

Calendar No. 150

109TH CONGRESS
1ST SESSION**H.R. 3057****[Report No. 109-96]**

IN THE SENATE OF THE UNITED STATES

JUNE 29, 2005

Received; read twice and referred to the Committee on Appropriations

JUNE 30, 2005

Reported by Mr. McCONNELL, with an amendment and an amendment to the
title

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

AN ACT

Making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 ~~That the following sums are appropriated, out of any~~
4 ~~money in the Treasury not otherwise appropriated, for the~~
5 ~~fiscal year ending September 30, 2006, and for other pur-~~
6 ~~poses, namely:~~

1 TITLE I—EXPORT AND INVESTMENT
2 ASSISTANCE

3 EXPORT-IMPORT BANK OF THE UNITED STATES

4 The Export-Import Bank of the United States is au-
5 thorized to make such expenditures within the limits of
6 funds and borrowing authority available to such corpora-
7 tion, and in accordance with law, and to make such con-
8 tracts and commitments without regard to fiscal year limi-
9 tations, as provided by section 104 of the Government
10 Corporation Control Act, as may be necessary in carrying
11 out the program for the current fiscal year for such cor-
12 poration: *Provided*, That none of the funds available dur-
13 ing the current fiscal year may be used to make expendi-
14 tures, contracts, or commitments for the export of nuclear
15 equipment, fuel, or technology to any country, other than
16 a nuclear-weapon state as defined in Article IX of the
17 Treaty on the Non-Proliferation of Nuclear Weapons eligi-
18 ble to receive economic or military assistance under this
19 Act, that has detonated a nuclear explosive after the date
20 of the enactment of this Act: *Provided further*, That not-
21 withstanding section 1(c) of Public Law 103-428, as
22 amended, sections 1(a) and (b) of Public Law 103-428
23 shall remain in effect through October 1, 2006.

24 SUBSIDY APPROPRIATION

25 For the cost of direct loans, loan guarantees, insur-
26 ance, and tied-aid grants as authorized by section 10 of

1 the Export-Import Bank Act of 1945, as amended,
2 \$125,000,000, to remain available until September 30,
3 2009: *Provided*, That such costs, including the cost of
4 modifying such loans, shall be as defined in section 502
5 of the Congressional Budget Act of 1974: *Provided fur-*
6 *ther*, That such sums shall remain available until Sep-
7 tember 30, 2024, for the disbursement of direct loans,
8 loan guarantees, insurance and tied-aid grants obligated
9 in fiscal years 2006, 2007, 2008, and 2009: *Provided fur-*
10 *ther*, That none of the funds appropriated by this Act or
11 any prior Act appropriating funds for foreign operations,
12 export financing, and related programs for tied-aid credits
13 or grants may be used for any other purpose except
14 through the regular notification procedures of the Com-
15 mittees on Appropriations: *Provided further*, That funds
16 appropriated by this paragraph are made available not-
17 withstanding section 2(b)(2) of the Export-Import Bank
18 Act of 1945, in connection with the purchase or lease of
19 any product by any Eastern European country, any Baltic
20 State or any agency or national thereof.

21 ADMINISTRATIVE EXPENSES

22 For administrative expenses to carry out the direct
23 and guaranteed loan and insurance programs, including
24 hire of passenger motor vehicles and services as authorized
25 by 5 U.S.C. 3109, and not to exceed \$30,000 for official
26 reception and representation expenses for members of the

1 Board of Directors, \$73,200,000 (reduced by
2 \$5,000,000): *Provided*, That the Export-Import Bank may
3 accept, and use, payment or services provided by trans-
4 action participants for legal, financial, or technical services
5 in connection with any transaction for which an applica-
6 tion for a loan, guarantee or insurance commitment has
7 been made: *Provided further*, That, notwithstanding sub-
8 section (b) of section 117 of the Export Enhancement Act
9 of 1992, subsection (a) thereof shall remain in effect until
10 October 1, 2006.

11 OVERSEAS PRIVATE INVESTMENT CORPORATION

12 NONCREDIT ACCOUNT

13 The Overseas Private Investment Corporation is au-
14 thorized to make, without regard to fiscal year limitations,
15 as provided by 31 U.S.C. 9104, such expenditures and
16 commitments within the limits of funds available to it and
17 in accordance with law as may be necessary: *Provided*,
18 That the amount available for administrative expenses to
19 carry out the credit and insurance programs (including an
20 amount for official reception and representation expenses
21 which shall not exceed \$35,000) shall not exceed
22 \$42,274,000: *Provided further*, That project-specific trans-
23 action costs, including direct and indirect costs incurred
24 in claims settlements, and other direct costs associated
25 with services provided to specific investors or potential in-

1 vestors pursuant to section 234 of the Foreign Assistance
2 Act of 1961, shall not be considered administrative ex-
3 penses for the purposes of this heading.

4 PROGRAM ACCOUNT

5 For the cost of direct and guaranteed loans,
6 \$20,276,000, as authorized by section 234 of the Foreign
7 Assistance Act of 1961, to be derived by transfer from
8 the Overseas Private Investment Corporation Non-Credit
9 Account: *Provided*, That such costs, including the cost of
10 modifying such loans, shall be as defined in section 502
11 of the Congressional Budget Act of 1974: *Provided fur-*
12 *ther*, That such sums shall be available for direct loan obli-
13 gations and loan guaranty commitments incurred or made
14 during fiscal years 2006 and 2007: *Provided further*, That
15 such sums shall remain available through fiscal year 2014
16 for the disbursement of direct and guaranteed loans obli-
17 gated in fiscal year 2006, and through fiscal year 2015
18 for the disbursement of direct and guaranteed loans obli-
19 gated in fiscal year 2007: *Provided further*, That notwith-
20 standing any provision of the Foreign Assistance Act of
21 1961, the Overseas Private Investment Corporation is au-
22 thorized to undertake any program authorized by title IV
23 of the Foreign Assistance Act of 1961 in Iraq: *Provided*
24 *further*, That funds made available pursuant to the author-
25 ity of the previous proviso shall be subject to the regular

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

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

9 FUNDS APPROPRIATED TO THE PRESIDENT

10 TRADE AND DEVELOPMENT AGENCY

11 For necessary expenses to carry out the provisions
12 of section 661 of the Foreign Assistance Act of 1961,
13 \$50,900,000, to remain available until September 30,
14 2007.

15 TITLE II—BILATERAL ECONOMIC ASSISTANCE

16 FUNDS APPROPRIATED TO THE PRESIDENT

17 For expenses necessary to enable the President to
18 carry out the provisions of the Foreign Assistance Act of
19 1961, and for other purposes, to remain available until
20 September 30, 2006, unless otherwise specified herein, as
21 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
6 of chapters 1 and 10 of part I of the Foreign Assistance
7 Act of 1961, for child survival, health, and family plan-
8 ning/reproductive health activities, in addition to funds
9 otherwise available for such purposes, \$1,497,000,000, to
10 remain available until September 30, 2007: *Provided,*
11 That this amount shall be made available for such activi-
12 ties as: (1) immunization programs; (2) oral rehydration
13 programs; (3) health, nutrition, water and sanitation pro-
14 grams which directly address the needs of mothers and
15 children, and related education programs; (4) assistance
16 for children displaced or orphaned by causes other than
17 AIDS; (5) programs for the prevention, treatment, control
18 of, and research on HIV/AIDS, tuberculosis, polio, ma-
19 laria, and other infectious diseases, and for assistance to
20 communities severely affected by HIV/AIDS, including
21 children displaced or orphaned by AIDS; and (6) family
22 planning/reproductive health: *Provided further,* That none
23 of the funds appropriated under this heading may be made
24 available for nonproject assistance, except that funds may
25 be made available for such assistance for ongoing health
26 activities: *Provided further,* That of the funds appropriated

1 under this heading, not to exceed \$250,000, in addition
2 to funds otherwise available for such purposes, may be
3 used to monitor and provide oversight of child survival,
4 maternal and family planning/reproductive health, and in-
5 fectious disease programs: *Provided further,* That the fol-
6 lowing amounts should be allocated as follows:
7 ~~\$347,000,000~~ for child survival and maternal health;
8 ~~\$25,000,000~~ for vulnerable children; ~~\$350,000,000~~ for
9 HIV/AIDS; ~~\$200,000,000~~ for other infectious diseases;
10 and ~~\$375,000,000~~ for family planning/reproductive health,
11 including in areas where population growth threatens bio-
12 diversity or endangered species: *Provided further,* That of
13 the funds appropriated under this heading, and in addition
14 to funds allocated under the previous proviso, not less
15 than ~~\$200,000,000~~ shall be made available for a United
16 States contribution to the Global Fund to Fight AIDS,
17 Tuberculosis and Malaria (the “Global Fund”), and shall
18 be expended at the minimum rate necessary to make time-
19 ly payment for projects and activities: *Provided further,*
20 That up to 5 percent of the aggregate amount of funds
21 made available to the Global Fund in fiscal year 2006 may
22 be made available to the United States Agency for Inter-
23 national Development for technical assistance related to
24 the activities of the Global Fund: *Provided further,* That
25 of the funds appropriated under this heading,

1 \$65,000,000 should be made available for a United States
2 contribution to The Vaccine Fund; and up to \$6,000,000
3 may be transferred to and merged with funds appropriated
4 by this Act under the heading "Operating Expenses of the
5 United States Agency for International Development" for
6 costs directly related to international health, but funds
7 made available for such costs may not be derived from
8 amounts made available for contribution under this and
9 preceding provisos: *Provided further*, That none of the
10 funds made available in this Act nor any unobligated bal-
11 ances from prior appropriations may be made available to
12 any organization or program which, as determined by the
13 President of the United States, supports or participates
14 in the management of a program of coercive abortion or
15 involuntary sterilization: *Provided further*, That none of
16 the funds made available under this Act may be used to
17 pay for the performance of abortion as a method of family
18 planning or to motivate or coerce any person to practice
19 abortions: *Provided further*, That nothing in this para-
20 graph shall be construed to alter any existing statutory
21 prohibitions against abortion under section 104 of the
22 Foreign Assistance Act of 1961: *Provided further*, That
23 none of the funds made available under this Act may be
24 used to lobby for or against abortion: *Provided further*,
25 That in order to reduce reliance on abortion in developing

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

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

1 financing, and related programs, the term “motivate”, as
2 it relates to family planning assistance, shall not be con-
3 strued to prohibit the provision, consistent with local law,
4 of information or counseling about all pregnancy options:
5 *Provided further*, That to the maximum extent feasible,
6 taking into consideration cost, timely availability, and best
7 health practices, funds appropriated in this Act or prior
8 appropriations Acts that are made available for condom
9 procurement shall be made available only for the procure-
10 ment of condoms manufactured in the United States: *Pro-*
11 *vided further*, That information provided about the use of
12 condoms as part of projects or activities that are funded
13 from amounts appropriated by this Act shall be medically
14 accurate and shall include the public health benefits and
15 failure rates of such use.

16 **DEVELOPMENT ASSISTANCE**

17 For necessary expenses of the United States Agency
18 for International Development to carry out the provisions
19 of sections 103, 105, 106, and subtitle A of title VI of
20 chapter II, and chapter 10 of part I of the Foreign Assist-
21 ance Act of 1961, \$1,460,000,000, to remain available
22 until September 30, 2007: *Provided*, That \$214,000,000
23 should be allocated for trade capacity building, of which
24 at least \$20,000,000 shall be made available for labor and
25 environmental capacity building activities relating to the
26 free trade agreement with the countries of Central Amer-

1 ica and the Dominican Republic: *Provided further*, That
2 \$365,000,000 should be allocated for basic education: *Pro-*
3 *vided further*, That of the funds appropriated under this
4 heading and managed by the United States Agency for
5 International Development Bureau of Democracy, Con-
6 flict, and Humanitarian Assistance, not less than
7 \$15,000,000 shall be made available only for programs to
8 improve women's leadership capacity in recipient coun-
9 tries: *Provided further*, That such funds may not be made
10 available for construction: *Provided further*, That of the
11 funds appropriated under this heading that are made
12 available for assistance programs for displaced and or-
13 phaned children and victims of war, not to exceed
14 \$37,500, in addition to funds otherwise available for such
15 purposes, may be used to monitor and provide oversight
16 of such programs: *Provided further*, That funds appro-
17 priated under this heading should be made available for
18 programs in sub-Saharan Africa to address sexual and
19 gender-based violence: *Provided further*, That up to
20 \$15,000,000 should be made available for drinking water
21 supply projects in east Africa.

22 INTERNATIONAL DISASTER AND FAMINE ASSISTANCE

23 For necessary expenses of the United States Agency
24 for International Development to carry out the provisions
25 of section 491 of the Foreign Assistance Act of 1961 for
26 international disaster relief, rehabilitation, and recon-

1 struction assistance, \$356,000,000, to remain available
2 until expended of which \$20,000,000 should be for famine
3 prevention and relief.

4 TRANSITION INITIATIVES

5 For necessary expenses for international disaster re-
6 habilitation and reconstruction assistance pursuant to sec-
7 tion 491 of the Foreign Assistance Act of 1961,
8 \$50,000,000, to remain available until expended, to sup-
9 port transition to democracy and to long-term develop-
10 ment of countries in crisis: *Provided*, That such support
11 may include assistance to develop, strengthen, or preserve
12 democratic institutions and processes, revitalize basic in-
13 frastructure, and foster the peaceful resolution of conflict:
14 *Provided further*, That the United States Agency for Inter-
15 national Development shall submit a report to the Com-
16 mittees on Appropriations at least 5 days prior to begin-
17 ning a new program of assistance: *Provided further*, That
18 if the President determines that is important to the na-
19 tional interests of the United States to provide transition
20 assistance in excess of the amount appropriated under this
21 heading, up to \$15,000,000 of the funds appropriated by
22 this Act to carry out the provisions of part I of the For-
23 eign Assistance Act of 1961 may be used for purposes of
24 this heading and under the authorities applicable to funds
25 appropriated under this heading: *Provided further*, That
26 funds made available pursuant to the previous proviso

1 shall be made available subject to prior consultation with
2 the Committees on Appropriations:

3 DEVELOPMENT CREDIT AUTHORITY

4 (INCLUDING TRANSFER OF FUNDS)

5 For the cost of direct loans and loan guarantees pro-
6 vided by the United States Agency for International De-
7 velopment, as authorized by sections 256 and 635 of the
8 Foreign Assistance Act of 1961, up to \$21,000,000, to
9 remain available until September 30, 2008, may be de-
10 rived by transfer from funds appropriated by this Act to
11 carry out part I of such Act and under the heading "As-
12 sistance for Eastern Europe and the Baltic States": *Pro-*
13 *vided*, That such funds shall be made available only for
14 micro and small enterprise programs, urban programs,
15 and other programs which further the purposes of part
16 I of the Act: *Provided further*, That such costs, including
17 the cost of modifying such direct and guaranteed loans,
18 shall be as defined in section 502 of the Congressional
19 Budget Act of 1974, as amended: *Provided further*, That
20 funds made available by this paragraph may be used for
21 the cost of modifying any such guaranteed loans under
22 this Act or prior Acts, and funds used for such costs shall
23 be subject to the regular notification procedures of the
24 Committees on Appropriations: *Provided further*, That the
25 provisions of section 107A(d) (relating to general provi-
26 sions applicable to the Development Credit Authority) of

1 the Foreign Assistance Act of 1961, as contained in sec-
 2 tion 306 of H.R. 1486 as reported by the House Com-
 3 mittee on International Relations on May 9, 1997, shall
 4 be applicable to direct loans and loan guarantees provided
 5 under this heading: *Provided further*, That these funds are
 6 available to subsidize total loan principal, any portion of
 7 which is to be guaranteed, of up to \$700,000,000.

8 In addition, for administrative expenses to carry out
 9 credit programs administered by the United States Agency
 10 for International Development, \$8,000,000, which may be
 11 transferred to and merged with the appropriation for Op-
 12 erating Expenses of the United States Agency for Inter-
 13 national Development: *Provided*, That funds made avail-
 14 able under this paragraph shall remain available until Sep-
 15 tember 30, 2007.

16 PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND
 17 DISABILITY FUND

18 For payment to the “Foreign Service Retirement and
 19 Disability Fund”, as authorized by the Foreign Service
 20 Act of 1980, \$41,700,000.

21 OPERATING EXPENSES OF THE UNITED STATES AGENCY
 22 FOR INTERNATIONAL DEVELOPMENT

23 For necessary expenses to carry out the provisions
 24 of section 667 of the Foreign Assistance Act of 1961,
 25 \$630,000,000, of which up to \$25,000,000 may remain
 26 available until September 30, 2007: *Provided*, That none

1 of the funds appropriated under this heading and under
2 the heading "Capital Investment Fund" may be made
3 available to finance the construction (including architect
4 and engineering services), purchase, or long-term lease of
5 offices for use by the United States Agency for Inter-
6 national Development, unless the Administrator has iden-
7 tified such proposed construction (including architect and
8 engineering services), purchase, or long-term lease of of-
9 fices in a report submitted to the Committees on Appro-
10 priations at least 15 days prior to the obligation of these
11 funds for such purposes: *Provided further*, That the pre-
12 vious proviso shall not apply where the total cost of con-
13 struction (including architect and engineering services),
14 purchase, or long-term lease of offices does not exceed
15 \$1,000,000: *Provided further*, That contracts or agree-
16 ments entered into with funds appropriated under this
17 heading may entail commitments for the expenditure of
18 such funds through fiscal year 2006: *Provided further*,
19 That none of the funds in this Act may be used to open
20 a new overseas mission of the United States Agency for
21 International Development without the prior written noti-
22 fication of the Committees on Appropriations: *Provided*
23 *further*, That the authority of sections 610 and 109 of the
24 Foreign Assistance Act of 1961 may be exercised by the
25 Secretary of State to transfer funds appropriated to carry

1 out chapter 1 of part I of such Act to “Operating Ex-
2 penses of the United States Agency for International De-
3 velopment” in accordance with the provisions of those sec-
4 tions.

5 CAPITAL INVESTMENT FUND

6 For necessary expenses for overseas construction and
7 related costs, and for the procurement and enhancement
8 of information technology and related capital investments,
9 pursuant to section 667 of the Foreign Assistance Act of
10 1961, \$77,700,000, to remain available until expended:
11 *Provided*, That this amount is in addition to funds other-
12 wise available for such purposes: *Provided further*, That
13 funds appropriated under this heading shall be available
14 for obligation only pursuant to the regular notification
15 procedures of the Committees on Appropriations: *Provided*
16 *further*, That of the amounts appropriated under this
17 heading, not to exceed \$55,800,000 may be made available
18 for the purposes of implementing the Capital Security
19 Cost Sharing Program: *Provided further*, That the Admin-
20 istrator of the United States Agency for International De-
21 velopment shall assess fair and reasonable rental pay-
22 ments for the use of space by employees of other United
23 States Government agencies in buildings constructed
24 using funds appropriated under this heading, and such
25 rental payments shall be deposited into this account as
26 an offsetting collection: *Provided further*, That the rental

1 payments collected pursuant to the previous proviso and
 2 deposited as an offsetting collection shall be available for
 3 obligation only pursuant to the regular notification proce-
 4 dures of the Committees on Appropriations: *Provided fur-*
 5 *ther,* That the assignment of United States Government
 6 employees or contractors to space in buildings constructed
 7 using funds appropriated under this heading shall be sub-
 8 ject to the concurrence of the Administrator of the United
 9 States Agency for International Development.

10 OPERATING EXPENSES OF THE UNITED STATES AGENCY

11 FOR INTERNATIONAL DEVELOPMENT OFFICE OF IN-
 12 SPECTOR GENERAL

13 For necessary expenses to carry out the provisions
 14 of section 667 of the Foreign Assistance Act of 1961,
 15 \$36,000,000, to remain available until September 30,
 16 2007, which sum shall be available for the Office of the
 17 Inspector General of the United States Agency for Inter-
 18 national Development.

19 OTHER BILATERAL ECONOMIC ASSISTANCE

20 ECONOMIC SUPPORT FUND

21 (INCLUDING TRANSFER OF FUNDS)

22 For necessary expenses to carry out the provisions
 23 of chapter 4 of part II, \$2,558,525,000, to remain avail-
 24 able until September 30, 2007: *Provided,* That of the
 25 funds appropriated under this heading, not less than
 26 \$240,000,000 shall be available only for Israel, which sum

1 shall be available on a grant basis as a cash transfer and
2 shall be disbursed within 30 days of the enactment of this
3 Act: *Provided further*, That not less than \$495,000,000
4 shall be available only for Egypt, which sum shall be pro-
5 vided on a grant basis, and of which sum cash transfer
6 assistance shall be provided with the understanding that
7 Egypt will undertake significant economic reforms which
8 are additional to those which were undertaken in previous
9 fiscal years: *Provided further*, That of the funds made
10 available under this heading for Egypt, not less than
11 \$50,000,000 shall be used for programs to improve and
12 promote democracy, governance, and human rights and
13 not less than \$50,000,000 shall be used for education pro-
14 grams: *Provided further*, That with respect to the provision
15 of assistance for Egypt for democracy and governance ac-
16 tivities, the organizations implementing such assistance
17 and the specific nature of that assistance shall not be sub-
18 ject to the prior approval by the Government of Egypt:
19 *Provided further*, That in exercising the authority to pro-
20 vide cash transfer assistance for Israel, the President shall
21 ensure that the level of such assistance does not cause an
22 adverse impact on the total level of nonmilitary exports
23 from the United States to such country and that Israel
24 enters into a side letter agreement in an amount propor-
25 tional to the fiscal year 1999 agreement: *Provided further*,

1 That of the funds appropriated under this heading, not
2 less than \$250,000,000 should be made available only for
3 assistance for Jordan: *Provided further*, That \$20,000,000
4 of the funds appropriated under this heading should be
5 made available for Cyprus to be used only for scholarships,
6 administrative support of the scholarship program,
7 bicommunal projects, and measures aimed at reunification
8 of the island and designed to reduce tensions and promote
9 peace and cooperation between the two communities on
10 Cyprus: *Provided further*, That \$40,000,000 of the funds
11 appropriated under this heading should be made available
12 for assistance for Lebanon, of which not less than
13 \$6,000,000 should be made available for scholarships and
14 direct support of American educational institutions in
15 Lebanon: *Provided further*, That funds appropriated under
16 this heading that are made available for a Middle East
17 Financing Facility, Middle East Enterprise Fund, or any
18 other similar entity in the Middle East shall be subject
19 to the regular notification procedures of the Committees
20 on Appropriations: *Provided further*, That not more than
21 \$225,000,000 of the funds made available for assistance
22 for Afghanistan under this heading may be obligated for
23 such assistance until the Secretary of State certifies to the
24 Committees on Appropriations, that the Government of
25 Afghanistan at both the national and local level, is cooper-

1 ating fully with United States funded poppy eradication
2 and interdiction efforts in Afghanistan: *Provided further,*
3 That with respect to funds appropriated under this head-
4 ing in this Act or prior Acts making appropriations for
5 foreign operations, export financing, and related pro-
6 grams, the responsibility for policy decisions and justifica-
7 tions for the use of such funds, including whether there
8 will be a program for a country that uses those funds and
9 the amount of each such program, shall be the responsi-
10 bility of the Secretary of State and the Deputy Secretary
11 of State and this responsibility shall not be delegated.

12 INTERNATIONAL FUND FOR IRELAND

13 For necessary expenses to carry out the provisions
14 of chapter 4 of part II of the Foreign Assistance Act of
15 1961, \$13,500,000, which shall be available for the United
16 States contribution to the International Fund for Ireland
17 and shall be made available in accordance with the provi-
18 sions of the Anglo-Irish Agreement Support Act of 1986
19 (Public Law 99-415): *Provided,* That such amount shall
20 be expended at the minimum rate necessary to make time-
21 ly payment for projects and activities: *Provided further,*
22 That funds made available under this heading shall re-
23 main available until September 30, 2007.

1 ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC
2 STATES

3 (a) For necessary expenses to carry out the provisions
4 of the Foreign Assistance Act of 1961 and the Support
5 for East European Democracy (SEED) Act of 1989,
6 \$357,000,000, to remain available until September 30,
7 2007, which shall be available, notwithstanding any other
8 provision of law that restricts assistance to foreign coun-
9 tries and section 660 of the Foreign Assistance Act of
10 1961, for assistance and for related programs for Eastern
11 Europe and the Baltic States.

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

17 (c) The provisions of section 529 of this Act shall
18 apply to funds appropriated under this heading: *Provided,*
19 That local currencies generated by, or converted from,
20 funds appropriated by this Act and by previous appropria-
21 tions Acts and made available for the economic revitaliza-
22 tion program in Bosnia may be used in Eastern Europe
23 and the Baltic States to carry out the provisions of the
24 Foreign Assistance Act of 1961 and the Support for East
25 European Democracy (SEED) Act of 1989.

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

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

15 (a) For necessary expenses to carry out the provisions
16 of chapters 11 and 12 of part I of the Foreign Assistance
17 Act of 1961 and the FREEDOM Support Act, for assist-
18 ance for the Independent States of the former Soviet
19 Union and for related programs, \$477,000,000, to remain
20 available until September 30, 2007: *Provided*, That the
21 provisions of such chapters shall apply to funds appro-
22 priated by this paragraph: *Provided further*, That, not-
23 withstanding any provision of the Freedom Support Act
24 of 1992, funds appropriated under this heading in this Act
25 or prior Acts making appropriations for foreign oper-
26 ations, export financing, and related programs, that are

1 made available pursuant to the provisions of section 807
2 of Public Law 102-511 shall be subject to a 6 percent
3 ceiling on administrative expenses.

4 (b) Of the funds appropriated under this heading, not
5 less than \$52,000,000 should be made available, in addi-
6 tion to funds otherwise available for such purposes, for
7 assistance for child survival, environmental and reproduc-
8 tive health, and to combat HIV/AIDS, tuberculosis and
9 other infectious diseases, and for related activities.

10 (c)(1) Of the funds appropriated under this heading
11 that are allocated for assistance for the Government of
12 the Russian Federation, 60 percent shall be withheld from
13 obligation until the President determines and certifies in
14 writing to the Committees on Appropriations that the Gov-
15 ernment of the Russian Federation—

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

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

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

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

4 (B) activities authorized under title V (Non-
5 proliferation and Disarmament Programs and Ac-
6 tivities) of the FREEDOM Support Act.

7 (d) Section 907 of the FREEDOM Support Act shall
8 not apply to—

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

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

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

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

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

1 (6) humanitarian assistance.

2 INDEPENDENT AGENCIES

3 ~~INTER-AMERICAN FOUNDATION~~

4 For necessary expenses to carry out the functions of
5 the ~~Inter-American Foundation~~ in accordance with the
6 provisions of section 401 of the Foreign Assistance Act
7 of 1969, \$19,500,000, to remain available until September
8 30, 2007.

9 AFRICAN DEVELOPMENT FOUNDATION

10 For necessary expenses to carry out title V of the
11 International Security and Development Cooperation Act
12 of 1980, Public Law 96-533, \$20,500,000, to remain
13 available until September 30, 2007: *Provided*, That funds
14 made available to grantees may be invested pending ex-
15 penditure for project purposes when authorized by the
16 board of directors of the Foundation: *Provided further*,
17 That interest earned shall be used only for the purposes
18 for which the grant was made: *Provided further*, That not-
19 withstanding section 505(a)(2) of the African Develop-
20 ment Foundation Act, in exceptional circumstances the
21 board of directors of the Foundation may waive the
22 \$250,000 limitation contained in that section with respect
23 to a project: *Provided further*, That the Foundation shall
24 provide a report to the Committees on Appropriations
25 after each time such waiver authority is exercised.

PEACE CORPS

(INCLUDING TRANSFER OF FUNDS)

1
2
3 For necessary expenses to carry out the provisions
4 of the Peace Corps Act (75 Stat. 612), including the pur-
5 chase of not to exceed five passenger motor vehicles for
6 administrative purposes for use outside of the United
7 States, ~~\$325,000,000~~, to remain available until September
8 30, 2007: *Provided*, That none of the funds appropriated
9 under this heading shall be used to pay for abortions: *Pro-*
10 *vided further*, That the Director may transfer to the For-
11 eign Currency Fluctuations Account, as authorized by 22
12 U.S.C. 2515, an amount not to exceed ~~\$2,000,000~~: *Pro-*
13 *vided further*, That funds transferred pursuant to the pre-
14 vious proviso may not be derived from amounts made
15 available for Peace Corps overseas operations.

MILLENNIUM CHALLENGE CORPORATION

16
17 For necessary expenses for the “Millennium Chal-
18 lenge Corporation”, ~~\$1,750,000,000~~ to remain available
19 until expended: *Provided*, That of the funds appropriated
20 under this heading, up to ~~\$75,000,000~~ may be available
21 for administrative expenses of the Millennium Challenge
22 Corporation: *Provided further*, That up to 10 percent of
23 the funds appropriated under this heading may be made
24 available to carry out the purposes of section 616 of the
25 Millennium Challenge Act of 2003: *Provided further*, That
26 none of the funds available to carry out section 616 of

1 such Act may be made available until the Chief Executive
2 Officer of the Millennium Challenge Corporation provides
3 a report to the Committees on Appropriations listing the
4 candidate countries that will be receiving assistance under
5 section 616 of such Act, the level of assistance proposed
6 for each such country, a description of the proposed pro-
7 grams, projects and activities, and the implementing agen-
8 cy or agencies of the United States Government: *Provided*
9 *further*, That section 605(e)(4) of the Millennium Chal-
10 lenge Act of 2003 shall apply to funds appropriated under
11 this heading: *Provided further*, That funds appropriated
12 under this heading may be made available for a Millen-
13 nium Challenge Compact entered into pursuant to section
14 609 of the Millennium Challenge Act of 2003 only if such
15 Compact obligates, or contains a commitment to obligate
16 subject to the availability of funds and the mutual agree-
17 ment of the parties to the Compact to proceed, the entire
18 amount of the United States Government funding antici-
19 pated for the duration of the Compact.

20 DEPARTMENT OF STATE

21 GLOBAL HIV/AIDS INITIATIVE

22 For necessary expenses to carry out the provisions
23 of the Foreign Assistance Act of 1961 for the prevention,
24 treatment, and control of, and research on, HIV/AIDS,
25 \$1,920,000,000 (reduced by \$1,000,000) (increased by

1 \$1,000,000), to remain available until expended: *Provided*,
2 That of the funds appropriated under this heading, not
3 less than \$200,000,000 shall be made available for a
4 United States Contribution to the Global Fund to Fight
5 AIDS, Tuberculosis and Malaria (the "Global Fund"),
6 and shall be expended at the minimum rate necessary to
7 make timely payment for projects and activities: *Provided*
8 *further*, That not more than \$12,000,000 of the funds ap-
9 propriated under this heading may be made available for
10 administrative expenses of the Office of the Coordinator
11 of United States Government Activities to Combat HIV/
12 AIDS Globally of the Department of State.

13 INTERNATIONAL NARCOTICS CONTROL AND LAW

14 ENFORCEMENT

15 For necessary expenses to carry out section 481 of
16 the Foreign Assistance Act of 1961, \$437,400,000 (in-
17 creased by \$5,000,000), to remain available until Sep-
18 tember 30, 2008: *Provided*, That during fiscal year 2006,
19 the Department of State may also use the authority of
20 section 608 of the Foreign Assistance Act of 1961, with-
21 out regard to its restrictions, to receive excess property
22 from an agency of the United States Government for the
23 purpose of providing it to a foreign country under chapter
24 8 of part I of that Act subject to the regular notification
25 procedures of the Committees on Appropriations: *Provided*
26 *further*, That the Secretary of State shall provide to the

1 Committees on Appropriations not later than 45 days
2 after the date of the enactment of this Act and prior to
3 the initial obligation of funds appropriated under this
4 heading; a report on the proposed uses of all funds under
5 this heading on a country-by-country basis for each pro-
6 posed program, project, or activity: *Provided further*, That
7 \$10,000,000 of the funds appropriated under this heading
8 should be made available for demand reduction programs:
9 *Provided further*, That of the funds appropriated under
10 this heading, not more than \$33,484,000 may be available
11 for administrative expenses.

