

In the Senate of the United States,

September 6, 2007.

Resolved, That the bill from the House of Representatives (H.R. 2764) entitled “An Act making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes.”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

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

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TITLE I

DEPARTMENT OF STATE AND RELATED AGENCY

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Department of State and the Foreign Service not otherwise provided for, including employment, without regard to civil service and classification laws, of persons on a temporary basis (not to exceed \$700,000 of this appropriation), as authorized by section 801 of the United States Information and Educational Exchange Act of 1948; representation to certain international organizations in which the United States participates pursuant to treaties ratified pursuant to the advice and consent of the Senate or specific Acts of Congress; arms control, non-proliferation and disarmament activities as authorized; acquisition by exchange or purchase of passenger motor vehicles as authorized by law; and for expenses of general administration, \$3,820,375,000: Provided, That of the amount made available under this heading, not to exceed \$10,000,000 may be transferred to and merged with “Emergencies in the Diplomatic and Consular Service”, to be available only for emergency evacuations and terrorism rewards: Provided further, That of the funds appropriated under this heading, \$8,131,000 shall be available for the Of-

1 *office of the Director of United States Foreign Assistance and*
 2 *\$1,000,000 shall not be obligated until consultations with*
 3 *the Congress, arising from the report submitted pursuant*
 4 *to section 653(a) of the Foreign Assistance Act of 1961, have*
 5 *been completed: Provided further, That of the amount made*
 6 *available under this heading, not less than \$364,905,000*
 7 *shall be available only for public diplomacy international*
 8 *information programs: Provided further, That of the funds*
 9 *made available under this heading, \$5,000,000 shall be*
 10 *made available for a demonstration program to expand ac-*
 11 *cess to consular services: Provided further, That of the funds*
 12 *made available under this heading, \$40,000,000 shall be*
 13 *made available for passport operations, facilities, and sys-*
 14 *tems: Provided further, That the funds appropriated by the*
 15 *previous proviso shall be in addition to amounts otherwise*
 16 *made available for such purposes: Provided further, That*
 17 *during fiscal year 2008, foreign service annuitants may be*
 18 *employed, notwithstanding section 316.401 of title 5, Code*
 19 *of Federal Regulations, pursuant to waivers under section*
 20 *824(g)(1)(C)(ii) of the Foreign Service Act of 1980 (22*
 21 *U.S.C. 4064(g)(1)(C)(ii)): Provided further, That of the*
 22 *funds made available under this heading in this Act and*
 23 *in prior Acts making appropriations for the Department*
 24 *of State, foreign operations, export financing and related*
 25 *programs, up to \$200,000,000 may be transferred to, and*

1 merged with, funds appropriated under the heading “Mil-
2 lennium Challenge Corporation”, subject to section 615 of
3 this Act: Provided further, That of the funds appropriated
4 under this heading, \$6,000,000 shall be made available for
5 the Ambassador’s Fund for Cultural Preservation of which
6 \$1,500,000 shall be for grants of not less than \$500,000 for
7 significant historic preservation projects: Provided further,
8 That there shall be one additional senior permanent posi-
9 tion at United States Embassy Moscow whose sole respon-
10 sibilities shall be to monitor human rights and the imple-
11 mentation of Russian laws relating to nongovernmental or-
12 ganizations, communicate United States support for human
13 rights defenders and journalists who are harassed and ar-
14 rested, and support the work of civil society groups: Pro-
15 vided further, That funds available under this heading may
16 be made available for a United States Government inter-
17 agency task force to examine, coordinate and oversee United
18 States participation in the United Nations headquarters
19 renovation project: Provided further, That funds appro-
20 priated under this heading are available, pursuant to 31
21 U.S.C. 1108(g), for the field examination of programs and
22 activities in the United States funded from any account in
23 this title.

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

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

16 *In addition, for the costs of worldwide security protec-*
 17 *tion, \$909,598,000, to remain available until expended.*

18 *CAPITAL INVESTMENT FUND*

19 *For necessary expenses of the Capital Investment*
 20 *Fund, \$63,743,000, to remain available until expended, as*
 21 *authorized: Provided, That section 135(e) of Public Law*
 22 *103–236 shall not apply to funds available under this head-*
 23 *ing.*

24 *OFFICE OF INSPECTOR GENERAL*

25 *For necessary expenses of the Office of Inspector Gen-*
 26 *eral, \$35,508,000, notwithstanding section 209(a)(1) of the*

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

3 *EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS*

4 *For expenses of educational and cultural exchange pro-*
 5 *grams, as authorized, \$509,482,000, to remain available*
 6 *until expended: Provided, That not to exceed \$5,000,000,*
 7 *to remain available until expended, may be credited to this*
 8 *appropriation from fees or other payments received from*
 9 *or in connection with English teaching, educational advis-*
 10 *ing and counseling programs, and exchange visitor pro-*
 11 *grams as authorized: Provided further, That of the funds*
 12 *available under this heading up to \$2,000,000 may be made*
 13 *available to the Senator Paul Simon Study Abroad Foun-*
 14 *dation, subject to authorization: Provided further, That if*
 15 *a majority of the Board of Directors of such Foundation*
 16 *is not confirmed by the Senate by August 1, 2008, the Sec-*
 17 *retary shall provide \$1,000,000 of such funds to the Ben-*
 18 *jamin A. Gilman International Scholarship Program and*
 19 *\$1,000,000 shall be provided to the Fulbright Program to*
 20 *augment existing study abroad programs.*

21 *REPRESENTATION ALLOWANCES*

22 *For representation allowances as authorized,*
 23 *\$8,175,000.*

24 *PROTECTION OF FOREIGN MISSIONS AND OFFICIALS*

25 *For expenses, not otherwise provided, to enable the Sec-*
 26 *retary of State to provide for extraordinary protective serv-*

ices, as authorized, \$14,000,000, to remain available until September 30, 2009.

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

For necessary expenses for carrying out the Foreign Service Buildings Act of 1926 (22 U.S.C. 292–303), pre-serving, maintaining, repairing, and planning for build-ings that are owned or directly leased by the Department of State, renovating, in addition to funds otherwise avail-able, the Harry S Truman Building, and carrying out the Diplomatic Security Construction Program as authorized, \$792,534,000, to remain available until expended as au-thorized, of which not to exceed \$25,000 may be used for domestic and overseas representation as authorized: Pro-vided, That none of the funds appropriated in this para-graph shall be available for acquisition of furniture, fur-nishings, or generators for other departments and agencies.

In addition, for the costs of worldwide security up-grades, acquisition, and construction as authorized, \$649,278,000, to remain available until expended.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR

SERVICE

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary to enable the Secretary of State to meet unforeseen emergencies arising in the Diplomatic and Consular Service, \$9,000,000, only for emergency evac-uations and terrorism rewards, to remain available until

1 expended, of which not to exceed \$1,000,000 may be trans-
 2 ferred to and merged with the “Repatriation Loans Pro-
 3 gram Account”, subject to the same terms and conditions.

4 *REPATRIATION LOANS PROGRAM ACCOUNT*

5 *(INCLUDING TRANSFER OF FUNDS)*

6 *For the cost of direct loans, \$678,000, as authorized:*
 7 *Provided, That such costs, including the cost of modifying*
 8 *such loans, shall be as defined in section 502 of the Congres-*
 9 *sional Budget Act of 1974.*

10 *In addition, for administrative expenses necessary to*
 11 *carry out the direct loan program, \$607,000, which may*
 12 *be transferred to and merged with “Diplomatic and Con-*
 13 *sular Programs”.*

14 *PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN*

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

17 *PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND*

18 *DISABILITY FUND*

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

21 *INTERNATIONAL ORGANIZATIONS*

22 *CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS*

23 *For expenses, not otherwise provided for, necessary to*
 24 *meet annual obligations of membership in international*
 25 *multilateral organizations, pursuant to treaties ratified*
 26 *pursuant to the advice and consent of the Senate, conven-*

1 *tions or specific Acts of Congress, \$1,374,400,000, to remain*
2 *available until September 30, 2009: Provided, That the Sec-*
3 *retary of State shall, at the time of the submission of the*
4 *President's budget to Congress under section 1105(a) of title*
5 *31, United States Code, transmit to the Committees on Ap-*
6 *propriations the most recent biennial budget prepared by*
7 *the United Nations for the operations of the United Nations:*
8 *Provided further, That the Secretary of State shall notify*
9 *the Committees on Appropriations at least 15 days in ad-*
10 *vance (or in an emergency, as far in advance as is prac-*
11 *ticable) of any United Nations action to increase funding*
12 *for any United Nations program without identifying an off-*
13 *setting decrease elsewhere in the United Nations budget and*
14 *cause the United Nations budget for the biennium 2008–*
15 *2009 to exceed the revised United Nations budget level for*
16 *the biennium 2006–2007 of \$4,173,895,900: Provided fur-*
17 *ther, That any payment of arrearages under this title shall*
18 *be directed toward activities that are mutually agreed upon*
19 *by the United States and the respective international orga-*
20 *nization: Provided further, That none of the funds appro-*
21 *priated in this paragraph shall be available for a United*
22 *States contribution to an international organization for the*
23 *United States share of interest costs made known to the*
24 *United States Government by such organization for loans*

1 *incurred on or after October 1, 1984, through external bor-*
2 *rowings.*

3 *CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING*

4 *ACTIVITIES*

5 *For necessary expenses to pay assessed and other ex-*
6 *penses of international peacekeeping activities directed to*
7 *the maintenance or restoration of international peace and*
8 *security, \$1,352,000,000, of which 15 percent shall remain*
9 *available until September 30, 2009: Provided, That at least*
10 *15 days in advance of voting in the United Nations Secu-*
11 *rity Council (or in an emergency as far in advance as is*
12 *practicable) for any new or expanded United Nations*
13 *peacekeeping mission, the Secretary of State shall, with re-*
14 *gard to any new or expanded mission, notify the Commit-*
15 *tees on Appropriations and other appropriate Committees*
16 *of the Congress of its estimated cost and duration, the*
17 *United States national interest that will be served, the*
18 *planned exit strategy, the specific measures the United Na-*
19 *tions is taking to prevent United Nations employees, con-*
20 *tractor personnel, and peacekeeping forces serving in any*
21 *such mission from trafficking in persons, exploiting victims*
22 *of trafficking, or committing acts of illegal sexual exploi-*
23 *tation, and to hold accountable individuals who engage in*
24 *such acts while participating in the peacekeeping mission;*
25 *and a notification of funds pursuant to section 615 of this*
26 *Act is submitted, and the procedures therein followed, set-*

1 *ting forth the source of funds that will be used to pay for*
 2 *the cost of the new or expanded mission: Provided further,*
 3 *That funds shall be available for peacekeeping expenses only*
 4 *after a determination by the Secretary of State that Amer-*
 5 *ican manufacturers and suppliers are being given opportu-*
 6 *nities to provide equipment, services, and material for*
 7 *United Nations peacekeeping activities equal to those being*
 8 *given to foreign manufacturers and suppliers.*

9 *INTERNATIONAL COMMISSIONS*

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

13 *INTERNATIONAL BOUNDARY AND WATER COMMISSION,*
 14 *UNITED STATES AND MEXICO*

15 *For necessary expenses for the United States Section*
 16 *of the International Boundary and Water Commission,*
 17 *United States and Mexico, and to comply with laws appli-*
 18 *cable to the United States Section, including not to exceed*
 19 *\$6,000 for representation; as follows:*

20 *SALARIES AND EXPENSES*

21 *For salaries and expenses, not otherwise provided for,*
 22 *\$30,430,000.*

23 *CONSTRUCTION*

24 *For detailed plan preparation and construction of au-*
 25 *thorized projects, \$88,425,000, to remain available until ex-*
 26 *pendent, as authorized, of which, \$100,000 may be made*

1 *available to repair, relocate, or replace fencing along the*
2 *international border between the United States and Mexico:*
3 *Provided, That of the funds appropriated under this head-*
4 *ing, up to \$400,000 should be made available for the repair*
5 *or replacement of the Nogales Wash Flood Control Project*
6 *and International Outfall Interceptor, of which up to*
7 *\$66,000,000 shall be made available only for construction*
8 *in the United States of secondary wastewater treatment ca-*
9 *pability.*

10 *AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS*

11 *For necessary expenses, not otherwise provided, for the*
12 *International Joint Commission and the International*
13 *Boundary Commission, United States and Canada, as au-*
14 *thorized by treaties between the United States and Canada*
15 *or Great Britain, and for the Border Environment Coopera-*
16 *tion Commission as authorized by Public Law 103–182,*
17 *\$11,250,000, of which not to exceed \$9,000 shall be available*
18 *for representation expenses incurred by the International*
19 *Joint Commission.*

20 *INTERNATIONAL FISHERIES COMMISSIONS*

21 *For necessary expenses for international fisheries com-*
22 *missions, not otherwise provided for, as authorized by law,*
23 *\$27,054,000: Provided, That the United States' share of*
24 *such expenses may be advanced to the respective commis-*
25 *sions pursuant to 31 U.S.C. 3324: Provided further, That*
26 *funds appropriated under this heading shall be available*

1 *for programs in the amounts contained in the table included*
2 *in the report accompanying this Act and no proposal for*
3 *deviation from those amounts shall be considered.*

4 *OTHER*

5 *PAYMENT TO THE ASIA FOUNDATION*

6 *For a grant to the Asia Foundation, as authorized by*
7 *the Asia Foundation Act (22 U.S.C. 4402), \$16,000,000, to*
8 *remain available until expended, as authorized.*

9 *CENTER FOR MIDDLE EASTERN-WESTERN DIALOGUE TRUST*

10 *FUND*

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

15 *EISENHOWER EXCHANGE FELLOWSHIP PROGRAM*

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

1 *OMB Circulars A-110 (Uniform Administrative Require-*
 2 *ments) and A-122 (Cost Principles for Non-profit Organi-*
 3 *zations), including the restrictions on compensation for per-*
 4 *sonal services.*

5 *ISRAELI ARAB SCHOLARSHIP PROGRAM*

6 *For necessary expenses of the Israeli Arab Scholarship*
 7 *Program as authorized by section 214 of the Foreign Rela-*
 8 *tions Authorization Act, Fiscal Years 1992 and 1993 (22*
 9 *U.S.C. 2452), all interest and earnings accruing to the*
 10 *Israeli Arab Scholarship Fund on or before September 30,*
 11 *2008, to remain available until expended.*

12 *EAST-WEST CENTER*

13 *To enable the Secretary of State to provide for car-*
 14 *rying out the provisions of the Center for Cultural and*
 15 *Technical Interchange Between East and West Act of 1960,*
 16 *by grant to the Center for Cultural and Technical Inter-*
 17 *change Between East and West in the State of Hawaii,*
 18 *\$20,000,000: Provided, That none of the funds appropriated*
 19 *herein shall be used to pay any salary, or enter into any*
 20 *contract providing for the payment thereof, in excess of the*
 21 *rate authorized by 5 U.S.C. 5376.*

22 *RELATED AGENCIES*

23 *BROADCASTING BOARD OF GOVERNORS*

24 *INTERNATIONAL BROADCASTING OPERATIONS*

25 *For expenses necessary to enable the Broadcasting*
 26 *Board of Governors, as authorized, to carry out inter-*

1 *national communication activities, including the purchase,*
 2 *rent, construction, and improvement of facilities for radio*
 3 *and television transmission and reception and purchase,*
 4 *lease, and installation and operation of necessary equip-*
 5 *ment, including aircraft, for radio and television trans-*
 6 *mission and reception to Cuba, and to make and supervise*
 7 *grants for radio and television broadcasting to the Middle*
 8 *East, \$662,727,000: Provided, That of the total amount in*
 9 *this heading, not to exceed \$16,000 may be used for official*
 10 *receptions within the United States as authorized, not to*
 11 *exceed \$35,000 may be used for representation abroad as*
 12 *authorized, and not to exceed \$39,000 may be used for offi-*
 13 *cial reception and representation expenses of Radio Free*
 14 *Europe/Radio Liberty; and in addition, notwithstanding*
 15 *any other provision of law, not to exceed \$2,000,000 in re-*
 16 *ceipts from advertising and revenue from business ventures,*
 17 *not to exceed \$500,000 in receipts from cooperating inter-*
 18 *national organizations, and not to exceed \$1,000,000 in re-*
 19 *ceipts from privatization efforts of the Voice of America and*
 20 *the International Broadcasting Bureau, to remain avail-*
 21 *able until expended for carrying out authorized purposes.*

22 *BROADCASTING CAPITAL IMPROVEMENTS*

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

1 \$10,748,000, to remain available until expended, as author-
 2 ized.

3 *COMMISSION FOR THE PRESERVATION OF AMERICA'S*
 4 *HERITAGE ABROAD*

5 *SALARIES AND EXPENSES*

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

9 *COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM*
 10 *SALARIES AND EXPENSES*

11 *For necessary expenses for the United States Commis-*
 12 *sion on International Religious Freedom, as authorized by*
 13 *title II of the International Religious Freedom Act of 1998*
 14 *(Public Law 105-292), \$3,000,000, to remain available*
 15 *until September 30, 2009.*

16 *COMMISSION ON SECURITY AND COOPERATION IN EUROPE*
 17 *SALARIES AND EXPENSES*

18 *For necessary expenses of the Commission on Security*
 19 *and Cooperation in Europe, as authorized by Public Law*
 20 *94-304, \$2,037,000, to remain available until September*
 21 *30, 2009.*

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

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, \$2,962,000,*
14 *including not more than \$3,000 for the purpose of official*
15 *representation, to remain available until September 30,*
16 *2008: Provided, That funds appropriated under this head-*
17 *ing shall only be available for obligation in accordance with*
18 *a spending plan submitted to the Committees on Appro-*
19 *priations which effectively addresses the recommendations*
20 *of the Government Accountability Office's audit of the Com-*
21 *mission: Provided further, That the Commission shall pro-*
22 *vide to the Committees on Appropriations a quarterly ac-*
23 *counting of the cumulative balances of any unobligated*
24 *funds that were received by the Commission during any*
25 *previous fiscal year.*

1 *UNITED STATES SENATE-CHINA INTERPARLIAMENTARY*
 2 *GROUP*

3 *SALARIES AND EXPENSES*

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

9 *UNITED STATES INSTITUTE OF PEACE*

10 *OPERATING EXPENSES*

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

15 *GENERAL PROVISIONS—THIS TITLE*

16 *ALLOWANCES AND DIFFERENTIALS*

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

23 *UNOBLIGATED BALANCES REPORT*

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

1 *balances of any unobligated funds that were received by*
2 *such agency during any previous fiscal year.*

3 *EMBASSY CONSTRUCTION*

4 *SEC. 103. (a) Except as provided in subsection (b), a*
5 *project to construct a diplomatic facility of the United*
6 *States may not include office space or other accommoda-*
7 *tions for an employee of a Federal agency or department*
8 *if the Secretary of State determines that such department*
9 *or agency has not provided to the Department of State the*
10 *full amount of funding required by subsection (e) of section*
11 *604 of the Secure Embassy Construction and*
12 *Counterterrorism Act of 1999 (as enacted into law by sec-*
13 *tion 1000(a)(7) of Public Law 106–113 and contained in*
14 *appendix G of that Act; 113 Stat. 1501A–453), as amended*
15 *by section 629 of the Departments of Commerce, Justice,*
16 *and State, the Judiciary, and Related Agencies Appropria-*
17 *tions Act, 2005.*

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

22 *PEACEKEEPING MISSIONS*

23 *SEC. 104. None of the funds made available under title*
24 *I of this Act may be used for any United Nations under-*
25 *taking when it is made known to the Federal official having*
26 *authority to obligate or expend such funds that: (1) the*

1 *United Nations undertaking is a peacekeeping mission; (2)*
 2 *such undertaking will involve United States Armed Forces*
 3 *under the command or operational control of a foreign na-*
 4 *tional; and (3) the President's military advisors have not*
 5 *submitted to the President a recommendation that such in-*
 6 *volvement is in the national security interests of the United*
 7 *States and the President has not submitted to the Congress*
 8 *such a recommendation.*

9 *DENIAL OF VISAS*

10 *SEC. 105. (a) None of the funds appropriated or other-*
 11 *wise made available under this Act shall be expended for*
 12 *any purpose for which appropriations are prohibited by*
 13 *section 616 of the Departments of Commerce, Justice, and*
 14 *State, the Judiciary, and Related Agencies Appropriations*
 15 *Act, 1999.*

16 *(b) The requirements in subsections (b) and (c) of sec-*
 17 *tion 616 of that Act shall continue to apply during fiscal*
 18 *year 2008.*

19 *UNITED STATES CITIZENS BORN IN JERUSALEM*

20 *SEC. 106. For the purposes of registration of birth, cer-*
 21 *tification of nationality, or issuance of a passport of a*
 22 *United States citizen born in the city of Jerusalem, the Sec-*
 23 *retary of State shall, upon request of the citizen, record the*
 24 *place of birth as Israel.*

1 *STATE DEPARTMENT AUTHORITIES*

2 *SEC. 107. Funds appropriated under this Act for the*
3 *Broadcasting Board of Governors and the Department of*
4 *State may be obligated and expended notwithstanding sec-*
5 *tion 15 of the State Department Basic Authorities Act of*
6 *1956, section 313 of the Foreign Relations Authorization*
7 *Act, Fiscal Years 1994 and 1995 (Public Law 103-236),*
8 *and section 504(a)(1) of the National Security Act of 1947*
9 *(50 U.S.C. 414(a)(1)).*

10 *RESTRICTION ON CONTRIBUTIONS TO THE UNITED NATIONS*

11 *SEC. 108. None of the funds appropriated or otherwise*
12 *made available under any title of this Act may be made*
13 *available to make any assessed contribution or voluntary*
14 *payment of the United States to the United Nations if the*
15 *United Nations implements or imposes any taxation on any*
16 *United States persons.*

17 *PERSONNEL ACTIONS*

18 *SEC. 109. Any costs incurred by a department or agen-*
19 *cy funded under this Act resulting from personnel actions*
20 *taken in response to funding reductions included in this*
21 *Act shall be absorbed within the total budgetary resources*
22 *available to such department or agency: Provided, That the*
23 *authority to transfer funds between appropriations ac-*
24 *counts as may be necessary to carry out this section is pro-*
25 *vided in addition to authorities included elsewhere in this*
26 *Act: Provided further, That use of funds to carry out this*

1 *section shall be treated as a reprogramming of funds under*
 2 *section 615 of title VI of this Act and shall not be available*
 3 *for obligation or expenditure except in compliance with the*
 4 *procedures set forth in that section.*

5 *RESTRICTIONS ON UNITED NATIONS DELEGATIONS*

6 *SEC. 110. None of the funds made available in this*
 7 *Act may be used to pay expenses for any United States dele-*
 8 *gation to any specialized agency, body, or commission of*
 9 *the United Nations if such commission is chaired or pre-*
 10 *sided over by a country, the government of which the Sec-*
 11 *retary of State has determined, for purposes of section*
 12 *6(j)(1) of the Export Administration Act of 1979 (50 U.S.C.*
 13 *App. 2405(j)(1)), has provided support for acts of inter-*
 14 *national terrorism.*

15 *PALESTINIAN BROADCASTING CORPORATION*

16 *SEC. 111. None of the funds appropriated or otherwise*
 17 *made available in this Act may be used to provide equip-*
 18 *ment, technical support, consulting services, or any other*
 19 *form of assistance to the Palestinian Broadcasting Corpora-*
 20 *tion.*

21 *ATTENDANCE AT INTERNATIONAL CONFERENCES*

22 *SEC. 112. None of the funds made available in this*
 23 *Act may be used to send or otherwise pay for the attendance*
 24 *of more than 50 employees of agencies or departments of*
 25 *the United States Government who are stationed in the*
 26 *United States, at any single international conference occur-*

1 ring outside the United States, unless the Secretary of State
 2 determines that such attendance is in the national interest:
 3 *Provided, That for purposes of this section the term “inter-*
 4 *national conference” shall mean a conference attended by*
 5 *representatives of the United States Government and rep-*
 6 *resentatives of foreign governments, international organiza-*
 7 *tions, or nongovernmental organizations.*

8 *PEACEKEEPING ASSESSMENT*

9 *SEC. 113. Section 404(b)(2)(B) of the Foreign Rela-*
 10 *tions Authorization Act, Fiscal Years 1994 and 1995, as*
 11 *amended (22 U.S.C. 287e note) is further amended at the*
 12 *end by adding the following:*

13 *“(v) For assessments made during calendar year 2008,*
 14 *27.1 percent.”*

15 *ALHURRA BROADCASTING*

16 *SEC. 114. Funds appropriated by this Act, and any*
 17 *subsequent emergency supplemental appropriations Act for*
 18 *fiscal year 2008, may be made available for the programs*
 19 *and activities of Alhurra only if the Secretary of State cer-*
 20 *tifies and reports to the Committees on Appropriations that*
 21 *Alhurra does not advocate on behalf of any organization*
 22 *that the Secretary knows, or has reason to believe, engages*
 23 *in terrorist activities.*

24 *SEC. 115. COMMISSION FINANCIAL MANAGEMENT. (a)*
 25 *TERM LIMITS.—Section 1238(b)(3) of Public Law 106–398*

1 *is amended by striking subparagraph (G) and inserting the*
 2 *following:*

3 “(G) a member of the Commission may not
 4 be reappointed for an additional term of service
 5 if that member has twice been appointed to the
 6 Commission; and”.

