
 15 *made available for such costs may not be derived from*
 16 *amounts made available for contribution under this and*
 17 *preceding provisos: Provided further, That restrictions with*
 18 *respect to assistance provided with funds appropriated by*
 19 *this Act for HIV/AIDS, family planning, or child survival*
 20 *and health activities shall not be construed to restrict assist-*
 21 *ance in support of programs to expand the availability and*
 22 *use of condoms for HIV/AIDS prevention and of contracep-*
 23 *tives to reduce the incidence of abortion: Provided further,*
 24 *That none of the funds made available in this Act nor any*
 25 *unobligated balances from prior appropriations may be*

1 *made available to any organization or program which, as*
2 *determined by the President of the United States, directly*
3 *supports coercive abortion or involuntary sterilization: Pro-*
4 *vided further, That the previous proviso shall not be con-*
5 *strued to deny funding to any organization or program*
6 *solely because the government of a country engages in coer-*
7 *cive abortion or involuntary sterilization: Provided further,*
8 *That none of the funds made available under this Act may*
9 *be used to pay for the performance of abortion as a method*
10 *of family planning or to motivate or coerce any person to*
11 *practice abortions: Provided further, That nothing in this*
12 *paragraph shall be construed to alter any existing statutory*
13 *prohibitions against abortion under section 104 of the For-*
14 *eign Assistance Act of 1961: Provided further, That none*
15 *of the funds made available under this Act may be used*
16 *to lobby for or against abortion: Provided further, That in*
17 *order to reduce reliance on abortion in developing nations,*
18 *funds shall be available only to voluntary family planning*
19 *projects which offer, either directly or through referral to,*
20 *or information about access to, a broad range of family*
21 *planning methods and services, and that any such vol-*
22 *untary family planning project shall meet the following re-*
23 *quirements: (1) service providers or referral agents in the*
24 *project shall not implement or be subject to quotas, or other*
25 *numerical targets, of total number of births, number of fam-*

1 ily planning acceptors, or acceptors of a particular method
 2 of family planning (this provision shall not be construed
 3 to include the use of quantitative estimates or indicators
 4 for budgeting and planning purposes); (2) the project shall
 5 not include payment of incentives, bribes, gratuities, or fi-
 6 nancial reward to: (A) an individual in exchange for be-
 7 coming a family planning acceptor; or (B) program per-
 8 sonnel for achieving a numerical target or quota of total
 9 number of births, number of family planning acceptors, or
 10 acceptors of a particular method of family planning; (3)
 11 the project shall not deny any right or benefit, including
 12 the right of access to participate in any program of general
 13 welfare or the right of access to health care, as a consequence
 14 of any individual's decision not to accept family planning
 15 services; (4) the project shall provide family planning ac-
 16 ceptors comprehensible information on the health benefits
 17 and risks of the method chosen, including those conditions
 18 that might render the use of the method inadvisable and
 19 those adverse side effects known to be consequent to the use
 20 of the method; and (5) the project shall ensure that experi-
 21 mental contraceptive drugs and devices and medical proce-
 22 dures are provided only in the context of a scientific study
 23 in which participants are advised of potential risks and
 24 benefits; and, not less than 60 days after the date on which
 25 the Administrator of the United States Agency for Inter-

1 *national Development determines that there has been a vio-*
2 *lation of the requirements contained in paragraph (1), (2),*
3 *(3), or (5) of this proviso, or a pattern or practice of viola-*
4 *tions of the requirements contained in paragraph (4) of this*
5 *proviso, the Administrator shall submit to the Committees*
6 *on Appropriations a report containing a description of such*
7 *violation and the corrective action taken by the Agency:*
8 *Provided further, That in awarding grants for natural fam-*
9 *ily planning under section 104 of the Foreign Assistance*
10 *Act of 1961 no applicant shall be discriminated against be-*
11 *cause of such applicant's religious or conscientious commit-*
12 *ment to offer only natural family planning; and, addition-*
13 *ally, all such applicants shall comply with the requirements*
14 *of the previous proviso: Provided further, That for purposes*
15 *of this or any other Act authorizing or appropriating funds*
16 *for foreign operations, export financing, and related pro-*
17 *grams, the term "motivate", as it relates to family planning*
18 *assistance, shall not be construed to prohibit the provision,*
19 *consistent with local law, of information or counseling*
20 *about all pregnancy options: Provided further, That infor-*
21 *mation provided about the use of condoms as part of*
22 *projects or activities that are funded from amounts appro-*
23 *priated by this Act shall be medically accurate and shall*
24 *include the public health benefits and failure rates of such*
25 *use.*

DEVELOPMENT ASSISTANCE

1
2 *For necessary expenses to carry out the provisions of*
3 *sections 103, 105, 106, and 131, and chapter 10 of part*
4 *I of the Foreign Assistance Act of 1961, \$1,675,000,000, to*
5 *remain available until September 30, 2006: Provided, That*
6 *\$350,000,000 should be made available for basic education:*
7 *Provided further, That of the aggregate amount of the funds*
8 *appropriated by this Act that are made available for agri-*
9 *culture and rural development programs, \$40,000,000 shall*
10 *be made available for plant biotechnology research and de-*
11 *velopment: Provided further, That of the funds appro-*
12 *priated under this heading, not less than \$1,000,000 shall*
13 *be made available for support of the United States Tele-*
14 *communications Training Institute: Provided further, That*
15 *not less than \$2,300,000 shall be made available for core*
16 *support for the International Fertilizer Development Cen-*
17 *ter: Provided further, That of the funds appropriated under*
18 *this heading, not less than \$25,000,000 shall be made avail-*
19 *able for the American Schools and Hospitals Abroad pro-*
20 *gram: Provided further, That of the funds appropriated*
21 *under this heading, \$10,000,000 shall be made available for*
22 *cooperative development programs within the Office of Pri-*
23 *vate and Voluntary Cooperation: Provided further, That of*
24 *the funds appropriated under this heading, not less than*
25 *\$700,000 shall be made available to the nonprofit organiza-*

1 *tion that conducted the 2001 Micronutrient Compliance Re-*
 2 *view to improve food aid product quality and nutrient de-*
 3 *livery, and shall remain available until expended: Provided*
 4 *further, That of the funds appropriated under this heading*
 5 *that are made available for assistance programs for dis-*
 6 *placed and orphaned children and victims of war, not to*
 7 *exceed \$42,500, in addition to funds otherwise available for*
 8 *such purposes, may be used to monitor and provide over-*
 9 *sight of such programs: Provided further, That of the funds*
 10 *appropriated under this heading, \$2,000,000 shall be made*
 11 *available for the Doulos Foundation for programs in South*
 12 *Asia: Provided further, That of the funds appropriated*
 13 *under this heading, not less than \$20,000,000 shall be made*
 14 *available for the Election and Political Processes Program*
 15 *of the Office of Democracy and Governance, United States*
 16 *Agency for International Development, of which not less*
 17 *than \$18,000,000 shall be made available for democracy*
 18 *grants: Provided further, That not less than \$5,000,000*
 19 *should be made available for pilot programs to support ef-*
 20 *forts to reduce the incidence of child marriage in developing*
 21 *countries: Provided further, That of the funds appropriated*
 22 *under this heading, not less than \$20,000,000 shall be made*
 23 *available to develop clean water treatment activities in de-*
 24 *veloping countries: Provided further, That of the funds ap-*
 25 *propriated by this Act, not less than \$200,000,000 shall be*

1 *made available for drinking water supply projects and re-*
 2 *lated activities, of which not less than \$50,000,000 should*
 3 *be made available for programs in Africa.*

4 *INTERNATIONAL DISASTER AND FAMINE ASSISTANCE*

5 *For necessary expenses to carry out the provisions of*
 6 *section 491 of the Foreign Assistance Act of 1961 for inter-*
 7 *national disaster relief, rehabilitation, and reconstruction*
 8 *assistance, \$400,000,000, to remain available until ex-*
 9 *pende, of which \$20,000,000 should be for famine preven-*
 10 *tion and relief.*

11 *TRANSITION INITIATIVES*

12 *For necessary expenses for international disaster reha-*
 13 *bilitation and reconstruction assistance pursuant to section*
 14 *491 of the Foreign Assistance Act of 1961, \$50,000,000, to*
 15 *remain available until expended, to support transition to*
 16 *democracy and to long-term development of countries in cri-*
 17 *sis: Provided, That such support may include assistance to*
 18 *develop, strengthen, or preserve democratic institutions and*
 19 *processes, revitalize basic infrastructure, and foster the*
 20 *peaceful resolution of conflict: Provided further, That the*
 21 *United States Agency for International Development shall*
 22 *submit a report to the Committees on Appropriations at*
 23 *least 5 days prior to beginning a new program of assist-*
 24 *ance: Provided further, That if the President determines*
 25 *that is important to the national interests of the United*
 26 *States to provide transition assistance in excess of the*

1 amount appropriated under this heading, up to
 2 \$15,000,000 of the funds appropriated by this Act to carry
 3 out the provisions of part I of the Foreign Assistance Act
 4 of 1961 may be used for purposes of this heading and under
 5 the authorities applicable to funds appropriated under this
 6 heading: Provided further, That funds made available pur-
 7 suant to the previous proviso shall be made available subject
 8 to prior consultation with the Committees on Appropria-
 9 tions.

10 DEVELOPMENT CREDIT AUTHORITY

11 (INCLUDING TRANSFER OF FUNDS)

12 For the cost of direct loans and loan guarantees pro-
 13 vided by the United States Agency for International Devel-
 14 opment, as authorized by sections 108 and 635 of the For-
 15 eign Assistance Act of 1961, up to \$21,000,000 may be de-
 16 rived by transfer from funds appropriated by this Act to
 17 carry out part I of such Act and under the heading “Assist-
 18 ance for Eastern Europe and the Baltic States”: Provided,
 19 That such funds shall be made available only for micro and
 20 small enterprise programs, urban programs, and other pro-
 21 grams which further the purposes of part I of the Act: Pro-
 22 vided further, That such costs, including the cost of modi-
 23 fying such direct and guaranteed loans, shall be as defined
 24 in section 502 of the Congressional Budget Act of 1974, as
 25 amended: Provided further, That funds made available by
 26 this paragraph may be used for the cost of modifying any

1 *such guaranteed loans under this Act or prior Acts, and*
 2 *funds used for such costs shall be subject to the regular noti-*
 3 *fication procedures of the Committees on Appropriations:*
 4 *Provided further, That the provisions of section 107A(d)*
 5 *(relating to general provisions applicable to the Develop-*
 6 *ment Credit Authority) of the Foreign Assistance Act of*
 7 *1961, as contained in section 306 of H.R. 1486 as reported*
 8 *by the House Committee on International Relations on May*
 9 *9, 1997, shall be applicable to direct loans and loan guaran-*
 10 *tees provided under this heading: Provided further, That*
 11 *these funds are available to subsidize total loan principal,*
 12 *any portion of which is to be guaranteed, of up to*
 13 *\$700,000,000.*

14 *In addition, for administrative expenses to carry out*
 15 *credit programs administered by the United States Agency*
 16 *for International Development, \$8,000,000, which may be*
 17 *transferred to and merged with the appropriation for Oper-*
 18 *ating Expenses of the United States Agency for Inter-*
 19 *national Development: Provided, That funds made avail-*
 20 *able under this heading shall remain available until Sep-*
 21 *tember 30, 2007.*

22 *PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND*
 23 *DISABILITY FUND*

24 *For payment to the “Foreign Service Retirement and*
 25 *Disability Fund”, as authorized by the Foreign Service Act*
 26 *of 1980, \$41,700,000.*

1 *OPERATING EXPENSES OF THE UNITED STATES AGENCY*
2 *FOR INTERNATIONAL DEVELOPMENT*

3 *For necessary expenses to carry out the provisions of*
4 *section 667 of the Foreign Assistance Act of 1961,*
5 *\$620,000,000, of which up to \$25,000,000 may remain*
6 *available until September 30, 2007: Provided, That none*
7 *of the funds appropriated under this heading and under*
8 *the heading “Capital Investment Fund” may be made*
9 *available to finance the construction (including architect*
10 *and engineering services), purchase, or long-term lease of*
11 *offices for use by the United States Agency for International*
12 *Development, unless the Administrator has identified such*
13 *proposed construction (including architect and engineering*
14 *services), purchase, or long-term lease of offices in a report*
15 *submitted to the Committees on Appropriations at least 15*
16 *days prior to the obligation of these funds for such purposes:*
17 *Provided further, That the previous proviso shall not apply*
18 *where the total cost of construction (including architect and*
19 *engineering services), purchase, or long-term lease of offices*
20 *does not exceed \$1,000,000: Provided further, That contracts*
21 *or agreements entered into with funds appropriated under*
22 *this heading may entail commitments for the expenditure*
23 *of such funds through fiscal year 2007: Provided further,*
24 *That of the funds appropriated under this heading, not less*
25 *than \$36,600,000 shall be made available for operations in*

1 *Iraq and Afghanistan: Provided further, That none of the*
 2 *funds in this Act may be used to open a new overseas mis-*
 3 *sion of the United States Agency for International Develop-*
 4 *ment without the prior written notification of the Commit-*
 5 *tees on Appropriations: Provided further, That the author-*
 6 *ity of sections 610 and 109 of the Foreign Assistance Act*
 7 *of 1961 may be exercised by the Secretary of State to trans-*
 8 *fer funds appropriated to carry out chapter 1 of part I of*
 9 *such Act to “Operating Expenses of the United States Agen-*
 10 *cy for International Development” in accordance with the*
 11 *provisions of those sections.*

12 *CAPITAL INVESTMENT FUND*

13 *For necessary expenses for overseas construction and*
 14 *related costs, and for the procurement and enhancement of*
 15 *information technology and related capital investments,*
 16 *pursuant to section 667 of the Foreign Assistance Act of*
 17 *1961, \$77,700,000, to remain available until expended: Pro-*
 18 *vided, That this amount is in addition to funds otherwise*
 19 *available for such purposes: Provided further, That funds*
 20 *appropriated under this heading shall be available for obli-*
 21 *gation only pursuant to the regular notification procedures*
 22 *of the Committees on Appropriations: Provided further,*
 23 *That of the funds appropriated under this heading, not to*
 24 *exceed \$19,709,000 may be made available for the purposes*
 25 *of implementing the Capital Security Cost Sharing Pro-*
 26 *gram.*

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 of*
5 *section 667 of the Foreign Assistance Act of 1961,*
6 *\$36,000,000, to remain available until September 30, 2007,*
7 *which sum shall be available for the Office of the Inspector*
8 *General of the United States Agency for International De-*
9 *velopment.*

10 OTHER BILATERAL ECONOMIC ASSISTANCE

11 ECONOMIC SUPPORT FUND

12 *For necessary expenses to carry out the provisions of*
13 *chapter 4 of part II, \$3,031,375,000, to remain available*
14 *until September 30, 2007: Provided, That of the funds ap-*
15 *propriated under this heading, not less than \$240,000,000*
16 *shall be available only for Israel, which sum shall be avail-*
17 *able on a grant basis as a cash transfer and shall be dis-*
18 *bursed within 30 days of the enactment of this Act: Pro-*
19 *vided further, That not less than \$495,000,000 shall be*
20 *available only for Egypt, which sum shall be provided on*
21 *a grant basis, and of which sum cash transfer assistance*
22 *shall be provided with the understanding that Egypt will*
23 *undertake significant economic and political reforms which*
24 *are additional to those which were undertaken in previous*
25 *fiscal years: Provided further, That with respect to the pro-*

1 *vision of assistance for Egypt for democracy and govern-*
 2 *ance activities, the organizations implementing such assist-*
 3 *ance and the specific nature of that assistance shall not be*
 4 *subject to the prior approval by the Government of Egypt:*
 5 *Provided further, That of the funds appropriated under this*
 6 *heading for assistance for Egypt, not less than \$35,000,000*
 7 *shall be made available for democracy and governance pro-*
 8 *grams, not less than \$50,000,000 should be used for edu-*
 9 *cation programs and not less than \$5,000,000 shall be made*
 10 *available for scholarships for disadvantaged Egyptian stu-*
 11 *dents to attend the American University in Cairo: Provided*
 12 *further, That of the funds appropriated under this heading*
 13 *for assistance for Egypt for economic reform activities,*
 14 *\$227,600,000 shall be withheld from obligation until the*
 15 *Secretary of State determines and reports to the Committees*
 16 *on Appropriations that Egypt has met the calendar year*
 17 *2005 benchmarks accompanying the “Financial Sector Re-*
 18 *form Memorandum of Understanding” dated March 20,*
 19 *2005, and that Egypt has agreed to the installation of an*
 20 *FM transmitter in Media City for Radio SAWA: Provided*
 21 *further, That of the funds appropriated under this heading,*
 22 *not less than \$2,500,000 should be made available for tech-*
 23 *nical assistance for countries to implement and enforce the*
 24 *Kimberley Process Certification Scheme: Provided further,*
 25 *That in exercising the authority to provide cash transfer*

1 assistance for Israel, the President shall ensure that the level
2 of such assistance does not cause an adverse impact on the
3 total level of nonmilitary exports from the United States
4 to such country and that Israel enters into a side letter
5 agreement in an amount proportional to the fiscal year
6 1999 agreement: Provided further, That of the funds appro-
7 priated under this heading, not less than \$250,000,000
8 should be made available only for assistance for Jordan:
9 Provided further, That of the funds appropriated under this
10 heading, \$120,000,000 shall be made available for the “Mid-
11 dle East Partnership Initiative”: Provided further, That
12 \$40,000,000 of the funds appropriated under this heading
13 shall be made available for assistance for Lebanon, of which
14 not less than \$6,000,000 should be made available for schol-
15 arships and direct support of American educational institu-
16 tions in Lebanon: Provided further, That funds appro-
17 priated under this heading may be made available for Cy-
18 prus only for scholarships, administrative support of the
19 scholarship program, bicommunal projects, measures aimed
20 at reunification of the island, and activities to reduce ten-
21 sions and promote peace and cooperation between the two
22 communities on Cyprus: Provided further, That of the funds
23 appropriated under this heading, not less than \$35,000,000
24 shall be made available for assistance for the Philippines:
25 Provided further, That of the funds appropriated under this

1 heading, not less than \$22,000,000 shall be made available
 2 for assistance for the Democratic Republic of Timor-Leste,
 3 of which up to \$1,000,000 may be available for administra-
 4 tive expenses of the United States Agency for International
 5 Development: Provided further, That of the funds appro-
 6 priated under this heading, not less than \$10,000,000
 7 should be made available for democracy programs and ac-
 8 tivities in Ethiopia: Provided further, That of the funds ap-
 9 propriated under this heading, not less than \$2,000,000
 10 should be made available for East Asia and Pacific Envi-
 11 ronment Initiatives: Provided further, That prior to the ob-
 12 ligation of funds appropriated under this heading for as-
 13 sistance for the Central Government of Pakistan, the Sec-
 14 retary of State shall submit a report to the Committees on
 15 Appropriations describing steps taken in the previous six
 16 months by the Government of Pakistan to protect the rights
 17 and safety of Pakistani human rights lawyers and journal-
 18 ists: Provided further, That of the funds appropriated under
 19 this heading, \$3,000,000 shall be made available for the
 20 Foundation for Security and Sustainability: Provided fur-
 21 ther, That notwithstanding any other provision of law,
 22 \$4,000,000 shall be made available for programs and activi-
 23 ties for the Central Highlands of Vietnam: Provided further,
 24 That of the funds appropriated under this heading,
 25 \$2,000,000 shall be made available for economic develop-

1 *ment programs conducted by Indonesian universities: Pro-*
 2 *vided further, That of the funds appropriated under this*
 3 *heading, \$5,000,000 shall be made available for democracy*
 4 *and media programs in Thailand: Provided further, That*
 5 *of the funds appropriated under this heading, \$10,000,000*
 6 *shall be made available to continue to support the provision*
 7 *of wheelchairs for needy persons in developing countries:*
 8 *Provided further, That funds appropriated under this head-*
 9 *ing that are made available for a Middle East Financing*
 10 *Facility, Middle East Enterprise Fund, or any other simi-*
 11 *lar entity in the Middle East shall be subject to the regular*
 12 *notification procedures of the Committees on Appropria-*
 13 *tions: Provided further, That of the funds appropriated*
 14 *under this heading, not less than \$4,000,000 shall be made*
 15 *available for the Office of the United Nations High Commis-*
 16 *sioner for Human Rights in Nepal: Provided further, That*
 17 *of the funds appropriated under this heading, not less than*
 18 *\$1,000,000 should be made available for a United States*
 19 *contribution to the Extractive Industries Transparency Ini-*
 20 *tiative Trust Fund: Provided further, That of funds appro-*
 21 *priated under this heading, \$13,000,000 should be made*
 22 *available for a United States contribution to the Special*
 23 *Court for Sierra Leone: Provided further, That with respect*
 24 *to funds appropriated under this heading in this Act or*
 25 *prior Acts making appropriations for foreign operations,*

1 *export financing, and related programs, the responsibility*
 2 *for policy decisions and justifications for the use of such*
 3 *funds, including whether there will be a program for a*
 4 *country that uses those funds and the amount of each such*
 5 *program, shall be the responsibility of the Secretary of State*
 6 *and the Deputy Secretary of State and this responsibility*
 7 *shall not be delegated.*

8 *ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC*
 9 *STATES*

10 *(a) For necessary expenses to carry out the provisions*
 11 *of the Foreign Assistance Act of 1961 and the Support for*
 12 *East European Democracy (SEED) Act of 1989,*
 13 *\$395,000,000, to remain available until September 30,*
 14 *2007, which shall be available, notwithstanding any other*
 15 *provision of law, for assistance and for related programs*
 16 *for Eastern Europe and the Baltic States: Provided, That*
 17 *of the funds appropriated under this heading \$3,500,000*
 18 *shall be made available for leadership development pro-*
 19 *grams for women and youth and \$5,000,000 shall be made*
 20 *available for rule of law programs for the training of judges.*

21 *(b) Funds appropriated under this heading shall be*
 22 *considered to be economic assistance under the Foreign As-*
 23 *sistance Act of 1961 for purposes of making available the*
 24 *administrative authorities contained in that Act for the use*
 25 *of economic assistance.*

1 (c) *The provisions of section 6029 of this Act shall*
2 *apply to funds appropriated under this heading: Provided,*
3 *That notwithstanding any provision of this or any other*
4 *Act, including provisions in this subsection regarding the*
5 *application of section 6029 of this Act, local currencies gen-*
6 *erated by, or converted from, funds appropriated by this*
7 *Act and by previous appropriations Acts and made avail-*
8 *able for the economic revitalization program in Bosnia may*
9 *be used in Eastern Europe and the Baltic States to carry*
10 *out the provisions of the Foreign Assistance Act of 1961*
11 *and the Support for East European Democracy (SEED)*
12 *Act of 1989.*

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

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1 *for Chechnya, Ingushetia, and elsewhere in the North*
 2 *Caucasus: Provided further, That notwithstanding any*
 3 *other provision of law, funds appropriated under this head-*
 4 *ing in this Act or prior Acts making appropriations for*
 5 *foreign operations, export financing, and related programs,*
 6 *that are made available pursuant to the provisions of sec-*
 7 *tion 807 of Public Law 102–511 shall be subject to a 6 per-*
 8 *cent ceiling on administrative expenses.*

9 *(b) Of the funds appropriated under this heading that*
 10 *are made available for assistance for Ukraine, not less than*
 11 *\$7,000,000 shall be made available for nuclear reactor safe-*
 12 *ty initiatives, and not less than \$5,000,000 shall be made*
 13 *available for coal mine safety programs.*

14 *(c) Of the funds appropriated under this heading,*
 15 *\$2,500,000 shall be made available for the Business Infor-*
 16 *mation Service for the Newly Independent States.*

17 *(d)(1) Of the funds appropriated under this heading*
 18 *that are allocated for assistance for the Government of the*
 19 *Russian Federation, 60 percent shall be withheld from obli-*
 20 *gation until the President determines and certifies in writ-*
 21 *ing to the Committees on Appropriations that the Govern-*
 22 *ment 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 *government 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, child*
 9 *survival activities, or assistance for victims of traf-*
 10 *ficking in persons; and*

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

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

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

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

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

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

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

8 (6) *humanitarian assistance.*

9 *INDEPENDENT AGENCIES*

10 *INTER-AMERICAN FOUNDATION*

11 *For necessary expenses to carry out the functions of*
 12 *the Inter-American Foundation in accordance with the pro-*
 13 *visions of section 401 of the Foreign Assistance Act of 1969,*
 14 *\$20,000,000, to remain available until September 30, 2007.*

15 *AFRICAN DEVELOPMENT FOUNDATION*

16 *For necessary expenses to carry out title V of the Inter-*
 17 *national Security and Development Cooperation Act of*
 18 *1980, Public Law 96–533, \$25,000,000, to remain available*
 19 *until September 30, 2007: Provided, That funds made*
 20 *available to grantees may be invested pending expenditure*
 21 *for project purposes when authorized by the board of direc-*
 22 *tors of the Foundation: Provided further, That interest*
 23 *earned shall be used only for the purposes for which the*
 24 *grant was made: Provided further, That notwithstanding*
 25 *section 505(a)(2) of the African Development Foundation*
 26 *Act, in exceptional circumstances the board of directors of*

1 *the Foundation may waive the \$250,000 limitation con-*
 2 *tained in that section with respect to a project: Provided*
 3 *further, That the Foundation shall provide a report to the*
 4 *Committees on Appropriations after each time such waiver*
 5 *authority is exercised.*

6 *PEACE CORPS*
 7 *(INCLUDING TRANSFER OF FUNDS)*

8 *For necessary expenses to carry out the provisions of*
 9 *the Peace Corps Act (75 Stat. 612), including the purchase*
 10 *of not to exceed five passenger motor vehicles for adminis-*
 11 *trative purposes for use outside of the United States,*
 12 *\$320,000,000, to remain available until September 30,*
 13 *2007: Provided, That none of the funds appropriated under*
 14 *this heading shall be used to pay for abortions: Provided*
 15 *further, That the Director may transfer to the Foreign Cur-*
 16 *rency Fluctuations Account, as authorized by 22 U.S.C.*
 17 *2515, an amount not to exceed \$2,000,000: Provided fur-*
 18 *ther, That funds transferred pursuant to the previous pro-*
 19 *viso may not be derived from amounts made available for*
 20 *Peace Corps overseas operations.*

21 *MILLENNIUM CHALLENGE CORPORATION*

22 *For necessary expenses for the “Millennium Challenge*
 23 *Corporation”, \$1,800,000,000, to remain available until ex-*
 24 *pende: Provided, That of the funds appropriated under*
 25 *this heading, up to \$70,000,000 may be available for ad-*
 26 *ministrative expenses of the Millennium Challenge Corpora-*

1 *tion: Provided further, That up to 10 percent of the funds*
 2 *appropriated under this heading may be made available to*
 3 *carry out the purposes of section 616 of the Millennium*
 4 *Challenge Act of 2003 for candidate countries for fiscal year*
 5 *2006: Provided further, That none of the funds available*
 6 *to carry out section 616 of such Act may be made available*
 7 *until the Chief Executive Officer of the Millennium Chal-*
 8 *lenge Corporation provides a report to the Committees on*
 9 *Appropriations listing the candidate countries that will be*
 10 *receiving assistance under section 616 of such Act, the level*
 11 *of assistance proposed for each such country, a description*
 12 *of the proposed programs, projects and activities, and the*
 13 *implementing agency or agencies of the United States Gov-*
 14 *ernment: Provided further, That section 605(e)(4) of the*
 15 *Millennium Challenge Act of 2003 shall apply to funds ap-*
 16 *propriated under this heading: Provided further, That*
 17 *funds appropriated under this heading may be made avail-*
 18 *able for a Millennium Challenge Compact entered into pur-*
 19 *suant to section 609 of the Millennium Challenge Act of*
 20 *2003 only if such Compact obligates, or contains a commit-*
 21 *ment to obligate subject to the availability of funds and the*
 22 *mutual agreement of the parties to the Compact to proceed,*
 23 *the entire amount of the United States Government funding*
 24 *anticipated for the duration of the Compact.*

1 *DEPARTMENT OF STATE*2 *GLOBAL HIV/AIDS INITIATIVE*

3 *For necessary expenses to carry out the provisions of*
4 *the Foreign Assistance Act of 1961 for the prevention, treat-*
5 *ment, and control of, and research on, HIV/AIDS,*
6 *\$2,020,000,000, to remain available until expended, of*
7 *which \$150,000,000 shall be made available, notwith-*
8 *standing any other provision of law, except for the United*
9 *States Leadership Against HIV/AIDS, Tuberculosis and*
10 *Malaria Act of 2003 (Public Law 108–25) for a United*
11 *States contribution to the Global Fund to Fight AIDS, Tu-*
12 *berculosis and Malaria, and shall be expended at the min-*
13 *imum rate necessary to make timely payment for projects*
14 *and activities: Provided, That of the funds appropriated*
15 *under this heading, \$35,000,000 shall be made available for*
16 *a United States contribution to UNAIDS.*

17 *DEMOCRACY FUND*

18 *For necessary expenses to carry out the provisions of*
19 *the Foreign Assistance Act of 1961 for the promotion of de-*
20 *mocracy, human rights, independent media, and the rule*
21 *of law globally, \$175,000,000, to remain available until ex-*
22 *pended: Provided, That funds appropriated under this*
23 *heading shall be made available notwithstanding any other*
24 *provision of law, as follows: \$85,000,000 for the Human*
25 *Rights and Democracy Fund of the Bureau of Democracy,*
26 *Human Rights and Labor, Department of State;*

1 \$80,000,000 for the National Endowment for Democracy;
 2 and \$10,000,000 for a United States contribution to a
 3 United Nations democracy fund: Provided further, That
 4 funds appropriated under this heading are in addition to
 5 funds otherwise available for such purposes: Provided fur-
 6 ther, That of the funds appropriated by title III of this Act,
 7 not less than \$1,448,200,000 shall be made available for de-
 8 mocracy, human rights and rule of law programs, of which
 9 not more than \$250,000,000 shall be made available for con-
 10 tracts to promote democracy, human rights, and the rule
 11 of law globally.

