

# Union Calendar No. 118

110TH CONGRESS  
1ST SESSION

# H. R. 2764

[Report No. 110-197]

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

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 18, 2007

Mrs. LOWEY, from the Committee on Appropriations, reported the following bill; which was committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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## A BILL

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

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That the following sums are appropriated, out of any  
4       money in the Treasury not otherwise appropriated, for the  
5       fiscal year ending September 30, 2008, and for other pur-  
6       poses, namely:

1 TITLE I  
2 DEPARTMENT OF STATE  
3 DEPARTMENT OF STATE AND RELATED  
4 AGENCIES  
5 DEPARTMENT OF STATE  
6 ADMINISTRATION OF FOREIGN AFFAIRS  
7 DIPLOMATIC AND CONSULAR PROGRAMS  
8 (INCLUDING TRANSFER OF FUNDS)  
9 For necessary expenses of the Department of State  
10 and the Foreign Service not otherwise provided for, includ-  
11 ing employment, without regard to civil service and classi-  
12 fication laws, of persons on a temporary basis (not to ex-  
13 ceed \$700,000 of this appropriation), as authorized by  
14 section 801 of the United States Information and Edu-  
15 cational Exchange Act of 1948; representation to certain  
16 international organizations in which the United States  
17 participates pursuant to treaties ratified pursuant to the  
18 advice and consent of the Senate or specific Acts of Con-  
19 gress; arms control, nonproliferation and disarmament ac-  
20 tivities as authorized; acquisition by exchange or purchase  
21 of passenger motor vehicles as authorized by law; and for  
22 expenses of general administration, \$3,820,018,000: *Pro-*  
23 *vided*, That of the amount made available under this head-  
24 ing, not to exceed \$10,000,000 may be transferred to, and  
25 merged with, funds in the “Emergencies in the Diplomatic  
26 and Consular Service” appropriations account, to be avail-

1 able only for emergency evacuations and terrorism re-  
2 wards: *Provided further*, That of the amount made avail-  
3 able under this heading, not less than \$363,905,000 shall  
4 be available only for public diplomacy international infor-  
5 mation programs: *Provided further*, That of the amount  
6 appropriated under this heading, \$5,000,000 shall be  
7 available for the Secretary to establish and operate a pub-  
8 lic/private interagency public diplomacy center which shall  
9 serve as a program integration and coordination entity for  
10 United States public diplomacy programs: *Provided fur-*  
11 *ther*, That of the amounts appropriated under this head-  
12 ing, \$4,000,000, to remain available until expended, shall  
13 be for compensation to the families of members of the For-  
14 eign Service or other United States Government employees  
15 or their dependents, who were killed in terrorist attacks  
16 since 1979: *Provided further*, That none of the funds made  
17 available for compensation in the previous proviso may be  
18 obligated without specific authorization in a subsequent  
19 Act of Congress: *Provided further*, That of the amount  
20 made available under this heading, \$3,000,000 shall be  
21 available only for the operations of the Office on Right-  
22 Sizing the United States Government Overseas Presence:  
23 *Provided further*, That not less than \$5,000,000 shall be  
24 for the Program for Research and Training on Eastern  
25 Europe and the Independent States of the Former Soviet

1 Union (title VIII) as authorized by the Soviet-Eastern Eu-  
2 ropean Research and Training Act of 1983 (22 U.S.C.  
3 4501–4508, as amended): *Provided further*, That funds  
4 available under this heading may be available for a United  
5 States Government interagency task force to examine, co-  
6 ordinate and oversee United States participation in the  
7 United Nations headquarters renovation project: *Provided*  
8 *further*, That no funds may be obligated or expended for  
9 processing licenses for the export of satellites of United  
10 States origin (including commercial satellites and satellite  
11 components) to the People’s Republic of China unless, at  
12 least 15 days in advance, the Committees on Appropria-  
13 tions of the House of Representatives and the Senate are  
14 notified of such proposed action: *Provided further*, That  
15 funds appropriated under this heading are available, pur-  
16 suant to 31 U.S.C. 1108(g), for the field examination of  
17 programs and activities in the United States funded from  
18 any account contained in this title.

19 In addition, not to exceed \$1,558,390 shall be derived  
20 from fees collected from other executive agencies for lease  
21 or use of facilities located at the International Center in  
22 accordance with section 4 of the International Center Act;  
23 in addition, as authorized by section 5 of such Act,  
24 \$490,000, to be derived from the reserve authorized by  
25 that section, to be used for the purposes set out in that

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

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

13 CAPITAL INVESTMENT FUND

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

19 OFFICE OF INSPECTOR GENERAL

20 For necessary expenses of the Office of Inspector  
21 General, \$32,508,000, notwithstanding section 209(a)(1)  
22 of the Foreign Service Act of 1980 (Public Law 96–465),  
23 as it relates to post inspections.

24 EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

25 For expenses of educational and cultural exchange  
26 programs, as authorized, \$501,400,000, to remain avail-

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

11 REPRESENTATION ALLOWANCES

12 For representation allowances as authorized,  
13 \$8,175,000.

14 PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

15 For expenses, not otherwise provided, to enable the  
16 Secretary of State to provide for extraordinary protective  
17 services, as authorized, \$28,000,000, to remain available  
18 until September 30, 2009.

19 EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

20 For necessary expenses for carrying out the Foreign  
21 Service Buildings Act of 1926 (22 U.S.C. 292–303), pre-  
22 serving, maintaining, repairing, and planning for buildings  
23 that are owned or directly leased by the Department of  
24 State, renovating, in addition to funds otherwise available,  
25 the Harry S Truman Building, and carrying out the Dip-  
26 lomatic Security Construction Program as authorized,

1 \$729,898,000, to remain available until expended as au-  
2 thorized, of which not to exceed \$25,000 may be used for  
3 domestic and overseas representation as authorized: *Pro-*  
4 *vided*, That none of the funds appropriated in this para-  
5 graph shall be available for acquisition of furniture, fur-  
6 nishings, or generators for other departments and agen-  
7 cies.

8 In addition, for the costs of worldwide security up-  
9 grades, acquisition, and construction as authorized,  
10 \$806,900,000, to remain available until expended.

11 EMERGENCIES IN THE DIPLOMATIC AND CONSULAR

12 SERVICE

13 (INCLUDING TRANSFER OF FUNDS)

14 For expenses necessary to enable the Secretary of  
15 State to meet unforeseen emergencies arising in the Diplo-  
16 matic and Consular Service, \$14,000,000, to remain avail-  
17 able until expended as authorized, of which not to exceed  
18 \$1,000,000 may be transferred to and merged with the  
19 “Repatriation Loans Program Account”, subject to the  
20 same terms and conditions.

21 REPATRIATION LOANS PROGRAM ACCOUNT

22 (INCLUDING TRANSFER OF FUNDS)

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





1 Nations peacekeeping mission unless, at least 15 days in  
2 advance of voting for the new or expanded mission in the  
3 United Nations Security Council (or in an emergency as  
4 far in advance as is practicable): (1) the Committees on  
5 Appropriations and other appropriate committees of the  
6 Congress are notified of the estimated cost and length of  
7 the mission, the national interest that will be served, and  
8 the planned exit strategy; (2) the Committees on Appro-  
9 priations and other appropriate committees of the Con-  
10 gress are notified that the United Nations has taken ap-  
11 propriate measures to prevent United Nations employees,  
12 contractor personnel, and peacekeeping forces serving in  
13 any United Nations peacekeeping mission from trafficking  
14 in persons, exploiting victims of trafficking, or committing  
15 acts of illegal sexual exploitation, and to hold accountable  
16 individuals who engage in such acts while participating in  
17 the peacekeeping mission; and (3) a reprogramming of  
18 funds pursuant to section 615 of this Act is submitted,  
19 and the procedures therein followed, setting forth the  
20 source of funds that will be used to pay for the cost of  
21 the new or expanded mission: *Provided further*, That funds  
22 shall be available for peacekeeping expenses only upon a  
23 certification by the Secretary of State to the appropriate  
24 committees of the Congress that American manufacturers  
25 and suppliers are being given opportunities to provide

1 equipment, services, and material for United Nations  
2 peacekeeping activities equal to those being given to for-  
3 eign manufacturers and suppliers.

4 INTERNATIONAL COMMISSIONS

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

8 INTERNATIONAL BOUNDARY AND WATER COMMISSION,

9 UNITED STATES AND MEXICO

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

15 SALARIES AND EXPENSES

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

18 CONSTRUCTION

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

22 AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

23 For necessary expenses, not otherwise provided, for  
24 the International Joint Commission and the International  
25 Boundary Commission, United States and Canada, as au-  
26 thorized by treaties between the United States and Can-

1 ada or Great Britain, and for the Border Environment  
2 Cooperation Commission as authorized by Public Law  
3 103–182, \$10,630,000, of which not to exceed \$9,000  
4 shall be available for representation expenses incurred by  
5 the International Joint Commission.

6 INTERNATIONAL FISHERIES COMMISSIONS

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

12 OTHER

13 PAYMENT TO THE ASIA FOUNDATION

14 For a grant to the Asia Foundation, as authorized  
15 by the Asia Foundation Act (22 U.S.C. 4402),  
16 \$15,000,000, to remain available until expended, as au-  
17 thorized.