12 ANDEAN COUNTERDRUG INITIATIVE

13 For necessary expenses to carry out section 481 of
14 the Foreign Assistance Act of 1961 to support
15 counterdrug activities in the Andean region of South
16 America, \$734,500,000, to remain available until Sep-
17 tember 30, 2008: *Provided*, That in fiscal year 2006,
18 funds available to the Department of State for assistance
19 to the Government of Colombia shall be available to sup-
20 port a unified campaign against narcotics trafficking,
21 against activities by organizations designated as terrorist
22 organizations such as the Revolutionary Armed Forces of
23 Colombia (FARC), the National Liberation Army (ELN),
24 and the United Self-Defense Forces of Colombia (AUC),
25 and to take actions to protect human health and welfare
26 in emergency circumstances, including undertaking rescue

1 operations: *Provided further,* That this authority shall
2 cease to be effective if the Secretary of State has credible
3 evidence that the Colombian Armed Forces are not con-
4 ducting vigorous operations to restore government author-
5 ity and respect for human rights in areas under the effec-
6 tive control of paramilitary and guerrilla organizations:
7 *Provided further,* That the President shall ensure that if
8 any helicopter procured with funds under this heading is
9 used to aid or abet the operations of any illegal self-de-
10 fense group or illegal security cooperative, such helicopter
11 shall be immediately returned to the United States: *Pro-*
12 *vided further,* That the Secretary of State, in consultation
13 with the Administrator of the United States Agency for
14 International Development, shall provide to the Commit-
15 tees on Appropriations not later than 45 days after the
16 date of the enactment of this Act and prior to the initial
17 obligation of funds appropriated under this heading, a re-
18 port on the proposed uses of all funds under this heading
19 on a country-by-country basis for each proposed program,
20 project, or activity: *Provided further,* That funds made
21 available in this Act for demobilization/reintegration of
22 members of foreign terrorist organizations in Colombia
23 shall be subject to prior consultation with, and the regular
24 notification procedures of, the Committees on Appropria-
25 tions: *Provided further,* That section 482(b) of the Foreign

1 Assistance Act of 1961 shall not apply to funds appro-
2 priated under this heading: *Provided further*, That assist-
3 ance provided with funds appropriated under this heading
4 that is made available notwithstanding section 482(b) of
5 the Foreign Assistance Act of 1961 shall be made avail-
6 able subject to the regular notification procedures of the
7 Committees on Appropriations: *Provided further*, That no
8 United States Armed Forces personnel or United States
9 civilian contractor employed by the United States will par-
10 ticipate in any combat operation in connection with assist-
11 ance made available by this Act for Colombia: *Provided*
12 *further*, That of the funds appropriated under this head-
13 ing, not more than \$19,015,000 may be available for ad-
14 ministrative expenses of the Department of State, and not
15 more than \$7,800,000 may be available, in addition to
16 amounts otherwise available for such purposes, for admin-
17 istrative expenses of the United States Agency for Inter-
18 national Development.

19 MIGRATION AND REFUGEE ASSISTANCE

20 For expenses, not otherwise provided for, necessary
21 to enable the Secretary of State to provide, as authorized
22 by law, a contribution to the International Committee of
23 the Red Cross, assistance to refugees, including contribu-
24 tions to the International Organization for Migration and
25 the United Nations High Commissioner for Refugees, and
26 other activities to meet refugee and migration needs; sala-

1 ries and expenses of personnel and dependents as author-
 2 ized by the Foreign Service Act of 1980; allowances as
 3 authorized by sections 5921 through 5925 of title 5,
 4 United States Code; purchase and hire of passenger motor
 5 vehicles; and services as authorized by section 3109 of title
 6 5, United States Code, \$790,720,000, which shall remain
 7 available until expended: *Provided*, That not more than
 8 \$22,000,000 may be available for administrative expenses:
 9 *Provided further*, That funds appropriated under this
 10 heading may be made available for a headquarters con-
 11 tribution to the International Committee of the Red Cross
 12 only if the Secretary of State determines (and so reports
 13 to the appropriate committees of Congress) that the
 14 Magen David Adom Society of Israel is not being denied
 15 participation in the activities of the International Red
 16 Cross and Red Crescent Movement.

17 UNITED STATES EMERGENCY REFUGEE AND MIGRATION
 18 ASSISTANCE FUND

19 For necessary expenses to carry out the provisions
 20 of section 2(e) of the Migration and Refugee Assistance
 21 Act of 1962, as amended (22 U.S.C. 2601(e)),
 22 \$30,000,000, to remain available until expended.

23 NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND
 24 RELATED PROGRAMS

25 For necessary expenses for nonproliferation, anti-ter-
 26 rorism, demining and related programs and activities,

1 \$400,350,000 (increased by \$7,000,000) (reduced by
2 \$7,000,000), to carry out the provisions of chapter 8 of
3 part II of the Foreign Assistance Act of 1961 for anti-
4 terrorism assistance, chapter 9 of part II of the Foreign
5 Assistance Act of 1961, section 504 of the FREEDOM
6 Support Act, section 23 of the Arms Export Control Act
7 or the Foreign Assistance Act of 1961 for demining activi-
8 ties, the clearance of unexploded ordnance, the destruction
9 of small arms, and related activities, notwithstanding any
10 other provision of law that restricts assistance to foreign
11 countries, including activities implemented through non-
12 governmental and international organizations, and section
13 301 of the Foreign Assistance Act of 1961 for a voluntary
14 contribution to the International Atomic Energy Agency
15 (IAEA); and for a United States contribution to the Com-
16 prehensive Nuclear Test Ban Treaty Preparatory Com-
17 mission: *Provided*, That of this amount not to exceed
18 \$37,500,000, to remain available until expended, may be
19 made available for the Nonproliferation and Disarmament
20 Fund, notwithstanding any other provision of law that re-
21 stricts assistance to foreign countries, to promote bilateral
22 and multilateral activities relating to nonproliferation and
23 disarmament: *Provided further*, That such funds may also
24 be used for such countries other than the Independent
25 States of the former Soviet Union and international orga-

1 nizations when it is in the national security interest of the
2 United States to do so: *Provided further*, That funds ap-
3 propriated under this heading may be made available for
4 the International Atomic Energy Agency only if the Sec-
5 retary of State determines (and so reports to the Con-
6 gress) that Israel is not being denied its right to partici-
7 pate in the activities of that Agency: *Provided further*,
8 That of the funds made available for demining and related
9 activities, not to exceed \$705,000, in addition to funds
10 otherwise available for such purposes, may be used for ad-
11 ministrative expenses related to the operation and man-
12 agement of the demining program: *Provided further*, That
13 funds appropriated under this heading that are available
14 for “Anti-terrorism Assistance” and “Export Control and
15 Border Security” shall remain available until September
16 30, 2007: *Provided further*, That funds appropriated
17 under this heading shall be made available for programs
18 and countries in the amounts contained in the table in-
19 cluded in the report accompanying this Act: *Provided fur-*
20 *ther*, That any proposed increases or decreases to the
21 amounts contained in such table shall be subject to the
22 regular notification procedures of the Committee on Ap-
23 propriations and section 634A of the Foreign Assistance
24 Act of 1961 and notifications shall be transmitted at least
25 15 days in advance of the obligation of funds.

1 DEPARTMENT OF THE TREASURY
2 INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE
3 For necessary expenses to carry out the provisions
4 of section 129 of the Foreign Assistance Act of 1961,
5 \$20,000,000, to remain available until September 30,
6 2009, which shall be available notwithstanding any other
7 provision of law that restricts assistance to foreign coun-
8 tries.

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

1 or guarantees made pursuant to the Export-Import Bank
2 Act of 1945, by countries that are eligible for debt reduc-
3 tion pursuant to title V of H.R. 3425 as enacted into law
4 by section 1000(a)(5) of Public Law 106-113,
5 \$65,000,000, to remain available until September 30,
6 2008: *Provided*, That not less than \$20,000,000 of the
7 funds appropriated under this heading shall be made avail-
8 able to carry out the provisions of part V of the Foreign
9 Assistance Act of 1961: *Provided further*, That up to
10 \$45,000,000 of the funds appropriated under this heading
11 may be used by the Secretary of the Treasury to pay to
12 the Heavily Indebted Poor Countries (HIPC) Trust Fund
13 administered by the International Bank for Reconstruc-
14 tion and Development amounts for the benefit of countries
15 that are eligible for debt reduction pursuant to title V of
16 H.R. 3425 as enacted into law by section 1000(a)(5) of
17 Public Law 106-113: *Provided further*, That amounts paid
18 to the HIPC Trust Fund may be used only to fund debt
19 reduction under the enhanced HIPC initiative by—
20 (1) the Inter-American Development Bank;
21 (2) the African Development Fund;
22 (3) the African Development Bank; and
23 (4) the Central American Bank for Economic
24 Integration:

1 *Provided further*, That funds may not be paid to the HIPC
2 Trust Fund for the benefit of any country if the Secretary
3 of State has credible evidence that the government of such
4 country is engaged in a consistent pattern of gross viola-
5 tions of internationally recognized human rights or in mili-
6 tary or civil conflict that undermines its ability to develop
7 and implement measures to alleviate poverty and to devote
8 adequate human and financial resources to that end: *Pro-*
9 *vided further*, That on the basis of final appropriations,
10 the Secretary of the Treasury shall consult with the Com-
11 mittees on Appropriations concerning which countries and
12 international financial institutions are expected to benefit
13 from a United States contribution to the HIPC Trust
14 Fund during the fiscal year: *Provided further*, That the
15 Secretary of the Treasury shall inform the Committees on
16 Appropriations not less than 15 days in advance of the
17 signature of an agreement by the United States to make
18 payments to the HIPC Trust Fund of amounts for such
19 countries and institutions: *Provided further*, That the Sec-
20 retary of the Treasury may disburse funds designated for
21 debt reduction through the HIPC Trust Fund only for the
22 benefit of countries that—
23 (1) have committed, for a period of 24 months,
24 not to accept new market-rate loans from the inter-
25 national financial institution receiving debt repay-

1 ment as a result of such disbursement, other than
2 loans made by such institutions to export-oriented
3 commercial projects that generate foreign exchange
4 which are generally referred to as “enclave” loans;
5 and

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

12 *Provided further,* That none of the funds made available
13 under this heading in this or any other appropriations Act
14 shall be made available for Sudan or Burma unless the
15 Secretary of the Treasury determines and notifies the
16 Committees on Appropriations that a democratically elect-
17 ed government has taken office.

18 TITLE III—MILITARY ASSISTANCE

19 FUNDS APPROPRIATED TO THE PRESIDENT

20 INTERNATIONAL MILITARY EDUCATION AND TRAINING

21 For necessary expenses to carry out the provisions
22 of section 541 of the Foreign Assistance Act of 1961,
23 \$86,744,000, of which up to \$3,000,000 may remain
24 available until expended: *Provided,* That the civilian per-
25 sonnel for whom military education and training may be

1 provided under this heading may include civilians who are
2 not members of a government whose participation would
3 contribute to improved civil-military relations, civilian con-
4 trol of the military, or respect for human rights: *Provided*
5 *further*, That funds appropriated under this heading for
6 military education and training for Nigeria may only be
7 provided through the regular notification procedures of the
8 Committees on Appropriations.

9 FOREIGN MILITARY FINANCING PROGRAM

10 (INCLUDING TRANSFER OF FUNDS)

11 For expenses necessary for grants to enable the
12 President to carry out the provisions of section 23 of the
13 Arms Export Control Act, \$4,442,300,000: *Provided*,
14 That of the funds appropriated under this heading, not
15 less than \$2,280,000,000 shall be available for grants only
16 for Israel, and not less than \$1,300,000,000 shall be made
17 available for grants only for Egypt: *Provided further*, That
18 the funds appropriated by this paragraph for Israel shall
19 be disbursed within 30 days of the enactment of this Act:
20 *Provided further*, That to the extent that the Government
21 of Israel requests that funds be used for such purposes,
22 grants made available for Israel by this paragraph shall,
23 as agreed by Israel and the United States, be available
24 for advanced weapons systems, of which not less than
25 \$595,000,000 shall be available for the procurement in
26 Israel of defense articles and defense services, including

1 research and development: *Provided further*, That of the
2 funds appropriated by this paragraph, \$206,000,000
3 should be made available for assistance for Jordan: *Pro-*
4 *vided further*, That funds appropriated or otherwise made
5 available by this paragraph shall be nonrepayable notwith-
6 standing any requirement in section 23 of the Arms Ex-
7 port Control Act: *Provided further*, That funds made avail-
8 able under this paragraph shall be obligated upon appor-
9 tionment in accordance with paragraph (5)(C) of title 31,
10 United States Code, section 1501(a).

11 None of the funds made available under this heading
12 shall be available to finance the procurement of defense
13 articles, defense services, or design and construction serv-
14 ices that are not sold by the United States Government
15 under the Arms Export Control Act unless the foreign
16 country proposing to make such procurements has first
17 signed an agreement with the United States Government
18 specifying the conditions under which such procurements
19 may be financed with such funds: *Provided*, That all coun-
20 try and funding level increases in allocations shall be sub-
21 mitted through the regular notification procedures of sec-
22 tion 515 of this Act: *Provided further*, That none of the
23 funds appropriated under this heading shall be available
24 for assistance for Sudan and Guatemala: *Provided further*,
25 That funds made available under this heading may be

1 used, notwithstanding any other provision of law that re-
2 stricts assistance to foreign countries, for demining, the
3 clearance of unexploded ordnance, and related activities,
4 and may include activities implemented through non-
5 governmental and international organizations: *Provided*
6 *further*, That only those countries for which assistance was
7 justified for the “Foreign Military Sales Financing Pro-
8 gram” in the fiscal year 1989 congressional presentation
9 for security assistance programs may utilize funds made
10 available under this heading for procurement of defense
11 articles, defense services or design and construction serv-
12 ices that are not sold by the United States Government
13 under the Arms Export Control Act: *Provided further*,
14 That funds appropriated under this heading shall be ex-
15 pended at the minimum rate necessary to make timely
16 payment for defense articles and services: *Provided fur-*
17 *ther*, That not more than \$41,600,000 of the funds appro-
18 priated under this heading may be obligated for necessary
19 expenses, including the purchase of passenger motor vehi-
20 cles for replacement only for use outside of the United
21 States, for the general costs of administering military as-
22 sistance and sales: *Provided further*, That not more than
23 \$373,000,000 of funds realized pursuant to section
24 21(e)(1)(A) of the Arms Export Control Act may be obli-
25 gated for expenses incurred by the Department of Defense

1 during fiscal year 2006 pursuant to section 43(b) of the
2 Arms Export Control Act, except that this limitation may
3 be exceeded only through the regular notification proce-
4 dures of the Committees on Appropriations: *Provided fur-*
5 *ther,* That foreign military financing program funds esti-
6 mated to be outlayed for Egypt during fiscal year 2006
7 shall be transferred to an interest bearing account for
8 Egypt in the Federal Reserve Bank of New York within
9 30 days of enactment of this Act.

10 PEACEKEEPING OPERATIONS

11 For necessary expenses to carry out the provisions
12 of section 551 of the Foreign Assistance Act of 1961,
13 \$177,800,000: *Provided,* That none of the funds appro-
14 priated under this heading shall be obligated or expended
15 except as provided through the regular notification proce-
16 dures of the Committees on Appropriations.

17 TITLE IV—MULTILATERAL ECONOMIC
18 ASSISTANCE

19 FUNDS APPROPRIATED TO THE PRESIDENT

20 INTERNATIONAL FINANCIAL INSTITUTIONS

21 CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT

22 ASSOCIATION

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

1 CONTRIBUTION TO THE MULTILATERAL INVESTMENT
2 GUARANTEE AGENCY

3 For payment to the Multilateral Investment Guar-
4 antee Agency by the Secretary of the Treasury,
5 \$1,741,515, to remain available until expended.

6 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

7 The United States Governor of the Multilateral In-
8 vestment Guarantee Agency may subscribe without fiscal
9 year limitation to the callable capital portion of the United
10 States share of such capital in an amount not to exceed
11 \$8,126,527.

12 CONTRIBUTION TO THE INTER-AMERICAN INVESTMENT
13 CORPORATION

14 For payment to the Inter-American Investment Cor-
15 poration by the Secretary of the Treasury, \$1,741,515, to
16 remain available until expended.

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

19 For payment to the Enterprise for the Americas Mul-
20 tilateral Investment Fund by the Secretary of the Treas-
21 ury, for the United States contribution to the fund,
22 \$1,741,515, to remain available until expended.

23 CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

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

1 ment Bank Act, as amended, \$115,250,000, to remain
2 available until expended.

3 CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK

4 For payment to the African Development Bank by
5 the Secretary of the Treasury, \$5,638,350, for the United
6 States paid-in share of the increase in capital stock, to
7 remain available until expended.

8 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

9 The United States Governor of the African Develop-
10 ment Bank may subscribe without fiscal year limitation
11 for the callable capital portion of the United States share
12 of such capital stock in an amount not to exceed
13 \$88,333,855.

14 CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

15 For the United States contribution by the Secretary
16 of the Treasury to the increase in resources of the African
17 Development Fund, \$135,700,000, to remain available
18 until expended.

19 CONTRIBUTION TO THE EUROPEAN BANK FOR

20 RECONSTRUCTION AND DEVELOPMENT

21 For payment to the European Bank for Reconstruc-
22 tion and Development by the Secretary of the Treasury,
23 \$1,015,677 for the United States share of the paid-in por-
24 tion of the increase in capital stock, to remain available
25 until expended.

1 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

2 The United States Governor of the European Bank
 3 for Reconstruction and Development may subscribe with-
 4 out fiscal year limitation to the callable capital portion of
 5 the United States share of such capital stock in an amount
 6 not to exceed \$2,249,888.

7 CONTRIBUTION TO THE INTERNATIONAL FUND FOR
 8 AGRICULTURAL DEVELOPMENT

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

13 INTERNATIONAL ORGANIZATIONS AND PROGRAMS

14 For necessary expenses to carry out the provisions
 15 of section 301 of the Foreign Assistance Act of 1961, and
 16 of section 2 of the United Nations Environment Program
 17 Participation Act of 1973, \$328,958,000: *Provided*, That
 18 none of the funds appropriated under this heading may
 19 be made available to the International Atomic Energy
 20 Agency (IAEA).

21 TITLE V—GENERAL PROVISIONS

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

24 SEC. 501. (a) No funds appropriated by this Act may
 25 be made as payment to any international financial institu-
 26 tion while the United States Executive Director to such

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

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

20 RESTRICTIONS ON VOLUNTARY CONTRIBUTIONS TO
21 UNITED NATIONS AGENCIES

22 SEC. 502. None of the funds appropriated by this Act
23 may be made available to pay any voluntary contribution
24 of the United States to the United Nations (including the
25 United Nations Development Program) if the United Na-

1 tions implements or imposes any taxation on any United
2 States persons:

3 LIMITATION ON RESIDENCE EXPENSES

4 SEC. 503. Of the funds appropriated or made avail-
5 able pursuant to this Act, not to exceed \$100,500 shall
6 be for official residence expenses of the United States
7 Agency for International Development during the current
8 fiscal year: *Provided*, That appropriate steps shall be
9 taken to assure that, to the maximum extent possible,
10 United States-owned foreign currencies are utilized in lieu
11 of dollars:

12 LIMITATION ON EXPENSES

13 SEC. 504. Of the funds appropriated or made avail-
14 able pursuant to this Act, not to exceed \$5,000 shall be
15 for entertainment expenses of the United States Agency
16 for International Development during the current fiscal
17 year:

18 LIMITATION ON REPRESENTATIONAL ALLOWANCES

19 SEC. 505. Of the funds appropriated or made avail-
20 able pursuant to this Act, not to exceed \$125,000 shall
21 be available for representation allowances for the United
22 States Agency for International Development during the
23 current fiscal year: *Provided*, That appropriate steps shall
24 be taken to assure that, to the maximum extent possible,
25 United States-owned foreign currencies are utilized in lieu
26 of dollars: *Provided further*, That of the funds made avail-

1 able by this Act for general costs of administering military
2 assistance and sales under the heading “Foreign Military
3 Financing Program”, not to exceed \$4,000 shall be avail-
4 able for entertainment expenses and not to exceed
5 \$130,000 shall be available for representation allowances:
6 *Provided further*, That of the funds made available by this
7 Act under the heading “International Military Education
8 and Training”, not to exceed \$55,000 shall be available
9 for entertainment allowances: *Provided further*, That of
10 the funds made available by this Act for the Inter-Amer-
11 ican Foundation, not to exceed \$2,000 shall be available
12 for entertainment and representation allowances: *Provided*
13 *further*, That of the funds made available by this Act for
14 the Peace Corps, not to exceed a total of \$4,000 shall be
15 available for entertainment expenses: *Provided further*,
16 That of the funds made available by this Act under the
17 heading “Trade and Development Agency”, not to exceed
18 \$4,000 shall be available for representation and entertain-
19 ment allowances: *Provided further*, That of the funds made
20 available by this Act under the heading “Millennium Chal-
21 lenge Corporation”, not to exceed \$115,000 shall be avail-
22 able for representation and entertainment allowances.

23 PROHIBITION ON TAXATION OF UNITED STATES

24 ASSISTANCE

25 SEC. 506. (a) PROHIBITION ON TAXATION.—None of
26 the funds appropriated by this Act may be made available

1 to provide assistance for a foreign country under a new
2 bilateral agreement governing the terms and conditions
3 under which such assistance is to be provided unless such
4 agreement includes a provision stating that assistance pro-
5 vided by the United States shall be exempt from taxation,
6 or reimbursed, by the foreign government, and the Sec-
7 retary of State shall expeditiously seek to negotiate
8 amendments to existing bilateral agreements, as nec-
9 essary, to conform with this requirement.

10 (b) REIMBURSEMENT OF FOREIGN TAXES.—An
11 amount equivalent to 200 percent of the total taxes as-
12 sessed during fiscal year 2006 on funds appropriated by
13 this Act by a foreign government or entity against com-
14 modities financed under United States assistance pro-
15 grams for which funds are appropriated by this Act, either
16 directly or through grantees, contractors and subcontrac-
17 tors shall be withheld from obligation from funds appro-
18 priated for assistance for fiscal year 2007 and allocated
19 for the central government of such country and for the
20 West Bank and Gaza Program to the extent that the Sec-
21 retary of State certifies and reports in writing to the Com-
22 mittees on Appropriations that such taxes have not been
23 reimbursed to the Government of the United States.

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

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

10 (e) ~~DETERMINATIONS.~~—

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

14 (A) does not assess taxes on United States
15 assistance or which has an effective arrange-
16 ment that is providing substantial reimburse-
17 ment of such taxes; or

18 (B) the foreign policy interests of the
19 United States outweigh the policy of this sec-
20 tion to ensure that United States assistance is
21 not subject to taxation.

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

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

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

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

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

22 PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN
23 COUNTRIES

24 SEC. 507. None of the funds appropriated or other-
25 wise made available pursuant to this Act shall be obligated
26 or expended to finance directly any assistance or repara-

1 tions to Cuba, Libya, North Korea, Iran, or Syria: *Pro-*
 2 *vided*, That for purposes of this section, except with re-
 3 spect to Libya, the prohibition on obligations or expendi-
 4 tures shall include direct loans, credits, insurance and
 5 guarantees of the Export-Import Bank or its agents.

6 **MILITARY COUPS**

7 **SEC. 508.** None of the funds appropriated or other-
 8 wise made available pursuant to this Act shall be obligated
 9 or expended to finance directly any assistance to the gov-
 10 ernment of any country whose duly elected head of govern-
 11 ment is deposed by military coup or decree: *Provided*, That
 12 assistance may be resumed to such government if the
 13 President determines and certifies to the Committees on
 14 Appropriations that subsequent to the termination of as-
 15 sistance a democratically elected government has taken of-
 16 fice: *Provided further*, That the provisions of this section
 17 shall not apply to assistance to promote democratic elec-
 18 tions or public participation in democratic processes: *Pro-*
 19 *vided further*, That funds made available pursuant to the
 20 previous provisos shall be subject to the regular notifica-
 21 tion procedures of the Committees on Appropriations.

22 **TRANSFERS**

23 **SEC. 509. (a)(1) LIMITATION ON TRANSFERS BE-**
 24 **TWEEN AGENCIES.**—None of the funds made available by
 25 this Act may be transferred to any department, agency,
 26 or instrumentality of the United States Government, ex-

1 cept pursuant to a transfer made by, or transfer authority
2 provided in, this Act or any other appropriation Act.

3 (2) Notwithstanding paragraph (1), in addition to
4 transfers made by, or authorized elsewhere in, this Act,
5 funds appropriated by this Act to carry out the purposes
6 of the Foreign Assistance Act of 1961 may be allocated
7 or transferred to agencies of the United States Govern-
8 ment pursuant to the provisions of sections 109, 610, and
9 632 of the Foreign Assistance Act of 1961.

10 (b) TRANSFERS BETWEEN ACCOUNTS.—None of the
11 funds made available by this Act may be obligated under
12 an appropriation account to which they were not appro-
13 priated, except for transfers specifically provided for in
14 this Act, unless the President, not less than 5 days prior
15 to the exercise of any authority contained in the Foreign
16 Assistance Act of 1961 to transfer funds, consults with
17 and provides a written policy justification to the Commit-
18 tees on Appropriations of the House of Representatives
19 and the Senate.

20 (c) AUDIT OF INTER-AGENCY TRANSFERS.—Any
21 agreement for the transfer or allocation of funds appro-
22 priated by this Act, or prior Acts, entered into between
23 the United States Agency for International Development
24 and another agency of the United States Government
25 under the authority of section 632(a) of the Foreign As-

1 assistance Act of 1961 or any comparable provision of law,
2 shall expressly provide that the Office of the Inspector
3 General for the agency receiving the transfer or allocation
4 of such funds shall perform periodic program and financial
5 audits of the use of such funds: *Provided*, That funds
6 transferred under such authority may be made available
7 for the cost of such audits.

8 COMMERCIAL LEASING OF DEFENSE ARTICLES

9 SEC. 510. Notwithstanding any other provision of law
10 that restricts assistance to foreign countries, and subject
11 to the regular notification procedures of the Committees
12 on Appropriations, the authority of section 23(a) of the
13 Arms Export Control Act may be used to provide financ-
14 ing to Israel, Egypt and NATO and major non-NATO al-
15 lies for the procurement by leasing (including leasing with
16 an option to purchase) of defense articles from United
17 States commercial suppliers, not including Major Defense
18 Equipment (other than helicopters and other types of air-
19 craft having possible civilian application), if the President
20 determines that there are compelling foreign policy or na-
21 tional security reasons for those defense articles being pro-
22 vided by commercial lease rather than by government-to-
23 government sale under such Act.

24 AVAILABILITY OF FUNDS

25 SEC. 511. No part of any appropriation contained in
26 this Act shall remain available for obligation after the ex-

1 piration of the current fiscal year unless expressly so pro-
2 vided in this Act: *Provided*, That funds appropriated for
3 the purposes of chapters 1, 8, 11, and 12 of part I, section
4 667, chapters 4, 6, 8, and 9 of part II of the Foreign
5 Assistance Act of 1961, section 23 of the Arms Export
6 Control Act, and funds provided under the heading “As-
7 sistance for Eastern Europe and the Baltic States”, shall
8 remain available for an additional 4 years from the date
9 on which the availability of such funds would otherwise
10 have expired; if such funds are initially obligated before
11 the expiration of their respective periods of availability
12 contained in this Act: *Provided further*, That, notwith-
13 standing any other provision of this Act, any funds made
14 available for the purposes of chapter 1 of part I and chap-
15 ter 4 of part II of the Foreign Assistance Act of 1961
16 which are allocated or obligated for cash disbursements
17 in order to address balance of payments or economic policy
18 reform objectives, shall remain available until expended.

19 LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

20 SEC. 512. No part of any appropriation contained in
21 this Act shall be used to furnish assistance to the govern-
22 ment of any country which is in default during a period
23 in excess of 1 calendar year in payment to the United
24 States of principal or interest on any loan made to the
25 government of such country by the United States pursuant
26 to a program for which funds are appropriated under this

1 Act unless the President determines, following consulta-
2 tions with the Committees on Appropriations, that assist-
3 ance to such country is in the national interest of the
4 United States.

5
6 COMMERCE AND TRADE

7 SEC. 513. (a) None of the funds appropriated or
8 made available pursuant to this Act for direct assistance
9 and none of the funds otherwise made available pursuant
10 to this Act to the Export-Import Bank and the Overseas
11 Private Investment Corporation shall be obligated or ex-
12 pended to finance any loan, any assistance or any other
13 financial commitments for establishing or expanding pro-
14 duction of any commodity for export by any country other
15 than the United States, if the commodity is likely to be
16 in surplus on world markets at the time the resulting pro-
17 ductive capacity is expected to become operative and if the
18 assistance will cause substantial injury to United States
19 producers of the same, similar, or competing commodity:
20 *Provided*, That such prohibition shall not apply to the Ex-
21 port-Import Bank if in the judgment of its Board of Direc-
22 tors the benefits to industry and employment in the
23 United States are likely to outweigh the injury to United
24 States producers of the same, similar, or competing com-
25 modity, and the Chairman of the Board so notifies the
Committees on Appropriations.

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

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

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

17 SURPLUS COMMODITIES

18 SEC. 514. The Secretary of the Treasury shall in-
 19 struct the United States Executive Directors of the Inter-
 20 national Bank for Reconstruction and Development, the
 21 International Development Association, the International
 22 Finance Corporation, the Inter-American Development
 23 Bank, the International Monetary Fund, the Asian Devel-
 24 opment Bank, the Inter-American Investment Corpora-
 25 tion, the North American Development Bank, the Euro-
 26 pean Bank for Reconstruction and Development, the Afri-

1 can Development Bank, and the African Development
2 Fund to use the voice and vote of the United States to
3 oppose any assistance by these institutions, using funds
4 appropriated or made available pursuant to this Act, for
5 the production or extraction of any commodity or mineral
6 for export, if it is in surplus on world markets and if the
7 assistance will cause substantial injury to United States
8 producers of the same, similar, or competing commodity.

9 NOTIFICATION REQUIREMENTS

10 SEC. 515. For the purposes of providing the executive
11 branch with the necessary administrative flexibility, none
12 of the funds made available under this Act for “Child Sur-
13 vival and Health Programs Fund”, “Development Assist-
14 ance”, “International Organizations and Programs”,
15 “Trade and Development Agency”, “International Nar-
16 cotics Control and Law Enforcement”, “Andean
17 Counterdrug Initiative”, “Assistance for Eastern Europe
18 and the Baltic States”, “Assistance for the Independent
19 States of the Former Soviet Union”, “Economic Support
20 Fund”, “Global HIV/AIDS Initiative”, “Peacekeeping
21 Operations”, “Capital Investment Fund”, “Operating Ex-
22 penses of the United States Agency for International De-
23 velopment”, “Operating Expenses of the United States
24 Agency for International Development Office of Inspector
25 General”, “Nonproliferation, Anti-terrorism, Demining
26 and Related Programs”, “Millennium Challenge Corpora-

tion” (by country only), “Foreign Military Financing Pro-
gram”, “International Military Education and Training”,
“Peace Corps”, and “Migration and Refugee Assistance”,
shall be available for obligation for activities, programs,
projects, type of materiel assistance, countries, or other
operations not justified or in excess of the amount justi-
fied to the Committees on Appropriations for obligation
under any of these specific headings unless the Commit-
tees on Appropriations of both Houses of Congress are
previously notified 15 days in advance: *Provided*, That the
President shall not enter into any commitment of funds
appropriated for the purposes of section 23 of the Arms
Export Control Act for the provision of major defense
equipment, other than conventional ammunition, or other
major defense items defined to be aircraft, ships, missiles,
or combat vehicles, not previously justified to Congress or
20 percent in excess of the quantities justified to Congress
unless the Committees on Appropriations are notified 15
days in advance of such commitment: *Provided further*,
That this section shall not apply to any reprogramming
for an activity, program, or project for which funds are
appropriated under title II of this Act of less than 10 per-
cent of the amount previously justified to the Congress
for obligation for such activity, program, or project for the
current fiscal year: *Provided further*, That the require-

1 ments of this section or any similar provision of this Act
2 or any other Act, including any prior Act requiring notifi-
3 cation in accordance with the regular notification proce-
4 dures of the Committees on Appropriations, may be
5 waived if failure to do so would pose a substantial risk
6 to human health or welfare: *Provided further*, That in case
7 of any such waiver, notification to the Congress, or the
8 appropriate congressional committees, shall be provided as
9 early as practicable, but in no event later than 3 days after
10 taking the action to which such notification requirement
11 was applicable, in the context of the circumstances neces-
12 sitating such waiver: *Provided further*, That any notifica-
13 tion provided pursuant to such a waiver shall contain an
14 explanation of the emergency circumstances.