12 INTERNATIONAL NARCOTICS CONTROL AND LAW
 13 ENFORCEMENT

14 For necessary expenses to carry out section 481 of the
 15 Foreign Assistance Act of 1961, \$523,874,000, to remain
 16 available until September 30, 2007: Provided, That during
 17 fiscal year 2006, the Department of State may also use the
 18 authority of section 608 of the Foreign Assistance Act of
 19 1961, without regard to its restrictions, to receive excess
 20 property from an agency of the United States Government
 21 for the purpose of providing it to a foreign country under
 22 chapter 8 of part I of that Act subject to the regular notifi-
 23 cation procedures of the Committees on Appropriations:
 24 Provided further, That the Secretary of State shall provide
 25 to the Committees on Appropriations not later than 45 days
 26 after the date of the enactment of this Act and prior to the

1 *initial obligation of funds appropriated under this heading,*
2 *a report on the proposed uses of all funds under this head-*
3 *ing on a country-by-country basis for each proposed pro-*
4 *gram, project, or activity: Provided further, That of the*
5 *funds appropriated under this heading, not less than*
6 *\$16,000,000 shall be made available for training programs*
7 *and activities of the International Law Enforcement Acad-*
8 *emies: Provided further, That of the funds appropriated*
9 *under this heading, not less than \$1,500,000 shall be made*
10 *available for police training in the Republic of Timor-Leste:*
11 *Provided further, That of the funds appropriated under this*
12 *heading, not more than \$30,000,000 may be available for*
13 *administrative expenses: Provided further, That of the funds*
14 *appropriated under this heading, not less than \$10,000,000*
15 *should be made available for law enforcement programs to*
16 *combat the prevalence of violent gangs in Guatemala, Hon-*
17 *duras, and El Salvador.*

18 *ANDEAN COUNTERDRUG INITIATIVE*

19 *For necessary expenses to carry out section 481 of the*
20 *Foreign Assistance Act of 1961 to support counterdrug ac-*
21 *tivities in the Andean region of South America,*
22 *\$734,500,000, to remain available until September 30,*
23 *2007: Provided, That in fiscal year 2006, funds available*
24 *to the Department of State for assistance to the Government*
25 *of Colombia shall be available to support a unified cam-*
26 *paign against narcotics trafficking, against activities by or-*

1 *ganizations designated as terrorist organizations such as*
 2 *the Revolutionary Armed Forces of Colombia (FARC), the*
 3 *National Liberation Army (ELN), and the United Self-De-*
 4 *fense Forces of Colombia (AUC), and to take actions to pro-*
 5 *tect human health and welfare in emergency circumstances,*
 6 *including undertaking rescue operations: Provided further,*
 7 *That this authority shall cease to be effective if the Secretary*
 8 *of State has credible evidence that the Colombian Armed*
 9 *Forces are not conducting vigorous operations to restore*
 10 *government authority and respect for human rights in areas*
 11 *under the effective control of paramilitary and guerrilla or-*
 12 *ganizations: Provided further, That the President shall en-*
 13 *sure that if any helicopter procured with funds under this*
 14 *heading is used to aid or abet the operations of any illegal*
 15 *self-defense group or illegal security cooperative, such heli-*
 16 *copter shall be immediately returned to the United States:*
 17 *Provided further, That the Secretary of State, in consulta-*
 18 *tion with the Administrator of the United States Agency*
 19 *for International Development, shall provide to the Com-*
 20 *mittees on Appropriations not later than 45 days after the*
 21 *date of the enactment of this Act and prior to the initial*
 22 *obligation of funds appropriated under this heading, a re-*
 23 *port on the proposed uses of all funds under this heading*
 24 *on a country-by-country basis for each proposed program,*
 25 *project, or activity: Provided further, That funds made*

1 *available in this Act for demobilization/reintegration of*
2 *members of foreign terrorist organizations in Colombia*
3 *shall be subject to prior consultation with, and the regular*
4 *notification procedures of, the Committees on Appropria-*
5 *tions: Provided further, That of the funds appropriated*
6 *under this heading, not more than \$278,450,000 shall be*
7 *made available for assistance for the Colombian Armed*
8 *Forces and National Police: Provided further, That of the*
9 *funds appropriated under this heading, not less than*
10 *\$149,757,000 shall be made available for alternative devel-*
11 *opment/institution building in Colombia, which shall be ap-*
12 *portioned directly to the United States Agency for Inter-*
13 *national Development: Provided further, That with respect*
14 *to funds apportioned to the United States Agency for Inter-*
15 *national Development under the previous proviso, the re-*
16 *sponsibility for policy decisions for the use of such funds,*
17 *including what activities will be funded and the amount*
18 *of funds that will be provided for each of those activities,*
19 *shall be the responsibility of the Administrator of the*
20 *United States Agency for International Development in*
21 *consultation with the Assistant Secretary of State for Inter-*
22 *national Narcotics and Law Enforcement Affairs: Provided*
23 *further, That of the funds appropriated under this heading,*
24 *not less than \$8,000,000 should be made available for judi-*
25 *cial reform programs in Colombia: Provided further, That*

1 of the funds appropriated under this heading, in addition
2 to funds made available pursuant to the previous proviso,
3 not less than \$10,000,000 shall be made available to the
4 United States Agency for International Development for or-
5 ganizations and programs to protect human rights: Pro-
6 vided further, That not more than 20 percent of the funds
7 appropriated by this Act that are used for the procurement
8 of chemicals for aerial coca and poppy fumigation pro-
9 grams may be made available for such programs unless the
10 Secretary of State certifies to the Committees on Appropria-
11 tions that: (1) the herbicide is being used in accordance with
12 EPA label requirements for comparable use in the United
13 States and with Colombian laws; and (2) the herbicide, in
14 the manner it is being used, does not pose unreasonable
15 risks or adverse effects to humans or the environment in-
16 cluding endemic species: Provided further, That such funds
17 may not be made available unless the Secretary of State
18 certifies to the Committees on Appropriations that com-
19 plaints of harm to health or licit crops caused by such fumi-
20 gation are evaluated and fair compensation is being paid
21 for meritorious claims: Provided further, That such funds
22 may not be made available for such purposes unless pro-
23 grams are being implemented by the United States Agency
24 for International Development, the Government of Colom-
25 bia, or other organizations, in consultation with local com-

1 *munities, to provide alternative sources of income in areas*
2 *where security permits for small-acreage growers whose il-*
3 *licit crops are targeted for fumigation: Provided further,*
4 *That of the funds appropriated under this heading, not less*
5 *than \$2,000,000 should be made available through non-*
6 *governmental organizations for programs to protect bio-*
7 *diversity and indigenous reserves in Colombia: Provided*
8 *further, That funds appropriated by this Act may be used*
9 *for aerial fumigation in Colombia's national parks or re-*
10 *serves only if the Secretary of State determines that it is*
11 *in accordance with Colombian laws and that there are no*
12 *effective alternatives to reduce drug cultivation in these*
13 *areas: Provided further, That section 482(b) of the Foreign*
14 *Assistance Act of 1961 shall not apply to funds appro-*
15 *priated under this heading: Provided further, That assist-*
16 *ance provided with funds appropriated under this heading*
17 *that is made available notwithstanding section 482(b) of*
18 *the Foreign Assistance Act of 1961 shall be made available*
19 *subject to the regular notification procedures of the Commit-*
20 *tees on Appropriations: Provided further, That no United*
21 *States Armed Forces personnel or United States civilian*
22 *contractor employed by the United States will participate*
23 *in any combat operation in connection with assistance*
24 *made available by this Act for Colombia: Provided further,*
25 *That funds appropriated under this heading that are made*

1 *available for assistance for the Bolivian military may be*
 2 *made available for such purposes only if the Secretary of*
 3 *State certifies that the Bolivian military is respecting*
 4 *human rights, and civilian judicial authorities are inves-*
 5 *tigating and prosecuting, with the military's cooperation,*
 6 *military personnel who have been implicated in gross viola-*
 7 *tions of human rights: Provided further, That of the funds*
 8 *appropriated under this heading, not more than*
 9 *\$16,000,000 may be available for administrative expenses*
 10 *of the Department of State, and not more than \$7,000,000*
 11 *may be available, in addition to amounts otherwise avail-*
 12 *able for such purposes, for administrative expenses of the*
 13 *United States Agency for International Development.*

14 *MIGRATION AND REFUGEE ASSISTANCE*

15 *For expenses, not otherwise provided for, necessary to*
 16 *enable the Secretary of State to provide, as authorized by*
 17 *law, a contribution to the International Committee of the*
 18 *Red Cross, assistance to refugees, including contributions*
 19 *to the International Organization for Migration and the*
 20 *United Nations High Commissioner for Refugees, and other*
 21 *activities to meet refugee and migration needs; salaries and*
 22 *expenses of personnel and dependents as authorized by the*
 23 *Foreign Service Act of 1980; allowances as authorized by*
 24 *sections 5921 through 5925 of title 5, United States Code;*
 25 *purchase and hire of passenger motor vehicles; and services*
 26 *as authorized by section 3109 of title 5, United States Code,*

1 \$900,000,000, to remain available until expended: Pro-
 2 vided, That not more than \$23,000,000 may be available
 3 for administrative expenses: Provided further, That not less
 4 than \$40,000,000 of the funds made available under this
 5 heading shall be made available for refugees from the former
 6 Soviet Union and Eastern Europe and other refugees reset-
 7 tling in Israel: Provided further, That funds made available
 8 under this heading should be made available for assistance
 9 for refugees from North Korea: Provided further, That funds
 10 appropriated under this heading may be made available for
 11 a headquarters contribution to the International Committee
 12 of the Red Cross only if the Secretary of State determines
 13 (and so reports to the appropriate committees of Congress)
 14 that the Magen David Adom Society of Israel is not being
 15 denied participation in the activities of the International
 16 Red Cross and Red Crescent Movement: Provided further,
 17 That funds appropriated under this heading should be made
 18 available to develop effective responses to protracted refugee
 19 situations, including the development of programs to assist
 20 long-term refugee populations within and outside tradi-
 21 tional camp settings that support refugees living or working
 22 in local communities such as integration of refugees into
 23 local schools and services, resource conservation projects and
 24 other projects designed to diminish conflict between refugee
 25 hosting communities and refugees, and encouraging dia-

1 *logue among refugee hosting communities, the United Na-*
 2 *tions High Commissioner for Refugees, and international*
 3 *and nongovernmental refugee assistance organizations to*
 4 *promote the rights to which refugees are entitled under the*
 5 *Convention Relating to the Status of Refugees of July 28,*
 6 *1951 and the Protocol Relating to the Status of Refugees,*
 7 *done at New York January 31, 1967.*

8 *UNITED STATES EMERGENCY REFUGEE AND MIGRATION*
 9 *ASSISTANCE FUND*

10 *For necessary expenses to carry out the provisions of*
 11 *section 2(c) of the Migration and Refugee Assistance Act*
 12 *of 1962, as amended (22 U.S.C. 2601(c)), \$40,000,000, to*
 13 *remain available until expended: Provided, That funds*
 14 *made available under this heading are appropriated not-*
 15 *withstanding the provisions contained in section 2(c)(2) of*
 16 *such Act which would limit the amount of funds which*
 17 *could be appropriated for this purpose.*

18 *NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND*
 19 *RELATED PROGRAMS*

20 *For necessary expenses for nonproliferation, anti-ter-*
 21 *rorism, demining and related programs and activities,*
 22 *\$445,100,000, to carry out the provisions of chapter 8 of*
 23 *part II of the Foreign Assistance Act of 1961 for anti-ter-*
 24 *rorism assistance, chapter 9 of part II of the Foreign Assist-*
 25 *ance Act of 1961, section 504 of the FREEDOM Support*
 26 *Act, section 23 of the Arms Export Control Act or the For-*

1 *ign Assistance Act of 1961 for demining activities, the*
2 *clearance of unexploded ordnance, the destruction of small*
3 *arms, and related activities, notwithstanding any other*
4 *provision of law, including activities implemented through*
5 *nongovernmental and international organizations, and sec-*
6 *tion 301 of the Foreign Assistance Act of 1961 for a vol-*
7 *untary contribution to the International Atomic Energy*
8 *Agency (IAEA), and for a United States contribution to*
9 *the Comprehensive Nuclear Test Ban Treaty Preparatory*
10 *Commission that should be not less than \$19,350,000: Pro-*
11 *vided, That of this amount not to exceed \$37,500,000, to*
12 *remain available until expended, may be made available*
13 *for the Nonproliferation and Disarmament Fund, notwith-*
14 *standing any other provision of law, to promote bilateral*
15 *and multilateral activities relating to nonproliferation and*
16 *disarmament: Provided further, That such funds may also*
17 *be used for such countries other than the Independent States*
18 *of the former Soviet Union and international organizations*
19 *when it is in the national security interest of the United*
20 *States to do so: Provided further, That funds appropriated*
21 *under this heading may be made available for the Inter-*
22 *national Atomic Energy Agency only if the Secretary of*
23 *State determines (and so reports to the Congress) that Israel*
24 *is not being denied its right to participate in the activities*
25 *of that Agency: Provided further, That of the funds made*

1 *available for demining and related activities, not to exceed*
 2 *\$705,000, in addition to funds otherwise available for such*
 3 *purposes, may be used for administrative expenses related*
 4 *to the operation and management of the demining program:*
 5 *Provided further, That funds appropriated under this head-*
 6 *ing that are available for “Anti-terrorism Assistance” and*
 7 *“Export Control and Border Security” shall remain avail-*
 8 *able until September 30, 2007.*

9 *CONFLICT RESPONSE FUND*

10 *For necessary expenses to assist in stabilizing and re-*
 11 *constructing a country that is in, or is in transition from,*
 12 *conflict or civil strife, \$74,000,000, to remain available*
 13 *until expended: Provided, That funds available under this*
 14 *paragraph may be used for assistance for a country only*
 15 *if the Secretary of State determines and reports to the Com-*
 16 *mittees on Appropriations and the Committee on Foreign*
 17 *Relations of the Senate and the Committee on International*
 18 *Relations of the House of Representatives that it is impor-*
 19 *tant to the national security interests of the United States*
 20 *to do so and consults with the Committees on Appropria-*
 21 *tions prior to making any such determination: Provided*
 22 *further, That the President may exercise the authority of*
 23 *section 552 of the Foreign Assistance Act of 1961, without*
 24 *regard and in addition to the dollar limitations contained*
 25 *in that section, to furnish assistance under this heading*
 26 *with respect to any country that is the subject of a deter-*

1 *mination made under this heading: Provided further, That*
 2 *assistance furnished under this heading for any country*
 3 *that is the subject of a determination under this heading*
 4 *may be made available notwithstanding any other provi-*
 5 *sion of law: Provided further, That the previous proviso*
 6 *shall not apply to section 6051 of this Act: Provided further,*
 7 *That the administrative authorities of the Foreign Assist-*
 8 *ance Act of 1961 shall be applicable to the funds and re-*
 9 *sources available under this paragraph: Provided further,*
 10 *That up to an aggregate amount of 5 percent of the funds*
 11 *appropriated under this paragraph may be made available*
 12 *to United States Government agencies for the administra-*
 13 *tive costs of such agencies in implementing activities under*
 14 *this paragraph: Provided further, That funds and resources*
 15 *available under this heading shall be subject to the regular*
 16 *notification procedures of the Committees on Appropria-*
 17 *tions except that such notification shall be transmitted at*
 18 *least 5 days in advance of the obligation of funds.*

19 *DEPARTMENT OF THE TREASURY*

20 *INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE*

21 *For necessary expenses to carry out the provisions of*
 22 *section 129 of the Foreign Assistance Act of 1961,*
 23 *\$20,000,000, to remain available until September 30, 2007,*
 24 *which shall be available notwithstanding any other provi-*
 25 *sion of law.*

DEBT RESTRUCTURING

1
2 *For the cost, as defined in section 502 of the Congres-*
3 *sional Budget Act of 1974, of modifying loans and loan*
4 *guarantees, as the President may determine, for which*
5 *funds have been appropriated or otherwise made available*
6 *for programs within the International Affairs Budget Func-*
7 *tion 150, including the cost of selling, reducing, or canceling*
8 *amounts owed to the United States as a result of*
9 *concessional loans made to eligible countries, pursuant to*
10 *parts IV and V of the Foreign Assistance Act of 1961, of*
11 *modifying concessional credit agreements with least devel-*
12 *oped countries, as authorized under section 411 of the Agri-*
13 *cultural Trade Development and Assistance Act of 1954, as*
14 *amended, of concessional loans, guarantees and credit*
15 *agreements, as authorized under section 572 of the Foreign*
16 *Operations, Export Financing, and Related Programs Ap-*
17 *propriations Act, 1989 (Public Law 100–461), and of can-*
18 *celing amounts owed, as a result of loans or guarantees*
19 *made pursuant to the Export-Import Bank Act of 1945, by*
20 *countries that are eligible for debt reduction pursuant to*
21 *title V of H.R. 3425 as enacted into law by section*
22 *1000(a)(5) of Public Law 106–113, \$99,750,000, to remain*
23 *available until September 30, 2008: Provided, That not less*
24 *than \$20,000,000 of the funds appropriated under this*
25 *heading shall be made available to carry out the provisions*

1 of part V of the Foreign Assistance Act of 1961: Provided
 2 further, That up to \$75,000,000 of the funds appropriated
 3 under this heading may be used by the Secretary of the
 4 Treasury to pay to the Heavily Indebted Poor Countries
 5 (HIPC) Trust Fund administered by the International
 6 Bank for Reconstruction and Development amounts for the
 7 benefit of countries that are eligible for debt reduction pur-
 8 suant to title V of H.R. 3425 as enacted into law by section
 9 1000(a)(5) of Public Law 106–113: Provided further, That
 10 amounts paid to the HIPC Trust Fund may be used only
 11 to fund debt reduction under the enhanced HIPC initiative
 12 by—

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

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

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

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

23 *(2) have documented and demonstrated their*
24 *commitment to redirect their budgetary resources*
25 *from international debt repayments to programs to*

1 *alleviate poverty and promote economic growth that*
 2 *are additional to or expand upon those previously*
 3 *available for such purposes:*

4 *Provided further, That any limitation of subsection (e) of*
 5 *section 411 of the Agricultural Trade Development and As-*
 6 *sistance Act of 1954 shall not apply to funds appropriated*
 7 *under this heading: Provided further, That none of the*
 8 *funds made available under this heading in this or any*
 9 *other appropriations Act shall be made available for Sudan*
 10 *or Burma unless the Secretary of the Treasury determines*
 11 *and notifies the Committees on Appropriations that a*
 12 *democratically elected government has taken office: Pro-*
 13 *vided further, That none of the funds appropriated under*
 14 *this heading may be paid to the HIPC Trust Fund for the*
 15 *benefit of any country that has accepted loans from an*
 16 *international financial institution between such country's*
 17 *decision point and completion point: Provided further, That*
 18 *the terms "decision point" and "completion point" shall*
 19 *have the same meaning as defined by the International*
 20 *Monetary Fund.*

21 *TITLE IV—MILITARY ASSISTANCE*

22 *FUNDS APPROPRIATED TO THE PRESIDENT*

23 *INTERNATIONAL MILITARY EDUCATION AND TRAINING*

24 *For necessary expenses to carry out the provisions of*
 25 *section 541 of the Foreign Assistance Act of 1961,*

1 \$86,744,000, of which up to \$3,000,000 may remain avail-
 2 able until expended: Provided, That the civilian personnel
 3 for whom military education and training may be provided
 4 under this heading may include civilians who are not mem-
 5 bers of a government whose participation would contribute
 6 to improved civil-military relations, civilian control of the
 7 military, or respect for human rights: Provided further,
 8 That funds appropriated under this heading for military
 9 education and training for Guatemala may only be avail-
 10 able for expanded international military education and
 11 training, and funds made available for Haiti, the Demo-
 12 cratic Republic of the Congo, and Nigeria may only be pro-
 13 vided through the regular notification procedures of the
 14 Committees on Appropriations.

15 FOREIGN MILITARY FINANCING PROGRAM

16 (INCLUDING TRANSFER OF FUNDS)

17 For expenses necessary for grants to enable the Presi-
 18 dent to carry out the provisions of section 23 of the Arms
 19 Export Control Act, \$4,603,600,000: Provided, That of the
 20 funds appropriated under this heading, not less than
 21 \$2,280,000,000 shall be available for grants only for Israel:
 22 Provided further, That the funds appropriated by this para-
 23 graph for Israel shall be disbursed within 30 days of the
 24 enactment of this Act: Provided further, That to the extent
 25 that the Government of Israel requests that funds be used
 26 for such purposes, grants made available for Israel by this

1 paragraph shall, as agreed by Israel and the United States,
2 be available for advanced weapons systems, of which not
3 less than \$595,000,000 shall be available for the procure-
4 ment in Israel of defense articles and defense services, in-
5 cluding research and development: Provided further, That
6 of the funds appropriated by this paragraph, \$206,000,000
7 shall be made available for assistance for Jordan: Provided
8 further, That of the funds appropriated by this paragraph,
9 \$10,000,000 shall be made available for assistance for Tuni-
10 sia: Provided further, That funds appropriated or otherwise
11 made available by this paragraph shall be nonrepayable
12 notwithstanding any requirement in section 23 of the Arms
13 Export Control Act: Provided further, That funds made
14 available under this paragraph shall be obligated upon ap-
15 portionment in accordance with paragraph (5)(C) of title
16 31, United States Code, section 1501(a).

17 None of the funds made available under this heading
18 shall be available to finance the procurement of defense arti-
19 cles, defense services, or design and construction services
20 that are not sold by the United States Government under
21 the Arms Export Control Act unless the foreign country pro-
22 posing to make such procurements has first signed an agree-
23 ment with the United States Government specifying the
24 conditions under which such procurements may be financed
25 with such funds: Provided, That all country and funding

1 *level increases in allocations shall be submitted through the*
2 *regular notification procedures of section 6015 of this Act:*
3 *Provided further, That none of the funds appropriated*
4 *under this heading shall be available for assistance for*
5 *Sudan and Guatemala: Provided further, That none of the*
6 *funds appropriated under this heading may be made avail-*
7 *able for assistance for Haiti except pursuant to the regular*
8 *notification procedures of the Committees on Appropria-*
9 *tions: Provided further, That funds made available under*
10 *this heading may be used, notwithstanding any other provi-*
11 *sion of law, for demining, the clearance of unexploded ord-*
12 *nance, and related activities, and may include activities*
13 *implemented through nongovernmental and international*
14 *organizations: Provided further, That only those countries*
15 *for which assistance was justified for the “Foreign Military*
16 *Sales Financing Program” in the fiscal year 1989 congres-*
17 *sional presentation for security assistance programs may*
18 *utilize funds made available under this heading for procure-*
19 *ment of defense articles, defense services or design and con-*
20 *struction services that are not sold by the United States*
21 *Government under the Arms Export Control Act: Provided*
22 *further, That funds appropriated under this heading shall*
23 *be expended at the minimum rate necessary to make timely*
24 *payment for defense articles and services: Provided further,*
25 *That not more than \$42,500,000 of the funds appropriated*

1 *under this heading may be obligated for necessary expenses,*
 2 *including the purchase of passenger motor vehicles for re-*
 3 *placement only for use outside of the United States, for the*
 4 *general costs of administering military assistance and sales:*
 5 *Provided further, That not more than \$373,000,000 of funds*
 6 *realized pursuant to section 21(e)(1)(A) of the Arms Export*
 7 *Control Act may be obligated for expenses incurred by the*
 8 *Department of Defense during fiscal year 2006 pursuant*
 9 *to section 43(b) of the Arms Export Control Act, except that*
 10 *this limitation may be exceeded only through the regular*
 11 *notification procedures of the Committees on Appropria-*
 12 *tions: Provided further, That foreign military financing*
 13 *program funds estimated to be outlayed for Egypt during*
 14 *fiscal year 2006 shall be transferred to an interest bearing*
 15 *account for Egypt in the Federal Reserve Bank of New York*
 16 *within 30 days of enactment of this Act.*

17 *PEACEKEEPING OPERATIONS*

18 *For necessary expenses to carry out the provisions of*
 19 *section 551 of the Foreign Assistance Act of 1961,*
 20 *\$195,800,000: Provided, That none of the funds appro-*
 21 *priated under this heading shall be obligated or expended*
 22 *except as provided through the regular notification proce-*
 23 *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, \$107,500,000 to the International Bank*
 8 *for Reconstruction and Development as trustee for the Glob-*
 9 *al Environment Facility (GEF), by the Secretary of the*
 10 *Treasury, to remain available until expended: Provided,*
 11 *That the GEF Council should approve a performance-based*
 12 *allocation system.*

13 *CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT*
 14 *ASSOCIATION*

15 *For payment to the International Development Asso-*
 16 *ciation by the Secretary of the Treasury, \$900,000,000, to*
 17 *remain available until expended.*

18 *CONTRIBUTION TO THE MULTILATERAL INVESTMENT*
 19 *GUARANTEE AGENCY*

20 *For payment to the Multilateral Investment Guarantee*
 21 *Agency by the Secretary of the Treasury, \$1,300,000, to re-*
 22 *main available until expended.*

23 *LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS*

24 *The United States Governor of the Multilateral Invest-*
 25 *ment Guarantee Agency may subscribe without fiscal year*
 26 *limitation to the callable capital portion of the United*

1 *States share of such capital in an amount not to exceed*
2 *\$8,127,000.*

3 *CONTRIBUTION TO THE INTER-AMERICAN INVESTMENT*
4 *CORPORATION*

5 *For payment to the Inter-American Investment Cor-*
6 *poration by the Secretary of the Treasury, \$1,500,000, to*
7 *remain available until expended.*

8 *CONTRIBUTION TO THE ENTERPRISE FOR THE AMERICAS*
9 *MULTILATERAL INVESTMENT FUND*

10 *For payment to the Enterprise for the Americas Multi-*
11 *lateral Investment Fund by the Secretary of the Treasury,*
12 *for the United States contribution to the fund, \$3,742,000,*
13 *to remain available until expended, of which \$2,000,000*
14 *shall be for payments of arrears.*

15 *CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND*

16 *For the United States contribution by the Secretary*
17 *of the Treasury to the increase in resources of the Asian*
18 *Development Fund, as authorized by the Asian Develop-*
19 *ment Bank Act, as amended, \$100,000,000, to remain*
20 *available until expended.*

21 *CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK*

22 *For payment to the African Development Bank by the*
23 *Secretary of the Treasury, \$3,638,000, for the United States*
24 *paid-in share of the increase in capital stock, to remain*
25 *available until expended.*

1 *LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS*

2 *The United States Governor of the African Develop-*
 3 *ment Bank may subscribe without fiscal year limitation for*
 4 *the callable capital portion of the United States share of*
 5 *such capital stock in an amount not to exceed \$88,334,000.*

6 *CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND*

7 *For the United States contribution by the Secretary*
 8 *of the Treasury to the increase in resources of the African*
 9 *Development Fund, \$135,700,000, to remain available until*
 10 *expended.*

11 *CONTRIBUTION TO THE EUROPEAN BANK FOR*

12 *RECONSTRUCTION AND DEVELOPMENT*

13 *For payment to the European Bank for Reconstruction*
 14 *and Development by the Secretary of the Treasury,*
 15 *\$1,016,000 for the United States share of the paid-in por-*
 16 *tion of the increase in capital stock, to remain available*
 17 *until expended.*

18 *LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS*

19 *The United States Governor of the European Bank for*
 20 *Reconstruction and Development may subscribe without fis-*
 21 *cal year limitation to the callable capital portion of the*
 22 *United States share of such capital stock in an amount not*
 23 *to exceed \$2,250,000.*

1 *CONTRIBUTION TO THE INTERNATIONAL FUND FOR*
 2 *AGRICULTURAL DEVELOPMENT*

3 *For the United States contribution by the Secretary*
 4 *of the Treasury to increase the resources of the International*
 5 *Fund for Agricultural Development, \$15,000,000, to remain*
 6 *available until expended.*

7 *INTERNATIONAL ORGANIZATIONS AND PROGRAMS*

8 *For necessary expenses to carry out the provisions of*
 9 *section 301 of the Foreign Assistance Act of 1961, and of*
 10 *section 2 of the United Nations Environment Program Par-*
 11 *ticipation Act of 1973, \$330,000,000: Provided, That none*
 12 *of the funds appropriated under this heading may be made*
 13 *available to the International Atomic Energy Agency*
 14 *(IAEA).*