18 CENTER FOR MIDDLE EASTERN-WESTERN DIALOGUE

19 TRUST FUND

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

## 1 EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

2 For necessary expenses of Eisenhower Exchange Fel-  
3 lowships, Incorporated, as authorized by sections 4 and  
4 5 of the Eisenhower Exchange Fellowship Act of 1990 (20  
5 U.S.C. 5204–5205), all interest and earnings accruing to  
6 the Eisenhower Exchange Fellowship Program Trust  
7 Fund on or before September 30, 2008, to remain avail-  
8 able until expended: *Provided*, That none of the funds ap-  
9 propriated herein shall be used to pay any salary or other  
10 compensation, or to enter into any contract providing for  
11 the payment thereof, in excess of the rate authorized by  
12 5 U.S.C. 5376; or for purposes which are not in accord-  
13 ance with OMB Circulars A–110 (Uniform Administrative  
14 Requirements) and A–122 (Cost Principles for Non-profit  
15 Organizations), including the restrictions on compensation  
16 for personal services.

## 17 ISRAELI ARAB SCHOLARSHIP PROGRAM

18 For necessary expenses of the Israeli Arab Scholar-  
19 ship Program as authorized by section 214 of the Foreign  
20 Relations Authorization Act, Fiscal Years 1992 and 1993  
21 (22 U.S.C. 2452), all interest and earnings accruing to  
22 the Israeli Arab Scholarship Fund on or before September  
23 30, 2008, to remain available until expended.

## 24 NATIONAL ENDOWMENT FOR DEMOCRACY

25 For grants made by the Department of State to the  
26 National Endowment for Democracy as authorized by the

1 National Endowment for Democracy Act, \$80,000,000, to  
2 remain available until expended.

3 RELATED AGENCIES

4 BROADCASTING BOARD OF GOVERNORS

5 INTERNATIONAL BROADCASTING OPERATIONS

6 For expenses necessary to enable the Broadcasting  
7 Board of Governors, as authorized, to carry out inter-  
8 national communication activities, including the purchase,  
9 rent, construction, and improvement of facilities for radio  
10 and television transmission and reception and purchase,  
11 lease, and installation of necessary equipment for radio  
12 and television transmission and reception to Cuba, and to  
13 make and supervise grants for radio and television broad-  
14 casting to the Middle East, \$671,632,000: *Provided*, That  
15 of the total amount in this heading, not to exceed \$16,000  
16 may be used for official receptions within the United  
17 States as authorized, not to exceed \$35,000 may be used  
18 for representation abroad as authorized, and not to exceed  
19 \$39,000 may be used for official reception and representa-  
20 tion expenses of Radio Free Europe/Radio Liberty; and  
21 in addition, notwithstanding any other provision of law,  
22 not to exceed \$2,000,000 in receipts from advertising and  
23 revenue from business ventures, not to exceed \$500,000  
24 in receipts from cooperating international organizations,  
25 and not to exceed \$1,000,000 in receipts from privatiza-

1 tion efforts of the Voice of America and the International  
2 Broadcasting Bureau, to remain available until expended  
3 for carrying out authorized purposes.

4           BROADCASTING CAPITAL IMPROVEMENTS

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

11       COMMISSION FOR THE PRESERVATION OF AMERICA'S  
12                           HERITAGE ABROAD

13                           SALARIES AND EXPENSES

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

17       COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM  
18                           SALARIES AND EXPENSES

19       For necessary expenses for the United States Com-  
20 mission on International Religious Freedom, as authorized  
21 by title II of the International Religious Freedom Act of  
22 1998 (Public Law 105-292), \$3,400,000, to remain avail-  
23 able until September 30, 2009.

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

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

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

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

16 UNITED STATES-CHINA ECONOMIC AND SECURITY  
17 REVIEW COMMISSION  
18 SALARIES AND EXPENSES

19 For necessary expenses of the United States-China Economic and Security Review Commission, \$4,000,000,  
20 including not more than \$5,000 for the purpose of official representation, to remain available until September 30,  
21 2009: *Provided*, That for purposes of costs relating to  
22 printing and binding, the Commission shall be deemed, effective on the date of its establishment, to be a committee

1 of Congress: *Provided further*, That compensation for the  
2 executive director of the Commission may not exceed the  
3 rate payable for level II of the Executive Schedule under  
4 section 5314 of title 5, United States Code: *Provided fur-*  
5 *ther*, That section 1238(c)(1) of the Floyd D. Spence Na-  
6 tional Defense Authorization Act for Fiscal Year 2001,  
7 is amended by striking “June” and inserting “December”:  
8 *Provided further*, That travel by members of the Commis-  
9 sion and its staff shall be arranged and conducted under  
10 the rules and procedures applying to travel by members  
11 of the House of Representatives and its staff: *Provided*  
12 *further*, That section 1238 of the Floyd D. Spence Na-  
13 tional Defense Authorization Act for Fiscal Year 2001 is  
14 amended by striking subsection (g).

15 UNITED STATES INSTITUTE OF PEACE

16 OPERATING EXPENSES

17 For necessary expenses of the United States Institute  
18 of Peace as authorized in the United States Institute of  
19 Peace Act, \$25,000,000, to remain available until Sep-  
20 tember 30, 2009.

21 GENERAL PROVISIONS—DEPARTMENT OF

22 STATE AND RELATED AGENCIES

23 ALLOWANCES AND DIFFERENTIALS

24 SEC. 101. Funds appropriated under title I of this  
25 Act shall be available, except as otherwise provided, for

1 allowances and differentials as authorized by subchapter  
2 59 of title 5, United States Code; for services as author-  
3 ized by 5 U.S.C. 3109; and for hire of passenger transpor-  
4 tation pursuant to 31 U.S.C. 1343(b).

5 UNOBLIGATED BALANCES REPORT

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

11 EMBASSY CONSTRUCTION

12 SEC. 103. (a) Of funds provided under title I of this  
13 Act, except as provided in subsection (b), a project to con-  
14 struct a diplomatic facility of the United States may not  
15 include office space or other accommodations for an em-  
16 ployee of a Federal agency or department if the Secretary  
17 of State determines that such department or agency has  
18 not provided to the Department of State the full amount  
19 of funding required by subsection (e) of section 604 of  
20 the Secure Embassy Construction and Counterterrorism  
21 Act of 1999 (as enacted into law by section 1000(a)(7)  
22 of Public Law 106–113 and contained in appendix G of  
23 that Act; 113 Stat. 1501A–453), as amended by section  
24 629 of the Departments of Commerce, Justice, and State,  
25 the Judiciary, and Related Agencies Appropriations Act,  
26 2005.

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

5 PEACEKEEPING MISSIONS

6 SEC. 104. None of the funds made available under  
7 title I of this Act may be used for any United Nations  
8 undertaking when it is made known to the Federal official  
9 having authority to obligate or expend such funds that:  
10 (1) the United Nations undertaking is a peacekeeping mis-  
11 sion; (2) such undertaking will involve United States  
12 Armed Forces under the command or operational control  
13 of a foreign national; and (3) the President's military advi-  
14 sors have not submitted to the President a recommenda-  
15 tion that such involvement is in the national security inter-  
16 ests of the United States and the President has not sub-  
17 mitted to the Congress such a recommendation.

18 DENIAL OF VISAS

19 SEC. 105. (a) None of the funds appropriated or oth-  
20 erwise made available under title I of this Act shall be  
21 expended for any purpose for which appropriations are  
22 prohibited by section 616 of the Departments of Com-  
23 merce, Justice, and State, the Judiciary, and Related  
24 Agencies Appropriations Act, 1999.

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

4 SENIOR POLICY OPERATING GROUP

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

13 (b) None of the funds provided under title I of this  
14 or any other Act making appropriations for Department  
15 of State and Related Agencies shall be expended to per-  
16 form functions that duplicate coordinating responsibilities  
17 of the Operating Group.

18 (c) The Operating Group shall continue to report only  
19 to the authorities that appointed them pursuant to section  
20 105(f).

21 UNITED STATES CITIZENS BORN IN JERUSALEM

22 SEC. 107. For the purposes of registration of birth,  
23 certification of nationality, or issuance of a passport of  
24 a United States citizen born in the city of Jerusalem, the  
25 Secretary of State shall, upon request of the citizen,  
26 record the place of birth as Israel.

## 1 E-GOVERNMENT INITIATIVES

2 SEC. 108. Any funds provided under title I of this  
3 Act used to implement E-Government Initiatives shall be  
4 subject to the procedures set forth in section 615 of this  
5 Act.

## 6 CONSULTING SERVICES

7 SEC. 109. The expenditure of any appropriation  
8 under title I of this Act for any consulting service through  
9 procurement contract, pursuant to 5 U.S.C. 3109, shall  
10 be limited to those contracts where such expenditures are  
11 a matter of public record and available for public inspec-  
12 tion, except where otherwise provided under existing law,  
13 or under existing Executive order issued pursuant to exist-  
14 ing law.

15 LIMITATION ON DIPLOMATIC OR CONSULAR POST IN  
16 THE SOCIALIST REPUBLIC OF VIETNAM

17 SEC. 110. (a) None of the funds appropriated or oth-  
18 erwise made available under title I of this Act shall be  
19 expended for any purpose for which appropriations are  
20 prohibited by section 609 of the Departments of Com-  
21 merce, Justice, and State, the Judiciary, and Related  
22 Agencies Appropriations Act, 1999.