15 LIMITATION ON AVAILABILITY OF FUNDS FOR
16 INTERNATIONAL ORGANIZATIONS AND PROGRAMS

17 SEC. 516. Subject to the regular notification proce-
18 dures of the Committees on Appropriations, funds appro-
19 priated under this Act or any previously enacted Act mak-
20 ing appropriations for foreign operations, export financ-
21 ing, and related programs, which are returned or not made
22 available for organizations and programs because of the
23 implementation of section 307(a) of the Foreign Assist-
24 ance Act of 1961, shall remain available for obligation
25 until September 30, 2007.

1 INDEPENDENT STATES OF THE FORMER SOVIET UNION

2 SEC. 517. (a) None of the funds appropriated under
3 the heading “Assistance for the Independent States of the
4 Former Soviet Union” shall be made available for assist-
5 ance for a government of an Independent State of the
6 former Soviet Union—

7 (1) unless that government is making progress
8 in implementing comprehensive economic reforms
9 based on market principles, private ownership, re-
10 spect for commercial contracts, and equitable treat-
11 ment of foreign private investments; and

12 (2) if that government applies or transfers
13 United States assistance to any entity for the pur-
14 pose of expropriating or seizing ownership or control
15 of assets, investments, or ventures.

16 Assistance may be furnished without regard to this sub-
17 section if the President determines that to do so is in the
18 national interest.

19 (b) None of the funds appropriated under the heading
20 “Assistance for the Independent States of the Former So-
21 viet Union” shall be made available for assistance for a
22 government of an Independent State of the former Soviet
23 Union if that government directs any action in violation
24 of the territorial integrity or national sovereignty of any
25 other Independent State of the former Soviet Union; such

1 as those violations included in the Helsinki Final Act. *Pro-*
2 *vided,* That such funds may be made available without re-
3 gard 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 (c) None of the funds appropriated under the heading
7 “Assistance for the Independent States of the Former So-
8 viet Union” shall be made available for any state to en-
9 hance its military capability. *Provided,* That this restric-
10 tion does not apply to demilitarization, demining or non-
11 proliferation programs.

12 (d) Funds appropriated under the heading “Assist-
13 ance for the Independent States of the Former Soviet
14 Union” for the Russian Federation, Armenia,
15 Kazakhstan, and Uzbekistan shall be subject to the reg-
16 ular notification procedures of the Committees on Appro-
17 priations.

18 (e) Funds made available in this Act for assistance
19 for the Independent States of the former Soviet Union
20 shall be subject to the provisions of section 117 (relating
21 to environment and natural resources) of the Foreign As-
22 sistance Act of 1961.

23 (f) In issuing new task orders, entering into con-
24 tracts, or making grants, with funds appropriated in this
25 Act or prior appropriations Acts under the heading “As-

1 sistance for the Independent States of the Former Soviet
2 Union” and under comparable headings in prior appro-
3 priations Acts, for projects or activities that have as one
4 of their primary purposes the fostering of private sector
5 development, the Coordinator for United States Assistance
6 to Europe and Eurasia and the implementing agency shall
7 encourage the participation of and give significant weight
8 to contractors and grantees who propose investing a sig-
9 nificant amount of their own resources (including volun-
10 teer services and in-kind contributions) in such projects
11 and activities.

12 PROHIBITION ON FUNDING FOR ABORTIONS AND
13 INVOLUNTARY STERILIZATION

14 SEC. 518. None of the funds made available to carry
15 out part I of the Foreign Assistance Act of 1961, as
16 amended, may be used to pay for the performance of abor-
17 tions as a method of family planning or to motivate or
18 coerce any person to practice abortions. None of the funds
19 made available to carry out part I of the Foreign Assist-
20 ance Act of 1961, as amended, may be used to pay for
21 the performance of involuntary sterilization as a method
22 of family planning or to coerce or provide any financial
23 incentive to any person to undergo sterilizations. None of
24 the funds made available to carry out part I of the Foreign
25 Assistance Act of 1961, as amended, may be used to pay
26 for any biomedical research which relates in whole or in

1 part, to methods of, or the performance of, abortions or
2 involuntary sterilization as a means of family planning.
3 None of the funds made available to carry out part I of
4 the Foreign Assistance Act of 1961, as amended, may be
5 obligated or expended for any country or organization if
6 the President certifies that the use of these funds by any
7 such country or organization would violate any of the
8 above provisions related to abortions and involuntary steri-
9 lizations.

10 EXPORT FINANCING TRANSFER AUTHORITIES

11 SEC. 519. Not to exceed 5 percent of any appropria-
12 tion other than for administrative expenses made available
13 for fiscal year 2006, for programs under title I of this
14 Act may be transferred between such appropriations for
15 use for any of the purposes, programs, and activities for
16 which the funds in such receiving account may be used,
17 but no such appropriation, except as otherwise specifically
18 provided, shall be increased by more than 25 percent by
19 any such transfer: *Provided*, That the exercise of such au-
20 thority shall be subject to the regular notification proce-
21 dures of the Committees on Appropriations.

22 SPECIAL NOTIFICATION REQUIREMENTS

23 SEC. 520. None of the funds appropriated by this Act
24 shall be obligated or expended for Serbia, Sudan,
25 Zimbabwe, or Pakistan, except as provided through the

1 regular notification procedures of the Committees on Ap-
2 propriations.

3 DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

4 SEC. 521. For the purpose of this Act “program,
5 project, and activity” shall be defined at the appropria-
6 tions Act account level and shall include all appropriations
7 and authorizations Acts earmarks, ceilings, and limita-
8 tions with the exception that for the following accounts:
9 Economic Support Fund and Foreign Military Financing
10 Program, “program, project, and activity” shall also be
11 considered to include country, regional, and central pro-
12 gram level funding within each such account; for the devel-
13 opment assistance accounts of the United States Agency
14 for International Development “program, project, and ac-
15 tivity” shall also be considered to include central, country,
16 regional, and program level funding; either as: (1) justified
17 to the Congress; or (2) allocated by the executive branch
18 in accordance with a report, to be provided to the Commit-
19 tees on Appropriations within 30 days of the enactment
20 of this Act, as required by section 653(a) of the Foreign
21 Assistance Act of 1961.

22 CHILD SURVIVAL AND HEALTH ACTIVITIES

23 SEC. 522. Up to \$13,500,000 of the funds made
24 available by this Act for assistance under the heading
25 “Child Survival and Health Programs Fund”, may be
26 used to reimburse United States Government agencies;

1 agencies of State governments, institutions of higher
2 learning, and private and voluntary organizations for the
3 full cost of individuals (including for the personal services
4 of such individuals) detailed or assigned to, or contracted
5 by, as the case may be, the United States Agency for
6 International Development for the purpose of carrying out
7 activities under that heading: *Provided*, That up to
8 \$3,500,000 of the funds made available by this Act for
9 assistance under the heading “Development Assistance”
10 may be used to reimburse such agencies, institutions, and
11 organizations for such costs of such individuals carrying
12 out other development assistance activities: *Provided fur-*
13 *ther*, That funds appropriated by titles II and III of this
14 Act that are made available for bilateral assistance for
15 child survival activities or disease programs including ac-
16 tivities relating to research on, and the prevention, treat-
17 ment and control of, HIV/AIDS may be made available
18 notwithstanding any provision of the Foreign Assistance
19 Act of 1961 and any other provision of law that restricts
20 assistance to foreign countries except for the provisions
21 under the heading “Child Survival and Health Programs
22 Fund” and the United States Leadership Against HIV/
23 AIDS, Tuberculosis, and Malaria Act of 2003 (117 Stat.
24 711; 22 U.S.C. 7601 et seq.), as amended.

AFGHANISTAN

1
2 SEC. 523. Of the funds appropriated by titles II and
3 III of this Act, not less than ~~\$954,000,000~~ should be made
4 available for humanitarian, reconstruction, and related as-
5 sistance for Afghanistan: *Provided*, That of the funds allo-
6 cated for assistance for Afghanistan from this Act and
7 other Acts making appropriations for foreign operations,
8 export financing, and related programs for fiscal year
9 2006, not less than ~~\$50,000,000~~ should be made available
10 to support programs that directly address the needs of Af-
11 ghan women and girls.

NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

13 SEC. 524. Prior to providing excess Department of
14 Defense articles in accordance with section 516(a) of the
15 Foreign Assistance Act of 1961, the Department of De-
16 fense shall notify the Committees on Appropriations to the
17 same extent and under the same conditions as are other
18 committees pursuant to subsection (f) of that section: *Pro-*
19 *vided*, That before issuing a letter of offer to sell excess
20 defense articles under the Arms Export Control Act, the
21 Department of Defense shall notify the Committees on
22 Appropriations in accordance with the regular notification
23 procedures of such Committees if such defense articles are
24 significant military equipment (as defined in section 47(9)
25 of the Arms Export Control Act) or are valued (in terms
26 of original acquisition cost) at ~~\$7,000,000~~ or more, or if

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

6 HIV/AIDS

7 SEC. 525. (a) Notwithstanding any other provision
8 of this Act, 25 percent of the funds that are appropriated
9 by this Act for a contribution to support the Global Fund
10 to Fight AIDS, Tuberculosis and Malaria (the “Global
11 Fund”) shall be withheld from obligation to the Global
12 Fund until the Secretary of State certifies to the Commit-
13 tees on Appropriations that the Global Fund—

14 (1) has established clear progress indicators
15 upon which to determine the release of incremental
16 disbursements;

17 (2) is releasing such incremental disbursements
18 only if positive results have been attained based on
19 those indicators; and

20 (3) is providing support and oversight to coun-
21 try-level entities, such as country coordinating mech-
22 anisms, principal recipients, and local Fund agents,
23 to enable them to fulfill their mandates.

24 (b) The Secretary of State may waive paragraph (1)
25 of this subsection if she determines and reports to the

1 Committees on Appropriations that such waiver is impor-
2 tant to the national interest of the United States.

3 DEMOCRACY PROGRAMS

4 SEC. 526. (a) Not less than \$27,000,000 (increased
5 by \$9,000,000) of the funds appropriated by this Act
6 under the heading “Economic Support Fund” should be
7 allocated for the Human Rights and Democracy Fund.
8 *Provided*, That up to \$1,200,000 may be used for the
9 Reagan/Fascell Democracy Fellows program.

10 (b) Notwithstanding any other provision of law that
11 restricts assistance to foreign countries, up to \$1,500,000
12 of the funds appropriated by this Act under the heading
13 “Economic Support Fund” may be provided to make
14 grants to educational, humanitarian, and nongovern-
15 mental organizations and individuals inside Iran and Syria
16 to support the advancement of democracy and human
17 rights in Iran and Syria, and such funds may be provided
18 through the National Endowment for Democracy.

19 PROHIBITION ON BILATERAL ASSISTANCE TO TERRORIST

20 COUNTRIES

21 SEC. 527. (a) Funds appropriated for bilateral assist-
22 ance under any heading of this Act and funds appro-
23 priated under any such heading in a provision of law en-
24 acted prior to the enactment of this Act, shall not be made
25 available to any country which the President determines—

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

4 (2) otherwise supports international terrorism.

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

14 DEBT-FOR-DEVELOPMENT

15 SEC. 528. In order to enhance the continued partici-
16 pation of nongovernmental organizations in debt-for-devel-
17 opment and debt-for-nature exchanges, a nongovern-
18 mental organization which is a grantee or contractor of
19 the United States Agency for International Development
20 may place in interest bearing accounts local currencies
21 which accrue to that organization as a result of economic
22 assistance provided under title II of this Act and, subject
23 to the regular notification procedures of the Committees
24 on Appropriations, any interest earned on such investment
25 shall be used for the purpose for which the assistance was
26 provided to that organization.

SEPARATE ACCOUNTS

1
2 SEC. 529. (a) SEPARATE ACCOUNTS FOR LOCAL
3 CURRENCIES.—(1) If assistance is furnished to the gov-
4 ernment of a foreign country under chapters 1 and 10 of
5 part I or chapter 4 of part II of the Foreign Assistance
6 Act of 1961 under agreements which result in the genera-
7 tion of local currencies of that country, the Administrator
8 of the United States Agency for International Develop-
9 ment shall—

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

12 (B) enter into an agreement with that govern-
13 ment which sets forth—

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

16 (ii) the terms and conditions under which
17 the currencies so deposited may be utilized, con-
18 sistent with this section; and

19 (C) establish by agreement with that govern-
20 ment the responsibilities of the United States Agen-
21 cy for International Development and that govern-
22 ment to monitor and account for deposits into and
23 disbursements from the separate account.

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

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

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

7 (i) project and sector assistance activities;

8 or

9 (ii) debt and deficit financing; or

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

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

19 (4) TERMINATION OF ASSISTANCE PROGRAMS.—

20 Upon termination of assistance to a country under chapter
21 1 or 10 of part I or chapter 4 of part II (as the case
22 may be), any unencumbered balances of funds which re-
23 main in a separate account established pursuant to sub-
24 section (a) shall be disposed of for such purposes as may

1 be agreed to by the government of that country and the
2 United States Government.

3 (5) REPORTING REQUIREMENT.—The Administrator
4 of the United States Agency for International Develop-
5 ment shall report on an annual basis as part of the jus-
6 tification documents submitted to the Committees on Ap-
7 propriations on the use of local currencies for the adminis-
8 trative requirements of the United States Government as
9 authorized in subsection (a)(2)(B), and such report shall
10 include the amount of local currency (and United States
11 dollar equivalent) used and/or to be used for such purpose
12 in each applicable country.

13 (b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—
14 (1) If assistance is made available to the government of
15 a foreign country, under chapter 1 or 10 of part I or chap-
16 ter 4 of part II of the Foreign Assistance Act of 1961,
17 as cash transfer assistance or as nonproject sector assist-
18 ance, that country shall be required to maintain such
19 funds in a separate account and not commingle them with
20 any other funds.

21 (2) APPLICABILITY OF OTHER PROVISIONS OF
22 LAW.—Such funds may be obligated and expended not-
23 withstanding provisions of law which are inconsistent with
24 the nature of this assistance including provisions which
25 are referenced in the Joint Explanatory Statement of the

1 Committee of Conference accompanying House Joint Res-
2 olution 648 (House Report No. 98-1159).

3 (3) NOTIFICATION.—At least 15 days prior to obli-
4 gating any such cash transfer or nonproject sector assist-
5 ance, the President shall submit a notification through the
6 regular notification procedures of the Committees on Ap-
7 propriations, which shall include a detailed description of
8 how the funds proposed to be made available will be used,
9 with a discussion of the United States interests that will
10 be served by the assistance (including, as appropriate, a
11 description of the economic policy reforms that will be pro-
12 moted by such assistance).

13 (4) EXEMPTION.—Nonproject sector assistance funds
14 may be exempt from the requirements of subsection (b)(1)
15 only through the notification procedures of the Commit-
16 tees on Appropriations.

17 ENTERPRISE FUND RESTRICTIONS

18 SEC. 530. (a) Prior to the distribution of any assets
19 resulting from any liquidation, dissolution, or winding up
20 of an Enterprise Fund, in whole or in part, the President
21 shall submit to the Committees on Appropriations, in ac-
22 cordance with the regular notification procedures of the
23 Committees on Appropriations, a plan for the distribution
24 of the assets of the Enterprise Fund.

1 (b) Funds made available by this Act for Enterprise
2 Funds shall be expended at the minimum rate necessary
3 to make timely payment for projects and activities.

4 FINANCIAL MARKET ASSISTANCE IN TRANSITION
5 COUNTRIES

6 SEC. 531. Of the funds appropriated by this Act
7 under the headings “Trade and Development Agency”,
8 “Development Assistance”, “Transition Initiatives”,
9 “Economic Support Fund”, “International Affairs Tech-
10 nical Assistance”, “Assistance for the Independent States
11 of the Former Soviet Union”, “Nonproliferation, Anti-ter-
12 rorism, Demining and Related Programs”, and “Assist-
13 ance for Eastern Europe and Baltic States”, not less than
14 \$40,000,000 should be made available for building capital
15 markets and financial systems in countries in transition.

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

18 SEC. 532. Unless expressly provided to the contrary,
19 provisions of this Act, and provisions contained in prior
20 Acts authorizing or making appropriations for foreign op-
21 erations, export financing, and related programs, shall not
22 be construed to prohibit activities authorized by or con-
23 ducted under the Peace Corps Act, the Inter-American
24 Foundation Act or the African Development Foundation
25 Act. The agency shall promptly report to the Committees
26 on Appropriations whenever it is conducting activities or

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

3 IMPACT ON JOBS IN THE UNITED STATES

4 SEC. 533. None of the funds appropriated by this Act
5 may be obligated or expended to provide—

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

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

SPECIAL AUTHORITIES

1
2 SEC. 534. (a) AFGHANISTAN, PAKISTAN, LEBANON,
3 MONTENEGRO, VICTIMS OF WAR, DISPLACED CHILDREN,
4 AND DISPLACED BURMESE.—Funds appropriated by this
5 Act that are made available for assistance for Afghanistan
6 may be made available notwithstanding section 512 of this
7 Act or any similar provision of law and section 660 of the
8 Foreign Assistance Act of 1961, and funds appropriated
9 in titles I and II of this Act that are made available for
10 Lebanon, Montenegro, Pakistan, and for victims of war,
11 displaced children, and displaced Burmese, and to assist
12 victims of trafficking in persons and, subject to the regular
13 notification procedures of the Committees on Appropria-
14 tions, to combat such trafficking, may be made available
15 notwithstanding any other provision of law that restricts
16 assistance to foreign countries and section 660 of the For-
17 eign Assistance Act of 1961.

18 (b) TROPICAL FORESTRY AND BIODIVERSITY CON-
19 SERVATION ACTIVITIES.—Funds appropriated by this Act
20 to carry out the provisions of sections 103 through 106,
21 and chapter 4 of part II, of the Foreign Assistance Act
22 of 1961 may be used, notwithstanding any other provision
23 of law that restricts assistance to foreign countries and
24 section 660 of the Foreign Assistance Act of 1961, for
25 the purpose of supporting tropical forestry and biodiver-

1 sity conservation activities and energy programs aimed at
2 reducing greenhouse gas emissions: *Provided*, That such
3 assistance shall be subject to sections 116, 502B, and
4 620A of the Foreign Assistance Act of 1961.

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

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

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

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

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

14 (f) CONTINGENCIES.—During fiscal year 2006, the
15 President may use up to \$45,000,000 under the authority
16 of section 451 of the Foreign Assistance Act of 1961, not-
17 withstanding the funding ceiling in section 451(a).

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

1 (h) WORLD FOOD PROGRAM.—Of the funds managed
2 by the Bureau for Democracy, Conflict, and Humanitarian
3 Assistance of the United States Agency for International
4 Development, from this or any other Act, not less than
5 \$6,000,000 shall be made available as a general contribu-
6 tion to the World Food Program, notwithstanding any
7 other provision of law that restricts assistance to foreign
8 countries.

9 (i) NATIONAL ENDOWMENT FOR DEMOCRACY.—
10 Funds appropriated by this Act that are provided to the
11 National Endowment for Democracy may be provided not-
12 withstanding any other provision of law or regulation that
13 restricts assistance to foreign countries.

14 ARAB LEAGUE BOYCOTT OF ISRAEL

15 SEC. 535. It is the sense of the Congress that—

16 (1) the Arab League boycott of Israel, and the
17 secondary boycott of American firms that have com-
18 mercial ties with Israel, is an impediment to peace
19 in the region and to United States investment and
20 trade in the Middle East and North Africa;

21 (2) the Arab League boycott, which was regret-
22 tably reinstated in 1997, should be immediately and
23 publicly terminated, and the Central Office for the
24 Boycott of Israel immediately disbanded;

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

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

8 (5) the President should report to Congress an-
 9 nually on specific steps being taken by the United
 10 States to encourage Arab League states to normalize
 11 their relations with Israel to bring about the termi-
 12 nation of the Arab League boycott of Israel, includ-
 13 ing those to encourage allies and trading partners of
 14 the United States to enact laws prohibiting busi-
 15 nesses from complying with the boycott and penal-
 16 izing businesses that do comply.

17 ELIGIBILITY FOR ASSISTANCE

18 SEC. 536. (a) ASSISTANCE THROUGH NONGOVERN-
 19 MENTAL ORGANIZATIONS.—Restrictions on assistance for
 20 foreign countries contained in this or any other Act shall
 21 not be construed to restrict assistance in support of pro-
 22 grams of nongovernmental organizations from funds ap-
 23 propriated by this Act to carry out the provisions of chap-
 24 ters 1, 10, 11, and 12 of part I and chapter 4 of part
 25 II of the Foreign Assistance Act of 1961, and from funds
 26 appropriated under the heading “Assistance for Eastern

1 Europe and the Baltic States”: *Provided*, That before
2 using the authority of this subsection to furnish assistance
3 in support of programs of nongovernmental organizations,
4 the President shall notify the Committees on Appropria-
5 tions under the regular notification procedures of those
6 committees, including a description of the program to be
7 assisted, the assistance to be provided, and the reasons
8 for furnishing such assistance: *Provided further*, That
9 nothing in this subsection shall be construed to alter any
10 existing statutory prohibitions against abortion or involun-
11 tary sterilizations contained in this or any other Act.

12 (b) PUBLIC LAW 480.—During fiscal year 2006, re-
13 strictions on assistance to foreign countries contained in
14 this or any other Act shall not be construed to restrict
15 assistance under the Agricultural Trade Development and
16 Assistance Act of 1954: *Provided*, That none of the funds
17 appropriated to carry out title I of such Act and made
18 available pursuant to this subsection may be obligated or
19 expended except as provided through the regular notifica-
20 tion procedures of the Committees on Appropriations.

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

22 (1) with respect to section 620A of the Foreign
23 Assistance Act of 1961 or any comparable provision
24 of law prohibiting assistance to countries that sup-
25 port international terrorism; or

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

6 RESERVATIONS OF FUNDS

7 SEC. 537. (a) Funds appropriated by this Act which
8 are earmarked may be reprogrammed for other programs
9 within the same account notwithstanding the earmark if
10 compliance with the earmark is made impossible by oper-
11 ation of any provision of this Act or any other provision
12 contained in prior Acts authorizing or making appropria-
13 tions for foreign operations, export financing, and related
14 programs: *Provided*, That any such reprogramming shall
15 be subject to the regular notification procedures of the
16 Committees on Appropriations: *Provided further*, That as-
17 sistance that is reprogrammed pursuant to this subsection
18 shall be made available under the same terms and condi-
19 tions as originally provided.

20 (b) In addition to the authority contained in sub-
21 section (a), the original period of availability of funds ap-
22 propriated by this Act and administered by the United
23 States Agency for International Development that are ear-
24 marked for particular programs or activities by this or any
25 other Act shall be extended for an additional fiscal year
26 if the Administrator of such agency determines and re-

1 ports promptly to the Committees on Appropriations that
2 the termination of assistance to a country or a significant
3 change in circumstances makes it unlikely that such ear-
4 marked funds can be obligated during the original period
5 of availability: *Provided*, That such earmarked funds that
6 are continued available for an additional fiscal year shall
7 be obligated only for the purpose of such earmark.

8 CEILINGS AND EARMARKS

9 SEC. 538. Ceilings and earmarks contained in this
10 Act shall not be applicable to funds or authorities appro-
11 priated or otherwise made available by any subsequent Act
12 unless such Act specifically so directs. Earmarks or min-
13 imum funding requirements contained in any other Act
14 shall not be applicable to funds appropriated by this Act.

15 PROHIBITION ON PUBLICITY OR PROPAGANDA

16 SEC. 539. No part of any appropriation contained in
17 this Act shall be used for publicity or propaganda purposes
18 within the United States not authorized before the date
19 of the enactment of this Act by the Congress.

20 PROHIBITION OF PAYMENTS TO UNITED NATIONS

21 MEMBERS

22 SEC. 540. None of the funds appropriated or made
23 available pursuant to this Act for carrying out the Foreign
24 Assistance Act of 1961, may be used to pay in whole or
25 in part any assessments, arrearages, or dues of any mem-
26 ber of the United Nations or, from funds appropriated by

1 this Act to carry out chapter 1 of part I of the Foreign
2 Assistance Act of 1961, the costs for participation of an-
3 other country's delegation at international conferences
4 held under the auspices of multilateral or international or-
5 ganizations.

6 NONGOVERNMENTAL ORGANIZATIONS—DOCUMENTATION

7 SEC. 541. None of the funds appropriated or made
8 available pursuant to this Act shall be available to a non-
9 governmental organization which fails to provide upon
10 timely request any document, file, or record necessary to
11 the auditing requirements of the United States Agency for
12 International Development.

13 PROHIBITION ON ASSISTANCE TO FOREIGN GOVERN-
14 MENTS THAT EXPORT LETHAL MILITARY EQUIP-
15 MENT TO COUNTRIES SUPPORTING INTERNATIONAL
16 TERRORISM

17 SEC. 542. (a) None of the funds appropriated or oth-
18 erwise made available by this Act may be available to any
19 foreign government which provides lethal military equip-
20 ment to a country the government of which the Secretary
21 of State has determined is a terrorist government for pur-
22 poses of section 6(j) of the Export Administration Act of
23 1979. The prohibition under this section with respect to
24 a foreign government shall terminate 12 months after that
25 government ceases to provide such military equipment.
26 This section applies with respect to lethal military equip-

1 ment provided under a contract entered into after October
2 1, 1997.

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

7 (c) Whenever the waiver authority of subsection (b)
8 is exercised, the President shall submit to the appropriate
9 congressional committees a report with respect to the fur-
10 nishing of such assistance. Any such report shall include
11 a detailed explanation of the assistance to be provided, in-
12 cluding the estimated dollar amount of such assistance,
13 and an explanation of how the assistance furthers United
14 States national interests.

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

17 SEC. 543. (a) Subject to subsection (c), of the funds
18 appropriated by this Act that are made available for as-
19 sistance for a foreign country, an amount equal to 110
20 percent of the total amount of the unpaid fully adjudicated
21 parking fines and penalties and unpaid property taxes
22 owed by the central government of such country shall be
23 withheld from obligation for assistance for the central gov-
24 ernment of such country until the Secretary of State sub-
25 mits a certification to the appropriate congressional com-

1 mittees stating that such parking fines and penalties and
2 unpaid property taxes are fully paid.

3 (b) Funds withheld from obligation pursuant to sub-
4 section (a) may be made available for other programs or
5 activities funded by this Act, after consultation with and
6 subject to the regular notification procedures of the appro-
7 priate congressional committees, provided that no such
8 funds shall be made available for assistance for the central
9 government of a foreign country that has not paid the
10 total amount of the fully adjudicated parking fines and
11 penalties and unpaid property taxes owed by such country.

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

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

20 (2) The Secretary of State may waive the require-
21 ments set forth in subsection (a) with respect to the un-
22 paid property taxes if the Secretary of State determines
23 that it is in the national interests of the United States
24 to do so.

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

9 (f) In this section:

10 (1) The term “appropriate congressional com-
11 mittees” means the Committee on Appropriations of
12 the Senate and the Committee on Appropriations of
13 the House of Representatives.

14 (2) The term “fully adjudicated” includes cir-
15 cumstances in which the person to whom the vehicle
16 is registered—

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

19 (ii) has not followed the appropriate adju-
20 dication procedure to challenge the summons;
21 and

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

24 (3) The term “parking fines and penalties”
25 means parking fines and penalties—

1 (A) owed to—

2 (i) the District of Columbia; or

3 (ii) New York, New York; and

4 (B) incurred during the period April 1,
5 1997, through September 30, 2005.

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

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

15 SEC. 544. None of the funds appropriated by this Act
16 may be obligated for assistance for the Palestine Libera-
17 tion Organization for the West Bank and Gaza unless the
18 President has exercised the authority under section 604(a)
19 of the Middle East Peace Facilitation Act of 1995 (title
20 VI of Public Law 104–107) or any other legislation to sus-
21 pend or make inapplicable section 307 of the Foreign As-
22 sistance Act of 1961 and that suspension is still in effect:
23 *Provided,* That if the President fails to make the certifi-
24 cation under section 604(b)(2) of the Middle East Peace
25 Facilitation Act of 1995 or to suspend the prohibition
26 under other legislation, funds appropriated by this Act

1 may not be obligated for assistance for the Palestine Lib-
2 eration Organization for the West Bank and Gaza.

3 WAR CRIMES TRIBUNALS DRAWDOWN

4 SEC. 545. If the President determines that doing so
5 will contribute to a just resolution of charges regarding
6 genocide or other violations of international humanitarian
7 law, the President may direct a drawdown pursuant to sec-
8 tion 552(c) of the Foreign Assistance Act of 1961 of up
9 to \$30,000,000 of commodities and services for the United
10 Nations War Crimes Tribunal established with regard to
11 the former Yugoslavia by the United Nations Security
12 Council or such other tribunals or commissions as the
13 Council may establish or authorize to deal with such viola-
14 tions, without regard to the ceiling limitation contained
15 in paragraph (2) thereof: *Provided*, That the determina-
16 tion required under this section shall be in lieu of any de-
17 terminations otherwise required under section 552(c): *Pro-*
18 *vided further*, That the drawdown made under this section
19 for any tribunal shall not be construed as an endorsement
20 or precedent for the establishment of any standing or per-
21 manent international criminal tribunal or court: *Provided*
22 *further*, That funds made available for tribunals other
23 than Yugoslavia, Rwanda, or the Special Court for Sierra
24 Leone shall be made available subject to the regular notifi-
25 cation procedures of the Committees on Appropriations.

1 LANDMINES

2 SEC. 546. Notwithstanding any other provision of law
3 that restricts assistance to foreign countries, demining
4 equipment available to the United States Agency for Inter-
5 national Development and the Department of State and
6 used in support of the clearance of landmines and
7 unexploded ordnance for humanitarian purposes may be
8 disposed of on a grant basis in foreign countries, subject
9 to such terms and conditions as the President may pre-
10 scribe.

11 RESTRICTIONS CONCERNING THE PALESTINIAN

12 AUTHORITY

13 SEC. 547. None of the funds appropriated by this Act
14 may be obligated or expended to create in any part of Je-
15 rusalem a new office of any department or agency of the
16 United States Government for the purpose of conducting
17 official United States Government business with the Pal-
18 estinian Authority over Gaza and Jericho or any successor
19 Palestinian governing entity provided for in the Israel-
20 PLO Declaration of Principles: *Provided,* That this re-
21 striction shall not apply to the acquisition of additional
22 space for the existing Consulate General in Jerusalem:
23 *Provided further,* That meetings between officers and em-
24 ployees of the United States and officials of the Pales-
25 tinian Authority, or any successor Palestinian governing
26 entity provided for in the Israel-PLO Declaration of Prin-

1 eiples, for the purpose of conducting official United States
 2 Government business with such authority should continue
 3 to take place in locations other than Jerusalem. As has
 4 been true in the past, officers and employees of the United
 5 States Government may continue to meet in Jerusalem on
 6 other subjects with Palestinians (including those who now
 7 occupy positions in the Palestinian Authority); have social
 8 contacts, and have incidental discussions.

9 PROHIBITION OF PAYMENT OF CERTAIN EXPENSES

10 SEC. 548. None of the funds appropriated or other-
 11 wise made available by this Act under the heading “Inter-
 12 national Military Education and Training” or “Foreign
 13 Military Financing Program” for Informational Program
 14 activities or under the headings “Child Survival and
 15 Health Programs Fund”, “Development Assistance”, and
 16 “Economic Support Fund” may be obligated or expended
 17 to pay for—

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

24 HAITI

25 SEC. 549. The Government of Haiti shall be eligible
 26 to purchase defense articles and services under the Arms

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

3 LIMITATION ON ASSISTANCE TO THE PALESTINIAN
4 AUTHORITY

5 SEC. 550. (a) PROHIBITION OF FUNDS.—None of the
6 funds appropriated by this Act to carry out the provisions
7 of chapter 4 of part II of the Foreign Assistance Act of
8 1961 may be obligated or expended with respect to pro-
9 viding funds to the Palestinian Authority.

10 (b) WAIVER.—The prohibition included in subsection
11 (a) shall not apply if the President certifies in writing to
12 the Speaker of the House of Representatives and the
13 President pro tempore of the Senate that waiving such
14 prohibition is important to the national security interests
15 of the United States.