7 (b) *REQUIREMENT FOR PERFORMANCE REVIEWS.—*
 8 *The United States-China Economic and Security Review*
 9 *Commission shall comply with chapter 43 of title 5, United*
 10 *States Code, regarding the establishment and regular review*
 11 *of employee performance appraisals.*

12 (c) *LIMITATION ON CASH AWARDS.—The United*
 13 *States-China Economic and Security Review Commission*
 14 *shall comply with section 4505a of title 5, United States*
 15 *Code, with respect to limitations on payment of perform-*
 16 *ance-based cash awards.*

17 (d) *ANNUAL FINANCIAL AUDIT.—The Commission*
 18 *shall provide to Congress an annual comprehensive inde-*
 19 *pendent financial audit of all obligations and expenditures,*
 20 *not later than June 30 each year hereafter.*

21 *COMMISSION ON SECURITY AND COOPERATION IN EUROPE*
 22 *SEC. 116. (a) The amount appropriated or otherwise*
 23 *made available by this title under the heading “COMMIS-*
 24 *SION ON SECURITY AND COOPERATION IN EUROPE” is here-*
 25 *by increased by \$333,000.*

1 (b) *The amount appropriated or otherwise made avail-*
 2 *able by this title for the Department of State under the*
 3 *heading “DIPLOMATIC AND CONSULAR PROGRAMS” is hereby*
 4 *reduced by \$333,000.*

5 COOPERATION WITH THE GOVERNMENT OF MEXICO

6 SEC. 117. (a) *COOPERATION REGARDING BORDER SE-*
 7 *curity.—The Secretary of State, in cooperation with the*
 8 *Secretary of Homeland Security and representatives of Fed-*
 9 *eral, State, and local law enforcement agencies that are in-*
 10 *involved in border security and immigration enforcement ef-*
 11 *forts, should work with the appropriate officials from the*
 12 *Government of Mexico to improve coordination between the*
 13 *United States and Mexico regarding—*

14 (1) *improved border security along the inter-*
 15 *national border between the United States and Mex-*
 16 *ico;*

17 (2) *the reduction of human trafficking and*
 18 *smuggling between the United States and Mexico;*

19 (3) *the reduction of drug trafficking and smug-*
 20 *gling between the United States and Mexico;*

21 (4) *the reduction of gang membership in the*
 22 *United States and Mexico;*

23 (5) *the reduction of violence against women in*
 24 *the United States and Mexico; and*

25 (6) *the reduction of other violence and criminal*
 26 *activity.*

1 (b) *COOPERATION REGARDING EDUCATION ON IMMI-*
 2 *GRATION LAWS.*—*The Secretary of State, in cooperation*
 3 *with other appropriate Federal officials, should work with*
 4 *the appropriate officials from the Government of Mexico to*
 5 *carry out activities to educate citizens and nationals of*
 6 *Mexico regarding eligibility for status as a nonimmigrant*
 7 *under Federal law to ensure that the citizens and nationals*
 8 *are not exploited while working in the United States.*

9 (c) *COOPERATION REGARDING CIRCULAR MIGRA-*
 10 *TION.*—*The Secretary of State, in cooperation with the Sec-*
 11 *retary of Labor and other appropriate Federal officials,*
 12 *should work with the appropriate officials from the Govern-*
 13 *ment of Mexico to improve coordination between the United*
 14 *States and Mexico on the development of economic opportu-*
 15 *nities and providing job training for citizens and nationals*
 16 *in Mexico.*

17 (d) *ANNUAL REPORT.*—*Not later than 180 days after*
 18 *the date of the enactment of this Act, the Secretary of State*
 19 *shall submit a report to the Committees on Appropriations*
 20 *describing the actions taken by the United States and Mex-*
 21 *ico pursuant to this section.*

22 *REPORT REGARDING USE OF LEVEES*

23 *SEC. 118. Not later than 90 days after the date of en-*
 24 *actment of this Act, the United States Commissioner of the*
 25 *International Boundary and Water Commission, in co-*
 26 *operation and coordination with the Secretary of Homeland*

1 *Security and the Chief of Engineers of the United States*
 2 *Army Corps of Engineers, shall submit to Congress a report*
 3 *regarding the use by U.S. Customs and Border Protection*
 4 *of flood control levees under the control of the International*
 5 *Boundary and Water Commission, which shall—*

6 *(1) discuss the purpose and importance of—*

7 *(A) any such use of such levees ongoing on*
 8 *the date of enactment of this Act; and*

9 *(B) any anticipated such use of such levees*
 10 *after the date of enactment of this Act;*

11 *(2) describe the frequency and means of, and ap-*
 12 *proximate number of officers and employees of the*
 13 *U.S. Customs and Border Protection who, access such*
 14 *levees;*

15 *(3) describe the level of degradation of such levees*
 16 *as a result of such use; and*

17 *(4) identify any formal agreements that may be*
 18 *needed between the Department of Homeland Security*
 19 *and the International Boundary and Water Commis-*
 20 *sion or the Department of State to ensure needed ac-*
 21 *cess to such levees.*

22 *DEPARTMENT OF STATE INSPECTOR GENERAL*

23 *SEC. 119. (a) LINK TO OFFICE OF INSPECTOR GEN-*
 24 *ERAL FROM HOMEPAGE OF DEPARTMENT OF STATE.—Not*
 25 *later than 30 days after the date of the enactment of this*

13 *CONSULAR OPERATIONS*

(b) *The Secretary of State shall report to the Congress no later than 30 days after enactment of this Act on funding and security requirements for consular operations in Iraq in fiscal year 2008.*

23 *SEC. 121. Except as otherwise provided in this title,*
24 *any reference in this title to “this Act” shall be deemed to*
25 *be a reference only to title I.*

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TITLE II

EXPORT AND INVESTMENT ASSISTANCE

EXPORT-IMPORT BANK OF THE UNITED STATES

INSPECTOR GENERAL

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

LOANS PROGRAM ACCOUNT

The Export-Import Bank of the United States is authorized to make such expenditures within the limits of funds and borrowing authority available to such corporation, and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations, as provided by section 104 of the Government Corporation Control Act, as may be necessary in carrying out the program for the current fiscal year for such corporation: Provided, That none of the funds available during the current fiscal year may be used to make expenditures, contracts, or commitments for the export of nuclear equipment, fuel, or technology to any country, other than a nuclear-weapon state as defined in Article IX of the Treaty on the Non-Proliferation of Nuclear Weapons eligible to receive economic or military assistance under this Act, that has detonated a nuclear explosive after the date of the enactment of this Act: Provided further, That notwithstanding section

1 *1(c) of Public Law 103–428, as amended, sections 1(a) and*
 2 *(b) of Public Law 103–428 shall remain in effect through*
 3 *October 1, 2008: Provided further, That 10 percent of the*
 4 *aggregate loan, guarantee, and insurance authority avail-*
 5 *able to the Export-Import Bank under this or any prior*
 6 *Act should be used for renewable energy and environ-*
 7 *mentally beneficial products and services.*

8 *SUBSIDY APPROPRIATION*

9 *For the cost of direct loans, loan guarantees, insurance,*
 10 *and tied-aid grants as authorized by section 10 of the Ex-*
 11 *port-Import Bank Act of 1945, as amended, \$68,000,000,*
 12 *to remain available until September 30, 2011: Provided,*
 13 *That such costs, including the cost of modifying such loans,*
 14 *shall be as defined in section 502 of the Congressional Budg-*
 15 *et Act of 1974: Provided further, That such sums shall re-*
 16 *main available until September 30, 2026, for the disburse-*
 17 *ment of direct loans, loan guarantees, insurance and tied-*
 18 *aid grants obligated in fiscal years 2008, 2009, 2010, and*
 19 *2011: Provided further, That none of the funds appro-*
 20 *priated by this Act or any prior Act appropriating funds*
 21 *for foreign operations, export financing, and related pro-*
 22 *grams for tied-aid credits or grants may be used for any*
 23 *other purpose except through the regular notification proce-*
 24 *dures of the Committees on Appropriations: Provided fur-*
 25 *ther, That funds appropriated by this paragraph are made*
 26 *available notwithstanding section 2(b)(2) of the Export-Im-*

1 port Bank Act of 1945, in connection with the purchase
 2 or lease of any product by any Eastern European country,
 3 any Baltic State or any agency or national thereof.

4 ADMINISTRATIVE EXPENSES

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

19 RECEIPTS COLLECTED

20 Receipts collected pursuant to the Export-Import Bank
 21 Act of 1945, as amended, and the Federal Credit Reform
 22 Act of 1990, as amended, in an amount not to exceed the
 23 amount appropriated herein, shall be credited as offsetting
 24 collections to this account: Provided, That the sums herein
 25 appropriated from the General Fund shall be reduced on
 26 a dollar-for-dollar basis by such offsetting collections so as

1 *to result in a final fiscal year appropriation from the Gen-*
 2 *eral Fund estimated at \$0: Provided further, That amounts*
 3 *collected in fiscal year 2008 in excess of obligations, up to*
 4 *\$50,000,000, shall become available October 1, 2008 and*
 5 *shall remain available until September 30, 2011.*

6 *OVERSEAS PRIVATE INVESTMENT CORPORATION*

7 *NONCREDIT ACCOUNT*

8 *The Overseas Private Investment Corporation is au-*
 9 *thorized to make, without regard to fiscal year limitations,*
 10 *as provided by 31 U.S.C. 9104, such expenditures and com-*
 11 *mitments within the limits of funds available to it and in*
 12 *accordance with law as may be necessary: Provided, That*
 13 *the amount available for administrative expenses to carry*
 14 *out the credit and insurance programs (including an*
 15 *amount for official reception and representation expenses*
 16 *which shall not exceed \$35,000) shall not exceed*
 17 *\$47,500,000: Provided further, That project-specific trans-*
 18 *action costs, including direct and indirect costs incurred*
 19 *in claims settlements, and other direct costs associated with*
 20 *services provided to specific investors or potential investors*
 21 *pursuant to section 234 of the Foreign Assistance Act of*
 22 *1961, shall not be considered administrative expenses for*
 23 *the purposes of this heading.*

24 *PROGRAM ACCOUNT*

25 *For the cost of direct and guaranteed loans,*
 26 *\$21,000,000, as authorized by section 234 of the Foreign*

1 *Assistance Act of 1961, to be derived by transfer from the*
2 *Overseas Private Investment Corporation Non-Credit Ac-*
3 *count: Provided, That such costs, including the cost of modi-*
4 *fying such loans, shall be as defined in section 502 of the*
5 *Congressional Budget Act of 1974: Provided further, That*
6 *such sums shall be available for direct loan obligations and*
7 *loan guaranty commitments incurred or made during fiscal*
8 *years 2008, 2009, and 2010: Provided further, That funds*
9 *so obligated in fiscal year 2008 remain available for dis-*
10 *bursement through 2016; funds obligated in fiscal year 2009*
11 *remain available for disbursement through 2017; funds obli-*
12 *gated in fiscal year 2010 remain available for disbursement*
13 *through 2018: Provided further, That notwithstanding any*
14 *other provision of law, the Overseas Private Investment*
15 *Corporation is authorized to undertake any program au-*
16 *thorized by title IV of the Foreign Assistance Act of 1961*
17 *in Iraq: Provided further, That funds made available pur-*
18 *suant to the authority of the previous proviso shall be sub-*
19 *ject to the regular notification procedures of the Committees*
20 *on Appropriations.*

21 *In addition, such sums as may be necessary for admin-*
22 *istrative expenses to carry out the credit program may be*
23 *derived from amounts available for administrative expenses*
24 *to carry out the credit and insurance programs in the Over-*

1 *seas Private Investment Corporation Noncredit Account*
 2 *and merged with said account.*

3 *FUNDS APPROPRIATED TO THE PRESIDENT*

4 *TRADE AND DEVELOPMENT AGENCY*

5 *For necessary expenses to carry out the provisions of*
 6 *section 661 of the Foreign Assistance Act of 1961,*
 7 *\$50,400,000, to remain available until September 30, 2009.*

8 *TITLE III*

9 *BILATERAL ECONOMIC ASSISTANCE*

10 *FUNDS APPROPRIATED TO THE PRESIDENT*

11 *For expenses necessary to enable the President to carry*
 12 *out the provisions of the Foreign Assistance Act of 1961,*
 13 *and for other purposes, to remain available until September*
 14 *30, 2008, unless otherwise specified herein, as follows:*

15 *GLOBAL HEALTH PROGRAMS*

16 *(INCLUDING TRANSFER OF FUNDS)*

17 *For necessary expenses to carry out the provisions of*
 18 *chapters 1 and 10 of part I of the Foreign Assistance Act*
 19 *of 1961, for global health activities, in addition to funds*
 20 *otherwise available for such purposes, \$6,621,425,000, to re-*
 21 *main available until September 30, 2009: Provided, That*
 22 *this amount shall be made available for such activities as:*
 23 *(1) child survival programs; (2) immunization and oral re-*
 24 *hydration programs; (3) other health, nutrition, water and*
 25 *sanitation programs which directly address the needs of*
 26 *mothers and children, and related education programs; (4)*

1 assistance for children displaced or orphaned by causes
 2 other than AIDS; (5) programs for the prevention, treat-
 3 ment, control of, and research on HIV/AIDS, tuberculosis,
 4 polio, malaria, and other infectious diseases, and for assist-
 5 ance to communities severely affected by HIV/AIDS, includ-
 6 ing children displaced or orphaned by AIDS; and (6) fam-
 7 ily planning/reproductive health: Provided further, That
 8 none of the funds appropriated under this heading may be
 9 made available for nonproject assistance, except that funds
 10 may be made available for such assistance for ongoing
 11 health activities: Provided further, That of the funds appro-
 12 priated under this heading, not to exceed \$350,000, in addi-
 13 tion to funds otherwise available for such purposes, may
 14 be used to monitor and provide oversight of child survival,
 15 maternal and family planning/reproductive health, and in-
 16 fectious disease programs: Provided further, That the fol-
 17 lowing amounts should be allocated as follows: \$450,000,000
 18 for child survival and maternal health; \$15,000,000 for vul-
 19 nerable children; \$724,675,000 for other infectious diseases,
 20 including \$200,000,000 for tuberculosis control, of which
 21 \$15,000,000 shall be used for the Global TB Drug Facility;
 22 and \$395,000,000 for family planning/reproductive health,
 23 including in areas where population growth threatens bio-
 24 diversity or endangered species: Provided further, That of
 25 the funds appropriated under this heading, \$75,000,000

1 *should be made available for a United States contribution*
2 *to The GAVI Fund, and up to \$6,000,000 may be trans-*
3 *ferred to and merged with funds appropriated by this Act*
4 *under the heading “Operating Expenses of the United*
5 *States Agency for International Development” for costs di-*
6 *rectly related to global health, but funds made available for*
7 *such costs may not be derived from amounts made available*
8 *for contribution under this and preceding provisos: Pro-*
9 *vided further, That none of the funds made available in this*
10 *Act nor any unobligated balances from prior appropria-*
11 *tions may be made available to any organization or pro-*
12 *gram which, as determined by the President, supports, or*
13 *participates in the management of, a program of coercive*
14 *abortion or involuntary sterilization: Provided further,*
15 *That none of the funds made available under this Act may*
16 *be used to pay for the performance of abortion as a method*
17 *of family planning or to motivate or coerce any person to*
18 *practice abortions: Provided further, That nothing in this*
19 *paragraph shall be construed to alter any existing statutory*
20 *prohibitions against abortion under section 104 of the For-*
21 *eign Assistance Act of 1961: Provided further, That none*
22 *of the funds made available under this Act may be used*
23 *to lobby for or against abortion: Provided further, That in*
24 *order to reduce reliance on abortion in developing nations,*
25 *funds shall be available only for voluntary family planning*

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

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

1 *strued to prohibit the provision, consistent with local law,*
 2 *of information or counseling about all pregnancy options:*
 3 *Provided further, That to the maximum extent practicable,*
 4 *taking into consideration cost, timely availability, and best*
 5 *health practices, funds appropriated in this Act or prior*
 6 *appropriations Acts that are made available for condom*
 7 *procurement should be made available only for the procure-*
 8 *ment of condoms manufactured in the United States: Pro-*
 9 *vided further, That information provided about the use of*
 10 *condoms as part of projects or activities that are funded*
 11 *from amounts appropriated by this Act shall be medically*
 12 *accurate and shall include the public health benefits and*
 13 *failure rates of such use.*

14 *Of the funds appropriated under this heading, for nec-*
 15 *essary expenses to carry out the provisions of the Foreign*
 16 *Assistance Act of 1961 for the prevention, treatment, and*
 17 *control of, and research on, HIV/AIDS, including for chil-*
 18 *dren displaced or orphaned by AIDS, \$5,050,000,000, to*
 19 *remain available until expended, of which \$550,000,000*
 20 *shall be made available, notwithstanding any other provi-*
 21 *sion of law, except for the United States Leadership Against*
 22 *HIV/AIDS, Tuberculosis and Malaria Act of 2003 (Public*
 23 *Law 108–25) for a United States contribution to the Global*
 24 *Fund to Fight AIDS, Tuberculosis and Malaria, and shall*
 25 *be expended at the minimum rate necessary to make timely*

1 *payment for projects and activities: Provided, That up to*
 2 *5 percent of the aggregate amount of funds made available*
 3 *to the Global Fund in fiscal year 2008 may be made avail-*
 4 *able to the United States Agency for International Develop-*
 5 *ment for technical assistance related to the activities of the*
 6 *Global Fund: Provided further, That of the funds appro-*
 7 *priated by this paragraph, up to \$13,000,000 may be made*
 8 *available, in addition to amounts otherwise available for*
 9 *such purposes, for administrative expenses of the Office of*
 10 *the Global AIDS Coordinator: Provided further, That the*
 11 *Global AIDS Coordinator shall include in each country*
 12 *operational plan for fiscal year 2008 a health workforce*
 13 *strategy for meeting HIV/AIDS goals without reducing the*
 14 *capacity of the country to meet other health needs, particu-*
 15 *larly child survival and maternal health: Provided further,*
 16 *That of the funds appropriated by this paragraph, not less*
 17 *than \$45,000,000 shall be made available to support the de-*
 18 *velopment of microbicides as a means for combating HIV/*
 19 *AIDS, and not less than \$40,000,000 shall be made avail-*
 20 *able for a United States contribution to UNAIDS: Provided*
 21 *further, That funds made available under this heading shall*
 22 *be made available notwithstanding the second sentence of*
 23 *section 403(a) of Public Law 108–25.*

24 *DEVELOPMENT ASSISTANCE*

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

1 chapter 10 of part I of the Foreign Assistance Act of 1961,
 2 \$1,455,000,000, to remain available until September 30,
 3 2009: Provided, That of the funds appropriated under this
 4 heading that are made available for assistance programs
 5 for displaced and orphaned children and victims of war,
 6 not to exceed \$43,000, in addition to funds otherwise avail-
 7 able for such purposes, may be used to monitor and provide
 8 oversight of such programs: Provided further, That of the
 9 funds appropriated by this Act, not less than \$250,000,000
 10 shall be made available for microenterprise and micro-
 11 finance development programs for the poor, especially
 12 women: Provided further, That of the funds appropriated
 13 under this heading, not less than \$29,000,000 shall be made
 14 available for Collaborative Research Support Programs:
 15 Provided further, That of the funds appropriated under this
 16 heading, \$750,000 shall be made available to implement 7
 17 U.S.C. section 1736g–2(a)(2)(C) to improve food aid prod-
 18 uct quality and nutrient delivery: Provided further, That
 19 of the funds appropriated under this heading, not less than
 20 \$22,000,000 should be made available for the American
 21 Schools and Hospitals Abroad program: Provided further,
 22 That of the funds appropriated under this heading,
 23 \$12,000,000 should be made available for cooperative devel-
 24 opment programs within the Office of Private and Vol-
 25 untary Cooperation: Provided further, That of the funds ap-

1 *propriated in this Act, not less than \$300,000,000 shall be*
2 *made available for safe drinking water and sanitation sup-*
3 *ply projects only to implement the Senator Paul Simon*
4 *Water for the Poor Act of 2005 (Public Law 109–121), of*
5 *which not less than \$125,000,000 should be made available*
6 *for such projects in Africa including drilling wells in north-*
7 *ern Niger, Mali and elsewhere in the African Sahel region.*

8 *INTERNATIONAL DISASTER ASSISTANCE*

9 *For necessary expenses to carry out the provisions of*
10 *section 491 of the Foreign Assistance Act of 1961 for inter-*
11 *national disaster relief, rehabilitation, and reconstruction*
12 *assistance, \$322,350,000, to remain available until ex-*
13 *pended, of which \$20,000,000 should be for famine preven-*
14 *tion and relief.*

15 *TRANSITION INITIATIVES*

16 *For necessary expenses for international disaster reha-*
17 *bilitation and reconstruction assistance pursuant to section*
18 *491 of the Foreign Assistance Act of 1961, \$50,000,000, to*
19 *remain available until expended, to support transition to*
20 *democracy and to long-term development of countries in cri-*
21 *sis: Provided, That such support may include assistance to*
22 *develop, strengthen, or preserve democratic institutions and*
23 *processes, revitalize basic infrastructure, and foster the*
24 *peaceful resolution of conflict: Provided further, That the*
25 *United States Agency for International Development shall*
26 *submit a report to the Committees on Appropriations at*

1 *least 5 days prior to beginning a new program of assist-*
 2 *ance: Provided further, That if the President determines*
 3 *that it is important to the national interests of the United*
 4 *States to provide transition assistance in excess of the*
 5 *amount appropriated under this heading, up to*
 6 *\$15,000,000 of the funds appropriated by this Act to carry*
 7 *out the provisions of part I of the Foreign Assistance Act*
 8 *of 1961 may be used for purposes of this heading and under*
 9 *the authorities applicable to funds appropriated under this*
 10 *heading: Provided further, That funds made available pur-*
 11 *suant to the previous proviso shall be made available subject*
 12 *to prior consultation with the Committees on Appropria-*
 13 *tions.*

14 *DEVELOPMENT CREDIT AUTHORITY*

15 *(INCLUDING TRANSFER OF FUNDS)*

16 *For the cost of direct loans and loan guarantees pro-*
 17 *vided by the United States Agency for International Devel-*
 18 *opment, as authorized by sections 256 and 635 of the For-*
 19 *oreign Assistance Act of 1961, up to \$21,000,000 may be de-*
 20 *rived by transfer from funds appropriated by this Act to*
 21 *carry out part I of such Act and under the heading “Assist-*
 22 *ance for Eastern Europe and the Baltic States”: Provided,*
 23 *That such funds shall be made available only for micro and*
 24 *small enterprise programs, urban programs, and other pro-*
 25 *grams which further the purposes of part I of the Act: Pro-*
 26 *vided further, That such costs, including the cost of modi-*

1 *fying such direct and guaranteed loans, shall be as defined*
2 *in section 502 of the Congressional Budget Act of 1974, as*
3 *amended: Provided further, That funds made available by*
4 *this paragraph may be used for the cost of modifying any*
5 *such guaranteed loans under this Act or prior Acts, and*
6 *funds used for such costs shall be subject to the regular noti-*
7 *fication procedures of the Committees on Appropriations:*
8 *Provided further, That the provisions of section 107A(d)*
9 *(relating to general provisions applicable to the Develop-*
10 *ment Credit Authority) of the Foreign Assistance Act of*
11 *1961, as contained in section 306 of H.R. 1486 as reported*
12 *by the House Committee on International Relations on May*
13 *9, 1997, shall be applicable to direct loans and loan guaran-*
14 *tees provided under this heading: Provided further, That*
15 *these funds are available to subsidize total loan principal,*
16 *any portion of which is to be guaranteed, of up to*
17 *\$700,000,000.*

18 *In addition, for administrative expenses to carry out*
19 *credit programs administered by the United States Agency*
20 *for International Development, \$8,920,000, which may be*
21 *transferred to and merged with the appropriation for Oper-*
22 *ating Expenses of the United States Agency for Inter-*
23 *national Development: Provided, That funds made avail-*
24 *able under this heading shall remain available until Sep-*
25 *tember 30, 2010.*

1 *OPERATING EXPENSES OF THE UNITED STATES AGENCY*
2 *FOR INTERNATIONAL DEVELOPMENT*
3 *(INCLUDING TRANSFER OF FUNDS)*

4 *For necessary expenses to carry out the provisions of*
5 *section 667 of the Foreign Assistance Act of 1961,*
6 *\$645,700,000, of which up to \$25,000,000 may remain*
7 *available until September 30, 2009: Provided, That none*
8 *of the funds appropriated under this heading and under*
9 *the heading “Capital Investment Fund” may be made*
10 *available to finance the construction (including architect*
11 *and engineering services), purchase, or long-term lease of*
12 *offices for use by the United States Agency for International*
13 *Development, unless the Administrator has identified such*
14 *proposed construction (including architect and engineering*
15 *services), purchase, or long-term lease of offices in a report*
16 *submitted to the Committees on Appropriations at least 15*
17 *days prior to the obligation of these funds for such purposes:*
18 *Provided further, That the previous proviso shall not apply*
19 *where the total cost of construction (including architect and*
20 *engineering services), purchase, or long-term lease of offices*
21 *does not exceed \$1,000,000: Provided further, That contracts*
22 *or agreements entered into with funds appropriated under*
23 *this heading may entail commitments for the expenditure*
24 *of such funds through fiscal year 2009: Provided further,*
25 *That any decision to open a new overseas mission or office*
26 *of the United States Agency for International Development*

1 or, except where there is a substantial security risk to mis-
 2 sion personnel, to close or significantly reduce the number
 3 of personnel of any such mission or office, shall be subject
 4 to the regular notification procedures of the Committees on
 5 Appropriations: Provided further, That the authority of sec-
 6 tions 610 and 109 of the Foreign Assistance Act of 1961
 7 may be exercised by the Secretary of State to transfer funds
 8 appropriated to carry out chapter 1 of part I of such Act
 9 to “Operating Expenses of the United States Agency for
 10 International Development” in accordance with the provi-
 11 sions of those sections.

12 CAPITAL INVESTMENT FUND

13 For necessary expenses for overseas construction and
 14 related costs, and for the procurement and enhancement of
 15 information technology and related capital investments,
 16 pursuant to section 667 of the Foreign Assistance Act of
 17 1961, \$90,508,000, to remain available until expended: Pro-
 18 vided, That this amount is in addition to funds otherwise
 19 available for such purposes: Provided further, That funds
 20 appropriated under this heading shall be available for obli-
 21 gation only pursuant to the regular notification procedures
 22 of the Committees on Appropriations: Provided further,
 23 That of the funds appropriated under this heading, not to
 24 exceed \$75,144,500 may be made available for the purposes
 25 of implementing the Capital Security Cost Sharing Pro-
 26 gram.

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

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

10 OTHER BILATERAL ECONOMIC ASSISTANCE

11 ECONOMIC SUPPORT FUND

12 (INCLUDING TRANSFER OF FUNDS)

13 *For necessary expenses to carry out the provisions of*
14 *chapter 4 of part II of the Foreign Assistance Act of 1961,*
15 *\$3,015,000,000, to remain available until September 30,*
16 *2009: Provided, That funds appropriated under this head-*
17 *ing that are available for Egypt shall be provided with the*
18 *understanding that Egypt will undertake significant eco-*
19 *nomie and democratic reforms which are additional to those*
20 *which were undertaken in previous fiscal years, including*
21 *the benchmarks accompanying the “Financial Sector Re-*
22 *form Memorandum of Understanding” dated March 20,*
23 *2005: Provided further, That with respect to the provision*
24 *of assistance for Egypt for democracy, human rights and*
25 *governance activities, the organizations implementing such*
26 *assistance and the specific nature of that assistance shall*

1 *not be subject to the prior approval by the Government of*
2 *Egypt: Provided further, That of the funds appropriated*
3 *under this heading that are available for assistance for*
4 *Egypt, not less than \$15,000,000 should be made available*
5 *for democracy, human rights and governance programs and*
6 *not less than \$50,000,000 should be used for education pro-*
7 *grams, of which not less than \$10,000,000 should be made*
8 *available for scholarships for Egyptian students with high*
9 *financial need to attend United States accredited institu-*
10 *tions of higher education in Egypt: Provided further, That*
11 *funds appropriated under this heading that are available*
12 *for assistance for Cyprus should be used only for scholar-*
13 *ships, administrative support of the scholarship program,*
14 *bicommunal projects, and measures aimed at reunification*
15 *of the island and designed to reduce tensions and promote*
16 *peace and cooperation between the two communities on Cy-*
17 *prus: Provided further, That of the funds appropriated*
18 *under this heading, \$363,547,000 shall be made available*
19 *for assistance for Jordan: Provided further, That of the*
20 *funds appropriated under this heading, \$75,000,000 shall*
21 *be made available for assistance for the West Bank and*
22 *Gaza, of which not to exceed \$2,000,000 may be used for*
23 *administrative expenses of the United States Agency for*
24 *International Development, in addition to funds otherwise*
25 *available for such purposes, to carry out programs in the*

1 *West Bank and Gaza: Provided further, That of the funds*
2 *appropriated under this heading, not less than \$30,000,000*
3 *shall be made available for assistance for the Philippines*
4 *and not less than \$10,700,000 shall be made available for*
5 *assistance for Vietnam: Provided further, That \$45,000,000*
6 *of the funds appropriated under this heading shall be made*
7 *available for assistance for Lebanon, of which not less than*
8 *\$10,000,000 should be made available for scholarships and*
9 *direct support of United States educational institutions in*
10 *Lebanon, and of which not less than \$500,000 shall be made*
11 *available to the United States Forest Service for forest man-*
12 *agement and wildlife conservation programs in Lebanon:*
13 *Provided further, That of the funds appropriated under this*
14 *heading, not less than \$5,000,000 shall be made available*
15 *for the fund established by section 2108 of Public Law 109–*
16 *13: Provided further, That of the funds appropriated under*
17 *this heading, \$3,000,000 shall be made available for pro-*
18 *grams to promote democracy and human rights in North*
19 *Korea: Provided further, That of the funds appropriated*
20 *under this heading for assistance for Cambodia,*
21 *\$15,000,000 shall be made available to support, democracy,*
22 *the rule of law, and human rights in Cambodia, including*
23 *assistance for democratic political parties: Provided further,*
24 *That notwithstanding any other provision of law, funds ap-*
25 *propriated under this heading may be made available for*

1 *programs and activities in the Central Highlands of Viet-*
2 *nam: Provided further, That of the funds appropriated*
3 *under this heading for the Middle East Partnership Initia-*
4 *tive, not less than \$5,000,000 shall be made available to*
5 *rescue Iraqi scholars: Provided further, That of the funds*
6 *appropriated under this heading that are available for as-*
7 *sistance for the Democratic Republic of Timor-Leste, up to*
8 *\$1,000,000 may be available for administrative expenses of*
9 *the United States Agency for International Development in*
10 *addition to amounts otherwise made available for such pur-*
11 *poses: Provided further, That of the funds appropriated*
12 *under this heading, not less than \$12,000,000 shall be made*
13 *available for a United States contribution to the Special*
14 *Court for Sierra Leone, not less than \$3,000,000 shall be*
15 *made available for a United States contribution to the Ex-*
16 *tractive Industries Transparency Initiative Trust Fund,*
17 *not less than \$3,000,000 shall be made available to support*
18 *implementation of the Kimberley Process Certification*
19 *Scheme with an emphasis on support for regional efforts*
20 *to combat cross-border smuggling and for monitoring by*
21 *civil society groups, not less than \$4,000,000 should be*
22 *made available for a United States contribution to the*
23 *International Commission Against Impunity in Guate-*
24 *mala, not less than \$2,500,000 shall be made available for*
25 *East Asia and Pacific Environmental Initiatives, and not*