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

## 1 STATE DEPARTMENT AUTHORITIES

2 SEC. 111. Funds appropriated under title I of this  
3 Act for the Broadcasting Board of Governors and the De-  
4 partment of State may be obligated and expended notwith-  
5 standing section 15 of the State Department Basic Au-  
6 thorities Act of 1956, section 313 of the Foreign Relations  
7 Authorization Act, Fiscal Years 1994 and 1995 (Public  
8 Law 103-236), and section 504(a)(1) of the National Se-  
9 curity Act of 1947 (50 U.S.C. 414(a)(1)).

## 10 RESTRICTION ON CONTRIBUTIONS TO THE UNITED

## 11 NATIONS

12 SEC. 112. None of the funds appropriated or other-  
13 wise made available under title I of this Act may be made  
14 available to pay any contribution of the United States to  
15 the United Nations if the United Nations implements or  
16 imposes any taxation on any United States persons.

## 17 PERSONNEL ACTIONS

18 SEC. 113. Any costs incurred by a department or  
19 agency funded under this Act resulting from personnel ac-  
20 tions taken in response to funding reductions included in  
21 this Act shall be absorbed within the total budgetary re-  
22 sources available to such department or agency: *Provided*,  
23 That the authority to transfer funds between appropria-  
24 tions accounts as may be necessary to carry out this sec-  
25 tion is provided in addition to authorities included else-  
26 where in this Act: *Provided further*, That use of funds to

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

5 RESTRICTIONS ON UNITED NATIONS DELEGATIONS

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

15 TITLE II—EXPORT AND INVESTMENT

16 ASSISTANCE

17 EXPORT-IMPORT BANK OF THE UNITED STATES

18 INSPECTOR GENERAL

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

23 PROGRAM ACCOUNT

24 The Export-Import Bank of the United States is au-  
25 thorized to make such expenditures within the limits of  
26 funds and borrowing authority available to such corpora-

1 tion, and in accordance with law, and to make such con-  
2 tracts and commitments without regard to fiscal year limi-  
3 tations, as provided by section 104 of the Government  
4 Corporation Control Act, as may be necessary in carrying  
5 out the program for the current fiscal year for such cor-  
6 poration: *Provided*, That none of the funds available dur-  
7 ing the current fiscal year may be used to make expendi-  
8 tures, contracts, or commitments for the export of nuclear  
9 equipment, fuel, or technology to any country, other than  
10 a nuclear-weapon state as defined in Article IX of the  
11 Treaty on the Non-Proliferation of Nuclear Weapons eligi-  
12 ble to receive economic or military assistance under this  
13 Act, that has detonated a nuclear explosive after the date  
14 of the enactment of this Act: *Provided further*, That not-  
15 withstanding section 1(c) of Public Law 103-428, as  
16 amended, sections 1(a) and (b) of Public Law 103-428  
17 shall remain in effect through October 1, 2008: *Provided*  
18 *further*, That not less than 10 percent of the aggregate  
19 loan, guarantee, and insurance authority available to the  
20 Export-Import Bank under this or any prior Act should  
21 be used for renewable energy and environmentally bene-  
22 ficial products and services.

23 SUBSIDY APPROPRIATION

24 For the cost of direct loans, loan guarantees, insur-  
25 ance, and tied-aid grants as authorized by section 10 of  
26 the Export-Import Bank Act of 1945, as amended,

1 \$68,000,000, to remain available until September 30,  
2 2011: *Provided*, That such costs, including the cost of  
3 modifying such loans, shall be as defined in section 502  
4 of the Congressional Budget Act of 1974: *Provided fur-*  
5 *ther*, That such sums shall remain available until Sep-  
6 tember 30, 2026, for the disbursement of direct loans,  
7 loan guarantees, insurance and tied-aid grants obligated  
8 in fiscal years 2008, 2009, 2010, and 2011: *Provided fur-*  
9 *ther*, That none of the funds appropriated by this Act or  
10 any prior Act appropriating funds for foreign operations,  
11 export financing, and related programs for tied-aid credits  
12 or grants may be used for any other purpose except  
13 through the regular notification procedures of the Com-  
14 mittees on Appropriations: *Provided further*, That funds  
15 appropriated by this paragraph are made available not-  
16 withstanding section 2(b)(2) of the Export-Import Bank  
17 Act of 1945, in connection with the purchase or lease of  
18 any product by any Eastern European country, any Baltic  
19 State or any agency or national thereof.

20 ADMINISTRATIVE EXPENSES

21 For administrative expenses to carry out the direct  
22 and guaranteed loan and insurance programs, including  
23 hire of passenger motor vehicles and services as authorized  
24 by 5 U.S.C. 3109, and not to exceed \$30,000 for official  
25 reception and representation expenses for members of the  
26 Board of Directors, \$78,000,000: *Provided*, That the Ex-

1 port-Import Bank may accept, and use, payment or serv-  
2 ices provided by transaction participants for legal, finan-  
3 cial, or technical services in connection with any trans-  
4 action for which an application for a loan, guarantee or  
5 insurance commitment has been made: *Provided further,*  
6 That, notwithstanding subsection (b) of section 117 of the  
7 Export Enhancement Act of 1992, subsection (a) thereof  
8 shall remain in effect until October 1, 2008.

9 OVERSEAS PRIVATE INVESTMENT CORPORATION

10 NON-CREDIT ACCOUNT

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

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

3 PROGRAM ACCOUNT

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

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

7 TRADE AND DEVELOPMENT AGENCY

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

12 TITLE III—BILATERAL ECONOMIC ASSISTANCE

13 FUNDS APPROPRIATED TO THE PRESIDENT

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

19 UNITED STATES AGENCY FOR INTERNATIONAL

20 DEVELOPMENT

21 CHILD SURVIVAL AND HEALTH PROGRAMS FUND

22 (INCLUDING TRANSFER OF FUNDS)

23 For necessary expenses to carry out the provisions  
24 of chapters 1 and 10 of part I of the Foreign Assistance  
25 Act of 1961, for child survival, health, and family plan-  
26 ning/reproductive health activities, in addition to funds

1 otherwise available for such purposes, \$1,955,150,000, to  
2 remain available until September 30, 2009: *Provided*,  
3 That this amount shall be made available for such activi-  
4 ties as: (1) immunization programs; (2) oral rehydration  
5 programs and pneumonia prevention and treatment pro-  
6 grams; (3) health, nutrition, water and sanitation pro-  
7 grams which directly address the needs of mothers and  
8 children, and related education programs; (4) assistance  
9 for children displaced or orphaned by causes other than  
10 AIDS; (5) programs for the prevention, treatment, control  
11 of, and research on HIV/AIDS, tuberculosis, polio, ma-  
12 laria, and other infectious diseases, and for assistance to  
13 communities severely affected by HIV/AIDS, including  
14 children infected or affected by AIDS; and (6) family plan-  
15 ning/reproductive health: *Provided further*, That none of  
16 the funds appropriated under this heading may be made  
17 available for nonproject assistance, except that funds may  
18 be made available for such assistance for ongoing health  
19 activities: *Provided further*, That of the funds appropriated  
20 under this heading, not to exceed \$350,000, in addition  
21 to funds otherwise available for such purposes, may be  
22 used to monitor and provide oversight of child survival,  
23 maternal and family planning/reproductive health, and in-  
24 fectionous disease programs: *Provided further*, That the fol-  
25 lowing amounts should be allocated as follows:

1 \$374,150,000 for child survival and maternal health;  
2 \$15,000,000 for vulnerable children; \$350,000,000 for  
3 HIV/AIDS; \$591,000,000 for other infectious diseases;  
4 and \$375,000,000 for family planning/reproductive health,  
5 including in areas where population growth threatens bio-  
6 diversity or endangered species: *Provided further*, That of  
7 the funds appropriated under this heading, and in addition  
8 to funds allocated under the previous proviso, not less  
9 than \$250,000,000 shall be made available, notwith-  
10 standing any other provision of law, except for the United  
11 States Leadership Against HIV/AIDS, Tuberculosis and  
12 Malaria Act of 2003 (Public Law 108–25), for a United  
13 States contribution to the Global Fund to Fight AIDS,  
14 Tuberculosis and Malaria (the “Global Fund”), and shall  
15 be expended at the minimum rate necessary to make time-  
16 ly payment for projects and activities: *Provided further*,  
17 That of the funds appropriated under this heading,  
18 \$70,000,000 should be made available for a United States  
19 contribution to The GAVI Fund, and up to \$6,000,000  
20 may be transferred to and merged with funds appropriated  
21 by this Act under the heading “Operating Expenses of the  
22 United States Agency for International Development” for  
23 costs directly related to international health, but funds  
24 made available for such costs may not be derived from  
25 amounts made available for contributions under this and

1 preceding provisos: *Provided further*, That none of the  
2 funds made available in this Act nor any unobligated bal-  
3 ances from prior appropriations may be made available to  
4 any organization or program which, as determined by the  
5 President of the United States, supports or participates  
6 in the management of a program of coercive abortion or  
7 involuntary sterilization: *Provided further*, That any deter-  
8 mination made under the previous proviso must be made  
9 no later than six months after the date of enactment of  
10 this Act, and must be accompanied by a comprehensive  
11 analysis as well as the complete evidence and criteria uti-  
12 lized to make the determination: *Provided further*, That  
13 none of the funds made available under this Act may be  
14 used to pay for the performance of abortion as a method  
15 of family planning or to motivate or coerce any person  
16 to practice abortions: *Provided further*, That nothing in  
17 this paragraph shall be construed to alter any existing  
18 statutory prohibitions against abortion under section 104  
19 of the Foreign Assistance Act of 1961: *Provided further*,  
20 That none of the funds made available under this Act may  
21 be used to lobby for or against abortion: *Provided further*,  
22 That in order to reduce reliance on abortion in developing  
23 nations, funds shall be available only to voluntary family  
24 planning projects which offer, either directly or through  
25 referral to, or information about access to, a broad range