15 *TITLE VI—GENERAL PROVISIONS*

16 *COMPENSATION FOR UNITED STATES EXECUTIVE*

17 *DIRECTORS TO INTERNATIONAL FINANCIAL INSTITUTIONS*

18 *SEC. 6001. (a) No funds appropriated by this Act may*
 19 *be made as payment to any international financial institu-*
 20 *tion while the United States Executive Director to such in-*
 21 *stitution is compensated by the institution at a rate which,*
 22 *together with whatever compensation such Director receives*
 23 *from the United States, is in excess of the rate provided*
 24 *for an individual occupying a position at level IV of the*
 25 *Executive Schedule under section 5315 of title 5, United*

1 *States Code, or while any alternate United States Director*
 2 *to such institution is compensated by the institution at a*
 3 *rate in excess of the rate provided for an individual occu-*
 4 *pying a position at level V of the Executive Schedule under*
 5 *section 5316 of title 5, United States Code.*

6 (b) *For purposes of this section “international finan-*
 7 *cial institutions” are: the International Bank for Recon-*
 8 *struction and Development, the Inter-American Develop-*
 9 *ment Bank, the Asian Development Bank, the Asian Devel-*
 10 *opment Fund, the African Development Bank, the African*
 11 *Development Fund, the International Monetary Fund, the*
 12 *North American Development Bank, and the European*
 13 *Bank for Reconstruction and Development.*

14 *RESTRICTIONS ON VOLUNTARY CONTRIBUTIONS TO UNITED*
 15 *NATIONS AGENCIES*

16 *SEC. 6002. None of the funds appropriated by this Act*
 17 *may be made available to pay any voluntary contribution*
 18 *of the United States to the United Nations (including the*
 19 *United Nations Development Program) if the United Na-*
 20 *tions implements or imposes any taxation on any United*
 21 *States persons.*

22 *LIMITATION ON RESIDENCE EXPENSES*

23 *SEC. 6003. Of the funds appropriated or made avail-*
 24 *able pursuant to this Act, not to exceed \$100,500 shall be*
 25 *for official residence expenses of the United States Agency*
 26 *for International Development during the current fiscal*

1 *year: Provided, That appropriate steps shall be taken to as-*
 2 *sure that, to the maximum extent possible, United States-*
 3 *owned foreign currencies are utilized in lieu of dollars.*

4 *LIMITATION ON EXPENSES*

5 *SEC. 6004. None of the funds appropriated or made*
 6 *available pursuant to this Act may be used for entertain-*
 7 *ment expenses of the United States Agency for International*
 8 *Development.*

9 *LIMITATION ON REPRESENTATIONAL ALLOWANCES*

10 *SEC. 6005. Of the funds appropriated or made avail-*
 11 *able pursuant to this Act, not to exceed \$250,000 shall be*
 12 *available for representation allowances for the United*
 13 *States Agency for International Development during the*
 14 *current fiscal year: Provided, That appropriate steps shall*
 15 *be taken to assure that, to the maximum extent possible,*
 16 *United States-owned foreign currencies are utilized in lieu*
 17 *of dollars: Provided further, That of the funds made avail-*
 18 *able by this Act for general costs of administering military*
 19 *assistance and sales under the heading “Foreign Military*
 20 *Financing Program”, not to exceed \$4,000 shall be avail-*
 21 *able for entertainment expenses and not to exceed \$130,000*
 22 *shall be available for representation allowances: Provided*
 23 *further, That of the funds made available by this Act under*
 24 *the heading “International Military Education and Train-*
 25 *ing”, not to exceed \$55,000 shall be available for entertain-*
 26 *ment allowances: Provided further, That of the funds made*

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

14 *PROHIBITION ON TAXATION OF UNITED STATES*

15 *ASSISTANCE*

16 *SEC. 6006. (a) PROHIBITION ON TAXATION.—None of*
 17 *the funds appropriated by this Act may be made available*
 18 *to provide assistance for a foreign country under a new bi-*
 19 *lateral agreement governing the terms and conditions under*
 20 *which such assistance is to be provided unless such agree-*
 21 *ment includes a provision stating that assistance provided*
 22 *by the United States shall be exempt from taxation, or reim-*
 23 *bursed, by the foreign government, and the Secretary of*
 24 *State shall expeditiously seek to negotiate amendments to*
 25 *existing bilateral agreements, as necessary, to conform with*
 26 *this requirement.*

1 (b) *REIMBURSEMENT OF FOREIGN TAXES.*—An
2 amount equivalent to 200 percent of the total taxes assessed
3 during fiscal year 2006 on funds appropriated by this Act
4 by a foreign government or entity against commodities fi-
5 nanced under United States assistance programs for which
6 funds are appropriated by this Act, either directly or
7 through grantees, contractors and subcontractors shall be
8 withheld from obligation from funds appropriated for as-
9 sistance for fiscal year 2007 and allocated for the central
10 government of such country and for the West Bank and
11 Gaza Program to the extent that the Secretary of State cer-
12 tifies and reports in writing to the Committees on Appro-
13 priations that such taxes have not been reimbursed to the
14 Government of the United States.

15 (c) *DE MINIMIS EXCEPTION.*—Foreign taxes of a de
16 minimis nature shall not be subject to the provisions of sub-
17 section (b).

18 (d) *REPROGRAMMING OF FUNDS.*—Funds withheld
19 from obligation for each country or entity pursuant to sub-
20 section (b) shall be reprogrammed for assistance to countries
21 which do not assess taxes on United States assistance or
22 which have an effective arrangement that is providing sub-
23 stantial reimbursement of such taxes.

24 (e) *DETERMINATIONS.*—

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

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

8 (B) *the foreign policy interests of the United*
 9 *States outweigh the policy of this section to en-*
 10 *sure that United States assistance is not subject*
 11 *to taxation.*

12 (2) *The Secretary of State shall consult with the*
 13 *Committees on Appropriations at least 15 days prior*
 14 *to exercising the authority of this subsection with re-*
 15 *gard to any country or entity.*

16 (f) *IMPLEMENTATION.—The Secretary of State shall*
 17 *issue rules, regulations, or policy guidance, as appropriate,*
 18 *to implement the prohibition against the taxation of assist-*
 19 *ance contained in this section.*

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

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

14 *SEC. 6007. None of the funds appropriated or other-*
15 *wise made available pursuant to this Act shall be obligated*
16 *or expended to finance directly any assistance or repara-*
17 *tions to Cuba, Libya, North Korea, Iran, or Syria: Pro-*
18 *vided, That for purposes of this section, the prohibition on*
19 *obligations or expenditures shall include direct loans, cred-*
20 *its, insurance and guarantees of the Export-Import Bank*
21 *or its agents: Provided further, That for purposes of this*
22 *section, the prohibition shall not include activities of the*
23 *Overseas Private Investment Corporation in Libya.*

25 *SEC. 6008. None of the funds appropriated or other-*
26 *wise made available pursuant to this Act shall be obligated*

1 *or expended to finance directly any assistance to the govern-*
 2 *ment of any country whose duly elected head of government*
 3 *is deposed by decree or military coup: Provided, That as-*
 4 *sistance may be resumed to such government if the Presi-*
 5 *dent determines and certifies to the Committees on Appro-*
 6 *priations that subsequent to the termination of assistance*
 7 *a democratically elected government has taken office: Pro-*
 8 *vided further, That the provisions of this section shall not*
 9 *apply to assistance to promote democratic elections or pub-*
 10 *lic participation in democratic processes: Provided further,*
 11 *That funds made available pursuant to the previous pro-*
 12 *visos shall be subject to the regular notification procedures*
 13 *of the Committees on Appropriations.*

14 *TRANSFERS*

15 *SEC. 6009. (a)(1) LIMITATION ON TRANSFERS BE-*
 16 *TWEEN AGENCIES.—None of the funds made available by*
 17 *titles II through V of this Act may be transferred to any*
 18 *department, agency, or instrumentality of the United States*
 19 *Government, except pursuant to a transfer made by, or*
 20 *transfer authority provided in, this Act or any other appro-*
 21 *priation Act.*

22 *(2) Notwithstanding paragraph (1), in addition to*
 23 *transfers made by, or authorized elsewhere in, this Act,*
 24 *funds appropriated by this Act to carry out the purposes*
 25 *of the Foreign Assistance Act of 1961 may be allocated or*
 26 *transferred to agencies of the United States Government*

1 *pursuant to the provisions of sections 109, 610, and 632*
2 *of the Foreign Assistance Act of 1961.*

3 (b) *TRANSFERS BETWEEN ACCOUNTS.*—None of the
4 *funds made available by this Act may be obligated under*
5 *an appropriation account to which they were not appro-*
6 *priated, except for transfers specifically provided for in this*
7 *Act, unless the President, not less than 5 days prior to the*
8 *exercise of any authority contained in the Foreign Assist-*
9 *ance Act of 1961 to transfer funds, consults with and pro-*
10 *vides a written policy justification to the Committees on*
11 *Appropriations of the House of Representatives and the*
12 *Senate.*

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

1 *COMMERCIAL LEASING OF DEFENSE ARTICLES*

2 *SEC. 6010. Notwithstanding any other provision of*
 3 *law, and subject to the regular notification procedures of*
 4 *the Committees on Appropriations, the authority of section*
 5 *23(a) of the Arms Export Control Act may be used to pro-*
 6 *vide financing to Israel, Egypt and NATO and major non-*
 7 *NATO allies for the procurement by leasing (including leas-*
 8 *ing with an option to purchase) of defense articles from*
 9 *United States commercial suppliers, not including Major*
 10 *Defense Equipment (other than helicopters and other types*
 11 *of aircraft having possible civilian application), if the*
 12 *President determines that there are compelling foreign pol-*
 13 *icy or national security reasons for those defense articles*
 14 *being provided by commercial lease rather than by govern-*
 15 *ment-to-government sale under such Act.*

16 *AVAILABILITY OF FUNDS*

17 *SEC. 6011. No part of any appropriation contained*
 18 *in any title of this Act shall remain available for obligation*
 19 *after the expiration of the current fiscal year unless ex-*
 20 *pressly so provided in this Act: Provided, That funds appro-*
 21 *priated for the purposes of chapters 1, 8, 11, and 12 of part*
 22 *I, section 667, chapters 4, 6, 8, and 9 of part II of the*
 23 *Foreign Assistance Act of 1961, section 23 of the Arms Ex-*
 24 *port Control Act, and funds provided under the heading*
 25 *“Assistance for Eastern Europe and the Baltic States”,*
 26 *shall remain available for an additional 4 years from the*

1 *date on which the availability of such funds would other-*
 2 *wise have expired, if such funds are initially obligated be-*
 3 *fore the expiration of their respective periods of availability*
 4 *contained in this Act: Provided further, That, notwith-*
 5 *standing any other provision of this Act, any funds made*
 6 *available for the purposes of chapter 1 of part I and chapter*
 7 *4 of part II of the Foreign Assistance Act of 1961 which*
 8 *are allocated or obligated for cash disbursements in order*
 9 *to address balance of payments or economic policy reform*
 10 *objectives, shall remain available until expended.*

11 *LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT*

12 *SEC. 6012. No part of any appropriation contained*
 13 *in this Act shall be used to furnish assistance to the govern-*
 14 *ment of any country which is in default during a period*
 15 *in excess of 1 calendar year in payment to the United*
 16 *States of principal or interest on any loan made to the gov-*
 17 *ernment of such country by the United States pursuant to*
 18 *a program for which funds are appropriated under this Act*
 19 *unless the President determines, following consultations*
 20 *with the Committees on Appropriations, that assistance to*
 21 *such country is in the national interest of the United States.*

22 *COMMERCE AND TRADE*

23 *SEC. 6013. (a) None of the funds appropriated or made*
 24 *available pursuant to this Act for direct assistance and*
 25 *none of the funds otherwise made available pursuant to this*
 26 *Act to the Export-Import Bank and the Overseas Private*

1 *Investment Corporation shall be obligated or expended to*
2 *finance any loan, any assistance or any other financial*
3 *commitments for establishing or expanding production of*
4 *any commodity for export by any country other than the*
5 *United States, if the commodity is likely to be in surplus*
6 *on world markets at the time the resulting productive ca-*
7 *capacity is expected to become operative and if the assistance*
8 *will cause substantial injury to United States producers of*
9 *the same, similar, or competing commodity: Provided, That*
10 *such prohibition shall not apply to the Export-Import Bank*
11 *if in the judgment of its Board of Directors the benefits to*
12 *industry and employment in the United States are likely*
13 *to outweigh the injury to United States producers of the*
14 *same, similar, or competing commodity, and the Chairman*
15 *of the Board so notifies the Committees on Appropriations.*

16 *(b) None of the funds appropriated by this or any other*
17 *Act to carry out chapter 1 of part I of the Foreign Assist-*
18 *ance Act of 1961 shall be available for any testing or breed-*
19 *ing feasibility study, variety improvement or introduction,*
20 *consultancy, publication, conference, or training in connec-*
21 *tion with the growth or production in a foreign country*
22 *of an agricultural commodity for export which would com-*
23 *pete with a similar commodity grown or produced in the*
24 *United States: Provided, That this subsection shall not*
25 *prohibit—*

- 1 (1) *activities designed to increase food security*
 2 *in developing countries where such activities will not*
 3 *have a significant impact on the export of agricul-*
 4 *tural commodities of the United States; or*
- 5 (2) *research activities intended primarily to ben-*
 6 *efit American producers.*

7 *SURPLUS COMMODITIES*

8 *SEC. 6014. The Secretary of the Treasury shall in-*
 9 *struct the United States Executive Directors of the Inter-*
 10 *national Bank for Reconstruction and Development, the*
 11 *International Development Association, the International*
 12 *Finance Corporation, the Inter-American Development*
 13 *Bank, the International Monetary Fund, the Asian Devel-*
 14 *opment Bank, the Inter-American Investment Corporation,*
 15 *the North American Development Bank, the European*
 16 *Bank for Reconstruction and Development, the African De-*
 17 *velopment Bank, and the African Development Fund to use*
 18 *the voice and vote of the United States to oppose any assist-*
 19 *ance by these institutions, using funds appropriated or*
 20 *made available pursuant to this Act, for the production or*
 21 *extraction of any commodity or mineral for export, if it*
 22 *is in surplus on world markets and if the assistance will*
 23 *cause substantial injury to United States producers of the*
 24 *same, similar, or competing commodity.*

NOTIFICATION REQUIREMENTS

1
2 *SEC. 6015. For the purposes of providing the executive*
3 *branch with the necessary administrative flexibility, none*
4 *of the funds made available under this Act for “Child Sur-*
5 *vival and Health Programs Fund”, “Development Assist-*
6 *ance”, “International Organizations and Programs”,*
7 *“Trade and Development Agency”, “International Nar-*
8 *cotics Control and Law Enforcement”, “Andean*
9 *Counterdrug Initiative”, “Assistance for Eastern Europe*
10 *and the Baltic States”, “Assistance for the Independent*
11 *States of the Former Soviet Union”, “Economic Support*
12 *Fund”, “Global HIV/AIDS Initiative”, “Democracy*
13 *Fund”, “Peacekeeping Operations”, “Capital Investment*
14 *Fund”, “Operating Expenses of the United States Agency*
15 *for International Development”, “Operating Expenses of*
16 *the United States Agency for International Development*
17 *Office of Inspector General”, “Nonproliferation, Anti-ter-*
18 *rorism, Demining and Related Programs”, “Millennium*
19 *Challenge Corporation” (by country only), “Foreign Mili-*
20 *tary Financing Program”, “International Military Edu-*
21 *cation and Training”, “Peace Corps”, and “Migration and*
22 *Refugee Assistance”, shall be available for obligation for ac-*
23 *tivities, programs, projects, type of materiel assistance,*
24 *countries, or other operations not justified or in excess of*
25 *the amount justified to the Committees on Appropriations*

1 *for obligation under any of these specific headings unless*
2 *the Committees on Appropriations of both Houses of Con-*
3 *gress are previously notified 15 days in advance: Provided,*
4 *That the President shall not enter into any commitment*
5 *of funds appropriated for the purposes of section 23 of the*
6 *Arms Export Control Act for the provision of major defense*
7 *equipment, other than conventional ammunition, or other*
8 *major defense items defined to be aircraft, ships, missiles,*
9 *or combat vehicles, not previously justified to Congress or*
10 *20 percent in excess of the quantities justified to Congress*
11 *unless the Committees on Appropriations are notified 15*
12 *days in advance of such commitment: Provided further,*
13 *That this section shall not apply to any reprogramming*
14 *for an activity, program, or project for which funds are ap-*
15 *propriated under title III of this Act of less than 10 percent*
16 *of the amount previously justified to the Congress for obliga-*
17 *tion for such activity, program, or project for the current*
18 *fiscal year: Provided further, That the requirements of this*
19 *section or any similar provision of this Act or any other*
20 *Act, including any prior Act requiring notification in ac-*
21 *cordance with the regular notification procedures of the*
22 *Committees on Appropriations, may be waived if failure*
23 *to do so would pose a substantial risk to human health or*
24 *welfare: Provided further, That in case of any such waiver,*
25 *notification to the Congress, or the appropriate congres-*

1 sional committees, shall be provided as early as practicable,
 2 but in no event later than 3 days after taking the action
 3 to which such notification requirement was applicable, in
 4 the context of the circumstances necessitating such waiver:
 5 Provided further, That any notification provided pursuant
 6 to such a waiver shall contain an explanation of the emer-
 7 gency circumstances.

8 *LIMITATION ON AVAILABILITY OF FUNDS FOR*
 9 *INTERNATIONAL ORGANIZATIONS AND PROGRAMS*

10 *SEC. 6016. Subject to the regular notification proce-*
 11 *dures of the Committees on Appropriations, funds appro-*
 12 *priated under this Act or any previously enacted Act mak-*
 13 *ing appropriations for foreign operations, export financing,*
 14 *and related programs, which are returned or not made*
 15 *available for organizations and programs because of the im-*
 16 *plementation of section 307(a) of the Foreign Assistance Act*
 17 *of 1961, shall remain available for obligation until Sep-*
 18 *tember 30, 2007.*

19 *INDEPENDENT STATES OF THE FORMER SOVIET UNION*

20 *SEC. 6017. (a) None of the funds appropriated under*
 21 *the heading “Assistance for the Independent States of the*
 22 *Former Soviet Union” shall be made available for assist-*
 23 *ance for a government of an Independent State of the former*
 24 *Soviet Union if that government directs any action in vio-*
 25 *lation of the territorial integrity or national sovereignty of*
 26 *any other Independent State of the former Soviet Union,*

1 *such as those violations included in the Helsinki Final Act:*
 2 *Provided, That such funds may be made available without*
 3 *regard to the restriction in this subsection if the President*
 4 *determines that to do so is in the national security interest*
 5 *of the United States.*

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

12 (c) *Funds appropriated under the heading “Assistance*
 13 *for the Independent States of the Former Soviet Union” for*
 14 *the Russian Federation, Armenia, Georgia, and Ukraine*
 15 *shall be subject to the regular notification procedures of the*
 16 *Committees on Appropriations.*

17 (d) *Funds made available in this Act for assistance*
 18 *for the Independent States of the former Soviet Union shall*
 19 *be subject to the provisions of section 117 (relating to envi-*
 20 *ronment and natural resources) of the Foreign Assistance*
 21 *Act of 1961.*

22 (e) *In issuing new task orders, entering into contracts,*
 23 *or making grants, with funds appropriated in this Act or*
 24 *prior appropriations Acts under the heading “Assistance*
 25 *for the Independent States of the Former Soviet Union” and*

1 *under comparable headings in prior appropriations Acts,*
 2 *for projects or activities that have as one of their primary*
 3 *purposes the fostering of private sector development, the Co-*
 4 *ordinator for United States Assistance to Europe and Eur-*
 5 *asia and the implementing agency shall encourage the par-*
 6 *ticipation of and give significant weight to contractors and*
 7 *grantees who propose investing a significant amount of*
 8 *their own resources (including volunteer services and in-*
 9 *kind contributions) in such projects and activities.*

10 *PROHIBITION ON FUNDING FOR ABORTIONS AND*
 11 *INVOLUNTARY STERILIZATION*

12 *SEC. 6018. None of the funds made available to carry*
 13 *out part I of the Foreign Assistance Act of 1961, as amend-*
 14 *ed, may be used to pay for the performance of abortions*
 15 *as a method of family planning or to motivate or coerce*
 16 *any person to practice abortions. None of the funds made*
 17 *available to carry out part I of the Foreign Assistance Act*
 18 *of 1961, as amended, may be used to pay for the perform-*
 19 *ance of involuntary sterilization as a method of family*
 20 *planning or to coerce or provide any financial incentive*
 21 *to any person to undergo sterilizations. None of the funds*
 22 *made available to carry out part I of the Foreign Assistance*
 23 *Act of 1961, as amended, may be used to pay for any bio-*
 24 *medical research which relates in whole or in part, to meth-*
 25 *ods of, or the performance of, abortions or involuntary steri-*
 26 *lization as a means of family planning. None of the funds*

1 *made available to carry out part I of the Foreign Assistance*
 2 *Act of 1961, as amended, may be obligated or expended for*
 3 *any country or organization if the President certifies that*
 4 *the use of these funds by any such country or organization*
 5 *would violate any of the above provisions related to abor-*
 6 *tions and involuntary sterilizations.*

7 *EXPORT FINANCING TRANSFER AUTHORITIES*

8 *SEC. 6019. Not to exceed 5 percent of any appropria-*
 9 *tion other than for administrative expenses made available*
 10 *for fiscal year 2006, for programs under title II of this Act*
 11 *may be transferred between such appropriations for use for*
 12 *any of the purposes, programs, and activities for which the*
 13 *funds in such receiving account may be used, but no such*
 14 *appropriation, except as otherwise specifically provided,*
 15 *shall be increased by more than 25 percent by any such*
 16 *transfer: Provided, That the exercise of such authority shall*
 17 *be subject to the regular notification procedures of the Com-*
 18 *mittees on Appropriations.*

19 *SPECIAL NOTIFICATION REQUIREMENTS*

20 *SEC. 6020. None of the funds appropriated by this Act*
 21 *shall be obligated or expended for assistance for Liberia,*
 22 *Serbia, Sudan, Zimbabwe, Pakistan, or Cambodia except*
 23 *as provided through the regular notification procedures of*
 24 *the Committees on Appropriations.*

1 *DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY*

2 *SEC. 6021. For the purpose of titles II through V of*
 3 *this Act “program, project, and activity” shall be defined*
 4 *at the appropriations Act account level and shall include*
 5 *all appropriations and authorizations Acts earmarks, ceil-*
 6 *ings, and limitations with the exception that for the fol-*
 7 *lowing accounts: Economic Support Fund and Foreign*
 8 *Military Financing Program “program, project, and activ-*
 9 *ity” shall also be considered to include country, regional,*
 10 *and central program level funding within each such ac-*
 11 *count; for the development assistance accounts of the United*
 12 *States Agency for International Development “program,*
 13 *project, and activity” shall also be considered to include*
 14 *central, country, regional, and program level funding, ei-*
 15 *ther as: (1) justified to the Congress; or (2) allocated by*
 16 *the executive branch in accordance with a report, to be pro-*
 17 *vided to the Committees on Appropriations within 30 days*
 18 *of the enactment of this Act, as required by section 653(a)*
 19 *of the Foreign Assistance Act of 1961.*

20 *CHILD SURVIVAL AND HEALTH ACTIVITIES*

21 *SEC. 6022. Up to \$13,500,000 of the funds made avail-*
 22 *able by this Act for assistance under the heading “Child*
 23 *Survival and Health Programs Fund”, may be used to re-*
 24 *imburse United States Government agencies, agencies of*
 25 *State governments, institutions of higher learning, and pri-*
 26 *ivate and voluntary organizations for the full cost of indi-*

1 *viduals (including for the personal services of such individ-*
 2 *uals) detailed or assigned to, or contracted by, as the case*
 3 *may be, the United States Agency for International Devel-*
 4 *opment for the purpose of carrying out activities under that*
 5 *heading: Provided, That up to \$3,500,000 of the funds made*
 6 *available by this Act for assistance under the heading “De-*
 7 *velopment Assistance” may be used to reimburse such agen-*
 8 *cies, institutions, and organizations for such costs of such*
 9 *individuals carrying out other development assistance ac-*
 10 *tivities: Provided further, That funds appropriated by titles*
 11 *III and IV of this Act that are made available for bilateral*
 12 *assistance for child survival activities or disease programs*
 13 *including activities relating to research on, and the preven-*
 14 *tion, treatment and control of, HIV/AIDS may be made*
 15 *available notwithstanding any other provision of law except*
 16 *for the provisions under the heading “Child Survival and*
 17 *Health Programs Fund” and the United States Leadership*
 18 *Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003*
 19 *(117 Stat. 711; 22 U.S.C. 7601 et seq.), as amended: Pro-*
 20 *vided further, That of the funds appropriated under title*
 21 *III of this Act, not less than \$450,000,000 shall be made*
 22 *available for family planning/reproductive health: Provided*
 23 *further, That the Comptroller General of the United States*
 24 *shall conduct an audit on the use of funds appropriated*
 25 *for fiscal years 2004 and 2005 under the heading “Child*

1 *Survival and Health Programs Fund*”, to include specific
 2 *recommendations on improving the effectiveness of such*
 3 *funds.*

4 *AFGHANISTAN*

5 *SEC. 6023. Of the funds appropriated by titles III and*
 6 *IV of this Act, not less than \$920,000,000 should be made*
 7 *available for humanitarian, reconstruction, and related as-*
 8 *sistance for Afghanistan: Provided, That of the funds made*
 9 *available pursuant to this section, not less than \$5,000,000*
 10 *shall be made available for reforestation activities: Provided*
 11 *further, That funds made available pursuant to the previous*
 12 *proviso should be matched, to the maximum extent possible,*
 13 *with contributions from American and Afghan businesses:*
 14 *Provided further, That of the funds made available pursu-*
 15 *ant to this section, not less than \$3,000,000 should be made*
 16 *available for assistance for Afghan families and commu-*
 17 *nities that have suffered losses as a result of the military*
 18 *operations against the Taliban and insurgents, including*
 19 *to employ an individual to serve as a liaison between Af-*
 20 *ghan families and communities, the Afghan Independent*
 21 *Human Rights Commission, United States Armed Forces,*
 22 *and the United States Agency for International Develop-*
 23 *ment: Provided further, That of the funds made available*
 24 *pursuant to this section, not less than \$2,000,000 should*
 25 *be made available for the Afghan Independent Human*
 26 *Rights Commission and for other Afghan human rights or-*

ganizations: *Provided further, That of the funds made available pursuant to this section, up to \$6,000,000 should be available for a National Emergency Response and Preparedness System, to include the development of an Emergency Operations Center: Provided further, That to the maximum extent practicable members of the Afghan National Army should be vetted for involvement in terrorism, human rights violations, and drug trafficking: Provided further, That of the funds allocated for assistance for Afghanistan by this Act not less than \$10,000,000 shall be made available for grants to support training and equipment to improve the capacity of women-led Afghan non-governmental organizations and to support the activities of such organizations.*

NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

SEC. 6024. *Prior to providing excess Department of Defense articles in accordance with section 516(a) of the Foreign Assistance Act of 1961, the Department of Defense shall notify the Committees on Appropriations to the same extent and under the same conditions as are other committees pursuant to subsection (f) of that section: Provided, That before issuing a letter of offer to sell excess defense articles under the Arms Export Control Act, the Department of Defense shall notify the Committees on Appropriations in accordance with the regular notification procedures of such Committees if such defense articles are significant*

1 *military equipment (as defined in section 47(9) of the Arms*
 2 *Export Control Act) or are valued (in terms of original ac-*
 3 *quisition cost) at \$7,000,000 or more, or if notification is*
 4 *required elsewhere in this Act for the use of appropriated*
 5 *funds for specific countries that would receive such excess*
 6 *defense articles: Provided further, That such Committees*
 7 *shall also be informed of the original acquisition cost of such*
 8 *defense articles.*

9 *AIRCRAFT PROCUREMENT*

10 *SEC. 6025. Notwithstanding any other provision of*
 11 *law, none of the funds appropriated or otherwise made*
 12 *available in this Act, except for those provided under the*
 13 *headings “Foreign Military Financing Program” and*
 14 *“Broadcasting to Cuba”, may be obligated for the procure-*
 15 *ment of aircraft.*

16 *DEMOCRACY PROGRAMS*

17 *SEC. 6026. (a) Notwithstanding any other provision*
 18 *of law, of the funds appropriated by this Act to carry out*
 19 *the provisions of chapter 4 of part II of the Foreign Assist-*
 20 *ance Act of 1961, not less than \$35,000,000 shall be made*
 21 *available for assistance for activities to support democracy,*
 22 *human rights, and the rule of law in the People’s Republic*
 23 *of China and Hong Kong: Provided, That funds appro-*
 24 *priated under the heading “Economic Support Fund”*
 25 *should be made available for assistance for Taiwan for the*
 26 *purposes of furthering political and legal reforms: Provided*

1 *further, That such funds shall only be made available to*
2 *the extent that they are matched from sources other than*
3 *the United States Government: Provided further, That*
4 *funds made available pursuant to the authority of this sub-*
5 *section shall be subject to the regular notification procedures*
6 *of the Committees on Appropriations.*