1 *less than \$5,000,000 shall be made available for programs*
 2 *to protect biodiversity in Colombia's national parks and in-*
 3 *digenous reserves: Provided further, That funds appro-*
 4 *priated under this heading that are made available for a*
 5 *Middle East Financing Facility, Middle East Enterprise*
 6 *Fund, or any other similar entity in the Middle East shall*
 7 *be subject to the regular notification procedures of the Com-*
 8 *mittees on Appropriations: Provided further, That of the*
 9 *funds appropriated under this heading, not less than*
 10 *\$10,000,000 shall be made available for labor and environ-*
 11 *mental capacity building activities relating to the free trade*
 12 *agreements with the countries of Central America and the*
 13 *Dominican Republic: Provided further, That of the funds*
 14 *appropriated under this heading, \$45,700,000 should be*
 15 *made available to promote democracy in Cuba, and to as-*
 16 *sist the pro-democracy movement in Cuba: Provided fur-*
 17 *ther, That of the funds appropriated under this heading,*
 18 *not less than \$10,000,000 should be made available for (1)*
 19 *programs to locate and identify persons missing as a result*
 20 *of armed conflict, violations of human rights, or natural*
 21 *disasters; (2) to assist governments in meeting their obliga-*
 22 *tions regarding missing persons; and (3) to support inves-*
 23 *tigations and prosecutions related to war crimes, crimes*
 24 *against humanity, genocide and other crimes under inter-*
 25 *national law: Provided further, That of the funds appro-*

1 *priated under this heading, not more than \$500,000 should*
 2 *be made available for the Department of Energy's National*
 3 *Nuclear Security Administration to support initiatives*
 4 *which bring together public officials and private individ-*
 5 *uals from nations involved in the Six-Party Talks for infor-*
 6 *mal discussions on resolving the North Korea nuclear issue.*

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

9 *(a) For necessary expenses to carry out the provisions*
 10 *of the Foreign Assistance Act of 1961 and the Support for*
 11 *East European Democracy (SEED) Act of 1989,*
 12 *\$294,568,000, to remain available until September 30,*
 13 *2009, which shall be available, notwithstanding any other*
 14 *provision of law, for assistance and for related programs*
 15 *for Eastern Europe and the Baltic States.*

16 *(b) Funds appropriated under this heading shall be*
 17 *considered to be economic assistance under the Foreign As-*
 18 *sistance Act of 1961 for purposes of making available the*
 19 *administrative authorities contained in that Act for the use*
 20 *of economic assistance.*

21 *(c) The provisions of section 628 of this Act shall apply*
 22 *to funds appropriated under this heading: Provided, That*
 23 *notwithstanding any provision of this or any other Act, in-*
 24 *cluding provisions in this subsection regarding the applica-*
 25 *tion of section 628 of this Act, local currencies generated*
 26 *by, or converted from, funds appropriated by this Act and*

1 *by previous appropriations Acts and made available for the*
 2 *economic revitalization program in Bosnia may be used in*
 3 *Eastern Europe and the Baltic States to carry out the pro-*
 4 *visions of the Foreign Assistance Act of 1961 and the Sup-*
 5 *port for East European Democracy (SEED) Act of 1989.*

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

8 *For necessary expenses to carry out the provisions of*
 9 *chapters 11 and 12 of part I of the Foreign Assistance Act*
 10 *of 1961 and the FREEDOM Support Act, for assistance*
 11 *for the Independent States of the former Soviet Union and*
 12 *for related programs, \$401,885,000, to remain available*
 13 *until September 30, 2009: Provided, That the provisions of*
 14 *such chapters shall apply to funds appropriated by this*
 15 *paragraph: Provided further, That funds made available for*
 16 *the Southern Caucasus region may be used, notwith-*
 17 *standing any other provision of law, for confidence-building*
 18 *measures and other activities in furtherance of the peaceful*
 19 *resolution of regional conflicts, especially those in the vicin-*
 20 *ity of Abkhazia and Nagorno-Karabagh: Provided further,*
 21 *That of the funds appropriated under this heading, not less*
 22 *than \$8,000,000 shall be made available for humanitarian,*
 23 *conflict mitigation, human rights, civil society, and relief*
 24 *and recovery assistance for Chechnya, Ingushetia, Dage-*
 25 *stan, and North Ossetia-Alania in the North Caucasus: Pro-*
 26 *vided further, That of the funds appropriated under this*

1 *heading that are available for assistance for Russia, not less*
 2 *than \$500,000 shall be made available to the United States*
 3 *Forest Service for forest management and wildlife conserva-*
 4 *tion programs in the Russian Far East: Provided further,*
 5 *That notwithstanding any other provision of law, funds ap-*
 6 *propriated under this heading in this Act or prior Acts*
 7 *making appropriations for foreign operations, export fi-*
 8 *nancing, and related programs, that are made available*
 9 *pursuant to the provisions of section 807 of Public Law*
 10 *102–511 shall be subject to a 6 percent ceiling on adminis-*
 11 *trative expenses.*

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 *\$22,000,000, to remain available until September 30, 2009.*

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, \$30,000,000, to remain available*
 22 *until September 30, 2009: 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, (1) in exceptional circumstances the Board of Directors*
 4 *of the Foundation may waive the \$250,000 limitation con-*
 5 *tained in that section with respect to a project and (2) a*
 6 *project may exceed the limitation by up to \$10,000 if the*
 7 *increase is due solely to foreign currency fluctuation: Pro-*
 8 *vided further, That the Foundation shall provide a report*
 9 *to the Committees on Appropriations after each time such*
 10 *waiver authority is exercised.*

11 *PEACE CORPS*

12 *(INCLUDING TRANSFER OF FUNDS)*

13 *For necessary expenses to carry out the provisions of*
 14 *the Peace Corps Act (75 Stat. 612), including the purchase*
 15 *of not to exceed five passenger motor vehicles for adminis-*
 16 *trative purposes for use outside of the United States,*
 17 *\$323,500,000, to remain available until September 30,*
 18 *2009: Provided, That none of the funds appropriated under*
 19 *this heading shall be used to pay for abortions: Provided*
 20 *further, That the Director may transfer to the Foreign Cur-*
 21 *rency Fluctuations Account, as authorized by 22 U.S.C.*
 22 *2515, an amount not to exceed \$2,000,000: Provided fur-*
 23 *ther, That funds transferred pursuant to the previous pro-*
 24 *viso may not be derived from amounts made available for*
 25 *Peace Corps overseas operations.*

1 MILLENNIUM CHALLENGE CORPORATION

2 *For necessary expenses to carry out the provisions of*
3 *the Millennium Challenge Act of 2003, \$1,200,000,000, to*
4 *remain available until expended: Provided, That of the*
5 *funds appropriated under this heading, up to \$75,000,000*
6 *may be available for administrative expenses of the Millen-*
7 *nium Challenge Corporation: Provided further, That up to*
8 *10 percent of the funds appropriated under this heading*
9 *may be made available to carry out the purposes of section*
10 *616 of the Millennium Challenge Act of 2003 for candidate*
11 *countries for fiscal year 2008: Provided further, That none*
12 *of the funds available to carry out section 616 of such Act*
13 *may be made available until the Chief Executive Officer*
14 *of the Millennium Challenge Corporation provides a report*
15 *to the Committees on Appropriations listing the candidate*
16 *countries that will be receiving assistance under section 616*
17 *of such Act, the level of assistance proposed for each such*
18 *country, a description of the proposed programs, projects*
19 *and activities, and the implementing agency or agencies of*
20 *the United States Government: Provided further, That sec-*
21 *tion 605(e)(4) of the Millennium Challenge Act of 2003 shall*
22 *apply to funds appropriated under this heading: Provided*
23 *further, That funds appropriated under this heading may*
24 *be made available for a Millennium Challenge Compact en-*
25 *tered into pursuant to section 609 of the Millennium Chal-*

1 *lenge Act of 2003 only if such Compact obligates not more*
 2 *than 50 percent of the entire amount of the United States*
 3 *Government funding anticipated for the duration of the*
 4 *Compact, or contains a commitment to obligate subject to*
 5 *the availability of funds and the mutual agreement of the*
 6 *parties to the Compact to proceed the entire amount of the*
 7 *United States Government funding anticipated for the du-*
 8 *ration of the Compact.*

9 *DEPARTMENT OF STATE*

10 *DEMOCRACY FUND*

11 *(a) For necessary expenses to carry out the provisions*
 12 *of the Foreign Assistance Act of 1961 for the promotion of*
 13 *democracy globally, \$177,000,000, of which the following*
 14 *amounts shall be made available, subject to the regular noti-*
 15 *fication procedures of the Committees on Appropriations,*
 16 *until September 30, 2010—*

17 *(1) \$75,000,000 for the Human Rights and De-*
 18 *mocracy Fund of the Bureau of Democracy, Human*
 19 *Rights and Labor, Department of State, of which*
 20 *\$15,000,000 shall be for democracy and rule of law*
 21 *programs in the People's Republic of China, Hong*
 22 *Kong, and Taiwan: Provided, That assistance for*
 23 *Taiwan should be matched from sources other than*
 24 *the United States Government: Provided further, That*
 25 *\$10,000,000 shall be made available for programs and*

1 *activities for the promotion of democracy in countries*
2 *located outside the Middle East region with a signifi-*
3 *cant Muslim population, and where such programs*
4 *and activities would be important to United States*
5 *efforts to respond to, deter, or prevent acts of inter-*
6 *national terrorism: Provided further, That funds used*
7 *for such purposes should support new initiatives and*
8 *activities in those countries; and*

9 *(2) \$102,000,000 for the National Endowment*
10 *for Democracy: Provided, That of the funds appro-*
11 *priated by this Act under the headings “Development*
12 *Assistance”, “Economic Support Fund”, and “Assist-*
13 *ance for the Independent States of the Former Soviet*
14 *Union”, an additional \$18,000,000 shall be made*
15 *available for the programs and activities of the Na-*
16 *tional Endowment of Democracy.*

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

24 *(c) The Assistant Secretary of State for Democracy,*
25 *Human Rights and Labor shall be responsible for—*

1 (1) *all policy, funding, and programming deci-*
2 *sions regarding funds made available in this Act and*
3 *subsequent Acts making appropriations for the De-*
4 *partment of State, foreign operations, export financ-*
5 *ing, and related programs for the Human Rights and*
6 *Democracy Fund of the Bureau of Democracy,*
7 *Human Rights, and Labor; and*

8 (2) *the development of strategies for the pro-*
9 *motion of democracy globally and the coordination of*
10 *democracy programs between the United States De-*
11 *partment of State and the United States Agency for*
12 *International Development.*

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

22 (e) *Any contract, grant or cooperative agreement (or*
23 *any amendment to any contract, grant, or cooperative*
24 *agreement) in excess of \$2,500,000 for the promotion of de-*

1 *mocracy under this Act shall be subject to the regular notifi-*
 2 *cation procedures of the Committees on Appropriations.*

3 *INTERNATIONAL NARCOTICS CONTROL AND LAW*

4 *ENFORCEMENT*

5 *For necessary expenses to carry out section 481 of the*
 6 *Foreign Assistance Act of 1961, \$558,449,000, to remain*
 7 *available until September 30, 2010: Provided, That during*
 8 *fiscal year 2008, the Department of State may also use the*
 9 *authority of section 608 of the Foreign Assistance Act of*
 10 *1961, without regard to its restrictions, to receive excess*
 11 *property from an agency of the United States Government*
 12 *for the purpose of providing it to a foreign country under*
 13 *chapter 8 of part I of that Act subject to the regular notifi-*
 14 *cation procedures of the Committees on Appropriations:*
 15 *Provided further, That the Secretary of State shall provide*
 16 *to the Committees on Appropriations not later than 45 days*
 17 *after the date of the enactment of this Act and prior to the*
 18 *initial obligation of funds appropriated under this heading,*
 19 *a report on the proposed uses of all funds under this head-*
 20 *ing on a country-by-country basis for each proposed pro-*
 21 *gram, project, or activity: Provided further, That of the*
 22 *funds appropriated under this heading, not less than*
 23 *\$19,000,000 shall be made available for training programs*
 24 *and activities of the International Law Enforcement Acad-*
 25 *emies: Provided further, That funds appropriated under*
 26 *this heading shall be made available for training of foreign*

1 *law enforcement and judicial personnel in the prevention*
 2 *of violence and discrimination on account of sexual orienta-*
 3 *tion or gender identity: Provided further, That of the funds*
 4 *appropriated under this heading, not less than \$10,500,000*
 5 *should be made available for programs to combat trafficking*
 6 *in persons and migrant smuggling: Provided further, That*
 7 *of the funds appropriated under this heading, not more*
 8 *than \$38,000,000 may be available for administrative ex-*
 9 *penses.*

10 *ANDEAN PROGRAMS*

11 *(INCLUDING TRANSFER OF FUNDS)*

12 *(a) For necessary expenses to carry out section 481 of*
 13 *the Foreign Assistance Act of 1961 to support counterdrug,*
 14 *economic and social development, rule of law, and other ac-*
 15 *tivities in the Andean region of South America,*
 16 *\$415,050,000, to remain available until September 30,*
 17 *2010.*

18 *(b) In fiscal year 2008, funds available to the Depart-*
 19 *ment of State for assistance to the Government of Colombia*
 20 *may be made available to support a unified campaign*
 21 *against drug trafficking, against activities by organizations*
 22 *designated as Foreign Terrorist Organizations, and to take*
 23 *actions to protect human health and welfare in emergency*
 24 *circumstances, including undertaking rescue operations:*
 25 *Provided, That this authority shall cease to be effective if*
 26 *the Secretary of State has credible evidence that the Colom-*

1 *bian Armed Forces are not conducting vigorous operations*
 2 *to restore civilian government authority and respect for*
 3 *human rights in areas under the effective control of para-*
 4 *military organizations or successor armed groups: Provided*
 5 *further, That the President shall ensure that if any heli-*
 6 *copter procured with funds under this heading is used to*
 7 *aid or abet the operations of any such organization, the*
 8 *helicopter shall be immediately returned to the United*
 9 *States: Provided further, That section 482(b) of the Foreign*
 10 *Assistance Act of 1961 shall not apply to funds appro-*
 11 *priated under this heading: Provided further, That assist-*
 12 *ance provided with funds appropriated under this heading*
 13 *that is made available notwithstanding section 482(b) of*
 14 *the Foreign Assistance Act of 1961 shall be made available*
 15 *subject to the regular notification procedures of the Commit-*
 16 *tees on Appropriations.*

17 (c) *Of the funds appropriated under this heading that*
 18 *are available for assistance for Colombia, not less than*
 19 *\$22,000,000 shall be made available for the Office of the*
 20 *Attorney General, of which \$5,000,000 shall be for the*
 21 *Human Rights Unit, \$5,000,000 shall be for the Justice and*
 22 *Peace Unit, \$9,000,000 shall be used to develop a witness*
 23 *protection program for victims of armed groups, and*
 24 *\$3,000,000 shall be for investigations of mass graves and*
 25 *identification of remains: Provided further, That of the*

1 *funds appropriated under this heading that are available*
2 *for assistance for Colombia, \$5,000,000 shall be for the Of-*
3 *fice of the Procuraduria General de la Nacion, \$3,000,000*
4 *shall be for the Office of the Defensoria del Pueblo, and*
5 *\$750,000 shall be made available for a United States con-*
6 *tribution to the Office of the United Nations High Commis-*
7 *sioner for Human Rights in Colombia to support moni-*
8 *toring and public reporting of human rights conditions in*
9 *the field.*

10 (d) *Funds appropriated by this Act that are available*
11 *for aerial eradication of coca in Colombia may be made*
12 *available only for targeted eradication in specific areas and*
13 *only if the Secretary of State certifies to the Committees*
14 *on Appropriations that manual eradication in such areas*
15 *is not practicable and that aerial eradication will not con-*
16 *tribute to a significant loss of biodiversity: Provided, That*
17 *not more than 20 percent of such funds may be made avail-*
18 *able unless the Secretary of State certifies to the Committees*
19 *on Appropriations that: (1) the herbicide is being used in*
20 *accordance with EPA label requirements for comparable use*
21 *in the United States and with Colombian laws; and (2)*
22 *the herbicide, in the manner it is being used, does not pose*
23 *unreasonable risks or adverse effects to humans or the envi-*
24 *ronment including endemic species: Provided further, That*
25 *such funds may not be made available unless the Secretary*

1 of State certifies to the Committees on Appropriations that
2 complaints of harm to health or licit crops caused by such
3 aerial eradication are thoroughly evaluated and fair com-
4 pensation is being paid in a timely manner for meritorious
5 claims, and the Secretary submits a report to the Commit-
6 tees on Appropriations detailing all claims, evaluations,
7 and compensation paid during the twelve month period
8 prior to the date of enactment of this Act: Provided further,
9 That such funds may not be made available for such pur-
10 poses unless programs are being implemented by the United
11 States Agency for International Development, the Govern-
12 ment of Colombia, or other organizations, in consultation
13 and coordination with local communities, to provide alter-
14 native sources of income in municipalities where security
15 permits for small-acreage growers whose illicit crops are
16 targeted for aerial eradication: Provided further, That
17 funds appropriated by this Act may be used for aerial
18 eradication in Colombia's national parks or reserves only
19 if the Secretary of State certifies to the Committees on Ap-
20 propriations on a case-by-case basis that there are no prac-
21 ticable alternatives and the eradication is conducted in ac-
22 cordance with Colombian laws: Provided further, That of
23 the funds appropriated under this heading that are avail-
24 able for Colombia, \$10,000,000 shall be transferred to, and
25 merged with, funds appropriated under the heading "For-

1 *ign Military Financing Program” and shall be made*
2 *available only for assistance for the Colombian military to*
3 *provide security for manual eradication programs, includ-*
4 *ing in national parks: Provided further, That none of the*
5 *funds appropriated by this Act shall be made available for*
6 *the cultivation or processing of African oil palm, if doing*
7 *so would contribute to significant loss of native species, dis-*
8 *rupt or contaminate natural water sources, reduce local*
9 *food security, or cause the forced displacement of local peo-*
10 *ple.*

11 *(e) No United States Armed Forces personnel or*
12 *United States civilian contractor employed by the United*
13 *States will participate in any combat operation in connec-*
14 *tion with assistance made available by this Act for Colom-*
15 *bia.*

16 *(f) Rotary and fixed wing aircraft supported with*
17 *funds appropriated under this heading for assistance for*
18 *Colombia should be used for drug eradication and interdic-*
19 *tion including to transport personnel in connection with*
20 *manual eradication programs, and to provide transport in*
21 *support of alternative development programs and investiga-*
22 *tions of cases under the jurisdiction of the Attorney General,*
23 *the Procuraduria General de la Nacion, and the Defensoria*
24 *del Pueblo.*

1 (g) *Funds appropriated under this heading that are*
2 *made available for assistance for the Bolivian military and*
3 *police may be made available for such purposes only if the*
4 *Secretary of State certifies to the Committees on Appropria-*
5 *tions that the Bolivian military and police are respecting*
6 *human rights, and civilian judicial authorities are inves-*
7 *tigating and prosecuting, with the full cooperation, mili-*
8 *tary and police personnel who have been implicated in the*
9 *military and police gross violations of human rights.*

10 (h) *Of the funds appropriated under this heading, not*
11 *more than \$16,000,000 may be available for administrative*
12 *expenses of the Department of State, and not more than*
13 *\$8,000,000 may be available, in addition to amounts other-*
14 *wise available for such purposes, for administrative ex-*
15 *penses of the United States Agency for International Devel-*
16 *opment.*

17 (i) *The Secretary of State, in consultation with the*
18 *Administrator of the United States Agency for Inter-*
19 *national Development, shall provide to the Committees on*
20 *Appropriations not later than 45 days after the date of the*
21 *enactment of this Act and prior to the initial obligation*
22 *of funds appropriated under this heading, a report on the*
23 *proposed uses of all funds under this heading on a country-*
24 *by-country basis for each proposed program, project, or ac-*
25 *tivity.*

1 *MIGRATION AND REFUGEE ASSISTANCE*

2 *For expenses, not otherwise provided for, necessary to*
3 *enable the Secretary of State to provide, as authorized by*
4 *law, a contribution to the International Committee of the*
5 *Red Cross, assistance to refugees, including contributions*
6 *to the International Organization for Migration and the*
7 *United Nations High Commissioner for Refugees, and other*
8 *activities to meet refugee and migration needs; salaries and*
9 *expenses of personnel and dependents as authorized by the*
10 *Foreign Service Act of 1980; allowances as authorized by*
11 *sections 5921 through 5925 of title 5, United States Code;*
12 *purchase and hire of passenger motor vehicles; and services*
13 *as authorized by section 3109 of title 5, United States Code,*
14 *\$889,000,000, to remain available until expended: Pro-*
15 *vided, That not more than \$23,000,000 may be available*
16 *for administrative expenses: Provided further, That*
17 *\$40,000,000 of the funds made available under this heading*
18 *shall be made available for refugees resettling in Israel: Pro-*
19 *vided further, That funds made available under this head-*
20 *ing shall be made available for assistance for refugees from*
21 *North Korea.*

22 *UNITED STATES EMERGENCY REFUGEE AND MIGRATION*23 *ASSISTANCE FUND*

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

1 *remain available until expended: Provided, That funds*
 2 *made available under this heading are appropriated not-*
 3 *withstanding the provisions contained in section 2(c)(2) of*
 4 *such Act which would limit the amount of funds which*
 5 *could be appropriated for this purpose.*

6 *NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND*
 7 *RELATED PROGRAMS*

8 *For necessary expenses for nonproliferation, anti-ter-*
 9 *rorism, demining and related programs and activities,*
 10 *\$499,000,000, to carry out the provisions of chapter 8 of*
 11 *part II of the Foreign Assistance Act of 1961 for anti-ter-*
 12 *rorism assistance, chapter 9 of part II of the Foreign Assist-*
 13 *ance Act of 1961, section 504 of the FREEDOM Support*
 14 *Act, section 23 of the Arms Export Control Act or the For-*
 15 *eign Assistance Act of 1961 for demining activities, the*
 16 *clearance of unexploded ordnance, the destruction of small*
 17 *arms, and related activities, notwithstanding any other*
 18 *provision of law, including activities implemented through*
 19 *nongovernmental and international organizations, and sec-*
 20 *tion 301 of the Foreign Assistance Act of 1961 for a vol-*
 21 *untary contribution to the International Atomic Energy*
 22 *Agency (IAEA), and for a United States contribution to*
 23 *the Comprehensive Nuclear Test Ban Treaty Preparatory*
 24 *Commission: Provided, That of this amount not to exceed*
 25 *\$32,000,000, to remain available until expended, may be*
 26 *made available for the Nonproliferation and Disarmament*

1 *Fund, notwithstanding any other provision of law, to pro-*
2 *mote bilateral and multilateral activities relating to non-*
3 *proliferation and disarmament: Provided further, That*
4 *such funds may also be used for such countries other than*
5 *the Independent States of the former Soviet Union and*
6 *international organizations when it is in the national secu-*
7 *rity interest of the United States to do so: Provided further,*
8 *That of the funds appropriated under this heading, not less*
9 *than \$30,000,000 shall be made available for the Biosecu-*
10 *rity Engagement Program: Provided further, That funds*
11 *appropriated under this heading may be made available for*
12 *the International Atomic Energy Agency only if the Sec-*
13 *retary of State determines (and so reports to the Congress)*
14 *that Israel is not being denied its right to participate in*
15 *the activities of that Agency: Provided further, That of the*
16 *funds made available for demining and related activities,*
17 *not to exceed \$700,000, in addition to funds otherwise*
18 *available for such purposes, may be used for administrative*
19 *expenses related to the operation and management of the*
20 *demining program: Provided further, That funds appro-*
21 *priated under this heading that are available for “Anti-ter-*
22 *rorism Assistance” and “Export Control and Border Secu-*
23 *rity” shall remain available until September 30, 2009.*

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 *\$22,800,000, to remain available until September 30, 2010,*
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, \$200,300,000, to re-
 4 main available until September 30, 2010: Provided, That
 5 not less than \$20,000,000 of the funds appropriated under
 6 this heading shall be made available to carry out the provi-
 7 sions of part V of the Foreign Assistance Act of 1961: Pro-
 8 vided further, That amounts paid to the HIPC Trust Fund
 9 may be used only to fund debt reduction under the enhanced
 10 HIPC initiative by—

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

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

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

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

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

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

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

12 *SUPPORT OF FOREIGN LAW ENFORCEMENT EFFORTS TO LO-*
13 *CATE UNITED STATES CITIZENS KIDNAPPED IN AREAS*
14 *AFFECTED BY VIOLENT DRUG TRAFFICKING*

15 *SEC. 301. Funds appropriated or otherwise made*
16 *available by this title under the heading “INTERNATIONAL*
17 *NARCOTICS CONTROL AND LAW ENFORCEMENT” should be*
18 *available for the support of efforts of foreign law enforce-*
19 *ment authorities to locate United States citizens who have*
20 *been kidnapped in, or are otherwise missing from, areas*
21 *affected by violent drug trafficking.*

TITLE IV

MILITARY ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL MILITARY EDUCATION AND TRAINING

For necessary expenses to carry out the provisions of section 541 of the Foreign Assistance Act of 1961, \$85,877,000, of which up to \$3,000,000 may remain available until expended: Provided, That funds appropriated under this heading shall not be available for Equatorial Guinea: Provided further, That the civilian personnel for whom military education and training may be provided under this heading may include civilians who are not members of a government whose participation would contribute to improved civil-military relations, civilian control of the military, or respect for human rights: Provided further, That funds appropriated under this heading that are made available for assistance for Angola, Cameroon, Central African Republic, Chad, Cote d'Ivoire, Guinea, Libya, and Nepal may be made available only for expanded international military education and training: Provided further, That expanded international military education and training may include English language training for purposes of funds appropriated under this heading: Provided further, That funds made available under this heading for assistance for Haiti, Guatemala, the Democratic Republic

1 *of the Congo, Sri Lanka, Ethiopia, Bangladesh, Libya, An-*
 2 *gola, and Nigeria may only be provided through the regular*
 3 *notification procedures of the Committees on Appropria-*
 4 *tions.*

5 *FOREIGN MILITARY FINANCING PROGRAM*

6 *For expenses necessary for grants to enable the Presi-*
 7 *dent to carry out the provisions of section 23 of the Arms*
 8 *Export Control Act, \$4,579,000,000: Provided, That of the*
 9 *funds appropriated under this heading, not less than*
 10 *\$2,400,000,000 shall be available for grants only for Israel:*
 11 *Provided further, That the funds appropriated by this para-*
 12 *graph for Israel shall be disbursed within 30 days of the*
 13 *enactment of this Act or by October 31, 2007, whichever*
 14 *is later: Provided further, That to the extent that the Gov-*
 15 *ernment of Israel requests that funds be used for such pur-*
 16 *poses, grants made available for Israel by this paragraph*
 17 *shall, as agreed by Israel and the United States, be avail-*
 18 *able for advanced weapons systems, of which not less than*
 19 *\$631,200,000 shall be available for the procurement in*
 20 *Israel of defense articles and defense services, including re-*
 21 *search and development: Provided further, That of the funds*
 22 *appropriated by this paragraph, \$300,000,000 shall be*
 23 *made available for assistance for Jordan: Provided further,*
 24 *That of the funds appropriated under this heading, not less*
 25 *than \$8,413,000 shall be made available for assistance for*
 26 *Tunisia: Provided further, That of the funds appropriated*

1 under this heading that are available for assistance for Mo-
2 rocco, not more than \$2,000,000 may be obligated until the
3 Secretary of State certifies and reports to the Committees
4 on Appropriations that Moroccan Government authorities
5 in the territory of the Western Sahara have (1) ceased to
6 persecute, detain, and prosecute individuals for peacefully
7 expressing their opinions regarding the status and future
8 of the Western Sahara and for documenting violations of
9 human rights; and (2) provided unimpeded access to inter-
10 nationally recognized human rights organizations, journal-
11 ists, and representatives of foreign governments to the West-
12 ern Sahara: Provided further, That of the funds appro-
13 priated under this heading, not less than \$1,300,000,000
14 shall be made available for grants only for Egypt: Provided
15 further, That funds made available under this heading for
16 assistance for Egypt should be made available for
17 counterterrorism and border security programs in the
18 Sinai: Provided further, That of the funds appropriated
19 under this heading that are available for Colombia,
20 \$10,000,000 shall be made available for medical and reha-
21 bilitation assistance, removal of landmines, and to enhance
22 communications capabilities: Provided further, That funds
23 appropriated or otherwise made available by this para-
24 graph shall be nonrepayable notwithstanding any require-
25 ment in section 23 of the Arms Export Control Act: Pro-

1 vided further, That funds made available under this para-
2 graph shall be obligated upon apportionment in accordance
3 with paragraph (5)(C) of title 31, United States Code, sec-
4 tion 1501(a): Provided further, That 0.1 percent of the
5 funds appropriated under this heading shall be transferred
6 to and merged with funds appropriated under the heading
7 “Economic Support Fund” to be made available to the Bu-
8 reau of Democracy, Human Rights and Labor, Department
9 of State, to ensure adequate monitoring of the use of assist-
10 ance made available under this heading in countries where
11 such monitoring is most needed, in addition to amounts
12 otherwise available for such purposes.