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

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

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

13 DEVELOPMENT ASSISTANCE

14 For necessary expenses to carry out the provisions  
15 of sections 103, 105, 106, and sections 251 through 255,  
16 and chapter 10 of part I of the Foreign Assistance Act  
17 of 1961, \$1,733,760,000, to remain available until Sep-  
18 tember 30, 2009: *Provided*, That \$519,000,000 shall be  
19 allocated for basic education: *Provided further*, That of the  
20 funds appropriated under this heading and managed by  
21 the United States Agency for International Development  
22 Bureau of Democracy, Conflict, and Humanitarian Assist-  
23 ance, not less than \$35,000,000 shall be made available  
24 only for programs to improve women's leadership capacity  
25 in recipient countries: *Provided further*, That such funds  
26 may not be made available for construction: *Provided fur-*

1 *ther*, That of the funds appropriated in this Act,  
2 \$300,000,000 shall be made available for access to safe  
3 water and water management programs: *Provided further*,  
4 That of the funds appropriated under this heading,  
5 \$175,000,000 shall be made available for biodiversity and  
6 environmental programs: *Provided further*, That of the  
7 funds appropriated under this heading that are made  
8 available for assistance programs for displaced and or-  
9 phaned children and victims of war, not to exceed  
10 \$42,500, in addition to funds otherwise available for such  
11 purposes, may be used to monitor and provide oversight  
12 of such programs: *Provided further*, That funds appro-  
13 priated under this heading should be made available for  
14 programs in sub-Saharan Africa to address sexual and  
15 gender-based violence.

16 INTERNATIONAL DISASTER AND FAMINE ASSISTANCE

17 For necessary expenses to carry out the provisions  
18 of section 491 of the Foreign Assistance Act of 1961 for  
19 international disaster relief, rehabilitation, and recon-  
20 struction assistance, \$322,350,000, to remain available  
21 until expended, of which \$20,000,000 should be for famine  
22 prevention and relief.

23 TRANSITION INITIATIVES

24 For necessary expenses for international disaster re-  
25 habilitation and reconstruction assistance pursuant to sec-  
26 tion 491 of the Foreign Assistance Act of 1961,

1 \$40,000,000, to remain available until expended, to sup-  
2 port transition to democracy and to long-term develop-  
3 ment of countries in crisis: *Provided*, That such support  
4 may include assistance to develop, strengthen, or preserve  
5 democratic institutions and processes, revitalize basic in-  
6 frastructure, and foster the peaceful resolution of conflict:  
7 *Provided further*, That the United States Agency for Inter-  
8 national Development shall submit a report to the Com-  
9 mittees on Appropriations at least 5 days prior to begin-  
10 ning a new program of assistance.

11 DEVELOPMENT CREDIT AUTHORITY

12 (INCLUDING TRANSFER OF FUNDS)

13 For the cost of direct loans and loan guarantees pro-  
14 vided by the United States Agency for International De-  
15 velopment, as authorized by sections 256 and 635 of the  
16 Foreign Assistance Act of 1961, up to \$21,000,000 may  
17 be derived by transfer from funds appropriated by this Act  
18 to carry out part I of such Act and under the heading  
19 “Assistance for Eastern Europe and the Baltic States”:  
20 *Provided*, That such funds shall be made available only  
21 for micro and small enterprise programs, urban programs,  
22 and other programs which further the purposes of part  
23 I of the Act: *Provided further*, That such costs, including  
24 the cost of modifying such direct and guaranteed loans,  
25 shall be as defined in section 502 of the Congressional  
26 Budget Act of 1974, as amended: *Provided further*, That

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

15       In addition, for administrative expenses to carry out  
16 credit programs administered by the United States Agency  
17 for International Development, \$7,400,000, which may be  
18 transferred to and merged with the appropriation for Op-  
19 erating Expenses of the United States Agency for Inter-  
20 national Development: *Provided*, That funds made avail-  
21 able under this heading shall remain available until Sep-  
22 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  
5 of section 667 of the Foreign Assistance Act of 1961,  
6 \$625,700,000, 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 Inter-  
13 national Development, unless the Administrator has iden-  
14 tified such proposed construction (including architect and  
15 engineering services), purchase, or long-term lease of of-  
16 fices in a report submitted to the Committees on Appro-  
17 priations at least 15 days prior to the obligation of these  
18 funds for such purposes: *Provided further*, That the pre-  
19 vious proviso shall not apply where the total cost of con-  
20 struction (including architect and engineering services),  
21 purchase, or long-term lease of offices does not exceed  
22 \$1,000,000: *Provided further*, That contracts or agree-  
23 ments entered into with funds appropriated under this  
24 heading may entail commitments for the expenditure of  
25 such funds through fiscal year 2009: *Provided further*,  
26 That none of the funds in this Act may be used to open

1 or close an overseas mission of the United States Agency  
2 for International Development without the prior written  
3 notification to the Committees on Appropriations: *Pro-*  
4 *vided further*, That the authority of sections 610 and 109  
5 of the Foreign Assistance Act of 1961 may be exercised  
6 by the Secretary of State to transfer funds appropriated  
7 to carry out chapter 1 of part I of such Act to “Operating  
8 Expenses of the United States Agency for International  
9 Development” in accordance with the provisions of those  
10 sections: *Provided further*, That none of the funds appro-  
11 priated by this Act or any prior Act making appropriations  
12 for foreign operations, export financing, or related pro-  
13 grams may be used by the United States Agency for Inter-  
14 national Development for the rent of buildings and space  
15 in buildings in the United States pursuant to the authority  
16 of section 636(a)(1) of the Foreign Assistance Act of  
17 1961: *Provided further*, That the previous proviso shall not  
18 apply to any lease, agreement, or other instrument exe-  
19 cuted for the purpose of maintaining United States Agen-  
20 cy for International Development continuity of operations  
21 and to the cost of terminating the domestic lease executed  
22 on September 30, 2005.

23 CAPITAL INVESTMENT FUND OF THE UNITED STATES

24 AGENCY FOR INTERNATIONAL DEVELOPMENT

25 For necessary expenses for overseas construction and  
26 related costs, and for the procurement and enhancement

1 of information technology and related capital investments,  
2 pursuant to section 667 of the Foreign Assistance Act of  
3 1961, \$87,300,000, to remain available until expended:  
4 *Provided*, That this amount is in addition to funds other-  
5 wise available for such purposes: *Provided further*, That  
6 funds appropriated under this heading shall be available  
7 for obligation only pursuant to the regular notification  
8 procedures of the Committees on Appropriations: *Provided*  
9 *further*, That of the funds appropriated under this head-  
10 ing, not to exceed \$75,144,500 may be made available for  
11 the purposes of implementing the Capital Security Cost  
12 Sharing Program.

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

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

22 OTHER BILATERAL ECONOMIC ASSISTANCE  
23 ECONOMIC SUPPORT FUND  
24 (INCLUDING TRANSFER OF FUNDS)

25 For necessary expenses to carry out the provisions  
26 of chapter 4 of part II, \$2,656,506,000, to remain avail-

1 able until September 30, 2009: *Provided*, That of the  
2 funds appropriated under this heading, not less than  
3 \$415,000,000 shall be available only for Egypt, which sum  
4 shall be provided on a grant basis, and of which sum cash  
5 transfer assistance shall be provided with the under-  
6 standing that Egypt will undertake significant economic  
7 and political reforms which are additional to those which  
8 were undertaken in previous fiscal years: *Provided further*,  
9 That with respect to the provision of assistance for Egypt  
10 for democracy and governance activities, the organizations  
11 implementing such assistance and the specific nature of  
12 that assistance shall not be subject to the prior approval  
13 by the Government of Egypt: *Provided further*, That of  
14 the funds appropriated under this heading for assistance  
15 for Egypt, not less than \$135,000,000 shall be made avail-  
16 able for project assistance, of which not less than  
17 \$50,000,000 shall be made available for democracy,  
18 human rights and governance programs and not less than  
19 \$50,000,000 shall be used for education programs: *Pro-*  
20 *vided further*, That \$11,000,000 of the funds appropriated  
21 under this heading should be made available for Cyprus  
22 to be used for scholarships, administrative support of the  
23 scholarship program, bicommunal projects, and measures  
24 aimed at reunification of the island and designed to reduce  
25 tensions and promote peace and cooperation between the

1 two communities on Cyprus: *Provided further*, That of the  
2 funds appropriated under this heading, not less than  
3 \$263,547,000 should be made available only for assistance  
4 for Jordan: *Provided further*, That of the funds appro-  
5 priated under this heading not more than \$63,500,000  
6 may be made available for assistance for the West Bank  
7 and Gaza: *Provided further*, That \$45,000,000 of the  
8 funds appropriated under this heading shall be made avail-  
9 able for assistance for Lebanon, of which not less than  
10 \$10,000,000 should be made available for scholarships  
11 and direct support of American educational institutions in  
12 Lebanon: *Provided further*, That not more than  
13 \$300,000,000 of the funds made available for assistance  
14 for Afghanistan under this heading may be obligated for  
15 such assistance until the Secretary of State certifies to the  
16 Committees on Appropriations that the Government of Af-  
17 ghanistan at both the national and provincial level is co-  
18 operating fully with United States funded poppy eradi-  
19 cation and interdiction efforts in Afghanistan: *Provided*  
20 *further*, That the President may waive the previous proviso  
21 if he determines and reports to the Committees on Appro-  
22 priations that to do so is vital to the national security in-  
23 terests of the United States: *Provided further*, That such  
24 report shall include an analysis of the steps being taken  
25 by the Government of Afghanistan, at the national and