7 *(b)(1) In addition to the funds made available in sub-*
8 *section (a), of the funds appropriated by this Act under the*
9 *heading “Economic Support Fund” not less than*
10 *\$25,000,000 shall be made available for programs and ac-*
11 *tivities to foster democracy, human rights, civic education,*
12 *women’s development, press freedom, and the rule of law*
13 *in countries located outside the Middle East region with*
14 *a significant Muslim population, and where such programs*
15 *and activities would be important to United States efforts*
16 *to respond to, deter, or prevent acts of international ter-*
17 *rorism: Provided, That funds made available pursuant to*
18 *the authority of this subsection should support new initia-*
19 *tives and activities in those countries: Provided further,*
20 *That of the funds appropriated under this heading,*
21 *\$5,000,000 shall be made available for continuing programs*
22 *and activities that provide professional training for jour-*
23 *nalists: Provided further, That, notwithstanding any other*
24 *provision of law, not less than \$7,000,000 of such funds*
25 *may be used for making grants to educational, humani-*

1 *tarian and nongovernmental organizations and individuals*
 2 *inside Iran to support the advancement of democracy and*
 3 *human rights in Iran: Provided further, That, notwith-*
 4 *standing any other provision of law, funds appropriated*
 5 *pursuant to this Act may be made available for democracy,*
 6 *human rights, and rule of law programs for Syria and*
 7 *Iran: Provided further, That funds made available pursu-*
 8 *ant to this subsection shall be subject to the regular notifica-*
 9 *tion procedures of the Committees on Appropriations.*

10 (2) *In addition to funds made available under sub-*
 11 *sections (a) and (b)(1), of the funds appropriated by this*
 12 *Act under the heading “Economic Support Fund” not less*
 13 *than \$4,500,000 shall be made available for programs and*
 14 *activities of the National Endowment for Democracy to fos-*
 15 *ter democracy, human rights, civic education, women’s de-*
 16 *velopment, press freedom, and the rule of law in countries*
 17 *in sub-Saharan Africa.*

18 (c) *Of the funds made available under subsection (a),*
 19 *not less than \$25,000,000 shall be made available for the*
 20 *Human Rights and Democracy Fund of the Bureau of De-*
 21 *mocracy, Human Rights and Labor, Department of State,*
 22 *to support the activities described in subsection (a), and*
 23 *of the funds made available under subsection (b)(1), not less*
 24 *than \$15,000,000 shall be made available for such Fund*
 25 *to support the activities described in subsection (b)(1): Pro-*

1 *vided, That up to \$1,200,000 may be used for the Reagan/*
 2 *Fascell Democracy Fellows program.*

3 *(d) Of the funds made available under subsection (a),*
 4 *not less than \$10,000,000 shall be made available for the*
 5 *National Endowment for Democracy to support the activi-*
 6 *ties described in subsection (a), and of the funds made*
 7 *available under subsection (b)(1), not less than \$10,000,000*
 8 *shall be made available for the National Endowment for*
 9 *Democracy to support the activities described in subsection*
 10 *(b)(1): Provided, That the Secretary of State shall provide*
 11 *a report to the Committees on Appropriations within 120*
 12 *days of the date of enactment of this Act on the status of*
 13 *the allocation and obligation of such funds.*

14 *PROHIBITION ON BILATERAL ASSISTANCE TO TERRORIST*
 15 *COUNTRIES*

16 *SEC. 6027. (a) Funds appropriated for bilateral assist-*
 17 *ance under any heading of this Act and funds appropriated*
 18 *under any such heading in a provision of law enacted prior*
 19 *to the enactment of this Act, shall not be made available*
 20 *to any country which the President determines—*

21 *(1) grants sanctuary from prosecution to any in-*
 22 *dividual or group which has committed an act of*
 23 *international terrorism; or*

24 *(2) otherwise supports international terrorism.*

25 *(b) The President may waive the application of sub-*
 26 *section (a) to a country if the President determines that*

1 *national security or humanitarian reasons justify such*
 2 *waiver. The President shall publish each waiver in the Fed-*
 3 *eral Register and, at least 15 days before the waiver takes*
 4 *effect, shall notify the Committees on Appropriations of the*
 5 *waiver (including the justification for the waiver) in ac-*
 6 *cordance with the regular notification procedures of the*
 7 *Committees on Appropriations.*

8 *DEBT-FOR-DEVELOPMENT*

9 *SEC. 6028. In order to enhance the continued partici-*
 10 *pation of nongovernmental organizations in debt-for-devel-*
 11 *opment and debt-for-nature exchanges, a nongovernmental*
 12 *organization which is a grantee or contractor of the United*
 13 *States Agency for International Development may place in*
 14 *interest bearing accounts local currencies which accrue to*
 15 *that organization as a result of economic assistance pro-*
 16 *vided under title III of this Act and, subject to the regular*
 17 *notification procedures of the Committees on Appropria-*
 18 *tions, any interest earned on such investment shall be used*
 19 *for the purpose for which the assistance was provided to*
 20 *that organization.*

21 *SEPARATE ACCOUNTS*

22 *SEC. 6029. (a) SEPARATE ACCOUNTS FOR LOCAL CUR-*
 23 *RENCIES.—(1) If assistance is furnished to the government*
 24 *of a foreign country under chapters 1 and 10 of part I or*
 25 *chapter 4 of part II of the Foreign Assistance Act of 1961*
 26 *under agreements which result in the generation of local*

1 *currencies of that country, the Administrator of the United*
 2 *States Agency for International Development shall—*

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

5 *(B) enter into an agreement with that govern-*
 6 *ment which sets forth—*

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

9 *(ii) the terms and conditions under which*
 10 *the currencies so deposited may be utilized, con-*
 11 *sistent with this section; and*

12 *(C) establish by agreement with that government*
 13 *the responsibilities of the United States Agency for*
 14 *International Development and that government to*
 15 *monitor and account for deposits into and disburse-*
 16 *ments from the separate account.*

17 *(2) USES OF LOCAL CURRENCIES.—As may be agreed*
 18 *upon with the foreign government, local currencies depos-*
 19 *ited in a separate account pursuant to subsection (a), or*
 20 *an equivalent amount of local currencies, shall be used*
 21 *only—*

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

1 (i) *project and sector assistance activities;*

2 *or*

3 (ii) *debt and deficit financing; or*

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

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

13 (4) *TERMINATION OF ASSISTANCE PROGRAMS.—Upon*
14 *termination of assistance to a country under chapter 1 or*
15 *10 of part I or chapter 4 of part II (as the case may be),*
16 *any unencumbered balances of funds which remain in a*
17 *separate account established pursuant to subsection (a)*
18 *shall be disposed of for such purposes as may be agreed to*
19 *by the government of that country and the United States*
20 *Government.*

21 (5) *REPORTING REQUIREMENT.—The Administrator of*
22 *the United States Agency for International Development*
23 *shall report on an annual basis as part of the justification*
24 *documents submitted to the Committees on Appropriations*
25 *on the use of local currencies for the administrative require-*

1 *ments of the United States Government as authorized in*
 2 *subsection (a)(2)(B), and such report shall include the*
 3 *amount of local currency (and United States dollar equiva-*
 4 *lent) used and/or to be used for such purpose in each appli-*
 5 *cable country.*

6 *(b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—(1)*
 7 *If assistance is made available to the government of a for-*
 8 *eign country, under chapter 1 or 10 of part I or chapter*
 9 *4 of part II of the Foreign Assistance Act of 1961, as cash*
 10 *transfer assistance or as nonproject sector assistance, that*
 11 *country shall be required to maintain such funds in a sepa-*
 12 *rate account and not commingle them with any other funds.*

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

20 *(3) NOTIFICATION.—At least 15 days prior to obli-*
 21 *gating any such cash transfer or nonproject sector assist-*
 22 *ance, the President shall submit a notification through the*
 23 *regular notification procedures of the Committees on Appro-*
 24 *priations, which shall include a detailed description of how*
 25 *the funds proposed to be made available will be used, with*

1 *a discussion of the United States interests that will be*
 2 *served by the assistance (including, as appropriate, a de-*
 3 *scription of the economic policy reforms that will be pro-*
 4 *moted by such assistance).*

5 (4) *EXEMPTION.—Nonproject sector assistance funds*
 6 *may be exempt from the requirements of subsection (b)(1)*
 7 *only through the notification procedures of the Committees*
 8 *on Appropriations.*

9 *ENTERPRISE FUND RESTRICTIONS*

10 *SEC. 6030. (a) Prior to the distribution of any assets*
 11 *resulting from any liquidation, dissolution, or winding up*
 12 *of an Enterprise Fund, in whole or in part, the President*
 13 *shall submit to the Committees on Appropriations, in ac-*
 14 *cordance with the regular notification procedures of the*
 15 *Committees on Appropriations, a plan for the distribution*
 16 *of the assets of the Enterprise Fund.*

17 *(b) Funds made available by this Act for Enterprise*
 18 *Funds shall be expended at the minimum rate necessary*
 19 *to make timely payment for projects and activities.*

20 *BURMA*

21 *SEC. 6031. (a) The Secretary of the Treasury shall in-*
 22 *struct the United States executive director to each appro-*
 23 *priate international financial institution in which the*
 24 *United States participates, to oppose and vote against the*
 25 *extension by such institution of any loan or financial or*

1 *technical assistance or any other utilization of funds of the*
 2 *respective bank to and for Burma.*

3 (b) *Of the funds appropriated under the heading “Eco-*
 4 *nomic Support Fund”, not less than \$8,000,000 shall be*
 5 *made available to support democracy activities in Burma,*
 6 *along the Burma-Thailand border, for activities of Burmese*
 7 *student groups and other organizations located outside*
 8 *Burma, and for the purpose of supporting the provision of*
 9 *humanitarian assistance to displaced Burmese along Bur-*
 10 *ma’s borders: Provided, That funds made available under*
 11 *this heading may be made available notwithstanding any*
 12 *other provision of law: Provided further, That in addition*
 13 *to assistance for Burmese refugees provided under the head-*
 14 *ing “Migration and Refugee Assistance” in this Act, not*
 15 *less than \$3,000,000 shall be allocated to the Bureau of Pop-*
 16 *ulation, Refugees and Migration, Department of State, for*
 17 *assistance for community-based organizations operating in*
 18 *Thailand to provide food, medical and other humanitarian*
 19 *assistance to internally displaced persons in eastern*
 20 *Burma: Provided further, That funds made available under*
 21 *this section shall be subject to the regular notification proce-*
 22 *dures of the Committees on Appropriations.*

23 (c) *The President shall include amounts expended by*
 24 *the Global Fund to Fight AIDS, Tuberculosis and Malaria*
 25 *to the State Peace and Development Council in Burma, di-*

1 rectly or through groups and organizations affiliated with
2 the Global Fund, in making determinations regarding the
3 amount to be withheld by the United States from its con-
4 tribution to the Global Fund pursuant to section
5 202(d)(4)(A)(ii) of Public Law 108–25.

6 (d) Notwithstanding any provision of this or any other
7 Act, none of the funds appropriated by this Act may be
8 made available for assistance for the central government of
9 any country that is a major provider of weapons or defense-
10 related equipment to the State Peace and Development
11 Council.

12 (e) The President may waive subsection (d) if he deter-
13 mines and reports to the Committees on Appropriations
14 that to do so is in the national security interests of the
15 United States.

16 (f) None of the funds appropriated by this Act may
17 be made available for the United Nations Office on Drugs
18 and Crime (UNODC) unless the Secretary of State deter-
19 mines and reports to the Committees on Appropriations
20 that the UNODC in Burma is reporting to other relevant
21 United Nations organizations incidents of gross human
22 rights violations encountered during the conduct of its pro-
23 grams in Burma.

24 (g) None of the funds appropriated under the heading
25 “Economic Support Fund” may be made available for pro-

1 *grams and activities involving the Association of Southeast*
 2 *Asian Nations (ASEAN) if the State Peace and Develop-*
 3 *ment Council in Burma assumes chairmanship of ASEAN*
 4 *in 2006.*

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

7 *SEC. 6032. Unless expressly provided to the contrary,*
 8 *provisions of this or any other Act, including provisions*
 9 *contained in prior Acts authorizing or making appropria-*
 10 *tions for foreign operations, export financing, and related*
 11 *programs, shall not be construed to prohibit activities au-*
 12 *thorized by or conducted under the Peace Corps Act, the*
 13 *Inter-American Foundation Act or the African Develop-*
 14 *ment Foundation Act. The agency shall promptly report to*
 15 *the Committees on Appropriations whenever it is con-*
 16 *ducting activities or is proposing to conduct activities in*
 17 *a country for which assistance is prohibited.*

18 *IMPACT ON JOBS IN THE UNITED STATES*

19 *SEC. 6033. None of the funds appropriated by this Act*
 20 *may be obligated or expended to provide—*

21 *(1) any financial incentive to a business enter-*
 22 *prise currently located in the United States for the*
 23 *purpose of inducing such an enterprise to relocate*
 24 *outside the United States if such incentive or induce-*
 25 *ment is likely to reduce the number of employees of*
 26 *such business enterprise in the United States because*

1 *United States production is being replaced by such*
 2 *enterprise outside the United States; or*

3 *(2) assistance for any program, project, or activ-*
 4 *ity that contributes to the violation of internationally*
 5 *recognized workers rights, as defined in section 507(4)*
 6 *of the Trade Act of 1974, of workers in the recipient*
 7 *country, including any designated zone or area in*
 8 *that country: Provided, That the application of sec-*
 9 *tion 507(4)(D) and (E) of such Act should be com-*
 10 *mensurate with the level of development of the recipi-*
 11 *ent country and sector, and shall not preclude assist-*
 12 *ance for the informal sector in such country, micro*
 13 *and small-scale enterprise, and smallholder agri-*
 14 *culture.*

15 *SPECIAL AUTHORITIES*

16 *SEC. 6034. (a) AFGHANISTAN, IRAQ, PAKISTAN, LEB-*
 17 *ANON, MONTENEGRO, VICTIMS OF WAR, DISPLACED CHIL-*
 18 *DREN, AND DISPLACED BURMESE.—Funds appropriated by*
 19 *this Act that are made available for assistance for Afghani-*
 20 *stan may be made available notwithstanding section 6012*
 21 *of this Act or any similar provision of law and section 660*
 22 *of the Foreign Assistance Act of 1961, and funds appro-*
 23 *priated in titles II and III of this Act that are made avail-*
 24 *able for Iraq, Lebanon, Montenegro, Pakistan, and for vic-*
 25 *tims of war, displaced children, and displaced Burmese,*
 26 *and to assist victims of trafficking in persons and, subject*

1 *to the regular notification procedures of the Committees on*
 2 *Appropriations, to combat such trafficking, may be made*
 3 *available notwithstanding any other provision of law.*

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

14 **(c) PERSONAL SERVICES CONTRACTORS.**—*Funds ap-*
 15 *propriated by this Act to carry out chapter 1 of part I,*
 16 *chapter 4 of part II, and section 667 of the Foreign Assist-*
 17 *ance Act of 1961, and title II of the Agricultural Trade*
 18 *Development and Assistance Act of 1954, may be used by*
 19 *the United States Agency for International Development to*
 20 *employ up to 25 personal services contractors in the United*
 21 *States, notwithstanding any other provision of law, for the*
 22 *purpose of providing direct, interim support for new or ex-*
 23 *panded overseas programs and activities managed by the*
 24 *agency until permanent direct hire personnel are hired and*
 25 *trained: Provided, That not more than 10 of such contrac-*

1 *tors shall be assigned to any bureau or office: Provided fur-*
 2 *ther, That such funds appropriated to carry out title II of*
 3 *the Agricultural Trade Development and Assistance Act of*
 4 *1954, may be made available only for personal services con-*
 5 *tractors assigned to the Office of Food for Peace.*

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

12 (2) *PERIOD OF APPLICATION OF WAIVER.—Any waiv-*
 13 *er pursuant to paragraph (1) shall be effective for no more*
 14 *than a period of 6 months at a time and shall not apply*
 15 *beyond 12 months after the enactment of this Act.*

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

23 (f) *CONTINGENCIES.—During fiscal year 2006, the*
 24 *President may use up to \$100,000,000 under the authority*

1 of section 451 of the Foreign Assistance Act of 1961, not-
 2 withstanding the funding ceiling in section 451(a).

3 (g) *RECONSTITUTING CIVILIAN POLICE AUTHORITY.*—

4 In providing assistance with funds appropriated by this
 5 Act under section 660(b)(6) of the Foreign Assistance Act
 6 of 1961, support for a nation emerging from instability
 7 may be deemed to mean support for regional, district, mu-
 8 nicipal, or other sub-national entity emerging from insta-
 9 bility, as well as a nation emerging from instability.

10 (h) *WORLD FOOD PROGRAM.*—Of the funds managed
 11 by the Bureau for Democracy, Conflict, and Humanitarian
 12 Assistance of the United States Agency for International
 13 Development, from this or any other Act, not less than
 14 \$10,000,000 shall be made available as a general contribu-
 15 tion to the World Food Program, notwithstanding any other
 16 provision of law.

17 (i) *NATIONAL ENDOWMENT FOR DEMOCRACY.*—Funds
 18 appropriated by this Act that are provided to the National
 19 Endowment for Democracy may be provided notwith-
 20 standing any other provision of law or regulation.

21 (j) *UNIVERSITY PROGRAMS.*—Notwithstanding any
 22 other provision of law, of the funds appropriated under the
 23 heading “Development Assistance” in this Act, not less than
 24 \$10,000,000 shall be made available to American edu-
 25 cational institutions for programs and activities in the Peo-

1 *ple’s Republic of China relating to the environment, democ-*
 2 *racy, and the rule of law: Provided, That funds made avail-*
 3 *able pursuant to this authority shall be subject to the reg-*
 4 *ular notification procedures of the Committees on Appro-*
 5 *priations.*

6 *(k) EXTENSION OF AUTHORITY.—Public Law 107–57,*
 7 *as amended, is further amended as follows in the specified*
 8 *subsections—*

9 *(1) subsection 1(b) is amended by striking*
 10 *“2003” and inserting in lieu thereof “2006”;*

11 *(2) paragraph 1(b)(1) is amended by striking*
 12 *“2003” and inserting in lieu thereof “2006”;*

13 *(3) paragraph 3(2) is amended to read as fol-*
 14 *lows:*

15 *“(2) Such provision of the annual foreign oper-*
 16 *ations, export financing, and related programs appro-*
 17 *priations Acts for fiscal years 2005 and 2006, as are*
 18 *comparable to section 512 of the Foreign Operations,*
 19 *Export Financing, and Related Programs Appropria-*
 20 *tions Act, 2001 (Public Law 106–429; 114 Stat.*
 21 *1900A–25).”;* and

22 *(4) section 6 is amended by striking “2003” and*
 23 *inserting in lieu thereof “2006”.*

24 *(l) ENTERPRISE FUND AND FOUNDATION.—Funds ap-*
 25 *propriated under the heading “Economic Support Fund”*

1 *in this or any prior Act making appropriations for foreign*
2 *operations, export financing and related programs may be*
3 *made available, including as an endowment, notwith-*
4 *standing any other provision of law and following consulta-*
5 *tions with the Committees on Appropriations, to establish*
6 *and operate a Middle East Enterprise Fund and Founda-*
7 *tion, or any other similar entities, for the Middle East re-*
8 *gion, to support democracy and private enterprise building,*
9 *respectively, as well as for related purposes: Provided, That*
10 *provisions contained in section 201 of the Support for East*
11 *European Democracy (SEED) Act of 1989 (excluding the*
12 *authorizations of appropriations provided in subsection (b)*
13 *of that section) shall be deemed to apply to any such fund,*
14 *foundation, or similar entity referred to under this sub-*
15 *section and to funds made available to such entity in order*
16 *to enable it to provide assistance, including by grant and*
17 *financing: Provided further, That prior to the initial obli-*
18 *gation of funds for any such fund, foundation, or similar*
19 *entity pursuant to the authorities of this subsection, other*
20 *than for administrative support, the Secretary of State*
21 *shall take steps to ensure, on an ongoing basis, that any*
22 *such amounts made available pursuant to such authorities*
23 *are not provided to or through any individual or group that*
24 *the management of the fund, foundation or entity knows*
25 *or has reason to believe, advocates, plans, sponsors, or other-*

1 *wise engages in terrorist activities: Provided further, That*
 2 *section 6030 of this Act shall apply to any such fund, foun-*
 3 *dation, or similar entity established by this subsection.*

4 (m) *EXTENSION OF AUTHORITY.—(1) Section*
 5 *21(h)(1)(A) of the Arms Export Control Act (22 U.S.C.*
 6 *2761(h)(1)(A)) is amended by inserting after “North Atlan-*
 7 *tic Treaty Organization” the following: “or the Govern-*
 8 *ments of Australia, New Zealand, Japan, or Israel”.*

9 (2) *Section 21(h)(2) of the Arms Export Control*
 10 *Act (22 U.S.C. 2761(h)(2) is amended by striking “or*
 11 *to any member government that Organization if that*
 12 *Organization or member government” and inserting*
 13 *the following: “, to any member of that Organization,*
 14 *or to the Governments of Australia, New Zealand,*
 15 *Japan, or Israel if that Organization, member gov-*
 16 *ernment, or the Governments of Australia, New Zea-*
 17 *land, Japan, or Israel”.*

18 (3) *Section 541 of the Foreign Assistance Act of*
 19 *1961 (22 U.S.C. 2347) is amended—*

20 (A) *in the first sentence, by striking “The*
 21 *President” and inserting “(a) The President”;*
 22 *and*

23 (B) *by adding at the end the following new*
 24 *subsection:*

1 “(b) *The President shall seek reimbursement for mili-*
 2 *tary education and training furnished under this chapter*
 3 *from countries using assistance under section 23 of the*
 4 *Arms Export Control Act (22 U.S.C. 2763, relating to the*
 5 *Foreign Military Financing Program) to purchase such*
 6 *military education and training at a rate comparable to*
 7 *the rate charged to countries receiving grant assistance for*
 8 *military education and training under this chapter.”.*

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

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

13 (A) *in subsection (b)(3), by striking “and*
 14 *2005” and inserting “2005, and 2006”; and*

15 (B) *in subsection (e), by striking “2005”*
 16 *each place it appears and inserting “2006”; and*

17 (2) *in section 599E (8 U.S.C. 1255 note) in sub-*
 18 *section (b)(2), by striking “2005” and inserting*
 19 *“2006”.*

20 (o) *ADMINISTRATIVE EXPENSES.—Of the funds made*
 21 *available under the heading “Economic Support Fund” for*
 22 *assistance for the West Bank and Gaza, not to exceed*
 23 *\$2,000,000, in addition to funds otherwise available for*
 24 *such purposes, may be used for administrative expenses of*

1 *the United States Agency for International Development to*
 2 *carry out programs in the West Bank and Gaza.*

3 *ARAB LEAGUE BOYCOTT OF ISRAEL*

4 *SEC. 6035. It is the sense of the Congress that—*

5 *(1) the Arab League boycott of Israel, and the*
 6 *secondary boycott of American firms that have com-*
 7 *mercial ties with Israel, is an impediment to peace*
 8 *in the region and to United States investment and*
 9 *trade in the Middle East and North Africa;*

10 *(2) the Arab League boycott, which was regret-*
 11 *tably reinstated in 1997, should be immediately and*
 12 *publicly terminated, and the Central Office for the*
 13 *Boycott of Israel immediately disbanded;*

14 *(3) all Arab League states should normalize rela-*
 15 *tions with their neighbor Israel;*

16 *(4) the President and the Secretary of State*
 17 *should continue to vigorously oppose the Arab League*
 18 *boycott of Israel and find concrete steps to dem-*
 19 *onstrate that opposition by, for example, taking into*
 20 *consideration the participation of any recipient coun-*
 21 *try in the boycott when determining to sell weapons*
 22 *to said country; and*

23 *(5) the President should report to Congress an-*
 24 *nually on specific steps being taken by the United*
 25 *States to encourage Arab League states to normalize*
 26 *their relations with Israel to bring about the termi-*

7 SEC. 6036. (a) ASSISTANCE THROUGH NONGOVERN-
8 MENTAL ORGANIZATIONS.—Restrictions contained in this
9 or any other Act with respect to assistance for a country
10 shall not be construed to restrict assistance in support of
11 programs of nongovernmental organizations from funds ap-
12 propriated by this Act to carry out the provisions of chap-
13 ters 1, 10, 11, and 12 of part I and chapter 4 of part II
14 of the Foreign Assistance Act of 1961, and from funds ap-
15 propriated under the heading “Assistance for Eastern Eu-
16 rope and the Baltic States”: Provided, That before using
17 the authority of this subsection to furnish assistance in sup-
18 port of programs of nongovernmental organizations, the
19 President shall notify the Committees on Appropriations
20 under the regular notification procedures of those commit-
21 tees, including a description of the program to be assisted,
22 the assistance to be provided, and the reasons for furnishing
23 such assistance: Provided further, That nothing in this sub-
24 section shall be construed to alter any existing statutory
25 prohibitions against abortion or involuntary sterilizations
26 contained in this or any other Act.

1 (b) *PUBLIC LAW 480.*—*During fiscal year 2006, re-*
 2 *strictions contained in this or any other Act with respect*
 3 *to assistance for a country shall not be construed to restrict*
 4 *assistance under the Agricultural Trade Development and*
 5 *Assistance Act of 1954: Provided, That none of the funds*
 6 *appropriated to carry out title I of such Act and made*
 7 *available pursuant to this subsection may be obligated or*
 8 *expended except as provided through the regular notifica-*
 9 *tion procedures of the Committees on Appropriations.*

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

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

15 (2) *with respect to section 116 of the Foreign As-*
 16 *sistance Act of 1961 or any comparable provision of*
 17 *law prohibiting assistance to the government of a*
 18 *country that violates internationally recognized*
 19 *human rights.*

20 *RESERVATIONS OF FUNDS*

21 *SEC. 6037. (a) Funds appropriated by this Act which*
 22 *are earmarked may be reprogrammed for other programs*
 23 *within the same account notwithstanding the earmark if*
 24 *compliance with the earmark is made impossible by oper-*
 25 *ation of any provision of this or any other Act: Provided,*
 26 *That any such reprogramming shall be subject to the reg-*

1 ular notification procedures of the Committees on Appro-
 2 priations: Provided further, That assistance that is repro-
 3 grammed pursuant to this subsection shall be made avail-
 4 able under the same terms and conditions as originally pro-
 5 vided.

6 (b) In addition to the authority contained in sub-
 7 section (a), the original period of availability of funds ap-
 8 propriated by this Act and administered by the United
 9 States Agency for International Development that are ear-
 10 marked for particular programs or activities by this or any
 11 other Act shall be extended for an additional fiscal year
 12 if the Administrator of such agency determines and reports
 13 promptly to the Committees on Appropriations that the ter-
 14 mination of assistance to a country or a significant change
 15 in circumstances makes it unlikely that such earmarked
 16 funds can be obligated during the original period of avail-
 17 ability: Provided, That such earmarked funds that are con-
 18 tinued available for an additional fiscal year shall be obli-
 19 gated only for the purpose of such earmark.

20 CEILINGS AND EARMARKS

21 SEC. 6038. Ceilings and earmarks contained in this
 22 Act shall not be applicable to funds or authorities appro-
 23 priated or otherwise made available by any subsequent Act
 24 unless such Act specifically so directs. Earmarks or min-
 25 imum funding requirements contained in any other Act
 26 shall not be applicable to funds appropriated by this Act.