13 None of the funds made available under this heading
14 shall be available to finance the procurement of defense arti-
15 cles, defense services, or design and construction services
16 that are not sold by the United States Government under
17 the Arms Export Control Act unless the foreign country pro-
18 posing to make such procurements has first signed an agree-
19 ment with the United States Government specifying the
20 conditions under which such procurements may be financed
21 with such funds: Provided, That all country and funding
22 level increases in allocations shall be submitted through the
23 regular notification procedures of section 515 of this Act:
24 Provided further, That none of the funds appropriated
25 under this heading shall be available for assistance for

1 *Sudan: Provided further, That none of the funds appro-*
2 *priated under this heading may be made available for as-*
3 *sistance for Haiti, Guatemala, Nepal, Sri Lanka, Pakistan,*
4 *Bangladesh, Philippines, Indonesia, Bosnia and*
5 *Herzegovina, Ethiopia, and Democratic Republic of the*
6 *Congo except pursuant to the regular notification proce-*
7 *dures of the Committees on Appropriations: Provided fur-*
8 *ther, That funds made available under this heading may*
9 *be used, notwithstanding any other provision of law, for*
10 *demining, the clearance of unexploded ordnance, and re-*
11 *lated activities, and may include activities implemented*
12 *through nongovernmental and international organizations:*
13 *Provided further, That only those countries for which assist-*
14 *ance was justified for the “Foreign Military Sales Financ-*
15 *ing Program” in the fiscal year 1989 congressional presen-*
16 *tation for security assistance programs may utilize funds*
17 *made available under this heading for procurement of de-*
18 *fense articles, defense services or design and construction*
19 *services that are not sold by the United States Government*
20 *under the Arms Export Control Act: Provided further, That*
21 *funds appropriated under this heading shall be expended*
22 *at the minimum rate necessary to make timely payment*
23 *for defense articles and services: Provided further, That not*
24 *more than \$41,900,000 of the funds appropriated under this*
25 *heading may be obligated for necessary expenses, including*

1 *the purchase of passenger motor vehicles for replacement*
 2 *only for use outside of the United States, for the general*
 3 *costs of administering military assistance and sales: Pro-*
 4 *vided further, That not more than \$395,000,000 of funds*
 5 *realized pursuant to section 21(e)(1)(A) of the Arms Export*
 6 *Control Act may be obligated for expenses incurred by the*
 7 *Department of Defense during fiscal year 2008 pursuant*
 8 *to section 43(b) of the Arms Export Control Act, except that*
 9 *this limitation may be exceeded only through the regular*
 10 *notification procedures of the Committees on Appropria-*
 11 *tions: Provided further, That foreign military financing*
 12 *program funds estimated to be outlayed for Egypt during*
 13 *fiscal year 2008 may be transferred to an interest bearing*
 14 *account for Egypt in the Federal Reserve Bank of New*
 15 *York.*

16 *PEACEKEEPING OPERATIONS*

17 *For necessary expenses to carry out the provisions of*
 18 *section 551 of the Foreign Assistance Act of 1961,*
 19 *\$273,200,000: Provided, That of the funds made available*
 20 *under this heading, not less than \$25,000,000 shall be made*
 21 *available for a United States contribution to the Multi-*
 22 *national Force and Observers mission in the Sinai: Pro-*
 23 *vided further, That none of the funds appropriated under*
 24 *this heading shall be obligated or expended except as pro-*
 25 *vided through the regular notification procedures of the*
 26 *Committees on Appropriations.*

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TITLE V

MULTILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL FINANCIAL INSTITUTIONS

GLOBAL ENVIRONMENT FACILITY

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

CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT

ASSOCIATION

For payment to the International Development Association by the Secretary of the Treasury, \$1,000,000,000, to remain available until expended: Provided, That funds appropriated under this heading should not be obligated until the Secretary of the Treasury reports to the Committees on Appropriations that he has received written assurance from the President of the World Bank that the bank's management will not recommend or support any loan, grant, credit or other financing for any infrastructure project which would contribute to significant loss of tropical forest or biodiversity.

1 *CONTRIBUTION TO THE ENTERPRISE FOR THE AMERICAS*

2 *MULTILATERAL INVESTMENT FUND*

3 *For payment to the Enterprise for the Americas Multi-*
4 *lateral Investment Fund by the Secretary of the Treasury,*
5 *for the United States contribution to the fund, \$25,000,000,*
6 *to remain available until expended.*

7 *CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND*

8 *For the United States contribution by the Secretary*
9 *of the Treasury to the increase in resources of the Asian*
10 *Development Fund, as authorized by the Asian Develop-*
11 *ment Bank Act, as amended, \$65,000,000, to remain avail-*
12 *able until expended.*

13 *CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK*

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

18 *LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS*

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

23 *CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND*

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

1 *Development Fund, \$105,000,000, to remain available until*
 2 *expended.*

3 *CONTRIBUTION TO THE EUROPEAN BANK FOR*
 4 *RECONSTRUCTION AND DEVELOPMENT*

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

10 *CONTRIBUTION TO THE INTERNATIONAL FUND FOR*
 11 *AGRICULTURAL DEVELOPMENT*

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

16 *INTERNATIONAL ORGANIZATIONS AND PROGRAMS*

17 *For necessary expenses to carry out the provisions of*
 18 *section 301 of the Foreign Assistance Act of 1961, and of*
 19 *section 2 of the United Nations Environment Program Par-*
 20 *ticipation Act of 1973, \$313,925,000: Provided, That of the*
 21 *funds appropriated under this heading that are available*
 22 *for the Organization of American States Fund for Strengthening*
 23 *Democracy, \$500,000 shall be subject to the regular*
 24 *notification procedures of the Committees on Appropriations.*
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TITLE VI

GENERAL PROVISIONS

COMPENSATION FOR UNITED STATES EXECUTIVE

DIRECTORS TO INTERNATIONAL FINANCIAL INSTITUTIONS

SEC. 601. (a) No funds appropriated by this Act may be made as payment to any international financial institution while the United States Executive Director to such institution is compensated by the institution at a rate which, together with whatever compensation such Director receives from the United States, is in excess of the rate provided for an individual occupying a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code, or while any alternate United States Director to such institution is compensated by the institution at a rate in excess of the rate provided for an individual occupying a position at level V of the Executive Schedule under section 5316 of title 5, United States Code.

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

ALLOCATIONS

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SEC. 602. (a) Funds provided in this Act for the following accounts shall be made available for programs and countries in the amounts contained in the respective tables included in the report accompanying this Act:

“Educational and Cultural Exchange Programs”.

“Embassy Security, Construction, and Maintenance”.

“International Fisheries Commissions”.

“International Broadcasting Operations”.

“Global Health Programs”.

“Economic Support Fund”.

“Assistance for Eastern Europe and the Baltic States”.

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

“Democracy Fund”.

“Andean Programs”.

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

“Foreign Military Financing Program”.

“International Organizations and Programs”.

(b) Any proposed increases or decreases to the amounts contained in such tables in the accompanying report shall

1 *be subject to the regular notification procedures of the Com-*
 2 *mittees on Appropriations and section 634A of the Foreign*
 3 *Assistance Act of 1961.*

4 *LIMITATION ON RESIDENCE EXPENSES*

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

12 *UNOBLIGATED BALANCES*

13 *SEC. 604. Any Department or Agency to which funds*
 14 *are appropriated or otherwise made available by this Act*
 15 *shall provide, upon request of the Committees on Appro-*
 16 *priations, an accurate accounting by program, project, and*
 17 *activity of the funds received by such Department or Agency*
 18 *in this fiscal year or any previous fiscal year that remain*
 19 *unobligated and unexpended.*

20 *LIMITATION ON REPRESENTATIONAL ALLOWANCES*

21 *SEC. 605. Of the funds appropriated or made available*
 22 *pursuant to this Act, not to exceed \$250,000 shall be avail-*
 23 *able for representation and entertainment allowances, of*
 24 *which not to exceed \$5,000 shall be available for entertain-*
 25 *ment allowances, for the United States Agency for Inter-*
 26 *national Development during the current fiscal year: Pro-*

1 vided, That no such entertainment funds may be used for
2 the purposes listed in section 648 of this Act: Provided fur-
3 ther, That appropriate steps shall be taken to assure that,
4 to the maximum extent possible, United States-owned for-
5 eign currencies are utilized in lieu of dollars: Provided fur-
6 ther, That of the funds made available by this Act for gen-
7 eral costs of administering military assistance and sales
8 under the heading “Foreign Military Financing Program”,
9 not to exceed \$4,000 shall be available for entertainment
10 expenses and not to exceed \$130,000 shall be available for
11 representation allowances: Provided further, That of the
12 funds made available by this Act under the heading “Inter-
13 national Military Education and Training”, not to exceed
14 \$55,000 shall be available for entertainment allowances:
15 Provided further, That of the funds made available by this
16 Act for the Inter-American Foundation, not to exceed
17 \$4,000 shall be available for entertainment and representa-
18 tion allowances: Provided further, That of the funds made
19 available by this Act under the heading “United States-
20 China Economic and Security Review Commission”, not
21 to exceed \$3,000 shall be available for official reception, rep-
22 resentation, and entertainment allowances: Provided fur-
23 ther, That of the funds made available by this Act for the
24 Peace Corps, not to exceed a total of \$4,000 shall be avail-
25 able for entertainment expenses: Provided further, That of

1 *the funds made available by this Act under the heading*
 2 *“Trade and Development Agency”, not to exceed \$4,000*
 3 *shall be available for representation and entertainment al-*
 4 *lowances: Provided further, That of the funds made avail-*
 5 *able by this Act under the heading “Millennium Challenge*
 6 *Corporation”, not to exceed \$115,000 shall be available for*
 7 *representation and entertainment allowances.*

8 *PROHIBITION ON TAXATION OF UNITED STATES*

9 *ASSISTANCE*

10 *SEC. 606. (a) PROHIBITION ON TAXATION.—None of*
 11 *the funds appropriated by this Act may be made available*
 12 *to provide assistance for a foreign country under a new bi-*
 13 *lateral agreement governing the terms and conditions under*
 14 *which such assistance is to be provided unless such agree-*
 15 *ment includes a provision stating that assistance provided*
 16 *by the United States shall be exempt from taxation, or reim-*
 17 *bursed, by the foreign government, and the Secretary of*
 18 *State shall expeditiously seek to negotiate amendments to*
 19 *existing bilateral agreements, as necessary, to conform with*
 20 *this requirement.*

21 *(b) REIMBURSEMENT OF FOREIGN TAXES.—An*
 22 *amount equivalent to 200 percent of the total taxes assessed*
 23 *during fiscal year 2008 on funds appropriated by this Act*
 24 *by a foreign government or entity against commodities fi-*
 25 *nanced under United States assistance programs for which*
 26 *funds are appropriated by this Act, either directly or*

1 *through grantees, contractors and subcontractors shall be*
 2 *withheld from obligation from funds appropriated for as-*
 3 *sistance for fiscal year 2009 and allocated for the central*
 4 *government of such country and for the West Bank and*
 5 *Gaza Program to the extent that the Secretary of State cer-*
 6 *tifies and reports in writing to the Committees on Appro-*
 7 *priations that such taxes have not been reimbursed to the*
 8 *Government of the United States.*

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

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

18 (e) *DETERMINATIONS.*—

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

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

1 (B) *the foreign policy interests of the United*
2 *States outweigh the policy of this section to en-*
3 *sure that United States assistance is not subject*
4 *to taxation.*

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

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

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

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

19 (2) *the term “bilateral agreement” refers to a*
20 *framework bilateral agreement between the Govern-*
21 *ment of the United States and the government of the*
22 *country receiving assistance that describes the privi-*
23 *leges and immunities applicable to United States for-*
24 *oreign assistance for such country generally, or an indi-*
25 *vidual agreement between the Government of the*

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

15 *SEC. 608. None of the funds appropriated or otherwise*
16 *made available pursuant to this Act shall be obligated or*
17 *expended to finance directly any assistance to the govern-*
18 *ment of any country whose duly elected head of government*
19 *is deposed by military coup or decree: Provided, That as-*
20 *sistance may be resumed to such government if the Presi-*
21 *dent determines and certifies to the Committees on Appro-*
22 *priations that subsequent to the termination of assistance*
23 *a democratically elected government has taken office: Pro-*
24 *vided further, That the provisions of this section shall not*
25 *apply to assistance to promote democratic elections or pub-*
26 *lic participation in democratic processes: Provided further,*

1 *That funds made available pursuant to the previous pro-*
 2 *visos shall be subject to the regular notification procedures*
 3 *of the Committees on Appropriations.*

4 TRANSFERS

5 SEC. 609. (a) DEPARTMENT OF STATE AND BROAD-
 6 CASTING BOARD OF GOVERNORS.—*Not to exceed 5 percent*
 7 *of any appropriation made available for the current fiscal*
 8 *year for the Department of State in this Act may be trans-*
 9 *ferred between such appropriations, but no such appropria-*
 10 *tion, except as otherwise specifically provided, shall be in-*
 11 *creased by more than 10 percent by any such transfers: Pro-*
 12 *vided, That not to exceed 5 percent of any appropriation*
 13 *made available for the current fiscal year for the Broad-*
 14 *casting Board of Governors in this Act may be transferred*
 15 *between such appropriations, but no such appropriation,*
 16 *except as otherwise specifically provided, shall be increased*
 17 *by more than 10 percent by any such transfers: Provided*
 18 *further, That any transfer pursuant to this section shall be*
 19 *treated as a reprogramming of funds under section 104 of*
 20 *this Act and shall not be available for obligation or expendi-*
 21 *ture except in compliance with the procedures set forth in*
 22 *that section.*

23 (b)(1) LIMITATION ON TRANSFERS BETWEEN AGEN-
 24 CIES.—*None of the funds made available by this Act may*
 25 *be transferred to any department, agency, or instrumen-*
 26 *tality of the United States Government, except pursuant to*

1 a transfer made by, or transfer authority provided in, this
2 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 or
7 transferred to agencies of the United States Government
8 pursuant to the provisions of sections 109, 610, and 632
9 of the Foreign Assistance Act of 1961.

10 (c) *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 this
14 Act, unless the President provides notification in accord-
15 ance with the regular notification procedures of the Com-
16 mittees on Appropriations.

17 (d) *AUDIT OF INTER-AGENCY TRANSFERS.*—Any
18 agreement for the transfer or allocation of funds appro-
19 priated by this Act, or prior Acts, entered into between the
20 United States Agency for International Development and
21 another agency of the United States Government under the
22 authority of section 632(a) of the Foreign Assistance Act
23 of 1961 or any comparable provision of law, shall expressly
24 provide that the Office of the Inspector General for the agen-
25 cy receiving the transfer or allocation of such funds shall

1 *perform periodic program and financial audits of the use*
 2 *of such funds: Provided, That funds transferred under such*
 3 *authority may be made available for the cost of such audits.*

4 *COMMERCIAL LEASING OF DEFENSE ARTICLES*

5 *SEC. 610. Notwithstanding any other provision of law,*
 6 *and subject to the regular notification procedures of the*
 7 *Committees on Appropriations, the authority of section*
 8 *23(a) of the Arms Export Control Act may be used to pro-*
 9 *vide financing to Israel, Egypt and NATO and major non-*
 10 *NATO allies for the procurement by leasing (including leas-*
 11 *ing with an option to purchase) of defense articles from*
 12 *United States commercial suppliers, not including Major*
 13 *Defense Equipment (other than helicopters and other types*
 14 *of aircraft having possible civilian application), if the*
 15 *President determines that there are compelling foreign pol-*
 16 *icy or national security reasons for those defense articles*
 17 *being provided by commercial lease rather than by govern-*
 18 *ment-to-government sale under such Act.*

19 *AVAILABILITY OF FUNDS*

20 *SEC. 611. No part of any appropriation contained in*
 21 *this Act shall remain available for obligation after the expi-*
 22 *ration of the current fiscal year unless expressly so provided*
 23 *in this Act: Provided, That funds appropriated for the pur-*
 24 *poses of chapters 1, 8, 11, and 12 of part I, section 661,*
 25 *section 667, chapters 4, 6, 8, and 9 of part II of the Foreign*
 26 *Assistance Act of 1961, section 23 of the Arms Export Con-*

1 *trol Act, and funds provided under the heading “Assistance*
 2 *for Eastern Europe and the Baltic States”, shall remain*
 3 *available for an additional 4 years from the date on which*
 4 *the availability of such funds would otherwise have expired,*
 5 *if such funds are initially obligated before the expiration*
 6 *of their respective periods of availability contained in this*
 7 *Act: Provided further, That, notwithstanding any other pro-*
 8 *vision of this Act, any funds made available for the pur-*
 9 *poses of chapter 1 of part I and chapter 4 of part II of*
 10 *the Foreign Assistance Act of 1961 which are allocated or*
 11 *obligated for cash disbursements in order to address balance*
 12 *of payments or economic policy reform objectives, shall re-*
 13 *main available until expended: Provided further, That the*
 14 *Director of the Trade and Development Agency shall notify*
 15 *the Committees on Appropriations not later than 15 days*
 16 *prior to any reobligation of funds appropriated for the pur-*
 17 *poses of section 661 of part II of the Foreign Assistance*
 18 *Act of 1961.*

19 *LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT*

20 *SEC. 612. 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 gov-*
 25 *ernment of such country by the United States pursuant to*
 26 *a program for which funds are appropriated under this Act*

1 *unless the President determines, following consultations*
 2 *with the Committees on Appropriations, that assistance to*
 3 *such country is in the national interest of the United States.*

4 *COMMERCE AND TRADE*

5 *SEC. 613. (a) None of the funds appropriated or made*
 6 *available pursuant to this Act for direct assistance and*
 7 *none of the funds otherwise made available pursuant to this*
 8 *Act to the Export-Import Bank and the Overseas Private*
 9 *Investment Corporation shall be obligated or expended to*
 10 *finance any loan, any assistance or any other financial*
 11 *commitments for establishing or expanding production of*
 12 *any commodity for export by any country other than the*
 13 *United States, if the commodity is likely to be in surplus*
 14 *on world markets at the time the resulting productive ca-*
 15 *capacity is expected to become operative and if the assistance*
 16 *will cause substantial injury to United States producers of*
 17 *the same, similar, or competing commodity: Provided, That*
 18 *such prohibition shall not apply to the Export-Import Bank*
 19 *if in the judgment of its Board of Directors the benefits to*
 20 *industry and employment in the United States are likely*
 21 *to outweigh the injury to United States producers of the*
 22 *same, similar, or competing commodity, and the Chairman*
 23 *of the Board so notifies the Committees on Appropriations.*

24 *(b) None of the funds appropriated by this or any other*
 25 *Act to carry out chapter 1 of part I of the Foreign Assist-*
 26 *ance Act of 1961 shall be available for any testing or breed-*

1 *ing feasibility study, variety improvement or introduction,*
 2 *consultancy, publication, conference, or training in connec-*
 3 *tion with the growth or production in a foreign country*
 4 *of an agricultural commodity for export which would com-*
 5 *pete with a similar commodity grown or produced in the*
 6 *United States: Provided, That this subsection shall not*
 7 *prohibit—*

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

12 (2) *research activities intended primarily to ben-*
 13 *efit American producers.*

14 SURPLUS COMMODITIES

15 SEC. 614. *The Secretary of the Treasury shall instruct*
 16 *the United States Executive Directors of the International*
 17 *Bank for Reconstruction and Development, the Inter-*
 18 *national Development Association, the International Fi-*
 19 *nance Corporation, the Inter-American Development Bank,*
 20 *the International Monetary Fund, the Asian Development*
 21 *Bank, the Inter-American Investment Corporation, the*
 22 *North American Development Bank, the European Bank for*
 23 *Reconstruction and Development, the African Development*
 24 *Bank, and the African Development Fund to use the voice*
 25 *and vote of the United States to oppose any assistance by*
 26 *these institutions, using funds appropriated or made avail-*

1 able pursuant to this Act, for the production or extraction
2 of any commodity or mineral for export, if it is in surplus
3 on world markets and if the assistance will cause substan-
4 tial injury to United States producers of the same, similar,
5 or competing commodity.

6 REPROGRAMMING NOTIFICATION REQUIREMENTS

7 SEC. 615. (a) None of the funds made available in all
8 titles of this Act, or in prior appropriations Acts to the
9 agencies and departments funded by this Act that remain
10 available for obligation or expenditure in fiscal year 2008,
11 or provided from any accounts in the Treasury of the
12 United States derived by the collection of fees or of currency
13 reflows or other offsetting collections, or made available by
14 transfer, to the agencies and departments funded by this
15 Act, shall be available for obligation or expenditure through
16 a reprogramming of funds that: (1) creates new programs;
17 (2) eliminates a program, project, or activity; (3) increases
18 funds or personnel by any means for any project or activity
19 for which funds have been denied or restricted; (4) relocates
20 an office or employees; (5) closes or opens a mission or post;
21 (6) reorganizes or renames offices; (7) reorganizes programs
22 or activities; or (8) contracts out or privatizes any functions
23 or activities presently performed by Federal employees; un-
24 less the Committees on Appropriations are notified 15 days
25 in advance of such reprogramming of funds.

1 (b) *For the purposes of providing the executive branch*
2 *with the necessary administrative flexibility, none of the*
3 *funds provided under title I of this Act, or provided under*
4 *previous appropriations Acts to the agencies or department*
5 *funded under title I of this Act that remain available for*
6 *obligation or expenditure in fiscal year 2008, or provided*
7 *from any accounts in the Treasury of the United States*
8 *derived by the collection of fees available to the agencies or*
9 *department funded by title I of this Act, shall be available*
10 *for obligation or expenditure for activities, programs, or*
11 *projects through a reprogramming of funds in excess of*
12 *\$750,000 or ten percent, whichever is less, that: (1) aug-*
13 *ments existing programs, projects, or activities; (2) reduces*
14 *by 10 percent funding for any existing program, project,*
15 *or activity, or numbers of personnel by ten percent as ap-*
16 *proved by Congress; or (3) results from any general savings,*
17 *including savings from a reduction in personnel, which*
18 *would result in a change in existing programs, activities,*
19 *or projects as approved by Congress; unless the Committees*
20 *on Appropriations are notified 15 days in advance of such*
21 *reprogramming of funds.*

22 (c) *For the purposes of providing the executive branch*
23 *with the necessary administrative flexibility, none of the*
24 *funds made available under titles II through V of this Act*
25 *for “Global Health Programs”, “Development Assistance”,*

1 *“International Organizations and Programs”, “Trade and*
 2 *Development Agency”, “International Narcotics Control*
 3 *and Law Enforcement”, “Andean Programs”, “Assistance*
 4 *for Eastern Europe and the Baltic States”, “Assistance for*
 5 *the Independent States of the Former Soviet Union”, “Eco-*
 6 *nomic Support Fund”, “Democracy Fund”, “Peacekeeping*
 7 *Operations”, “Capital Investment Fund”, “Operating Ex-*
 8 *penses of the United States Agency for International Devel-*
 9 *opment”, “Operating Expenses of the United States Agency*
 10 *for International Development Office of Inspector General”,*
 11 *“Nonproliferation, Anti-terrorism, Demining and Related*
 12 *Programs”, “Millennium Challenge Corporation” (by coun-*
 13 *try only), “Foreign Military Financing Program”, “Inter-*
 14 *national Military Education and Training”, “Peace*
 15 *Corps”, and “Migration and Refugee Assistance”, shall be*
 16 *available for obligation for activities, programs, projects,*
 17 *type of materiel assistance, countries, or other operations*
 18 *not justified or in excess of the amount justified to the Com-*
 19 *mittees on Appropriations for obligation under any of these*
 20 *specific headings unless the Committees on Appropriations*
 21 *of both Houses of Congress are previously notified 15 days*
 22 *in advance: Provided, That the President shall not enter*
 23 *into any commitment of funds appropriated for the pur-*
 24 *poses of section 23 of the Arms Export Control Act for the*
 25 *provision of major defense equipment, other than conven-*

1 *tional ammunition, or other major defense items defined*
2 *to be aircraft, ships, missiles, or combat vehicles, not pre-*
3 *viously justified to Congress or 20 percent in excess of the*
4 *quantities justified to Congress unless the Committees on*
5 *Appropriations are notified 15 days in advance of such*
6 *commitment: Provided further, That this subsection shall*
7 *not apply to any reprogramming for an activity, program,*
8 *or project for which funds are appropriated under titles III*
9 *or IV of this Act of less than 10 percent of the amount pre-*
10 *viously justified to the Congress for obligation for such ac-*
11 *tivity, program, or project for the current fiscal year.*

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

1 *shall contain an explanation of the emergency cir-*
 2 *cumstances.*

3 *LIMITATION ON AVAILABILITY OF FUNDS FOR*
 4 *INTERNATIONAL ORGANIZATIONS AND PROGRAMS*

5 *SEC. 616. Subject to the regular notification proce-*
 6 *dures of the Committees on Appropriations, funds appro-*
 7 *priated under this Act or any previously enacted Act mak-*
 8 *ing appropriations for foreign operations, export financing,*
 9 *and related programs, which are returned or not made*
 10 *available for organizations and programs because of the im-*
 11 *plementation of section 307(a) of the Foreign Assistance Act*
 12 *of 1961, shall remain available for obligation until Sep-*
 13 *tember 30, 2009: Provided, That section 307(a) of the For-*
 14 *ign Assistance Act of 1961 is amended by striking*
 15 *“Libya,”.*

16 *INDEPENDENT STATES OF THE FORMER SOVIET UNION*

17 *SEC. 617. (a) None of the funds appropriated under*
 18 *the heading “Assistance for the Independent States of the*
 19 *Former Soviet Union” shall be made available for assist-*
 20 *ance for a government of an Independent State of the former*
 21 *Soviet Union if that government directs any action in vio-*
 22 *lation of the territorial integrity or national sovereignty of*
 23 *any other Independent State of the former Soviet Union,*
 24 *such as those violations included in the Helsinki Final Act:*
 25 *Provided, That such funds may be made available without*
 26 *regard to the restriction in this subsection if the President*

1 *determines that to do so is in the national security interest*
2 *of the United States.*

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

9 (c) *Funds appropriated under the heading “Assistance*
10 *for the Independent States of the Former Soviet Union” for*
11 *the Russian Federation, Armenia, Kazakhstan, and*
12 *Uzbekistan shall be subject to the regular notification proce-*
13 *dures of the Committees on Appropriations.*

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

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

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

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

6 (A) assistance to combat infectious diseases, child
 7 survival activities, or assistance for victims of traf-
 8 ficking in persons; and

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

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

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

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

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

24 (4) any insurance, reinsurance, guarantee or
 25 other assistance provided by the Overseas Private In-

1 *vestment Corporation under title IV of chapter 2 of*
 2 *part I of the Foreign Assistance Act of 1961 (22*
 3 *U.S.C. 2191 et seq.);*

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

6 *(6) humanitarian assistance.*

7 *PROHIBITION ON FUNDING FOR ABORTIONS AND*

8 *INVOLUNTARY STERILIZATION*

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

1 *the use of these funds by any such country or organization*
 2 *would violate any of the above provisions related to abor-*
 3 *tions and involuntary sterilizations.*

4 *EXPORT FINANCING TRANSFER AUTHORITIES*

5 *SEC. 619. Not to exceed 5 percent of any appropriation*
 6 *other than for administrative expenses made available for*
 7 *fiscal year 2008, for programs under title II of this Act*
 8 *may be transferred between such appropriations for use for*
 9 *any of the purposes, programs, and activities for which the*
 10 *funds in such receiving account may be used, but no such*
 11 *appropriation, except as otherwise specifically provided,*
 12 *shall be increased by more than 25 percent by any such*
 13 *transfer: Provided, That the exercise of such authority shall*
 14 *be subject to the regular notification procedures of the Com-*
 15 *mittees on Appropriations.*

16 *SPECIAL NOTIFICATION REQUIREMENTS*

17 *SEC. 620. None of the funds appropriated by this Act*
 18 *shall be obligated or expended for assistance for Serbia,*
 19 *Sudan, Zimbabwe, Pakistan, Cuba, the Dominican Repub-*
 20 *lic, Iran, Haiti, Mexico, Nepal, or Cambodia except as pro-*
 21 *vided through the regular notification procedures of the*
 22 *Committees on Appropriations.*

23 *DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY*

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

1 *propriations and authorizations Acts earmarks, ceilings,*
 2 *and limitations with the exception that for the following*
 3 *accounts: “Economic Support Fund” and “Foreign Mili-*
 4 *tary Financing Program”, “program, project, and activ-*
 5 *ity” shall also be considered to include country, regional,*
 6 *and central program level funding within each such ac-*
 7 *count; for the development assistance accounts of the United*
 8 *States Agency for International Development “program,*
 9 *project, and activity” shall also be considered to include*
 10 *central, country, regional, and program level funding, ei-*
 11 *ther as: (1) justified to the Congress; or (2) allocated by*
 12 *the executive branch in accordance with a report, to be pro-*
 13 *vided to the Committees on Appropriations within 30 days*
 14 *of the enactment of this Act, as required by section 653(a)*
 15 *of the Foreign Assistance Act of 1961.*