1 provincial level, to cooperate fully with United States  
2 funded poppy eradication and interdiction efforts in Af-  
3 ghanistan: *Provided further*, That of the funds appro-  
4 priated under this heading, not less than \$218,500,000  
5 is available only to carry out programs in Colombia and  
6 may be transferred to “DEVELOPMENT ASSIST-  
7 ANCE” to continue programs administered by the United  
8 States Agency for International Development: *Provided*  
9 *further*, That of the funds appropriated under this heading  
10 that are available for assistance for the Democratic Re-  
11 public of Timor-Leste, up to \$1,000,000 may be available  
12 for administrative expenses of the United States Agency  
13 for International Development: *Provided further*, That not-  
14 withstanding any other provision of law, funds appro-  
15 priated under this heading may be made available for pro-  
16 grams and activities for the Central Highlands of Viet-  
17 nam: *Provided further*, That funds appropriated under this  
18 heading that are made available for a Middle East Financ-  
19 ing Facility, Middle East Enterprise Fund, or any other  
20 similar entity in the Middle East shall be subject to the  
21 regular notification procedures of the Committees on Ap-  
22 propriations.

23 INTERNATIONAL FUND FOR IRELAND

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

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

9 ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC  
10 STATES

11 (a) For necessary expenses to carry out the provisions  
12 of the Foreign Assistance Act of 1961 and the Support  
13 for East European Democracy (SEED) Act of 1989,  
14 \$297,332,000, to remain available until September 30,  
15 2009, which shall be available, notwithstanding any other  
16 provision of law, for assistance and for related programs  
17 for Eastern Europe and the Baltic States.

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

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

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

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

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

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

1 Union and for related programs, \$397,585,000, to remain  
2 available until September 30, 2009: *Provided*, That the  
3 provisions of such chapters shall apply to funds appro-  
4 priated by this paragraph: *Provided further*, That funds  
5 made available for the Southern Caucasus region may be  
6 used, notwithstanding any other provision of law, for con-  
7 fidence-building measures and other activities in further-  
8 ance of the peaceful resolution of the regional conflicts,  
9 especially those in the vicinity of Abkhazia and Nagorno-  
10 Karabagh: *Provided further*, That notwithstanding any  
11 other provision of law, funds appropriated under this  
12 heading in this Act or prior Acts making appropriations  
13 for foreign operations, export financing, and related pro-  
14 grams, that are made available pursuant to the provisions  
15 of section 807 of Public Law 102–511 shall be subject  
16 to a 6 percent ceiling on administrative expenses.

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

23 (c)(1) Of the funds appropriated under this heading  
24 that are allocated for assistance for the Government of  
25 the Russian Federation, 60 percent shall be withheld from

1 obligation until the President determines and certifies in  
2 writing to the Committees on Appropriations that the Gov-  
3 ernment of the Russian Federation—

4           (A) has terminated implementation of arrange-  
5 ments to provide Iran with technical expertise, train-  
6 ing, technology, or equipment necessary to develop a  
7 nuclear reactor, related nuclear research facilities or  
8 programs, or ballistic missile capability; and

9           (B) is providing full access to international non-  
10 governmental organizations providing humanitarian  
11 relief to refugees and internally displaced persons in  
12 Chechnya.

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

14           (A) assistance to combat infectious diseases,  
15 child survival activities, or assistance for victims of  
16 trafficking in persons; and

17           (B) activities authorized under title V (Non-  
18 proliferation and Disarmament Programs and Ac-  
19 tivities) of the FREEDOM Support Act.

20       (d) Section 907 of the FREEDOM Support Act shall  
21 not apply to—

22           (1) activities to support democracy or assist-  
23 ance under title V of the FREEDOM Support Act  
24 and section 1424 of Public Law 104–201 or non-  
25 proliferation assistance;



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

17 PEACE CORPS

18 (INCLUDING TRANSFER OF FUNDS)

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

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

6 MILLENNIUM CHALLENGE CORPORATION

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

1 shall apply to funds appropriated under this heading: *Pro-*  
2 *vided further*, That funds appropriated under this heading  
3 may be made available for a Millennium Challenge Com-  
4 pact entered into pursuant to section 609 of the Millen-  
5 nium Challenge Act of 2003 only if such Compact obli-  
6 gates, or contains a commitment to obligate subject to the  
7 availability of funds and the mutual agreement of the par-  
8 ties to the Compact to proceed, the entire amount of the  
9 United States Government funding anticipated for the du-  
10 ration of the Compact.

11 DEPARTMENT OF STATE

12 GLOBAL HIV/AIDS INITIATIVE

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

1 *ther*, That funds made available under this heading and  
2 under the heading “Child Survival and Health Programs  
3 Fund” shall be made available notwithstanding the second  
4 sentence of section 403(a) of Public Law 108–25: *Pro-*  
5 *vided further*, That up to 5 percent of the aggregate  
6 amount of funds made available to the Global Fund in  
7 fiscal year 2008 may be made available to the Office of  
8 the United States Global AIDS Coordinator for technical  
9 assistance related to the activities of the Global Fund.

10 INTERNATIONAL NARCOTICS CONTROL AND LAW

11 ENFORCEMENT

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

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

19 ANDEAN COUNTERDRUG INITIATIVE

20 For necessary expenses to carry out section 481 of  
21 the Foreign Assistance Act of 1961 to support  
22 counterdrug activities in the Andean region of South  
23 America, \$312,460,000, to remain available until Sep-  
24 tember 30, 2010: *Provided*, That the Secretary of State,  
25 in consultation with the Administrator of the United  
26 States Agency for International Development, shall pro-

1 vide to the Committees on Appropriations not later than  
2 45 days after the date of the enactment of this Act and  
3 prior to the initial obligation of funds appropriated under  
4 this heading, a report on the proposed uses of all funds  
5 under this heading on a country-by-country basis for each  
6 proposed program, project, or activity: *Provided further,*  
7 That section 482(b) of the Foreign Assistance Act of 1961  
8 shall not apply to funds appropriated under this heading:  
9 *Provided further,* That assistance provided with funds ap-  
10 propriated under this heading that is made available not-  
11 withstanding section 482(b) of the Foreign Assistance Act  
12 of 1961 shall be made available subject to the regular noti-  
13 fication procedures of the Committees on Appropriations:  
14 *Provided further,* That of the funds available under this  
15 heading for assistance for the Colombian National Police  
16 Support for Eradication program, not less than  
17 \$5,000,000 shall be made available for program assistance  
18 to protect biodiversity, indigenous reserves and Afro-Co-  
19 lombian lands subject to spraying in Colombia: *Provided*  
20 *further,* That of the funds available for the Colombian na-  
21 tional police support for eradication program for the pro-  
22 curement of chemicals for aerial coca and poppy fumiga-  
23 tion programs, exclusive of funds made available pursuant  
24 to the previous proviso, not more than 10 percent of such  
25 funds may be made available for such fumigation pro-

1 grams unless the Secretary of State certifies to the Com-  
2 mittees on Appropriations that (A) the herbicide is being  
3 used in accordance with label requirements of the Environ-  
4 mental Protection Agency for comparable use in the  
5 United States and with Colombian laws; (B) the aerial fu-  
6 migation program does not pose unreasonable risks or ad-  
7 verse effects to humans or the environment including en-  
8 demic species; (C) the social dislocation and changes in  
9 vegetative cover caused by the geographic shifts in coca  
10 and poppy cultivation resulting from the aerial spraying  
11 program have been thoroughly assessed on a regional level,  
12 and effective measures are being taken to minimize ad-  
13 verse impacts; (D) all certification reports on the aerial  
14 eradication program are being made available to the public  
15 in a timely manner in both English and Spanish; (E) com-  
16 plaints of harm to health or licit crops caused by such  
17 spraying are being thoroughly evaluated and fair com-  
18 pensation is being provided in a timely manner for meri-  
19 torious claims; (F) all claims, evaluations, and compensa-  
20 tion reports will be disclosed biannually to the public in  
21 both English and Spanish; (G) a minimum of 15 percent  
22 of sprayed fields will be subject to independent and ran-  
23 domly selected off-target damage assessments; (H) pro-  
24 grams are being implemented by the United States Agency  
25 for International Development, the Government of Colom-

1 bia, or other organizations, in consultation and coordina-  
2 tion with local communities and existing local development  
3 initiatives, to provide alternative sources of income in mu-  
4 nicipalities where security permits for small-acreage grow-  
5 ers whose illicit crops are targeted for fumigation; (I) pro-  
6 grams to provide food security to affected families are op-  
7 erative in areas where security does not permit alternative  
8 development programs: *Provided further*, That funds may  
9 not be used for aerial fumigation in Colombia's national  
10 parks or reserves unless the Secretary of State determines  
11 that there are no effective alternatives to reduce drug cul-  
12 tivation in these areas and that the spraying is conducted  
13 in accordance with current Colombian laws: *Provided fur-*  
14 *ther*, That of funds provided for interdiction under this  
15 heading, not less than 10 percent of airtime allocated for  
16 aerial assets, (both fixed and rotary wing aircraft), shall  
17 be used annually for major drug interdiction operations,  
18 including assaults on large drug processing labs and high  
19 value narcotics related targets: *Provided further*, That no  
20 United States Armed Forces personnel or United States  
21 civilian contractor employed by the United States shall  
22 participate in any combat operation in connection with as-  
23 sistance made available by funds provided in this Act for  
24 Colombia: *Provided further*, That funds appropriated  
25 under this heading that are made available for assistance

1 for the Bolivian military may be made available for such  
2 purposes only if the Secretary of State certifies that the  
3 Bolivian military is respecting human rights, and civilian  
4 judicial authorities are investigating and prosecuting, with  
5 the military's cooperation, military personnel who have  
6 been implicated in gross violations of human rights: *Pro-*  
7 *vided further*, That of the funds appropriated under this  
8 heading, not more than \$17,000,000 may be available for  
9 administrative expenses of the Department of State, and  
10 not more than \$7,800,000 may be available, in addition  
11 to amounts otherwise available for such purposes, for ad-  
12 ministrative expenses of the United States Agency for  
13 International Development.