1 *PROHIBITION ON PUBLICITY OR PROPAGANDA*

2 *SEC. 6039. No part of any appropriation contained*
 3 *in this Act shall be used for publicity or propaganda pur-*
 4 *poses within the United States not authorized before the*
 5 *date of the enactment of this Act by the Congress: Provided,*
 6 *That not to exceed \$750,000 may be made available to carry*
 7 *out the provisions of section 316 of Public Law 96–533.*

8 *PROHIBITION OF PAYMENTS TO UNITED NATIONS MEMBERS*

9 *SEC. 6040. None of the funds appropriated or made*
 10 *available pursuant to this Act for carrying out the Foreign*
 11 *Assistance Act of 1961, may be used to pay in whole or*
 12 *in part any assessments, arrearages, or dues of any member*
 13 *of the United Nations or, from funds appropriated by this*
 14 *Act to carry out chapter 1 of part I of the Foreign Assist-*
 15 *ance Act of 1961, the costs for participation of another*
 16 *country's delegation at international conferences held under*
 17 *the auspices of multilateral or international organizations.*

18 *NONGOVERNMENTAL ORGANIZATIONS—DOCUMENTATION*

19 *SEC. 6041. None of the funds appropriated or made*
 20 *available pursuant to this Act shall be available to a non-*
 21 *governmental organization which fails to provide upon*
 22 *timely request any document, file, or record necessary to*
 23 *the auditing requirements of the United States Agency for*
 24 *International Development.*

1 *PROHIBITION ON ASSISTANCE TO FOREIGN GOVERNMENTS*
2 *THAT EXPORT LETHAL MILITARY EQUIPMENT TO*
3 *COUNTRIES SUPPORTING INTERNATIONAL TERRORISM*

4 *SEC. 6042. (a) None of the funds appropriated or oth-*
5 *erwise made available by this Act may be available for as-*
6 *sistance for any foreign government which provides lethal*
7 *military equipment to a country the government of which*
8 *the Secretary of State has determined is a terrorist govern-*
9 *ment for purposes of section 6(j) of the Export Administra-*
10 *tion Act. The prohibition under this section with respect*
11 *to a foreign government shall terminate 12 months after*
12 *that government ceases to provide such military equipment.*
13 *This section applies with respect to lethal military equip-*
14 *ment provided under a contract entered into after October*
15 *1, 1997.*

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

20 *(c) Whenever the waiver authority of subsection (b) is*
21 *exercised, the President shall submit to the appropriate con-*
22 *gressional committees a report with respect to the fur-*
23 *nishing of such assistance. Any such report shall include*
24 *a detailed explanation of the assistance to be provided, in-*
25 *cluding the estimated dollar amount of such assistance, and*

1 *an explanation of how the assistance furthers United States*
 2 *national interests.*

3 *WITHHOLDING OF ASSISTANCE FOR PARKING FINES AND*
 4 *REAL PROPERTY TAXES OWED BY FOREIGN COUNTRIES*

5 *SEC. 6043. (a) Subject to subsection (c), of the funds*
 6 *appropriated by this Act that are made available for assist-*
 7 *ance for a foreign country, an amount equal to 110 percent*
 8 *of the total amount of the unpaid fully adjudicated parking*
 9 *finances and penalties and unpaid property taxes owed by the*
 10 *central government of such country shall be withheld from*
 11 *obligation for assistance for the central government of such*
 12 *country until the Secretary of State submits a certification*
 13 *to the appropriate congressional committees stating that*
 14 *such parking fines and penalties and unpaid property taxes*
 15 *are fully paid.*

16 *(b) Funds withheld from obligation pursuant to sub-*
 17 *section (a) may be made available for other programs or*
 18 *activities funded by this Act, after consultation with and*
 19 *subject to the regular notification procedures of the appro-*
 20 *priate congressional committees, provided that no such*
 21 *funds shall be made available for assistance for the central*
 22 *government of a foreign country that has not paid the total*
 23 *amount of the fully adjudicated parking fines and penalties*
 24 *and unpaid property taxes owed by such country.*

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

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

7 (2) *The Secretary of State may waive the requirements*
 8 *set forth in subsection (a) with respect to the unpaid prop-*
 9 *erty taxes if the Secretary of State determines that it is*
 10 *in the national interests of the United States to do so.*

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

19 (f) *In this section:*

20 (1) *The term “appropriate congressional com-*
 21 *mittees” means the Committee on Appropriations of*
 22 *the Senate and the Committee on Appropriations of*
 23 *the House of Representatives.*

1 (2) *The term “fully adjudicated” includes cir-*
2 *cumstances in which the person to whom the vehicle*
3 *is registered—*

4 (A)(i) *has not responded to the parking vio-*
5 *lation summons; or*

6 (ii) *has not followed the appropriate adju-*
7 *dication procedure to challenge the summons;*
8 *and*

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

11 (3) *The term “parking fines and penalties”*
12 *means parking fines and penalties—*

13 (A) *owed to—*

14 (i) *the District of Columbia; or*

15 (ii) *New York, New York; and*

16 (B) *incurred during the period April 1,*
17 *1997, through September 30, 2005.*

18 (4) *The term “unpaid property taxes” means the*
19 *amount of unpaid taxes and interest determined to be*
20 *owed by a foreign country on real property in the*
21 *District of Columbia or New York, New York in a*
22 *court order or judgment entered against such country*
23 *by a court of the United States or any State or sub-*
24 *division thereof.*

1 *LIMITATION ON ASSISTANCE FOR THE PLO FOR THE WEST*

2 *BANK AND GAZA*

3 *SEC. 6044. None of the funds appropriated by this Act*
 4 *may be obligated for assistance for the Palestine Liberation*
 5 *Organization for the West Bank and Gaza unless the Presi-*
 6 *dent has exercised the authority under section 604(a) of the*
 7 *Middle East Peace Facilitation Act of 1995 (title VI of Pub-*
 8 *lic Law 104–107) or any other legislation to suspend or*
 9 *make inapplicable section 307 of the Foreign Assistance Act*
 10 *of 1961 and that suspension is still in effect: Provided, That*
 11 *if the President fails to make the certification under section*
 12 *604(b)(2) of the Middle East Peace Facilitation Act of 1995*
 13 *or to suspend the prohibition under other legislation, funds*
 14 *appropriated by this Act may not be obligated for assistance*
 15 *for the Palestine Liberation Organization for the West Bank*
 16 *and Gaza.*

17 *WAR CRIMES TRIBUNALS DRAWDOWN*

18 *SEC. 6045. If the President determines that doing so*
 19 *will contribute to a just resolution of charges regarding*
 20 *genocide or other violations of international humanitarian*
 21 *law, the President may direct a drawdown pursuant to sec-*
 22 *tion 552(c) of the Foreign Assistance Act of 1961 of up to*
 23 *\$30,000,000 of commodities and services for the United Na-*
 24 *tions War Crimes Tribunal established with regard to the*
 25 *former Yugoslavia by the United Nations Security Council*
 26 *or such other tribunals or commissions as the Council may*

1 *establish or authorize to deal with such violations, without*
 2 *regard to the ceiling limitation contained in paragraph (2)*
 3 *thereof: Provided, That the determination required under*
 4 *this section shall be in lieu of any determinations otherwise*
 5 *required under section 552(c): Provided further, That the*
 6 *drawdown made under this section for any tribunal shall*
 7 *not be construed as an endorsement or precedent for the es-*
 8 *tablishment of any standing or permanent international*
 9 *criminal tribunal or court: Provided further, That funds*
 10 *made available for tribunals other than Yugoslavia, Rwan-*
 11 *da, or the Special Court for Sierra Leone shall be made*
 12 *available subject to the regular notification procedures of*
 13 *the Committees on Appropriations.*

14 *LANDMINES*

15 *SEC. 6046. Notwithstanding any other provision of*
 16 *law, demining equipment available to the United States*
 17 *Agency for International Development and the Department*
 18 *of State and used in support of the clearance of landmines*
 19 *and unexploded ordnance for humanitarian purposes may*
 20 *be disposed of on a grant basis in foreign countries, subject*
 21 *to such terms and conditions as the President may pre-*
 22 *scribe.*

23 *RESTRICTIONS CONCERNING THE PALESTINIAN AUTHORITY*

24 *SEC. 6047. None of the funds appropriated by this Act*
 25 *may be obligated or expended to create in any part of Jeru-*
 26 *salem a new office of any department or agency of the*

1 *United States Government for the purpose of conducting of-*
 2 *ficial United States Government business with the Pales-*
 3 *tinian Authority over Gaza and Jericho or any successor*
 4 *Palestinian governing entity provided for in the Israel-PLO*
 5 *Declaration of Principles: Provided, That this restriction*
 6 *shall not apply to the acquisition of additional space for*
 7 *the existing Consulate General in Jerusalem: Provided fur-*
 8 *ther, That meetings between officers and employees of the*
 9 *United States and officials of the Palestinian Authority, or*
 10 *any successor Palestinian governing entity provided for in*
 11 *the Israel-PLO Declaration of Principles, for the purpose*
 12 *of conducting official United States Government business*
 13 *with such authority should continue to take place in loca-*
 14 *tions other than Jerusalem. As has been true in the past,*
 15 *officers and employees of the United States Government*
 16 *may continue to meet in Jerusalem on other subjects with*
 17 *Palestinians (including those who now occupy positions in*
 18 *the Palestinian Authority), have social contacts, and have*
 19 *incidental discussions.*

20 *PROHIBITION OF PAYMENT OF CERTAIN EXPENSES*

21 *SEC. 6048. None of the funds appropriated or other-*
 22 *wise made available by this Act under the heading “Inter-*
 23 *national Military Education and Training” or “Foreign*
 24 *Military Financing Program” for Informational Program*
 25 *activities or under the headings “Child Survival and*
 26 *Health Programs Fund”, “Development Assistance”, and*

1 *“Economic Support Fund” may be obligated or expended*
 2 *to pay for—*

3 *(1) alcoholic beverages; or*

4 *(2) entertainment expenses for activities that are*
 5 *substantially of a recreational character, including*
 6 *but not limited to entrance fees at sporting events,*
 7 *theatrical and musical productions, and amusement*
 8 *parks.*

9 *HAITI*

10 *SEC. 6049. (a) Of the funds appropriated by this Act,*
 11 *not less than the following amounts shall be made available*
 12 *for assistance for Haiti—*

13 *(1) \$20,000,000 from “Child Survival and*
 14 *Health Programs Fund”;*

15 *(2) \$30,000,000 from “Development Assistance”;*

16 *(3) \$50,000,000 from “Economic Support*
 17 *Fund”;*

18 *(4) \$15,000,000 from “International Narcotics*
 19 *Control and Law Enforcement”;*

20 *(5) \$1,000,000 from “Foreign Military Financ-*
 21 *ing Program”; and*

22 *(6) \$215,000 from “International Military Edu-*
 23 *cation and Training”.*

24 *(b) The Government of Haiti shall be eligible to pur-*
 25 *chase defense articles and services under the Arms Export*
 26 *Control Act (22 U.S.C. 2751 et seq.), for the Coast Guard.*

AUTHORITY

20 *SEC. 6050. (a) PROHIBITION OF FUNDS.—None of the*
21 *funds appropriated by this Act to carry out the provisions*
22 *of chapter 4 of part II of the Foreign Assistance Act of 1961*
23 *may be obligated or expended with respect to providing*
24 *funds to the Palestinian Authority.*

25 (b) *WAIVER.*—*The prohibition included in subsection*
26 *(a) shall not apply if the President certifies in writing to*

1 *the Speaker of the House of Representatives and the Presi-*
 2 *dent pro tempore of the Senate that waiving such prohibi-*
 3 *tion is important to the national security interests of the*
 4 *United States.*

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

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

17 *LIMITATION ON ASSISTANCE TO SECURITY FORCES*

18 *SEC. 6051. None of the funds made available by this*
 19 *Act for assistance may be provided to any unit of the secu-*
 20 *rity forces of a foreign country if the Secretary of State*
 21 *has credible evidence that such unit has committed gross*
 22 *violations of human rights, unless the Secretary determines*
 23 *and reports to the Committees on Appropriations that the*
 24 *government of such country is taking effective measures to*
 25 *bring the responsible members of the security forces unit*
 26 *to justice: Provided, That nothing in this section shall be*

1 *construed to withhold funds made available by this Act from*
 2 *any unit of the security forces of a foreign country not*
 3 *credibly alleged to be involved in gross violations of human*
 4 *rights: Provided further, That in the event that funds are*
 5 *withheld from any unit pursuant to this section, the Sec-*
 6 *retary of State shall promptly inform the foreign govern-*
 7 *ment of the basis for such action and shall, to the maximum*
 8 *extent practicable, assist the foreign government in taking*
 9 *effective measures to bring the responsible members of the*
 10 *security forces to justice.*

11 *FOREIGN MILITARY TRAINING REPORT*

12 *SEC. 6052. The annual foreign military training re-*
 13 *port required by section 656 of the Foreign Assistance Act*
 14 *of 1961 shall be submitted by the Secretary of Defense and*
 15 *the Secretary of State to the Committees on Appropriations*
 16 *of the House of Representatives and the Senate by the date*
 17 *specified in that section.*

18 *AUTHORIZATION REQUIREMENT*

19 *SEC. 6053. Funds appropriated by this Act, except*
 20 *funds appropriated under the headings “Trade and Devel-*
 21 *opment Agency”, “Overseas Private Investment Corpora-*
 22 *tion”, and “Global HIV/AIDS Initiative”, may be obligated*
 23 *and expended notwithstanding section 10 of Public Law*
 24 *91–672 and section 15 of the State Department Basic Au-*
 25 *thorities Act of 1956.*

CAMBODIA

1

2 *SEC. 6054. (a)(1) None of the funds appropriated by*
3 *this Act may be made available for assistance for the Cen-*
4 *tral Government of Cambodia.*

5 *(2) Paragraph (1) shall not apply to assistance for*
6 *basic education, reproductive and maternal and child*
7 *health, cultural and historic preservation, programs for the*
8 *prevention, treatment, and control of, and research on,*
9 *HIV/AIDS, tuberculosis, malaria, polio and other infectious*
10 *diseases, development and implementation of legislation*
11 *and implementation of procedures on inter-country adop-*
12 *tions consistent with international standards, rule of law*
13 *programs, counternarcotics programs, programs to combat*
14 *human trafficking that are provided through nongovern-*
15 *mental organizations, anti-corruption programs, and for*
16 *the Ministry of Women and Veterans Affairs to combat*
17 *human trafficking.*

18 *(b) Notwithstanding any provision of this or any other*
19 *Act, of the funds appropriated by this Act under the head-*
20 *ing “Economic Support Fund”, \$15,000,000 shall be made*
21 *available for activities to support democracy and human*
22 *rights, including assistance for democratic political parties*
23 *in Cambodia.*

5 *SEC. 6055. (a) LIMITATION ON ASSISTANCE.—None of*
6 *the funds appropriated by this Act may be provided to sup-*
7 *port a Palestinian state unless the Secretary of State deter-*
8 *mines and certifies to the appropriate congressional com-*
9 *mittees that—*

13 (2) *the elected governing entity of a new Pales-*
14 *tinian state—*

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

(C) is establishing a new Palestinian security entity that is cooperative with appropriate Israeli and other appropriate security organizations; and

25 (3) the Palestinian Authority (or the governing
26 body of a new Palestinian state) is working with

1 *other countries in the region to vigorously pursue ef-*
 2 *forts to establish a just, lasting, and comprehensive*
 3 *peace in the Middle East that will enable Israel and*
 4 *an independent Palestinian state to exist within the*
 5 *context of full and normal relationships, which should*
 6 *include—*

7 *(A) termination of all claims or states of*
 8 *belligerency;*

9 *(B) respect for and acknowledgement of the*
 10 *sovereignty, territorial integrity, and political*
 11 *independence of every state in the area through*
 12 *measures including the establishment of demili-*
 13 *tarized zones;*

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

17 *(D) freedom of navigation through inter-*
 18 *national waterways in the area; and*

19 *(E) a framework for achieving a just settle-*
 20 *ment of the refugee problem.*

21 *(b) SENSE OF CONGRESS.—It is the sense of Congress*
 22 *that the newly-elected governing entity should enact a con-*
 23 *stitution assuring the rule of law, an independent judici-*
 24 *ary, and respect for human rights for its citizens, and*

1 *should enact other laws and regulations assuring trans-*
 2 *parent and accountable governance.*

3 (c) *WAIVER.—The President may waive subsection (a)*
 4 *if he determines that it is vital to the national security in-*
 5 *terests of the United States to do so.*

6 (d) *EXEMPTION.—The restriction in subsection (a)*
 7 *shall not apply to assistance intended to help reform the*
 8 *Palestinian Authority and affiliated institutions, or a*
 9 *newly-elected governing entity, in order to help meet the*
 10 *requirements of subsection (a), consistent with the provi-*
 11 *sions of section 6050 of this Act (“Limitation on Assistance*
 12 *to the Palestinian Authority”).*

13 *COLOMBIA*

14 *SEC. 6056. (a) DETERMINATION AND CERTIFICATION*
 15 *REQUIRED.—Notwithstanding any other provision of law,*
 16 *funds appropriated by this Act that are available for assist-*
 17 *ance for the Colombian Armed Forces, may be made avail-*
 18 *able as follows:*

19 (1) *Up to 75 percent of such funds may be obli-*
 20 *gated prior to a determination and certification by*
 21 *the Secretary of State pursuant to paragraph (2).*

22 (2) *Up to 12.5 percent of such funds may be obli-*
 23 *gated only after the Secretary of State certifies and*
 24 *reports to the appropriate congressional committees*
 25 *that:*

1 (A) *The Commander General of the Colom-*
2 *bian Armed Forces is suspending from the*
3 *Armed Forces those members, of whatever rank*
4 *who, according to the Minister of Defense or the*
5 *Procuraduria General de la Nacion, have been*
6 *credibly alleged to have committed gross viola-*
7 *tions of human rights, including extra-judicial*
8 *killings, or to have aided or abetted paramilitary*
9 *organizations.*

10 (B) *The Colombian Government is vigor-*
11 *ously investigating and prosecuting those mem-*
12 *bers of the Colombian Armed Forces, of whatever*
13 *rank, who have been credibly alleged to have*
14 *committed gross violations of human rights, in-*
15 *cluding extra-judicial killings, or to have aided*
16 *or abetted paramilitary organizations, and is*
17 *promptly punishing those members of the Colom-*
18 *bian Armed Forces found to have committed such*
19 *violations of human rights or to have aided or*
20 *abetted paramilitary organizations.*

21 (C) *The Colombian Armed Forces have*
22 *made substantial progress in cooperating with*
23 *civilian prosecutors and judicial authorities in*
24 *such cases (including providing requested infor-*
25 *mation, such as the identity of persons sus-*

1 *pended from the Armed Forces and the nature*
2 *and cause of the suspension, and access to wit-*
3 *nesses, relevant military documents, and other*
4 *requested information).*

5 *(D) The Colombian Armed Forces have*
6 *made substantial progress in severing links (in-*
7 *cluding denying access to military intelligence,*
8 *vehicles, and other equipment or supplies, and*
9 *ceasing other forms of active or tacit coopera-*
10 *tion) at the command, battalion, and brigade*
11 *levels, with paramilitary organizations, espe-*
12 *cially in regions where these organizations have*
13 *a significant presence.*

14 *(E) The Colombian Government is disman-*
15 *tling paramilitary leadership and financial net-*
16 *works by arresting commanders and financial*
17 *backers, especially in regions where these net-*
18 *works have a significant presence.*

19 *(F) The Colombian Armed Forces are re-*
20 *specting the legal, cultural, and territorial rights*
21 *of Colombia's indigenous communities.*

22 *(3) The balance of such funds may be obligated*
23 *after July 31, 2006, if the Secretary of State certifies*
24 *and reports to the appropriate congressional commit-*
25 *tees, after such date, that the Colombian Armed*

1 *Forces are continuing to meet the conditions con-*
 2 *tained in paragraph (2) and are conducting vigorous*
 3 *operations to restore government authority and re-*
 4 *spect for human rights in areas under the effective*
 5 *control of paramilitary and guerrilla organizations.*

6 **(b) CONGRESSIONAL NOTIFICATION.**—*Funds made*
 7 *available by this Act for the Colombian Armed Forces shall*
 8 *be subject to the regular notification procedures of the Com-*
 9 *mittees on Appropriations.*

10 **(c) CONSULTATIVE PROCESS.**—

11 *(1) Prior to making the certifications required*
 12 *by subsection (a), the Secretary of State shall consult*
 13 *with the appropriate congressional committees and*
 14 *with the Office of the High Commissioner for Human*
 15 *Rights in Colombia regarding each of the conditions*
 16 *specified in paragraphs (2)(A) through (F) of that*
 17 *subsection.*

18 *(2) Not later than 60 days after the date of en-*
 19 *actment of this Act, and every 90 days thereafter*
 20 *until September 30, 2007, the Secretary of State shall*
 21 *consult with internationally recognized human rights*
 22 *organizations regarding progress in meeting the con-*
 23 *ditions contained in subsection (a).*

24 **(d) DEFINITIONS.**—*In this section:*

1 (1) *AIDED OR ABETTED*.—The term “aided or
 2 abett^{ed}” means to provide any support to para-
 3 military groups, including taking actions which
 4 allow, facilitate, or otherwise foster the activities of
 5 such groups.

6 (2) *PARAMILITARY GROUPS*.—The term “para-
 7 military groups” means illegal self-defense groups
 8 and illegal security cooperatives.

9 *ILLEGAL ARMED GROUPS*

10 *SEC. 6057. (a) DENIAL OF VISAS TO SUPPORTERS OF*
 11 *COLOMBIAN ILLEGAL ARMED GROUPS*.—Subject to sub-
 12 section (b), the Secretary of State shall not issue a visa to
 13 any alien who the Secretary determines, based on credible
 14 evidence—

15 (1) *has willfully provided any support to the*
 16 *Revolutionary Armed Forces of Colombia (FARC), the*
 17 *National Liberation Army (ELN), or the United Self-*
 18 *Defense Forces of Colombia (AUC), including taking*
 19 *actions or failing to take actions which allow, facili-*
 20 *tate, or otherwise foster the activities of such groups;*
 21 *or*

22 (2) *has committed, ordered, incited, assisted, or*
 23 *otherwise participated in the commission of gross vio-*
 24 *lations of human rights, including extra-judicial*
 25 *killings, in Colombia.*

9 *SEC. 6058. None of the funds appropriated or other-*
10 *wise made available by this Act may be used to provide*
11 *equipment, technical support, consulting services, or any*
12 *other form of assistance to the Palestinian Broadcasting*
13 *Corporation.*

SEC. 6059. (a) OVERSIGHT.—For fiscal year 2006, 30 days prior to the initial obligation of funds for the bilateral West Bank and Gaza Program, the Secretary of State shall certify to the appropriate committees of Congress that procedures have been established to assure the Comptroller General of the United States will have access to appropriate United States financial information in order to review the uses of United States assistance for the Program funded under the heading “Economic Support Fund” for the West Bank and Gaza.

(b) *VETTING*.—Prior to the obligation of funds appropriated by this Act under the heading “Economic Support

1 *Fund” for assistance for the West Bank and Gaza, the Sec-*
 2 *retary of State shall take all appropriate steps to ensure*
 3 *that such assistance is not provided to or through any indi-*
 4 *vidual, private or government entity, or educational insti-*
 5 *tution that the Secretary knows or has reason to believe ad-*
 6 *vocates, plans, sponsors, engages in, or has engaged in, ter-*
 7 *rorist activity. The Secretary of State shall, as appropriate,*
 8 *establish procedures specifying the steps to be taken in car-*
 9 *rying out this subsection and shall terminate assistance to*
 10 *any individual, entity, or educational institution which he*
 11 *has determined to be involved in or advocating terrorist ac-*
 12 *tivity.*

13 (c) *PROHIBITION.—None of the funds appropriated by*
 14 *this Act for assistance under the West Bank and Gaza pro-*
 15 *gram may be made available for the purpose of recognizing*
 16 *or otherwise honoring individuals who commit, or have*
 17 *committed, acts of terrorism.*

18 (d) *AUDITS.—*

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

1 (2) *Of the funds appropriated by this Act under*
 2 *the heading “Economic Support Fund” that are made*
 3 *available for assistance for the West Bank and Gaza,*
 4 *up to \$1,000,000 may be used by the Office of the In-*
 5 *spector General of the United States Agency for Inter-*
 6 *national Development for audits, inspections, and*
 7 *other activities in furtherance of the requirements of*
 8 *this subsection. Such funds are in addition to funds*
 9 *otherwise available for such purposes.*

10 (e) *Not later than 180 days after enactment of this*
 11 *Act, the Secretary of State shall submit a report to the Com-*
 12 *mittees on Appropriations updating the report contained*
 13 *in section 2106 of chapter 2 of title II of Public Law 109–*
 14 *72.*

15 CONTRIBUTIONS TO UNITED NATIONS POPULATION FUND

16 SEC. 6060. (a) *LIMITATIONS ON AMOUNT OF CON-*
 17 *TRIBUTION.—Of the amounts made available under “Inter-*
 18 *national Organizations and Programs” and “Child Sur-*
 19 *vival and Health Programs Fund” for fiscal year 2006,*
 20 *\$35,000,000 shall be made available for the United Nations*
 21 *Population Fund (hereafter in this section referred to as*
 22 *the “UNFPA”): Provided, That of this amount, not less*
 23 *than \$20,000,000 shall be derived from funds appropriated*
 24 *under the heading “International Organizations and Pro-*
 25 *grams”.*

1 (b) *AVAILABILITY OF FUNDS.*—*Funds appropriated*
 2 *under the heading “International Organizations and Pro-*
 3 *grams” in this Act that are available for the UNFPA, that*
 4 *are not made available for UNFPA because of the operation*
 5 *of any provision of law, shall be transferred to “Child Sur-*
 6 *vival and Health Programs Fund” and shall be made avail-*
 7 *able only for family planning, maternal, and reproductive*
 8 *health activities, subject to the regular notification proce-*
 9 *dures of the Committees on Appropriations.*

10 (c) *PROHIBITION ON USE OF FUNDS IN CHINA.*—*None*
 11 *of the funds made available under “International Organiza-*
 12 *tions and Programs” may be made available for the*
 13 *UNFPA for a country program in the People’s Republic*
 14 *of China.*

15 (d) *CONDITIONS ON AVAILABILITY OF FUNDS.*—
 16 *Amounts made available under “International Organiza-*
 17 *tions and Programs” for fiscal year 2006 for the UNFPA*
 18 *may not be made available to UNFPA unless—*

19 (1) *the UNFPA maintains amounts made avail-*
 20 *able to the UNFPA under this section in an account*
 21 *separate from other accounts of the UNFPA;*

22 (2) *the UNFPA does not commingle amounts*
 23 *made available to the UNFPA under this section with*
 24 *other sums; and*

25 (3) *the UNFPA does not fund abortions.*

(e) *USE OF FUNDS.*—None of the funds made available for the UNFPA in this section may be used for any purpose except—

(1) to provide and distribute equipment, medicine, and supplies, including safe delivery kits and hygiene kits, to ensure safe childbirth and emergency obstetric care;

8 (2) to prevent and treat cases of obstetric fistula;

9 (3) to make available supplies of contraceptives
10 for the prevention of pregnancy and sexually trans-
11 mitted infections, including HIV/AIDS;

(4) to reestablish maternal health services in areas where medical infrastructure and such services have been destroyed by natural disasters;

15 (5) to eliminate the practice of female genital
16 mutilation; or

(6) to promote the access of unaccompanied women and other vulnerable people to vital services, including access to water, sanitation facilities, food, and health care.