16 *GLOBAL HEALTH ACTIVITIES*

17 *SEC. 622. Up to \$13,500,000 of the funds made avail-*
 18 *able by this Act for assistance under the heading “Global*
 19 *Health Programs”, may be used to reimburse United States*
 20 *Government agencies, agencies of State governments, insti-*
 21 *tutions of higher learning, and private and voluntary orga-*
 22 *nizations for the full cost of individuals (including for the*
 23 *personal services of such individuals) detailed or assigned*
 24 *to, or contracted by, as the case may be, the United States*
 25 *Agency for International Development for the purpose of*
 26 *carrying out activities under that heading: Provided, That*

1 up to \$3,500,000 of the funds made available by this Act
2 for assistance under the heading “Development Assistance”
3 may be used to reimburse such agencies, institutions, and
4 organizations for such costs of such individuals carrying
5 out other development assistance activities: Provided fur-
6 ther, That funds appropriated by titles III and IV of this
7 Act that are made available for bilateral assistance for child
8 survival activities or disease programs including activities
9 relating to research on, and the prevention, treatment and
10 control of, HIV/AIDS may be made available notwith-
11 standing any other provision of law except for the provi-
12 sions under the heading “Global Health Programs” and the
13 United States Leadership Against HIV/AIDS, Tuberculosis,
14 and Malaria Act of 2003 (117 Stat. 711; 22 U.S.C. 7601
15 et seq.), as amended: Provided further, That of the funds
16 appropriated under title III of this Act, not less than
17 \$461,060,000 shall be made available for family planning/
18 reproductive health: Provided further, That in order to pre-
19 vent unintended pregnancies, abortions, and the trans-
20 mission of sexually transmitted infections, including HIV/
21 AIDS, no contract or grant for the exclusive purpose of pro-
22 viding donated contraceptives in developing countries shall
23 be denied to any nongovernmental organization solely on
24 the basis of the policy contained in the President’s March
25 28, 2001, Memorandum to the Administrator of the United

1 *States Agency for International Development with respect*
2 *to providing contraceptives in developing countries, or any*
3 *comparable administration policy regarding the provision*
4 *of contraceptives.*

5 *AFGHANISTAN*

6 *SEC. 623. Of the funds appropriated by titles III and*
7 *IV of this Act, up to \$1,057,050,000 may be made available*
8 *for assistance for Afghanistan, of which not less than*
9 *\$75,000,000 should be made available to support programs*
10 *that directly address the needs of Afghan women and girls,*
11 *of which not less than \$12,000,000 shall be made available*
12 *for grants to support training and equipment to improve*
13 *the capacity of women-led Afghan nongovernmental organi-*
14 *zations and to support the activities of such organizations,*
15 *and not less than \$3,000,000 should be made available for*
16 *reforestation activities: Provided, That funds made avail-*
17 *able pursuant to the previous proviso for reforestation ac-*
18 *tivities should be matched, to the maximum extent possible,*
19 *with contributions from American and Afghan businesses:*
20 *Provided further, That of the funds appropriated by this*
21 *Act that are available for Afghanistan, \$20,000,000 should*
22 *be made available through United States universities to de-*
23 *velop agriculture extension services for Afghan farmers,*
24 *\$2,000,000 should be made available for a United States*
25 *contribution to the North Atlantic Treaty Organization/*
26 *International Security Assistance Force Post-Operations*

1 *Humanitarian Relief Fund, and not less than \$10,000,000*
 2 *shall be made available for continued support of the United*
 3 *States Agency for International Development's Afghan Ci-*
 4 *vilian Assistance Program.*

5 *NOTIFICATION ON EXCESS DEFENSE EQUIPMENT*

6 *SEC. 624. Prior to providing excess Department of De-*
 7 *fense articles in accordance with section 516(a) of the For-*
 8 *ign Assistance Act of 1961, the Department of Defense shall*
 9 *notify the Committees on Appropriations to the same extent*
 10 *and under the same conditions as are other committees pur-*
 11 *suant to subsection (f) of that section: Provided, That before*
 12 *issuing a letter of offer to sell excess defense articles under*
 13 *the Arms Export Control Act, the Department of Defense*
 14 *shall notify the Committees on Appropriations in accord-*
 15 *ance with the regular notification procedures of such Com-*
 16 *mittees if such defense articles are significant military*
 17 *equipment (as defined in section 47(9) of the Arms Export*
 18 *Control Act) or are valued (in terms of original acquisition*
 19 *cost) at \$7,000,000 or more, or if notification is required*
 20 *elsewhere in this Act for the use of appropriated funds for*
 21 *specific countries that would receive such excess defense ar-*
 22 *ticles: Provided further, That such Committees shall also be*
 23 *informed of the original acquisition cost of such defense ar-*
 24 *ticles.*

GLOBAL FUND MANAGEMENT

1
2 *SEC. 625. Notwithstanding any other provision of this*
3 *Act, 20 percent of the funds that are appropriated by this*
4 *Act for a contribution to support the Global Fund to Fight*
5 *AIDS, Tuberculosis and Malaria (the “Global Fund”) shall*
6 *be withheld from obligation to the Global Fund until the*
7 *Secretary of State certifies to the Committees on Appropria-*
8 *tions that the Global Fund—*

9 *(1) is releasing incremental disbursements only*
10 *if grantees demonstrate progress against clearly de-*
11 *finied performance indicators;*

12 *(2) is providing support and oversight to coun-*
13 *try-level entities, such as country coordinating mecha-*
14 *nisms, principal recipients, and local Fund agents, to*
15 *enable them to fulfill their mandates;*

16 *(3) has a full-time, professional, independent Of-*
17 *fice of Inspector General that is fully operational;*

18 *(4) requires local Fund agents to assess whether*
19 *a principal recipient has the capacity to oversee the*
20 *activities of sub-recipients;*

21 *(5) is making progress toward implementing a*
22 *reporting system that breaks down grantee budget al-*
23 *locations by programmatic activity;*

24 *(6) has adopted and is implementing a policy to*
25 *publish on a publicly available website all program*

1 *reviews, program evaluations, internally and exter-*
 2 *nally commissioned audits, and inspector general re-*
 3 *ports and findings, not later than 7 days after they*
 4 *are received by the Global Fund Secretariat, except*
 5 *that such information as determined necessary by the*
 6 *Inspector General to protect the identity of whistle-*
 7 *blowers or other informants to investigations and re-*
 8 *ports of the Inspector General, or proprietary infor-*
 9 *mation, may be redacted from such documents; and*

10 *(7) is tracking and encouraging the involvement*
 11 *of civil society in country coordinating mechanisms*
 12 *and program implementation.*

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

15 *SEC. 626. (a) Funds appropriated for bilateral assist-*
 16 *ance under any heading of this Act and funds appropriated*
 17 *under any such heading in a provision of law enacted prior*
 18 *to the enactment of this Act, shall not be made available*
 19 *for assistance to the government of any country which the*
 20 *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 other gross violation of*
 24 *human rights; or*

25 *(2) otherwise supports international terrorism.*

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

10 *DEBT-FOR-DEVELOPMENT*

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

23 *SEPARATE ACCOUNTS*

24 *SEC. 628. (a) SEPARATE ACCOUNTS FOR LOCAL CUR-*
 25 *RENCIES.—*

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

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

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

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

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

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

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

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

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

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

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

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

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

19 *(4) TERMINATION OF ASSISTANCE PROGRAMS.—*
 20 *Upon termination of assistance to a country under*
 21 *chapter 1 or 10 of part I or chapter 4 of part II (as*
 22 *the case may be), any unencumbered balances of*
 23 *funds which remain in a separate account established*
 24 *pursuant to subsection (a) shall be disposed of for*

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

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

14 (b) *SEPARATE ACCOUNTS FOR CASH TRANSFERS.—*

15 (1) *If assistance is made available to the govern-*
16 *ment of a foreign country, under chapter 1 or 10 of*
17 *part I or chapter 4 of part II of the Foreign Assist-*
18 *ance Act of 1961, as cash transfer assistance or as*
19 *nonproject sector assistance, that country shall be re-*
20 *quired to maintain such funds in a separate account*
21 *and not commingle them with any other funds.*

22 (2) *APPLICABILITY OF OTHER PROVISIONS OF*
23 *LAW.—Such funds may be obligated and expended*
24 *notwithstanding provisions of law which are incon-*
25 *sistent with the nature of this assistance including*

1 provisions which are referenced in the Joint Explana-
 2 tory Statement of the Committee of Conference accom-
 3 panying House Joint Resolution 648 (House Report
 4 No. 98-1159).

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

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

20 ENTERPRISE FUND RESTRICTIONS

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

1 *Committees on Appropriations, a plan for the distribution*
 2 *of the assets of the Enterprise Fund.*

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

6 *INTERNATIONAL FAMILY PLANNING AND REPRODUCTIVE*
 7 *HEALTH*

8 *SEC. 630. (a) Funds appropriated by this Act may*
 9 *be made available for a United States contribution to the*
 10 *United Nations Population Fund (UNFPA).*

11 *(b) None of the funds appropriated by this Act may*
 12 *be made available to UNFPA for a country program in the*
 13 *People's Republic of China.*

14 *(c) Funds appropriated by this Act may not be made*
 15 *available to UNFPA unless—*

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

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

22 *(3) UNFPA does not fund abortions.*

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

25 *SEC. 631. Unless expressly provided to the contrary,*
 26 *provisions of this or any other Act, including provisions*

1 *contained in prior Acts authorizing or making appropria-*
 2 *tions for foreign operations, export financing, and related*
 3 *programs, shall not be construed to prohibit activities au-*
 4 *thorized by or conducted under the Peace Corps Act, the*
 5 *Inter-American Foundation Act or the African Develop-*
 6 *ment Foundation Act. The agency shall promptly report to*
 7 *the Committees on Appropriations whenever it is con-*
 8 *ducting activities or is proposing to conduct activities in*
 9 *a country for which assistance is prohibited.*

10 *IMPACT ON JOBS IN THE UNITED STATES*

11 *SEC. 632. None of the funds appropriated by this Act*
 12 *may be obligated or expended to provide—*

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

21 *(2) assistance for any program, project, or activ-*
 22 *ity that contributes to the violation of internationally*
 23 *recognized workers rights, as defined in section 507(4)*
 24 *of the Trade Act of 1974, of workers in the recipient*
 25 *country, including any designated zone or area in*
 26 *that country: Provided, That the application of sec-*

tion 507(4)(D) and (E) of such Act should be commensurate with the level of development of the recipient country and sector, and shall not preclude assistance for the informal sector in such country, micro and small-scale enterprise, and smallholder agriculture.

COMPREHENSIVE EXPENDITURES REPORT

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

SPECIAL AUTHORITIES

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

1 *able for Iraq, Lebanon, Montenegro, Pakistan, and for vic-*
 2 *tims of war, displaced children, and displaced Burmese,*
 3 *and to assist victims of trafficking in persons and, subject*
 4 *to the regular notification procedures of the Committees on*
 5 *Appropriations, to combat such trafficking, may be made*
 6 *available notwithstanding any other provision of law.*

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

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

1 *panded overseas programs and activities managed by the*
2 *agency until permanent direct hire personnel are hired and*
3 *trained: Provided, That not more than 10 of such contrac-*
4 *tors shall be assigned to any bureau or office: Provided fur-*
5 *ther, That such funds appropriated to carry out title II of*
6 *the Agricultural Trade Development and Assistance Act of*
7 *1954, may be made available only for personal services con-*
8 *tractors assigned to the Office of Food for Peace.*

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

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

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

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

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

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

23 (i) *EXTENSION OF AUTHORITY*.—

24 (1) *With respect to funds appropriated by this*
 25 *Act that are available for assistance for Pakistan, the*

1 *President may waive the prohibition on assistance*
2 *contained in section 608 of this Act subject to the re-*
3 *quirements contained in section 1(b) of Public Law*
4 *107–57, as amended, for a determination and certifi-*
5 *cation, and consultation, by the President prior to the*
6 *exercise of such waiver authority.*

7 *(2) Notwithstanding the date contained in sec-*
8 *tion 6 of Public Law 107–57, as amended, the provi-*
9 *sions of sections 2 and 4 of that Act shall remain in*
10 *effect through the current fiscal year.*

11 *(j) MIDDLE EAST FOUNDATION.—Funds appropriated*
12 *by this Act and prior Acts under the heading “Economic*
13 *Support Fund” that are available for the Middle East Part-*
14 *nership Initiative may be made available, including as an*
15 *endowment, notwithstanding any other provision of law*
16 *and following consultations with the Committees on Appro-*
17 *priations, to establish and operate a Middle East Founda-*
18 *tion, or any other similar entity, whose purpose is to sup-*
19 *port democracy, governance, human rights, and the rule of*
20 *law in the Middle East region: Provided, That such funds*
21 *may be made available to the Foundation only to the extent*
22 *that the Foundation has commitments from sources other*
23 *than the United States Government to at least match the*
24 *funds provided under the authority of this subsection: Pro-*
25 *vided further, That provisions contained in section 201 of*

1 *the Support for East European Democracy (SEED) Act of*
2 *1989 (excluding the authorizations of appropriations pro-*
3 *vided in subsection (b) of that section and the requirement*
4 *that a majority of the members of the board of directors*
5 *be citizens of the United States provided in subsection*
6 *(d)(3)(B) of that section) shall be deemed to apply to any*
7 *such foundation or similar entity referred to under this sub-*
8 *section, and to funds made available to such entity, in order*
9 *to enable it to provide assistance for purposes of this section:*
10 *Provided further, That prior to the initial obligation of*
11 *funds for any such foundation or similar entity pursuant*
12 *to the authorities of this subsection, other than for adminis-*
13 *trative support, the Secretary of State shall take steps to*
14 *ensure, on an ongoing basis, that any such funds made*
15 *available pursuant to such authorities are not provided to*
16 *or through any individual or group that the management*
17 *of the foundation or similar entity knows or has reason to*
18 *believe, advocates, plans, sponsors, or otherwise engages in*
19 *terrorist activities: Provided further, That section 629 of*
20 *this Act shall apply to any such foundation or similar enti-*
21 *ty established pursuant to this subsection: Provided further,*
22 *That the authority of the Foundation, or any similar enti-*
23 *ty, to provide assistance shall cease to be effective on Sep-*
24 *tember 30, 2010.*

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

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

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

12 (A) in subsection (b)(3), by striking “and
 13 2007” and inserting “2007, and 2008”; and

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

16 (2) in section 599E (8 U.S.C. 1255 note) in sub-
 17 section (b)(2), by striking “2007” and inserting
 18 “2008”.

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

1 (n) *CAPITAL SECURITY COST-SHARING.*—*Notwith-*
 2 *standing any other provision of law, of the funds appro-*
 3 *priated under the heading “Embassy Security, Construc-*
 4 *tion, and Maintenance”, not less than \$2,000,000 shall be*
 5 *made available for the Capital Security Cost-Sharing fees*
 6 *of the Library of Congress for fiscal year 2008.*

7 (o) *DEMOBILIZATION, DISARMAMENT, AND RE-*
 8 *INTEGRATION ASSISTANCE.*—*Notwithstanding any other*
 9 *provision of law, policy or regulation, funds appropriated*
 10 *by this Act and prior acts making appropriations for for-*
 11 *eign operations, export financing, and related programs*
 12 *may be made available to support programs to demobilize,*
 13 *disarm, and reintegrate into civilian society former combat-*
 14 *ants of foreign governments or organizations who have re-*
 15 *nounced involvement or participation in such organiza-*
 16 *tions.*

17 (p) *NONGOVERNMENTAL ORGANIZATIONS.*—*With re-*
 18 *spect to the provision of assistance for democracy, human*
 19 *rights and governance activities, the organizations imple-*
 20 *menting such assistance and the specific nature of that as-*
 21 *sistance shall not be subject to the prior approval by the*
 22 *government of any foreign country.*

23 *ARAB LEAGUE BOYCOTT OF ISRAEL*

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

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

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

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

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

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

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

ELIGIBILITY FOR ASSISTANCE

1
2 SEC. 636. (a) ASSISTANCE THROUGH NONGOVERN-
3 MENTAL ORGANIZATIONS.—*Restrictions contained in this*
4 *or any other Act with respect to assistance for a country*
5 *shall not be construed to restrict assistance in support of*
6 *programs of nongovernmental organizations from funds ap-*
7 *propriated by this Act to carry out the provisions of chap-*
8 *ters 1, 10, 11, and 12 of part I and chapter 4 of part II*
9 *of the Foreign Assistance Act of 1961, and from funds ap-*
10 *propriated under the heading “Assistance for Eastern Eu-*
11 *rope and the Baltic States”: Provided, That before using*
12 *the authority of this subsection to furnish assistance in sup-*
13 *port of programs of nongovernmental organizations, the*
14 *President shall notify the Committees on Appropriations*
15 *under the regular notification procedures of those commit-*
16 *tees, including a description of the program to be assisted,*
17 *the assistance to be provided, and the reasons for furnishing*
18 *such assistance: Provided further, That nothing in this sub-*
19 *section shall be construed to alter any existing statutory*
20 *prohibitions against abortion or involuntary sterilizations*
21 *contained in this or any other Act.*

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

1 *Assistance Act of 1954: Provided, That none of the funds*
 2 *appropriated to carry out title I of such Act and made*
 3 *available pursuant to this subsection may be obligated or*
 4 *expended except as provided through the regular notifica-*
 5 *tion procedures of the Committees on Appropriations.*

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

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

11 (2) *with respect to section 116 of the Foreign As-*
 12 *istance Act of 1961 or any comparable provision of*
 13 *law prohibiting assistance to the government of a*
 14 *country that violates internationally recognized*
 15 *human rights.*

16 *RESERVATIONS OF FUNDS*

17 *SEC. 637. (a) Funds appropriated under titles II*
 18 *through V of this Act which are earmarked may be repro-*
 19 *grammed for other programs within the same account not-*
 20 *withstanding the earmark if compliance with the earmark*
 21 *is made impossible by operation of any provision of this*
 22 *or any other Act: Provided, That any such reprogramming*
 23 *shall be subject to the regular notification procedures of the*
 24 *Committees on Appropriations: Provided further, That as-*
 25 *sistance that is reprogrammed pursuant to this subsection*

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

SEC. 638. (a) *FUNDING LEVELS*.—Of the funds appropriated by this Act under the headings “Global Health Programs” and “Development Assistance”, not less than the

1 *amount of funds initially allocated for each such account*
 2 *pursuant to subsection 653(a) of the Foreign Assistance Act*
 3 *of 1961 for fiscal year 2006 shall be made available for*
 4 *Cambodia, Philippines, Vietnam, Asia and Near East Re-*
 5 *gional, and Regional Development Mission/Asia: Provided,*
 6 *That for the purposes of this subsection, “Global Health*
 7 *Programs” shall mean “Child Survival and Health Pro-*
 8 *grams Fund”.*

9 (b) *BURMA.—*

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

17 (2) *Of the funds appropriated by this Act under*
 18 *the heading “Economic Support Fund”, not less than*
 19 *\$11,000,000 shall be made available to support de-*
 20 *mocracy activities in Burma, along the Burma-Thai-*
 21 *land border, for activities of Burmese student groups*
 22 *and other organizations located outside Burma, and*
 23 *for the purpose of supporting the provision of human-*
 24 *itarian assistance to displaced Burmese along Bur-*
 25 *ma’s borders: Provided, That funds made available*

1 *under this heading may be made available notwith-*
2 *standing any other provision of law: Provided fur-*
3 *ther, That in addition to assistance for Burmese refu-*
4 *gees provided under the heading “Migration and Ref-*
5 *ugee Assistance” in this Act, not less than \$3,000,000*
6 *shall be made available for community-based organi-*
7 *zations operating in Thailand to provide food, med-*
8 *ical and other humanitarian assistance to internally*
9 *displaced persons in eastern Burma: Provided further,*
10 *That funds made available under this heading shall*
11 *be subject to the regular notification procedures of the*
12 *Committees on Appropriations.*

13 *(c) TIBET.—*

14 *(1) The Secretary of the Treasury should instruct*
15 *the United States executive director to each inter-*
16 *national financial institution to use the voice and*
17 *vote of the United States to support projects in Tibet*
18 *if such projects do not provide incentives for the mi-*
19 *gration and settlement of non-Tibetans into Tibet or*
20 *facilitate the transfer of ownership of Tibetan land*
21 *and natural resources to non-Tibetans; are based on*
22 *a thorough needs-assessment; foster self-sufficiency of*
23 *the Tibetan people and respect Tibetan culture and*
24 *traditions; and are subject to effective monitoring.*

1 (2) *Notwithstanding any other provision of law,*
 2 *not less than \$5,000,000 of the funds appropriated by*
 3 *this Act under the heading “Economic Support*
 4 *Fund” should be made available to nongovernmental*
 5 *organizations to support activities which preserve cul-*
 6 *tural traditions and promote sustainable development*
 7 *and environmental conservation in Tibetan commu-*
 8 *nities in the Tibetan Autonomous Region and in*
 9 *other Tibetan communities in China, and not less*
 10 *than \$250,000 should be made available to the Na-*
 11 *tional Endowment for Democracy for human rights*
 12 *and democracy programs relating to Tibet.*

13 *PROHIBITION ON PUBLICITY OR PROPAGANDA*

14 *SEC. 639. No part of any appropriation contained in*
 15 *this Act shall be used for publicity or propaganda purposes*
 16 *within the United States not authorized before the date of*
 17 *the enactment of this Act by the Congress.*

18 *PROHIBITION OF PAYMENTS TO UNITED NATIONS MEMBERS*

19 *SEC. 640. None of the funds appropriated or made*
 20 *available pursuant to this Act for carrying out the Foreign*
 21 *Assistance Act of 1961, may be used to pay in whole or*
 22 *in part any assessments, arrearages, or dues of any member*
 23 *of the United Nations or, from funds appropriated by this*
 24 *Act to carry out chapter 1 of part I of the Foreign Assist-*
 25 *ance Act of 1961, the costs for participation of another*

1 *country's delegation at international conferences held under*
 2 *the auspices of multilateral or international organizations.*

3 *REQUESTS FOR DOCUMENTS*

4 *SEC. 641. (a) None of the funds appropriated or made*
 5 *available pursuant to this Act shall be available to a non-*
 6 *governmental organization, including any contractor,*
 7 *which fails to provide upon timely request any document,*
 8 *file, or record necessary to the auditing requirements of the*
 9 *United States Agency for International Development.*

10 *(b) Notwithstanding any other provision of law or reg-*
 11 *ulation, the Administrator of the United States Agency for*
 12 *International Development shall provide to the Committees*
 13 *on Appropriations, on a timely basis, such information on*
 14 *the obligation and expenditure of funds appropriated by*
 15 *this Act and prior Acts, pursuant to grants, cooperative*
 16 *agreements, and contracts entered into or financed by the*
 17 *agency, as may be requested by the Committee on Appro-*
 18 *priations to satisfy oversight responsibilities of those Com-*
 19 *mittees.*

20 *PROHIBITION ON ASSISTANCE TO FOREIGN GOVERNMENTS*

21 *THAT EXPORT LETHAL MILITARY EQUIPMENT TO*
 22 *COUNTRIES SUPPORTING INTERNATIONAL TERRORISM*

23 *SEC. 642. (a) None of the funds appropriated or other-*
 24 *wise made available by this Act may be available to any*
 25 *foreign government which provides lethal military equip-*
 26 *ment to a country the government of which the Secretary*

1 of State has determined is a terrorist government for pur-
 2 poses of section 6(j) of the Export Administration Act of
 3 1979. The prohibition under this section with respect to a
 4 foreign government shall terminate 12 months after that
 5 government ceases to provide such military equipment. This
 6 section applies with respect to lethal military equipment
 7 provided under a contract entered into after October 1,
 8 1997.

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

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

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

23 SEC. 643. (a) Subject to subsection (c), of the funds
 24 appropriated under titles II through V by this Act that are
 25 made available for assistance for a foreign country, an
 26 amount equal to 110 percent of the total amount of the un-

1 *paid fully adjudicated parking fines and penalties and un-*
2 *paid property taxes owed by the central government of such*
3 *country shall be withheld from obligation for assistance for*
4 *the central government of such country until the Secretary*
5 *of State submits a certification to the Committees on Appro-*
6 *priations stating that such parking fines and penalties and*
7 *unpaid property taxes are fully paid.*

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

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

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

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

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

13 (f) *In this section:*

14 (1) *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 vio-*
 18 *lation 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 (2) *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, 2007.

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

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

15 *SEC. 644. None of the funds appropriated by this Act*
16 *may be obligated for assistance for the Palestine Liberation*
17 *Organization for the West Bank and Gaza unless the Presi-*
18 *dent has exercised the authority under section 604(a) of the*
19 *Middle East Peace Facilitation Act of 1995 (title VI of Pub-*
20 *lic Law 104–107) or any other legislation to suspend or*
21 *make inapplicable section 307 of the Foreign Assistance Act*
22 *of 1961 and that suspension is still in effect: Provided, That*
23 *if the President fails to make the certification under section*
24 *604(b)(2) of the Middle East Peace Facilitation Act of 1995*
25 *or to suspend the prohibition under other legislation, funds*
26 *appropriated by this Act may not be obligated for assistance*

1 *for the Palestine Liberation Organization for the West Bank*
 2 *and Gaza.*

3 *WAR CRIMES TRIBUNALS DRAWDOWN*

4 *SEC. 645. 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 to*
 9 *\$30,000,000 of commodities and services for the United Na-*
 10 *tions War Crimes Tribunal established with regard to the*
 11 *former Yugoslavia by the United Nations Security Council*
 12 *or such other tribunals or commissions as the Council may*
 13 *establish or authorize to deal with such violations, without*
 14 *regard to the ceiling limitation contained in paragraph (2)*
 15 *thereof: Provided, That the determination required under*
 16 *this section shall be in lieu of any determinations otherwise*
 17 *required under section 552(c): Provided further, That funds*
 18 *made available for tribunals other than Yugoslavia, Rwan-*
 19 *da, or the Special Court for Sierra Leone shall be made*
 20 *available subject to the regular notification procedures of*
 21 *the Committees on Appropriations.*

22 *LANDMINES*

23 *SEC. 646. Notwithstanding any other provision of law,*
 24 *demining equipment available to the United States Agency*
 25 *for International Development and the Department of State*
 26 *and used in support of the clearance of landmines and*

1 *unexploded ordnance for humanitarian purposes may be*
 2 *disposed of on a grant basis in foreign countries, subject*
 3 *to such terms and conditions as the President may pre-*
 4 *scribe.*

5 *RESTRICTIONS CONCERNING THE PALESTINIAN AUTHORITY*

6 *SEC. 647. None of the funds appropriated by this Act*
 7 *may be obligated or expended to create in any part of Jeru-*
 8 *salem a new office of any department or agency of the*
 9 *United States Government for the purpose of conducting of-*
 10 *ficial United States Government business with the Pales-*
 11 *tinian Authority over Gaza and Jericho or any successor*
 12 *Palestinian governing entity provided for in the Israel-PLO*
 13 *Declaration of Principles: Provided, That this restriction*
 14 *shall not apply to the acquisition of additional space for*
 15 *the existing Consulate General in Jerusalem.*

16 *PROHIBITION OF PAYMENT OF CERTAIN EXPENSES*

17 *SEC. 648. None of the funds appropriated or otherwise*
 18 *made available by this Act under the heading “Inter-*
 19 *national Military Education and Training” or “Foreign*
 20 *Military Financing Program” for Informational Program*
 21 *activities or under the headings “Global Health Programs”,*
 22 *“Development Assistance”, and “Economic Support Fund”*
 23 *may be obligated or expended to pay for—*

24 *(1) alcoholic beverages; or*

25 *(2) entertainment expenses for activities that are*
 26 *substantially of a recreational character, including*

1 *but not limited to entrance fees at sporting events,*
 2 *theatrical and musical productions, and amusement*
 3 *parks.*

4 WESTERN HEMISPHERE

5 SEC. 649. (a) CENTRAL AMERICA.—*Of the funds ap-*
 6 *propriated by this Act under the headings “Global Health*
 7 *Programs” and “Development Assistance”, not less than the*
 8 *amount of funds initially allocated for each such account*
 9 *pursuant to section 653(a) of the Foreign Assistance Act*
 10 *of 1961 for fiscal year 2006 shall be made available for El*
 11 *Salvador, Guatemala, Nicaragua, Honduras, Ecuador,*
 12 *Peru, Bolivia, Brazil, Latin America and Caribbean Re-*
 13 *gional, Central America Regional, and South America Re-*
 14 *gional: Provided, That for the purposes of this subsection,*
 15 *“Global Health Programs” shall mean “Child Survival and*
 16 *Health Programs Fund”.*

17 (b)(1) HAITI.—*Of the funds appropriated by this Act*
 18 *under the headings “Development Assistance” and “Eco-*
 19 *nomic Support Fund”, not less than \$106,200,000 shall be*
 20 *made available for assistance for Haiti, of which not less*
 21 *than \$5,000,000 shall be for programs to improve court ad-*
 22 *ministration and reduce pre-trial detention and of which*
 23 *not less than \$5,000,000 shall be made available for water-*
 24 *shed remediation and reforestation activities.*

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

4 (3) *None of the funds made available in this Act under*
5 *the heading “International Narcotics Control and Law En-*
6 *forcement” may be used to transfer excess weapons, ammu-*
7 *nition or other lethal property of an agency of the United*
8 *States Government to the Government of Haiti for use by*
9 *the Haitian National Police until the Secretary of State*
10 *certifies to the Committees on Appropriations that the*
11 *United Nations Mission in Haiti has ensured that any*
12 *members of the Haitian National Police who have been*
13 *credibly alleged to have committed serious crimes, including*
14 *drug trafficking and human rights violations, have been*
15 *suspended.*

16 (c) *DOMINICAN REPUBLIC.—Of the funds appropriated*
17 *by this Act under the headings “Global Health Programs”*
18 *and “Development Assistance”, not less than \$23,600,000*
19 *shall be made available for assistance for the Dominican*
20 *Republic, of which not less than \$5,000,000 shall be made*
21 *available for basic health care, nutrition, sanitation, edu-*
22 *cation, and shelter for migrant sugar cane workers and*
23 *other residents of batey communities.*

8 (b) *WAIVER.*—*The prohibition included in subsection*
9 *(a) shall not apply if the President certifies in writing to*
10 *the Committees on Appropriations that waiving such prohi-*
11 *bition is important to the national security interests of the*
12 *United States.*

(d) *REPORT.*—Whenever the waiver authority pursuant to subsection (b) is exercised, the President shall submit a report to the Committees on Appropriations detailing the justification for the waiver, the purposes for which the funds will be spent, and the accounting procedures in place to ensure that the funds are properly disbursed.