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

20 (d) REPORT.—Whenever the waiver authority pursu-
21 ant to subsection (b) is exercised, the President shall sub-
22 mit a report to the Committees on Appropriations detail-
23 ing the steps the Palestinian Authority has taken to arrest
24 terrorists, confiscate weapons and dismantle the terrorist
25 infrastructure. The report shall also include a description

1 of how funds will be spent and the accounting procedures
2 in place to ensure that they are properly disbursed.

3 LIMITATION ON ASSISTANCE TO SECURITY FORCES

4 SEC. 551. None of the funds made available by this
5 Act may be provided to any unit of the security forces
6 of a foreign country if the Secretary of State has credible
7 evidence that such unit has committed gross violations of
8 human rights, unless the Secretary determines and reports
9 to the Committees on Appropriations that the government
10 of such country is taking effective measures to bring the
11 responsible members of the security forces unit to justice:
12 *Provided,* That nothing in this section shall be construed
13 to withhold funds made available by this Act from any
14 unit of the security forces of a foreign country not credibly
15 alleged to be involved in gross violations of human rights:
16 *Provided further,* That in the event that funds are withheld
17 from any unit pursuant to this section, the Secretary of
18 State shall promptly inform the foreign government of the
19 basis for such action and shall, to the maximum extent
20 practicable, assist the foreign government in taking effec-
21 tive measures to bring the responsible members of the se-
22 curity forces to justice.

23 FOREIGN MILITARY TRAINING REPORT

24 SEC. 552. The annual foreign military training report
25 required by section 656 of the Foreign Assistance Act of
26 1961 shall be submitted by the Secretary of Defense and

1 the Secretary of State to the Committees on Appropria-
2 tions of the House of Representatives and the Senate by
3 the date specified in that section.

4 AUTHORIZATION REQUIREMENT

5 SEC. 553. Funds appropriated by this Act, except
6 funds appropriated under the headings “Trade and Devel-
7 opment Agency”, “Overseas Private Investment Corpora-
8 tion”, and “Global HIV/AIDS Initiative”, may be obli-
9 gated and expended notwithstanding section 10 of Public
10 Law 91-672 and section 15 of the State Department
11 Basic Authorities Act of 1956.

12 CAMBODIA

13 SEC. 554. The Secretary of the Treasury should in-
14 struct the United States executive directors of the inter-
15 national financial institutions to use the voice and vote
16 of the United States to oppose loans to the Central Gov-
17 ernment of Cambodia, except loans to meet basic human
18 needs.

19 PALESTINIAN STATEHOOD

20 SEC. 555. (a) LIMITATION ON ASSISTANCE.—None
21 of the funds appropriated by this Act may be provided
22 to support a Palestinian state unless the Secretary of
23 State determines and certifies to the appropriate congres-
24 sional committees that—

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

4 (2) the elected governing entity of a new Pales-
5 tinian state—

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

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

12 (C) is establishing a new Palestinian secu-
13 rity entity that is cooperative with appropriate
14 Israeli and other appropriate security organiza-
15 tions; and

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

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

1 (B) respect for and acknowledgement of
2 the sovereignty, territorial integrity, and polit-
3 ical independence of every state in the area
4 through measures including the establishment
5 of demilitarized zones;

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

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

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

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

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

22 (d) EXEMPTION.—The restriction in subsection (a)
23 shall not apply to assistance intended to help reform the
24 Palestinian Authority and affiliated institutions, or a
25 newly-elected governing entity, in order to help meet the

1 requirements of subsection (a), consistent with the provi-
2 sions of section 550 of this Act (“Limitation on Assistance
3 to the Palestinian Authority”).

4 COLOMBIA

5 SEC. 556. (a) DETERMINATION AND CERTIFICATION
6 REQUIRED.—Funds appropriated by this Act that are
7 available for assistance for the Colombian Armed Forces,
8 may be made available as follows:

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

12 (2) Up to 12.5 percent of such funds may be
13 obligated only after the Secretary of State certifies
14 and reports to the appropriate congressional com-
15 mittees that:

16 (A) The Commander General of the Co-
17 lombian Armed Forces is suspending from the
18 Armed Forces those members, of whatever rank
19 who, according to the Minister of Defense or
20 the Procuraduria General de la Nacion, have
21 been credibly alleged to have committed gross
22 violations of human rights, including extra-judi-
23 cial killings, or to have aided or abetted para-
24 military organizations.

25 (B) The Colombian Government is vigor-
26 ously investigating and prosecuting those mem-

1 bers of the Colombian Armed Forces, of what-
2 ever rank, who have been credibly alleged to
3 have committed gross violations of human
4 rights, including extra-judicial killings, or to
5 have aided or abetted paramilitary organiza-
6 tions, and is promptly punishing those members
7 of the Colombian Armed Forces found to have
8 committed such violations of human rights or to
9 have aided or abetted paramilitary organiza-
10 tions.

11 (C) The Colombian Armed Forces have
12 made substantial progress in cooperating with
13 civilian prosecutors and judicial authorities in
14 such cases (including providing requested infor-
15 mation, such as the identity of persons sus-
16 pended from the Armed Forces and the nature
17 and cause of the suspension, and access to wit-
18 nesses, relevant military documents, and other
19 requested information).

20 (D) The Colombian Armed Forces have
21 made substantial progress in severing links (in-
22 cluding denying access to military intelligence,
23 vehicles, and other equipment or supplies, and
24 ceasing other forms of active or tacit coopera-
25 tion) at the command, battalion, and brigade

1 levels, with paramilitary organizations, espe-
2 cially in regions where these organizations have
3 a significant presence.

4 (E) The Colombian Government is disman-
5 tling paramilitary leadership and financial net-
6 works by arresting commanders and financial
7 backers, especially in regions where these net-
8 works have a significant presence.

9 (3) The balance of such funds may be obligated
10 after July 31, 2006, if the Secretary of State cer-
11 tifies and reports to the appropriate congressional
12 committees, after such date, that the Colombian
13 Armed Forces are continuing to meet the conditions
14 contained in paragraph (2) and are conducting vig-
15 orous operations to restore government authority
16 and respect for human rights in areas under the ef-
17 fective control of paramilitary and guerrilla organi-
18 zations.

19 (b) CONGRESSIONAL NOTIFICATION.—Funds made
20 available by this Act for the Colombian Armed Forces
21 shall be subject to the regular notification procedures of
22 the Committees on Appropriations.

23 (c) CONSULTATIVE PROCESS.—Not later than 60
24 days after the date of enactment of this Act, and every
25 90 days thereafter until September 30, 2007, the Sec-

1 retary of State shall consult with internationally recog-
2 nized human rights organizations regarding progress in
3 meeting the conditions contained in that subsection.

4 (d) DEFINITIONS.—In this section:

5 (1) AIDED OR ABETTED.—The term “aided or
6 abetted” means to provide any support to para-
7 military groups, including taking actions which
8 allow, facilitate, or otherwise foster the activities of
9 such groups.

10 (2) PARAMILITARY GROUPS.—The term “para-
11 military groups” means illegal self-defense groups
12 and illegal security cooperatives.

13 ILLEGAL ARMED GROUPS

14 SEC. 557. (a) DENIAL OF VISAS TO SUPPORTERS OF
15 COLOMBIAN ILLEGAL ARMED GROUPS.—Subject to sub-
16 section (b), the Secretary of State shall not issue a visa
17 to any alien who the Secretary determines, based on cred-
18 ible evidence—

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

1 (2) has committed, ordered, incited, assisted, or
2 otherwise participated in the commission of gross
3 violations of human rights, including extra-judicial
4 killings, in Colombia.

5 (b) WAIVER.—Subsection (a) shall not apply if the
6 Secretary of State determines and certifies to the appro-
7 priate congressional committees, on a case-by-case basis,
8 that the issuance of a visa to the alien is necessary to
9 support the peace process in Colombia or for urgent hu-
10 manitarian reasons.

11 PROHIBITION ON ASSISTANCE TO THE PALESTINIAN
12 BROADCASTING CORPORATION

13 SEC. 558. None of the funds appropriated or other-
14 wise made available by this Act may be used to provide
15 equipment, technical support, consulting services, or any
16 other form of assistance to the Palestinian Broadcasting
17 Corporation.

18 WEST BANK AND GAZA PROGRAM

19 SEC. 559. (a) OVERSIGHT.—For fiscal year 2006, 30
20 days prior to the initial obligation of funds for the bilateral
21 West Bank and Gaza Program, the Secretary of State
22 shall certify to the appropriate committees of Congress
23 that procedures have been established to assure the Comp-
24 troller General of the United States will have access to
25 appropriate United States financial information in order
26 to review the uses of United States assistance for the Pro-

1 gram funded under the heading “Economic Support
2 Fund” for the West Bank and Gaza.

3 (b) VETTING.—Prior to the obligation of funds ap-
4 propriated by this Act under the heading “Economic Sup-
5 port Fund” for assistance for the West Bank and Gaza,
6 the Secretary of State shall take all appropriate steps to
7 ensure that such assistance is not provided to or through
8 any individual, private or government entity, or edu-
9 cational institution that the Secretary knows or has reason
10 to believe advocates, plans, sponsors, engages in, or has
11 engaged in, terrorist activity. The Secretary of State shall,
12 as appropriate, establish procedures specifying the steps
13 to be taken in carrying out this subsection and shall termi-
14 nate assistance to any individual, entity, or educational in-
15 stitution which he has determined to be involved in or ad-
16 vocating terrorist activity.

17 (c) PROHIBITION.—None of the funds appropriated
18 by this Act for assistance under the West Bank and Gaza
19 program may be made available for the purpose of recog-
20 nizing or otherwise honoring individuals who commit, or
21 have committed, acts of terrorism.

22 (d) AUDITS.—

23 (1) The Administrator of the United States
24 Agency for International Development shall ensure
25 that Federal or non-Federal audits of all contractors

1 and grantees, and significant subcontractors and
2 subgrantees, under the West Bank and Gaza Pro-
3 gram, are conducted at least on an annual basis to
4 ensure, among other things, compliance with this
5 section.

6 (2) Of the funds appropriated by this Act under
7 the heading “Economic Support Fund” that are
8 made available for assistance for the West Bank and
9 Gaza, up to \$1,000,000 may be used by the Office
10 of the Inspector General of the United States Agen-
11 cy for International Development for audits, inspec-
12 tions, and other activities in furtherance of the re-
13 quirements of this subsection. Such funds are in ad-
14 dition to funds otherwise available for such pur-
15 poses.

16 (e) Subsequent to the certification specified in sub-
17 section (a), the Comptroller General of the United States
18 shall conduct an audit and an investigation of the treat-
19 ment, handling, and uses of all funds for the bilateral
20 West Bank and Gaza Program in fiscal year 2006 under
21 the heading “Economic Support Fund”. The audit shall
22 address—

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

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

4 CONTRIBUTIONS TO UNITED NATIONS POPULATION FUND

5 SEC. 560. (a) LIMITATIONS ON AMOUNT OF CON-
6 TRIBUTION.—Of the amounts made available under
7 “International Organizations and Programs” and “Child
8 Survival and Health Programs Fund” for fiscal year
9 2006, \$34,000,000 shall be made available for the United
10 Nations Population Fund (hereafter in this section re-
11 ferred to as the “UNFPA”): *Provided*, That of this
12 amount, not less than \$25,000,000 shall be derived from
13 funds appropriated under the heading “International Or-
14 ganizations and Programs”.

15 (b) AVAILABILITY OF FUNDS.—Funds appropriated
16 under the heading “International Organizations and Pro-
17 grams” in this Act that are available for UNFPA, that
18 are not made available for UNFPA because of the oper-
19 ation of any provision of law, shall be transferred to
20 “Child Survival and Health Programs Fund” and shall
21 be made available for family planning, maternal, and re-
22 productive health activities, subject to the regular notifica-
23 tion procedures of the Committees on Appropriations.

24 (c) PROHIBITION ON USE OF FUNDS IN CHINA.—
25 None of the funds made available under “International
26 Organizations and Programs” may be made available for

1 the UNFPA for a country program in the People's Repub-
2 lic of China.

3 (d) CONDITIONS ON AVAILABILITY OF FUNDS.—

4 Amounts made available under “International Organiza-
5 tions and Programs”² for fiscal year 2006 for the UNFPA
6 may not be made available to UNFPA unless—

7 (1) the UNFPA maintains amounts made avail-
8 able to the UNFPA under this section in an account
9 separate from other accounts of the UNFPA;

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

13 (3) the UNFPA does not fund abortions.

14 WAR CRIMINALS

15 SEC. 561. (a)(1) None of the funds appropriated or
16 otherwise made available pursuant to this Act may be
17 made available for assistance; and the Secretary of the
18 Treasury shall instruct the United States executive direc-
19 tors to the international financial institutions to vote
20 against any new project involving the extension by such
21 institutions of any financial or technical assistance; to any
22 country, entity, or municipality whose competent authori-
23 ties have failed, as determined by the Secretary of State,
24 to take necessary and significant steps to implement its
25 international legal obligations to apprehend and transfer
26 to the International Criminal Tribunal for the former

1 Yugoslavia (the “Tribunal”) all persons in their territory
2 who have been indicted by the Tribunal and to otherwise
3 cooperate with the Tribunal.

4 ~~(2) The provisions of this subsection shall not apply~~
5 ~~to humanitarian assistance or assistance for democratiza-~~
6 ~~tion.~~

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

11 ~~(1) cooperating with the Tribunal, including ac-~~
12 ~~cess for investigators to archives and witnesses, the~~
13 ~~provision of documents, and the surrender and~~
14 ~~transfer of indictees or assistance in their apprehen-~~
15 ~~sion; and~~

16 ~~(2) are acting consistently with the Dayton Ac-~~
17 ~~ords.~~

18 ~~(c) Not less than 10 days before any vote in an inter-~~
19 ~~national financial institution regarding the extension of~~
20 ~~any new project involving financial or technical assistance~~
21 ~~or grants to any country or entity described in subsection~~
22 ~~(a), the Secretary of the Treasury, in consultation with~~
23 ~~the Secretary of State, shall provide to the Committees~~
24 ~~on Appropriations a written justification for the proposed~~
25 ~~assistance, including an explanation of the United States~~

1 position regarding any such vote, as well as a description
2 of the location of the proposed assistance by municipality,
3 its purpose, and its intended beneficiaries.

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

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

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

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

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

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

4 (4) DAYTON ACCORDS.—The term “Dayton Ac-
5 cords” means the General Framework Agreement
6 for Peace in Bosnia and Herzegovina, together with
7 annexes relating thereto, done at Dayton, November
8 10 through 16, 1995.

9 USER FEES

10 SEC. 562. The Secretary of the Treasury shall in-
11 struct the United States Executive Director at each inter-
12 national financial institution (as defined in section
13 1701(c)(2) of the International Financial Institutions Act)
14 and the International Monetary Fund to oppose any loan,
15 grant, strategy or policy of these institutions that would
16 require user fees or service charges on poor people for pri-
17 mary education or primary healthcare, including preven-
18 tion and treatment efforts for HIV/AIDS, malaria, tuber-
19 culosis, and infant, child, and maternal well-being, in con-
20 nection with the institutions’ financing programs.

21 FUNDING FOR SERBIA

22 SEC. 563. (a) Funds appropriated by this Act may
23 be made available for assistance for the central Govern-
24 ment of Serbia after May 31, 2006, if the President has
25 made the determination and certification contained in sub-
26 section (c).

1 (b) After May 31, 2006, the Secretary of the Treas-
2 ury should instruct the United States executive directors
3 to the international financial institutions to support loans
4 and assistance to the Government of Serbia and Monte-
5 negro subject to the conditions in subsection (c): *Provided,*
6 That section 576 of the Foreign Operations, Export Fi-
7 nancing, and Related Programs Appropriations Act, 1997,
8 as amended, shall not apply to the provision of loans and
9 assistance to the Government of Serbia and Montenegro
10 through international financial institutions.

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

15 (1) cooperating with the International Criminal
16 Tribunal for the former Yugoslavia including access
17 for investigators, the provision of documents, and
18 the surrender and transfer of indicted or assistance
19 in their apprehension, including making all prac-
20 ticable efforts to apprehend and transfer Ratko
21 Mladic;

22 (2) taking steps that are consistent with the
23 Dayton Accords to end Serbian financial, political,
24 security and other support which has served to

1 maintain separate Republika Srpska institutions;
2 and

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

6 ~~(d)~~ This section shall not apply to Montenegro,
7 Kosovo, humanitarian assistance or assistance to promote
8 democracy.

9 COMMUNITY-BASED POLICE ASSISTANCE

10 SEC. 564. (a) AUTHORITY.—Funds made available
11 by this Act to carry out the provisions of chapter 1 of
12 part I and chapter 4 of part II of the Foreign Assistance
13 Act of 1961, may be used, notwithstanding section 660
14 of that Act, to enhance the effectiveness and account-
15 ability of civilian police authority through training and
16 technical assistance in human rights, the rule of law, stra-
17 tegic planning, and through assistance to foster civilian
18 police roles that support democratic governance including
19 assistance for programs to prevent conflict, respond to dis-
20 asters, address gender-based violence, and foster improved
21 police relations with the communities they serve.

22 (b) NOTIFICATION.—Assistance provided under sub-
23 section (a) shall be subject to prior consultation with, and
24 the regular notification procedures of, the Committees on
25 Appropriations.

1 SPECIAL DEBT RELIEF FOR THE POOREST

2 SEC. 565. (a) AUTHORITY TO REDUCE DEBT.—The
3 President may reduce amounts owed to the United States
4 (or any agency of the United States) by an eligible country
5 as a result of—

6 (1) guarantees issued under sections 221 and
7 222 of the Foreign Assistance Act of 1961;

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

10 (b) LIMITATIONS.—

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

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

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

1 (e) ~~CONDITIONS.~~—The authority provided by sub-
2 section (a) may be exercised only with respect to a country
3 whose government—

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

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

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

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

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

17 (d) ~~AVAILABILITY OF FUNDS.~~—The authority pro-
18 vided by subsection (a) may be used only with regard to
19 the funds appropriated by this Act under the heading
20 “Debt Restructuring”.

21 (e) ~~CERTAIN PROHIBITIONS INAPPLICABLE.~~—A re-
22 duction of debt pursuant to subsection (a) shall not be
23 considered assistance for the purposes of any provision of
24 law limiting assistance to a country. The authority pro-
25 vided by subsection (a) may be exercised notwithstanding

1 section 620(r) of the Foreign Assistance Act of 1961 or
2 section 321 of the International Development and Food
3 Assistance Act of 1975.

4 ~~AUTHORITY TO ENGAGE IN DEBT BUYBACKS OR SALES~~

5 ~~SEC. 566. (a) LOANS ELIGIBLE FOR SALE, REDUC-~~
6 ~~TION, OR CANCELLATION.—~~

7 ~~(1) AUTHORITY TO SELL, REDUCE, OR CANCEL~~
8 ~~CERTAIN LOANS.—Notwithstanding any other provi-~~
9 ~~sion of law that restricts assistance to foreign coun-~~
10 ~~tries, the President may, in accordance with this sec-~~
11 ~~tion, sell to any eligible purchaser any concessional~~
12 ~~loan or portion thereof made before January 1,~~
13 ~~1995, pursuant to the Foreign Assistance Act of~~
14 ~~1961, to the government of any eligible country as~~
15 ~~defined in section 702(6) of that Act or on receipt~~
16 ~~of payment from an eligible purchaser, reduce or~~
17 ~~cancel such loan or portion thereof, only for the pur-~~
18 ~~pose of facilitating—~~

19 ~~(A) debt-for-equity swaps, debt-for-develop-~~
20 ~~ment swaps, or debt-for-nature swaps; or~~

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

1 between the price paid for such debt and the
2 face value of such debt, to support activities
3 that link conservation and sustainable use of
4 natural resources with local community develop-
5 ment, and child survival and other child devel-
6 opment, in a manner consistent with sections
7 707 through 710 of the Foreign Assistance Act
8 of 1961, if the sale, reduction, or cancellation
9 would not contravene any term or condition of
10 any prior agreement relating to such loan.

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

16 (3) ADMINISTRATION.—The Facility, as defined
17 in section 702(8) of the Foreign Assistance Act of
18 1961, shall notify the administrator of the agency
19 primarily responsible for administering part I of the
20 Foreign Assistance Act of 1961 of purchasers that
21 the President has determined to be eligible, and
22 shall direct such agency to carry out the sale, reduc-
23 tion, or cancellation of a loan pursuant to this sec-
24 tion. Such agency shall make adjustment in its ac-
25 counts to reflect the sale, reduction, or cancellation.

1 (4) **LIMITATION.**—The authorities of this sub-
2 section shall be available only to the extent that ap-
3 propriations for the cost of the modification, as de-
4 fined in section 502 of the Congressional Budget Act
5 of 1974, are made in advance.

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

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

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

23 (e) **AVAILABILITY OF FUNDS.**—The authority pro-
24 vided by subsection (a) may be used only with regard to

1 funds appropriated by this Act under the heading “Debt
2 Restructuring”.

3 BASIC EDUCATION

4 SEC. 567. Of the funds appropriated by title II of
5 this Act, not less than \$465,000,000 shall be made avail-
6 able for basic education, of which not less than \$250,000
7 shall be provided to the Comptroller General of the United
8 States to prepare an analysis of United States funded
9 international basic education programs: *Provided*, That
10 the analysis, which should be submitted to the Committee
11 within nine months of enactment of this Act, shall include,
12 but not be limited to—

13 (1) the amount of funds provided for basic edu-
14 cation by all United States Government agencies in
15 fiscal years 2001, 2002, 2003, 2004, and 2005;

16 (2) a country-by-country and project-by-project
17 breakdown of such funds;

18 (3) an analysis of host country contributions to
19 education at the local, provincial, and federal level;

20 (4) the amount of funds, including loans, pro-
21 vided for basic education by other major bilateral
22 donors and multilateral institutions, including
23 United Nations agencies and the World Bank
24 Group, including a historical view of such levels;

1 (5) an analysis of United States efforts to in-
2 crease the commitment of other major bilateral do-
3 nors and multilateral institutions to basic education;

4 (6) an analysis of how various United States
5 Government agencies coordinate in the provision of
6 such assistance, including how such coordination
7 contributes to achievement of the Millennium Devel-
8 opment Goals with respect to basic education;

9 (7) an analysis of the effect of the quadrupling
10 of United States assistance for basic education since
11 fiscal year 2001 on education programs in the devel-
12 oping world; and

13 (8) recommendations on the content and struc-
14 ture of United States assistance that would increase
15 its effectiveness in promoting literacy and numeracy.

16 RECONCILIATION PROGRAMS

17 SEC. 568. Of the funds appropriated under the head-
18 ing “Economic Support Fund”, not less than \$15,000,000
19 should be made available to support reconciliation pro-
20 grams and activities which bring together individuals of
21 different ethnic, religious, and political backgrounds from
22 areas of civil conflict and war.

23 SUDAN

24 SEC. 569. (a) AVAILABILITY OF FUNDS.—Of the
25 funds appropriated by title II of this Act, not less than

1 ~~\$267,000,000~~ should be made available for assistance for
2 Sudan.

3 (b) ~~LIMITATION ON ASSISTANCE.~~—Subject to sub-
4 section (c):

5 (1) Notwithstanding section 501(a) of the
6 International Malaria Control Act of 2000 (Public
7 Law ~~106–570~~) or any other provision of law that re-
8 stricts funds for foreign countries, none of the funds
9 appropriated by this Act may be made available for
10 assistance for the Government of Sudan.

11 (2) None of the funds appropriated by this Act
12 may be made available for the cost, as defined in
13 section 502, of the Congressional Budget Act of
14 1974, of modifying loans and loan guarantees held
15 by the Government of Sudan, including the cost of
16 selling, reducing, or canceling amounts owed to the
17 United States, and modifying concessional loans,
18 guarantees, and credit agreements.

19 (c) Subsection (b) shall not apply if the Secretary of
20 State determines and certifies to the Committees on Ap-
21 propriations that—

22 (1) the Government of Sudan has taken signifi-
23 cant steps to disarm and disband government-sup-
24 ported militia groups in the Darfur region;

1 (2) the Government of Sudan and all govern-
2 ment-supported militia groups are honoring their
3 commitments made in the cease-fire agreement of
4 April 8, 2004; and

5 (3) the Government of Sudan is allowing
6 unimpeded access to Darfur to humanitarian aid or-
7 ganizations, the human rights investigation and hu-
8 manitarian teams of the United Nations, including
9 protection officers, and an international monitoring
10 team that is based in Darfur and that has the sup-
11 port of the United States.

12 (d) EXCEPTIONS.—The provisions of subsection (b)
13 shall not apply to—

14 (1) humanitarian assistance;

15 (2) assistance for Darfur and for areas outside
16 the control of the Government of Sudan; and

17 (3) assistance to support implementation of the
18 Comprehensive Peace Agreement.

19 (e) DEFINITIONS.—For the purposes of this Act and
20 section 501 of Public Law 106–570, the terms “Govern-
21 ment of Sudan”, “areas outside of control of the Govern-
22 ment of Sudan”, and “area in Sudan outside of control
23 of the Government of Sudan” shall have the same meaning
24 and application as was the case immediately prior to June
25 5, 2004, and, Southern Kordofan/Nuba Mountains State,

1 Blue Nile State and Abyei shall be deemed “areas outside
2 of control of the Government of Sudan”.

3 TRADE CAPACITY BUILDING

4 SEC. 570. Of the funds appropriated by this Act,
5 under the headings “Trade and Development Agency”,
6 “Development Assistance”, “Transition Initiatives”,
7 “Economic Support Fund”, “International Affairs Tech-
8 nical Assistance”, and “International Organizations and
9 Programs”, not less than \$522,000,000 should be made
10 available for trade capacity building assistance: *Provided*,
11 That \$20,000,000 of the funds appropriated in this Act
12 under the heading “Economic Support Fund” shall be
13 made available for labor and environmental capacity build-
14 ing activities relating to the free trade agreement with the
15 countries of Central America and the Dominican Republic.

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

18 SEC. 571. Notwithstanding section 516(e) of the For-
19 eign Assistance Act of 1961 (22 U.S.C. 2321j(e)), during
20 fiscal year 2006, funds available to the Department of De-
21 fense may be expended for crating, packing, handling, and
22 transportation of excess defense articles transferred under
23 the authority of section 516 of such Act to Albania, Af-
24 ghanistan, Bulgaria, Croatia, Estonia, Former Yugo-
25 slavian Republic of Macedonia, Georgia, India, Iraq,
26 Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Moldova,

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

3 CUBA

4 SEC. 572. None of the funds appropriated by this Act
5 under the heading “International Narcotics Control and
6 Law Enforcement” may be made available for assistance
7 to the Government of Cuba.

8 GENDER-BASED VIOLENCE TRAINING

9 SEC. 573. Programs funded under titles II and III
10 of this Act that provide training for foreign police, judicial,
11 and military officials, shall include instruction on how to
12 address incidences and victims of gender-based violence:
13 *Provided*, That the Secretary of State, in consultation with
14 the Secretary of Defense, shall report to the Committee
15 on Appropriations, no later than 180 days after enactment
16 of this Act, how such instruction is being incorporated into
17 programs funded under titles II and III of this Act.

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

21 SEC. 574. (a) None of the funds made available in
22 this Act in title II under the heading “Economic Support
23 Fund” may be used to provide assistance to the govern-
24 ment of a country that is a party to the International
25 Criminal Court and has not entered into an agreement
26 with the United States pursuant to Article 98 of the Rome

1 Statute preventing the International Criminal Court from
2 proceeding against United States personnel present in
3 such country.

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

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

22 (d) The prohibition of this section shall not apply to
23 countries otherwise eligible for assistance under the Mil-
24 lennium Challenge Act of 2003, notwithstanding section
25 606(a)(2)(B) of such Act.

1 TIBET

2 SEC. 575. (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
7 settlement of non-Tibetans into Tibet or facilitate the
8 transfer of ownership of Tibetan land and natural re-
9 sources to non-Tibetans; are based on a thorough needs-
10 assessment; foster self-sufficiency of the Tibetan people
11 and respect Tibetan culture and traditions; and are sub-
12 ject to effective monitoring.

13 (b) Notwithstanding any other provision of law that
14 restricts assistance to foreign countries, not less than
15 \$4,000,000 of the funds appropriated by this Act under
16 the heading "Economic Support Fund" should be made
17 available to nongovernmental organizations to support ac-
18 tivities which preserve cultural traditions and promote
19 sustainable development and environmental conservation
20 in Tibetan communities in the Tibetan Autonomous Re-
21 gion and in other Tibetan communities in China.

22 CENTRAL AMERICA

23 SEC. 576. Of the funds appropriated by this Act
24 under the headings "Child Survival and Health Programs
25 Fund" and "Development Assistance", not less than the
26 amount of funds initially allocated pursuant to section

1 653(a) of the Foreign Assistance Act of 1961 for fiscal
2 year 2005 should be made available for El Salvador, Gua-
3 temala, Nicaragua and Honduras.

4 UNITED STATES AGENCY FOR INTERNATIONAL
5 DEVELOPMENT MANAGEMENT

6 SEC. 577. (a) AUTHORITY.—Up to \$75,000,000 of
7 the funds made available in this Act to carry out the provi-
8 sions of part I of the Foreign Assistance Act of 1961, in-
9 cluding funds appropriated under the heading “Assistance
10 for Eastern Europe and the Baltic States”, may be used
11 by the United States Agency for International Develop-
12 ment (USAID) to hire and employ individuals in the
13 United States and overseas on a limited appointment basis
14 pursuant to the authority of sections 308 and 309 of the
15 Foreign Service Act of 1980.

16 (b) RESTRICTIONS.—

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

20 (2) The authority to hire individuals contained
21 in subsection (a) shall expire on September 30,
22 2008.

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

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

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

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

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

22 (g) DISASTER SURGE CAPACITY.—Funds appro-
23 priated by this Act to carry out part I of the Foreign As-
24 sistance Act of 1961, including funds appropriated under
25 the heading “Assistance for Eastern Europe and the Bal-

1 tie States”, may be used, in addition to funds otherwise
 2 available for such purposes, for the cost (including the
 3 support costs) of individuals detailed to or employed by
 4 the United States Agency for International Development
 5 whose primary responsibility is to carry out programs in
 6 response to natural disasters.

7 HIPC DEBT REDUCTION

8 SEC. 578. Section 501(b) of H.R. 3425, as enacted
 9 into law by section 1000(a)(5) of division B of Public Law
 10 106-113 (113 Stat. 1501A-311), is amended by adding
 11 at the end the following new paragraph:

12 “(5) The Act of March 11, 1941 (chapter 11;
 13 55 Stat. 31; 22 U.S.C. 411 et seq.; commonly known
 14 as the ‘Lend-Lease Act’).”.

15 OPIC TRANSFER AUTHORITY
 16 (INCLUDING TRANSFER OF FUNDS)

17 SEC. 579. Whenever the President determines that
 18 it is in furtherance of the purposes of the Foreign Assist-
 19 ance Act of 1961, up to a total of \$20,000,000 of the
 20 funds appropriated under title II of this Act may be trans-
 21 ferred to and merged with funds appropriated by this Act
 22 for the Overseas Private Investment Corporation Program
 23 Account, to be subject to the terms and conditions of that
 24 account: *Provided*, That such funds shall not be available
 25 for administrative expenses of the Overseas Private In-
 26 vestment Corporation: *Provided further*, That funds ear-

1 marked by this Act shall not be transferred pursuant to
2 this section: *Provided further*, That the exercise of such
3 authority shall be subject to the regular notification proce-
4 dures of the Committees on Appropriations.

5 **CONFLICT RESPONSE**

6 (INCLUDING TRANSFER OF FUNDS)

7 **SEC. 580.** Whenever the Secretary of State deter-
8 mines that it is in the national interest of the United
9 States, the Secretary is authorized to furnish reconstruc-
10 tion and stabilization assistance, on such terms and condi-
11 tions as the Secretary may determine, for the purpose of
12 preventing, responding to, or enabling transition from con-
13 flict or civil strife in foreign countries or regions: *Provided*,
14 That the Secretary may transfer up to \$100,000,000
15 among accounts of the Department of State and to other
16 Federal agencies as necessary to carry out these authori-
17 ties: *Provided further*, That pursuant to a determination
18 by the Secretary of State that it is in the national interest
19 of the United States to prevent or respond to conflict or
20 civil strife in foreign countries or regions, or to enable
21 transition from such strife assistance provided under this
22 paragraph, as well as assistance provided with funds ap-
23 propriated under titles II and III of this Act for countries
24 subject to a determination made under this paragraph,
25 may be used: *Provided further*, That the exercise of such

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

3 RESCISSION

4 SEC. 581. Of the funds provided in title II of Public
5 Law 108-447, under the heading “Other Bilateral Eco-
6 nomic Assistance, Economic Support Fund”, \$64,000,000
7 is hereby rescinded.