21 *WAR CRIMINALS*

SEC. 6061. (a)(1) None of the funds appropriated or otherwise made available pursuant to this Act may be made available for assistance, and the Secretary of the Treasury shall instruct the United States executive directors to the international financial institutions to vote against any new

1 *project involving the extension by such institutions of any*
 2 *financial or technical assistance, to any country, entity, or*
 3 *municipality whose competent authorities have failed, as*
 4 *determined by the Secretary of State, to take necessary and*
 5 *significant steps to implement its international legal obli-*
 6 *gations to apprehend and transfer to the International*
 7 *Criminal Tribunal for the former Yugoslavia (the “Tri-*
 8 *bunal”)* all persons in their territory who have been in-
 9 *dicted by the Tribunal and to otherwise cooperate with the*
 10 *Tribunal.*

11 (2) *The provisions of this subsection shall not apply*
 12 *to humanitarian assistance or assistance for democratiza-*
 13 *tion.*

14 (b) *The provisions of subsection (a) shall apply unless*
 15 *the Secretary of State determines and reports to the appro-*
 16 *priate congressional committees that the competent authori-*
 17 *ties of such country, entity, or municipality are—*

18 (1) *cooperating with the Tribunal, including ac-*
 19 *cess for investigators to archives and witnesses, the*
 20 *provision of documents, and the surrender and trans-*
 21 *fer of indictees or assistance in their apprehension;*
 22 *and*

23 (2) *are acting consistently with the Dayton Ac-*
 24 *cords.*

1 (c) *Not less than 10 days before any vote in an inter-*
2 *national financial institution regarding the extension of*
3 *any new project involving financial or technical assistance*
4 *or grants to any country or entity described in subsection*
5 *(a), the Secretary of the Treasury, in consultation with the*
6 *Secretary of State, shall provide to the Committees on Ap-*
7 *propriations a written justification for the proposed assist-*
8 *ance, including an explanation of the United States posi-*
9 *tion regarding any such vote, as well as a description of*
10 *the location of the proposed assistance by municipality, its*
11 *purpose, and its intended beneficiaries.*

12 (d) *In carrying out this section, the Secretary of State,*
13 *the Administrator of the United States Agency for Inter-*
14 *national Development, and the Secretary of the Treasury*
15 *shall consult with representatives of human rights organiza-*
16 *tions and all government agencies with relevant informa-*
17 *tion to help prevent indicted war criminals from benefiting*
18 *from any financial or technical assistance or grants pro-*
19 *vided to any country or entity described in subsection (a).*

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

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

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

14 *USER FEES*† **HR 3057 EAS**

FUNDING FOR SERBIA

1

2 *SEC. 6063. (a) Funds appropriated by this Act may*
3 *be made available for assistance for the central Government*
4 *of Serbia after May 31, 2006, if the President has made*
5 *the determination and certification contained in subsection*
6 *(c).*

7 *(b) After May 31, 2006, the Secretary of the Treasury*
8 *should instruct the United States executive directors to the*
9 *international financial institutions to support loans and*
10 *assistance to the Government of Serbia and Montenegro sub-*
11 *ject to the conditions in subsection (c): Provided, That sec-*
12 *tion 576 of the Foreign Operations, Export Financing, and*
13 *Related Programs Appropriations Act, 1997, as amended,*
14 *shall not apply to the provision of loans and assistance to*
15 *the Government of Serbia and Montenegro through inter-*
16 *national financial institutions.*

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

21 *(1) cooperating with the International Criminal*
22 *Tribunal for the former Yugoslavia including access*
23 *for investigators, the provision of documents, and the*
24 *surrender and transfer of indictees or assistance in*
25 *their apprehension, including Ratko Mladic and*

1 *Radovan Karadzic, unless the Secretary of State de-*
 2 *termines and reports to the Committees on Appro-*
 3 *priations that these individuals are no longer residing*
 4 *in Serbia;*

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

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

11 *(d) This section shall not apply to Montenegro, Kosovo,*
 12 *humanitarian assistance or assistance to promote democ-*
 13 *racy.*

14 *COMMUNITY-BASED POLICE ASSISTANCE*

15 *SEC. 6064. (a) AUTHORITY.—Funds made available by*
 16 *this Act to carry out the provisions of chapter 1 of part*
 17 *I and chapter 4 of part II of the Foreign Assistance Act*
 18 *of 1961, may be used, notwithstanding section 660 of that*
 19 *Act, to enhance the effectiveness and accountability of civil-*
 20 *ian police authority through training and technical assist-*
 21 *ance in human rights, the rule of law, strategic planning,*
 22 *and through assistance to foster civilian police roles that*
 23 *support democratic governance including assistance for*
 24 *programs to prevent conflict, respond to disasters, address*
 25 *gender-based violence, and foster improved police relations*
 26 *with the communities they serve.*

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

5 *SPECIAL DEBT RELIEF FOR THE POOREST*

6 *SEC. 6065. (a) AUTHORITY TO REDUCE DEBT.*—The
 7 President may reduce amounts owed to the United States
 8 (or any agency of the United States) by an eligible country
 9 as a result of—

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

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

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

24 (b) *LIMITATIONS.*—

25 (1) *The authority provided by subsection (a)*
 26 *may be exercised only to implement multilateral offi-*

1 *cial debt relief and referendum agreements, commonly*
2 *referred to as “Paris Club Agreed Minutes”.*

3 (2) *The authority provided by subsection (a)*
4 *may be exercised only in such amounts or to such ex-*
5 *tent as is provided in advance by appropriations*
6 *Acts.*

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

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

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

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

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

23 (4) *(including its military or other security*
24 *forces) does not engage in a consistent pattern of gross*

1 *violations of internationally recognized human rights;*
 2 *and*

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

6 *(d) AVAILABILITY OF FUNDS.—The authority provided*
 7 *by subsection (a) may be used only with regard to the funds*
 8 *appropriated by this Act under the heading “Debt Restruc-*
 9 *turing”.*

10 *(e) CERTAIN PROHIBITIONS INAPPLICABLE.—A reduc-*
 11 *tion of debt pursuant to subsection (a) shall not be consid-*
 12 *ered assistance for the purposes of any provision of law lim-*
 13 *iting assistance to a country. The authority provided by*
 14 *subsection (a) may be exercised notwithstanding section*
 15 *620(r) of the Foreign Assistance Act of 1961 or section 321*
 16 *of the International Development and Food Assistance Act*
 17 *of 1975.*

18 *AUTHORITY TO ENGAGE IN DEBT BUYBACKS OR SALES*

19 *SEC. 6066. (a) LOANS ELIGIBLE FOR SALE, REDUC-*
 20 *TION, OR CANCELLATION.—*

21 *(1) AUTHORITY TO SELL, REDUCE, OR CANCEL*
 22 *CERTAIN LOANS.—Notwithstanding any other provi-*
 23 *sion of law, the President may, in accordance with*
 24 *this section, sell to any eligible purchaser any*
 25 *concessional loan or portion thereof made before Jan-*
 26 *uary 1, 1995, pursuant to the Foreign Assistance Act*

1 of 1961, to the government of any eligible country as
2 defined in section 702(6) of that Act or on receipt of
3 payment from an eligible purchaser, reduce or cancel
4 such loan or portion thereof, only for the purpose of
5 facilitating—

6 (A) debt-for-equity swaps, debt-for-develop-
7 ment swaps, or debt-for-nature swaps; or

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

24 (2) *TERMS AND CONDITIONS.*—Notwithstanding
25 any other provision of law, the President shall, in ac-

1 *cordance with this section, establish the terms and*
 2 *conditions under which loans may be sold, reduced, or*
 3 *canceled pursuant to this section.*

4 (3) *ADMINISTRATION.*—*The Facility, as defined*
 5 *in section 702(8) of the Foreign Assistance Act of*
 6 *1961, shall notify the administrator of the agency*
 7 *primarily responsible for administering part I of the*
 8 *Foreign Assistance Act of 1961 of purchasers that the*
 9 *President has determined to be eligible, and shall di-*
 10 *rect such agency to carry out the sale, reduction, or*
 11 *cancellation of a loan pursuant to this section. Such*
 12 *agency shall make adjustment in its accounts to re-*
 13 *flect the sale, reduction, or cancellation.*

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

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

24 (c) *ELIGIBLE PURCHASERS.*—*A loan may be sold pur-*
 25 *suant to subsection (a)(1)(A) only to a purchaser who pre-*

1 *sents plans satisfactory to the President for using the loan*
 2 *for the purpose of engaging in debt-for-equity swaps, debt-*
 3 *for-development swaps, or debt-for-nature swaps.*

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

11 (e) *AVAILABILITY OF FUNDS.*—*The authority provided*
 12 *by subsection (a) may be used only with regard to funds*
 13 *appropriated by this Act under the heading “Debt Restruc-*
 14 *turing”.*

15 *REPORTING REQUIREMENT*

16 *SEC. 6067. The Secretary of State shall provide the*
 17 *Committees on Appropriations, not later than January 1,*
 18 *2006, and for each fiscal quarter thereafter, a report in*
 19 *writing on the uses of funds made available under the head-*
 20 *ings “Foreign Military Financing Program”, “Inter-*
 21 *national Military Education and Training”, and “Peace-*
 22 *keeping Operations”: Provided, That such report shall in-*
 23 *clude a description of the obligation and expenditure of*
 24 *funds, and the specific country in receipt of, and the use*
 25 *or purpose of the assistance provided by such funds.*

RECONCILIATION PROGRAMS

1
2 *SEC. 6068. Of the funds appropriated under the head-*
3 *ing “Economic Support Fund”, not less than \$20,000,000*
4 *shall be made available, notwithstanding any other provi-*
5 *sion of law, to support reconciliation programs and activi-*
6 *ties which bring together individuals of different ethnic, re-*
7 *ligious, and political backgrounds from areas of civil con-*
8 *flict and war.*

SUDAN

9
10 *SEC. 6069. (a) AVAILABILITY OF FUNDS.—Of the*
11 *funds appropriated by title III of this Act, not less than*
12 *\$112,350,000 should be made available for assistance for*
13 *Sudan.*

14 *(b) LIMITATION ON ASSISTANCE.—Subject to sub-*
15 *section (c):*

16 *(1) Notwithstanding section 501(a) of the Inter-*
17 *national Malaria Control Act of 2000 (Public Law*
18 *106–570) or any other provision of law, none of the*
19 *funds appropriated by this Act may be made avail-*
20 *able for assistance for the Government of Sudan.*

21 *(2) None of the funds appropriated by this Act*
22 *may be made available for the cost, as defined in sec-*
23 *tion 502, of the Congressional Budget Act of 1974, of*
24 *modifying loans and loan guarantees held by the Gov-*
25 *ernment of Sudan, including the cost of selling, reduc-*
26 *ing, or canceling amounts owed to the United States,*

1 *and modifying concessional loans, guarantees, and*
2 *credit agreements.*

3 *(c) Subsection (b) shall not apply if the Secretary of*
4 *State determines and certifies to the Committees on Appro-*
5 *priations that—*

6 *(1) the Government of Sudan has taken signifi-*
7 *cant steps to disarm and disband government-sup-*
8 *ported militia groups in the Darfur region;*

9 *(2) the Government of Sudan and all govern-*
10 *ment-supported militia groups are honoring their*
11 *commitments made in the cease-fire agreement of*
12 *April 8, 2004; and*

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

20 *(d) EXCEPTIONS.—The provisions of subsection (b)*
21 *shall not apply to—*

22 *(1) humanitarian assistance;*

23 *(2) assistance for Darfur and for areas outside*
24 *the control of the Government of Sudan; and*

1 (3) assistance to support implementation of the
2 *Comprehensive Peace Agreement.*

3 (e) *DEFINITIONS.*—*For the purposes of this Act and*
4 *section 501 of Public Law 106–570, the terms “Government*
5 *of Sudan”, “areas outside of control of the Government of*
6 *Sudan”, and “area in Sudan outside of control of the Gov-*
7 *ernment of Sudan” shall have the same meaning and appli-*
8 *cation as was the case immediately prior to June 5, 2004,*
9 *and, with regard to assistance in support of a viable peace*
10 *agreement, Southern Kordofan/Nuba Mountains State, Blue*
11 *Nile State and Abyei.*

12 *PEACEKEEPING ACTIVITIES*

13 *SEC. 6070. Notwithstanding any other provision of*
14 *law, of the funds appropriated or otherwise made available*
15 *in this Act, not more than \$1,035,500,000 shall be available*
16 *for payment to the United Nations for assessed and other*
17 *expenses of international peacekeeping activities.*

18 *EXCESS DEFENSE ARTICLES FOR CENTRAL AND SOUTH*
19 *EUROPEAN COUNTRIES AND CERTAIN OTHER COUNTRIES*

20 *SEC. 6071. Notwithstanding section 516(e) of the For-*
21 *eign Assistance Act of 1961 (22 U.S.C. 2321j(e)), during*
22 *fiscal year 2006, funds available to the Department of De-*
23 *fense may be expended for crating, packing, handling, and*
24 *transportation of excess defense articles transferred under*
25 *the authority of section 516 of such Act to Albania, Afghani-*
26 *stan, Bulgaria, Croatia, Estonia, Former Yugoslavian Re-*

1 *public of Macedonia, Georgia, India, Iraq, Kazakhstan,*
 2 *Kyrgyzstan, Latvia, Lithuania, Moldova, Mongolia, Paki-*
 3 *stan, Romania, Slovakia, Tajikistan, Turkmenistan,*
 4 *Ukraine, and Uzbekistan.*

5 *INDONESIA*

6 *SEC. 6072. (a) Funds appropriated by this Act under*
 7 *the heading “Foreign Military Financing Program” may*
 8 *be made available for assistance for Indonesia, and licenses*
 9 *may be issued for the export of lethal defense articles for*
 10 *the Indonesian Armed Forces, only if the Secretary of State*
 11 *certifies to the appropriate congressional committees that—*

12 *(1) the Armed Forces are taking steps to counter*
 13 *international terrorism, consistent with democratic*
 14 *principles and the rule of law, and in cooperation*
 15 *with countries in the region;*

16 *(2) the Indonesian Government is prosecuting*
 17 *and punishing, in a manner proportional to the*
 18 *crime, members of the Armed Forces, of whatever*
 19 *rank, who have been credibly alleged to have com-*
 20 *mitted gross violations of human rights or to have*
 21 *aided or abetted militia groups;*

22 *(3) at the direction of the President of Indonesia,*
 23 *the Armed Forces are cooperating with civilian judi-*
 24 *cial authorities and with international efforts to re-*
 25 *solve cases of gross violations of human rights in East*
 26 *Timor and elsewhere; and*

1 (4) *at the direction of the President of Indonesia,*
 2 *the Armed Forces are implementing reforms to in-*
 3 *crease the transparency and accountability of their*
 4 *operations and financial management.*

5 (b) *The Secretary of State may waive subsection (a)*
 6 *if the Secretary determines and reports to the Committees*
 7 *on Appropriations that to do so is in the national security*
 8 *interests of the United States.*

9 LIMITATION ON CONTRACTS

10 SEC. 6073. *None of the funds made available under*
 11 *this Act may be used to fund any contract in contravention*
 12 *of section 8(d)(6) of the Small Business Act (15 U.S.C.*
 13 *637(d)(6)).*

14 ENVIRONMENT PROGRAMS

15 SEC. 6074. (a) *FUNDING.—Of the funds appropriated*
 16 *under the heading “Development Assistance”, not less than*
 17 *\$165,500,000 shall be made available for programs and ac-*
 18 *tivities which directly protect biodiversity, including for-*
 19 *ests, in developing countries, of which not less than*
 20 *\$10,000,000 should be made available to implement the*
 21 *United States Agency for International Development’s bio-*
 22 *diversity conservation strategy for the Amazon basin, which*
 23 *amount shall be in addition to the amounts requested for*
 24 *biodiversity activities in these countries in fiscal year 2006:*
 25 *Provided, That of the funds appropriated by this Act, not*
 26 *less than \$17,500,000 should be made available for the*

1 *Congo Basin Forest Partnership of which not less than*
 2 *\$2,500,000 should be made available to the United States*
 3 *Fish and Wildlife Service for the protection of great apes*
 4 *in Central Africa: Provided further, That of the funds ap-*
 5 *propriated by this Act, not less than \$180,000,000 shall be*
 6 *made available to support clean energy and other climate*
 7 *change policies and programs in developing countries, of*
 8 *which \$100,000,000 should be made available to directly*
 9 *promote and deploy energy conservation, energy efficiency,*
 10 *and renewable and clean energy technologies, and of which*
 11 *the balance should be made available to directly: (1) meas-*
 12 *ure, monitor, and reduce greenhouse gas emissions; (2) in-*
 13 *crease carbon sequestration activities; and (3) enhance cli-*
 14 *mate change mitigation and adaptation programs.*

15 (b) *CLIMATE CHANGE REPORT.*—Not later than 45
 16 *days after the date on which the President’s fiscal year 2007*
 17 *budget request is submitted to Congress, the President shall*
 18 *submit a report to the Committees on Appropriations de-*
 19 *scribing in detail the following—*

20 (1) *all Federal agency obligations and expendi-*
 21 *tures, domestic and international, for climate change*
 22 *programs and activities in fiscal year 2006, including*
 23 *an accounting of expenditures by agency with each*
 24 *agency identifying climate change activities and asso-*

1 *ciated costs by line item as presented in the Presi-*
 2 *dent's Budget Appendix; and*

3 *(2) all fiscal year 2005 obligations and estimated*
 4 *expenditures, fiscal year 2006 estimated expenditures*
 5 *and estimated obligations, and fiscal year 2007 re-*
 6 *quested funds by the United States Agency for Inter-*
 7 *national Development, by country and central pro-*
 8 *gram, for each of the following: (i) to promote the*
 9 *transfer and deployment of a wide range of United*
 10 *States clean energy and energy efficiency technologies;*
 11 *(ii) to assist in the measurement, monitoring, report-*
 12 *ing, verification, and reduction of greenhouse gas*
 13 *emissions; (iii) to promote carbon capture and seques-*
 14 *tration measures; (iv) to help meet such countries' re-*
 15 *sponsibilities under the Framework Convention on*
 16 *Climate Change; and (v) to develop assessments of the*
 17 *vulnerability to impacts of climate change and miti-*
 18 *gation and adaptation response strategies.*

19 *(c) EXTRACTION OF NATURAL RESOURCES.—*

20 *(1) The Secretary of the Treasury shall inform*
 21 *the managements of the international financial insti-*
 22 *tutions and the public that it is the policy of the*
 23 *United States that any assistance by such institutions*
 24 *(including but not limited to any loan, credit, grant,*
 25 *or guarantee) for the extraction and export of oil, gas,*

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

22 *SEC. 6075. Assistance may be provided to the central*
23 *Government of Uzbekistan only if the Secretary of State de-*
24 *termines and reports to the Committees on Appropriations*
25 *that the Government of Uzbekistan is making substantial*
26 *and continuing progress in meeting its commitments under*

1 the “Declaration on the Strategic Partnership and Coopera-
 2 tion Framework Between the Republic of Uzbekistan and
 3 the United States of America”, including respect for human
 4 rights, establishing a genuine multi-party system, and en-
 5 suring free and fair elections, freedom of expression, and
 6 the independence of the media, and that a credible inter-
 7 national investigation of the May 31, 2005, shootings in
 8 Andijan is underway with the support of the Government
 9 of Uzbekistan: Provided, That for the purposes of this sec-
 10 tion “assistance” shall include excess defense articles.

11 *CENTRAL ASIA*

12 *SEC. 6076. (a) Funds appropriated by this Act may*
 13 *be made available for assistance for the Government of*
 14 *Kazakhstan only if the Secretary of State determines and*
 15 *reports to the Committees on Appropriations that the Gov-*
 16 *ernment of Kazakhstan has made significant improvements*
 17 *in the protection of human rights during the preceding 6*
 18 *month period.*

19 *(b) The Secretary of State may waive subsection (a)*
 20 *if he determines and reports to the Committees on Appro-*
 21 *priations that such a waiver is important to the national*
 22 *security of the United States.*

23 *(c) Not later than October 1, 2006, the Secretary of*
 24 *State shall submit a report to the Committees on Appro-*
 25 *priations and the Committee on Foreign Relations of the*

1 *Senate and the Committee on International Relations of the*
2 *House of Representatives describing the following:*

3 (1) *The defense articles, defense services, and fi-*
4 *nancial assistance provided by the United States to*
5 *the countries of Central Asia during the 6-month pe-*
6 *riod ending 30 days prior to submission of such re-*
7 *port.*

8 (2) *The use during such period of defense arti-*
9 *cles, defense services, and financial assistance pro-*
10 *vided by the United States by units of the armed*
11 *forces, border guards, or other security forces of such*
12 *countries.*

13 (d) *Prior to the initial obligation of assistance for the*
14 *Government of Kyrgyzstan, the Secretary of State shall sub-*
15 *mit a report to the Committees on Appropriations describ-*
16 *ing (1) whether the Government of Kyrgyzstan is forcibly*
17 *returning Uzbeks who have fled violence and political perse-*
18 *cution, in violation of the 1951 Geneva Convention relating*
19 *to the status of refugees, and the Convention Against Tor-*
20 *ture and Other Forms of Cruel, Inhuman, or Degrading*
21 *Treatment; (2) efforts made by the United States to prevent*
22 *such returns; and (3) the response of the Government of*
23 *Kyrgyzstan.*

1 (e) *For purposes of this section, the term “countries*
 2 *of Central Asia” means Uzbekistan, Kazakhstan, Kyrgyz*
 3 *Republic, Tajikistan, and Turkmenistan.*

4 *DISABILITY PROGRAMS*

5 *SEC. 6077. (a) Of the funds appropriated by this Act*
 6 *under the heading “Economic Support Fund”, not less than*
 7 *\$4,000,000 shall be made available for programs and activi-*
 8 *ties administered by the United States Agency for Inter-*
 9 *national Development (USAID) to address the needs and*
 10 *protect the rights of people with disabilities in developing*
 11 *countries, to be allocated as follows—*

12 (1) *\$1,500,000 for United States organizations*
 13 *that specialize in advocacy for people with disabil-*
 14 *ities, to provide training, technical, and related as-*
 15 *sistance for foreign nongovernmental organizations*
 16 *that work primarily on behalf of people with disabil-*
 17 *ities in developing countries; and*

18 (2) *\$2,500,000 for equipment and other assist-*
 19 *ance for such foreign nongovernmental organizations.*

20 (b) *Of the funds appropriated under the heading “Op-*
 21 *erating Expenses of the United States Agency for Inter-*
 22 *national Development”, up to \$1,000,000 shall be made*
 23 *available to develop and implement training for staff in*
 24 *overseas USAID missions to promote the full inclusion and*
 25 *equal participation of people with disabilities in developing*
 26 *countries.*

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

16 *SEC. 6078. The Secretary of the Treasury shall in-*
17 *struct the United States executive director to each inter-*
18 *national financial institution to vote against any extension*
19 *by the respective institution of any loans to the Government*
20 *of Zimbabwe, except to meet basic human needs or to pro-*
21 *mote democracy, unless the Secretary of State determines*
22 *and certifies to the Committees on Appropriations that the*
23 *rule of law has been restored in Zimbabwe, including re-*
24 *spect for ownership and title to property, freedom of speech*
25 *and association.*

TIBET

1
2 *SEC. 6079. (a) The Secretary of the Treasury should*
3 *instruct the United States executive director to each inter-*
4 *national financial institution to use the voice and vote of*
5 *the United States to support projects in Tibet if such*
6 *projects do not provide incentives for the migration and set-*
7 *tlement of non-Tibetans into Tibet or facilitate the transfer*
8 *of ownership of Tibetan land and natural resources to non-*
9 *Tibetans; are based on a thorough needs-assessment; foster*
10 *self-sufficiency of the Tibetan people and respect Tibetan*
11 *culture and traditions; and are subject to effective moni-*
12 *toring.*

13 *(b) Notwithstanding any other provision of law, not*
14 *less than \$4,000,000 of the funds appropriated by this Act*
15 *under the heading “Economic Support Fund” should be*
16 *made available to nongovernmental organizations to sup-*
17 *port activities which preserve cultural traditions and pro-*
18 *mote sustainable development and environmental conserva-*
19 *tion in Tibetan communities in the Tibetan Autonomous*
20 *Region and in other Tibetan communities in China, and*
21 *not less than \$250,000 should be made available to the Na-*
22 *tional Endowment for Democracy for human rights and de-*
23 *mocracy programs relating to Tibet.*

1 *DISCRIMINATION AGAINST MINORITY RELIGIOUS FAITHS IN*
2 *THE RUSSIAN FEDERATION*

3 *SEC. 6080. None of the funds appropriated for assist-*
4 *ance under this Act may be made available for the Govern-*
5 *ment of the Russian Federation, after 180 days from the*
6 *date of the enactment of this Act, unless the President deter-*
7 *mines and certifies in writing to the Committees on Appro-*
8 *priations that the Government of the Russian Federation*
9 *has implemented no statute, Executive order, regulation or*
10 *similar government action that would discriminate, or*
11 *which has as its principal effect discrimination, against re-*
12 *ligious groups or religious communities in the Russian Fed-*
13 *eration in violation of accepted international agreements*
14 *on human rights and religious freedoms to which the Rus-*
15 *sian Federation is a party.*

16 *WAR CRIMES IN AFRICA*

17 *SEC. 6081. (a) The Congress recognizes the important*
18 *contribution that the democratically elected Government of*
19 *Nigeria has played in fostering stability in West Africa.*

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

25 *(c) Funds appropriated by this Act, including funds*
26 *for debt restructuring, may be made available for assistance*

1 *to the central government of a country in which individuals*
 2 *indicted by ICTR and SCSL are credibly alleged to be liv-*
 3 *ing, if the Secretary of State determines and reports to the*
 4 *Committees on Appropriations that such government is co-*
 5 *operating with ICTR and SCSL, including the surrender*
 6 *and transfer of indictees in a timely manner: Provided,*
 7 *That this subsection shall not apply to assistance provided*
 8 *under section 551 of the Foreign Assistance Act of 1961 or*
 9 *to project assistance under title III of this Act: Provided*
 10 *further, That the United States shall use its voice and vote*
 11 *in the United Nations Security Council to fully support ef-*
 12 *forts by ICTR and SCSL to bring to justice individuals*
 13 *indicted by such tribunals in a timely manner.*

14 *(d) The prohibition in subsection (c) may be waived*
 15 *on a country by country basis if the President determines*
 16 *that doing so is in the national security interest of the*
 17 *United States: Provided, That prior to exercising such*
 18 *waiver authority, the President shall submit a report to the*
 19 *Committees on Appropriations, in classified form if nec-*
 20 *essary, on: (1) the steps being taken to obtain the coopera-*
 21 *tion of the government in surrendering the indictee in ques-*
 22 *tion to SCSL or ICTR; (2) a strategy for bringing the in-*
 23 *dictee before ICTR or SCSL; and (3) the justification for*
 24 *exercising the waiver authority.*

ADMISSION OF REFUGEES

SEC. 6082. (a) *The Secretary of State shall utilize private voluntary organizations with expertise in the protection needs of refugees in the processing of refugees overseas for admission and resettlement to the United States, and shall utilize such agencies in addition to the United Nations High Commissioner for Refugees in the identification and referral of refugees.*

(b) *The Secretary of State should maintain a system for accepting referrals of appropriate candidates for resettlement from local private, voluntary organizations and work to ensure that particularly vulnerable refugee groups receive special consideration for admission into the United States, including—*

- (1) long-stayers in countries of first asylum;*
- (2) unaccompanied refugee minors;*
- (3) refugees outside traditional camp settings;*
- and*
- (4) refugees in woman-headed households.*

(c) *The Secretary of State shall give special consideration to—*

- (1) refugees of all nationalities who have close family ties to citizens and residents of the United States; and*

1 (2) *other groups of refugees who are of special*
 2 *concern to the United States.*

3 UNOBLIGATED BALANCES

4 SEC. 6083. *The amount appropriated in this Act is*
 5 *hereby reduced by \$200,296,000 to reduce unobligated bal-*
 6 *ances as follows:*

7 (1) *From “Diplomatic and Consular Programs”,*
 8 *\$100,296,000.*

9 (2) *From “International Narcotics Control and*
 10 *Law Enforcement”, \$100,000,000.*

11 SECURITY IN ASIA

12 SEC. 6084. (a) *Of the funds appropriated under the*
 13 *heading “Foreign Military Financing Program”, not less*
 14 *than the following amounts shall be made available to en-*
 15 *hance security in Asia, consistent with democratic prin-*
 16 *ciples and the rule of law—*

17 (1) *\$45,000,000 for assistance for the Phil-*
 18 *ippines;*

19 (2) *\$1,500,000 for assistance for Indonesia;*

20 (3) *\$1,000,000 for assistance for Bangladesh;*

21 (4) *\$4,000,000 for assistance for Mongolia;*

22 (5) *\$1,500,000 for assistance for Thailand;*

23 (6) *\$1,000,000 for assistance for Sri Lanka;*

24 (7) *\$1,000,000 for assistance for Cambodia;*

25 (8) *\$500,000 for assistance for Fiji; and*

26 (9) *\$250,000 for assistance for Tonga.*

1 (b) *In addition to amounts appropriated elsewhere in*
2 *this Act, \$25,000,000 is hereby appropriated for “Foreign*
3 *Military Financing Program”: Provided, That these funds*
4 *shall be available only to assist the Philippines in address-*
5 *ing the critical deficiencies identified in the Joint Defense*
6 *Assessment of 2003.*

7 (c) *Funds made available for assistance for Indonesia*
8 *pursuant to subsection (a) may only be made available for*
9 *the Indonesian Navy, notwithstanding section 6072 of this*
10 *Act: Provided, That such funds shall only be made available*
11 *subject to the regular notification procedures of the Commit-*
12 *tees on Appropriations.*

13 (d) *Funds made available for assistance for Cambodia*
14 *pursuant to subsection (a) shall be made available notwith-*
15 *standing section 6054 of this Act: Provided, That such funds*
16 *shall only be made available subject to the regular notifica-*
17 *tion procedures of the Committees on Appropriations.*

18 (e) *NEPAL.—*

19 (1) *The Congress condemns the Maoist*
20 *insurgency’s atrocities against civilians, including*
21 *torture, extrajudicial killings, and forced recruitment*
22 *of children.*

23 (2) *The Congress recognizes the difficulties the*
24 *Royal Nepalese Army (RNA) faces in countering the*

1 *Maoist threat, but deplores the violations of human*
 2 *rights by the RNA.*

3 *(3) Funds appropriated under the heading “For-*
 4 *foreign Military Financing Program” may be made*
 5 *available for assistance for Nepal only if the Sec-*
 6 *retary of State certifies to the Committees on Appro-*
 7 *propriations that the Government of Nepal, including its*
 8 *security forces:*

9 *(A) has released all political detainees, in-*
 10 *cluding those detained before February 1, 2005;*

11 *(B) has restored civil liberties, including*
 12 *due process under law, freedoms of speech, the*
 13 *press and association, and the right of move-*
 14 *ment;*

15 *(C) has demonstrated, through dialogue*
 16 *with Nepal’s political parties, a commitment to*
 17 *a clear timetable for the return to multi-party,*
 18 *democratic government consistent with the 1990*
 19 *Nepalese Constitution;*

20 *(D) is ensuring that the Commission for In-*
 21 *vestigation of Abuse of Authority is receiving*
 22 *adequate support to effectively implement its*
 23 *anti-corruption mandate and that no other anti-*
 24 *corruption body is functioning in violation of*

1 *the 1990 Nepalese Constitution or international*
2 *standards of due process;*

3 *(E) has determined the number of and is*
4 *complying with habeas corpus orders issued by*
5 *Nepal's Supreme Court and appellate courts, in-*
6 *cluding all outstanding orders, and the security*
7 *forces are respecting these orders;*

8 *(F) is restoring the independence of the Na-*
9 *tional Human Rights Commission of Nepal*
10 *(NHRC) in accordance with constitutional pro-*
11 *visions, including providing adequate funding*
12 *and staff;*

13 *(G) is granting civilian prosecutors and ju-*
14 *dicial authorities, the NHRC, the Office of the*
15 *United Nations High Commissioner for Human*
16 *Rights in Nepal, and international humani-*
17 *tarian organizations, unannounced and*
18 *unimpeded access to all detainees, witnesses, rel-*
19 *evant documents, and other requested informa-*
20 *tion, and is cooperating with these entities to*
21 *identify and resolve all security related cases in-*
22 *volving persons in government custody; and*

23 *(H) is taking effective steps to (i) ensure*
24 *that Nepalese security forces comply with the Ge-*
25 *neva Convention on Law of Land Warfare; (ii)*

1 *end torture, extrajudicial killings, and other*
 2 *gross violations of human rights; and (iii) pros-*
 3 *ecute and punish, in a manner proportional to*
 4 *the crime, members of such forces who are re-*
 5 *sponsible for such violations.*

6 *(4) The Secretary of State may waive the re-*
 7 *quirements of paragraph (3) if the Secretary certifies*
 8 *to the Committees on Appropriations that to do so is*
 9 *in the national security interests of the United States.*

10 *UNITED NATIONS DEVELOPMENT PROGRAM IN BURMA*

11 *SEC. 6085. (a) Notwithstanding any other provision*
 12 *of law, of the funds appropriated in any title of this Act,*
 13 *an amount equal to the amount the United Nations Devel-*
 14 *opment Program will spend in Burma (including all pro-*
 15 *grams and activities administered by the United Nations*
 16 *Development Program) shall be withheld until the Secretary*
 17 *of State determines and reports to the Committees on Ap-*
 18 *propriations that all programs and activities of the United*
 19 *Nations Development Program (including all programs and*
 20 *activities administered by the United Nations Development*
 21 *Program) in Burma—*

22 *(1) are undertaken only through international or*
 23 *private voluntary organizations that the Secretary of*
 24 *State deems independent of the State Peace and De-*
 25 *velopment Council (SPDC);*

(b) Not later than 180 days after the date of enactment of this Act, the Secretary of State shall submit to the Committees on Appropriations a report detailing all programs and activities of the United Nations Development Program (including all programs and activities administered by the United Nations Development Programs) in Burma and all recipients and subrecipients of funds provided under such programs and activities.

SEC. 6086. Funds appropriated for fiscal year 2005 under the headings “Economic Support Fund” and “International Military Education and Training” may be made available for democracy and rule of law programs and activities, notwithstanding the provisions of section 574 of Division D of Public Law 108–447.

UNIVERSITY PROGRAMS

1
2 *SEC. 6087. Of the funds appropriated by title III of*
3 *this Act, not less than \$40,000,000 shall be made available*
4 *to the Office of the Higher Education Community Liaison*
5 *in the Bureau for Economic Growth, Agriculture and Trade*
6 *of the United States Agency for International Development*
7 *and used for projects and activities of United States-based*
8 *colleges and universities: Provided, That these funds shall*
9 *be in addition to funds otherwise available under this Act*
10 *for such programs.*

RESCISSION

11
12 *SEC. 6088. Of the unobligated balances available under*
13 *the heading “United States-Canada Alaska Rail Commis-*
14 *sion Salaries and Expenses” in prior Acts making appro-*
15 *priations for the Departments of Commerce, Justice and*
16 *State, the Judiciary and related agencies, \$2,000,000 is re-*
17 *scinded.*

COOPERATION WITH CUBA ON COUNTER-NARCOTICS

MATTERS

18
19
20 *SEC. 6089. (a) Subject to subsection (b), of the funds*
21 *appropriated under the heading “International Narcotics*
22 *Control and Law Enforcement”, \$5,000,000 should be made*
23 *available for the purposes of preliminary work by the De-*
24 *partment of State, or such other entity as the Secretary of*
25 *State may designate, to establish cooperation with appro-*
26 *priate agencies of the Government of Cuba on counter-nar-*

1 *cotics matters, including matters relating to cooperation,*
 2 *coordination, and mutual assistance in the interdiction of*
 3 *illicit drugs being transported through Cuba airspace or*
 4 *over Cuba waters.*

5 *(b) The amount in subsection (a) shall not be available*
 6 *if the President certifies that—*

7 *(1) Cuba does not have in place appropriate pro-*
 8 *cedures to protect against the loss of innocent life in*
 9 *the air and on the ground in connection with the*
 10 *interdiction of illegal drugs; and*

11 *(2) there is evidence of involvement of the Gov-*
 12 *ernment of Cuba in drug trafficking.*

13 *FRANCOPHONE COUNTRIES*

14 *SEC. 6090. Of the funds appropriated by title III of*
 15 *this Act, not less than \$5,000,000 shall be made available*
 16 *for English language training programs for Vietnam, Cam-*
 17 *bodia, Laos, Mali, Cote D'Ivoire, Senegal, and other*
 18 *Francophone countries.*

19 *TRANSFER OF FUNDS*

20 *SEC. 6091. Of the funds appropriated in this Act*
 21 *under the heading “Andean Counterdrug Initiative”, up to*
 22 *\$40,000,000 shall be made available for security assistance*
 23 *and nonproliferation activities in the Western Hemisphere:*
 24 *Provided, That of this amount, up to \$10,000,000 shall be*
 25 *transferred to “Nonproliferation, Anti-Terrorism,*
 26 *Demining and Related Programs” for the destruction of*

1 *man portable air defense systems, small arms, and light*
 2 *weapons: Provided further, That up to \$30,000,000 shall*
 3 *be transferred to “Foreign Military Financing Program”*
 4 *for military and security assistance to coalition partners*
 5 *in Iraq and Afghanistan.*

6 *ORGANIZED CRIME AND CORRUPTION IN CENTRAL AMERICA*

7 *SEC. 6092. (a) In addition to the amounts requested*
 8 *under the heading “Economic Support Fund” for assistance*
 9 *for Guatemala and Nicaragua in fiscal year 2006, not less*
 10 *than \$5,000,000 should be made available for programs and*
 11 *activities to strengthen the Guatemalan Government’s capa-*
 12 *bilities to combat organized crime and corruption, and not*
 13 *less than \$5,000,000 should be made available for media*
 14 *and civil society programs and activities to combat corrup-*
 15 *tion and strengthen democracy in Nicaragua.*

16 *(b) Funds made available pursuant to this section*
 17 *shall be subject to prior consultation with, and the regular*
 18 *notification procedures of, the Committees on Appropria-*
 19 *tions.*

20 *IRAQ*

21 *SEC. 6093. (a) Of the funds available under the head-*
 22 *ing “Economic Support Fund” for assistance for Iraq, not*
 23 *less than \$10,000,000, to remain available until September*
 24 *30, 2007, shall be transferred to and merged with funds ap-*
 25 *propriated under the heading “Iraqi Relief and Reconstruc-*
 26 *tion Fund” in chapter 2 of title II of P.L. 108–106 and*

1 *shall be made available for the Marla Ruzicka Iraqi War*
 2 *Victims Fund.*

3 (b) *Of the funds available under the heading “Eco-*
 4 *nomic Support Fund” for assistance for Iraq, not less than*
 5 *\$1,000,000 shall be made available for programs and activi-*
 6 *ties to strengthen the capacity of the Government of Iraq*
 7 *to transparently manage its revenues, including oil reve-*
 8 *nues, in accordance with international best practices.*

9 *NEGLECTED DISEASES*

10 *SEC. 6094. Of the funds appropriated under the head-*
 11 *ing “Child Survival and Health Programs Fund”, not less*
 12 *than \$30,000,000 shall be made available to establish an*
 13 *Integrated Multi-Disease Control (“IMDC”) Initiative to*
 14 *demonstrate the health and economic benefits of an inte-*
 15 *grated response to the control of neglected diseases including*
 16 *intestinal parasites, schistosomiasis, lymphatic filariasis,*
 17 *onchocerciasis, trachoma and leprosy: Provided, That the*
 18 *Administrator of the United States Agency for Inter-*
 19 *national Development, in consultation with the Secretary*
 20 *of State, should identify an appropriate multilateral mech-*
 21 *anism to carry out this purpose and maximize the leverage*
 22 *of the United States contribution with those of other donors:*
 23 *Provided further, That the IMDC Initiative should operate*
 24 *under the oversight of an Advisory Board to include rep-*
 25 *resentatives from the relevant international technical non-*
 26 *governmental organizations addressing the specific diseases,*

1 *recipient countries, donor countries, the private sector,*
 2 *UNICEF and the World Health Organization: Provided*
 3 *further, That the Advisory Board should be authorized to*
 4 *make programmatic decisions and evaluate the effectiveness*
 5 *of programs: Provided further, That funds made available*
 6 *pursuant to this section shall be subject to the regular notifi-*
 7 *cation procedures of the Committees on Appropriations.*

8 *ORPHANS, DISPLACED AND ABANDONED CHILDREN*

9 *SEC. 6095. Of the funds appropriated under title III*
 10 *of this Act, not less than \$3,000,000 shall be made available*
 11 *for pilot projects to improve the capacity of foreign govern-*
 12 *ment agencies and nongovernmental organizations to pre-*
 13 *vent abandonment, address the needs of orphans, displaced*
 14 *and abandoned children and provide permanent homes*
 15 *through family reunification, guardianship and domestic*
 16 *adoptions.*

17 *FORENSIC ASSISTANCE*

18 *SEC. 6096. Of the funds appropriated under title III*
 19 *of this Act, not less than \$3,000,000 shall be made available*
 20 *through the Bureau of Democracy, Human Rights and*
 21 *Labor, Department of State, to support investigations, in-*
 22 *cluding DNA analysis, in cases of extrajudicial killings and*
 23 *child disappearances in Central and South America: Pro-*
 24 *vided, That funds appropriated under this section are in*
 25 *addition to funds otherwise made available for such pur-*
 26 *poses.*

1 *COORDINATOR FOR INDIGENOUS PEOPLES ISSUES*

2 *SEC. 6097. (a) After consultation with the Committees*
 3 *on Appropriations and not later than 90 days after enact-*
 4 *ment of this Act, the Administrator of the United States*
 5 *Agency for International Development shall designate a*
 6 *“Coordinator for Indigenous Peoples Issues” whose respon-*
 7 *sibilities shall include the following—*

8 *(1) consulting with representatives of indigenous*
 9 *peoples organizations;*

10 *(2) ensuring that the rights and needs of indige-*
 11 *nous peoples are effectively addressed in United*
 12 *States Agency for International Development policies,*
 13 *programs and activities;*

14 *(3) monitoring the design and implementation of*
 15 *United States Agency for International Development*
 16 *policies, programs and activities which directly or in-*
 17 *directly affect indigenous peoples; and*

18 *(4) coordinating with other Federal agencies on*
 19 *relevant issues relating to indigenous peoples.*

20 *REPROGRAMMING OF FUNDS*

21 *SEC. 6098. (a) None of the funds provided under title*
 22 *I of this Act, or provided under previous appropriations*
 23 *Acts to accounts under such title that remain available for*
 24 *obligation or expenditure in fiscal year 2006, or provided*
 25 *from any accounts in the Treasury of the United States*
 26 *derived by the collection of fees available to the agencies*

1 *funded by such title, shall be available for obligation or ex-*
2 *penditure through a reprogramming of funds that: (1) cre-*
3 *ates new programs; (2) eliminates a program, project, or*
4 *activity; (3) increases funds or personnel by any means for*
5 *any project or activity for which funds have been denied*
6 *or restricted; (4) relocates an office or employees; (5) reorga-*
7 *nizes or renames offices; (6) reorganizes, programs or ac-*
8 *tivities; or (7) contracts out or privatizes any functions or*
9 *activities presently performed by Federal employees; unless*
10 *the Appropriations Committees of both Houses of Congress*
11 *are notified 15 days in advance of such reprogramming of*
12 *funds.*

13 (b) *None of the funds provided under title I of this*
14 *Act, or provided under previous appropriations Acts to ac-*
15 *counts under such title that remain available for obligation*
16 *or expenditure in fiscal year 2006, or provided from any*
17 *accounts in the Treasury of the United States derived by*
18 *the collection of fees available to the agencies funded by such*
19 *title, shall be available for obligation or expenditure for ac-*
20 *tivities, programs, or projects through a reprogramming of*
21 *funds in excess of \$750,000 or 10 percent, whichever is less,*
22 *that: (1) augments existing programs, projects, or activities;*
23 *(2) reduces by 10 percent funding for any existing program,*
24 *project, or activity, or numbers of personnel by 10 percent*
25 *as approved by Congress; or (3) results from any general*

1 *savings, including savings from a reduction in personnel,*
 2 *which would result in a change in existing programs, ac-*
 3 *tivities, or projects as approved by Congress; unless the Ap-*
 4 *propriations Committees of both Houses of Congress are no-*
 5 *tified 15 days in advance of such reprogramming of funds.*

6 *PEACEKEEPING MISSIONS*

7 *SEC. 6099. None of the funds made available by this*
 8 *Act may be used for any United Nations undertaking when*
 9 *it is made known to the Federal official having authority*
 10 *to obligate or expend such funds that: (1) the United Na-*
 11 *tions undertaking is a peacekeeping mission; (2) such un-*
 12 *dertaking will involve United States Armed Forces under*
 13 *the command or operational control of a foreign national;*
 14 *and (3) the President's military advisors have not sub-*
 15 *mitted to the President a recommendation that such in-*
 16 *volvement is in the national security interests of the United*
 17 *States and the President has not submitted to the Congress*
 18 *such a recommendation.*

19 *UNOBLIGATED BALANCES REPORT*

20 *SEC. 6100. Any Department or Agency to which funds*
 21 *are appropriated in this Act shall provide to the Commit-*
 22 *tees on Appropriations a quarterly accounting of the cumu-*
 23 *lative balances of any unobligated funds that were received*
 24 *by such agency during any previous fiscal year.*

1 *RESTRICTIONS ON UNITED NATIONS DELEGATIONS*

2 *SEC. 6101. None of the funds made available in title*
3 *I of this Act may be used to pay expenses for any United*
4 *States delegation to any specialized agency, body, or com-*
5 *mission of the United Nations if such commission is chaired*
6 *or presided over by a country, the government of which the*
7 *Secretary of State has determined, for purposes of section*
8 *6(j)(1) of the Export Administration Act of 1979 (50 U.S.C.*
9 *App. 2405(j)(1)), has provided support for acts of inter-*
10 *national terrorism.*

11 *EMBASSY CONSTRUCTION*

12 *SEC. 6102. (a) Except as provided in subsection (b),*
13 *a project to construct a diplomatic facility of the United*
14 *States may not include office space or other accommoda-*
15 *tions for an employee of a Federal agency or department*
16 *if the Secretary of State determines that such department*
17 *or agency has not provided to the Department of State the*
18 *full amount of funding required by subsection (e) of section*
19 *604 of the Secure Embassy Construction and*
20 *Counterterrorism Act of 1999 (as enacted into law by sec-*
21 *tion 1000(a)(7) of Public Law 106–113 and contained in*
22 *appendix G of that Act; 113 Stat. 1501A–453), as amended*
23 *by section 629 of the Departments of Commerce, Justice,*
24 *and State, the Judiciary, and Related Agencies Appropria-*
25 *tions Act, 2005.*

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

5 ALLOWANCES AND DIFFERENTIALS

6 SEC. 6103. Funds appropriated under title I of this
 7 Act shall be available, except as otherwise provided, for al-
 8 lowances and differentials as authorized by subchapter 59
 9 of title 5, United States Code; for services as authorized by
 10 5 U.S.C. 3109; and for hire of passenger transportation
 11 pursuant to 31 U.S.C. 1343(b).

12 TRANSFER AUTHORITY

13 SEC. 6104. Not to exceed 5 percent of any appropria-
 14 tion made available for the current fiscal year for the De-
 15 partment of State in title I of this Act may be transferred
 16 between such appropriations, but no such appropriation,
 17 except as otherwise specifically provided, shall be increased
 18 by more than 10 percent by any such transfers: Provided,
 19 That not to exceed 5 percent of any appropriation made
 20 available for the current fiscal year for the Broadcasting
 21 Board of Governors in this Act may be transferred between
 22 such appropriations, but no such appropriation, except as
 23 otherwise specifically provided, shall be increased by more
 24 than 10 percent by any such transfers: Provided further,
 25 That any transfer pursuant to this section shall be treated
 26 as a reprogramming of funds under section 6088 of this

1 *Act and shall not be available for obligation or expenditure*
 2 *except in compliance with the procedures set forth in that*
 3 *section.*

4 *UNITED STATES CITIZENS BORN IN JERUSALEM*

5 *SEC. 6105. For the purposes of registration of birth,*
 6 *certification of nationality, or issuance of a passport of a*
 7 *United States citizen born in the city of Jerusalem, the Sec-*
 8 *retary of State shall, upon request of the citizen, record the*
 9 *place of birth as Israel.*

10 *SENIOR POLICY OPERATING GROUP*

11 *SEC. 6106. (a) The Senior Policy Operating Group on*
 12 *Trafficking in Persons, established under section 406 of di-*
 13 *vision B of Public Law 108–7 to coordinate agency activi-*
 14 *ties regarding policies (including grants and grant policies)*
 15 *involving the international trafficking in persons, shall co-*
 16 *ordinate all such policies related to the activities of traf-*
 17 *fickers and victims of severe forms of trafficking.*

18 *(b) None of the funds provided in this or any other*
 19 *Act shall be expended to perform functions that duplicate*
 20 *coordinating responsibilities of the Operating Group.*

21 *(c) The Operating Group shall continue to report only*
 22 *to the authorities that appointed them pursuant to section*
 23 *406 of division B of Public Law 108–7.*

24 *STATE DEPARTMENT AUTHORITIES*

25 *SEC. 6107. Funds appropriated under title I of this*
 26 *Act for the Broadcasting Board of Governors and the De-*

1 *partment of State may be obligated and expended notwith-*
 2 *standing section 15 of the State Department Basic Authori-*
 3 *ties Act of 1956, section 313 of the Foreign Relations Au-*
 4 *thorization Act, Fiscal Years 1994 and 1995 (Public Law*
 5 *103–236), and section 504(a)(1) of the National Security*
 6 *Act of 1947 (50 U.S.C. 414(a)(1)).*

7 *REPORT ON INDONESIAN COOPERATION*

8 *SEC. 6108. Funds available under the heading “Inter-*
 9 *national Military Education and Training” may only be*
 10 *made available for assistance for Indonesia if the Secretary*
 11 *of State submits a report to the Committees on Appropria-*
 12 *tions that describes—*

13 *(1) the status of the investigation of the murders*
 14 *of two United States citizens and one Indonesian cit-*
 15 *izen that occurred on August 31, 2002 in Timika, In-*
 16 *donesia, the status of any individuals indicted within*
 17 *the United States or Indonesia for crimes relating to*
 18 *those murders, and the status of judicial proceedings*
 19 *relating to those murders;*

20 *(2) the efforts by the Government of Indonesia to*
 21 *arrest individuals indicted for crimes relating to those*
 22 *murders and any other actions taken by the Govern-*
 23 *ment of Indonesia, including the Indonesian judici-*
 24 *ary, police and Armed Forces, to bring the individ-*
 25 *uals responsible for those murders to justice; and,*

1 (3) *the cooperation provided by the Government*
 2 *of Indonesia, including the Indonesian judiciary, po-*
 3 *lice and Armed Forces, to requests related to those*
 4 *murders made by the Secretary of State or the Direc-*
 5 *tor of the Federal Bureau of Investigation.*

6 WEST PAPUA REPORT

7 SEC. 6109. *Not later than 90 days after enactment of*
 8 *this Act, the Secretary of State shall submit a report to*
 9 *the Committee on Appropriations, describing—*

10 (1) *the approximate number of Indonesian*
 11 *troops in West Papua including trends in the number*
 12 *and deployment of security forces, the approximate*
 13 *number of armed separatists, and progress toward a*
 14 *political settlement of the conflict there including ini-*
 15 *tiatives from Papuan civil society such as the “land*
 16 *of peace” proposal;*

17 (2) *current humanitarian and human rights*
 18 *conditions in West Papua, including access for inter-*
 19 *national and domestic humanitarian and human*
 20 *rights groups and the media;*

21 (3) *the extent to which international funding for*
 22 *reconstruction in Aceh is being contracted or subcon-*
 23 *tracted to firms controlled by or affiliated with the*
 24 *Indonesian military, and the involvement of Acehnese*
 25 *local and provincial government and civil society in*

1 *planning and decision-making in reconstruction ef-*
 2 *forts;*

3 *(4) human rights conditions in Aceh, the approx-*
 4 *imate number of Indonesian troops in Aceh including*
 5 *trends in the number and deployment of security*
 6 *forces, and efforts by the United States Government to*
 7 *promote a political settlement of the conflict; and*
 8 *(5) activities of militia, including jihadist-ori-*
 9 *ented militia, and the extent to which members of In-*
 10 *donesia's security forces support these militia.*

11 *DEMOBILIZATION OF FOREIGN TERRORIST ORGANIZATIONS*

12 *SEC. 6110. (a) CERTIFICATION.—Funds appropriated*
 13 *by this Act that are available for assistance for Colombia*
 14 *may not be made available for demobilization/reintegration*
 15 *of any Colombian-based foreign terrorist organization*
 16 *(FTO) or its members, unless it is for limited activities that*
 17 *are determined by the Justice Department to be consistent*
 18 *with United States anti-terrorism laws, and the Secretary*
 19 *of State certifies to the Committees on Appropriations that:*

20 *(1) The Government of Colombia has not adopted*
 21 *any law or policy that is inconsistent with its obliga-*
 22 *tions under the United States-Colombian treaty on*
 23 *extradition, and has continued to extradite Colom-*
 24 *bian citizens to the United States, including members*
 25 *and former members of such FTO's, in accordance*
 26 *with that treaty;*

1 (2) *The Colombian legal framework governing*
2 *the demobilization/reintegration of such FTO or its*
3 *members:*

4 (A) *provides for effective investigation, pros-*
5 *ecution and punishment, in proportion to the*
6 *crimes committed, of gross violations of humani-*
7 *tarian law and drug trafficking committed by*
8 *members of such FTO's;*

9 (B) *conditions sentence reductions for each*
10 *member of such FTO on a full and truthful con-*
11 *fession of his involvement in criminal activity;*
12 *full disclosure of his knowledge of the FTO's*
13 *structure, financing sources, and illegal assets;*
14 *and turnover of the totality of his illegal assets;*

15 (C) *conditions sentence reductions for each*
16 *commander of such FTO on a cessation of illegal*
17 *activity by the troops under his command and*
18 *on the group's turnover of the totality of its ille-*
19 *gal assets; and*

20 (D) *provides that members of such FTO will*
21 *lose all sentence reductions under the law if they*
22 *are subsequently found to have withheld illegal*
23 *assets, lied to the authorities about their crimi-*
24 *nal activities in the group, rejoined the same or*

1 *another FTO, or engaged in new illegal activi-*
2 *ties.*

3 *(3) An inter-agency working group consisting of*
4 *representatives from the Drug Enforcement Adminis-*
5 *tration, the Department of Justice, and the Depart-*
6 *ments of State and Defense has consulted with local*
7 *and national Colombian law enforcement and mili-*
8 *tary authorities, representatives from the Office of the*
9 *United Nations High Commissioner for Human*
10 *Rights in Colombia, and representatives of Colombian*
11 *civil society organizations, and has independently*
12 *concluded in a detailed report submitted to the Com-*
13 *mittees on Appropriations, based on the best informa-*
14 *tion available to the interagency working group, that:*

15 *(A) the FTO is not violating any ceasefire*
16 *and has ceased illegal activities, including narco-*
17 *trafficking, extortion, and violations of inter-*
18 *national humanitarian law;*

19 *(B) the FTO's criminal and financial struc-*
20 *ture is being destroyed and the FTO, or any*
21 *part thereof, is not regrouping to continue illegal*
22 *activities;*

23 *(C) the Government of Colombia is con-*
24 *ducting effective investigations and prosecutions*
25 *of the commanders of the FTO's for crimes, in-*

1 *cluding violations of international humanitarian*
 2 *law, attributable to them, and, when appro-*
 3 *priate, extraditing them to the United States;*

4 *(D) the Government of Colombia is aggres-*
 5 *sively implementing an effective procedure to lo-*
 6 *cate and confiscate illegal assets, held directly or*
 7 *through third parties, by the FTO and its mem-*
 8 *bers, such as land, laboratories, and other assets*
 9 *used for the cultivation, processing, and trans-*
 10 *portation of illegal narcotics; and*

11 *(E) the Government of Colombia is enforc-*
 12 *ing FTO ceasefires by barring individuals who*
 13 *are credibly accused of crimes in breach of any*
 14 *such ceasefire from receiving benefits for demobi-*
 15 *lization.*

16 *(b) CONSULTATIVE PROCESS.—Prior to issuing any*
 17 *certification under this section, the Secretary of State shall*
 18 *consult with internationally recognized human rights orga-*
 19 *nizations and the Office of the United Nations High Com-*
 20 *missioner for Human Rights in Colombia regarding each*
 21 *of the conditions specified in this section.*

22 *(c) DEFINITIONS.—In this section:*

23 *(1) ILLEGAL ASSETS.—The term “illegal assets”*
 24 *means any and all assets that FTO’s or their mem-*

1 *bers possess either directly or through third parties,*
 2 *and that—*

3 *(A) were acquired through or as a result of*
 4 *criminal activity; or*

5 *(B) were in the past or are at present being*
 6 *used for criminal activities, including the pro-*
 7 *duction, processing, and trafficking of illicit nar-*
 8 *cotics.*

9 *(2) COMMANDER.—The term “commander”*
 10 *means any person who formally or in practice com-*
 11 *mands or leads a substantial front or block of an*
 12 *FTO.*

13 *(3) FOREIGN TERRORIST ORGANIZATION.—The*
 14 *term “Foreign Terrorist Organization” or “FTO”*
 15 *means any and all groups that were or are, as of the*
 16 *time of certification, on the Department of State’s list*
 17 *of Foreign Terrorist Organizations, including the*
 18 *United Self-Defense Forces of Colombia (AUC), Revo-*
 19 *lutionary Armed Forces of Colombia (FARC), and the*
 20 *National Liberation Army (ELN).*

21 *ASSISTANCE FOR FOREIGN NONGOVERNMENTAL*
 22 *ORGANIZATIONS*

23 *SEC. 6111. Notwithstanding any other provision of*
 24 *law, regulation, or policy, in determining eligibility for as-*
 25 *sistance authorized under part I of the Foreign Assistance*

(2) shall not be subject to requirements relating to the use of non-United States Government funds for advocacy and lobbying activities other than those that apply to United States nongovernmental organizations receiving assistance under part I of such Act.

16 *STATEMENT*

SEC. 6112. (a) Funds provided in this Act for the following accounts shall be made available for programs and countries in the amounts contained in the respective tables included in the report accompanying this Act:

21 “*International Fisheries Commission*”.

22 “*International Broadcasting Operations*”.

23 “Broadcasting Capital Improvements”.

24 “Assistance for Eastern Europe and the Baltic
25 States”.