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

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

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

8 “(b) *EXCEPTION.*—The prohibition in subsection (a)
 9 shall not apply if the Secretary determines and reports to
 10 the Committee on Foreign Relations of the Senate, the Com-
 11 mittee on Foreign Affairs of the House of Representatives,
 12 and the Committees on Appropriations that the government
 13 of such country is taking effective measures to bring the re-
 14 sponsible members of the security forces unit to justice.

15 “(c) *DUTY TO INFORM.*—In the event that funds are
 16 withheld from any unit pursuant to this section, the Sec-
 17 retary of State shall promptly inform the foreign govern-
 18 ment of the basis for such action and shall, to the maximum
 19 extent practicable, assist the foreign government in taking
 20 effective measures to bring the responsible members of the
 21 security forces to justice.”.

22 **FOREIGN MILITARY TRAINING REPORT**

23 *SEC. 652. The annual foreign military training report*
 24 *required by section 656 of the Foreign Assistance Act of*
 25 *1961 shall be submitted by the Secretary of Defense and*

1 *the Secretary of State to the Committees on Appropriations*
 2 *by the date specified in that section.*

3 *AUTHORIZATION REQUIREMENT*

4 *SEC. 653. Funds appropriated by this Act, except*
 5 *funds appropriated under the headings “Trade and Devel-*
 6 *opment Agency” and “Overseas Private Investment Cor-*
 7 *poration”, may be obligated and expended notwithstanding*
 8 *section 10 of Public Law 91–672 and section 15 of the State*
 9 *Department Basic Authorities Act of 1956.*

10 *AVIAN INFLUENZA PREPAREDNESS*

11 *SEC. 654. Notwithstanding any other provision of law*
 12 *except section 551 of Public Law 109–102, of the funds ap-*
 13 *propriated by this Act under the heading “Foreign Military*
 14 *Financing Program”, \$12,500,000 shall be made available*
 15 *to enhance the preparedness of militaries in Asia and Afri-*
 16 *ca to respond to an avian influenza pandemic, and of the*
 17 *funds appropriated by this Act under the heading “Peace-*
 18 *keeping Operations”, \$12,500,000 shall be transferred to,*
 19 *and merged with, funds made available under the heading*
 20 *“Foreign Military Financing Program” to be used for this*
 21 *purpose.*

22 *PALESTINIAN STATEHOOD*

23 *SEC. 655. (a) LIMITATION ON ASSISTANCE.—None of*
 24 *the funds appropriated by this Act may be provided to sup-*
 25 *port a Palestinian state unless the Secretary of State deter-*

1 *mines and certifies to the appropriate congressional com-*
2 *mittees that—*

3 *(1) the governing entity of a new Palestinian*
4 *state—*

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

7 *(B) is taking appropriate measures to*
8 *counter terrorism and terrorist financing in the*
9 *West Bank and Gaza, including the dismantling*
10 *of terrorist infrastructures, and is cooperating*
11 *with appropriate Israeli and other appropriate*
12 *security organizations; and*

13 *(2) the Palestinian Authority (or the governing*
14 *entity of a new Palestinian state) is working with*
15 *other countries in the region to establish a just, last-*
16 *ing, and comprehensive peace in the Middle East that*
17 *will enable Israel and an independent Palestinian*
18 *state to exist within the context of full and normal re-*
19 *lationships, which should include—*

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

22 *(B) respect for and acknowledgement of the*
23 *sovereignty, territorial integrity, and political*
24 *independence of every state in the area through*

1 *measures including the establishment of demili-*
2 *tarized zones;*

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

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

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

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

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

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

COLOMBIA

1

2 SEC. 656. (a) *FUNDING.*—*Funds appropriated by this*
3 *Act that are available for assistance for Colombia shall be*
4 *made available in the amounts indicated in the table in*
5 *the accompanying report.*

6 (b) *DETERMINATION AND CERTIFICATION RE-*
7 *QUIRED.*—*Funds appropriated by this Act that are avail-*
8 *able for assistance for the Colombian Armed Forces, may*
9 *be made available as follows:*

10 (1) *Up to 70 percent of such funds may be obli-*
11 *gated prior to the certification and report by the Sec-*
12 *retary of State pursuant to paragraph (2).*

13 (2) *Up to 15 percent of such funds may be obli-*
14 *gated only after the Secretary of State consults with,*
15 *and subsequently certifies and submits a written re-*
16 *port to, the Committees on Appropriations that:*

17 (A) *The Commander General of the Colom-*
18 *bian Armed Forces is suspending from the*
19 *Armed Forces those members, of whatever rank*
20 *who, according to the Minister of Defense, the At-*
21 *torney General or the Procuraduria General de*
22 *la Nacion, have been credibly alleged to have*
23 *committed gross violations of human rights, in-*
24 *cluding extra-judicial killings, or to have aided*

1 *or abetted paramilitary organizations or suc-*
2 *cessor armed groups.*

3 *(B) The Colombian Government is vigor-*
4 *ously investigating and prosecuting, in the civil-*
5 *ian justice system, those members of the Colom-*
6 *bian Armed Forces, of whatever rank, who have*
7 *been credibly alleged to have committed gross*
8 *violations of human rights, including extra-judi-*
9 *cial killings, or to have aided or abetted para-*
10 *military organizations or successor armed*
11 *groups, and is promptly punishing those mem-*
12 *bers of the Colombian Armed Forces found to*
13 *have committed such violations of human rights*
14 *or to have aided or abetted such organizations or*
15 *successor groups.*

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

24 *(D) The Colombian Armed Forces have*
25 *taken all necessary steps to sever links (including*

1 *denying access to military intelligence, vehicles,*
2 *and other equipment or supplies, and ceasing*
3 *other forms of active or tacit cooperation) at the*
4 *command, battalion, and brigade levels, with*
5 *paramilitary organizations and successor armed*
6 *groups, especially in regions where such organi-*
7 *zations or successor groups have a significant*
8 *presence.*

9 *(E) The Colombian Government is disman-*
10 *tling paramilitary leadership and financial net-*
11 *works by arresting and prosecuting under civil-*
12 *ian criminal law individuals who have provided*
13 *financial, planning, or logistical support, or*
14 *have otherwise aided or abetted paramilitary or-*
15 *ganizations or successor armed groups, by identi-*
16 *fying and confiscating land and other assets ille-*
17 *gally acquired by such organizations or their as-*
18 *sociates and returning such land or assets to*
19 *their rightful owners, by revoking reduced sen-*
20 *tences for demobilized paramilitaries who engage*
21 *in new criminal activity, and by arresting, pros-*
22 *ecuting under civilian criminal law, and when*
23 *requested, promptly extraditing to the United*
24 *States members of successor armed groups.*

1 (F) *The Colombian Armed Forces are not*
2 *violating the land and property rights of Colom-*
3 *bia's indigenous and Afro-Colombian commu-*
4 *nities, and are distinguishing between civilians,*
5 *including displaced persons, and combatants in*
6 *their operations.*

7 (3) *The balance of such funds may be obligated*
8 *after July 31, 2008, if, before such date, the Secretary*
9 *of State consults with, and subsequently certifies and*
10 *submits a written report to, the Committees on Ap-*
11 *propriations, that the Colombian Armed Forces are*
12 *continuing to meet the conditions contained in para-*
13 *graph (2) and are conducting vigorous operations to*
14 *restore civilian government authority and respect for*
15 *human rights in areas under the effective control of*
16 *paramilitary organizations or successor armed groups*
17 *and guerrilla organizations.*

18 (c) *REPORT.—The reports required by subsections*
19 *(a)(2) and (a)(3) of this section shall contain, with respect*
20 *to each such subsection, a detailed description of the actions*
21 *taken by the Colombian Government or Armed Forces which*
22 *support each requirement of the certification, and the cases*
23 *or issues brought to the attention of the Secretary for which*
24 *the actions taken by the Colombian Government or Armed*
25 *Forces have been inadequate.*

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

5 (e) *CONSULTATIVE PROCESS.*—*Not later than 60 days*
 6 *after the date of enactment of this Act, and every 90 days*
 7 *thereafter until September 30, 2008, the Secretary of State*
 8 *shall consult with Colombian and internationally recog-*
 9 *nized human rights organizations regarding progress in*
 10 *meeting the conditions contained in subsection (a).*

11 (f) *DEFINITIONS.*—*In this section:*

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

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

23 *ILLEGAL ARMED GROUPS*

24 *SEC. 657. (a) DENIAL OF VISAS.*—*Subject to sub-*
 25 *section (b), the Secretary of State shall not issue a visa to*

1 *any alien who the Secretary determines, based on credible*
 2 *evidence—*

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

10 (2) *has committed, ordered, incited, assisted, or*
 11 *otherwise participated in the commission of gross vio-*
 12 *lations of human rights, including extra-judicial*
 13 *killings, in Colombia.*

14 (b) *WAIVER.—Subsection (a) shall not apply if the*
 15 *Secretary of State certifies and reports to the appropriate*
 16 *congressional committees, on a case-by-case basis, that the*
 17 *issuance of a visa to the alien is necessary to support the*
 18 *peace process in Colombia or for humanitarian reasons.*

19 WEST BANK AND GAZA ASSISTANCE

20 SEC. 658. (a) *VETTING.—Prior to the obligation of*
 21 *funds appropriated by this Act under the heading “Eco-*
 22 *nomie Support Fund” for assistance for the West Bank and*
 23 *Gaza, the Secretary of State shall take all appropriate steps*
 24 *to ensure that such assistance is not provided to or through*
 25 *any individual, private or government entity, or edu-*
 26 *cational institution that the Secretary knows or has reason*

1 *to believe advocates, plans, sponsors, engages in, or has en-*
2 *gaged in, terrorist activity. The Secretary of State shall ter-*
3 *minate assistance to any individual, entity, or educational*
4 *institution which the Secretary has determined to be in-*
5 *volved in or advocating terrorist activity.*

6 **(b) PROHIBITION.**—*None of the funds appropriated by*
7 *this Act for assistance under the West Bank and Gaza pro-*
8 *gram may be made available for the purpose of recognizing*
9 *or otherwise honoring individuals who commit, or have*
10 *committed, acts of terrorism.*

11 **(c) AUDITS.**—

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

19 **(2)** *Of the funds appropriated by this Act under*
20 *the heading “Economic Support Fund” that are made*
21 *available for assistance for the West Bank and Gaza,*
22 *up to \$500,000 may be used by the Office of the In-*
23 *pector General of the United States Agency for Inter-*
24 *national Development for audits, inspections, and*
25 *other activities in furtherance of the requirements of*

SEC. 659. (a)(1) None of the funds appropriated or otherwise made available pursuant to this Act may be made available for assistance, and the Secretary of the Treasury shall instruct the United States executive directors to the international financial institutions to vote against any new project involving the extension by such institutions of any financial or technical assistance, to any country, entity, or municipality whose competent authorities have failed, as determined by the Secretary of State, to take necessary and significant steps to implement its international legal obligations to apprehend and transfer to the International Criminal Tribunal for the former Yugoslavia (the “Tribunal”) all persons in their territory who have been indicted by the Tribunal and to otherwise cooperate with the Tribunal.

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

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

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

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

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

19 (d) *In carrying out this section, the Secretary of State,*
20 *the Administrator of the United States Agency for Inter-*
21 *national Development, and the Secretary of the Treasury*
22 *shall consult with representatives of human rights organiza-*
23 *tions and all government agencies with relevant informa-*
24 *tion to help prevent indicted war criminals from benefiting*

1 *from any financial or technical assistance or grants pro-*
 2 *vided to any country or entity described in subsection (a).*

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

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

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

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

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

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

22 *USER FEES*

23 *SEC. 660. The Secretary of the Treasury shall instruct*
 24 *the United States Executive Director at each international*
 25 *financial institution (as defined in section 1701(c)(2) of the*
 26 *International Financial Institutions Act) and the Inter-*

1 *national Monetary Fund to oppose any loan, grant, strat-*
 2 *egy or policy of these institutions that would require user*
 3 *fees or service charges on poor people for primary education*
 4 *or primary healthcare, including prevention and treatment*
 5 *for HIV/AIDS, malaria, tuberculosis, and infant, child, and*
 6 *maternal well-being, in connection with the institutions' fi-*
 7 *nancing programs.*

8 *FUNDING FOR SERBIA*

9 *SEC. 661. (a) Funds appropriated by this Act may*
 10 *be made available for assistance for the central Government*
 11 *of Serbia after May 31, 2008, if the President has made*
 12 *the determination and certification contained in subsection*
 13 *(c).*

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

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

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

1 *financial support of indictees, and the surrender and*
 2 *transfer of indictees or assistance in their apprehen-*
 3 *sion, including Ratko Mladic and Radovan Karadzic;*

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

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

10 *(d) This section shall not apply to Kosovo, humani-*
 11 *tarian assistance or assistance to promote democracy.*

12 COMMUNITY-BASED POLICE ASSISTANCE

13 SEC. 662. (a) AUTHORITY.—*Funds made available by*
 14 *this Act to carry out the provisions of chapter 1 of part*
 15 *I and chapter 4 of part II of the Foreign Assistance Act*
 16 *of 1961, may be used, notwithstanding section 660 of that*
 17 *Act, to enhance the effectiveness and accountability of civil-*
 18 *ian police authority through training and technical assist-*
 19 *ance in human rights, the rule of law, strategic planning,*
 20 *and through assistance to foster civilian police roles that*
 21 *support democratic governance including assistance for*
 22 *programs to prevent conflict, respond to disasters, address*
 23 *gender-based violence, and foster improved police relations*
 24 *with the communities they serve.*

25 (b) NOTIFICATION.—*Assistance provided under sub-*
 26 *section (a) shall be subject to prior consultation with, and*

1 *the regular notification procedures of, the Committees on*
 2 *Appropriations.*

3 *SPECIAL DEBT RELIEF FOR THE POOREST*

4 *SEC. 663. (a) AUTHORITY TO REDUCE DEBT.—The*
 5 *President may reduce amounts owed to the United States*
 6 *(or any agency of the United States) by an eligible country*
 7 *as a result of—*

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

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

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

22 *(b) LIMITATIONS.—*

23 *(1) The authority provided by subsection (a)*
 24 *may be exercised only to implement multilateral offi-*
 25 *cial debt relief and referendum agreements, commonly*
 26 *referred to as “Paris Club Agreed Minutes”.*

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

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

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

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

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

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

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

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

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

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

16 *AUTHORITY TO ENGAGE IN DEBT BUYBACKS OR SALES*

17 *SEC. 664. (a) LOANS ELIGIBLE FOR SALE, REDUC-*
 18 *TION, OR CANCELLATION.—*

19 (1) *AUTHORITY TO SELL, REDUCE, OR CANCEL*
 20 *CERTAIN LOANS.—Notwithstanding any other provi-*
 21 *sion of law, the President may, in accordance with*
 22 *this section, sell to any eligible purchaser any*
 23 *concessional loan or portion thereof made before Jan-*
 24 *uary 1, 1995, pursuant to the Foreign Assistance Act*
 25 *of 1961, to the government of any eligible country as*
 26 *defined in section 702(6) of that Act or on receipt of*

1 *payment from an eligible purchaser, reduce or cancel*
2 *such loan or portion thereof, only for the purpose of*
3 *facilitating—*

4 (A) *debt-for-equity swaps, debt-for-develop-*
5 *ment swaps, or debt-for-nature swaps; or*

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

22 (2) *TERMS AND CONDITIONS.—Notwithstanding*
23 *any other provision of law, the President shall, in ac-*
24 *cordance with this section, establish the terms and*

1 *conditions under which loans may be sold, reduced, or*
2 *canceled pursuant to this section.*

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

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

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

23 (c) *ELIGIBLE PURCHASERS.*—*A loan may be sold pur-*
24 *suant to subsection (a)(1)(A) only to a purchaser who pre-*
25 *sents plans satisfactory to the President for using the loan*

1 *for the purpose of engaging in debt-for-equity swaps, debt-*
 2 *for-development swaps, or debt-for-nature swaps.*

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

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

14 RECONCILIATION PROGRAMS

15 *SEC. 665. Of the funds appropriated under the heading*
 16 *“Economic Support Fund”, not less than \$20,000,000 shall*
 17 *be made available to support reconciliation programs and*
 18 *activities which bring together individuals of different eth-*
 19 *nic, religious, and political backgrounds from areas of civil*
 20 *conflict and war.*

21 SUDAN

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

24 (1) *Notwithstanding section 501(a) of the Inter-*
 25 *national Malaria Control Act of 2000 (Public Law*
 26 *106–570) or any other provision of law, none of the*

1 *funds appropriated by this Act may be made avail-*
2 *able for assistance for the Government of Sudan.*

3 *(2) None of the funds appropriated by this Act*
4 *may be made available for the cost, as defined in sec-*
5 *tion 502, of the Congressional Budget Act of 1974, of*
6 *modifying loans and loan guarantees held by the Gov-*
7 *ernment of Sudan, including the cost of selling, reduc-*
8 *ing, or canceling amounts owed to the United States,*
9 *and modifying concessional loans, guarantees, and*
10 *credit agreements.*

11 *(b) Subsection (a) shall not apply if the Secretary of*
12 *State determines and certifies and reports to the Commit-*
13 *tees on Appropriations that—*

14 *(1) the Government of Sudan is honoring its*
15 *pledges to cease attacks upon civilians and has dis-*
16 *armed and demobilized the Janjaweed and other gov-*
17 *ernment-supported militias;*

18 *(2) the Government of Sudan and all govern-*
19 *ment-supported militia groups are honoring their*
20 *commitments made in all previous cease-fire agree-*
21 *ments; and*

22 *(3) the Government of Sudan is allowing*
23 *unimpeded access to Darfur to humanitarian aid or-*
24 *ganizations, the human rights investigation and hu-*
25 *manitarian teams of the United Nations, including*

1 *protection officers, and an international monitoring*
 2 *team that is based in Darfur and that has the sup-*
 3 *port of the United States.*

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

6 (1) *humanitarian assistance;*

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

9 (3) *assistance to support implementation of the*
 10 *Comprehensive Peace Agreement and the Darfur*
 11 *Peace Agreement or any other internationally-recog-*
 12 *nized peace agreement in Sudan.*

13 (d) *DEFINITIONS.—For the purposes of this Act, the*
 14 *term “Government of Sudan” shall not include the Govern-*
 15 *ment of Southern Sudan.*

16 *TRANSPARENCY AND ACCOUNTABILITY*

17 *SEC. 667. (a) UNITED NATIONS DEVELOPMENT PRO-*
 18 *GRAM.—Prior to the initial obligation of funds appro-*
 19 *priated in this Act under the heading “International Orga-*
 20 *nizations and Programs” for a United States contribution*
 21 *to the United Nations Development Program (UNDP), the*
 22 *Secretary of State shall certify and report to the Committees*
 23 *on Appropriations that UNDP is—*

24 (1) *giving adequate and appropriate access to*
 25 *information to the United States Mission to the*
 26 *United Nations regarding UNDP’s programs and ac-*

1 *tivities, as requested, including in North Korea and*
2 *Burma;*

3 *(2) conducting appropriate oversight of UNDP*
4 *programs and activities globally; and*

5 *(3) implementing the whistleblower protection*
6 *policy established by the United Nations Secretariat*
7 *in December 2005.*

8 *(b) WORLD BANK.—Twenty percent of the funds ap-*
9 *propriated by this Act under the heading “International*
10 *Development Association” shall be withheld from disburse-*
11 *ment until the Secretary of the Treasury reports to the*
12 *Committees on Appropriations that—*

13 *(1) the World Bank has made publicly available,*
14 *in an appropriate manner, financial disclosure forms*
15 *of senior World Bank personnel, including those at*
16 *the level of managing director, vice president, and*
17 *above;*

18 *(2) the World Bank has established a plan and*
19 *maintains a schedule for conducting regular, inde-*
20 *pendent audits of internal management controls and*
21 *procedures for meeting operational objectives, and is*
22 *making reports describing the scope and findings of*
23 *such audits available to the public;*

1 (3) *the World Bank is adequately staffing and*
 2 *sufficiently funding the Department of Institutional*
 3 *Integrity;*

4 (4) *the World Bank has made publicly available*
 5 *the Department of Institutional Integrity’s November*
 6 *23, 2005 “Report of Investigation into Reproductive*
 7 *and Child Health I Project Credit N0180 India” and*
 8 *any subsequent detailed implementation review, and*
 9 *is implementing the recommendations of the Depart-*
 10 *ment of Institutional Integrity regarding this project,*
 11 *including recommendations concerning the prosecu-*
 12 *tion of individuals engaged in corrupt practices; and*

13 (5) *the World Bank has made publicly available*
 14 *the “Volker Panel” report regarding the review and*
 15 *evaluation of the mandate and authorities, policies,*
 16 *procedures, practices, independence, reporting lines,*
 17 *and oversight mechanisms of the World Bank’s De-*
 18 *partment of Institutional Integrity.*

19 (c) *REPORT.—The Comptroller General of the United*
 20 *States shall conduct an assessment of the financial manage-*
 21 *ment and oversight of programs and activities funded under*
 22 *the headings “Millennium Challenge Corporation”, “Global*
 23 *Health Programs” (for HIV/AIDS programs), and “Global*
 24 *HIV/AIDS Initiative” in this Act and prior Acts making*
 25 *appropriations for foreign operations, export financing,*

1 *and related programs. The assessment shall include an ex-*
 2 *amination of donor coordination efforts, and recommenda-*
 3 *tions for improving financial oversight of such programs*
 4 *and activities.*

5 *(d) NATIONAL BUDGET TRANSPARENCY.—(1) None of*
 6 *the funds appropriated by this Act may be made available*
 7 *for assistance for the central government of any country*
 8 *that fails to make publicly available on an annual basis*
 9 *its national budget, to include income and expenditures.*

10 *(2) The Secretary of State may waive subsection*
 11 *(d)(1) on a country-by-country basis if the Secretary*
 12 *reports to the Committees on Appropriations that to*
 13 *do so is important to the national interests of the*
 14 *United States.*

15 *(3) The reporting requirement pursuant to sec-*
 16 *tion 585(b) of Public Law 108–7 regarding fiscal*
 17 *transparency and accountability in countries whose*
 18 *central governments receive United States foreign as-*
 19 *sistance shall apply to this Act.*

20 *EXCESS DEFENSE ARTICLES FOR CENTRAL AND SOUTH*
 21 *EUROPEAN COUNTRIES AND CERTAIN OTHER COUNTRIES*

22 *SEC. 668. Notwithstanding section 516(e) of the For-*
 23 *eign Assistance Act of 1961 (22 U.S.C. 2321j(e)), during*
 24 *fiscal year 2008, funds available to the Department of De-*
 25 *fense may be expended for crating, packing, handling, and*
 26 *transportation of excess defense articles transferred under*

1 *the authority of section 516 of such Act to Albania, Afghani-*
 2 *stan, Bulgaria, Croatia, Estonia, Former Yugoslavian Re-*
 3 *public of Macedonia, Georgia, India, Iraq, Latvia, Lith-*
 4 *uania, Moldova, Mongolia, Pakistan, Romania, Slovakia,*
 5 *and Ukraine.*

6 *ZIMBABWE*

7 *SEC. 669. The Secretary of the Treasury shall instruct*
 8 *the United States executive director to each international*
 9 *financial institution to vote against any extension by the*
 10 *respective institution of any loans to the Government of*
 11 *Zimbabwe, except to meet basic human needs or to promote*
 12 *democracy, unless the Secretary of State determines and*
 13 *certifies to the Committees on Appropriations that the rule*
 14 *of law has been restored in Zimbabwe, including respect*
 15 *for ownership and title to property, freedom of speech and*
 16 *association.*

17 *DEVELOPMENT GRANTS PROGRAM*

18 *SEC. 670. (a) ESTABLISHMENT OF THE PROGRAM.—*
 19 *There is established within the United States Agency for*
 20 *International Development (USAID) a Development Grants*
 21 *Program (DGP) to provide small grants to United States*
 22 *and indigenous nongovernmental organizations for the pur-*
 23 *pose of carrying out the provisions of chapters 1 and 10*
 24 *of part I and chapter 4 of part II of the Foreign Assistance*
 25 *Act of 1961.*

1 (b) *ELIGIBILITY FOR GRANTS.*—*Grants from the DGP*
 2 *shall be made only for proposals of nongovernmental orga-*
 3 *nizations identified in the report accompanying this Act*
 4 *that are recommended for consideration for funding by that*
 5 *report, and for proposals of other nongovernmental organi-*
 6 *zations that apply.*

7 (c) *COMPETITION.*—*To the maximum extent prac-*
 8 *ticable, grants made pursuant to the authority of this sec-*
 9 *tion shall be open, transparent and competitive.*

10 (d) *SIZE OF PROGRAM AND INDIVIDUAL GRANTS.*—

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

18 (2) *No individual grant, or grant amendment,*
 19 *made pursuant to this section shall exceed \$2,000,000.*

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

24 (f) *DEFINITION.*—*For purposes of this section, the term*
 25 *“nongovernmental organization” means a private and vol-*

1 untary organization or for-profit entity, and shall not in-
 2 clude entities owned in whole or in part by a government
 3 or governmental entity.

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

10 MONITORING OF MILITARY ASSISTANCE

11 *SEC. 671.* Not later than 90 days after enactment of
 12 this Act, the Secretary of State shall submit a report to
 13 the Committees on Appropriations detailing the procedures
 14 being applied, on a country-by-country basis, to monitor
 15 whether funds appropriated by this Act under the heading
 16 “Foreign Military Financing Program” for assistance for
 17 Bangladesh, Democratic Republic of the Congo, Ethiopia,
 18 Pakistan, Philippines, and Sri Lanka, are misused by
 19 units of the security forces of such countries against civil-
 20 ians, including civilians who are members of political oppo-
 21 sition parties and human rights groups.

22 DISASTER ASSISTANCE AND RECOVERY

23 *SEC. 672. (a)* Funds made available to the Comptroller
 24 General under chapter 4 of title I of the Emergency Supple-
 25 mental Appropriations Act (Public Law 106–31; 113 Stat.
 26 69) and section 593 of the Foreign Operations, Export Fi-

1 nancing, and Programs Agencies Appropriations Act, 2001
 2 (Public Law 106–429; 114 Stat. 1900A–59) to monitor the
 3 provisions of assistance to address the effects of hurricanes
 4 in Central America and the Caribbean and the earthquake
 5 in Colombia, and to monitor the earthquake relief and re-
 6 construction efforts in El Salvador under section 561 of the
 7 Foreign Operations, Export Financing, and Programs
 8 Agencies Appropriations Act, 2002 (Public Law 107–115;
 9 115 Stat. 2162) shall also be available to the Comptroller
 10 General to monitor any other disaster assistance and recov-
 11 ery effort.

12 (b) This section shall apply with respect to fiscal year
 13 2008 and each year thereafter.

14 UNITED STATES AGENCY FOR INTERNATIONAL
 15 DEVELOPMENT MANAGEMENT
 16 (INCLUDING TRANSFER OF FUNDS)

17 SEC. 673. (a) AUTHORITY.—Up to \$81,000,000 of the
 18 funds made available in this Act to carry out the provisions
 19 of part I of the Foreign Assistance Act of 1961, including
 20 funds appropriated under the heading “Assistance for East-
 21 ern Europe and the Baltic States”, may be used by the
 22 United States Agency for International Development
 23 (USAID) to hire and employ individuals in the United
 24 States and overseas on a limited appointment basis pursu-
 25 ant to the authority of sections 308 and 309 of the Foreign
 26 Service Act of 1980.

1 (b) *RESTRICTIONS.*—

2 (1) *The number of individuals hired in any fis-*
3 *cal year pursuant to the authority contained in sub-*
4 *section (a) may not exceed 175.*

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

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

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

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

24 (f) *PROGRAM ACCOUNT CHARGED.*—*The account*
25 *charged for the cost of an individual hired and employed*

1 *under the authority of this section shall be the account to*
 2 *which such individual's responsibilities primarily relate.*
 3 *Funds made available to carry out this section may be*
 4 *transferred to and merged and consolidated with funds ap-*
 5 *propriated for "Operating Expenses of the United States*
 6 *Agency for International Development".*

7 (g) *MANAGEMENT REFORM PILOT.—Of the funds made*
 8 *available in subsection (a), USAID may use, in addition*
 9 *to funds otherwise available for such purposes, up to*
 10 *\$15,000,000 to fund overseas support costs of members of*
 11 *the Foreign Service with a Foreign Service rank of four*
 12 *or below: Provided, That such authority is only used to re-*
 13 *duce USAID's reliance on overseas personal services con-*
 14 *tractors or other nondirect-hire employees compensated with*
 15 *funds appropriated to carry out part I of the Foreign As-*
 16 *sistance Act of 1961, including funds appropriated under*
 17 *the heading "Assistance for Eastern Europe and the Baltic*
 18 *States".*

19 (h) *DISASTER SURGE CAPACITY.—Funds appro-*
 20 *priated by this Act to carry out part I of the Foreign Assist-*
 21 *ance Act of 1961, including funds appropriated under the*
 22 *heading "Assistance for Eastern Europe and the Baltic*
 23 *States", may be used, in addition to funds otherwise avail-*
 24 *able for such purposes, for the cost (including the support*
 25 *costs) of individuals detailed to or employed by the United*

1 *States Agency for International Development whose pri-*
 2 *mary responsibility is to carry out programs in response*
 3 *to natural disasters.*

4 *OPIC TRANSFER AUTHORITY*

5 *(INCLUDING TRANSFER OF FUNDS)*

6 *SEC. 674. Whenever the President determines that it*
 7 *is in furtherance of the purposes of the Foreign Assistance*
 8 *Act of 1961, up to a total of \$20,000,000 of the funds appro-*
 9 *priated under title II of this Act may be transferred to and*
 10 *merged with funds appropriated by this Act for the Over-*
 11 *seas Private Investment Corporation Program Account, to*
 12 *be subject to the terms and conditions of that account: Pro-*
 13 *vided, That such funds shall not be available for adminis-*
 14 *trative expenses of the Overseas Private Investment Cor-*
 15 *poration: Provided further, That funds earmarked by this*
 16 *Act shall not be transferred pursuant to this section: Pro-*
 17 *vided further, That the exercise of such authority shall be*
 18 *subject to the regular notification procedures of the Commit-*
 19 *tees on Appropriations.*

20 *REPORTING REQUIREMENT*

21 *SEC. 675. The Secretary of State shall provide the*
 22 *Committees on Appropriations, not later than April 1,*
 23 *2008, and for each fiscal quarter, a report in writing on*
 24 *the uses of funds made available under the headings “For-*
 25 *eign Military Financing Program”, “International Mili-*
 26 *tary Education and Training”, and “Peacekeeping Oper-*

ations”: *Provided, That such report shall include a description of the obligation and expenditure of funds, and the specific country in receipt of, and the use or purpose of the assistance provided by such funds.*

ENVIRONMENT AND ENERGY CONSERVATION PROGRAMS

SEC. 676. (a) *BIODIVERSITY.—Of the funds appropriated under the heading “Development Assistance”, not less than \$195,000,000 shall be made available for programs and activities which directly protect biodiversity, including forests, in developing countries, of which not less than the amount of funds initially allocated pursuant to section 653(a) of the Foreign Assistance Act of 1961 for fiscal year 2006 shall be made available for such activities in Brazil, Colombia, Ecuador, Peru and Bolivia, and that in addition to such amounts for such countries not less than \$15,000,000 shall be made available for the United States Agency for International Development’s Amazon Basin Conservation Initiative: Provided, That of the funds appropriated by this Act, not less than \$2,000,000 should be made available for wildlife conservation and protected area management in the Boma-Jonglei landscape of Southern Sudan, and not less than \$17,500,000 shall be made available for the Congo Basin Forest Partnership of which not less than \$2,500,000 shall be made available to the United States Fish and Wildlife Service for wildlife conservation programs in Central Africa.*

1 (b) *ENERGY.*—

2 (1) *Of the funds appropriated by this Act, not*
3 *less than \$195,000,000 shall be made available to sup-*
4 *port clean energy and other climate change programs*
5 *in developing countries, of which not less than*
6 *\$125,000,000 should be made available to directly*
7 *promote and deploy energy conservation, energy effi-*
8 *ciency, and renewable and clean energy technologies*
9 *with an emphasis on small hydro, solar and wind en-*
10 *ergy, and of which the balance should be made avail-*
11 *able to directly: (1) reduce greenhouse gas emissions;*
12 *(2) increase carbon sequestration activities; and (3)*
13 *support climate change mitigation and adaptation*
14 *programs.*

15 (2) *The Secretary of State shall convene an*
16 *interagency committee, including appropriate offi-*
17 *cial of the Department of State, the United States*
18 *Agency for International Development, and the Envi-*
19 *ronmental Protection Agency, to evaluate the specific*
20 *needs of developing countries in adapting to climate*
21 *change impacts: Provided, That the Secretary shall*
22 *submit a report to the Committees on Appropriations*
23 *not later than September 1, 2008, describing such*
24 *needs, on a country-by-country and regional basis,*
25 *and the actions planned and being taken by the*

1 *United States, including funding provided to devel-*
2 *oping countries specifically for adaptation to climate*
3 *change impacts.*

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 functioning systems for: (A) accurately account-*
14 *ing for revenues and expenditures in connection with*
15 *the extraction and export of the type of natural re-*
16 *source to be extracted or exported; (B) the inde-*
17 *pendent auditing of such accounts and the widespread*
18 *public dissemination of the audits; and (C) verifying*
19 *government receipts against company payments in-*
20 *cluding widespread dissemination of such payment*
21 *information, and disclosing such documents as Host*
22 *Government Agreements, Concession Agreements, and*
23 *bidding documents, allowing in any such dissemina-*
24 *tion or disclosure for the redaction of, or exceptions*

(d) Funds appropriated under titles II, III and IV of this Act shall to the maximum extent practicable, be subject to the provisions of section 117 (relating to environment and natural resources) of the Foreign Assistance Act of 1961.

SEC. 677. (a) LIMITATION ON ASSISTANCE.—Funds appropriated by this Act may be made available for assistance for the central Government of Uzbekistan only if the Secretary of State determines and reports to the Committees on Appropriations that—

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1 *mitments under the “Declaration on the Strategic*
2 *Partnership and Cooperation Framework Between the*
3 *Republic of Uzbekistan and the United States of*
4 *America”, including respect for human rights, estab-*
5 *lishing a genuine multi-party system, and ensuring*
6 *free and fair elections, freedom of expression, and the*
7 *independence of the media; and*

8 *(2) a credible international investigation of the*
9 *May 13, 2005, shootings in Andijan is underway*
10 *with the support of the Government of Uzbekistan.*

11 *(b) SANCTIONS.—Not later than 90 days after the date*
12 *of enactment of this Act, the Secretary of State shall send*
13 *to the appropriate congressional committees a list of offi-*
14 *cials of the Government of Uzbekistan and their immediate*
15 *family members who the Secretary has credible evidence to*
16 *believe have been involved in the Andijan massacre or in*
17 *other gross violations of human rights in Uzbekistan;*

18 *(c) IMPOSITION OF SANCTIONS.—Not later than 10*
19 *days after the list described in subsection (b) is submitted*
20 *to the appropriate congressional committees, the following*
21 *sanctions shall apply:*

22 *(1) Any individual on the list submitted under*
23 *subsection (b) shall be ineligible for a visa to enter the*
24 *United States.*

1 (2) *No property or interest in property belonging*
2 *to an individual on the list submitted under sub-*
3 *section (b), or to a member of the immediate family*
4 *of such individual if the property is effectively under*
5 *the control of such individual, may be transferred,*
6 *paid, exported, withdrawn, or otherwise dealt with, if*
7 *the property is within the United States or within the*
8 *possession or control of a United States person, in-*
9 *cluding the overseas branch of such person, or after*
10 *the date of the enactment of this Act comes within the*
11 *control of such person.*

12 (3) *No United States person may engage in fi-*
13 *nancial transactions with an individual on the list*
14 *submitted under subsection (b), or with a member of*
15 *the immediate family of such individual if the trans-*
16 *action will benefit an individual on the list submitted*
17 *under subsection (b).*

18 (c) *FREEZING OF ASSETS.—*

19 (1) *IN GENERAL.—The Secretary of the Treasury*
20 *shall immediately block any assets, property, trans-*
21 *actions in foreign exchange, currency, or securities,*
22 *and transfers of credit or payments between, by,*
23 *through, or to any banking institution under the ju-*
24 *risdiction of the United States of an individual iden-*
25 *tified under subsection (b) of this section.*

1 (2) *REPORTING REQUIREMENT.*—*Not later than*
 2 *15 days after a decision to freeze the assets identified*
 3 *in this subsection of any individual identified under*
 4 *subsection (b), the Secretary of the Treasury shall—*

5 *(A) report the name of such individual to*
 6 *the Committees on Appropriations; and*

7 *(B) require any United States financial in-*
 8 *stitution holding such funds or assets to prompt-*
 9 *ly report those funds and assets to the Office of*
 10 *Foreign Assets Control.*

11 *CENTRAL ASIA*

12 *SEC. 678. (a) Funds appropriated by this Act may*
 13 *be made available for assistance for the Government of*
 14 *Kazakhstan only if the Secretary of State determines and*
 15 *reports to the Committees on Appropriations that the Gov-*
 16 *ernment of Kazakhstan has made significant improvements*
 17 *in the protection of human rights during the preceding 6*
 18 *month period.*

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

23 *(c) Not later than October 1, 2008, the Secretary of*
 24 *State shall submit a report to the Committees on Appro-*
 25 *priations and the Committee on Foreign Relations of the*

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

16 *DISABILITY PROGRAMS*

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1 *vided, That funds for disability advocacy organizations*
 2 *should be used for training and technical assistance for for-*
 3 *eign disabled persons organizations in such areas as advo-*
 4 *cacy, education, independent living, and transportation,*
 5 *with the goal of promoting equal participation of people*
 6 *with disabilities in developing countries: Provided further,*
 7 *That USAID should seek to disburse at lease 25 percent of*
 8 *the funds made available pursuant to this subsection in the*
 9 *form of small grants.*

10 *(b) Funds appropriated under the heading “Operating*
 11 *Expenses of the United States Agency for International De-*
 12 *velopment” shall be made available to develop and imple-*
 13 *ment training for staff in overseas USAID missions to pro-*
 14 *mote the full inclusion and equal participation of people*
 15 *with disabilities in developing countries.*

16 *(c) The Secretary of State, the Secretary of the Treas-*
 17 *ury, and the Administrator of USAID shall seek to ensure*
 18 *that, where appropriate, construction projects funded by*
 19 *this Act are accessible to people with disabilities and in*
 20 *compliance with the USAID Policy on Standards for Acces-*
 21 *sibility for the Disabled, or other similar accessibility*
 22 *standards.*

23 *(d) Of the funds made available pursuant to subsection*
 24 *(a), not more than 7 percent may be for management, over-*
 25 *sight and technical support.*

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

5 NEGLECTED TROPICAL DISEASES

6 SEC. 680. Of the funds appropriated under the heading
 7 “Global Health Programs”, not less than \$15,000,000 shall
 8 be made available for continued support of the United
 9 States Agency for International Development’s cooperative
 10 agreement to implement an integrated response to the con-
 11 trol of neglected diseases including intestinal parasites,
 12 schistosomiasis, lymphatic filariasis, onchocerciasis, tra-
 13 choma and leprosy: Provided, That the Administrator of the
 14 United States Agency for International Development shall
 15 work with relevant technical organizations addressing the
 16 specific diseases, recipient countries, donor countries, the
 17 private sector, UNICEF and the World Health Organiza-
 18 tion to develop a multilateral, integrated initiative to con-
 19 trol these diseases that will enhance coordination and effec-
 20 tiveness and maximize the leverage of United States con-
 21 tributions with those of other donors: Provided further, That
 22 funds made available pursuant to this section shall be sub-
 23 ject to the regular notification procedures of the Committees
 24 on Appropriations.

1 *ORPHANS, DISPLACED AND ABANDONED CHILDREN*

2 *SEC. 681. Of the funds appropriated under title III*
3 *of this Act, \$3,000,000 should be made available for activi-*
4 *ties to improve the capacity of foreign government agencies*
5 *and nongovernmental organizations to prevent child aban-*
6 *donment, address the needs of orphans, displaced and aban-*
7 *doned children and provide permanent homes through fam-*
8 *ily reunification, guardianship and domestic adoptions:*
9 *Provided, That funds made available under title III of this*
10 *Act should be made available, as appropriate, consistent*
11 *with—*

12 *(1) the goal of enabling children to remain in the*
13 *care of their family of origin, but when not possible,*
14 *placing children in permanent homes through adop-*
15 *tion;*

16 *(2) the principle that such placements should be*
17 *based on informed consent which has not been in-*
18 *duced by payment or compensation;*

19 *(3) the view that long-term foster care or institu-*
20 *tionalization are not permanent options and should*
21 *be used when no other suitable permanent options are*
22 *available; and*

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

1 COORDINATOR OF ACTIVITIES RELATING TO INDIGENOUS
2 PEOPLES INTERNATIONALLY

3 SEC. 682. (a) COORDINATOR.—*After consultation with*
4 *the Committees on Appropriations and not later than 90*
5 *days after the enactment of this Act, there shall be estab-*
6 *lished within the Department of State in the immediate of-*
7 *fice of the Director of United States Foreign Assistance a*
8 *Coordinator of Activities Relating to Indigenous Peoples*
9 *Internationally (hereinafter in this section referred to as*
10 *the “Coordinator”), who shall be appointed by the Director.*
11 *The Coordinator shall report directly to the Director.*

12 (b) RESPONSIBILITIES.—*The Coordinator shall:*

13 (1) *Serve as a principal advisor to the Director*
14 *of United States Foreign Assistance and the Adminis-*
15 *trator of the United States Agency for International*
16 *Development on matters relating to the rights and*
17 *needs of indigenous peoples internationally and*
18 *should represent the United States Government on*
19 *such matters in meetings with foreign governments*
20 *and multilateral institutions.*

21 (2) *Provide for the oversight and coordination of*
22 *all resources, programs, projects, and activities of the*
23 *United States Government to protect the rights and*
24 *address the needs of indigenous peoples internation-*
25 *ally; and*

1 (3) *Develop and coordinate assistance strategies*
 2 *with specific goals, guidelines, benchmarks, and im-*
 3 *pact assessments (including support for local indige-*
 4 *nous peoples' organizations).*

5 (c) *FUNDS.*—*Of the funds appropriated by this Act*
 6 *under the heading “Diplomatic and Consular Programs”,*
 7 *not less than \$250,000 shall be made available for imple-*
 8 *menting the provisions of this section.*

9 (d) *REPORT.*—*Not later than one year after the enact-*
 10 *ment of this Act, the Secretary shall submit a report to the*
 11 *Committees on Appropriations describing progress made in*
 12 *implementing this section.*

13 OVERSIGHT OF IRAQ RECONSTRUCTION

14 *SEC. 683. Subsection (o) of section 3001 of the Emer-*
 15 *gency Supplemental Appropriations Act for Defense and for*
 16 *the Reconstruction of Iraq and Afghanistan, 2004 (Public*
 17 *Law 108–106; 117 Stat. 1234; 5 U.S.C. App. 3 section 8G*
 18 *note), as amended by section 1054(b) of the John Warner*
 19 *National Defense Authorization Act for Fiscal Year 2007*
 20 *(Public Law 109–364; 129 Stat. 2397), section 2 of the Iraq*
 21 *Reconstruction Accountability Act of 2006 (Public Law*
 22 *109–440), and section 3801 of the U.S. Troop Readiness,*
 23 *Veterans' Care, Katrina Recovery, and Iraq Accountability*
 24 *Appropriations Act, 2007 (Public Law 110–28) is*
 25 *amended—*

1 (1) in subsection (o)(1)(B) by striking “fiscal
 2 year 2006 or fiscal year 2007” and inserting “fiscal
 3 years 2006 through 2008”. Section 1054 of Public
 4 Law 109–364 is amended by striking “fiscal year
 5 2006” and inserting “fiscal years 2006 through
 6 2008”; and

7 (2) by adding at the end of such section the fol-
 8 lowing subsection:

9 “(p) *RULE OF CONSTRUCTION.*—For the purposes of
 10 carrying out the duties of the Inspector General, any United
 11 States funds appropriated or otherwise made available for
 12 fiscal years 2006 through 2008 for the reconstruction of
 13 Iraq, irrespective of the designation of such funds, shall be
 14 deemed to be amounts appropriated or otherwise made
 15 available to the Iraq Relief and Reconstruction Fund.”.

16 *DEMOBILIZATION AND DISARMAMENT IN COLOMBIA*

17 *SEC. 684. (a) AVAILABILITY OF FUNDS.*—Of the funds
 18 appropriated in this Act, up to \$12,000,000 may be made
 19 available in fiscal year 2008 for assistance for the demobili-
 20 zation and reintegration of former members of foreign ter-
 21 rorist organizations (FTOs) in Colombia, if the Secretary
 22 of State consults with and makes a certification described
 23 in subsection (b) to the Committees on Appropriations prior
 24 to the initial obligation of amounts for such assistance for
 25 the fiscal year involved.

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

3 (1) *assistance for the fiscal year will be provided*
4 *only for individuals who have: (A) verifiably re-*
5 *nounced and terminated any affiliation or involve-*
6 *ment with FTOs or other illegal armed groups; (B)*
7 *are meeting all the requirements of the Colombia De-*
8 *mobilization Program, including having disclosed*
9 *their involvement in past crimes and their knowledge*
10 *of the FTO's structure, financing sources, illegal as-*
11 *sets, and the location of kidnapping victims and bod-*
12 *ies of the disappeared; and (C) are not involved in*
13 *acts of intimidation or violence;*

14 (2) *the Government of Colombia is providing full*
15 *cooperation to the Government of the United States to*
16 *extradite the leaders and members of the FTOs who*
17 *have been indicted in the United States for murder,*
18 *kidnapping, narcotics trafficking, or other violations*
19 *of United States law, and is immediately extraditing*
20 *to the United States those commanders, leaders and*
21 *members indicted in the United States who have*
22 *breached the terms of the Colombia Demobilization*
23 *Program, including by failing to fully confess their*
24 *crimes, failing to disclose their illegal assets, or com-*

1 *mitting new crimes since the approval of the Justice*
2 *and Peace Law;*

3 *(3) the Government of Colombia is not taking*
4 *any steps to legalize the titles of land or other assets*
5 *illegally obtained and held by FTOs, their associates,*
6 *or successors, has established effective procedures to*
7 *identify such land and other assets, and is confis-*
8 *cating and returning such land and other assets to*
9 *their rightful owners;*

10 *(4) the Government of Colombia is implementing*
11 *a concrete and workable framework for dismantling*
12 *the organizational structures of foreign terrorist orga-*
13 *nizations; and*

14 *(5) funds shall not be made available as cash*
15 *payments to individuals and are available only for*
16 *activities under the following categories: verification,*
17 *reintegration (including training and education), vet-*
18 *ting, recovery of assets for reparations for victims,*
19 *and investigations and prosecutions.*

20 *(c) NOTIFICATION.—Funds made available by this Act*
21 *for demobilization and reintegration of members of FTOs*
22 *shall be subject to the regular notification procedures of the*
23 *Committees on Appropriations.*

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

1 (1) *APPROPRIATE CONGRESSIONAL COMMIT-*
 2 *TEES.—The term “appropriate congressional commit-*
 3 *tees” means—*

4 (A) *the Committee on Appropriations and*
 5 *the Committee on Foreign Affairs of the House*
 6 *of Representatives; and*

7 (B) *the Committee on Appropriations and*
 8 *the Committee on Foreign Relations of the Sen-*
 9 *ate.*

10 (2) *FOREIGN TERRORIST ORGANIZATION.—The*
 11 *term “foreign terrorist organization” means an orga-*
 12 *nization designated as a terrorist organization under*
 13 *section 219 of the Immigration and Nationality Act.*

14 *INDONESIA*

15 *SEC. 685. Of the funds appropriated under the heading*
 16 *“Foreign Military Financing Program”, \$15,700,000 may*
 17 *be made available for assistance for Indonesia, and an ad-*
 18 *ditional \$2,000,000 may be made available when the Sec-*
 19 *retary of State reports to the Committees on Appropriations*
 20 *that the Government of Indonesia has written plans to*
 21 *effectively—*

22 (1) *provide accountability for past violations of*
 23 *human rights by members of the Indonesian military;*

24 (2) *allow public access to West Papua; and*

1 (3) *pursue the criminal investigation, and pro-*
 2 *vide the projected timeframe for completing the inves-*
 3 *tigation, of the murder of Munir Said Thalib.*

4 *ASSISTANCE FOR GUATEMALA*

5 *SEC. 686. (a) Funds appropriated by this Act under*
 6 *the heading “International Military Education and Train-*
 7 *ing” that are available for assistance for Guatemala, other*
 8 *than for expanded international military education and*
 9 *training, may be made available only for the Guatemalan*
 10 *Air Force and Navy: Provided, That such funds may be*
 11 *made available only if the Secretary of State certifies that*
 12 *the Guatemalan Air Force and Navy are respecting human*
 13 *rights and are cooperating with civilian judicial investiga-*
 14 *tions and prosecutions of military personnel who have been*
 15 *credibly alleged to have committed violations of human*
 16 *rights.*

17 *(b) Of the funds appropriated by this Act under the*
 18 *heading “Foreign Military Financing Program”, not more*
 19 *than \$500,000 may be made available for the Guatemalan*
 20 *Air Force and Navy: Provided, That such funds may be*
 21 *made available only if the Secretary of State certifies that*
 22 *the Guatemalan Air Force and Navy are respecting human*
 23 *rights and are cooperating with civilian judicial investiga-*
 24 *tions and prosecutions of military personnel who have been*
 25 *credibly alleged to have committed violations of human*
 26 *rights, and the Guatemalan Armed Forces are fully cooper-*

1 *ating with the International Commission Against Impu-*
 2 *nity in Guatemala.*

3 *(c) Funds made available for assistance for Guatemala*
 4 *under the headings referred to in this section shall be subject*
 5 *to the regular notification procedures of the Committees on*
 6 *Appropriations.*

7 *CHILD SOLDIERS*

8 *SEC. 687. (a) No military assistance shall be furnished*
 9 *with funds appropriated by this Act and, during the cur-*
 10 *rent fiscal year, no military equipment or technology shall*
 11 *be sold or transferred pursuant to the authorities contained*
 12 *in this Act or any other Act, to the government of a country*
 13 *that is identified by the Department of State's 2006 Coun-*
 14 *try Reports on Human Rights Practices as having govern-*
 15 *mental armed forces or government-supported armed*
 16 *groups, including paramilitaries, militias, or civil defense*
 17 *forces, forces that recruit or use child soldiers.*

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

25 *(c) The Secretary of State may waive the application*
 26 *to a country of the prohibition in subsection (a) if the Sec-*

1 *retary determines and reports to the Committees on Appro-*
 2 *priations that such waiver is important to the national in-*
 3 *terest of the United States.*

4 *PHILIPPINES*

5 *SEC. 688. Of the funds appropriated by this Act under*
 6 *the heading “Foreign Military Financing Program”, not*
 7 *to exceed \$30,000,000 may be made available for assistance*
 8 *for the Philippines, and an additional \$2,000,000 may be*
 9 *made available when the Secretary of State reports to the*
 10 *Committees on Appropriations that—*

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

15 *(2) the Philippine Government is implementing*
 16 *a policy of promoting military personnel who dem-*
 17 *onstrate professionalism and respect for human*
 18 *rights, and is investigating and prosecuting military*
 19 *personnel and others who have been credibly alleged*
 20 *to have committed extrajudicial executions or other*
 21 *violations of human rights; and*

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

PAKISTAN

1

2 *SEC. 689. (a) Of the funds appropriated by this Act*
3 *under the heading “Foreign Military Financing Program”,*
4 *\$300,000,000 may be made available for assistance for*
5 *Pakistan, unless the Secretary of State reports to the Com-*
6 *mittees on Appropriations that the Government of Pakistan*
7 *is not—*

8

9 *(1) making effective and consistent efforts to pre-*
10 *vent Al Qaeda and associated terrorist groups from*
11 *operating in the territory of Pakistan, including by*
12 *eliminating terrorist training camps or facilities, ar-*
13 *resting members of Al Qaeda and associated terrorist*
14 *groups, and countering recruitment efforts;*

15

16 *(2) making effective and consistent efforts to pre-*
17 *vent the Taliban from using the territory of Pakistan*
18 *as a sanctuary from which to launch attacks within*
19 *Afghanistan, including by arresting Taliban leaders,*
20 *stopping cross-border incursions, and countering re-*
21 *ruitment efforts; and*

22

23 *(3) implementing democratic reforms, including*
24 *by—*

25

26 *(A) allowing free, fair and inclusive elec-*
27 *tions in accordance with internationally recog-*
28 *nized democratic norms;*

13 SRI LANKA

14 SEC. 690. None of the funds appropriated by this Act

15 under the heading “Foreign Military Financing Program”

16 may be made available for assistance for Sri Lanka, no

17 defense export license may be issued, and no military equip-

18 ment or technology shall be sold or transferred to Sri Lanka

19 pursuant to the authorities contained in this Act or any

20 other Act, unless the Secretary of State certifies and reports

21 to the Committees on Appropriations that—

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1 *rights, including extrajudicial executions and the re-*
 2 *cruitment of child soldiers;*

3 *(2) the Sri Lankan Government has provided*
 4 *unimpeded access to humanitarian organizations and*
 5 *journalists to Tamil areas of the country; and*

6 *(3) the Sri Lankan Government has agreed to*
 7 *the establishment of a field presence of the Office of*
 8 *the United Nations High Commissioner for Human*
 9 *Rights in Sri Lanka.*

10 *PEACE CORPS SEPARATION PAY*

11 *SEC. 691. (a) ESTABLISHMENT OF FUND.—There is es-*
 12 *tablished in the Treasury of the United States a fund for*
 13 *the Peace Corps to provide separation pay for host country*
 14 *resident personal services contractors of the Peace Corps.*

15 *(b) FUNDING.—The Director of the Peace Corps may*
 16 *deposit in such fund—*

17 *(1) amounts previously obligated and not can-*
 18 *celed for separation pay of host country resident per-*
 19 *sonal services contractors of the Peace Corps; and*

20 *(2) amounts obligated for fiscal years after 2006*
 21 *for the current and future costs of separation pay for*
 22 *host country resident personal services contractors of*
 23 *the Peace Corps.*

24 *(c) AVAILABILITY.—Beginning in fiscal year 2007 and*
 25 *thereafter, amounts in the fund are available without fiscal*
 26 *year limitation for severance, retirement, or other separa-*

1 *tion payments to host country resident personal services*
 2 *contractors of the Peace Corps in countries where such pay*
 3 *is legally authorized.*

4 *MULTILATERAL DEVELOPMENT BANKS*

5 *SEC. 692. (a) INDEPENDENT AUDITING AND INSPEC-*
 6 *TOR GENERAL.—The Secretary of the Treasury shall in-*
 7 *struct the United States Executive Director to each multi-*
 8 *lateral development bank to inform the bank of, and use*
 9 *the voice and vote of the United States to achieve at the*
 10 *bank, the following United States policy goals:*

11 *(1) Each multilateral development bank*
 12 *should—*

13 *(A) establish an independent Office of In-*
 14 *pector General, establish or strengthen an inde-*
 15 *pendent auditing function at the bank, and re-*
 16 *quire that the Inspector General and the audit-*
 17 *ing function report directly to the board of direc-*
 18 *tors of the bank; and*

19 *(B) adopt and implement an internation-*
 20 *ally recognized internal controls framework, allo-*
 21 *cate adequate staffing to auditing and super-*
 22 *vision, require external audits of internal con-*
 23 *trols, and external audits of loans where fraud is*
 24 *suspected.*

1 (2) *Each multilateral development bank should*
2 *establish effective procedures for the receipt, retention,*
3 *and treatment of—*

4 (A) *complaints received by the bank regard-*
5 *ing fraud, accounting, mismanagement, internal*
6 *accounting controls, or auditing matters; and*

7 (B) *the confidential, anonymous submis-*
8 *sion, particularly by employees of the bank, of*
9 *concerns regarding fraud, accounting, mis-*
10 *management, internal accounting controls, or*
11 *auditing matters.*

12 (b) *WORLD BANK INSPECTION PANEL.—The Secretary*
13 *of the Treasury shall instruct the United States Executive*
14 *Director to the World Bank to inform the Bank of, and use*
15 *the voice and vote of the United States to achieve trans-*
16 *parency reforms of the selection process for members of the*
17 *World Bank Inspection Panel, including—*

18 (1) *Widely circulating Inspection Panel position*
19 *vacancy announcements on the Inspection Panel's*
20 *website and in appropriate publications;*

21 (2) *Notifying civil society organizations on the*
22 *Inspection Panel's website and on other appropriate*
23 *World Bank websites and inviting nominations from*
24 *such groups;*

1 (3) *Making public the schedule of the selection*
 2 *process;*

3 (4) *Posting the list of nominees and applicants*
 4 *on the Inspection Panel’s website; and*

5 (5) *Including a civil society representative on the*
 6 *World Bank selection committee for the Inspection*
 7 *Panel member.*

8 (c) *ANTI-CORRUPTION TRUST PILOT PROGRAM.—*

9 (1) *AUTHORITY.—The Secretary of the Treasury*
 10 *shall seek the creation of a pilot program that estab-*
 11 *lishes an Anti-Corruption Trust at the World Bank,*
 12 *the purposes of which should include—*

13 (A) *to assist poor countries in investiga-*
 14 *tions and prosecutions of fraud and corruption*
 15 *related to loans, grants, or credits of the World*
 16 *Bank; and*

17 (B) *to determine whether such a program*
 18 *should be carried out at other multilateral devel-*
 19 *opment banks.*

20 (2) *POOR COUNTRIES DEFINED.—In this sub-*
 21 *section, the term “poor countries” means countries el-*
 22 *igible to borrow from the International Development*
 23 *Association.*

24 (3) *REPORT.—Not later than 180 days after en-*
 25 *actment of this Act, the Secretary shall submit to the*

1 appropriate congressional committees a report detail-
 2 ing the actions taken to establish the Anti-Corruption
 3 Trust.