8 ANTICORRUPTION PROVISIONS

9 SEC. 582. Twenty-five percent of the funds appro-
10 priated by this Act under the headings “International De-
11 velopment Association”, shall be withheld from obligation
12 until the Secretary of the Treasury certifies to the appro-
13 priate congressional committees that—

14 (a) World Bank procurement guidelines are ap-
15 plied to all procurement financed in whole or in part
16 by a loan from the International Bank for Recon-
17 struction and Development (IBRD) or a credit
18 agreement or grant from the International Develop-
19 ment Association (IDA);

20 (b) the World Bank proposal “Increasing the
21 Use of Country Systems in Procurement” dated
22 March 2005 has been withdrawn;

23 (c) the World Bank is maintaining a strong
24 central procurement office staffed with senior ex-
25 perts who are designated to address commercial con-
26 cerns, questions, and complaints regarding procure-

1 ment procedures and payments under IDA and
2 IBRD projects;

3 (d) thresholds for international competitive bid-
4 ding are established to maximize international com-
5 petitive bidding in accordance with sound procure-
6 ment practices, including transparency, competition,
7 and cost-effective results for the Borrowers;

8 (e) all tenders under the World Bank's national
9 competitive bidding provisions are subject to the
10 same advertisement requirements as tenders under
11 international competitive bidding; and

12 (f) loan agreements are made public between
13 the World Bank and the Borrowers.

14 PROHIBITION ON CERTAIN INTERNATIONAL NARCOTICS
15 CONTROL AND LAW ENFORCEMENT ASSISTANCE TO
16 THE GOVERNMENT OF HAITI

17 SEC. 583. None of the funds made available in this
18 Act under the heading "INTERNATIONAL NARCOTICS CON-
19 TROL AND LAW ENFORCEMENT" may be used to transfer
20 excess property of an agency of the United States Govern-
21 ment to the Government of Haiti.

22 LIMITATION ON ASSISTANCE TO ROMANIA UNDER THE
23 SUPPORT FOR EAST EUROPEAN DEMOCRACY (SEED)
24 ACT OF 1989

25 SEC. 584. None of the funds appropriated in this Act
26 under the heading "ASSISTANCE FOR EASTERN EUROPE

1 AND THE BALTIC STATES” may be obligated or expended
2 for assistance to Romania under the Support for East Eu-
3 ropean Democracy (SEED) Act of 1989.

4 LIMITATION ON FUNDS RELATING TO ATTENDANCE OF
5 FEDERAL EMPLOYEES AT CONFERENCES OCCURRING
6 OUTSIDE THE UNITED STATES

7 SEC. 585. None of the funds made available in this
8 Act may be used to send or otherwise pay for the attend-
9 ance of more than 50 employees of a Federal department
10 or agency at any single conference occurring outside the
11 United States.

12 LIMITATION ON USE OF FUNDS BY THE EXPORT-IMPORT
13 BANK OF THE UNITED STATES

14 SEC. 586. Of the amounts provided in title I, under
15 the heading “EXPORT-IMPORT BANK OF THE UNITED
16 STATES—ADMINISTRATIVE EXPENSES”, not more than
17 \$66,200,000 may be expended while there is a vacancy
18 in position of the head of the Office of Inspector General
19 in the Export-Import Bank of the United States.

20 LIMITATION ON ASSISTANCE TO FOREIGN COUNTRIES
21 THAT REFUSE TO EXTRADITE TO THE UNITED
22 STATES ANY INDIVIDUAL ACCUSED IN THE UNITED
23 STATES OF KILLING A LAW ENFORCEMENT OFFICER

24 SEC. 587. None of the funds made available in this
25 Act for the Department of State may be used to provide
26 assistance to any country the government of which has

1 notified the Department of State of its refusal to extradite
2 to the United States any individual accused in the United
3 States of killing a law enforcement officer, as specified in
4 a United States extradition request.

5 PROHIBITION AGAINST DIRECT FUNDING FOR SAUDI
6 ARABIA

7 SEC. 588. None of the funds appropriated or other-
8 wise made available pursuant to this Act shall be obligated
9 or expended to finance any assistance to Saudi Arabia.

10 PROHIBITION ON USE OF FUNDS BY THE EXPORT-IMPORT
11 BANK OF THE UNITED STATES TO APPROVE AN AP-
12 PPLICATION FOR A LONG-TERM LOAN OR LOAN GUAR-
13 ANTEE WITH RESPECT TO A NUCLEAR PROJECT IN
14 THE PEOPLE'S REPUBLIC OF CHINA

15 SEC. 589. None of the funds made available in this
16 Act may be used by the Export-Import Bank of the United
17 States to approve an application for a long-term loan or
18 loan guarantee with respect to a nuclear project in the
19 People's Republic of China.

20 GOVERNMENTS THAT HAVE FAILED TO PERMIT CERTAIN
21 EXTRADITIONS

22 SEC. 590. None of the funds made available in this
23 Act for the Department of State, other than funds pro-
24 vided under the heading "INTERNATIONAL NARCOTICS
25 CONTROL AND LAW ENFORCEMENT", may be used to pro-
26 vide assistance to any country with whom the United

1 States has an extradition treaty and whose government
2 has notified the Department of State of its refusal to ex-
3 tradite to the United States any individual accused of
4 committing a criminal offense for which the maximum
5 penalty is life imprisonment without the possibility of pa-
6 role, or a lesser term of imprisonment.

7 This Act may be cited as the “Foreign Operations,
8 Export Financing, and Related Programs Appropriations
9 Act, 2006”.

10 *That the following sums are appropriated, out of any*
11 *money in the Treasury not otherwise appropriated, for the*
12 *fiscal year ending September 30, 2006, and for other pur-*
13 *poses, namely:*

14 *TITLE I—DEPARTMENT OF STATE AND RELATED*
15 *AGENCY*

16 *DEPARTMENT OF STATE*

17 *ADMINISTRATION OF FOREIGN AFFAIRS*

18 *DIPLOMATIC AND CONSULAR PROGRAMS*

19 *(INCLUDING TRANSFER OF FUNDS)*

20 *For necessary expenses of the Department of State and*
21 *the Foreign Service not otherwise provided for, including*
22 *employment, without regard to civil service and classifica-*
23 *tion laws, of persons on a temporary basis (not to exceed*
24 *\$700,000 of this appropriation), as authorized by section*
25 *801 of the United States Information and Educational Ex-*
26 *change Act of 1948; representation to certain international*

1 organizations in which the United States participates pur-
2 suant to treaties ratified pursuant to the advice and consent
3 of the Senate or specific Acts of Congress; arms control, non-
4 proliferation and disarmament activities as authorized; ac-
5 quisition by exchange or purchase of passenger motor vehi-
6 cles as authorized by law; and for expenses of general ad-
7 ministration, \$3,755,118,000: Provided, That of the amount
8 made available under this heading, not to exceed \$4,000,000
9 may be transferred to, and merged with, funds in the
10 “Emergencies in the Diplomatic and Consular Service” ap-
11 propriations account, to be available only for emergency
12 evacuations and terrorism rewards: Provided further, That
13 of the amount made available under this heading, not less
14 than \$328,000,000 shall be available only for public diplo-
15 macy international information programs: Provided fur-
16 ther, That of the amount made available under this head-
17 ing, not less than \$2,000,000 shall be made available for
18 the Scholar Rescue Fund: Provided further, That funds
19 available under this heading may be made available for a
20 United States Government interagency task force to exam-
21 ine, coordinate and oversee United States participation in
22 the United Nations headquarters renovation project: Pro-
23 vided further, That no funds may be obligated or expended
24 for processing licenses for the export of satellites of United
25 States origin (including commercial satellites and satellite

1 components) to the People's Republic of China unless, at
2 least 15 days in advance, the Committees on Appropria-
3 tions of the House of Representatives and the Senate are
4 notified of such proposed action.

5 In addition, not to exceed \$1,469,000 shall be derived
6 from fees collected from other executive agencies for lease
7 or use of facilities located at the International Center in
8 accordance with section 4 of the International Center Act;
9 in addition, as authorized by section 5 of such Act,
10 \$490,000, to be derived from the reserve authorized by that
11 section, to be used for the purposes set out in that section;
12 in addition, as authorized by section 810 of the United
13 States Information and Educational Exchange Act, not to
14 exceed \$6,000,000, to remain available until expended, may
15 be credited to this appropriation from fees or other pay-
16 ments received from English teaching, library, motion pic-
17 tures, and publication programs and from fees from edu-
18 cational advising and counseling and exchange visitor pro-
19 grams; and, in addition, not to exceed \$15,000, which shall
20 be derived from reimbursements, surcharges, and fees for use
21 of Blair House facilities.

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

24 CAPITAL INVESTMENT FUND

25 For necessary expenses of the Capital Investment
26 Fund, \$58,895,000, to remain available until expended, as

1 *authorized: Provided, That section 135(e) of Public Law*
2 *103–236 shall not apply to funds available under this head-*
3 *ing.*

4 *CENTRALIZED INFORMATION TECHNOLOGY MODERNIZATION*
5 *PROGRAM*

6 *For expenses relating to the modernization of the infor-*
7 *mation technology systems and networks of the Department*
8 *of State, \$74,105,000, to remain available until expended.*

9 *OFFICE OF INSPECTOR GENERAL*

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

14 *EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS*

15 *For expenses of educational and cultural exchange pro-*
16 *grams, as authorized, \$440,200,000, to remain available*
17 *until expended: Provided, That not to exceed \$2,000,000,*
18 *to remain available until expended, may be credited to this*
19 *appropriation from fees or other payments received from*
20 *or in connection with English teaching, educational advis-*
21 *ing and counseling programs, and exchange visitor pro-*
22 *grams as authorized: Provided further, That notwith-*
23 *standing any other provision of law, of the funds appro-*
24 *priated under this heading, \$5,000,000 shall be made avail-*
25 *able for an endowment for the Aung San Suu Kyi Center*
26 *for Democracy, and not less than \$13,500,000 shall be made*

1 *available for educational and cultural exchanges with the*
2 *People's Republic of China, including for American studies*
3 *programs.*

4 *REPRESENTATION ALLOWANCES*

5 *For representation allowances as authorized,*
6 *\$8,281,000.*

7 *PROTECTION OF FOREIGN MISSIONS AND OFFICIALS*

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

11 *EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE*

12 *For necessary expenses for carrying out the Foreign*
13 *Service Buildings Act of 1926 (22 U.S.C. 292–303), pre-*
14 *serving, maintaining, repairing, and planning for build-*
15 *ings that are owned or directly leased by the Department*
16 *of State, renovating, in addition to funds otherwise avail-*
17 *able, the Harry S Truman Building, and carrying out the*
18 *Diplomatic Security Construction Program as authorized,*
19 *\$603,800,000, to remain available until expended as au-*
20 *thorized, of which not to exceed \$25,000 may be used for*
21 *domestic and overseas representation as authorized: Pro-*
22 *vided, That none of the funds appropriated in this para-*
23 *graph shall be available for acquisition of furniture, fur-*
24 *nishings, or generators for other departments and agencies.*

1 *In addition, for the costs of worldwide security up-*
2 *grades, acquisition, and construction as authorized,*
3 *\$900,200,000, to remain available until expended.*

4 *EMERGENCIES IN THE DIPLOMATIC AND CONSULAR*

5 *SERVICE*

6 *(INCLUDING TRANSFER OF FUNDS)*

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

14 *REPATRIATION LOANS PROGRAM ACCOUNT*

15 *(INCLUDING TRANSFER OF FUNDS)*

16 *For the cost of direct loans, \$712,000, as authorized:*
17 *Provided, That such costs, including the cost of modifying*
18 *such loans, shall be as defined in section 502 of the Congres-*
19 *sional Budget Act of 1974.*

20 *In addition, for administrative expenses necessary to*
21 *carry out the direct loan program, \$607,000, which may*
22 *be transferred to and merged with funds in the “Diplomatic*
23 *and Consular Programs” account.*

1 *PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN*

2 *For necessary expenses to carry out the Taiwan Rela-*
3 *tions Act (Public Law 96-8), \$19,751,000, to remain avail-*
4 *able until September 30, 2007.*

5 *PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND*
6 *DISABILITY FUND*

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

9 *INTERNATIONAL ORGANIZATIONS*10 *CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS*

11 *For expenses, not otherwise provided for, necessary to*
12 *meet annual obligations of membership in international*
13 *multilateral organizations, pursuant to treaties ratified*
14 *pursuant to the advice and consent of the Senate, conven-*
15 *tions or specific Acts of Congress, \$1,166,212,000, to remain*
16 *available until September 30, 2007: Provided, That the Sec-*
17 *retary of State shall, at the time of the submission of the*
18 *President's budget to Congress under section 1105(a) of title*
19 *31, United States Code, transmit to the Committees on Ap-*
20 *propriations the most recent biennial budget prepared by*
21 *the United Nations for the operations of the United Nations:*
22 *Provided further, That the Secretary of State shall notify*
23 *the Committees on Appropriations at least 15 days in ad-*
24 *vance (or in an emergency, as far in advance as is prac-*
25 *ticable) of any United Nations action to increase funding*
26 *for any United Nations program without identifying an off-*

1 *setting decrease elsewhere in the United Nations budget and*
2 *cause the United Nations budget for the biennium 2006–*
3 *2007 to exceed the revised United Nations budget level for*
4 *the biennium 2004–2005 of \$3,695,480,000: Provided fur-*
5 *ther, That any payment of arrearages under this title shall*
6 *be directed toward special activities that are mutually*
7 *agreed upon by the United States and the respective inter-*
8 *national organization: Provided further, That none of the*
9 *funds appropriated in this paragraph shall be available for*
10 *a United States contribution to an international organiza-*
11 *tion for the United States share of interest costs made*
12 *known to the United States Government by such organiza-*
13 *tion for loans incurred on or after October 1, 1984, through*
14 *external borrowings.*

15 *CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING*

16 *ACTIVITIES*

17 *For necessary expenses to pay assessed and other ex-*
18 *penses of international peacekeeping activities directed to*
19 *the maintenance or restoration of international peace and*
20 *security, \$1,035,500,000, to remain available until Sep-*
21 *tember 30, 2006: Provided, That none of the funds made*
22 *available under this title shall be obligated or expended for*
23 *any new or expanded United Nations peacekeeping mission*
24 *unless, at least 15 days in advance of voting for the new*
25 *or expanded mission in the United Nations Security Coun-*
26 *cil (or in an emergency as far in advance as is practicable):*

1 *(1) the Committees on Appropriations and other appro-*
2 *priate committees of the Congress are notified of the esti-*
3 *mated cost and length of the mission, the national interest*
4 *that will be served, and the planned exit strategy; and (2)*
5 *a reprogramming of funds pursuant to section 6088 of this*
6 *Act is submitted, and the procedures therein followed, set-*
7 *ting forth the source of funds that will be used to pay for*
8 *the cost of the new or expanded mission: Provided further,*
9 *That funds shall be available for peacekeeping expenses only*
10 *upon a certification by the Secretary of State to the appro-*
11 *priate committees of the Congress that American manufac-*
12 *turers and suppliers are being given opportunities to pro-*
13 *vide equipment, services, and material for United Nations*
14 *peacekeeping activities equal to those being given to foreign*
15 *manufacturers and suppliers: Provided further, That none*
16 *of the funds made available under this heading are avail-*
17 *able to pay the United States share of the cost of court mon-*
18 *itoring that is part of any United Nations peacekeeping*
19 *mission.*

20 *INTERNATIONAL COMMISSIONS*

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

1 *INTERNATIONAL BOUNDARY AND WATER COMMISSION,*
2 *UNITED STATES AND MEXICO*

3 *For necessary expenses for the United States Section*
4 *of the International Boundary and Water Commission,*
5 *United States and Mexico, and to comply with laws appli-*
6 *cable to the United States Section, including not to exceed*
7 *\$6,000 for representation; as follows:*

8 *SALARIES AND EXPENSES*

9 *For salaries and expenses, not otherwise provided for,*
10 *\$28,700,000.*

11 *CONSTRUCTION*

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

15 *AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS*

16 *For necessary expenses, not otherwise provided, for the*
17 *International Joint Commission and the International*
18 *Boundary Commission, United States and Canada, as au-*
19 *thorized by treaties between the United States and Canada*
20 *or Great Britain, and for the Border Environment Coopera-*
21 *tion Commission as authorized by Public Law 103-182,*
22 *\$10,400,000, of which not to exceed \$9,000 shall be available*
23 *for representation expenses incurred by the International*
24 *Joint Commission.*

1 *INTERNATIONAL FISHERIES COMMISSIONS*

2 *For necessary expenses for international fisheries com-*
3 *missions, not otherwise provided for, as authorized by law,*
4 *\$25,623,000: Provided, That the United States' share of*
5 *such expenses may be advanced to the respective commis-*
6 *sions pursuant to 31 U.S.C. 3324.*

7 *OTHER*8 *PAYMENT TO THE ASIA FOUNDATION*

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

12 *CENTER FOR MIDDLE EASTERN-WESTERN DIALOGUE TRUST*13 *FUND*

14 *For a grant to the Center for Middle Eastern-Western*
15 *Dialogue Trust Fund (22 U.S.C. 2078), \$1,000,000 for op-*
16 *eration of the Center for Middle Eastern-Western Dialogue*
17 *in Istanbul, Turkey, to remain available until expended.*

18 *In addition, for necessary expenses of the Center for*
19 *Middle Eastern-Western Dialogue Trust Fund, the total*
20 *amount of the interest and earnings accruing to such Fund*
21 *on or before September 30, 2006, to remain available until*
22 *expended.*

23 *EISENHOWER EXCHANGE FELLOWSHIP PROGRAM*

24 *For necessary expenses of Eisenhower Exchange Fel-*
25 *lowships, Incorporated, as authorized by sections 4 and 5*
26 *of the Eisenhower Exchange Fellowship Act of 1990 (20*

1 *U.S.C. 5204–5205), all interest and earnings accruing to*
2 *the Eisenhower Exchange Fellowship Program Trust Fund*
3 *on or before September 30, 2006, to remain available until*
4 *expended: Provided, That none of the funds appropriated*
5 *herein shall be used to pay any salary or other compensa-*
6 *tion, or to enter into any contract providing for the pay-*
7 *ment thereof, in excess of the rate authorized by 5 U.S.C.*
8 *5376; or for purposes which are not in accordance with*
9 *OMB Circulars A–110 (Uniform Administrative Require-*
10 *ments) and A–122 (Cost Principles for Non-profit Organi-*
11 *zations), including the restrictions on compensation for per-*
12 *sonal services.*

13 *ISRAELI ARAB SCHOLARSHIP PROGRAM*

14 *For necessary expenses of the Israeli Arab Scholarship*
15 *Program as authorized by section 214 of the Foreign Rela-*
16 *tions Authorization Act, Fiscal Years 1992 and 1993 (22*
17 *U.S.C. 2452), all interest and earnings accruing to the*
18 *Israeli Arab Scholarship Fund on or before September 30,*
19 *2006, to remain available until expended.*

20 *EAST-WEST CENTER*

21 *To enable the Secretary of State to provide for car-*
22 *rying out the provisions of the Center for Cultural and*
23 *Technical Interchange Between East and West Act of 1960,*
24 *by grant to the Center for Cultural and Technical Inter-*
25 *change Between East and West in the State of Hawaii,*
26 *\$20,000,000: Provided, That none of the funds appropriated*

1 *herein shall be used to pay any salary, or enter into any*
2 *contract providing for the payment thereof, in excess of the*
3 *rate authorized by 5 U.S.C. 5376.*

4 *NATIONAL ENDOWMENT FOR DEMOCRACY*

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

9 *COMMISSION FOR THE PRESERVATION OF AMERICA'S*

10 *HERITAGE ABROAD*

11 *SALARIES AND EXPENSES*

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

15 *COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM*

16 *SALARIES AND EXPENSES*

17 *For necessary expenses for the United States Commis-*
18 *sion on International Religious Freedom, as authorized by*
19 *title II of the International Religious Freedom Act of 1998*
20 *(Public Law 105-292), \$1,000,000.*

21 *COMMISSION ON SECURITY AND COOPERATION IN EUROPE*

22 *SALARIES AND EXPENSES*

23 *For necessary expenses of the Commission on Security*
24 *and Cooperation in Europe, as authorized by Public Law*
25 *94-304, \$2,030,000, to remain available as authorized by*
26 *section 3 of Public Law 99-7.*

1 *CONGRESSIONAL-EXECUTIVE COMMISSION ON THE*
2 *PEOPLE’S REPUBLIC OF CHINA*
3 *SALARIES AND EXPENSES*

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

9 *UNITED STATES-CHINA ECONOMIC AND SECURITY REVIEW*
10 *COMMISSION*
11 *SALARIES AND EXPENSES*

12 *For necessary expenses of the United States-China*
13 *Economic and Security Review Commission, \$2,800,000,*
14 *including not more than \$5,000 for the purpose of official*
15 *representation, to remain available until September 30,*
16 *2007.*

17 *UNITED STATES SENATE-CHINA INTERPARLIAMENTARY*
18 *GROUP*
19 *SALARIES AND EXPENSES*

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

1 *UNITED STATES INSTITUTE OF PEACE*2 *OPERATING EXPENSES*

3 *For necessary expenses of the United States Institute*
4 *of Peace as authorized in the United States Institute of*
5 *Peace Act, \$21,850,000, to remain available until Sep-*
6 *tember 30, 2007.*

7 *RELATED AGENCY*8 *BROADCASTING BOARD OF GOVERNORS*9 *INTERNATIONAL BROADCASTING OPERATIONS*

10 *For expenses necessary to enable the Broadcasting*
11 *Board of Governors, as authorized, to carry out inter-*
12 *national communication activities, and to make and super-*
13 *viser grants for radio and television broadcasting to the Mid-*
14 *dle East, \$603,394,000: Provided, That of the total amount*
15 *in this heading, not to exceed \$16,000 may be used for offi-*
16 *cial receptions within the United States as authorized, not*
17 *to exceed \$35,000 may be used for representation abroad*
18 *as authorized, and not to exceed \$39,000 may be used for*
19 *official reception and representation expenses of Radio Free*
20 *Europe/Radio Liberty; and in addition, notwithstanding*
21 *any other provision of law, not to exceed \$2,000,000 in re-*
22 *ceipts from advertising and revenue from business ventures,*
23 *not to exceed \$500,000 in receipts from cooperating inter-*
24 *national organizations, and not to exceed \$1,000,000 in re-*
25 *ceipts from privatization efforts of the Voice of America and*

1 *the International Broadcasting Bureau, to remain avail-*
2 *able until expended for carrying out authorized purposes.*

3 *BROADCASTING TO CUBA*

4 *For necessary expenses to enable the Broadcasting*
5 *Board of Governors to carry out broadcasting to Cuba, in-*
6 *cluding the purchase, rent, construction, and improvement*
7 *of facilities for radio and television transmission and recep-*
8 *tion and purchase, lease, and installation of necessary*
9 *equipment for radio and television transmission and recep-*
10 *tion, \$37,656,000, to remain available until September 30,*
11 *2007.*

12 *BROADCASTING CAPITAL IMPROVEMENTS*

13 *For the purchase, rent, construction, and improvement*
14 *of facilities for radio transmission and reception, and pur-*
15 *chase and installation of necessary equipment for radio and*
16 *television transmission and reception as authorized,*
17 *\$10,893,000, to remain available until expended, as author-*
18 *ized.*

19 *TITLE II—EXPORT AND INVESTMENT*

20 *ASSISTANCE*

21 *EXPORT-IMPORT BANK OF THE UNITED STATES*

22 *INSPECTOR GENERAL OF THE EXPORT-IMPORT BANK*

23 *For necessary expenses of the Office of Inspector Gen-*
24 *eral in carrying out the provisions of the Inspector General*
25 *Act of 1978, as amended, \$1,000,000, to remain available*
26 *until September 30, 2007.*

1 *EXPORT-IMPORT BANK LOANS PROGRAM ACCOUNT*

2 *The Export-Import Bank of the United States is au-*
3 *thorized to make such expenditures within the limits of*
4 *funds and borrowing authority available to such corpora-*
5 *tion, and in accordance with law, and to make such con-*
6 *tracts and commitments without regard to fiscal year limi-*
7 *tations, as provided by section 104 of the Government Cor-*
8 *poration Control Act, as may be necessary in carrying out*
9 *the program for the current fiscal year for such corporation:*
10 *Provided, That none of the funds available during the cur-*
11 *rent fiscal year may be used to make expenditures, con-*
12 *tracts, or commitments for the export of nuclear equipment,*
13 *fuel, or technology to any country, other than a nuclear-*
14 *weapon state as defined in Article IX of the Treaty on the*
15 *Non-Proliferation of Nuclear Weapons eligible to receive*
16 *economic or military assistance under this Act, that has*
17 *detonated a nuclear explosive after the date of the enactment*
18 *of this Act: Provided further, That notwithstanding section*
19 *1(c) of Public Law 103-428, as amended, sections 1(a) and*
20 *(b) of Public Law 103-428 shall remain in effect through*
21 *October 1, 2006.*

22 *SUBSIDY APPROPRIATION*

23 *For the cost of direct loans, loan guarantees, insurance,*
24 *and tied-aid grants as authorized by section 10 of the Ex-*
25 *port-Import Bank Act of 1945, as amended, \$125,000,000,*
26 *to remain available until September 30, 2009: Provided,*

1 *That such costs, including the cost of modifying such loans,*
2 *shall be as defined in section 502 of the Congressional Budg-*
3 *et Act of 1974: Provided further, That such sums shall re-*
4 *main available until September 30, 2024, for the disburse-*
5 *ment of direct loans, loan guarantees, insurance and tied-*
6 *aid grants obligated in fiscal years 2006, 2007, 2008, and*
7 *2009: Provided further, That none of the funds appro-*
8 *priated by this Act or any prior Act appropriating funds*
9 *for foreign operations, export financing, and related pro-*
10 *grams for tied-aid credits or grants may be used for any*
11 *other purpose except through the regular notification proce-*
12 *dures of the Committees on Appropriations: Provided fur-*
13 *ther, That funds appropriated by this paragraph are made*
14 *available notwithstanding section 2(b)(2) of the Export-Im-*
15 *port Bank Act of 1945, in connection with the purchase*
16 *or lease of any product by any Eastern European country,*
17 *any Baltic State or any agency or national thereof.*

18 *ADMINISTRATIVE EXPENSES*

19 *For administrative expenses to carry out the direct*
20 *and guaranteed loan and insurance programs, including*
21 *hire of passenger motor vehicles and services as authorized*
22 *by 5 U.S.C. 3109, and not to exceed \$30,000 for official*
23 *reception and representation expenses for members of the*
24 *Board of Directors, \$73,200,000: Provided, That the Ex-*
25 *port-Import Bank may accept, and use, payment or services*
26 *provided by transaction participants for legal, financial,*

1 *or technical services in connection with any transaction for*
2 *which an application for a loan, guarantee or insurance*
3 *commitment has been made: Provided further, That, not-*
4 *withstanding subsection (b) of section 117 of the Export En-*
5 *hancement Act of 1992, subsection (a) thereof shall remain*
6 *in effect until October 1, 2006.*

7 *OVERSEAS PRIVATE INVESTMENT CORPORATION*

8 *NONCREDIT ACCOUNT*

9 *The Overseas Private Investment Corporation is au-*
10 *thorized to make, without regard to fiscal year limitations,*
11 *as provided by 31 U.S.C. 9104, such expenditures and com-*
12 *mitments within the limits of funds available to it and in*
13 *accordance with law as may be necessary: Provided, That*
14 *the amount available for administrative expenses to carry*
15 *out the credit and insurance programs (including an*
16 *amount for official reception and representation expenses*
17 *which shall not exceed \$35,000) shall not exceed*
18 *\$42,274,000: Provided further, That project-specific trans-*
19 *action costs, including direct and indirect costs incurred*
20 *in claims settlements, and other direct costs associated with*
21 *services provided to specific investors or potential investors*
22 *pursuant to section 234 of the Foreign Assistance Act of*
23 *1961, shall not be considered administrative expenses for*
24 *the purposes of this heading.*

1 *PROGRAM ACCOUNT*

2 *For the cost of direct and guaranteed loans,*
3 *\$20,276,000, as authorized by section 234 of the Foreign*
4 *Assistance Act of 1961, to be derived by transfer from the*
5 *Overseas Private Investment Corporation Non-Credit Ac-*
6 *count: Provided, That such costs, including the cost of modi-*
7 *fying such loans, shall be as defined in section 502 of the*
8 *Congressional Budget Act of 1974: Provided further, That*
9 *such sums shall be available for direct loan obligations and*
10 *loan guaranty commitments incurred or made during fiscal*
11 *years 2006 and 2007: Provided further, That such sums*
12 *shall remain available through fiscal year 2014 for the dis-*
13 *bursement of direct and guaranteed loans obligated in fiscal*
14 *year 2006, and through fiscal year 2015 for the disburse-*
15 *ment of direct and guaranteed loans obligated in fiscal year*
16 *2007: Provided further, That notwithstanding any other*
17 *provision of law, the Overseas Private Investment Corpora-*
18 *tion is authorized to undertake any program authorized by*
19 *title IV of the Foreign Assistance Act of 1961 in Iraq: Pro-*
20 *vided further, That funds made available pursuant to the*
21 *authority of the previous proviso shall be subject to the reg-*
22 *ular notification procedures of the Committees on Appro-*
23 *priations.*

24 *In addition, such sums as may be necessary for admin-*
25 *istrative expenses to carry out the credit program may be*

1 *derived from amounts available for administrative expenses*
2 *to carry out the credit and insurance programs in the Over-*
3 *seas Private Investment Corporation Noncredit Account*
4 *and merged with said account.*

5 *FUNDS APPROPRIATED TO THE PRESIDENT*

6 *TRADE AND DEVELOPMENT AGENCY*

7 *For necessary expenses to carry out the provisions of*
8 *section 661 of the Foreign Assistance Act of 1961,*
9 *\$50,900,000, to remain available until September 30, 2007.*

10 *TITLE III—BILATERAL ECONOMIC ASSISTANCE*

11 *FUNDS APPROPRIATED TO THE PRESIDENT*

12 *For expenses necessary to enable the President to carry*
13 *out the provisions of the Foreign Assistance Act of 1961,*
14 *and for other purposes, to remain available until September*
15 *30, 2006, unless otherwise specified herein, as follows:*

16 *UNITED STATES AGENCY FOR INTERNATIONAL*
17 *DEVELOPMENT*

18 *CHILD SURVIVAL AND HEALTH PROGRAMS FUND*
19 *(INCLUDING TRANSFER OF FUNDS)*

20 *For necessary expenses to carry out the provisions of*
21 *chapters 1 and 10 of part I of the Foreign Assistance Act*
22 *of 1961, for child survival, health, and family planning/*
23 *reproductive health activities, in addition to funds other-*
24 *wise available for such purposes, \$1,659,000,000, to remain*
25 *available until September 30, 2007: Provided, That this*
26 *amount shall be made available for such activities as: (1)*

1 *immunization programs; (2) oral rehydration programs;*
2 *(3) health, nutrition, water and sanitation programs which*
3 *directly address the needs of mothers and children, and re-*
4 *lated education programs; (4) assistance for children dis-*
5 *placed or orphaned by causes other than AIDS; (5) pro-*
6 *grams for the prevention, treatment, control of, and research*
7 *on HIV/AIDS, tuberculosis, polio, malaria, and other infec-*
8 *tious diseases, and for assistance to communities severely*
9 *affected by HIV/AIDS, including children displaced or or-*
10 *phaned by AIDS; and (6) family planning/reproductive*
11 *health: Provided further, That none of the funds appro-*
12 *priated under this heading may be made available for non-*
13 *project assistance, except that funds may be made available*
14 *for such assistance for ongoing health activities: Provided*
15 *further, That of the funds appropriated under this heading,*
16 *not to exceed \$350,000, in addition to funds otherwise*
17 *available for such purposes, may be used to monitor and*
18 *provide oversight of child survival, maternal and family*
19 *planning/reproductive health, and infectious disease pro-*
20 *grams: Provided further, That the following amounts should*
21 *be allocated as follows: \$375,000,000 for child survival and*
22 *maternal health; \$30,000,000 for vulnerable children;*
23 *\$350,000,000 for HIV/AIDS including not less than*
24 *\$42,000,000 to support the development of microbicides as*
25 *a means for combating HIV/AIDS; \$285,000,000 for other*