14                   MIGRATION AND REFUGEE ASSISTANCE

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

1 5, United States Code, \$829,900,000, to remain available  
2 until expended: *Provided*, That not more than  
3 \$22,500,000 may be available for administrative expenses:  
4 *Provided further*, That not less than \$40,000,000 of the  
5 funds made available under this heading shall be made  
6 available for refugees from the former Soviet Union and  
7 Eastern Europe and other refugees resettling in Israel.

8 UNITED STATES EMERGENCY REFUGEE AND MIGRATION  
9 ASSISTANCE FUND

10 For necessary expenses to carry out the provisions  
11 of section 2(c) of the Migration and Refugee Assistance  
12 Act of 1962, as amended (22 U.S.C. 2601(c)),  
13 \$45,000,000, to remain available until expended.

14 NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND  
15 RELATED PROGRAMS

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

1 through nongovernmental and international organizations,  
2 and section 301 of the Foreign Assistance Act of 1961  
3 for a voluntary contribution to the International Atomic  
4 Energy Agency (IAEA), and for a United States contribu-  
5 tion to the Comprehensive Nuclear Test Ban Treaty Pre-  
6 paratory Commission: *Provided*, That of this amount not  
7 to exceed \$38,000,000, to remain available until expended,  
8 may be made available for the Nonproliferation and Disar-  
9 mament Fund, notwithstanding any other provision of  
10 law, to promote bilateral and multilateral activities relat-  
11 ing to nonproliferation and disarmament: *Provided further*,  
12 That such funds may also be used for such countries other  
13 than the Independent States of the former Soviet Union  
14 and international organizations when it is in the national  
15 security interest of the United States to do so: *Provided*  
16 *further*, That funds appropriated under this heading may  
17 be made available for the International Atomic Energy  
18 Agency only if the Secretary of State determines (and so  
19 reports to the Congress) that Israel is not being denied  
20 its right to participate or being otherwise discriminated  
21 against in any of the activities of that Agency: *Provided*  
22 *further*, That of the funds made available for demining and  
23 related activities, not to exceed \$700,000, in addition to  
24 funds otherwise available for such purposes, may be used  
25 for administrative expenses related to the operation and

1 management of the demining program: *Provided further*,  
2 That funds appropriated under this heading that are avail-  
3 able for “Anti-terrorism Assistance” and “Export Control  
4 and Border Security” shall remain available until Sep-  
5 tember 30, 2009.

6 DEPARTMENT OF THE TREASURY

7 INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

8 For necessary expenses to carry out the provisions  
9 of section 129 of the Foreign Assistance Act of 1961,  
10 \$18,000,000, to remain available until September 30,  
11 2010, which shall be available notwithstanding any other  
12 provision of law that restricts assistance to foreign coun-  
13 tries.

14 DEBT RESTRUCTURING

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

1 of 1954, as amended, of concessional loans, guarantees  
2 and credit agreements, as authorized under section 572  
3 of the Foreign Operations, Export Financing, and Related  
4 Programs Appropriations Act, 1989 (Public Law 100–  
5 461), and of canceling amounts owed, as a result of loans  
6 or guarantees made pursuant to the Export-Import Bank  
7 Act of 1945, by countries that are eligible for debt reduc-  
8 tion pursuant to title V of H.R. 3425 as enacted into law  
9 by section 1000(a)(5) of Public Law 106–113,  
10 \$200,300,000, to remain available until September 30,  
11 2010: *Provided*, That not less than \$20,000,000 of the  
12 funds appropriated under this heading shall be made avail-  
13 able to carry out the provisions of part V of the Foreign  
14 Assistance Act of 1961: *Provided further*, That amounts  
15 paid to the HIPC Trust Fund may be used only to fund  
16 debt reduction under the enhanced HIPC initiative by—

- 17 (1) the Inter-American Development Bank;
- 18 (2) the African Development Fund;
- 19 (3) the African Development Bank; and
- 20 (4) the Central American Bank for Economic  
21 Integration:

22 *Provided further*, That funds may not be paid to the HIPC  
23 Trust Fund for the benefit of any country if the Secretary  
24 of State has credible evidence that the government of such  
25 country is engaged in a consistent pattern of gross viola-

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

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

1 which are generally referred to as “enclave” loans;  
2 and

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

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

#### 18 TITLE IV—MILITARY ASSISTANCE

##### 19 FUNDS APPROPRIATED TO THE PRESIDENT

##### 20 INTERNATIONAL MILITARY EDUCATION AND TRAINING

21 For necessary expenses to carry out the provisions  
22 of section 541 of the Foreign Assistance Act of 1961,  
23 \$85,076,000, of which up to \$3,000,000 may remain  
24 available until expended: *Provided*, That funds under this  
25 heading shall not be available for Equatorial Guinea: *Pro-*

1 *vided further*, That funds appropriated under this heading  
2 that are made available for assistance for Guatemala,  
3 other than for expanded international military education  
4 and training, shall be available only for the Guatemalan  
5 Air Force, Navy and Army Corps of Engineers: *Provided*  
6 *further*, That assistance provided under this heading for  
7 the Guatemalan Army Corps of Engineers is only available  
8 for training to improve disaster response capabilities and  
9 to participate in international peacekeeping operations:  
10 *Provided further*, That funds appropriated under this  
11 heading that are made available for assistance for the  
12 Guatemalan military, other than for expanded inter-  
13 national military education and training, may be made  
14 available only if the Secretary of State certifies that the  
15 Guatemalan Air Force, Navy and Army Corps of Engi-  
16 neers are respecting human rights, and civilian judicial au-  
17 thorities are investigating and prosecuting, with the mili-  
18 tary's cooperation, military personnel who have been im-  
19 plicated in gross violations of human rights: *Provided fur-*  
20 *ther*, That funds appropriated under this heading for mili-  
21 tary education and training for Libya and Angola may  
22 only be made available for expanded international military  
23 education and training: *Provided further*, That the civilian  
24 personnel for whom military education and training may  
25 be provided under this heading may include civilians who

1 are not members of a government whose participation  
2 would contribute to improved civil-military relations, civil-  
3 ian control of the military, or respect for human rights:  
4 *Provided further*, That funds made available in the pre-  
5 vious proviso and funds made available for Haiti, Libya,  
6 Angola, the Democratic Republic of the Congo, Guate-  
7 mala, and Nigeria may only be provided through the reg-  
8 ular notification procedures of the Committees on Appro-  
9 priations and any such notification shall include a detailed  
10 description of the proposed activities: *Provided further*,  
11 That the Secretary of State shall submit to the Commit-  
12 tees on Appropriations, no later than 60 days after enact-  
13 ment of this Act, a report addressing how the Western  
14 Hemisphere Institute for Security Cooperation IMET pro-  
15 gram for fiscal year 2008 contributes to the promotion  
16 of human rights, respect for civilian authority and the rule  
17 of law, the establishment of legitimate judicial mechanisms  
18 for the military, and achieving the goal of right sizing mili-  
19 tary forces.

20 FOREIGN MILITARY FINANCING PROGRAM

21 For expenses necessary for grants to enable the  
22 President to carry out the provisions of section 23 of the  
23 Arms Export Control Act, \$4,509,236,000: *Provided*, That  
24 of the funds appropriated under this heading, not less  
25 than \$2,400,000,000 shall be available for grants only for  
26 Israel, and not less than \$1,300,000,000 shall be made

1 available for grants only for Egypt: *Provided further*, That  
2 the funds appropriated by this paragraph for Israel shall  
3 be disbursed within 30 days of the enactment of this Act:  
4 *Provided further*, That to the extent that the Government  
5 of Israel requests that funds be used for such purposes,  
6 grants made available for Israel by this paragraph shall,  
7 as agreed by Israel and the United States, be available  
8 for advanced weapons systems, of which not less than  
9 \$631,200,000 shall be available for the procurement in  
10 Israel of defense articles and defense services, including  
11 research and development: *Provided further*, That of the  
12 funds appropriated by this paragraph, \$200,000,000 shall  
13 be made available for assistance for Jordan: *Provided fur-*  
14 *ther*, That funds appropriated or otherwise made available  
15 by this paragraph shall be nonrepayable notwithstanding  
16 any requirement in section 23 of the Arms Export Control  
17 Act: *Provided further*, That funds made available under  
18 this paragraph shall be obligated upon apportionment in  
19 accordance with paragraph (5)(C) of title 31, United  
20 States Code, section 1501(a): *Provided further*, That  
21 \$5,000,000 of the funds provided under this heading shall  
22 remain available until expended and shall not be subject  
23 to the sixth proviso of this paragraph: *Provided further*,  
24 That none of the funds appropriated pursuant to the pre-  
25 vious proviso shall be made available except pursuant to