11 UNITED STATES ADVISORY COMMISSION ON PUBLIC
12 DIPLOMACY

17 *ABUSIVE CHILD LABOR PRACTICES IN COCOA INDUSTRY*

(1) *The plight of hundreds of thousands of child slaves toiling in cocoa plantations in West Africa was reported in a series by Knight Ridder newspapers in June 2001. (global)*

24 (2) *The report found that some of these children*
25 *are sold or tricked into slavery. Most of them are be-*

1 *tween the ages of 12 and 16 and some are as young*
2 *as 9 years old.*

3 (3) *There are 1,500,000 farms in West Africa*
4 *that produce approximately 72 percent of the total*
5 *global supply of cocoa, with Cote d'Ivoire and Ghana*
6 *producing about 62 percent and 22 percent, respec-*
7 *tively, of the total cocoa production in Africa. Other*
8 *key producers are Indonesia, Nigeria, Cameroon, and*
9 *Brazil.*

10 (4) *United States consumers purchase over*
11 *\$13,000,000,000 in chocolate products annually.*

12 (5) *On September 19, 2001, representatives of the*
13 *chocolate industry signed a voluntary Protocol for the*
14 *Growing and Processing of Cocoa Beans and their*
15 *Derivative Products in a Manner that Complies with*
16 *ILO Convention 182 Concerning the Prohibition and*
17 *Immediate Action for the Elimination of the Worst*
18 *Forms of Child Labor.*

19 (6) *The Protocol outlines 6 steps the industry*
20 *formally agreed to undertake to end abusive and*
21 *forced child labor on cocoa farms by July 2005.*

22 (7) *A vital step of the Protocol was the develop-*
23 *ment and implementation by the industry of a cred-*
24 *ible, transparent, and publicly accountable industry-*
25 *wide certification system to ensure, by July 1, 2005,*

1 *that cocoa beans and their derivative products have*
2 *not been grown or processed by abusive child labor or*
3 *slave labor.*

4 *(8) Since the Protocol was signed, some positive*
5 *steps have been taken to address the worst forms of*
6 *child labor and slave labor in cocoa growing, but the*
7 *July 1, 2005, deadline for creation and implementa-*
8 *tion of the certification system was not fully met.*

9 *(b) It is the sense of the Senate that—*

10 *(1) the cocoa industry is to be commended, as the*
11 *Protocol agreement is the first time that an industry*
12 *has accepted moral, social, and financial responsi-*
13 *bility for the production of raw materials, wherever*
14 *they are produced;*

15 *(2) the Government of the Republic of Cote*
16 *d'Ivoire and the Government of the Republic of*
17 *Ghana should be commended for the tangible steps*
18 *they have taken to address the situation of child labor*
19 *in the cocoa sector;*

20 *(3) even though the cocoa industry did not fully*
21 *meet the July 1, 2005, deadline for creation and im-*
22 *plementation of the labor certification system, it has*
23 *agreed to redouble its efforts to achieve a certification*
24 *system that will cover 50 percent of the cocoa growing*
25 *regions of Cote d'Ivoire and Ghana by July 1, 2008;*

1 (4) *the cocoa industry should make every effort*
2 *to meet this deadline in Cote d'Ivoire and Ghana and*
3 *expand the certification process to other West African*
4 *nations and any other country where abusive child*
5 *labor and slave labor are used in the growing and*
6 *processing of cocoa;*

7 (5) *an independent oversight body should be des-*
8 *ignated and supported to work with the chocolate in-*
9 *dustry, national governments, and nongovernmental*
10 *organizations on the progress of the development and*
11 *implementation of the certification system by July 1,*
12 *2008, through a series of public reports;*

13 (6) *the governments of West African nations that*
14 *grow and manufacture cocoa should consider child*
15 *labor and forced labor issues top priorities;*

16 (7) *the Office to Monitor and Combat Trafficking*
17 *in Persons of the Department of State should include*
18 *information on the association between trafficking in*
19 *persons and the cocoa industries of Cote d'Ivoire,*
20 *Ghana, and other cocoa producing regions in the an-*
21 *ual report on trafficking in persons that is sub-*
22 *mitted to Congress; and*

23 (8) *the Department of State should assist the*
24 *Government of Cote d'Ivoire and the Government of*

1 *Ghana in preventing the trafficking of persons into*
 2 *the cocoa fields and other industries in West Africa.*

3 *VIETNAMESE REFUGEES*

4 *SEC. 6114. Section 594(a) of the Foreign Operations,*
 5 *Export Financing, and Related Programs Appropriations*
 6 *Act, 2005 (enacted as division D of Public Law 108–447;*
 7 *118 Stat. 3038) is amended by striking “and 2005” and*
 8 *inserting “through 2007”.*

9 *COMBATTING PIRACY OF UNITED STATES COPYRIGHTED*

10 *MATERIALS*

11 *SEC. 6115. (a) PROGRAM AUTHORIZED.—The Sec-*
 12 *retary of State may carry out a program of activities to*
 13 *combat piracy in countries that are not members of the Or-*
 14 *ganization for Economic Cooperation and Development*
 15 *(OECD), including activities as follows:*

16 (1) *The provision of equipment and training for*
 17 *law enforcement, including in the interpretation of*
 18 *intellectual property laws.*

19 (2) *The provision of training for judges and*
 20 *prosecutors, including in the interpretation of intel-*
 21 *lectual property laws.*

22 (3) *The provision of assistance in complying*
 23 *with obligations under applicable international trea-*
 24 *ties and agreements on copyright and intellectual*
 25 *property.*

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

8 (c) *FUNDING.*—*Of the amount appropriated or other-*
 9 *wise made available under the heading “INTERNATIONAL*
 10 *NARCOTICS CONTROL AND LAW ENFORCEMENT”,*
 11 *\$5,000,000 may be available in fiscal year 2006 for the pro-*
 12 *gram authorized by subsection (a).*

13 *REPORT ON ANTI-RETROVIRAL DRUG PROCUREMENT*

14 *SEC. 6116. Not later than 180 days after the date of*
 15 *enactment of this Act, the Coordinator of United States*
 16 *Government Activities to Combat HIV/AIDS Globally shall*
 17 *make available to the public a report setting forth the*
 18 *amount of United States funding provided under the au-*
 19 *thorities of the United States Leadership Against HIV/*
 20 *AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C.*
 21 *7601 et seq.), or under an amendment made to that Act,*
 22 *to procure anti-retroviral drugs in a country described in*
 23 *section 1(f)(2)(B)(VII) of the State Department Basic Au-*
 24 *thorities Act of 1956 (22 U.S.C. 2651a(f)(2)(B)(VII)). The*
 25 *report shall include a detailed description of the anti-*
 26 *retroviral drugs procured, including—*

8 *SEC. 6117. It is the sense of the Senate that—*

9 (1) the United States Government is deeply con-
10 cerned with reports of the planned repatriation to
11 Vietnam of 107 Montagnard refugees by the Govern-
12 ment of Cambodia;

(2) the United States Government strongly con-
demns any forcible repatriation of refugees by the
Government of Cambodia; and

(3) *these refugees should be provided unobstructed legal assistance from an independent organization in connection with their appeals for fair review of their refugee claims, and all such claims should be credibly and thoroughly reviewed by the Office of the United Nations High Commissioner for Refugees in Geneva.*

24 SEC. 6118. Of the funds appropriated in title III for
25 Other Bilateral Economic Assistance under the heading
26 "ECONOMIC SUPPORT FUND", \$100,000,000 shall be trans-

1 *ferred to and merged with funds made available in title*
 2 *III for the United States Agency for International Develop-*
 3 *ment for a United States contribution to the Global Fund*
 4 *to Fight AIDS, Tuberculosis and Malaria under the head-*
 5 *ing “CHILD SURVIVAL AND HEALTH PROGRAMS FUND”. The*
 6 *funds made available for contribution to the Global Fund*
 7 *to Fight AIDS, Tuberculosis and Malaria in this section*
 8 *shall not be available for obligation prior to September 30,*
 9 *2006.*

10 *TRANSFER OF FUNDS*

11 *SEC. 6119. Of the funds appropriated in title III*
 12 *under the heading “CONFLICT RESPONSE FUND”,*
 13 *\$50,000,000 shall be transferred to, and merged with, the*
 14 *funds appropriated in title IV under the heading “FOREIGN*
 15 *MILITARY FINANCING PROGRAM” and made available to pro-*
 16 *vide assistance to support the African Union Mission in*
 17 *Sudan.*

18 *SUPPORT FOR DEMOCRACY AND GOVERNANCE ACTIVITIES*

19 *IN ZIMBABWE*

20 *SEC. 6120. Of the funds appropriated under the head-*
 21 *ing “Economic Support Fund”, not less than \$4,000,000*
 22 *should be made available to support democracy and govern-*
 23 *ance activities in Zimbabwe consistent with the provisions*
 24 *of the Zimbabwe Democracy and Economic Recovery Act*
 25 *of 2001 (Public Law 107–99; 22 U.S.C. 2151 note).*

1 VENEZUELA

2 *SEC. 6121. Of the funds appropriated under the head-*
3 *ing “ECONOMIC SUPPORT FUND” up to \$2,000,000 should*
4 *be used for democracy programs in Venezuela administered*
5 *through grants by the National Endowment for Democracy.*

6 *SEC. 6122. It is the sense of the Senate that the amount*
7 *of any loan for the renovation of the United Nations head-*
8 *quarters building located in New York, New York, should*
9 *not exceed \$600,000,000: Provided, That if any loan exceeds*
10 *\$600,000,000, the Secretary of State shall notify the Con-*
11 *gress of the current cost of the renovation and cost contain-*
12 *ment measures.*

13 EXPORT-IMPORT BANK

14 *SEC. 6123. None of the funds made available in this*
15 *Act may be used by the Export-Import Bank of the United*
16 *States to approve or administer a loan, guarantee, or insur-*
17 *ance policy, or an application for a loan, guarantee, or in-*
18 *surance policy, for the development, or for the increase in*
19 *capacity, of an ethanol dehydration plant in Trinidad and*
20 *Tobago.*

21 *SEC. 6124. None of the funds made available in this*
22 *Act may be used to send or otherwise pay for the attendance*
23 *of more than 50 employees of a Federal department or agen-*
24 *cy at any single conference occurring outside the United*
25 *States, unless the Secretary of State determines that such*
26 *attendance is in the national interest.*

MALARIA

1
2 *SEC. 6125. Of the funds appropriated under the head-*
3 *ing “Child Survival and Health Programs Fund”, not less*
4 *than \$105,000,000 should be made available for programs*
5 *and activities to combat malaria: Provided, That such*
6 *funds should be made available in accordance with best*
7 *public health practices, and considerable support should be*
8 *provided for the purchase of commodities and equipment*
9 *including: (1) insecticides for indoor residual spraying that*
10 *are proven to reduce the transmission of malaria; (2) phar-*
11 *maceuticals that are proven effective treatments to combat*
12 *malaria; (3) long-lasting insecticide-treated nets used to*
13 *combat malaria; and (4) other activities to strengthen the*
14 *public health capacity of malaria-affected countries: Pro-*
15 *vided further, That no later than 90 days after the date*
16 *of enactment of this Act, and every 90 days thereafter until*
17 *September 30, 2006, the Administrator of the United States*
18 *Agency for International Development shall submit to the*
19 *Committees on Appropriations a report describing in detail*
20 *expenditures to combat malaria during fiscal year 2006.*

REPORT ON SMALL ARMS PROGRAMS

21
22 *SEC. 6126. Not later than 180 days after the date of*
23 *enactment of this Act, the Secretary of State shall submit*
24 *to the Committee on Foreign Relations and the Committee*
25 *on Appropriations of the Senate and the Committee on*

1 *International Relations and the Committee on Appropriations of the House of Representatives a report—*

3 (1) *describing the activities undertaken, and the progress made, by the Department of State or other agencies and entities of the United States Government to encourage other states to cooperate in programs on the stockpile management, security, and destruction of small arms and light weapons;*

9 (2) *listing each state that refuses to cooperate in programs on the stockpile management, security, and destruction of small arms and light weapons; and*

12 (3) *recommending incentives and penalties that may be used by the United States Government to encourage states to comply with programs on the stockpile management, security, and destruction of small arms and light weapons.*

17 *DEMOCRACY PROGRAMS IN IRAQ*

18 *SEC. 6127. Of the amount appropriated under the heading “ECONOMIC SUPPORT FUND”—*

20 (1) *\$28,000,000 should be made available for fiscal year 2006 to the International Republican Institute to support, in consultation with the Bureau of Democracy, Human Rights, and Labor of the Department of State, democracy building programs in Iraq in the areas of governance, elections, political parties, civil society, and women’s rights; and*

(2) \$28,000,000 should be made available for fiscal year 2006 to the National Democratic Institute to support, in consultation with the Bureau of Democracy, Human Rights, and Labor of the Department of State, democracy building programs in Iraq in the areas of governance, elections, political parties, civil society, and women's rights.

ORPHANS, DISPLACED AND ABANDONED CHILDREN

SEC. 6128. (a) The Senate—

(1) reaffirms its commitment to the founding principle of the Hague Convention on Protection of Children and Co-Operation in Respect of Intercountry Adoption, that a child, for the full and harmonious development of the child's personality, should grow up in a family environment, in an atmosphere of happiness, love, and understanding;

(2) recognizes that each State should take, as a matter of priority, every appropriate measure to enable a child to remain in the care of the child's family of origin, but when not possible should strive to place the child in a permanent and loving home through adoption;

(3) affirms that intercountry adoption may offer the advantage of a permanent family to a child for whom a family cannot be found in the child's State of origin;

8 (b) *The funds appropriated under title III of this Act*
9 *shall be made available in a manner consistent with the*
10 *principles described in subsection (a).*

13 *SEC. 6129. None of the funds made available in this*
14 *Act for the Department of State, other than funds made*
15 *available in title III under the heading "INTERNATIONAL*
16 *NARCOTICS CONTROL AND LAW ENFORCEMENT", may be*
17 *used to provide assistance to any country whose government*
18 *has notified the Department of State of its refusal to extra-*
19 *dite to the United States an individual, or has not within*
20 *a reasonable period of time responded to a request for extra-*
21 *dition to the United States of an individual, charged with*
22 *committing a criminal offense in the United States for*
23 *which the maximum penalty is life imprisonment without*
24 *the possibility of parole, or a lesser term of imprisonment,*
25 *regardless of the individual's citizenship status.*

REPORT ON RECIPROCITY

1
2 *SEC. 6130. (a) Notwithstanding any other provision*
3 *of law, no agency or department of the United States may*
4 *approve a merger between a United States company and*
5 *a foreign-owned company or an acquisition of a United*
6 *State company by a foreign-owned company prior to 30*
7 *days after the date on which the Secretary of State submits*
8 *to Congress the report required by subsection (c).*

9 *(b) In this section:*

10 *(1) The term “appropriate congressional com-*
11 *mittees” means the Committee on Appropriations, the*
12 *Committee on Armed Services, the Committee on*
13 *Banking, Housing, and Urban Affairs, and the Select*
14 *Committee on Intelligence of the Senate and the Com-*
15 *mittee on Appropriations, the Committee on Armed*
16 *Services, the Committee on Financial Services, and*
17 *the Permanent Select Committee on Intelligence of the*
18 *House of Representatives.*

19 *(2) The term “foreign-owned company” means*
20 *an entity that is owned or controlled by the govern-*
21 *ment of a foreign country.*

22 *(3) The term “entity” means a partnership, as-*
23 *sociation, trust, joint venture, corporation, or other*
24 *organization.*

25 *(4) The term “owned or controlled” means—*

1 (A) in the case of a corporation, the holding
2 of at least 50 percent (by vote or value) of the
3 capital structure of the corporation; and

4 (B) in the case of any other kind of legal
5 entity, the holding of interests representing at
6 least 50 percent of the capital structure of the en-
7 tity.

8 (5) The term “United States company” means
9 an entity that has its primary place of business in
10 the United States and that is publicly traded on a
11 United States based stock exchange.

12 (c) The report referred to in subsection (a) is a report
13 submitted to the appropriate congressional committees by
14 the Secretary of State, in consultation with the Secretary
15 of Commerce, on a proposed merger between a United States
16 company and a foreign-owned company or an acquisition
17 of a United State company by a foreign-owned company.
18 Such report shall include an assessment of whether the law
19 and regulations of the government that owns or controls the
20 foreign-owned company would generally permit a United
21 States company in the same industry as the foreign-owned
22 company to purchase, acquire, merge, or otherwise establish
23 a joint relationship with an entity whose primary place
24 of business is located in such foreign country.

OVERSIGHT OF IRAQ RECONSTRUCTION

1 *SEC. 6131. (a) Subsection (o) of section 3001 of the*
2 *Emergency Supplemental Appropriations Act for Defense*
3 *and for the Reconstruction of Iraq and Afghanistan, 2004*
4 *(Public Law 108–106; 117 Stat. 1234; 5 U.S.C. App. 3 sec-*
5 *tion 8G note), as amended by section 1203(j) of the Ronald*
6 *W. Reagan National Defense Authorization Act for Fiscal*
7 *Year 2005 (Public Law 108–375; 118 Stat. 2081), is*
8 *amended by striking “obligated” and inserting “expended”.*
9
10 *(b) Of the amount appropriated in chapter 2 of title*
11 *II of the Emergency Supplemental Appropriations Act for*
12 *Defense and for the Reconstruction of Iraq and Afghani-*
13 *stan, 2004 (Public Law 108–106; 117 Stat. 1224) under*
14 *the heading “OTHER BILATERAL ECONOMIC ASSIST-*
15 *ANCE” and under the subheading “IRAQ RELIEF AND RE-*
16 *CONSTRUCTION FUND”, \$30,000,000 of unobligated funds*
17 *should be made available during Fiscal Year 2006 only to*
18 *carry out section 3001 of the Emergency Supplemental Ap-*
19 *propriations Act for Defense and for the Reconstruction of*
20 *Iraq and Afghanistan, 2004 (Public Law 108–106; 117*
21 *Stat. 1234), as amended by section 1203 of the Ronald W.*
22 *Reagan National Defense Authorization Act for Fiscal Year*
23 *2005 (Public Law 108–375; 118 Stat. 2081): Provided,*
24 *That such amount is designated as an emergency require-*

1 *ment pursuant to section 402 of H. Con. Res. 95 (109th*
2 *Congress).*

3 *REPORT ON ASSISTANCE TO VICTIMS OF CRIMES IN*
4 *FOREIGN COUNTRIES*

5 *SEC. 6132. (a) Not later than 90 days after the date*
6 *of enactment of this Act, the Secretary of State shall submit*
7 *to the appropriate congressional committees a report on the*
8 *services provided to United States citizens who are victims*
9 *of violent crime while outside the United States. The report*
10 *shall include—*

11 *(1) the total number of United States citizens*
12 *who reported to a United States embassy or consulate*
13 *that such citizen was a victim of violent crime during*
14 *fiscal year 2005;*

15 *(2) a summary of the funding available during*
16 *fiscal year 2006 through the Department of State to*
17 *assist United States citizens who are victims of vio-*
18 *lent crime while outside the United States;*

19 *(3) the expenditures made during fiscal year*
20 *2005 by the United States to assist such United*
21 *States citizens;*

22 *(4) a proposal for providing services to such*
23 *United States citizens who have no other source of*
24 *funds to obtain such services, including any necessary*
25 *organizational changes needed to provide such serv-*
26 *ices; and*

1 (5) *proposals for funding and administering*
 2 *emergency assistance to such United States citizens*
 3 *who have no other source of funds.*

4 (b) *In this section:*

5 (1) *The term “appropriate congressional com-*
 6 *mittees” means the Committee on Appropriations and*
 7 *the Committee on Foreign Relations of the Senate and*
 8 *the Committees on Appropriations and the Committee*
 9 *on International Relations of the House of Represent-*
 10 *atives.*

11 (2) *The term “violent crime” means murder,*
 12 *non-negligent manslaughter, forcible rape, robbery, or*
 13 *aggravated assault.*

14 *RESPONSIBILITIES AND AUTHORITIES OF UNITED STATES-*
 15 *CHINA ECONOMIC AND SECURITY REVIEW COMMISSION*

16 *SEC. 6133. (a) MODIFICATION OF RESPONSIBIL-*
 17 *ITIES.—Notwithstanding any provision of section 1238 of*
 18 *the Floyd D. Spence National Defense Authorization Act*
 19 *for Fiscal Year 2001 (22 U.S.C. 7002), or any other provi-*
 20 *sion of law, the United States–China Economic and Secu-*
 21 *rity Review Commission established by subsection (b) of*
 22 *that section should investigate and report exclusively on*
 23 *each of the following areas:*

24 (1) *PROLIFERATION PRACTICES.—The role of the*
 25 *People’s Republic of China in the proliferation of*
 26 *weapons of mass destruction and other weapons (in-*

cluding dual use technologies), including actions the United States might take to encourage the People's Republic of China to cease such practices.

(2) *ECONOMIC TRANSFERS.*—The qualitative and quantitative nature of the transfer of United States production activities to the People's Republic of China, including the relocation of high technology, manufacturing, and research and development facilities, the impact of such transfers on United States national security, the adequacy of United States export control laws, and the effect of such transfers on United States economic security and employment.

(3) *ENERGY.*—The effect of the large and growing economy of the People's Republic of China on world energy supplies and the role the United States can play (including through joint research and development efforts and technological assistance) in influencing the energy policy of the People's Republic of China.

(4) *ACCESS TO UNITED STATES CAPITAL MARKETS.*—The extent of access to and use of United States capital markets by the People's Republic of China, including whether or not existing disclosure and transparency rules are adequate to identify Peo-

1 *ple's Republic of China companies engaged in harm-*
2 *ful activities.*

3 (5) *REGIONAL ECONOMIC AND SECURITY IM-*
4 *PACTS.—The triangular economic and security rela-*
5 *tionship among the United States, Taipei, and the*
6 *People's Republic of China (including the military*
7 *modernization and force deployments of the People's*
8 *Republic of China aimed at Taipei), the national*
9 *budget of the People's Republic of China, and the fis-*
10 *cal strength of the People's Republic of China in rela-*
11 *tion to internal instability in the People's Republic of*
12 *China and the likelihood of the externalization of*
13 *problems arising from such internal instability.*

14 (6) *UNITED STATES-CHINA BILATERAL PRO-*
15 *GRAMS.—Science and technology programs, the degree*
16 *of non-compliance by the People's Republic of China*
17 *with agreements between the United States and the*
18 *People's Republic of China on prison labor imports*
19 *and intellectual property rights, and United States*
20 *enforcement policies with respect to such agreements.*

21 (7) *WORLD TRADE ORGANIZATION COMPLI-*
22 *ANCE.—The compliance of the People's Republic of*
23 *China with its accession agreement to the World*
24 *Trade Organization (WTO).*

5 “(g) *APPLICABILITY OF FACA.*—*The provisions of the*
6 *Federal Advisory Committee Act (5 U.S.C. App.) shall*
7 *apply to the activities of the Commission.*”.

10 *SEC. 6134. Funds appropriated under title III under*
11 *the heading “NONPROLIFERATION, ANTI-TERRORISM,*
12 *DEMINING AND RELATED PROGRAMS” may be made avail-*
13 *able to the Under Secretary of State for Arms Control and*
14 *International Security for use in certain nonproliferation*
15 *efforts and counterproliferation efforts such as increased*
16 *voluntary dues to the International Atomic Energy Agency,*
17 *activities under the Proliferation Security Initiative, and*
18 *the Cooperative Threat Reduction program, and in support*
19 *of the National Counter Proliferation Center and its activi-*
20 *ties.*

22 SEC. 6135. (a) REQUIREMENTS FOR INSTRUCTORS.—
23 Prior to carrying out any program of training for police
24 or security forces through the Bureau that begins after the
25 date that is 180 days after the date of the enactment of
26 this Act, the Secretary of State shall ensure that—

1 (1) *such training is provided by instructors who*
2 *have proven records of experience in training law en-*
3 *forcement or security personnel;*

4 (2) *the Bureau has established procedures to en-*
5 *sure that the individuals who receive such training—*

6 *(A) do not have a criminal background;*

7 *(B) are not connected to any criminal or*
8 *terrorist organization;*

9 *(C) are not connected to drug traffickers;*
10 *and*

11 *(D) meet the minimum age and experience*
12 *standards set out in appropriate international*
13 *agreements; and*

14 (3) *the Bureau has established procedures that—*

15 *(A) clearly establish the standards an indi-*
16 *vidual who will receive such training must meet;*

17 *(B) clearly establish the training courses*
18 *that will permit the individual to meet such*
19 *standards; and*

20 *(C) provide for certification of an indi-*
21 *vidual who meets such standards after receiving*
22 *such training.*

23 (b) *ADVISORY BOARD.—The Secretary of State shall*
24 *seek the advice of experts to advise the Bureau on issues*
25 *related to cost efficiency and professional efficacy of police*

1 *and security training programs, including experts who are*
 2 *experienced United States law enforcement personnel.*

3 (c) *BUREAU DEFINED.*—*In this section, the term “Bu-*
 4 *reau” means the Bureau of International Narcotics and*
 5 *Law Enforcement Affairs of the Department of State.*

6 (d) *REPORT.*—*Not later than September 30, 2006, the*
 7 *Secretary of State shall submit to Congress a report describ-*
 8 *ing the implementation of this section during fiscal year*
 9 *2006. Such report shall also include the attrition rates of*
 10 *the instructors of such training and an assessment of job*
 11 *performance of such instructors.*

12 *TITLE VII—MULTILATERAL DEVELOPMENT BANK*

13 *REFORM*

14 *SEC. 7001. DEFINITIONS. In this title:*

15 (1) *APPROPRIATE CONGRESSIONAL COMMIT-*
 16 *TEES.*—*The term “appropriate congressional commit-*
 17 *tees” means the Committee on Foreign Relations of*
 18 *the Senate and the Committee on Financial Services*
 19 *of the House of Representatives.*

20 (2) *MULTILATERAL DEVELOPMENT BANK.*—*The*
 21 *term “multilateral development bank” has the mean-*
 22 *ing given that term in section 1622 of the Inter-*
 23 *national Financial Institutions Act (22 U.S.C. 262p-*
 24 *5).*

1 *SEC. 7002. ANTICORRUPTION PROPOSALS AND RE-*
 2 *PORT. (a) PROPOSALS.—Not later than September 1, 2006,*
 3 *the Secretary of the Treasury shall develop proposals, in-*
 4 *cluding establishing one or more trusts and a set-aside of*
 5 *loans or grants, to establish a mechanism to assist poor*
 6 *countries in investigations, prosecutions, prevention of*
 7 *fraud and corruption, and other actions regarding fraud*
 8 *and corruption related to a project or program funded by*
 9 *a multilateral development bank.*

10 *(b) REPORT.—Not later than September 1, 2006, the*
 11 *Secretary shall submit to the appropriate congressional*
 12 *committees a report on the proposals required by subsection*
 13 *(a).*

14 *SEC. 7003. PROMOTION OF POLICY GOALS AT MULTI-*
 15 *LATERAL DEVELOPMENT BANKS. Title XV of the Inter-*
 16 *national Financial Institutions Act (22 U.S.C. 262o et seq.)*
 17 *is amended by adding at the end the following:*

18 **“SEC. 1505. PROMOTION OF POLICY GOALS.**

19 *“The Secretary of the Treasury shall instruct the*
 20 *United States Executive Director at each multilateral devel-*
 21 *opment bank to use the voice and vote of the United States*
 22 *to inform each such bank and the executive directors of each*
 23 *such bank of the goals of the United States and to ensure*
 24 *that each such bank accomplishes the goals set out in section*
 25 *1504 of this Act and the following:*

1 “(1) *Requires the bank’s employees, officers, and*
2 *consultants to make an annual disclosure of financial*
3 *interests and income of any such person and any*
4 *other potential source of conflicts of interest.*

5 “(2) *Links project and program design and re-*
6 *sults to staff performance appraisals, salaries, and bo-*
7 *nuses.*

8 “(3) *Implements whistleblower and witness pro-*
9 *tection matching that afforded by the Sarbanes-Oxley*
10 *Act of 2002 (15 U.S.C. 7201 et seq.), the Inspector*
11 *General Act of 1978 (5 U.S.C. App.), and the best*
12 *practices promoted or required by all international*
13 *conventions against corruption for internal and law-*
14 *ful public disclosures by the bank’s employees and*
15 *others affected by such bank’s operations of mis-*
16 *conduct that undermines the bank’s mission, and for*
17 *retaliation in connection with such disclosures.*

18 “(4) *Implements disclosure programs for firms*
19 *and individuals participating in projects financed by*
20 *such bank that are consistent with such programs of*
21 *the Department of Defense and the Environmental*
22 *Protection Agency.*

23 “(5) *Ensures that all loan, credit, guarantee,*
24 *and grant documents and other agreements with bor-*
25 *rowers include provisions for the financial resources*

1 *and conditionality necessary to ensure that a person*
2 *or country that obtains financial support from a*
3 *bank complies with applicable bank policies and na-*
4 *tional and international laws in carrying out the*
5 *terms and conditions of such documents and agree-*
6 *ments, including bank policies and national and*
7 *international laws pertaining to the comprehensive*
8 *assessment and transparency of the activities related*
9 *to access to information, public health, safety, and en-*
10 *vironmental protection.*

11 *“(6) Implements clear procedures setting forth*
12 *the circumstances under which a person will be*
13 *barred from receiving a loan, contract, grant, or cred-*
14 *it from such bank, shall make such procedures avail-*
15 *able to the public, and makes the identity of such per-*
16 *son available to the public.*

17 *“(7) Coordinates policies across international in-*
18 *stitutions on issues including debarment, cross-debar-*
19 *ment, procurement, and consultant guidelines, and fi-*
20 *ducinary standards so that a person that is debarred*
21 *by one such bank is subject to a rebuttable presump-*
22 *tion of ineligibility to conduct business with any*
23 *other such bank during the specified ineligibility pe-*
24 *riod.*

1 “(8) *Requires each borrower, grantee, or con-*
2 *tractor, and subsidiaries thereof, to sign a contract to*
3 *comply with a code of conduct that embodies the rel-*
4 *evant standards of section 104 of the Foreign Corrupt*
5 *Practices Act of 1977 (15 U.S.C. 78dd-2) and the*
6 *international conventions against bribery and corrup-*
7 *tion.*

8 “(9) *Maintains independent offices of Inspector*
9 *and Auditor General which report directly to such*
10 *bank’s board of directors and an audit committee*
11 *with its own additional experts who are independent*
12 *of management, or access to such experts, to assist it*
13 *in ensuring quality control.*

14 “(10) *Implements an internationally recognized*
15 *internal controls framework supported by adequate*
16 *staffing, supervision, and technical systems, and sub-*
17 *ject to external auditor attestations of internal con-*
18 *trols, meeting operational objectives, and complying*
19 *with bank policies.*

20 “(11) *Ensures independent forensic audits where*
21 *fraud or other corruption in such bank or its oper-*
22 *ations, projects, or programs is suspected.*

23 “(12) *Evaluates publicly, in cooperation with*
24 *other development bodies, the interim and final re-*
25 *sults of project and non-project lending and grants on*

1 *the basis of Millennium Development Goals, the goals*
 2 *of the Organisation for Economic Co-operation and*
 3 *Development related to development, and other estab-*
 4 *lished international development goals.*

5 *“(13) Requires that each candidate for adjust-*
 6 *ment or budget support loans demonstrate trans-*
 7 *parent budgetary and procurement processes includ-*
 8 *ing legislative and public scrutiny prior to loan or*
 9 *contract agreement.*

10 *“(14) Requires that before approving any nat-*
 11 *ural resource extraction proposal the affected coun-*
 12 *tries disclose accurately and audit independently all*
 13 *payments and revenues in connection with such ex-*
 14 *traction or derived from such extraction.*

15 *“(15) Requires each project where compensation*
 16 *is to be provided to persons adversely impacted by the*
 17 *project include impartial and responsive mechanism*
 18 *to receive and resolve complaints.”.*

19 *This Act may be cited as the “Department of State,*
 20 *Foreign Operations, and Related Programs Appropriations*
 21 *Act, 2006”.*

Amend the title so as to read: “An Act making ap-
 propriations for the Department of State, foreign oper-

ations, and related programs for the fiscal year ending September 30, 2006, and for other purposes.”.

Attest:

Secretary.

109TH CONGRESS
1ST SESSION

H. R. 3057

AMENDMENTS