1 *infectious diseases; and \$369,000,000 for family planning/
2 reproductive health, including in areas where population
3 growth threatens biodiversity or endangered species: Pro-
4 vided further, That of the funds appropriated under this
5 heading, and in addition to funds allocated under the pre-
6 vious proviso, not less than \$250,000,000 shall be made
7 available, notwithstanding any other provision of law, ex-
8 cept for the United States Leadership Against HIV/AIDS,
9 Tuberculosis and Malaria Act of 2003 (Public Law 108-
10 25), for a United States contribution to the Global Fund
11 to Fight AIDS, Tuberculosis and Malaria (the “Global
12 Fund”), and shall be expended at the minimum rate nec-
13 essary to make timely payment for projects and activities:
14 Provided further, That up to 5 percent of the aggregate
15 amount of funds made available to the Global Fund in fis-
16 cal year 2006 may be made available to the United States
17 Agency for International Development for technical assist-
18 ance related to the activities of the Global Fund: Provided
19 further, That of the funds appropriated under this heading
20 that are available for HIV/AIDS programs and activities,
21 not less than \$35,000,000 should be made available for the
22 International AIDS Vaccine Initiative: Provided further,
23 That of the funds appropriated under this heading,
24 \$70,000,000 should be made available for a United States
25 contribution to The Vaccine Fund, and up to \$6,000,000*

1 *may be transferred to and merged with funds appropriated*
2 *by this Act under the heading “Operating Expenses of the*
3 *United States Agency for International Development” for*
4 *costs directly related to international health, but funds*
5 *made available for such costs may not be derived from*
6 *amounts made available for contribution under this and*
7 *preceding provisos: Provided further, That restrictions with*
8 *respect to assistance provided with funds appropriated by*
9 *this Act for HIV/AIDS, family planning, or child survival*
10 *and health activities shall not be construed to restrict assist-*
11 *ance in support of programs to expand the availability and*
12 *use of condoms for HIV/AIDS prevention and of contracep-*
13 *tives to reduce the incidence of abortion: Provided further,*
14 *That none of the funds made available in this Act nor any*
15 *unobligated balances from prior appropriations may be*
16 *made available to any organization or program which, as*
17 *determined by the President of the United States, directly*
18 *supports coercive abortion or involuntary sterilization: Pro-*
19 *vided further, That the previous proviso shall not be con-*
20 *strued to deny funding to any organization or program*
21 *solely because the government of a country engages in coer-*
22 *cive abortion or involuntary sterilization: Provided further,*
23 *That none of the funds made available under this Act may*
24 *be used to pay for the performance of abortion as a method*
25 *of family planning or to motivate or coerce any person to*

1 *practice abortions: Provided further, That nothing in this*
2 *paragraph shall be construed to alter any existing statutory*
3 *prohibitions against abortion under section 104 of the For-*
4 *ign Assistance Act of 1961: Provided further, That none*
5 *of the funds made available under this Act may be used*
6 *to lobby for or against abortion: Provided further, That in*
7 *order to reduce reliance on abortion in developing nations,*
8 *funds shall be available only to voluntary family planning*
9 *projects which offer, either directly or through referral to,*
10 *or information about access to, a broad range of family*
11 *planning methods and services, and that any such vol-*
12 *untary family planning project shall meet the following re-*
13 *quirements: (1) service providers or referral agents in the*
14 *project shall not implement or be subject to quotas, or other*
15 *numerical targets, of total number of births, number of fam-*
16 *ily planning acceptors, or acceptors of a particular method*
17 *of family planning (this provision shall not be construed*
18 *to include the use of quantitative estimates or indicators*
19 *for budgeting and planning purposes); (2) the project shall*
20 *not include payment of incentives, bribes, gratuities, or fi-*
21 *nancial reward to: (A) an individual in exchange for be-*
22 *coming a family planning acceptor; or (B) program per-*
23 *sonnel for achieving a numerical target or quota of total*
24 *number of births, number of family planning acceptors, or*
25 *acceptors of a particular method of family planning; (3)*

1 *the project shall not deny any right or benefit, including*
2 *the right of access to participate in any program of general*
3 *welfare or the right of access to health care, as a consequence*
4 *of any individual's decision not to accept family planning*
5 *services; (4) the project shall provide family planning ac-*
6 *ceptors comprehensible information on the health benefits*
7 *and risks of the method chosen, including those conditions*
8 *that might render the use of the method inadvisable and*
9 *those adverse side effects known to be consequent to the use*
10 *of the method; and (5) the project shall ensure that experi-*
11 *mental contraceptive drugs and devices and medical proce-*
12 *dures are provided only in the context of a scientific study*
13 *in which participants are advised of potential risks and*
14 *benefits; and, not less than 60 days after the date on which*
15 *the Administrator of the United States Agency for Inter-*
16 *national Development determines that there has been a vio-*
17 *lation of the requirements contained in paragraph (1), (2),*
18 *(3), or (5) of this proviso, or a pattern or practice of viola-*
19 *tions of the requirements contained in paragraph (4) of this*
20 *proviso, the Administrator shall submit to the Committees*
21 *on Appropriations a report containing a description of such*
22 *violation and the corrective action taken by the Agency:*
23 *Provided further, That in awarding grants for natural fam-*
24 *ily planning under section 104 of the Foreign Assistance*
25 *Act of 1961 no applicant shall be discriminated against be-*

1 *cause of such applicant's religious or conscientious commit-*
2 *ment to offer only natural family planning; and, addition-*
3 *ally, all such applicants shall comply with the requirements*
4 *of the previous proviso: Provided further, That for purposes*
5 *of this or any other Act authorizing or appropriating funds*
6 *for foreign operations, export financing, and related pro-*
7 *grams, the term "motivate", as it relates to family planning*
8 *assistance, shall not be construed to prohibit the provision,*
9 *consistent with local law, of information or counseling*
10 *about all pregnancy options: Provided further, That infor-*
11 *mation provided about the use of condoms as part of*
12 *projects or activities that are funded from amounts appro-*
13 *priated by this Act shall be medically accurate and shall*
14 *include the public health benefits and failure rates of such*
15 *use.*

16 *DEVELOPMENT ASSISTANCE*

17 *For necessary expenses to carry out the provisions of*
18 *sections 103, 105, 106, and 131, and chapter 10 of part*
19 *I of the Foreign Assistance Act of 1961, \$1,675,000,000, to*
20 *remain available until September 30, 2006: Provided, That*
21 *\$350,000,000 should be made available for basic education:*
22 *Provided further, That of the aggregate amount of the funds*
23 *appropriated by this Act that are made available for agri-*
24 *culture and rural development programs, \$40,000,000 shall*
25 *be made available for plant biotechnology research and de-*
26 *velopment: Provided further, That of the funds appro-*

1 *priated under this heading, not less than \$1,000,000 shall*
2 *be made available for support of the United States Tele-*
3 *communications Training Institute: Provided further, That*
4 *not less than \$2,300,000 shall be made available for core*
5 *support for the International Fertilizer Development Cen-*
6 *ter: Provided further, That of the funds appropriated under*
7 *this heading, not less than \$25,000,000 shall be made avail-*
8 *able for the American Schools and Hospitals Abroad pro-*
9 *gram: Provided further, That of the funds appropriated*
10 *under this heading, \$10,000,000 shall be made available for*
11 *cooperative development programs within the Office of Pri-*
12 *vate and Voluntary Cooperation: Provided further, That of*
13 *the funds appropriated under this heading, not less than*
14 *\$700,000 shall be made available to the nonprofit organiza-*
15 *tion that conducted the 2001 Micronutrient Compliance Re-*
16 *view to improve food aid product quality and nutrient de-*
17 *livery, and shall remain available until expended: Provided*
18 *further, That of the funds appropriated under this heading*
19 *that are made available for assistance programs for dis-*
20 *placed and orphaned children and victims of war, not to*
21 *exceed \$42,500, in addition to funds otherwise available for*
22 *such purposes, may be used to monitor and provide over-*
23 *sight of such programs: Provided further, That of the funds*
24 *appropriated under this heading, \$2,000,000 shall be made*
25 *available for the Doulos Foundation for programs in South*

1 *Asia: Provided further, That of the funds appropriated*
2 *under this heading, not less than \$20,000,000 shall be made*
3 *available for the Election and Political Processes Program*
4 *of the Office of Democracy and Governance, United States*
5 *Agency for International Development, of which not less*
6 *than \$18,000,000 shall be made available for democracy*
7 *grants: Provided further, That not less than \$5,000,000*
8 *should be made available for pilot programs to support ef-*
9 *forts to reduce the incidence of child marriage in developing*
10 *countries: Provided further, That of the funds appropriated*
11 *under this heading, not less than \$20,000,000 shall be made*
12 *available to develop clean water treatment activities in de-*
13 *veloping countries: Provided further, That of the funds ap-*
14 *propriated by this Act, not less than \$200,000,000 shall be*
15 *made available for drinking water supply projects and re-*
16 *lated activities, of which not less than \$50,000,000 should*
17 *be made available for programs in Africa.*

18 *INTERNATIONAL DISASTER AND FAMINE ASSISTANCE*

19 *For necessary expenses to carry out the provisions of*
20 *section 491 of the Foreign Assistance Act of 1961 for inter-*
21 *national disaster relief, rehabilitation, and reconstruction*
22 *assistance, \$400,000,000, to remain available until ex-*
23 *pended, of which \$20,000,000 should be for famine preven-*
24 *tion and relief.*

TRANSITION INITIATIVES

1
2 *For necessary expenses for international disaster reha-*
3 *bilitation and reconstruction assistance pursuant to section*
4 *491 of the Foreign Assistance Act of 1961, \$50,000,000, to*
5 *remain available until expended, to support transition to*
6 *democracy and to long-term development of countries in cri-*
7 *sis: Provided, That such support may include assistance to*
8 *develop, strengthen, or preserve democratic institutions and*
9 *processes, revitalize basic infrastructure, and foster the*
10 *peaceful resolution of conflict: Provided further, That the*
11 *United States Agency for International Development shall*
12 *submit a report to the Committees on Appropriations at*
13 *least 5 days prior to beginning a new program of assist-*
14 *ance: Provided further, That if the President determines*
15 *that is important to the national interests of the United*
16 *States to provide transition assistance in excess of the*
17 *amount appropriated under this heading, up to*
18 *\$15,000,000 of the funds appropriated by this Act to carry*
19 *out the provisions of part I of the Foreign Assistance Act*
20 *of 1961 may be used for purposes of this heading and under*
21 *the authorities applicable to funds appropriated under this*
22 *heading: Provided further, That funds made available pur-*
23 *suant to the previous proviso shall be made available subject*
24 *to prior consultation with the Committees on Appropria-*
25 *tions.*

1 *DEVELOPMENT CREDIT AUTHORITY*2 *(INCLUDING TRANSFER OF FUNDS)*

3 *For the cost of direct loans and loan guarantees pro-*
4 *vided by the United States Agency for International Devel-*
5 *opment, as authorized by sections 108 and 635 of the For-*
6 *ign Assistance Act of 1961, up to \$21,000,000 may be de-*
7 *rived by transfer from funds appropriated by this Act to*
8 *carry out part I of such Act and under the heading “Assist-*
9 *ance for Eastern Europe and the Baltic States”:* *Provided,*
10 *That such funds shall be made available only for micro and*
11 *small enterprise programs, urban programs, and other pro-*
12 *grams which further the purposes of part I of the Act: Pro-*
13 *vided further, That such costs, including the cost of modi-*
14 *fying such direct and guaranteed loans, shall be as defined*
15 *in section 502 of the Congressional Budget Act of 1974, as*
16 *amended: Provided further, That funds made available by*
17 *this paragraph may be used for the cost of modifying any*
18 *such guaranteed loans under this Act or prior Acts, and*
19 *funds used for such costs shall be subject to the regular noti-*
20 *fication procedures of the Committees on Appropriations:*
21 *Provided further, That the provisions of section 107A(d)*
22 *(relating to general provisions applicable to the Develop-*
23 *ment Credit Authority) of the Foreign Assistance Act of*
24 *1961, as contained in section 306 of H.R. 1486 as reported*
25 *by the House Committee on International Relations on May*
26 *9, 1997, shall be applicable to direct loans and loan guaran-*

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

5 *In addition, for administrative expenses to carry out*
6 *credit programs administered by the United States Agency*
7 *for International Development, \$8,000,000, which may be*
8 *transferred to and merged with the appropriation for Oper-*
9 *ating Expenses of the United States Agency for Inter-*
10 *national Development: Provided, That funds made avail-*
11 *able under this heading shall remain available until Sep-*
12 *tember 30, 2007.*

13 *PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND*
14 *DISABILITY FUND*

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

18 *OPERATING EXPENSES OF THE UNITED STATES AGENCY*
19 *FOR INTERNATIONAL DEVELOPMENT*

20 *For necessary expenses to carry out the provisions of*
21 *section 667 of the Foreign Assistance Act of 1961,*
22 *\$620,000,000, of which up to \$25,000,000 may remain*
23 *available until September 30, 2007: Provided, That none*
24 *of the funds appropriated under this heading and under*
25 *the heading “Capital Investment Fund” may be made*
26 *available to finance the construction (including architect*

1 *and engineering services), purchase, or long-term lease of*
2 *offices for use by the United States Agency for International*
3 *Development, unless the Administrator has identified such*
4 *proposed construction (including architect and engineering*
5 *services), purchase, or long-term lease of offices in a report*
6 *submitted to the Committees on Appropriations at least 15*
7 *days prior to the obligation of these funds for such purposes:*
8 *Provided further, That the previous proviso shall not apply*
9 *where the total cost of construction (including architect and*
10 *engineering services), purchase, or long-term lease of offices*
11 *does not exceed \$1,000,000: Provided further, That contracts*
12 *or agreements entered into with funds appropriated under*
13 *this heading may entail commitments for the expenditure*
14 *of such funds through fiscal year 2007: Provided further,*
15 *That of the funds appropriated under this heading, not less*
16 *than \$36,600,000 shall be made available for operations in*
17 *Iraq and Afghanistan: Provided further, That none of the*
18 *funds in this Act may be used to open a new overseas mis-*
19 *sion of the United States Agency for International Develop-*
20 *ment without the prior written notification of the Commit-*
21 *tees on Appropriations: Provided further, That the author-*
22 *ity of sections 610 and 109 of the Foreign Assistance Act*
23 *of 1961 may be exercised by the Secretary of State to trans-*
24 *fer funds appropriated to carry out chapter 1 of part I of*
25 *such Act to “Operating Expenses of the United States Agen-*

1 *cy for International Development” in accordance with the*
2 *provisions of those sections.*

3 *CAPITAL INVESTMENT FUND*

4 *For necessary expenses for overseas construction and*
5 *related costs, and for the procurement and enhancement of*
6 *information technology and related capital investments,*
7 *pursuant to section 667 of the Foreign Assistance Act of*
8 *1961, \$77,700,000, to remain available until expended: Pro-*
9 *vided, That this amount is in addition to funds otherwise*
10 *available for such purposes: Provided further, That funds*
11 *appropriated under this heading shall be available for obli-*
12 *gation only pursuant to the regular notification procedures*
13 *of the Committees on Appropriations: Provided further,*
14 *That of the funds appropriated under this heading, not to*
15 *exceed \$19,709,000 may be made available for the purposes*
16 *of implementing the Capital Security Cost Sharing Pro-*
17 *gram.*

18 *OPERATING EXPENSES OF THE UNITED STATES AGENCY*
19 *FOR INTERNATIONAL DEVELOPMENT OFFICE OF IN-*
20 *SPECTOR GENERAL*

21 *For necessary expenses to carry out the provisions of*
22 *section 667 of the Foreign Assistance Act of 1961,*
23 *\$36,000,000, to remain available until September 30, 2007,*
24 *which sum shall be available for the Office of the Inspector*
25 *General of the United States Agency for International De-*
26 *velopment.*

1 *OTHER BILATERAL ECONOMIC ASSISTANCE*2 *ECONOMIC SUPPORT FUND*

3 *For necessary expenses to carry out the provisions of*
4 *chapter 4 of part II, \$3,036,375,000, to remain available*
5 *until September 30, 2007: Provided, That of the funds ap-*
6 *propriated under this heading, not less than \$240,000,000*
7 *shall be available only for Israel, which sum shall be avail-*
8 *able on a grant basis as a cash transfer and shall be dis-*
9 *bursed within 30 days of the enactment of this Act: Pro-*
10 *vided further, That not less than \$495,000,000 shall be*
11 *available only for Egypt, which sum shall be provided on*
12 *a grant basis, and of which sum cash transfer assistance*
13 *shall be provided with the understanding that Egypt will*
14 *undertake significant economic and political reforms which*
15 *are additional to those which were undertaken in previous*
16 *fiscal years: Provided further, That with respect to the pro-*
17 *vision of assistance for Egypt for democracy and govern-*
18 *ance activities, the organizations implementing such assist-*
19 *ance and the specific nature of that assistance shall not be*
20 *subject to the prior approval by the Government of Egypt:*
21 *Provided further, That of the funds appropriated under this*
22 *heading for assistance for Egypt, not less than \$35,000,000*
23 *shall be made available for democracy and governance pro-*
24 *grams and not less than \$5,000,000 shall be made available*
25 *for scholarships for disadvantaged Egyptian students to at-*

1 *tend the American University in Cairo: Provided further,*
2 *That of the funds appropriated under this heading for as-*
3 *sistance for Egypt for economic reform activities,*
4 *\$227,600,000 shall be withheld from obligation until the*
5 *Secretary of State determines and reports to the Committees*
6 *on Appropriations that Egypt has met the calendar year*
7 *2005 benchmarks accompanying the “Financial Sector Re-*
8 *form Memorandum of Understanding” dated March 20,*
9 *2005, and that Egypt has agreed to the installation of an*
10 *FM transmitter in Media City for Radio SAWA: Provided*
11 *further, That of the funds appropriated under this heading,*
12 *not less than \$2,500,000 should be made available for tech-*
13 *nical assistance for countries to implement and enforce the*
14 *Kimberley Process Certification Scheme: Provided further,*
15 *That in exercising the authority to provide cash transfer*
16 *assistance for Israel, the President shall ensure that the level*
17 *of such assistance does not cause an adverse impact on the*
18 *total level of nonmilitary exports from the United States*
19 *to such country and that Israel enters into a side letter*
20 *agreement in an amount proportional to the fiscal year*
21 *1999 agreement: Provided further, That of the funds appro-*
22 *priated under this heading, not less than \$250,000,000*
23 *should be made available only for assistance for Jordan:*
24 *Provided further, That of the funds appropriated under this*
25 *heading, \$120,000,000 shall be made available for the “Mid-*

1 *dle East Partnership Initiative’’: Provided further, That*
2 *\$35,000,000 of the funds appropriated under this heading*
3 *shall be made available for assistance for Lebanon, of which*
4 *not less than \$4,000,000 should be made available for schol-*
5 *arships and direct support of American educational institu-*
6 *tions in Lebanon: Provided further, That funds appro-*
7 *priated under this heading may be made available for Cy-*
8 *prus only for scholarships, administrative support of the*
9 *scholarship program, bicommunal projects, measures aimed*
10 *at reunification of the island, and activities to reduce ten-*
11 *sions and promote peace and cooperation between the two*
12 *communities on Cyprus: Provided further, That of the funds*
13 *appropriated under this heading, not less than \$35,000,000*
14 *shall be made available for assistance for the Philippines:*
15 *Provided further, That of the funds appropriated under this*
16 *heading, not less than \$22,000,000 shall be made available*
17 *for assistance for the Democratic Republic of Timor-Leste,*
18 *of which up to \$1,000,000 may be available for administra-*
19 *tive expenses of the United States Agency for International*
20 *Development: Provided further, That of the funds appro-*
21 *priated under this heading, not less than \$10,000,000*
22 *should be made available for democracy programs and ac-*
23 *tivities in Ethiopia: Provided further, That of the funds ap-*
24 *propriated under this heading, not less than \$2,000,000*
25 *should be made available for East Asia and Pacific Envi-*

1 *ronment Initiatives: Provided further, That prior to the ob-*
2 *ligation of funds appropriated under this heading for as-*
3 *sistance for the Central Government of Pakistan, the Sec-*
4 *retary of State shall submit a report to the Committees on*
5 *Appropriations describing steps taken in the previous six*
6 *months by the Government of Pakistan to protect the rights*
7 *and safety of Pakistani human rights defenders: Provided*
8 *further, That of the funds appropriated under this heading,*
9 *\$3,000,000 shall be made available for the Foundation for*
10 *Security and Sustainability: Provided further, That not-*
11 *withstanding any other provision of law, \$4,000,000 shall*
12 *be made available for programs and activities for the Cen-*
13 *tral Highlands of Vietnam: Provided further, That of the*
14 *funds appropriated under this heading, \$2,000,000 shall be*
15 *made available for economic development programs con-*
16 *ducted by Indonesian universities: Provided further, That*
17 *of the funds appropriated under this heading, \$5,000,000*
18 *shall be made available for democracy and media programs*
19 *in Thailand: Provided further, That of the funds appro-*
20 *priated under this heading, \$10,000,000 shall be made*
21 *available to continue to support the provision of wheelchairs*
22 *for needy persons in developing countries: Provided further,*
23 *That funds appropriated under this heading that are made*
24 *available for a Middle East Financing Facility, Middle*
25 *East Enterprise Fund, or any other similar entity in the*

1 *Middle East shall be subject to the regular notification pro-*
2 *cedures of the Committees on Appropriations: Provided fur-*
3 *ther, That of the funds appropriated under this heading,*
4 *not less than \$4,000,000 shall be made available for the Of-*
5 *fice of the United Nations High Commissioner for Human*
6 *Rights in Nepal: Provided further, That with respect to*
7 *funds appropriated under this heading in this Act or prior*
8 *Acts making appropriations for foreign operations, export*
9 *financing, and related programs, the responsibility for pol-*
10 *icy decisions and justifications for the use of such funds,*
11 *including whether there will be a program for a country*
12 *that uses those funds and the amount of each such program,*
13 *shall be the responsibility of the Secretary of State and the*
14 *Deputy Secretary of State and this responsibility shall not*
15 *be delegated.*

16 *ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC*
17 *STATES*

18 *(a) For necessary expenses to carry out the provisions*
19 *of the Foreign Assistance Act of 1961 and the Support for*
20 *East European Democracy (SEED) Act of 1989,*
21 *\$395,000,000, to remain available until September 30,*
22 *2007, which shall be available, notwithstanding any other*
23 *provision of law, for assistance and for related programs*
24 *for Eastern Europe and the Baltic States: Provided, That*
25 *of the funds appropriated under this heading \$3,500,000*
26 *shall be made available for leadership development pro-*

1 *grams for women and youth and \$5,000,000 shall be made*
2 *available for rule of law programs for the training of judges.*

3 *(b) Funds appropriated under this heading shall be*
4 *considered to be economic assistance under the Foreign As-*
5 *sistance Act of 1961 for purposes of making available the*
6 *administrative authorities contained in that Act for the use*
7 *of economic assistance.*

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

20 *(d) The President is authorized to withhold funds ap-*
21 *propriated under this heading made available for economic*
22 *revitalization programs in Bosnia and Herzegovina, if he*
23 *determines and certifies to the Committees on Appropria-*
24 *tions that the Federation of Bosnia and Herzegovina has*
25 *not complied with article III of annex 1–A of the General*

1 *Framework Agreement for Peace in Bosnia and*
2 *Herzegovina concerning the withdrawal of foreign forces,*
3 *and that intelligence cooperation on training, investiga-*
4 *tions, and related activities between state sponsors of ter-*
5 *rorism and terrorist organizations and Bosnian officials*
6 *has not been terminated.*

7 *ASSISTANCE FOR THE INDEPENDENT STATES OF THE*
8 *FORMER SOVIET UNION*

9 *(a) For necessary expenses to carry out the provisions*
10 *of chapters 11 and 12 of part I of the Foreign Assistance*
11 *Act of 1961 and the FREEDOM Support Act, for assistance*
12 *for the Independent States of the former Soviet Union and*
13 *for related programs, \$565,000,000, to remain available*
14 *until September 30, 2007: Provided, That the provisions of*
15 *such chapters shall apply to funds appropriated by this*
16 *paragraph: Provided further, That funds made available for*
17 *the Southern Caucasus region may be used, notwith-*
18 *standing any other provision of law, for confidence-building*
19 *measures and other activities in furtherance of the peaceful*
20 *resolution of the regional conflicts, especially those in the*
21 *vicinity of Abkhazia and Nagorno-Karabagh: Provided fur-*
22 *ther, That of the funds appropriated under this heading,*
23 *\$6,500,000 should be available only to meet the health and*
24 *other assistance needs of victims of trafficking in persons:*
25 *Provided further, That of the funds appropriated under this*
26 *heading, not less than \$5,000,000 shall be made available*

1 *to the National Endowment for Democracy for political*
2 *party development programs in Russia: Provided further,*
3 *That, notwithstanding any other provision of law, funds*
4 *appropriated under this heading in this Act or prior Acts*
5 *making appropriations for foreign operations, export fi-*
6 *nancing, and related programs, that are made available*
7 *pursuant to the provisions of section 807 of Public Law*
8 *102–511 shall be subject to a 6 percent ceiling on adminis-*
9 *trative expenses.*

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

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

18 *(d)(1) Of the funds appropriated under this heading*
19 *that are allocated for assistance for the Government of the*
20 *Russian Federation, 60 percent shall be withheld from obli-*
21 *gation until the President determines and certifies in writ-*
22 *ing to the Committees on Appropriations that the Govern-*
23 *ment of the Russian Federation—*

24 *(A) has terminated implementation of arrange-*
25 *ments to provide Iran with technical expertise, train-*

1 *ing, technology, or equipment necessary to develop a*
2 *nuclear reactor, related nuclear research facilities or*
3 *programs, or ballistic missile capability; and*

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

8 *(2) Paragraph (1) shall not apply to—*

9 *(A) assistance to combat infectious diseases, child*
10 *survival activities, or assistance for victims of traf-*
11 *ficking in persons; and*

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

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

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

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

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

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

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

11 (6) humanitarian assistance.

12 INDEPENDENT AGENCIES

13 INTER-AMERICAN FOUNDATION

14 For necessary expenses to carry out the functions of
15 the Inter-American Foundation in accordance with the pro-
16 visions of section 401 of the Foreign Assistance Act of 1969,
17 \$20,000,000, to remain available until September 30, 2007.

18 AFRICAN DEVELOPMENT FOUNDATION

19 For necessary expenses to carry out title V of the Inter-
20 national Security and Development Cooperation Act of
21 1980, Public Law 96–533, \$25,000,000, to remain available
22 until September 30, 2007: Provided, That funds made
23 available to grantees may be invested pending expenditure
24 for project purposes when authorized by the board of direc-
25 tors of the Foundation: Provided further, That interest
26 earned shall be used only for the purposes for which the

1 *grant was made: Provided further, That notwithstanding*
2 *section 505(a)(2) of the African Development Foundation*
3 *Act, in exceptional circumstances the board of directors of*
4 *the Foundation may waive the \$250,000 limitation con-*
5 *tained in that section with respect to a project: Provided*
6 *further, That the Foundation shall provide a report to the*
7 *Committees on Appropriations after each time such waiver*
8 *authority is exercised.*

9 *PEACE CORPS*

10 *(INCLUDING TRANSFER OF FUNDS)*

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

24 *MILLENNIUM CHALLENGE CORPORATION*

25 *For necessary expenses for the “Millennium Challenge*
26 *Corporation”, \$1,800,000,000, to remain available until ex-*

1 *pending: Provided, That of the funds appropriated under*
2 *this heading, up to \$70,000,000 may be available for ad-*
3 *ministrative expenses of the Millennium Challenge Corpora-*
4 *tion: Provided further, That up to 10 percent of the funds*
5 *appropriated under this heading may be made available to*
6 *carry out the purposes of section 616 of the Millennium*
7 *Challenge Act of 2003 for candidate countries for fiscal year*
8 *2006: Provided further, That none of the funds available*
9 *to carry out section 616 of such Act may be made available*
10 *until the Chief Executive Officer of the Millennium Chal-*
11 *lenge Corporation provides a report to the Committees on*
12 *Appropriations listing the candidate countries that will be*
13 *receiving assistance under section 616 of such Act, the level*
14 *of assistance proposed for each such country, a description*
15 *of the proposed programs, projects and activities, and the*
16 *implementing agency or agencies of the United States Gov-*
17 *ernment: Provided further, That section 605(e)(4) of the*
18 *Millennium Challenge Act of 2003 shall apply to funds ap-*
19 *propriated under this heading: Provided further, That*
20 *funds appropriated under this heading may be made avail-*
21 *able for a Millennium Challenge Compact entered into pur-*
22 *suant to section 609 of the Millennium Challenge Act of*
23 *2003 only if such Compact obligates, or contains a commit-*
24 *ment to obligate subject to the availability of funds and the*
25 *mutual agreement of the parties to the Compact to proceed,*

1 *the entire amount of the United States Government funding*
2 *anticipated for the duration of the Compact.*

3 *DEPARTMENT OF STATE*

4 *GLOBAL HIV/AIDS INITIATIVE*

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

19 *DEMOCRACY FUND*

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

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

14 *INTERNATIONAL NARCOTICS CONTROL AND LAW*
15 *ENFORCEMENT*

16 *For necessary expenses to carry out section 481 of the*
17 *Foreign Assistance Act of 1961, \$523,874,000, to remain*
18 *available until September 30, 2007: Provided, That during*
19 *fiscal year 2006, the Department of State may also use the*
20 *authority of section 608 of the Foreign Assistance Act of*
21 *1961, without regard to its restrictions, to receive excess*
22 *property from an agency of the United States Government*
23 *for the purpose of providing it to a foreign country under*
24 *chapter 8 of part I of that Act subject to the regular notifi-*
25 *cation procedures of the Committees on Appropriations:*
26 *Provided further, That the Secretary of State shall provide*

1 *to the Committees on Appropriations not later than 45 days*
2 *after the date of the enactment of this Act and prior to the*
3 *initial obligation of funds appropriated under this heading,*
4 *a report on the proposed uses of all funds under this head-*
5 *ing on a country-by-country basis for each proposed pro-*
6 *gram, project, or activity: Provided further, That of the*
7 *funds appropriated under this heading, not less than*
8 *\$16,000,000 shall be made available for training programs*
9 *and activities of the International Law Enforcement Acad-*
10 *emies: Provided further, That of the funds appropriated*
11 *under this heading, not less than \$1,500,000 shall be made*
12 *available for police training in the Republic of Timor-Leste:*
13 *Provided further, That of the funds appropriated under this*
14 *heading, not more than \$30,000,000 may be available for*
15 *administrative expenses.*

16 *ANDEAN COUNTERDRUG INITIATIVE*

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

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

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

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

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

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

12 *MIGRATION AND REFUGEE ASSISTANCE*

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

1 *for administrative expenses: Provided further, That not less*
2 *than \$40,000,000 of the funds made available under this*
3 *heading shall be made available for refugees from the former*
4 *Soviet Union and Eastern Europe and other refugees reset-*
5 *ting in Israel: Provided further, That funds made available*
6 *under this heading should be made available for assistance*
7 *for refugees from North Korea: Provided further, That funds*
8 *appropriated under this heading may be made available for*
9 *a headquarters contribution to the International Committee*
10 *of the Red Cross only if the Secretary of State determines*
11 *(and so reports to the appropriate committees of Congress)*
12 *that the Magen David Adom Society of Israel is not being*
13 *denied participation in the activities of the International*
14 *Red Cross and Red Crescent Movement.*