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

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

1 who have been implicated in gross violations of human  
2 rights; and (3) the Guatemalan Congress has adopted and  
3 the President has signed the International Commission  
4 Against Impunity in Guatemala (CICIG): *Provided fur-*  
5 *ther*, That none of the funds appropriated under this head-  
6 ing may be made available for assistance for Haiti and  
7 Guatemala except pursuant to the regular notification pro-  
8 cedures of the Committees on Appropriations: *Provided*  
9 *further*, That funds made available under this heading may  
10 be used, notwithstanding any other provision of law, for  
11 demining, the clearance of unexploded ordnance, and re-  
12 lated activities, and may include activities implemented  
13 through nongovernmental and international organizations:  
14 *Provided further*, That only those countries for which as-  
15 sistance was justified for the “Foreign Military Sales Fi-  
16 nancing Program” in the fiscal year 1989 congressional  
17 presentation for security assistance programs may utilize  
18 funds made available under this heading for procurement  
19 of defense articles, defense services or design and con-  
20 struction services that are not sold by the United States  
21 Government under the Arms Export Control Act: *Provided*  
22 *further*, That funds appropriated under this heading shall  
23 be expended at the minimum rate necessary to make time-  
24 ly payment for defense articles and services: *Provided fur-*  
25 *ther*, That not more than \$41,900,000 of the funds appro-

1 priated under this heading may be obligated for necessary  
2 expenses, including the purchase of passenger motor vehi-  
3 cles for replacement only for use outside of the United  
4 States, for the general costs of administering military as-  
5 sistance and sales: *Provided further*, That not more than  
6 \$395,000,000 of funds realized pursuant to section  
7 21(e)(1)(A) of the Arms Export Control Act may be obli-  
8 gated for expenses incurred by the Department of Defense  
9 during fiscal year 2008 pursuant to section 43(b) of the  
10 Arms Export Control Act, except that this limitation may  
11 be exceeded only through the regular notification proce-  
12 dures of the Committees on Appropriations: *Provided fur-*  
13 *ther*, That foreign military financing program funds esti-  
14 mated to be outlayed for Egypt during fiscal year 2008  
15 shall be transferred to an interest bearing account for  
16 Egypt in the Federal Reserve Bank of New York within  
17 30 days of enactment of this Act.

18 PEACEKEEPING OPERATIONS

19 For necessary expenses to carry out the provisions  
20 of section 551 of the Foreign Assistance Act of 1961,  
21 \$293,200,000: *Provided*, That none of the funds appro-  
22 priated under this heading shall be obligated or expended  
23 except as provided through the regular notification proce-  
24 dures of the Committees on Appropriations.

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

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

11          CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT  
12                           ASSOCIATION

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

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

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

22          CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

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

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

3 CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK

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

8 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

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

14 CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

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

19 CONTRIBUTION TO THE INTERNATIONAL FUND FOR

20 AGRICULTURAL DEVELOPMENT

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

## 1           INTERNATIONAL ORGANIZATIONS AND PROGRAMS

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

## 9                   TITLE VI—GENERAL PROVISIONS

## 10           COMPENSATION FOR UNITED STATES EXECUTIVE

## 11   DIRECTORS TO INTERNATIONAL FINANCIAL INSTITUTIONS

12           SEC. 601. (a) No funds appropriated by this Act may  
13 be made as payment to any international financial institu-  
14 tion while the United States Executive Director to such  
15 institution is compensated by the institution at a rate  
16 which, together with whatever compensation such Director  
17 receives from the United States, is in excess of the rate  
18 provided for an individual occupying a position at level IV  
19 of the Executive Schedule under section 5315 of title 5,  
20 United States Code, or while any alternate United States  
21 Director to such institution is compensated by the institu-  
22 tion at a rate in excess of the rate provided for an indi-  
23 vidual occupying a position at level V of the Executive  
24 Schedule under section 5316 of title 5, United States  
25 Code.

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

9 RESTRICTIONS ON VOLUNTARY CONTRIBUTIONS TO  
10 UNITED NATIONS AGENCIES

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

16 LIMITATION ON RESIDENCE EXPENSES

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

## 1 UNOBLIGATED BALANCES REPORT

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

## 9 LIMITATION ON REPRESENTATIONAL ALLOWANCES

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

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

19 PROHIBITION ON TAXATION OF UNITED STATES

20 ASSISTANCE

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

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

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

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

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

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

4 (e) DETERMINATIONS.—

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

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

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

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

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

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

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

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

17 PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN  
18 COUNTRIES

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

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

10

## MILITARY COUPS

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

## TRANSFER AUTHORITY

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

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

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

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

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

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

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

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

19 COMMERCIAL LEASING OF DEFENSE ARTICLES

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

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

8 AVAILABILITY OF FUNDS

9 SEC. 611. (a) No part of any appropriation contained  
10 in this Act shall remain available for obligation after the  
11 expiration of the current fiscal year unless expressly so  
12 provided in this Act.

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

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

4 LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

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

16 COMMERCE AND TRADE

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

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

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

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

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

3                               SURPLUS COMMODITIES

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

22                               REPROGRAMMING NOTIFICATION REQUIREMENTS

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

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

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

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

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

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

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

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

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

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

12          INDEPENDENT STATES OF THE FORMER SOVIET UNION

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

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

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

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

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

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

7 PROHIBITION ON FUNDING FOR ABORTIONS AND  
8 INVOLUNTARY STERILIZATION

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

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

#### 5 STATEMENT

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

10 "ECONOMIC SUPPORT FUND";

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

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

15 "ANDEAN COUNTERDRUG INITIATIVE";

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

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

21 "INTERNATIONAL ORGANIZATIONS AND  
22 PROGRAMS".

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

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

3 SPECIAL NOTIFICATION REQUIREMENTS

4 SEC. 620. None of the funds appropriated under ti-  
5 tles II through V of this Act shall be obligated or expended  
6 for assistance for Liberia, Serbia, Sudan, Zimbabwe, Paki-  
7 stan, or Cambodia except as provided through the regular  
8 notification procedures of the Committees on Appropria-  
9 tions.

10 DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

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

25 (1) justified to the Congress; or

1           (2) allocated by the executive branch in accord-  
2           ance with a report, to be provided to the Committees  
3           on Appropriations within 30 days of the enactment  
4           of this Act, as required by section 653(a) of the For-  
5           eign Assistance Act of 1961.

6           CHILD SURVIVAL AND HEALTH ACTIVITIES

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

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

22 AFGHANISTAN

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

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

14 NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

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

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

8 GLOBAL FUND ACCOUNTABILITY

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

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

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

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

1           (4) requires LFAs to assess whether a principal  
2 recipient has the capacity to oversee the activities of  
3 sub-recipients;

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

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

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

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

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

21           (1) on a county-by-country basis—

22           (A) a description of the amount of grants  
23 and sub-grants provided to faith-based organi-  
24 zations; and

1 (B) an assessment of the extent to which  
2 faith-based organizations have been or are in-  
3 volved in the Country Coordinating Mechanism  
4 (CCM) process of the Global Fund; and

5 (2) a description of actions the Global Fund  
6 has taken and will take to enhance the involvement  
7 of faith-based organizations in the CCM process,  
8 particularly in countries in which the involvement of  
9 faith-based organizations has been underrepresented.

10 PROHIBITION ON BILATERAL ASSISTANCE TO TERRORIST  
11 COUNTRIES

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

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

20 (2) otherwise supports international terrorism.

21 (b) The President may waive the application of sub-  
22 section (a) to a country if the President determines that  
23 national security or humanitarian reasons justify such  
24 waiver. The President shall publish each waiver in the  
25 Federal Register and, at least 15 days before the waiver  
26 takes effect, shall notify the Committees on Appropria-

1 tions of the waiver (including the justification for the waiv-  
2 er) in accordance with the regular notification procedures  
3 of the Committees on Appropriations.

4 DEBT-FOR-DEVELOPMENT

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

17 SEPARATE ACCOUNTS

18 SEC. 628. (a) SEPARATE ACCOUNTS FOR LOCAL  
19 CURRENCIES.—

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

1           (A) require that local currencies be depos-  
2           ited in a separate account established by that  
3           government;

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

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

8                   (ii) the terms and conditions under  
9                   which the currencies so deposited may be  
10                  utilized, consistent with this section; and

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

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

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

1 (i) project and sector assistance activi-  
2 ties; or

3 (ii) debt and deficit financing; or

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

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

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

23 (5) REPORTING REQUIREMENT.—The Adminis-  
24 trator of the United States Agency for International  
25 Development shall report on an annual basis as part

1 of the justification documents submitted to the Com-  
2 mittees on Appropriations on the use of local cur-  
3 rencies for the administrative requirements of the  
4 United States Government as authorized in sub-  
5 section (a)(2)(B), and such report shall include the  
6 amount of local currency (and United States dollar  
7 equivalent) used and/or to be used for such purpose  
8 in each applicable country.

9 (b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—

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

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



1 minimum rate necessary to make timely payment for  
2 projects and activities.