4 (c) AUTHORIZATIONS.—

5 (1) Section 501(i) of title V of H.R. 3425 as en-
 6 acted into law by section 1000(a)(5) of Public law
 7 106–113, as amended by section 591(b) of Division D
 8 of Public Law 108–447, is further amended by strik-
 9 ing “fiscal” and all that follows through “which” and
 10 inserting in lieu thereof “fiscal years 2000–2010,
 11 which”.

12 (2) Section 801(b)(1)(ii) of Public Law 106–429,
 13 as amended by section 591(a)(2) of Division D of
 14 Public law 108–447, is further amended by striking
 15 “fiscal years 2004–2006” and by inserting in lieu
 16 thereof “fiscal years 2004–2010.”.

17 MILLENNIUM CHALLENGE CORPORATION

18 SEC. 693. Section 607(b) of the Millennium Challenge
 19 Act of 2003 (22 U.S.C. 7706) is amended—

20 (1) in paragraph (2)(B) by striking “and the
 21 sustainable management of natural resources”;

22 (2) in paragraph (3)—

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

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

1 (C) by adding the following subparagraph:

2 “(C) promote the protection of biodiversity
3 and the transparent and sustainable manage-
4 ment and use of natural resources.”.

5 MATERIAL SUPPORT

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

9 SEC. 694. (a) AMENDMENT TO AUTHORITY TO DETER-
10 MINE THE BAR TO ADMISSION INAPPLICABLE.—Section
11 212(d)(3)(B)(i) of the Immigration and Nationality Act (8
12 U.S.C. 1182(d)(3)(B)(i)) is amended to read as follows:

13 “The Secretary of State, after consultation with the At-
14 torney General and the Secretary of Homeland Security,
15 or the Secretary of Homeland Security, after consultation
16 with the Secretary of State and the Attorney General, may
17 determine in such Secretary’s sole unreviewable discretion
18 that subsection (a)(3)(B) shall not apply with respect to
19 an alien within the scope of that subsection or that sub-
20 section (a)(3)(B)(vi)(III) shall not apply to a group within
21 the scope of that subsection, except that no such waiver may
22 be extended to an alien who is within the scope of subsection
23 (a)(3)(B)(i)(II), no such waiver may be extended to an
24 alien who is a member or representative of, has voluntarily
25 and knowingly engaged in or endorsed or espoused or per-
26 suaded others to endorse or espouse or support terrorist ac-

1 tivity on behalf of, or has voluntarily and knowingly re-
2 ceived military-type training from a terrorist organization
3 that is described in subclause (I) or (II) of subsection
4 (a)(3)(B)(vi), and no such waiver may be extended to a
5 group that has engaged terrorist activity against the United
6 States or another democratic country or that has purpose-
7 fully engaged in a pattern or practice of terrorist activity
8 that is directed at civilians. Such a determination shall nei-
9 ther prejudice the ability of the United States Government
10 to commence criminal or civil proceedings involving a bene-
11 ficiary of such a determination or any other person, nor
12 create any substantive or procedural right or benefit for a
13 beneficiary of such a determination or any other person.
14 Notwithstanding any other provision of law (statutory or
15 nonstatutory), including section 2241 of title 28, or any
16 other habeas corpus provision, and sections 1361 and 1651
17 of such title, no court shall have jurisdiction to review such
18 a determination or revocation except in a proceeding for
19 review of a final order of removal pursuant to section 1252
20 of this title, and review shall be limited to the extent pro-
21 vided in section 1252(a)(2)(D). The Secretary of State may
22 not exercise the discretion provided in this clause with re-
23 spect to an alien at any time during which the alien is
24 the subject of pending removal proceedings under section
25 1229a of this title.”.

1 (b) *AUTOMATIC RELIEF FOR THE HMONG AND OTHER*
2 *GROUPS THAT DO NOT POSE A THREAT TO THE UNITED*
3 *STATES.*—*For purposes of section 212(a)(3)(B) of the Im-*
4 *migration and Nationality Act (8 U.S.C. 1182(a)(3)(B)),*
5 *the Karen National Union/Karen Liberation Army (KNU/*
6 *KNLA), the Chin National Front/Chin National Army*
7 *(CNF/CNA), the Chin National League for Democracy*
8 *(CNLD), the Kayan New Land Party (KNLP), the Arakan*
9 *Liberation Party (ALP), the Mustangs, the Alzados, the*
10 *Karenni National Progressive Party, and appropriate*
11 *groups affiliated with the Hmong and the Montagnards*
12 *shall not be considered to be a terrorist organization on the*
13 *basis of any act or event occurring before the date of enact-*
14 *ment of this section. Nothing in this subsection may be con-*
15 *strued to alter or limit the authority of the Secretary of*
16 *State or the Secretary of Homeland Security to exercise his*
17 *discretionary authority pursuant to 212(d)(3)(B)(i) of the*
18 *Immigration and Nationality Act (8 U.S.C.*
19 *1182(d)(3)(B)(i)).*

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

24 (d) *DESIGNATION OF THE TALIBAN AS A TERRORIST*
25 *ORGANIZATION.*—*For purposes of section 212(a)(3)(B) of*

1 *the Immigration and Nationality Act (8 U.S.C.*
2 *1182(a)(3)(B)), the Taliban shall be considered to be a ter-*
3 *rorist organization described in subclause (I) of clause (vi)*
4 *of that section.*

5 *(e) REPORT ON DURESS WAIVERS.—The Secretary of*
6 *Homeland Security shall provide to the Committees on the*
7 *Judiciary of the United States Senate and House of Rep-*
8 *resentatives a report, not less than 180 days after the enact-*
9 *ment of this Act and every year thereafter, which may in-*
10 *clude a classified annex, if appropriate, describing—*

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

15 *(2) a breakdown of the types of terrorist organi-*
16 *zations to which the individuals described in para-*
17 *graph (1) have provided material support;*

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

21 *(4) any other information that the Secretary be-*
22 *lieves that the Congress should consider while over-*
23 *seeing the Department's application of duress waiv-*
24 *ers.*

(f) *EFFECTIVE DATE.*—The amendments made by this section shall take effect on the date of enactment of this section, and these amendments and sections 212(a)(3)(B) and 212(d)(3)(B) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B) and 1182(d)(3)(B)), as amended by these sections, shall apply to—

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

9 (B) acts and conditions constituting a ground for in-
10 admissibility, excludability, deportation, or removal occur-
11 ring or existing before, on, or after such date.

12 *CLUSTER MUNITIONS*

SEC. 695. During the current fiscal year, no military assistance shall be furnished for cluster munitions, no defense export license for cluster munitions may be issued, and no cluster munitions or cluster munitions technology shall be sold or transferred, unless—

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

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

CUBA

1
2 *SEC. 696. (a) Subject to subsection (b), of the funds*
3 *appropriated by this Act under the heading “International*
4 *Narcotics Control and Law Enforcement”, \$1,000,000 shall*
5 *be made available for preliminary work by the Department*
6 *of State, or such other entity as the Secretary of State may*
7 *designate, to establish cooperation with appropriate agen-*
8 *cies of the Government of Cuba on counter-narcotics mat-*
9 *ters, including matters relating to cooperation, coordina-*
10 *tion, and mutual assistance in the interdiction of illicit*
11 *drugs being transported through Cuba airspace or over*
12 *Cuba waters.*

13 *(b) The amount in subsection (a) shall not be available*
14 *if the Secretary certifies to the Committees on Appropria-*
15 *tions that—*

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

20 *(2) there is credible evidence of involvement of*
21 *the Government of Cuba in drug trafficking during*
22 *the preceeding 10 years.*

LIBYA

24 *SEC. 697. (a) None of the funds appropriated by this*
25 *Act may be made available for—*

1 (1) *construction of a new United States embassy*
2 *in Libya;*

3 (2) *activities in Libya related to energy develop-*
4 *ment; or*

5 (3) *activities in Libya which support investment*
6 *in Libya's hydrocarbon sector, including the proc-*
7 *essing of applications for dual-use export licenses.*

8 (b) *The prohibitions in subsection (a) shall no longer*
9 *apply if the Secretary of State certifies to the Committees*
10 *on Appropriations that the Government of Libya has made*
11 *the final settlement payments to the Pan Am 103 victims'*
12 *families, paid to the LaBelle Disco bombing victims their*
13 *agreed upon settlement amounts, and is engaging in good*
14 *faith settlement discussions regarding other relevant ter-*
15 *rorism cases.*

16 (c) *Not later than 90 days after enactment of this Act*
17 *and 90 days thereafter, the Secretary shall submit a report*
18 *to the Committees on Appropriations describing (1) actions*
19 *taken by the Department of State to facilitate a resolution*
20 *of these cases; and (2) United States commercial activities*
21 *in Libya's energy sector.*

22 CARRY FORWARD OF UNUSED SPECIAL IMMIGRANT VISAS

23 SEC. 698. *Section 1059(c) of the National Defense Au-*
24 *thorization Act for Fiscal Year 2006 (8 U.S.C. 1101 note)*
25 *is amended by adding at the end the following:*

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

9 *GLOBAL FUND CONTRIBUTION*

10 *(INCLUDING RESCISSION OF FUNDS)*

11 *SEC. 699. (a) The amount appropriated or otherwise*
 12 *made available by title III for bilateral assistance for Glob-*
 13 *al Health Programs is hereby increased by \$40,000,000.*

14 *(b) The amount appropriated or otherwise made avail-*
 15 *able for such purpose and available for a United States con-*
 16 *tribution to the Global Fund to Fight AIDS, Tuberculosis,*
 17 *and Malaria is hereby increased by \$40,000,000.*

18 *(c) Of the unobligated balances of amounts appro-*
 19 *priated or otherwise made available in prior appropria-*
 20 *tions Acts under the heading “Economic Support Fund”,*
 21 *\$40,000,000 is rescinded.*

22 *REFERENCES*

23 *SEC. 699A. Except as otherwise provided, any ref-*
 24 *erence in titles II through V, including the general provi-*
 25 *sions for such titles, to “this Act” shall be deemed to be*
 26 *a reference to titles II through V of the Department of State,*

1 *Foreign Operations, and Related Programs Appropriations*
2 *Act, 2008.*

3 *SUPPORT FOR DEMOCRACY, THE RULE OF LAW, AND*
4 *GOVERNANCE IN IRAN*

5 *SEC. 699B. Of the amount appropriated or otherwise*
6 *made available by title III for other bilateral economic as-*
7 *sistance under the heading “ECONOMIC SUPPORT FUND”,*
8 *\$75,000,000 shall be made available for programs of the Bu-*
9 *reau of Near Eastern Affairs of the Department of State*
10 *to support democracy, the rule of law, and governance in*
11 *Iran.*

12 *REMOVAL OF CERTAIN RESTRICTIVE ELIGIBILITY REQUIRE-*
13 *MENTS APPLICABLE TO FOREIGN NONGOVERNMENTAL*
14 *ORGANIZATIONS*

15 *SEC. 699C. Notwithstanding any other provision of*
16 *law, regulation, or policy, in determining eligibility for as-*
17 *sistance authorized under part I of the Foreign Assistance*
18 *Act of 1961 (22 U.S.C. 2151 et seq.), foreign nongovern-*
19 *mental organizations shall not be ineligible for such assist-*
20 *ance solely on the basis of health or medical services, includ-*
21 *ing counseling and referral services, provided by such orga-*
22 *nizations with non-United States Government funds if such*
23 *services do not violate the laws of the country in which they*
24 *are being provided and would not violate United States*
25 *Federal law if provided in the United States, and shall not*
26 *be subject to requirements relating to the use of non-United*

1 *States Government funds for advocacy and lobbying activi-*
 2 *ties other than those that apply to United States nongovern-*
 3 *mental organizations receiving assistance under part I of*
 4 *such Act.*

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

11 *ADDITIONAL PEACE CORPS FUNDING*

12 *SEC. 699E. (a) The amount appropriated or otherwise*
 13 *made available by title III under the heading “PEACE*
 14 *CORPS” is hereby increased by \$10,000,000.*

15 *(b) The amount appropriated or otherwise made avail-*
 16 *able by title IV under the heading “FOREIGN MILITARY FI-*
 17 *NANCING PROGRAM” is hereby reduced by \$10,000,000.*

18 *RIGHT TO BEAR ARMS*

19 *SEC. 699F. None of the funds made available under*
 20 *this Act may be made available to any international orga-*
 21 *nization, agency, or entity (including the United Nations)*
 22 *that requires the registration of or taxes a gun owned by*
 23 *a citizen of the United States.*

15 (1) copies of all contracts, grants, subcontracts,
16 and subgrants awarded or utilized during fiscal year
17 2007;

21 (3) any other financial information deemed nec-
22 essary by the Secretary.

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1 *protect the identity of whistleblowers or other informants*
 2 *to investigations and reports and proprietary information*
 3 *may be redacted.*

4 *WITHHOLDING OF UNITED STATES CONTRIBUTIONS TO THE*
 5 *UNITED NATIONS HUMAN RIGHTS COUNCIL*

6 *SEC. 699H. (a)(1) No funds appropriated or otherwise*
 7 *made available by this Act for contributions to inter-*
 8 *national organizations may be made available to support*
 9 *the United Nations Human Rights Council.*

10 *(2) The prohibition under paragraph (1) shall not*
 11 *apply if—*

12 *(A) the President determines and certifies to the*
 13 *Committee on Foreign Relations and the Committee*
 14 *on Appropriations of the Senate and the Committee*
 15 *on Foreign Affairs and the Committee on Appropria-*
 16 *tions of the House of Representatives that the provi-*
 17 *sion of funds to support the United Nations Human*
 18 *Rights Council is in the national interest of the*
 19 *United States; or*

20 *(B) the United States is a member of the Human*
 21 *Rights Council.*

22 *SEC. 699I. STUDY OF WORLD BANK'S EFFORTS TO*
 23 *MEASURE THE SUCCESS OF THE PROJECTS IT FINANCES.*

24 *(a) SENSE OF CONGRESS.—It is the sense of Congress that*
 25 *the World Bank should increase its focus on performance*
 26 *requirements and measurable results.*

1 (b) *STUDY.*—*The Comptroller General of the United*
 2 *States should conduct a study on the actions taken by the*
 3 *World Bank to—*

4 (1) *measure the success of the projects financed*
 5 *by IDA;*

6 (2) *employ accurate means to measure the effec-*
 7 *tiveness of projects financed by IDA;*

8 (3) *combat corruption in governments that re-*
 9 *ceive IDA funding;*

10 (4) *establish clear objectives for IDA projects and*
 11 *tangible means of assessing the success of such*
 12 *projects; and*

13 (5) *use World Bank processes and procedures for*
 14 *procurement of goods and services on projects receiv-*
 15 *ing financial assistance from the World Bank.*

16 *SEC. 669J. SENSE OF THE SENATE REGARDING IRAQ*
 17 *REFUGEE CRISIS. (a) FINDINGS.*—*Congress makes the fol-*
 18 *lowing findings:*

19 (1) *The annual United States worldwide ceiling*
 20 *for refugees has been 70,000 since 2002.*

21 (2) *The Department of State has yet to use all*
 22 *of the available allocation that could be used for Iraqi*
 23 *refugees.*

1 (3) *Since 2003, more than 2,000,000 Iraqis have*
 2 *fled their country and over 2,000,000 Iraqis are also*
 3 *displaced within Iraq.*

4 (4) *It has become increasingly clear that people*
 5 *who have assisted the United States, Iraqi Christians*
 6 *and other religious minorities cannot safely return to*
 7 *Iraq.*

8 (5) *The United States Government has an obli-*
 9 *gation to help these refugees and should act swiftly to*
 10 *do so.*

11 (6) *The United States Government should in-*
 12 *crease the allocation of refugee slots for Iraqi refugees*
 13 *for resettlement in the United States.*

14 (b) *SENSE OF THE SENATE.—It is the sense of the Sen-*
 15 *ate that the President should act swiftly to respond to the*
 16 *deepening humanitarian and refugee crisis in Iraq by using*
 17 *the entire United States refugee allocation for the Near*
 18 *East/South Asia region and any unused portion of the*
 19 *worldwide allocation for Iraqi refugees, particularly people*
 20 *who have assisted the United States and religious minori-*
 21 *ties.*

22 OVERSEAS PRIVATE INVESTMENT CORPORATION

23 SEC. 699K. (a) *The amount appropriated or otherwise*
 24 *made available by title II for the Overseas Private Invest-*
 25 *ment Corporation under the heading “PROGRAM ACCOUNT”*
 26 *is hereby increased by \$8,000,000.*

(b) The amount appropriated or otherwise made available by title V for “CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT ASSOCIATION” is hereby reduced by \$8,000,000.

5 UNITED STATES-EGYPT FRIENDSHIP ENDOWMENT

6 SEC. 699L. *Of the funds appropriated by this Act and*
7 *prior Acts making appropriations for foreign operations,*
8 *export financing, and related programs under the heading*
9 *“Economic Support Fund” that are available for assistance*
10 *for Egypt, up to \$500,000,000 may be made available for*
11 *an endowment to further social, economic and political re-*
12 *forms in Egypt: Provided, That the Secretary of State shall*
13 *consult with the Committees on Appropriations on the es-*
14 *tablishment of such an endowment and appropriate bench-*
15 *marks for the uses of these funds.*

16 *IRAQ*

17 *SEC. 699M. (a) None of the funds appropriated or oth-*
18 *erwise made available by this Act may be made available*
19 *for assistance for Iraq.*

(b) Not later than 30 days after enactment of this Act the Secretary of State shall submit a report to the Committees on Appropriations detailing the extent to which the Government of Iraq is committed to combating corruption in Iraq and the specific actions and achievements of the Government of Iraq in combating corruption, to include a

1 *list of those senior Iraqi leaders who have been credibly al-*
 2 *leged to be engaged in corrupt practices and activities.*

3 (c) *Notwithstanding any other provision of law, policy,*
 4 *or regulation, none of the funds made available in this Act*
 5 *or any other Act making appropriations for foreign oper-*
 6 *ations, export financing, and related programs may be*
 7 *made available for assistance for Iraq unless the Secretary*
 8 *of State, in consultation with the Secretary of Defense, cer-*
 9 *tifies to the Committees on Appropriations that the Depart-*
 10 *ments of State and Defense are providing the Committees*
 11 *on Appropriations, including relevant staff, regular, full*
 12 *and unfettered access to programs in Iraq for the purposes*
 13 *of conducting oversight.*

14 (d) *Subsections (a) and (c) shall not apply to the ninth*
 15 *and thirteenth provisos under the heading “Economic Sup-*
 16 *port Fund” in this Act.*

17 ANTI-KLEPTOCRACY

18 SEC. 699N. (a) *In furtherance of the National Strategy*
 19 *to Internationalize Efforts Against Kleptocracy and Presi-*
 20 *dential Proclamation 7750, not later than 90 days after*
 21 *the date of enactment of this Act the Secretary of State shall*
 22 *send to the appropriate congressional committees a list of*
 23 *officials of the governments of Angola, Burma, Cambodia,*
 24 *Equatorial Guinea, Democratic Republic of the Congo, and*
 25 *the Republic of the Congo, and their immediate family*
 26 *members, who the Secretary has credible evidence to believe*

1 *have been involved in corruption relating to the extraction*
2 *of natural resources in their countries.*

3 *(b) Not later than 10 days after the list described in*
4 *subsection (a) is submitted to the appropriate congressional*
5 *committees, the following sanctions shall apply:*

6 *(1) Any individual on the list submitted under*
7 *subsection (a) shall be ineligible for a visa to enter the*
8 *United States.*

9 *(2) No property or interest in property belonging*
10 *to an individual on the list submitted under sub-*
11 *section (a), or to a member of the immediate family*
12 *of such individual if the property is effectively under*
13 *the control of such individual, may be transferred,*
14 *paid, exported, withdrawn, or otherwise dealt with, if*
15 *the property is within the United States or within the*
16 *possession or control of a United States person, in-*
17 *cluding the overseas branch of such person, or after*
18 *the date of the enactment of this Act comes within the*
19 *control of such person.*

20 *(3) No United States person may engage in fi-*
21 *nancial transactions with an individual on the list*
22 *submitted under subsection (a), or with a member of*
23 *the immediate family of such individual if the trans-*
24 *action will benefit an individual on the list submitted*
25 *under subsection (a).*

UGANDA

1

2 *SEC. 6990. (a) Not later than 90 days after enactment*
3 *of this Act, the Secretary of State shall submit a report to*
4 *the Committees on Appropriations detailing a strategy for*
5 *substantially enhancing United States efforts to resolve the*
6 *conflict between the Lord's Resistance Army (LRA) and the*
7 *Government of Uganda (GOU), including—*

8 *(1) direct and sustained participation by the*
9 *United States in confidence-building measures in fur-*
10 *therance of the peace process;*

11 *(2) increased diplomatic pressure on the Demo-*
12 *cratic Republic of the Congo (to eliminate the LRA's*
13 *current safe haven) and on Sudan;*

14 *(3) brokering direct negotiations between the*
15 *GOU and the leaders of the LRA on personal security*
16 *arrangements; and*

17 *(4) financial support for disarmament, demobili-*
18 *zation, and reintegration to provide mid-level LRA*
19 *commanders incentives to return to civilian life.*

20 *(b) Of the funds appropriated by this Act under the*
21 *heading "Economic Support Fund", not less than*
22 *\$5,000,000 shall be made available to implement the strat-*
23 *egy described in subsection (a).*

1 *COMPREHENSIVE NUCLEAR THREAT REDUCTION AND*
2 *SECURITY PLAN*

3 *SEC. 699P. (a) Not later than 180 days after the date*
4 *of the enactment of this Act, the President shall submit to*
5 *Congress a comprehensive nuclear threat reduction and se-*
6 *curity plan, in classified and unclassified forms—*

7 *(1) for ensuring that all nuclear weapons and*
8 *weapons-usable material at vulnerable sites are secure*
9 *by 2012 against the threats that terrorists have shown*
10 *they can pose;*

11 *(2) for working with other countries to ensure*
12 *adequate accounting and security for such materials*
13 *on an ongoing basis thereafter; and*

14 *(3) for making security improvements to ensure,*
15 *to the maximum extent feasible, that the existing*
16 *United States nuclear weapons stockpile and weap-*
17 *ons-usable material be protected from the threats ter-*
18 *rorists have shown they can pose.*

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

21 *(1) clearly designate agency and departmental*
22 *responsibility and accountability;*

23 *(2) specify program goals, with metrics for meas-*
24 *uring progress, estimated schedules, and specified*
25 *milestones to be achieved;*

1 (3) provide estimates of the program budget re-
2 quirements and resources to meet the goals for each
3 year;

4 (4) provide the strategy for diplomacy and re-
5 lated tools and authority to accomplish the program
6 element;

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

13 (6) outline the progress in and impediments to
14 securing agreement from all countries that possess nu-
15 clear weapons or weapons-usable material on a set of
16 global nuclear security standards, consistent with
17 their obligation to comply with United Nations Secu-
18 rity Council Resolution 1540;

19 (7) describe the steps required to overcome im-
20 pediments that have been identified; and

21 (8) describe global efforts to promulgate best
22 practices for securing nuclear materials.

23 (c) *SENSE OF THE SENATE.* The Administration shall
24 not sign any agreement with the Russian Federation on
25 low enriched uranium that does not include a requirement

1 *that a portion of the low enriched uranium be derived from*
2 *highly enriched uranium.*

3 *RULE OF LAW AND BORDER SECURITY IN EGYPT*

4 *SEC. 699Q. (a) The Senate makes the following find-*
5 *ings:*

6 *(1) Fighting in Gaza during the summer of 2007*
7 *demonstrated that the terrorist organization Hamas,*
8 *which unlawfully seized control over Gaza in June*
9 *2007, has been able to achieve a dramatic increase in*
10 *the quantity and sophistication of arms at its dis-*
11 *posal.*

12 *(2) Without these arms, the terrorist organiza-*
13 *tion would not have been able to seize control over the*
14 *Gaza territory.*

15 *(3) There is substantial evidence that a signifi-*
16 *cant proportion of these arms were smuggled across*
17 *the border between Gaza and Egypt.*

18 *(4) The Egyptian military is a capable force,*
19 *made possible in substantial part by a close relation-*
20 *ship with the United States.*

21 *(5) Concurrent with the escalation of dangerous*
22 *arms smuggling across the border between Egypt and*
23 *Gaza has been a retrogression in the rule of law in*
24 *Egypt.*

25 *(6) This loss of hard-earned ground has been*
26 *characterized by reports of harsh reaction by the Gov-*

1 *ernment of Egypt to dissent, including the jailing of*
2 *political opponents.*

3 *(7) The United States has provided aid to Egypt*
4 *in excess of \$28,000,000,000 over the past three dec-*
5 *ades.*

6 *(b) The Senate—*

7 *(1) reaffirms its long-standing friendship with*
8 *the people of Egypt;*

9 *(2) believes that our friendship with Egypt re-*
10 *quires the Senate to address such vital policy con-*
11 *cerns;*

12 *(3) urges the Government of Egypt to make con-*
13 *crete and measurable progress on restoring the rule of*
14 *law, including improving the independence of the ju-*
15 *diciary and improving criminal procedures and due*
16 *process rights and halting the cross-border flow of*
17 *arms to Gaza;*

18 *(4) believes it is the best interest of Egypt, the*
19 *region, and the United States that Egypt takes*
20 *prompt action to demonstrate progress on these mat-*
21 *ters; and*

22 *(5) urges the Department of State to work vigor-*
23 *ously and expeditiously with the Government of*
24 *Egypt and the Government of Israel to bring the bor-*

1 *der between Egypt and Gaza border under effective*
2 *control.*

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

Attest:

Secretary.

110TH CONGRESS
1ST SESSION

H. R. 2764

AMENDMENT