15 *UNITED STATES EMERGENCY REFUGEE AND MIGRATION*

16 *ASSISTANCE FUND*

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

1 NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND
2 RELATED PROGRAMS

3 *For necessary expenses for nonproliferation, anti-ter-*
4 *rorism, demining and related programs and activities,*
5 *\$440,100,000, to carry out the provisions of chapter 8 of*
6 *part II of the Foreign Assistance Act of 1961 for anti-ter-*
7 *rorism assistance, chapter 9 of part II of the Foreign Assist-*
8 *ance Act of 1961, section 504 of the FREEDOM Support*
9 *Act, section 23 of the Arms Export Control Act or the For-*
10 *ign Assistance Act of 1961 for demining activities, the*
11 *clearance of unexploded ordnance, the destruction of small*
12 *arms, and related activities, notwithstanding any other*
13 *provision of law, including activities implemented through*
14 *nongovernmental and international organizations, and sec-*
15 *tion 301 of the Foreign Assistance Act of 1961 for a vol-*
16 *untary contribution to the International Atomic Energy*
17 *Agency (IAEA), and for a United States contribution to*
18 *the Comprehensive Nuclear Test Ban Treaty Preparatory*
19 *Commission: Provided, That of this amount not to exceed*
20 *\$37,500,000, to remain available until expended, may be*
21 *made available for the Nonproliferation and Disarmament*
22 *Fund, notwithstanding any other provision of law, to pro-*
23 *mote bilateral and multilateral activities relating to non-*
24 *proliferation and disarmament: Provided further, That*
25 *such funds may also be used for such countries other than*

1 *the Independent States of the former Soviet Union and*
2 *international organizations when it is in the national secu-*
3 *rity interest of the United States to do so: Provided further,*
4 *That funds appropriated under this heading may be made*
5 *available for the International Atomic Energy Agency only*
6 *if the Secretary of State determines (and so reports to the*
7 *Congress) that Israel is not being denied its right to partici-*
8 *pate in the activities of that Agency: Provided further, That*
9 *of the funds made available for demining and related activi-*
10 *ties, not to exceed \$705,000, in addition to funds otherwise*
11 *available for such purposes, may be used for administrative*
12 *expenses related to the operation and management of the*
13 *demining program: Provided further, That funds appro-*
14 *priated under this heading that are available for “Anti-ter-*
15 *rorism Assistance” and “Export Control and Border Secu-*
16 *rity” shall remain available until September 30, 2007.*

17 *CONFLICT RESPONSE FUND*

18 *For necessary expenses to assist in stabilizing and re-*
19 *constructing a country that is in, or is in transition from,*
20 *conflict or civil strife, \$74,000,000, to remain available*
21 *until expended: Provided, That funds available under this*
22 *paragraph may be used for assistance for a country only*
23 *if the Secretary of State determines and reports to the Com-*
24 *mittees on Appropriations that it is important to the na-*
25 *tional security interests of the United States to do so and*
26 *consults with the Committees on Appropriations prior to*

1 *making any such determination: Provided further, That the*
2 *President may exercise the authority of section 552 of the*
3 *Foreign Assistance Act of 1961, without regard and in ad-*
4 *dition to the dollar limitations contained in that section,*
5 *to furnish assistance under this heading with respect to any*
6 *country that is the subject of a determination made under*
7 *this heading: Provided further, That assistance furnished*
8 *under this heading for any country that is the subject of*
9 *a determination under this heading may be made available*
10 *notwithstanding any other provision of law: Provided fur-*
11 *ther, That the previous proviso shall not apply to section*
12 *6051 of this Act: Provided further, That the administrative*
13 *authorities of the Foreign Assistance Act of 1961 shall be*
14 *applicable to the funds and resources available under this*
15 *paragraph: Provided further, That up to an aggregate*
16 *amount of 5 percent of the funds appropriated under this*
17 *paragraph may be made available to United States Govern-*
18 *ment agencies for the administrative costs of such agencies*
19 *in implementing activities under this paragraph: Provided*
20 *further, That funds and resources available under this head-*
21 *ing shall be subject to the regular notification procedures*
22 *of the Committees on Appropriations except that such noti-*
23 *fication shall be transmitted at least 5 days in advance of*
24 *the obligation of funds.*

1 *DEPARTMENT OF THE TREASURY*
2 *INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE*

3 *For necessary expenses to carry out the provisions of*
4 *section 129 of the Foreign Assistance Act of 1961,*
5 *\$20,000,000, to remain available until September 30, 2007,*
6 *which shall be available notwithstanding any other provi-*
7 *sion of law.*

8 *DEBT RESTRUCTURING*

9 *For the cost, as defined in section 502 of the Congres-*
10 *sional Budget Act of 1974, of modifying loans and loan*
11 *guarantees, as the President may determine, for which*
12 *funds have been appropriated or otherwise made available*
13 *for programs within the International Affairs Budget Func-*
14 *tion 150, including the cost of selling, reducing, or canceling*
15 *amounts owed to the United States as a result of*
16 *concessional loans made to eligible countries, pursuant to*
17 *parts IV and V of the Foreign Assistance Act of 1961, of*
18 *modifying concessional credit agreements with least devel-*
19 *oped countries, as authorized under section 411 of the Agri-*
20 *cultural Trade Development and Assistance Act of 1954, as*
21 *amended, of concessional loans, guarantees and credit*
22 *agreements, as authorized under section 572 of the Foreign*
23 *Operations, Export Financing, and Related Programs Ap-*
24 *propriations Act, 1989 (Public Law 100–461), and of can-*
25 *celing amounts owed, as a result of loans or guarantees*
26 *made pursuant to the Export-Import Bank Act of 1945, by*

1 *countries that are eligible for debt reduction pursuant to*
2 *title V of H.R. 3425 as enacted into law by section*
3 *1000(a)(5) of Public Law 106–113, \$99,750,000, to remain*
4 *available until September 30, 2008: Provided, That not less*
5 *than \$20,000,000 of the funds appropriated under this*
6 *heading shall be made available to carry out the provisions*
7 *of part V of the Foreign Assistance Act of 1961: Provided*
8 *further, That up to \$75,000,000 of the funds appropriated*
9 *under this heading may be used by the Secretary of the*
10 *Treasury to pay to the Heavily Indebted Poor Countries*
11 *(HIPC) Trust Fund administered by the International*
12 *Bank for Reconstruction and Development amounts for the*
13 *benefit of countries that are eligible for debt reduction pur-*
14 *suant to title V of H.R. 3425 as enacted into law by section*
15 *1000(a)(5) of Public Law 106–113: Provided further, That*
16 *amounts paid to the HIPC Trust Fund may be used only*
17 *to fund debt reduction under the enhanced HIPC initiative*
18 *by—*

- 19 *(1) the Inter-American Development Bank;*
- 20 *(2) the African Development Fund;*
- 21 *(3) the African Development Bank; and*
- 22 *(4) the Central American Bank for Economic In-*
23 *tegration:*

24 *Provided further, That funds may not be paid to the HIPC*
25 *Trust Fund for the benefit of any country if the Secretary*

1 *of State has credible evidence that the government of such*
2 *country is engaged in a consistent pattern of gross viola-*
3 *tions of internationally recognized human rights or in mili-*
4 *tary or civil conflict that undermines its ability to develop*
5 *and implement measures to alleviate poverty and to devote*
6 *adequate human and financial resources to that end: Pro-*
7 *vided further, That on the basis of final appropriations, the*
8 *Secretary of the Treasury shall consult with the Committees*
9 *on Appropriations concerning which countries and inter-*
10 *national financial institutions are expected to benefit from*
11 *a United States contribution to the HIPC Trust Fund dur-*
12 *ing the fiscal year: Provided further, That the Secretary of*
13 *the Treasury shall inform the Committees on Appropria-*
14 *tions not less than 15 days in advance of the signature of*
15 *an agreement by the United States to make payments to*
16 *the HIPC Trust Fund of amounts for such countries and*
17 *institutions: Provided further, That the Secretary of the*
18 *Treasury may disburse funds designated for debt reduction*
19 *through the HIPC Trust Fund only for the benefit of coun-*
20 *tries that—*

21 (1) *have committed, for a period of 24 months,*
22 *not to accept new market-rate loans from the inter-*
23 *national financial institution receiving debt repay-*
24 *ment as a result of such disbursement, other than*
25 *loans made by such institutions to export-oriented*

1 *commercial projects that generate foreign exchange*
2 *which are generally referred to as “enclave” loans;*
3 *and*

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

10 *Provided further, That any limitation of subsection (e) of*
11 *section 411 of the Agricultural Trade Development and As-*
12 *sistance Act of 1954 shall not apply to funds appropriated*
13 *under this heading: Provided further, That none of the*
14 *funds made available under this heading in this or any*
15 *other appropriations Act shall be made available for Sudan*
16 *or Burma unless the Secretary of the Treasury determines*
17 *and notifies the Committees on Appropriations that a*
18 *democratically elected government has taken office: Pro-*
19 *vided further, That none of the funds appropriated under*
20 *this heading may be paid to the HIPC Trust Fund for the*
21 *benefit of any country that has accepted loans from an*
22 *international financial institution between such country’s*
23 *decision point and completion point: Provided further, That*
24 *the terms “decision point” and “completion point” shall*

1 *have the same meaning as defined by the International*
2 *Monetary Fund.*

3 *TITLE IV—MILITARY ASSISTANCE*

4 *FUNDS APPROPRIATED TO THE PRESIDENT*

5 *INTERNATIONAL MILITARY EDUCATION AND TRAINING*

6 *For necessary expenses to carry out the provisions of*
7 *section 541 of the Foreign Assistance Act of 1961,*
8 *\$86,744,000, of which up to \$3,000,000 may remain avail-*
9 *able until expended: Provided, That the civilian personnel*
10 *for whom military education and training may be provided*
11 *under this heading may include civilians who are not mem-*
12 *bers of a government whose participation would contribute*
13 *to improved civil-military relations, civilian control of the*
14 *military, or respect for human rights: Provided further,*
15 *That funds appropriated under this heading for military*
16 *education and training for Guatemala may only be avail-*
17 *able for expanded international military education and*
18 *training, and funds made available for Haiti, the Demo-*
19 *cratic Republic of the Congo, and Nigeria may only be pro-*
20 *vided through the regular notification procedures of the*
21 *Committees on Appropriations.*

22 *FOREIGN MILITARY FINANCING PROGRAM*

23 *(INCLUDING TRANSFER OF FUNDS)*

24 *For expenses necessary for grants to enable the Presi-*
25 *dent to carry out the provisions of section 23 of the Arms*
26 *Export Control Act, \$4,603,600,000: Provided, That of the*

1 *funds appropriated under this heading, not less than*
2 *\$2,280,000,000 shall be available for grants only for Israel:*
3 *Provided further, That the funds appropriated by this para-*
4 *graph for Israel shall be disbursed within 30 days of the*
5 *enactment of this Act: Provided further, That to the extent*
6 *that the Government of Israel requests that funds be used*
7 *for such purposes, grants made available for Israel by this*
8 *paragraph shall, as agreed by Israel and the United States,*
9 *be available for advanced weapons systems, of which not*
10 *less than \$595,000,000 shall be available for the procure-*
11 *ment in Israel of defense articles and defense services, in-*
12 *cluding research and development: Provided further, That*
13 *of the funds appropriated by this paragraph, \$206,000,000*
14 *shall be made available for assistance for Jordan: Provided*
15 *further, That of the funds appropriated by this paragraph,*
16 *\$10,000,000 shall be made available for assistance for Tuni-*
17 *sia: Provided further, That funds appropriated or otherwise*
18 *made available by this paragraph shall be nonrepayable*
19 *notwithstanding any requirement in section 23 of the Arms*
20 *Export Control Act: Provided further, That funds made*
21 *available under this paragraph shall be obligated upon ap-*
22 *portionment in accordance with paragraph (5)(C) of title*
23 *31, United States Code, section 1501(a).*

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

1 *cles, defense services, or design and construction services*
2 *that are not sold by the United States Government under*
3 *the Arms Export Control Act unless the foreign country pro-*
4 *posing to make such procurements has first signed an agree-*
5 *ment with the United States Government specifying the*
6 *conditions under which such procurements may be financed*
7 *with such funds: Provided, That all country and funding*
8 *level increases in allocations shall be submitted through the*
9 *regular notification procedures of section 6015 of this Act:*
10 *Provided further, That none of the funds appropriated*
11 *under this heading shall be available for assistance for*
12 *Sudan and Guatemala: Provided further, That none of the*
13 *funds appropriated under this heading may be made avail-*
14 *able for assistance for Haiti except pursuant to the regular*
15 *notification procedures of the Committees on Appropria-*
16 *tions: Provided further, That funds made available under*
17 *this heading may be used, notwithstanding any other provi-*
18 *sion of law, for demining, the clearance of unexploded ord-*
19 *nance, and related activities, and may include activities*
20 *implemented through nongovernmental and international*
21 *organizations: Provided further, That only those countries*
22 *for which assistance was justified for the “Foreign Military*
23 *Sales Financing Program” in the fiscal year 1989 congres-*
24 *sional presentation for security assistance programs may*
25 *utilize funds made available under this heading for procure-*

1 *ment of defense articles, defense services or design and con-*
2 *struction services that are not sold by the United States*
3 *Government under the Arms Export Control Act: Provided*
4 *further, That funds appropriated under this heading shall*
5 *be expended at the minimum rate necessary to make timely*
6 *payment for defense articles and services: Provided further,*
7 *That not more than \$42,500,000 of the funds appropriated*
8 *under this heading may be obligated for necessary expenses,*
9 *including the purchase of passenger motor vehicles for re-*
10 *placement only for use outside of the United States, for the*
11 *general costs of administering military assistance and sales:*
12 *Provided further, That not more than \$373,000,000 of funds*
13 *realized pursuant to section 21(e)(1)(A) of the Arms Export*
14 *Control Act may be obligated for expenses incurred by the*
15 *Department of Defense during fiscal year 2006 pursuant*
16 *to section 43(b) of the Arms Export Control Act, except that*
17 *this limitation may be exceeded only through the regular*
18 *notification procedures of the Committees on Appropria-*
19 *tions: Provided further, That foreign military financing*
20 *program funds estimated to be outlayed for Egypt during*
21 *fiscal year 2006 shall be transferred to an interest bearing*
22 *account for Egypt in the Federal Reserve Bank of New York*
23 *within 30 days of enactment of this Act.*

24 *PEACEKEEPING OPERATIONS*

25 *For necessary expenses to carry out the provisions of*
26 *section 551 of the Foreign Assistance Act of 1961,*

1 \$195,800,000: *Provided, That none of the funds appro-*
2 *priated under this heading shall be obligated or expended*
3 *except as provided through the regular notification proce-*
4 *dures of the Committees on Appropriations.*

5 *TITLE V—MULTILATERAL ECONOMIC*
6 *ASSISTANCE*

7 *FUNDS APPROPRIATED TO THE PRESIDENT*

8 *INTERNATIONAL FINANCIAL INSTITUTIONS*

9 *GLOBAL ENVIRONMENT FACILITY*

10 *For the United States contribution for the Global En-*
11 *vironment Facility, \$107,500,000 to the International Bank*
12 *for Reconstruction and Development as trustee for the Glob-*
13 *al Environment Facility (GEF), by the Secretary of the*
14 *Treasury, to remain available until expended: Provided,*
15 *That the GEF Council should approve a performance-based*
16 *allocation system.*

17 *CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT*

18 *ASSOCIATION*

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

22 *CONTRIBUTION TO THE MULTILATERAL INVESTMENT*

23 *GUARANTEE AGENCY*

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

1 *LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS*

2 *The United States Governor of the Multilateral Invest-*
3 *ment Guarantee Agency may subscribe without fiscal year*
4 *limitation to the callable capital portion of the United*
5 *States share of such capital in an amount not to exceed*
6 *\$8,127,000.*

7 *CONTRIBUTION TO THE INTER-AMERICAN INVESTMENT*

8 *CORPORATION*

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

12 *CONTRIBUTION TO THE ENTERPRISE FOR THE AMERICAS*

13 *MULTILATERAL INVESTMENT FUND*

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

19 *CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND*

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

1 *CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK*

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

6 *LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS*

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

11 *CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND*

12 *For the United States contribution by the Secretary*
13 *of the Treasury to the increase in resources of the African*
14 *Development Fund, \$135,700,000, to remain available until*
15 *expended.*

16 *CONTRIBUTION TO THE EUROPEAN BANK FOR*17 *RECONSTRUCTION AND DEVELOPMENT*

18 *For payment to the European Bank for Reconstruction*
19 *and Development by the Secretary of the Treasury,*
20 *\$1,016,000 for the United States share of the paid-in por-*
21 *tion of the increase in capital stock, to remain available*
22 *until expended.*

23 *LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS*

24 *The United States Governor of the European Bank for*
25 *Reconstruction and Development may subscribe without fis-*
26 *cal year limitation to the callable capital portion of the*

1 *United States share of such capital stock in an amount not*
2 *to exceed \$2,250,000.*

3 *CONTRIBUTION TO THE INTERNATIONAL FUND FOR*
4 *AGRICULTURAL DEVELOPMENT*

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

9 *INTERNATIONAL ORGANIZATIONS AND PROGRAMS*

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

17 *TITLE VI—GENERAL PROVISIONS*

18 *COMPENSATION FOR UNITED STATES EXECUTIVE*

19 *DIRECTORS TO INTERNATIONAL FINANCIAL INSTITUTIONS*

20 *SEC. 6001. (a) No funds appropriated by this Act may*
21 *be made as payment to any international financial institu-*
22 *tion while the United States Executive Director to such in-*
23 *stitution is compensated by the institution at a rate which,*
24 *together with whatever compensation such Director receives*
25 *from the United States, is in excess of the rate provided*

1 *for an individual occupying a position at level IV of the*
2 *Executive Schedule under section 5315 of title 5, United*
3 *States Code, or while any alternate United States Director*
4 *to such institution is compensated by the institution at a*
5 *rate in excess of the rate provided for an individual occu-*
6 *pying a position at level V of the Executive Schedule under*
7 *section 5316 of title 5, United States Code.*

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

16 *RESTRICTIONS ON VOLUNTARY CONTRIBUTIONS TO UNITED*
17 *NATIONS AGENCIES*

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

24 *LIMITATION ON RESIDENCE EXPENSES*

25 *SEC. 6003. Of the funds appropriated or made avail-*
26 *able pursuant to this Act, not to exceed \$100,500 shall be*

1 *for official residence expenses of the United States Agency*
2 *for International Development during the current fiscal*
3 *year: Provided, That appropriate steps shall be taken to as-*
4 *sure that, to the maximum extent possible, United States-*
5 *owned foreign currencies are utilized in lieu of dollars.*

6 *LIMITATION ON EXPENSES*

7 *SEC. 6004. Of the funds appropriated or made avail-*
8 *able pursuant to this Act, not to exceed \$5,000 shall be for*
9 *entertainment expenses of the United States Agency for*
10 *International Development during the current fiscal year.*

11 *LIMITATION ON REPRESENTATIONAL ALLOWANCES*

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

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

16 *PROHIBITION ON TAXATION OF UNITED STATES*

17 *ASSISTANCE*

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

1 *existing bilateral agreements, as necessary, to conform with*
2 *this requirement.*

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

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

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

1 (e) *DETERMINATIONS.*—

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

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

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

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

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

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

22 (1) *the terms “taxes” and “taxation” refer to*
23 *value added taxes and customs duties imposed on*
24 *commodities financed with United States assistance*

1 *for programs for which funds are appropriated by*
2 *this Act; and*

3 (2) *the term “bilateral agreement” refers to a*
4 *framework bilateral agreement between the Govern-*
5 *ment of the United States and the government of the*
6 *country receiving assistance that describes the privi-*
7 *leges and immunities applicable to United States for-*
8 *oreign assistance for such country generally, or an indi-*
9 *vidual agreement between the Government of the*
10 *United States and such government that describes,*
11 *among other things, the treatment for tax purposes*
12 *that will be accorded the United States assistance*
13 *provided under that agreement.*

14 *PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN*
15 *COUNTRIES*

16 *SEC. 6007. None of the funds appropriated or other-*
17 *wise made available pursuant to this Act shall be obligated*
18 *or expended to finance directly any assistance or repara-*
19 *tions to Cuba, Libya, North Korea, Iran, or Syria: Pro-*
20 *vided, That for purposes of this section, the prohibition on*
21 *obligations or expenditures shall include direct loans, cred-*
22 *its, insurance and guarantees of the Export-Import Bank*
23 *or its agents.*

24 *MILITARY COUPS*

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 pro-*
25 *hibit—*

- 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 *vate 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-*

1 *ganizations: Provided further, That of the funds made*
2 *available pursuant to this section, up to \$6,000,000 should*
3 *be available for a National Emergency Response and Pre-*
4 *paredness System, to include the development of an Emer-*
5 *gency Operations Center: Provided further, That to the*
6 *maximum extent practicable members of the Afghan Na-*
7 *tional Army should be vetted for involvement in terrorism,*
8 *human rights violations, and drug trafficking: Provided*
9 *further, That of the funds allocated for assistance for Af-*
10 *ghanistan by this Act not less than \$10,000,000 shall be*
11 *made available for grants to support training and equip-*
12 *ment to improve the capacity of women-led Afghan non-*
13 *governmental organizations and to support the activities of*
14 *such organizations.*

15 *NOTIFICATION ON EXCESS DEFENSE EQUIPMENT*

16 *SEC. 6024. Prior to providing excess Department of*
17 *Defense articles in accordance with section 516(a) of the*
18 *Foreign Assistance Act of 1961, the Department of Defense*
19 *shall notify the Committees on Appropriations to the same*
20 *extent and under the same conditions as are other commit-*
21 *tees pursuant to subsection (f) of that section: Provided,*
22 *That before issuing a letter of offer to sell excess defense arti-*
23 *cles under the Arms Export Control Act, the Department*
24 *of Defense shall notify the Committees on Appropriations*
25 *in accordance with the regular notification procedures of*
26 *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 *motated 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 *nomics 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 *mmercial 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-*

1 *nation of the Arab League boycott of Israel, including*
2 *those to encourage allies and trading partners of the*
3 *United States to enact laws prohibiting businesses*
4 *from complying with the boycott and penalizing busi-*
5 *nesses that do comply.*

6 *ELIGIBILITY FOR ASSISTANCE*

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 *ication 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 *icial 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.*

1 *LIMITATION ON ASSISTANCE TO THE PALESTINIAN*2 *AUTHORITY*

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

8 ***(b) WAIVER.—****The prohibition included in subsection*
9 *(a) shall not apply if the President certifies in writing to*
10 *the Speaker of the House of Representatives and the Presi-*
11 *dent pro tempore of the Senate that waiving such prohibi-*
12 *tion is important to the national security interests of the*
13 *United States.*

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

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

1 *LIMITATION ON ASSISTANCE TO SECURITY FORCES*

2 *SEC. 6051. None of the funds made available by this*
3 *Act for assistance may be provided to any unit of the secu-*
4 *rity forces of a foreign country if the Secretary of State*
5 *has credible evidence that such unit has committed gross*
6 *violations of human rights, unless the Secretary determines*
7 *and reports to the Committees on Appropriations that the*
8 *government of such country is taking effective measures to*
9 *bring the responsible members of the security forces unit*
10 *to justice: Provided, That nothing in this section shall be*
11 *construed to withhold funds made available by this Act from*
12 *any unit of the security forces of a foreign country not*
13 *credibly alleged to be involved in gross violations of human*
14 *rights: Provided further, That in the event that funds are*
15 *withheld from any unit pursuant to this section, the Sec-*
16 *retary of State shall promptly inform the foreign govern-*
17 *ment of the basis for such action and shall, to the maximum*
18 *extent practicable, assist the foreign government in taking*
19 *effective measures to bring the responsible members of the*
20 *security forces to justice.*

21 *FOREIGN MILITARY TRAINING REPORT*

22 *SEC. 6052. The annual foreign military training re-*
23 *port required by section 656 of the Foreign Assistance Act*
24 *of 1961 shall be submitted by the Secretary of Defense and*
25 *the Secretary of State to the Committees on Appropriations*

1 *of the House of Representatives and the Senate by the date*
2 *specified in that section.*

3 *AUTHORIZATION REQUIREMENT*

4 *SEC. 6053. Funds appropriated by this Act, except*
5 *funds appropriated under the headings “Trade and Devel-*
6 *opment Agency”, “Overseas Private Investment Corpora-*
7 *tion”, and “Global HIV/AIDS Initiative”, may be obligated*
8 *and expended notwithstanding section 10 of Public Law*
9 *91–672 and section 15 of the State Department Basic Au-*
10 *thorities Act of 1956.*

11 *CAMBODIA*

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

15 *(2) Paragraph (1) shall not apply to assistance for*
16 *basic education, reproductive and maternal and child*
17 *health, cultural and historic preservation, programs for the*
18 *prevention, treatment, and control of, and research on,*
19 *HIV/AIDS, tuberculosis, malaria, polio and other infectious*
20 *diseases, development and implementation of legislation*
21 *and implementation of procedures on inter-country adop-*
22 *tions consistent with international standards, rule of law*
23 *programs, counternarcotics programs, programs to combat*
24 *human trafficking that are provided through nongovern-*
25 *mental organizations, anti-corruption programs, and for*

1 *the Ministry of Women and Veterans Affairs to combat*
2 *human trafficking.*

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

9 *(c) Funds appropriated by this Act to carry out provi-*
10 *sions of section 541 of the Foreign Assistance Act of 1961*
11 *may be made available notwithstanding subsection (a).*

12 *PALESTINIAN STATEHOOD*

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

18 *(1) a new leadership of a Palestinian governing*
19 *entity has been democratically elected through credible*
20 *and competitive elections;*

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

23 *(A) has demonstrated a firm commitment to*
24 *peaceful co-existence with the State of Israel;*

25 *(B) is taking appropriate measures to*
26 *counter terrorism and terrorist financing in the*

1 *West Bank and Gaza, including the dismantling*
2 *of terrorist infrastructures;*

3 *(C) is establishing a new Palestinian secu-*
4 *rity entity that is cooperative with appropriate*
5 *Israeli and other appropriate security organiza-*
6 *tions; and*

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

15 *(A) termination of all claims or states of*
16 *belligerency;*

17 *(B) respect for and acknowledgement of the*
18 *sovereignty, territorial integrity, and political*
19 *independence of every state in the area through*
20 *measures including the establishment of demili-*
21 *tarized zones;*

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

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

3 (E) a framework for achieving a just settle-
4 ment of the refugee problem.

5 (b) *SENSE OF CONGRESS*.—*It is the sense of Congress*
6 *that the newly-elected governing entity should enact a con-*
7 *stitution assuring the rule of law, an independent judici-*
8 *ary, and respect for human rights for its citizens, and*
9 *should enact other laws and regulations assuring trans-*
10 *parent and accountable governance.*

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

14 (d) *EXEMPTION*.—*The restriction in subsection (a)*
15 *shall not apply to assistance intended to help reform the*
16 *Palestinian Authority and affiliated institutions, or a*
17 *newly-elected governing entity, in order to help meet the*
18 *requirements of subsection (a), consistent with the provi-*
19 *sions of section 6050 of this Act (“Limitation on Assistance*
20 *to the Palestinian Authority”).*

21 COLOMBIA

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

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

4 (2) *Up to 12.5 percent of such funds may be obli-*
5 *gated only after the Secretary of State certifies and*
6 *reports to the appropriate congressional committees*
7 *that:*

8 (A) *The Commander General of the Colom-*
9 *bian Armed Forces is suspending from the*
10 *Armed Forces those members, of whatever rank*
11 *who, according to the Minister of Defense or the*
12 *Procuraduria General de la Nacion, have been*
13 *credibly alleged to have committed gross viola-*
14 *tions of human rights, including extra-judicial*
15 *killings, or to have aided or abetted paramilitary*
16 *organizations.*

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

1 *violations of human rights or to have aided or*
2 *abetted paramilitary organizations.*

3 *(C) The Colombian Armed Forces have*
4 *made substantial progress in cooperating with*
5 *civilian prosecutors and judicial authorities in*
6 *such cases (including providing requested infor-*
7 *mation, such as the identity of persons sus-*
8 *pended from the Armed Forces and the nature*
9 *and cause of the suspension, and access to wit-*
10 *nesses, relevant military documents, and other*
11 *requested information).*

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

21 *(E) The Colombian Government is disman-*
22 *tling paramilitary leadership and financial net-*
23 *works by arresting commanders and financial*
24 *backers, especially in regions where these net-*
25 *works have a significant presence.*

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

4 (3) *The balance of such funds may be obligated*
5 *after July 31, 2006, if the Secretary of State certifies*
6 *and reports to the appropriate congressional commit-*
7 *tees, after such date, that the Colombian Armed*
8 *Forces are continuing to meet the conditions con-*
9 *tained in paragraph (2) and are conducting vigorous*
10 *operations to restore government authority and re-*
11 *spect for human rights in areas under the effective*
12 *control of paramilitary and guerrilla organizations.*

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

17 (c) *CONSULTATIVE PROCESS.—*

18 (1) *Prior to making the certifications required*
19 *by subsection (a), the Secretary of State shall consult*
20 *with the appropriate congressional committees and*
21 *with the Office of the High Commissioner for Human*
22 *Rights in Colombia regarding each of the conditions*
23 *specified in paragraphs (2)(A) through (F) of that*
24 *subsection.*

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

7 (d) *DEFINITIONS.—In this section:*

8 (1) *AIDED OR ABETTED.—The term “aided or*
 9 *abetted” means to provide any support to para-*
 10 *military groups, including taking actions which*
 11 *allow, facilitate, or otherwise foster the activities of*
 12 *such groups.*

13 (2) *PARAMILITARY GROUPS.—The term “para-*
 14 *military groups” means illegal self-defense groups*
 15 *and illegal security cooperatives.*

16 *ILLEGAL ARMED GROUPS*

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

22 (1) *has willfully provided any support to the*
 23 *Revolutionary Armed Forces of Colombia (FARC), the*
 24 *National Liberation Army (ELN), or the United Self-*
 25 *Defense Forces of Colombia (AUC), including taking*
 26 *actions or failing to take actions which allow, facili-*

1 *tate, or otherwise foster the activities of such groups;*
2 *or*

3 *(2) has committed, ordered, incited, assisted, or*
4 *otherwise participated in the commission of gross vio-*
5 *lations of human rights, including extra-judicial*
6 *killings, in Colombia.*

7 *(b) WAIVER.—Subsection (a) shall not apply if the*
8 *Secretary of State determines and certifies to the appro-*
9 *priate congressional committees, on a case-by-case basis,*
10 *that the issuance of a visa to the alien is necessary to sup-*
11 *port the peace process in Colombia or for urgent humani-*
12 *tarian reasons.*

13 *PROHIBITION ON ASSISTANCE TO THE PALESTINIAN*
14 *BROADCASTING CORPORATION*

15 *SEC. 6058. None of the funds appropriated or other-*
16 *wise made available by this Act may be used to provide*
17 *equipment, technical support, consulting services, or any*
18 *other form of assistance to the Palestinian Broadcasting*
19 *Corporation.*

20 *WEST BANK AND GAZA PROGRAM*

21 *SEC. 6059. (a) OVERSIGHT.—For fiscal year 2006, 30*
22 *days prior to the initial obligation of funds for the bilateral*
23 *West Bank and Gaza Program, the Secretary of State shall*
24 *certify to the appropriate committees of Congress that pro-*
25 *cedures have been established to assure the Comptroller Gen-*
26 *eral of the United States will have access to appropriate*

1 *United States financial information in order to review the*
2 *uses of United States assistance for the Program funded*
3 *under the heading “Economic Support Fund” for the West*
4 *Bank and Gaza.*

5 **(b) VETTING.**—*Prior to the obligation of funds appro-*
6 *priated by this Act under the heading “Economic Support*
7 *Fund” for assistance for the West Bank and Gaza, the Sec-*
8 *retary of State shall take all appropriate steps to ensure*
9 *that such assistance is not provided to or through any indi-*
10 *vidual, private or government entity, or educational insti-*
11 *tution that the Secretary knows or has reason to believe ad-*
12 *vocates, plans, sponsors, engages in, or has engaged in, ter-*
13 *rorist activity. The Secretary of State shall, as appropriate,*
14 *establish procedures specifying the steps to be taken in car-*
15 *rying out this subsection and shall terminate assistance to*
16 *any individual, entity, or educational institution which he*
17 *has determined to be involved in or advocating terrorist ac-*
18 *tivity.*

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

24 **(d) AUDITS.**—

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

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

17 (e) *Not later than 180 days after enactment of this*
18 *Act, the Secretary of State shall submit a report to the Com-*
19 *mittees on Appropriations updating the report contained*
20 *in section 2106 of chapter 2 of title II of Public Law 109–*
21 *72.*

22 CONTRIBUTIONS TO UNITED NATIONS POPULATION FUND

23 SEC. 6060. (a) *LIMITATIONS ON AMOUNT OF CON-*
24 *TRIBUTION.—Of the amounts made available under “Inter-*
25 *national Organizations and Programs” and “Child Sur-*
26 *vival and Health Programs Fund” for fiscal year 2006,*

1 \$35,000,000 shall be made available for the United Nations
2 Population Fund (hereafter in this section referred to as
3 the “UNFPA”): Provided, That of this amount, not less
4 than \$20,000,000 shall be derived from funds appropriated
5 under the heading “International Organizations and Pro-
6 grams”.

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

16 (c) PROHIBITION ON USE OF FUNDS IN CHINA.—None
17 of the funds made available under “International Organiza-
18 tions and Programs” may be made available for the
19 UNFPA for a country program in the People’s Republic
20 of China.

21 (d) CONDITIONS ON AVAILABILITY OF FUNDS.—
22 Amounts made available under “International Organiza-
23 tions and Programs” for fiscal year 2006 for the UNFPA
24 may not be made available to UNFPA unless—

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

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

7 (3) the UNFPA does not fund abortions.

8 WAR CRIMINALS

9 *SEC. 6061. (a)(1) None of the funds appropriated or*
 10 *otherwise made available pursuant to this Act may be made*
 11 *available for assistance, and the Secretary of the Treasury*
 12 *shall instruct the United States executive directors to the*
 13 *international financial institutions to vote against any new*
 14 *project involving the extension by such institutions of any*
 15 *financial or technical assistance, to any country, entity, or*
 16 *municipality whose competent authorities have failed, as*
 17 *determined by the Secretary of State, to take necessary and*
 18 *significant steps to implement its international legal obli-*
 19 *gations to apprehend and transfer to the International*
 20 *Criminal Tribunal for the former Yugoslavia (the “Tri-*
 21 *bunal”) all persons in their territory who have been in-*
 22 *dicted by the Tribunal and to otherwise cooperate with the*
 23 *Tribunal.*

24 (2) The provisions of this subsection shall not apply
 25 to humanitarian assistance or assistance for democratiza-
 26 tion.

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

5 (1) *cooperating with the Tribunal, including ac-*
6 *cess for investigators to archives and witnesses, the*
7 *provision of documents, and the surrender and trans-*
8 *fer of indictees or assistance in their apprehension;*
9 *and*

10 (2) *are acting consistently with the Dayton Ac-*
11 *cords.*

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

23 (d) *In carrying out this section, the Secretary of State,*
24 *the Administrator of the United States Agency for Inter-*
25 *national Development, and the Secretary of the Treasury*

1 *shall consult with representatives of human rights organiza-*
2 *tions and all government agencies with relevant informa-*
3 *tion to help prevent indicted war criminals from benefiting*
4 *from any financial or technical assistance or grants pro-*
5 *vided to any country or entity described in subsection (a).*

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

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

12 *(1) COUNTRY.—The term “country” means Bos-*
13 *nia and Herzegovina, Croatia and Serbia.*

14 *(2) ENTITY.—The term “entity” refers to the*
15 *Federation of Bosnia and Herzegovina, Kosovo, Mon-*
16 *tenegro and the Republika Srpska.*

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

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

USER FEES

1
2 *SEC. 6062. The Secretary of the Treasury shall in-*
3 *struct the United States Executive Director at each inter-*
4 *national financial institution (as defined in section*
5 *1701(c)(2) of the International Financial Institutions Act)*
6 *and the International Monetary Fund to oppose any loan,*
7 *grant, strategy or policy of these institutions that would*
8 *require user fees or service charges on poor people for pri-*
9 *mary education or primary healthcare, including preven-*
10 *tion and treatment efforts for HIV/AIDS, malaria, tuber-*
11 *culosis, and infant, child, and maternal well-being, in con-*
12 *nection with the institutions' financing programs.*

FUNDING FOR SERBIA

13
14 *SEC. 6063. (a) Funds appropriated by this Act may*
15 *be made available for assistance for the central Government*
16 *of Serbia after May 31, 2006, if the President has made*
17 *the determination and certification contained in subsection*
18 *(c).*

19 *(b) After May 31, 2006, the Secretary of the Treasury*
20 *should instruct the United States executive directors to the*
21 *international financial institutions to support loans and*
22 *assistance to the Government of Serbia and Montenegro sub-*
23 *ject to the conditions in subsection (c): Provided, That sec-*
24 *tion 576 of the Foreign Operations, Export Financing, and*
25 *Related Programs Appropriations Act, 1997, as amended,*
26 *shall not apply to the provision of loans and assistance to*

1 *the Government of Serbia and Montenegro through inter-*
2 *national financial institutions.*

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

7 (1) *cooperating with the International Criminal*
8 *Tribunal for the former Yugoslavia including access*
9 *for investigators, the provision of documents, and the*
10 *surrender and transfer of indictees or assistance in*
11 *their apprehension, including Ratko Mladic and*
12 *Radovan Karadzic, unless the Secretary of State de-*
13 *termines and reports to the Committees on Appro-*
14 *propriations that these individuals are no longer residing*
15 *in Serbia;*

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

20 (3) *taking steps to implement policies which re-*
21 *fect a respect for minority rights and the rule of law.*

22 (d) *This section shall not apply to Montenegro, Kosovo,*
23 *humanitarian assistance or assistance to promote democ-*
24 *racy.*

1 *COMMUNITY-BASED POLICE ASSISTANCE*

2 *SEC. 6064. (a) AUTHORITY.—Funds made available by*
3 *this Act to carry out the provisions of chapter 1 of part*
4 *I and chapter 4 of part II of the Foreign Assistance Act*
5 *of 1961, may be used, notwithstanding section 660 of that*
6 *Act, to enhance the effectiveness and accountability of civil-*
7 *ian police authority through training and technical assist-*
8 *ance in human rights, the rule of law, strategic planning,*
9 *and through assistance to foster civilian police roles that*
10 *support democratic governance including assistance for*
11 *programs to prevent conflict, respond to disasters, address*
12 *gender-based violence, and foster improved police relations*
13 *with the communities they serve.*

14 *(b) NOTIFICATION.—Assistance provided under sub-*
15 *section (a) shall be subject to prior consultation with, and*
16 *the regular notification procedures of, the Committees on*
17 *Appropriations.*

18 *SPECIAL DEBT RELIEF FOR THE POOREST*

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

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

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

1 (3) *any obligation or portion of such obligation,*
2 *to pay for purchases of United States agricultural*
3 *commodities guaranteed by the Commodity Credit*
4 *Corporation under export credit guarantee programs*
5 *authorized pursuant to section 5(f) of the Commodity*
6 *Credit Corporation Charter Act of June 29, 1948, as*
7 *amended, section 4(b) of the Food for Peace Act of*
8 *1966, as amended (Public Law 89–808), or section*
9 *202 of the Agricultural Trade Act of 1978, as amend-*
10 *ed (Public Law 95–501).*

11 **(b) LIMITATIONS.—**

12 (1) *The authority provided by subsection (a)*
13 *may be exercised only to implement multilateral offi-*
14 *cial debt relief and referendum agreements, commonly*
15 *referred to as “Paris Club Agreed Minutes”.*

16 (2) *The authority provided by subsection (a)*
17 *may be exercised only in such amounts or to such ex-*
18 *tent as is provided in advance by appropriations*
19 *Acts.*

20 (3) *The authority provided by subsection (a)*
21 *may be exercised only with respect to countries with*
22 *heavy debt burdens that are eligible to borrow from*
23 *the International Development Association, but not*
24 *from the International Bank for Reconstruction and*

1 *Development, commonly referred to as “IDA-only”*
2 *countries.*

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

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

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

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

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

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

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

23 (e) *CERTAIN PROHIBITIONS INAPPLICABLE.—A reduc-*
24 *tion of debt pursuant to subsection (a) shall not be consid-*
25 *ered assistance for the purposes of any provision of law lim-*

1 *iting assistance to a country. The authority provided by*
2 *subsection (a) may be exercised notwithstanding section*
3 *620(r) of the Foreign Assistance Act of 1961 or section 321*
4 *of the International Development and Food Assistance Act*
5 *of 1975.*

6 *AUTHORITY TO ENGAGE IN DEBT BUYBACKS OR SALES*

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

9 *(1) AUTHORITY TO SELL, REDUCE, OR CANCEL*
10 *CERTAIN LOANS.—Notwithstanding any other provi-*
11 *sion of law, the President may, in accordance with*
12 *this section, sell to any eligible purchaser any*
13 *concessional loan or portion thereof made before Jan-*
14 *uary 1, 1995, pursuant to the Foreign Assistance Act*
15 *of 1961, to the government of any eligible country as*
16 *defined in section 702(6) of that Act or on receipt of*
17 *payment from an eligible purchaser, reduce or cancel*
18 *such loan or portion thereof, only for the purpose of*
19 *facilitating—*

20 *(A) debt-for-equity swaps, debt-for-develop-*
21 *ment swaps, or debt-for-nature swaps; or*

22 *(B) a debt buyback by an eligible country*
23 *of its own qualified debt, only if the eligible*
24 *country uses an additional amount of the local*
25 *currency of the eligible country, equal to not less*
26 *than 40 percent of the price paid for such debt*

1 *by such eligible country, or the difference between*
2 *the price paid for such debt and the face value*
3 *of such debt, to support activities that link con-*
4 *servation and sustainable use of natural re-*
5 *sources with local community development, and*
6 *child survival and other child development, in a*
7 *manner consistent with sections 707 through 710*
8 *of the Foreign Assistance Act of 1961, if the sale,*
9 *reduction, or cancellation would not contravene*
10 *any term or condition of any prior agreement*
11 *relating to such loan.*

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

17 (3) *ADMINISTRATION.*—*The Facility, as defined*
18 *in section 702(8) of the Foreign Assistance Act of*
19 *1961, shall notify the administrator of the agency*
20 *primarily responsible for administering part I of the*
21 *Foreign Assistance Act of 1961 of purchasers that the*
22 *President has determined to be eligible, and shall di-*
23 *rect such agency to carry out the sale, reduction, or*
24 *cancellation of a loan pursuant to this section. Such*

1 *agency shall make adjustment in its accounts to re-*
2 *flect the sale, reduction, or cancellation.*

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

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

13 (c) *ELIGIBLE PURCHASERS.*—*A loan may be sold pur-*
14 *suant to subsection (a)(1)(A) only to a purchaser who pre-*
15 *sents plans satisfactory to the President for using the loan*
16 *for the purpose of engaging in debt-for-equity swaps, debt-*
17 *for-development swaps, or debt-for-nature swaps.*

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

1 \$112,350,000 should be made available for assistance for
2 Sudan.

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

5 (1) *Notwithstanding section 501(a) of the Inter-*
6 *national Malaria Control Act of 2000 (Public Law*
7 *106–570) or any other provision of law, none of the*
8 *funds appropriated by this Act may be made avail-*
9 *able for assistance for the Government of Sudan.*

10 (2) *None of the funds appropriated by this Act*
11 *may be made available for the cost, as defined in sec-*
12 *tion 502, of the Congressional Budget Act of 1974, of*
13 *modifying loans and loan guarantees held by the Gov-*
14 *ernment of Sudan, including the cost of selling, reduc-*
15 *ing, or canceling amounts owed to the United States,*
16 *and modifying concessional loans, guarantees, and*
17 *credit agreements.*

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

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

24 (2) *the Government of Sudan and all govern-*
25 *ment-supported militia groups are honoring their*

1 *commitments made in the cease-fire agreement of*
2 *April 8, 2004; and*

3 (3) *the Government of Sudan is allowing*
4 *unimpeded access to Darfur to humanitarian aid or-*
5 *ganizations, the human rights investigation and hu-*
6 *manitarian teams of the United Nations, including*
7 *protection officers, and an international monitoring*
8 *team that is based in Darfur and that has the sup-*
9 *port of the United States.*

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

12 (1) *humanitarian assistance;*

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

15 (3) *assistance to support implementation of the*
16 *Comprehensive Peace Agreement.*

17 (e) *DEFINITIONS.—For the purposes of this Act and*
18 *section 501 of Public Law 106–570, the terms “Government*
19 *of Sudan”, “areas outside of control of the Government of*
20 *Sudan”, and “area in Sudan outside of control of the Gov-*
21 *ernment of Sudan” shall have the same meaning and appli-*
22 *cation as was the case immediately prior to June 5, 2004,*
23 *and, with regard to assistance in support of a viable peace*
24 *agreement, Southern Kordofan/Nuba Mountains State, Blue*
25 *Nile State and Abyei.*

1 *PEACEKEEPING ACTIVITIES*

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

7 *EXCESS DEFENSE ARTICLES FOR CENTRAL AND SOUTH*8 *EUROPEAN COUNTRIES AND CERTAIN OTHER COUNTRIES*

9 *SEC. 6071. Notwithstanding section 516(e) of the For-*
10 *eign Assistance Act of 1961 (22 U.S.C. 2321j(e)), during*
11 *fiscal year 2006, funds available to the Department of De-*
12 *fense may be expended for crating, packing, handling, and*
13 *transportation of excess defense articles transferred under*
14 *the authority of section 516 of such Act to Albania, Afghani-*
15 *stan, Bulgaria, Croatia, Estonia, Former Yugoslavian Re-*
16 *public of Macedonia, Georgia, India, Iraq, Kazakhstan,*
17 *Kyrgyzstan, Latvia, Lithuania, Moldova, Mongolia, Paki-*
18 *stan, Romania, Slovakia, Tajikistan, Turkmenistan,*
19 *Ukraine, and Uzbekistan.*

20 *INDONESIA*

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

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

5 (2) *the Indonesian Government is prosecuting*
6 *and punishing, in a manner proportional to the*
7 *crime, members of the Armed Forces, of whatever*
8 *rank, who have been credibly alleged to have com-*
9 *mitted gross violations of human rights or to have*
10 *aided or abetted militia groups; and*

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

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

19 LIMITATION ON CONTRACTS

20 SEC. 6073. *None of the funds made available under*
21 *this Act may be used to fund any contract in contravention*
22 *of section 8(d)(6) of the Small Business Act (15 U.S.C.*
23 *637(d)(6)).*

24 ENVIRONMENT PROGRAMS

25 SEC. 6074. (a) FUNDING.—*Of the funds appropriated*
26 *under the heading “Development Assistance”, not less than*

1 \$165,500,000 shall be made available for programs and ac-
2 tivities which directly protect biodiversity, including for-
3 ests, in developing countries, of which not less than
4 \$10,000,000 should be made available to implement the
5 United States Agency for International Development's bio-
6 diversity conservation strategy for the Amazon basin, which
7 amount shall be in addition to the amounts requested for
8 biodiversity activities in these countries in fiscal year 2006:
9 Provided, That of the funds appropriated by this Act, not
10 less than \$17,500,000 should be made available for the
11 Congo Basin Forest Partnership of which not less than
12 \$2,500,000 should be made available to the United States
13 Fish and Wildlife Service for the protection of great apes
14 in Central Africa: Provided further, That of the funds ap-
15 propriated by this Act, not less than \$180,000,000 shall be
16 made available to support clean energy and other climate
17 change policies and programs in developing countries, of
18 which \$100,000,000 should be made available to directly
19 promote and deploy energy conservation, energy efficiency,
20 and renewable and clean energy technologies, and of which
21 the balance should be made available to directly: (1) meas-
22 ure, monitor, and reduce greenhouse gas emissions; (2) in-
23 crease carbon sequestration activities; and (3) enhance cli-
24 mate change mitigation and adaptation programs.

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

6 (1) all Federal agency obligations and expendi-
7 tures, domestic and international, for climate change
8 programs and activities in fiscal year 2006, including
9 an accounting of expenditures by agency with each
10 agency identifying climate change activities and asso-
11 ciated costs by line item as presented in the Presi-
12 dent’s Budget Appendix; and

13 (2) all fiscal year 2005 obligations and estimated
14 expenditures, fiscal year 2006 estimated expenditures
15 and estimated obligations, and fiscal year 2007 re-
16 quested funds by the United States Agency for Inter-
17 national Development, by country and central pro-
18 gram, for each of the following: (i) to promote the
19 transfer and deployment of a wide range of United
20 States clean energy and energy efficiency technologies;
21 (ii) to assist in the measurement, monitoring, report-
22 ing, verification, and reduction of greenhouse gas
23 emissions; (iii) to promote carbon capture and seques-
24 tration measures; (iv) to help meet such countries’ re-
25 sponsibilities under the Framework Convention on

1 *Climate Change; and (v) to develop assessments of the*
2 *vulnerability to impacts of climate change and miti-*
3 *gation and adaptation response strategies.*

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

5 *(1) The Secretary of the Treasury shall inform*
6 *the managements of the international financial insti-*
7 *tutions and the public that it is the policy of the*
8 *United States that any assistance by such institutions*
9 *(including but not limited to any loan, credit, grant,*
10 *or guarantee) for the extraction and export of oil, gas,*
11 *coal, timber, or other natural resource should not be*
12 *provided unless the government of the country has in*
13 *place or is taking the necessary steps to establish*
14 *functioning systems for: (i) accurately accounting for*
15 *revenues and expenditures in connection with the ex-*
16 *traction and export of the type of natural resource to*
17 *be extracted or exported; (ii) the independent auditing*
18 *of such accounts and the widespread public dissemi-*
19 *nation of the audits; and (iii) verifying government*
20 *receipts against company payments including wide-*
21 *spread dissemination of such payment information in*
22 *a manner that does not create competitive disadvan-*
23 *tage or disclose proprietary information.*

24 *(2) Not later than 180 days after the enactment*
25 *of this Act, the Secretary of the Treasury shall submit*

1 *a report to the Committees on Appropriations describ-*
2 *ing, for each international financial institution, the*
3 *amount and type of assistance provided, by country,*
4 *for the extraction and export of oil, gas, coal, timber,*
5 *or other national resource since September 30, 2005.*

6 *UZBEKISTAN*

7 *SEC. 6075. Assistance may be provided to the central*
8 *Government of Uzbekistan only if the Secretary of State de-*
9 *termines and reports to the Committees on Appropriations*
10 *that the Government of Uzbekistan is making substantial*
11 *and continuing progress in meeting its commitments under*
12 *the “Declaration on the Strategic Partnership and Coopera-*
13 *tion Framework Between the Republic of Uzbekistan and*
14 *the United States of America”, including respect for human*
15 *rights, establishing a genuine multi-party system, and en-*
16 *suring free and fair elections, freedom of expression, and*
17 *the independence of the media, and that a credible inter-*
18 *national investigation of the May 31, 2005, shootings in*
19 *Andijan is underway with the support of the Government*
20 *of Uzbekistan: Provided, That for the purposes of this sec-*
21 *tion “assistance” shall include excess defense articles.*

22 *CENTRAL ASIA*

23 *SEC. 6076. (a) Funds appropriated by this Act may*
24 *be made available for assistance for the Government of*
25 *Kazakhstan only if the Secretary of State determines and*
26 *reports to the Committees on Appropriations that the Gov-*

1 *ernment of Kazakhstan has made significant improvements*
2 *in the protection of human rights during the preceding 6*
3 *month period.*

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

8 *(c) Not later than October 1, 2006, the Secretary of*
9 *State shall submit a report to the Committees on Appro-*
10 *priations and the Committee on Foreign Relations of the*
11 *Senate and the Committee on International Relations of the*
12 *House of Representatives describing the following:*

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

18 *(2) The use during such period of defense arti-*
19 *cles, defense services, and financial assistance pro-*
20 *vided by the United States by units of the armed*
21 *forces, border guards, or other security forces of such*
22 *countries.*

23 *(d) Prior to the initial obligation of assistance for the*
24 *Government of Kyrgyzstan, the Secretary of State shall sub-*
25 *mit a report to the Committees on Appropriations describ-*

1 *ing (1) whether the Government of Kyrgyzstan is forcibly*
2 *returning Uzbeks who have fled violence and political perse-*
3 *cution, in violation of the 1951 Geneva Convention relating*
4 *to the status of refugees, and the Convention Against Tor-*
5 *ture and Other Forms of Cruel, Inhuman, or Degrading*
6 *Treatment; (2) efforts made by the United States to prevent*
7 *such returns; and (3) the response of the Government of*
8 *Kyrgyzstan.*

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

12 *DISABILITY PROGRAMS*

13 *SEC. 6077. (a) Of the funds appropriated by this Act*
14 *under the heading “Economic Support Fund”, not less than*
15 *\$4,000,000 shall be made available for programs and activi-*
16 *ties administered by the United States Agency for Inter-*
17 *national Development (USAID) to address the needs and*
18 *protect the rights of people with disabilities in developing*
19 *countries, to be allocated as follows—*

20 *(1) \$1,500,000 for United States organizations*
21 *that specialize in advocacy for people with disabili-*
22 *ties, to provide training, technical, and related as-*
23 *sistance for local organizations that work primarily*
24 *on behalf of people with disabilities in developing*
25 *countries; and*

1 (2) \$2,500,000 for equipment and other assist-
2 ance for such local organizations.

3 (b) Of the funds appropriated under the heading “Op-
4 erating Expenses of the United States Agency for Inter-
5 national Development”, up to \$1,000,000 shall be made
6 available to develop and implement training for staff in
7 overseas USAID missions to promote the full inclusion and
8 equal participation of people with disabilities in developing
9 countries.

10 (c) The Secretary of State, the Secretary of the Treas-
11 ury, and the Administrator of USAID shall seek to ensure
12 that, where appropriate, construction projects funded by
13 this Act are accessible to people with disabilities and in
14 compliance with the USAID Policy on Standards for Acces-
15 sibility for the Disabled, or other similar accessibility
16 standards.

17 (d) Of the funds made available pursuant to subsection
18 (a), not more than 7 percent may be for management, over-
19 sight and technical support.

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

24 ZIMBABWE

25 SEC. 6078. The Secretary of the Treasury shall in-
26 struct the United States executive director to each inter-

1 *national financial institution to vote against any extension*
2 *by the respective institution of any loans to the Government*
3 *of Zimbabwe, except to meet basic human needs or to pro-*
4 *mote democracy, unless the Secretary of State determines*
5 *and certifies to the Committees on Appropriations that the*
6 *rule of law has been restored in Zimbabwe, including re-*
7 *spect for ownership and title to property, freedom of speech*
8 *and association.*

9

TIBET

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

21 *(b) Notwithstanding any other provision of law, not*
22 *less than \$4,000,000 of the funds appropriated by this Act*
23 *under the heading “Economic Support Fund” should be*
24 *made available to nongovernmental organizations to sup-*
25 *port activities which preserve cultural traditions and pro-*
26 *mote sustainable development and environmental conserva-*

1 *tion in Tibetan communities in the Tibetan Autonomous*
2 *Region and in other Tibetan communities in China, and*
3 *not less than \$250,000 should be made available to the Na-*
4 *tional Endowment for Democracy for human rights and de-*
5 *mocracy programs relating to Tibet.*

6 *DISCRIMINATION AGAINST MINORITY RELIGIOUS FAITHS IN*
7 *THE RUSSIAN FEDERATION*

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

21 *WAR CRIMES IN AFRICA*

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

25 *(b) The Congress reaffirms its support for the efforts*
26 *of the International Criminal Tribunal for Rwanda*

1 *(ICTR) and the Special Court for Sierra Leone (SCSL) to*
2 *bring to justice individuals responsible for war crimes and*
3 *crimes against humanity in a timely manner.*

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

19 *(d) The prohibition in subsection (c) may be waived*
20 *on a country by country basis if the President determines*
21 *that doing so is in the national security interest of the*
22 *United States: Provided, That prior to exercising such*
23 *waiver authority, the President shall submit a report to the*
24 *Committees on Appropriations, in classified form if nec-*
25 *essary, on: (1) the steps being taken to obtain the coopera-*

1 *tion of the government in surrendering the indictee in ques-*
2 *tion to SCSL or ICTR; (2) a strategy for bringing the in-*
3 *dictee before ICTR or SCSL; and (3) the justification for*
4 *exercising the waiver authority.*

5 *ADMISSION OF REFUGEES*

6 *SEC. 6082. (a) The Secretary of State shall utilize pri-*
7 *vate voluntary organizations with expertise in the protec-*
8 *tion needs of refugees in the processing of refugees overseas*
9 *for admission and resettlement to the United States, and*
10 *shall utilize such agencies in addition to the United Nations*
11 *High Commissioner for Refugees in the identification and*
12 *referral of refugees.*

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

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

24 *(c) The Secretary of State shall give special consider-*
25 *ation to—*

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

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

6 UNOBLIGATED BALANCES

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

10 (1) *From “Diplomatic and Consular Programs”,*
11 *\$100,296,000.*

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

14 SECURITY IN ASIA

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

20 (1) *\$45,000,000 for assistance for the Phil-*
21 *ippines;*

22 (2) *\$1,500,000 for assistance for Indonesia;*

23 (3) *\$1,000,000 for assistance for Bangladesh;*

24 (4) *\$4,000,000 for assistance for Mongolia;*

25 (5) *\$1,500,000 for assistance for Thailand;*

26 (6) *\$1,000,000 for assistance for Sri Lanka;*

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

2 (8) \$500,000 for assistance for Fiji; and

3 (9) \$250,000 for assistance for Tonga.

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

10 (c) Funds made available for assistance for Indonesia
11 pursuant to subsection (a) may be made available for the
12 Indonesian Navy notwithstanding section 6072 of this Act:
13 Provided, That such funds shall only be made available sub-
14 ject to the regular notification procedures of the Committees
15 on Appropriations.

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

21 (e) NEPAL.—

22 (1) The Congress condemns the Maoist
23 insurgency’s atrocities against civilians, including
24 torture, extrajudicial killings, and forced recruitment
25 of children.

1 (2) *The Congress recognizes the difficulties the*
2 *Royal Nepalese Army (RNA) faces in countering the*
3 *Maoist threat, but deplores the violations of human*
4 *rights by the RNA.*

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

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

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

17 (C) *has demonstrated a commitment to a*
18 *clear timetable for the return to democratic rep-*
19 *resentative government consistent with the 1990*
20 *Nepalese Constitution;*

21 (D) *is ensuring that the Royal Anti-Corrup-*
22 *tion Commission functions as a transparent,*
23 *non-political, and objective body in accordance*
24 *with the 1990 Nepalese Constitution and with*
25 *respect to the judicial process;*

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

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

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

21 (H) is taking effective steps to (i) ensure
22 that Nepalese security forces comply with the Ge-
23 neva Convention on Law of Land Warfare; (ii)
24 end torture, extrajudicial killings, and other
25 gross violations of human rights; and (iii) pros-

1 *ecute and punish, in a manner proportional to*
2 *the crime, members of such forces who are re-*
3 *sponsible for such violations.*

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

8 UNITED NATIONS DEVELOPMENT PROGRAM IN BURMA

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

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

24 (2) *provide no financial, political, or military*
25 *benefit, including the provision of goods, services, or*
26 *per diems, to the SPDC or any agency or entity of,*

1 *or affiliated with, the SPDC (including the Myanmar*
2 *Maternal and Child Welfare Association, the*
3 *Myanmar Council of Churches, the Myanmar Medical*
4 *Association, the Myanmar Women Affairs Federation,*
5 *and the Union of Solidarity Development Associa-*
6 *tion); and*

7 *(3) are carried out only after consultation with*
8 *the leadership of the National League for Democracy.*

9 *(b) Not later than 180 days after the date of enactment*
10 *of this Act, the Secretary of State shall submit to the Com-*
11 *mittees on Appropriations a report detailing all programs*
12 *and activities of the United Nations Development Program*
13 *(including all programs and activities administered by the*
14 *United Nations Development Programs) in Burma and all*
15 *recipients and subrecipients of funds provided under such*
16 *programs and activities.*

17 *DEMOCRACY EXCEPTION*

18 *SEC. 6086. Funds appropriated for fiscal year 2005*
19 *under the headings “Economic Support Fund” and “Inter-*
20 *national Military Education and Training” may be made*
21 *available for democracy and rule of law programs and ac-*
22 *tivities, notwithstanding the provisions of section 574 of Di-*
23 *vision D of Public Law 108–447.*

24 *UNIVERSITY PROGRAMS*

25 *SEC. 6087. Of the funds appropriated by title III of*
26 *this Act, not less than \$40,000,000 shall be made available*

1 *to the Office of the Higher Education Community Liaison*
2 *in the Bureau for Economic Growth, Agriculture and Trade*
3 *of the United States Agency for International Development*
4 *and used for projects and activities of United States-based*
5 *colleges and universities: Provided, That these funds shall*
6 *be in addition to funds otherwise available under this Act*
7 *for such programs.*

8 *RESCISSION*

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

15 *COOPERATION WITH CUBA ON COUNTER-NARCOTICS*

16 *MATTERS*

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

1 *illicit drugs being transported through Cuba airspace or*
2 *over Cuba waters.*

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

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

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

11 *FRANCOPHONE COUNTRIES*

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

17 *TRANSFER OF FUNDS*

18 *SEC. 6091. Of the funds appropriated in this Act*
19 *under the heading “Andean Counterdrug Initiative”, up to*
20 *\$40,000,000 shall be made available for security assistance*
21 *and nonproliferation activities in the Western Hemisphere:*
22 *Provided, That of this amount, up to \$10,000,000 shall be*
23 *transferred to “Nonproliferation, Anti-Terrorism,*
24 *Demining and Related Programs” for the destruction of*
25 *man portable air defense systems, small arms, and light*
26 *weapons: Provided further, That up to \$30,000,000 shall*

1 *be transferred to “Foreign Military Financing Program”*
2 *for military and security assistance to coalition partners*
3 *in Iraq and Afghanistan.*

4 *ORGANIZED CRIME AND CORRUPTION IN CENTRAL AMERICA*

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

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

18 *IRAQ*

19 *SEC. 6093. (a) Of the funds available under the head-*
20 *ing “Economic Support Fund” for assistance for Iraq, not*
21 *less than \$10,000,000, to remain available until September*
22 *30, 2007, shall be transferred to and merged with funds ap-*
23 *propriated under the heading “Iraqi Relief and Reconstruc-*
24 *tion Fund” and shall be made available for the Marla*
25 *Ruzicka Iraqi War Victims Fund.*

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

7 *NEGLECTED DISEASES*

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

1 *further, That the Advisory Board should be authorized to*
2 *make programmatic decisions and evaluate the effectiveness*
3 *of programs: Provided further, That funds made available*
4 *pursuant to this section shall be subject to the regular notifi-*
5 *cation procedures of the Committees on Appropriations.*

6 *ORPHANS, DISPLACED AND ABANDONED CHILDREN*

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

15 *FORENSIC ASSISTANCE*

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

1 *Act of 1961 (22 U.S.C. 2151 et seq.), foreign nongovern-*
2 *mental organizations—*

3 (1) *shall not be ineligible for such assistance sole-*
4 *ly on the basis of health or medical services including*
5 *counseling and referral services, provided by such or-*
6 *ganizations with non-United States Government*
7 *funds if such services do not violate the laws of the*
8 *country in which they are being provided and would*
9 *not violate United States Federal law if provided in*
10 *the United States; and*

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

16 *STATEMENT*

17 *SEC. 6112. (a) Funds provided in this Act for the fol-*
18 *lowing accounts shall be made available for programs and*
19 *countries in the amounts contained in the respective tables*
20 *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”.*

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

3 *“Global HIV/AIDS Initiative”.*

4 *“Foreign Military Financing Program”.*

5 *“International Organizations and Programs”.*

6 **(b)** *Any proposed increases or decreases to the amounts*
7 *contained in such tables in the accompanying report shall*
8 *be subject to the regular notification procedures of the Com-*
9 *mittees on Appropriations and section 634A of the Foreign*
10 *Assistance Act of 1961.*

11 *This Act may be cited as the “Department of State,*
12 *Foreign Operations, and Related Programs Appropriations*
13 *Act, 2006”.*

Amend the title so as to read: “An Act making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2006, and for other purposes.”.

Calendar No. 150

109TH CONGRESS
1ST SESSION

H.R. 3057

[Report No. 109-96]

AN ACT

Making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, and for other purposes.

JUNE 29, 2005

Received; read twice and referred to the Committee on
Appropriations

JUNE 30, 2005

Reported with an amendment and an amendment to the
title