3 FINANCIAL MARKET ASSISTANCE

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

18 AUTHORITIES FOR THE PEACE CORPS, INTER-AMERICAN  
19 FOUNDATION AND AFRICAN DEVELOPMENT FOUNDATION

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

1 ment Foundation Act. The agency shall promptly report  
2 to the Committees on Appropriations whenever it is con-  
3 ducting activities or is proposing to conduct activities in  
4 a country for which assistance is prohibited.

5 IMPACT ON JOBS IN THE UNITED STATES

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

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

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

1 micro and small-scale enterprise, and smallholder  
2 agriculture.

3 SPECIAL AUTHORITIES

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

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

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

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

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

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

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

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

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

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

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

4 (h) EXTENSION OF AUTHORITY.—

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

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

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

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

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

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

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

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

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

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

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

22 ARAB LEAGUE BOYCOTT OF ISRAEL

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

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

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

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

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

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

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

## 1 ELIGIBILITY FOR ASSISTANCE

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

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

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

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

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

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

18 RESERVATIONS OF FUNDS

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

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

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

19 CEILINGS AND DESIGNATED FUNDING LEVELS

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

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

3 PROHIBITION ON PUBLICITY OR PROPAGANDA

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

11 PROHIBITION OF PAYMENTS TO UNITED NATIONS

12 MEMBERS

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

23 NONGOVERNMENTAL ORGANIZATIONS—DOCUMENTATION

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

24 (f) In this section:

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

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

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

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

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

16                   (A) owed to—

17                           (i) the District of Columbia; or

18                           (ii) New York, New York; and

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

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

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

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

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

20 WAR CRIMES TRIBUNALS DRAWDOWN

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

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

17

## LANDMINES

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



## 1 PROHIBITION OF PAYMENT OF CERTAIN EXPENSES

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

11 (1) alcoholic beverages; or

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

## 17 HAITI

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

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

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

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

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

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

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

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

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

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

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

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

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

10 COLOMBIA

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

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

1 and related programs, may be used (1) to support a uni-  
2 fied campaign against narcotics trafficking and terrorist  
3 organizations and activities; and (2) to take actions to pro-  
4 tect human health and welfare in emergency cir-  
5 cumstances, including undertaking rescue operations: *Pro-*  
6 *vided further*, That the authority contained in the previous  
7 proviso shall cease to be effective if the Secretary of State  
8 has credible evidence that the Colombian Government is  
9 not conducting vigorous operations to restore government  
10 authority and respect for human rights in areas under the  
11 effective control of paramilitary, illegal self-defense  
12 groups, illegal security cooperatives, or other criminal and  
13 guerrilla organizations: *Provided further*, That the Presi-  
14 dent shall ensure that if any helicopter procured with  
15 funds in this Act or prior Acts making appropriations for  
16 foreign operations, export financing, and related pro-  
17 grams, is used to aid or abet the operations of any illegal  
18 self-defense group or illegal security cooperative, such heli-  
19 copter shall be immediately returned to the United States.

20 LIMITATION ON ASSISTANCE TO THE PALESTINIAN

21 AUTHORITY

22 SEC. 650. (a) PROHIBITION OF FUNDS.—None of the  
23 funds appropriated by this Act to carry out the provisions  
24 of chapter 4 of part II of the Foreign Assistance Act of  
25 1961 may be obligated or expended with respect to pro-  
26 viding funds to the Palestinian Authority.

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

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

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

19 LIMITATION ON ASSISTANCE TO SECURITY FORCES

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

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

13 FOREIGN MILITARY TRAINING REPORT

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

20 AUTHORIZATION REQUIREMENT

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

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

3 LIBYA

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

16 PALESTINIAN STATEHOOD

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

24 LIMITATIONS ON ASSISTANCE TO COLOMBIA

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

11 (d) DEFINITIONS.—In this section:

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

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

23 PROHIBITION ON ASSISTANCE TO THE PALESTINIAN

24 BROADCASTING CORPORATION

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

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

4 SUPPORT OF PEACE PROCESS AND DEMOBILIZATION IN  
5 COLOMBIA

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

8 WEST BANK AND GAZA PROGRAM

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

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

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

9 (c) PROHIBITION.—

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

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

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

3 (d) AUDITS.—

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

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

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



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

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

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

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

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

20 (3) UNFPA does not fund abortions.

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

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

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

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

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

18 WAR CRIMINALS

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

14 COMMUNITY-BASED POLICE ASSISTANCE

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

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

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

7 SPECIAL DEBT RELIEF FOR THE POOREST

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

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

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

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

26 (b) LIMITATIONS.—

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

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

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

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

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

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

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

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

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

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

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

20          AUTHORITY TO ENGAGE IN DEBT BUYBACKS OR SALES

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

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

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

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

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

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

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

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

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

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

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

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

17 BASIC EDUCATION

18 SEC. 667. Of the funds appropriated by title III of  
19 this Act, not less than \$750,000,000 shall be made avail-  
20 able for assistance for developing countries for basic edu-  
21 cation. Of this amount, not less than \$265,000,000 shall  
22 be provided and implemented in countries that have an  
23 approved national education plan.

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

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

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

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

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

21 (e) Funds appropriated by title II of Public Law  
22 109–102 and provided to the Comptroller General pursu-  
23 ant to section 567 of that Act shall be available until ex-  
24 pended and are also available to the Comptroller General  
25 to conduct further evaluations of basic education pro-

1 grams in developing countries under the direction of the  
2 Committees on Appropriations.

3 RECONCILIATION PROGRAMS

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

13 SUDAN

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

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

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

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

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

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

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

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

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

23 (1) humanitarian assistance;

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

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

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

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

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

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

## TRADE CAPACITY BUILDING

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

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

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

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

3 ASSISTANCE TO COLOMBIA LAW ENFORCEMENT TO

4 COMBAT ILLEGAL ARMED GROUPS

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

7 (1) WITHHOLDING OBLIGATIONS OF FUNDS.—

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

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

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

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

11      (b) ILLEGAL ARMED GROUPS.—

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

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

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

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

11 CUBA

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

16 GENDER-BASED VIOLENCE

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

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

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

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

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

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

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

5 TIBET

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

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

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

3 WESTERN HEMISPHERE

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

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

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

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

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

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

6 UNITED STATES AGENCY FOR INTERNATIONAL  
7 DEVELOPMENT MANAGEMENT  
8 (INCLUDING TRANSFER OF FUNDS)

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

20 (b) RESTRICTIONS.—

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

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

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

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

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

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

1 UNITED STATES AGENCY FOR INTERNATIONAL  
2 DEVELOPMENT”.

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

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

## 1 OPIC TRANSFER AUTHORITY

2 (INCLUDING TRANSFER OF FUNDS)

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

## 17 REPORTING REQUIREMENT

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

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

3 ANTICORRUPTION PROVISIONS

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

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

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

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

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

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

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

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

11 INDONESIA

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

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

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

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

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

7 ESTABLISHMENT OF THE GROWTH FUND

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

10 (a) ESTABLISHMENT.—

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

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

20 (B) increasing property rights for women;

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

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

1 based organizations, and regulated financial  
2 intermediaries;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



## 1 PROHIBITION ON USE OF TORTURE

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

## 6 REPORT ON INDONESIAN COOPERATION

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

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

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

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

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

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

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

1 GOVERNMENTS THAT HAVE FAILED TO PERMIT CERTAIN  
2 EXTRADITIONS

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

14 INTERNATIONAL MONETARY FUND BUDGET AND HIRING  
15 CEILINGS

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

## 1 ENVIRONMENT PROGRAMS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

24 UZBEKISTAN

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

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

15 DISCRIMINATION AGAINST MINORITY RELIGIOUS FAITHS

16 IN THE RUSSIAN FEDERATION

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

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

4 WAR CRIMES IN AFRICA

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

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

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

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

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

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

15 COMBATTING PIRACY OF UNITED STATES COPYRIGHTED

16 MATERIALS

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

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



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

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

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

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

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

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

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

6 UNITED NATIONS HEADQUARTERS RENOVATION

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

14 NEGLECTED DISEASES

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

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

10

## ASSISTANCE FOR EGYPT

11

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

19

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

22

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

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

4           RELIEF FOR THE HMONG AND MONTAGNARDS

5           SEC. 699A. AUTOMATIC RELIEF FOR THE HMONG  
6           AND MONTAGNARDS.—Section 212(a)(3)(B) of the Immi-  
7           gration and Nationality Act (8 U.S.C. § 1182(a)(3)(B)),  
8           is amended by adding at the end the following new clause:  
9           “Clause (vi) shall not apply to the Hmong or Montagnards  
10           on the basis of any act or event occurring in or before  
11           1975”.

12           TECHNICAL CORRECTION.—(1) IN GENERAL.—Sec-  
13           tion 212(a)(3)(B)(ii) of the Immigration and Nationality  
14           Act (8 U.S.C. § 1182(a)(3)(B)(ii)) is amended by striking  
15           “Subclause (VII)” and replacing it with “Subclause (IX)”.

16           REPORT ON ANTI-CORRUPTION ACTIVITIES

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

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

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

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

9 (3) include information regarding steps each  
10 country has taken to combat corruption;

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

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

22 (c) METHODOLOGY.—Not later than September 30,  
23 2007, the Secretary of State shall provide to the Commit-  
24 tees on Appropriations a detailed description of—





Union Calendar No. 118

110<sup>TH</sup> CONGRESS  
1<sup>ST</sup> Session

**H. R. 2764**

[Report No. 110-197]

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## **A BILL**

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

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JUNE 18, 2007

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed