

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from Connecticut (Mr. DODD), the Senator from Massachusetts (Mr. KERRY), the Senator from Arkansas (Mrs. LINCOLN), and the Senator from Illinois (Mr. OBAMA), are necessarily absent.

I also announce that the Senator from New Mexico (Mr. BINGAMAN) is absent attending a funeral.

I further announce that if present and voting, the Senator from Delaware (Mr. BIDEN) and the Senator from Massachusetts (Mr. KERRY) would each vote "yea."

Mr. LOTT. The following Senator is necessarily absent: the Senator from Idaho (Mr. CRAIG).

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 92, nays 1, as follows:

[Rollcall Vote No. 316 Leg.]

YEAS—92

Akaka	Durbin	Menendez
Alexander	Ensign	Mikulski
Allard	Enzi	Murkowski
Barrasso	Feingold	Murray
Baucus	Feinstein	Nelson (FL)
Bayh	Graham	Nelson (NE)
Bennett	Grassley	Pryor
Bond	Gregg	Reed
Boxer	Hagel	Reid
Brown	Harkin	Roberts
Brownback	Hatch	Rockefeller
Bunning	Hutchison	Salazar
Burr	Inhofe	Sanders
Byrd	Inouye	Schumer
Cantwell	Isakson	Sessions
Cardin	Johnson	Shelby
Carper	Kennedy	Smith
Casey	Klobuchar	Snowe
Chambliss	Kohl	Specter
Clinton	Kyl	Stabenow
Coburn	Landrieu	Stevens
Cochran	Lautenberg	Sununu
Coleman	Leahy	Tester
Collins	Levin	Thune
Conrad	Lieberman	Vitter
Corker	Lott	Voinovich
Cornyn	Lugar	Warner
Crapo	Martinez	Webb
Dole	McCain	Whitehouse
Domenici	McCaskill	Wyden
Dorgan	McConnell	

NAYS—1

DeMint

NOT VOTING—7

Biden	Dodd	Obama
Bingaman	Kerry	
Craig	Lincoln	

The bill (H.R. 2642), as amended, was passed.

(The bill will be printed in a future edition of the RECORD.)

Mr. REED. I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate insists on its amendment, requests a conference with the House on the disagreeing votes of the two Houses, and the Chair appoints the following conferees on the part of the Senate.

The Acting President pro tempore appointed Mr. JOHNSON, Mr. INOUE, Ms. LANDRIEU, Mr. BYRD, Mrs. MURRAY,

Mr. REED, Mr. NELSON of Nebraska, Mr. LEAHY, Mrs. HUTCHISON, Mr. CRAIG, Mr. BROWNBACK, Mr. ALLARD, Mr. MCCONNELL, Mr. BENNETT, and Mr. COCHRAN conferees on the part of the Senate.

The ACTING PRESIDENT pro tempore. The Senator from Rhode Island.

Mr. REED. Mr. President, I take this opportunity to thank so many people who were significant in the passage of this legislation. First, let me recognize Senator HUTCHISON, the ranking member, for her valuable contributions throughout. Also, and gladly, I not only welcome back Senator JOHNSON but recognize that as chairman of this committee, we communicated. He was very influential in the final outcome of the legislation. I not only welcome him back, but I gladly and joyfully give him the reins of the subcommittee so that the next time this bill comes to the floor, Senator TIM JOHNSON will be managing it, and I will be proud to be working with him.

I particularly want to thank staff members who made such a huge and critical contribution to this effort: Christina Evans, B.G. Wright, Chad Schulken, and Elizabeth King from my staff; and from the minority staff: Dennis Balkham, Chris Heggem, and Yvonne Stone.

I thank all my colleagues who cooperated so willingly and effectively.

I yield the floor.

#### DEPARTMENT OF STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2008

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to the consideration of H.R. 2764, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 2764) making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes.

The Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

*That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2008, and for other purposes, namely:*

#### TITLE I

#### DEPARTMENT OF STATE AND RELATED AGENCY

#### DEPARTMENT OF STATE

#### ADMINISTRATION OF FOREIGN AFFAIRS

#### DIPLOMATIC AND CONSULAR PROGRAMS

#### (INCLUDING TRANSFER OF FUNDS)

*For necessary expenses of the Department of State and the Foreign Service not otherwise provided for, including employment, without regard to civil service and classification laws, of persons on a temporary basis (not to exceed \$700,000 of this appropriation), as authorized by section 801 of the United States Information and Educational Exchange Act of 1948; representation to certain international organizations in which the United States participates pursuant to treaties ratified pursuant to the advice and*

*consent of the Senate or specific Acts of Congress; arms control, nonproliferation and disarmament activities as authorized; acquisition by exchange or purchase of passenger motor vehicles as authorized by law; and for expenses of general administration, \$3,885,375,000: Provided, That of the amount made available under this heading, not to exceed \$10,000,000 may be transferred to and merged with "Emergencies in the Diplomatic and Consular Service", to be available only for emergency evacuations and terrorism rewards: Provided further, That of the funds appropriated under this heading, \$8,131,000 shall be available for the Office of the Director of United States Foreign Assistance and \$1,000,000 shall not be obligated until consultations with the Congress, arising from the report submitted pursuant to section 653(a) of the Foreign Assistance Act of 1961, have been completed: Provided further, That of the amount made available under this heading, not less than \$364,905,000 shall be available only for public diplomacy international information programs: Provided further, That of the funds made available under this heading, \$5,000,000 shall be made available for a demonstration program to expand access to consular services: Provided further, That of the funds made available under this heading, \$40,000,000 shall be made available for passport operations, facilities, and systems: Provided further, That the funds appropriated by the previous proviso shall be in addition to amounts otherwise made available for such purposes: Provided further, That of the funds made available under this heading in this Act and in prior Acts making appropriations for the Department of State, foreign operations, export financing and related programs, up to \$200,000,000 may be transferred to, and merged with, funds appropriated under the heading "Millennium Challenge Corporation", subject to section 615 of this Act: Provided further, That of the funds appropriated under this heading, \$6,000,000 shall be made available for the Ambassador's Fund for Cultural Preservation of which \$1,500,000 shall be for grants of not less than \$500,000 for significant historic preservation projects: Provided further, That there shall be one additional senior permanent position at United States Embassy Moscow whose sole responsibilities shall be to monitor human rights and the implementation of Russian laws relating to nongovernmental organizations, communicate United States support for human rights defenders and journalists who are harassed and arrested, and support the work of civil society groups: Provided further, That funds available under this heading may be made available for a United States Government interagency task force to examine, coordinate and oversee United States participation in the United Nations headquarters renovation project: Provided further, That funds appropriated under this heading are available, pursuant to 31 U.S.C. 1108(g), for the field examination of programs and activities in the United States funded from any account in this title.*

*In addition, not to exceed \$1,558,390 shall be derived from fees collected from other executive agencies for lease or use of facilities located at the International Center in accordance with section 4 of the International Center Act; in addition, as authorized by section 5 of such Act, \$490,000, to be derived from the reserve authorized by that section, to be used for the purposes set out in that section; in addition, as authorized by section 810 of the United States Information and Educational Exchange Act, not to exceed \$6,000,000, to remain available until expended, may be credited to this appropriation from fees or other payments received from English teaching, library, motion pictures, and publication programs and from fees from educational advising and counseling and exchange visitor programs; and, in addition, not to exceed*

\$15,000, which shall be derived from reimbursements, surcharges, and fees for use of Blair House facilities.

In addition, for the costs of worldwide security protection, \$909,598,000, to remain available until expended.

#### CAPITAL INVESTMENT FUND

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

#### OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, \$35,508,000, notwithstanding section 209(a)(1) of the Foreign Service Act of 1980 (Public Law 96-465), as it relates to post inspections.

#### EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

For expenses of educational and cultural exchange programs, as authorized, \$509,482,000, to remain available until expended: Provided, That not to exceed \$5,000,000, to remain available until expended, may be credited to this appropriation from fees or other payments received from or in connection with English teaching, educational advising and counseling programs, and exchange visitor programs as authorized: Provided further, That of the funds available under this heading up to \$2,000,000 may be made available to the Senator Paul Simon Study Abroad Foundation, subject to authorization: Provided further, That if a majority of the Board of Directors of such Foundation is not confirmed by the Senate by August 1, 2008, the Secretary shall provide \$1,000,000 of such funds to the Benjamin A. Gilman International Scholarship Program and \$1,000,000 shall be provided to the Fulbright Program to augment existing study abroad programs.

#### REPRESENTATION ALLOWANCES

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

#### PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

For expenses, not otherwise provided, to enable the Secretary of State to provide for extraordinary protective services, as authorized, \$14,000,000, to remain available until September 30, 2009.

#### EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

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

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

#### EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

##### (INCLUDING TRANSFER OF FUNDS)

For expenses necessary to enable the Secretary of State to meet unforeseen emergencies arising in the Diplomatic and Consular Service, \$9,000,000, only for emergency evacuations and terrorism rewards, to remain available until expended, of which not to exceed \$1,000,000 may be transferred to and merged with the "Repatriation Loans Program Account", subject to the same terms and conditions.

#### REPATRIATION LOANS PROGRAM ACCOUNT (INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, \$678,000, as authorized: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

In addition, for administrative expenses necessary to carry out the direct loan program, \$607,000, which may be transferred to and merged with "Diplomatic and Consular Programs".

#### PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

For necessary expenses to carry out the Taiwan Relations Act (Public Law 96-8), \$16,351,000.

#### PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

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

#### INTERNATIONAL ORGANIZATIONS CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

For expenses, not otherwise provided for, necessary to meet annual obligations of membership in international multilateral organizations, pursuant to treaties ratified pursuant to the advice and consent of the Senate, conventions or specific Acts of Congress, \$1,374,400,000, to remain available until September 30, 2009: Provided, That the Secretary of State shall, at the time of the submission of the President's budget to Congress under section 1105(a) of title 31, United States Code, transmit to the Committees on Appropriations the most recent biennial budget prepared by the United Nations for the operations of the United Nations: Provided further, That the Secretary of State shall notify the Committees on Appropriations at least 15 days in advance (or in an emergency, as far in advance as is practicable) of any United Nations action to increase funding for any United Nations program without identifying an offsetting decrease elsewhere in the United Nations budget and cause the United Nations budget for the biennium 2008-2009 to exceed the revised United Nations budget level for the biennium 2006-2007 of \$4,173,895,900: Provided further, That any payment of arrearages under this title shall be directed toward activities that are mutually agreed upon by the United States and the respective international organization: Provided further, That none of the funds appropriated in this paragraph shall be available for a United States contribution to an international organization for the United States share of interest costs made known to the United States Government by such organization for loans incurred on or after October 1, 1984, through external borrowings.

#### CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

For necessary expenses to pay assessed and other expenses of international peacekeeping activities directed to the maintenance or restoration of international peace and security, \$1,352,000,000, of which 15 percent shall remain available until September 30, 2009: Provided, That at least 15 days in advance of voting in the United Nations Security Council (or in an emergency as far in advance as is practicable) for any new or expanded United Nations peacekeeping mission, the Secretary of State shall, with regard to any new or expanded mission, notify the Committees on Appropriations and other appropriate Committees of the Congress of its estimated cost and duration, the United States national interest that will be served, the planned exit strategy, the specific measures the United Nations is taking to prevent United Nations employees, contractor personnel, and peacekeeping forces serving in any such mission from trafficking in persons, exploiting victims of trafficking, or committing acts of illegal sexual exploitation, and to hold accountable individ-

uals who engage in such acts while participating in the peacekeeping mission; and a notification of funds pursuant to section 615 of this Act is submitted, and the procedures therein followed, setting forth the source of funds that will be used to pay for the cost of the new or expanded mission: Provided further, That funds shall be available for peacekeeping expenses only after a determination by the Secretary of State that American manufacturers and suppliers are being given opportunities to provide equipment, services, and material for United Nations peacekeeping activities equal to those being given to foreign manufacturers and suppliers.

#### INTERNATIONAL COMMISSIONS

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

##### INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO

For necessary expenses for the United States Section of the International Boundary and Water Commission, United States and Mexico, and to comply with laws applicable to the United States Section, including not to exceed \$6,000 for representation; as follows:

##### SALARIES AND EXPENSES

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

##### CONSTRUCTION

For detailed plan preparation and construction of authorized projects, \$88,425,000, to remain available until expended, as authorized.

##### AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

For necessary expenses, not otherwise provided, for the International Joint Commission and the International Boundary Commission, United States and Canada, as authorized by treaties between the United States and Canada or Great Britain, and for the Border Environment Cooperation Commission as authorized by Public Law 103-182, \$11,250,000, of which not to exceed \$9,000 shall be available for representation expenses incurred by the International Joint Commission.

##### INTERNATIONAL FISHERIES COMMISSIONS

For necessary expenses for international fisheries commissions, not otherwise provided for, as authorized by law, \$27,054,000: Provided, That the United States' share of such expenses may be advanced to the respective commissions pursuant to 31 U.S.C. 3324: Provided further, That funds appropriated under this heading shall be available for programs in the amounts contained in the table included in the report accompanying this Act and no proposal for deviation from those amounts shall be considered.

##### OTHER

##### PAYMENT TO THE ASIA FOUNDATION

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

##### CENTER FOR MIDDLE EASTERN-WESTERN DIALOGUE TRUST FUND

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

##### EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

For necessary expenses of Eisenhower Exchange Fellowships, Incorporated, as authorized by sections 4 and 5 of the Eisenhower Exchange Fellowship Act of 1990 (20 U.S.C. 5204-5205), all interest and earnings accruing to the Eisenhower Exchange Fellowship Program Trust Fund on or before September 30, 2008, to remain available until expended: Provided, That none of the funds appropriated herein shall be used to pay any salary or other compensation, or to enter into any contract providing for the

payment thereof, in excess of the rate authorized by 5 U.S.C. 5376; or for purposes which are not in accordance with OMB Circulars A-110 (Uniform Administrative Requirements) and A-122 (Cost Principles for Non-profit Organizations), including the restrictions on compensation for personal services.

#### ISRAELI ARAB SCHOLARSHIP PROGRAM

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

#### EAST-WEST CENTER

To enable the Secretary of State to provide for carrying out the provisions of the Center for Cultural and Technical Interchange Between East and West Act of 1960, by grant to the Center for Cultural and Technical Interchange Between East and West in the State of Hawaii, \$20,000,000: Provided, That none of the funds appropriated herein shall be used to pay any salary, or enter into any contract providing for the payment thereof, in excess of the rate authorized by 5 U.S.C. 5376.

#### RELATED AGENCIES

##### BROADCASTING BOARD OF GOVERNORS

##### INTERNATIONAL BROADCASTING OPERATIONS

For expenses necessary to enable the Broadcasting Board of Governors, as authorized, to carry out international communication activities, including the purchase, rent, construction, and improvement of facilities for radio and television transmission and reception and purchase, lease, and installation and operation of necessary equipment, including aircraft, for radio and television transmission and reception to Cuba, and to make and supervise grants for radio and television broadcasting to the Middle East, \$662,727,000: Provided, That of the total amount in this heading, not to exceed \$16,000 may be used for official receptions within the United States as authorized, not to exceed \$35,000 may be used for representation abroad as authorized, and not to exceed \$39,000 may be used for official reception and representation expenses of Radio Free Europe/Radio Liberty; and in addition, notwithstanding any other provision of law, not to exceed \$2,000,000 in receipts from advertising and revenue from business ventures, not to exceed \$500,000 in receipts from cooperating international organizations, and not to exceed \$1,000,000 in receipts from privatization efforts of the Voice of America and the International Broadcasting Bureau, to remain available until expended for carrying out authorized purposes.

##### BROADCASTING CAPITAL IMPROVEMENTS

For the purchase, rent, construction, and improvement of facilities for radio transmission and reception, and purchase and installation of necessary equipment for radio and television transmission and reception as authorized, \$10,748,000, to remain available until expended, as authorized.

#### COMMISSION FOR THE PRESERVATION OF AMERICA'S HERITAGE ABROAD

##### SALARIES AND EXPENSES

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

#### COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

##### SALARIES AND EXPENSES

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

#### COMMISSION ON SECURITY AND COOPERATION IN EUROPE

##### SALARIES AND EXPENSES

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

#### CONGRESSIONAL-EXECUTIVE COMMISSION ON THE PEOPLE'S REPUBLIC OF CHINA

##### SALARIES AND EXPENSES

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 the purpose of official representation, to remain available until September 30, 2009.

#### UNITED STATES-CHINA ECONOMIC AND SECURITY REVIEW COMMISSION

##### SALARIES AND EXPENSES

For necessary expenses of the United States-China Economic and Security Review Commission, \$2,962,000, including not more than \$3,000 for the purpose of official representation, to remain available until September 30, 2008: Provided, That funds appropriated under this heading shall only be available for obligation in accordance with a spending plan submitted to the Committees on Appropriations which effectively addresses the recommendations of the Government Accountability Office's audit of the Commission: Provided further, That the Commission shall provide to the Committees on Appropriations a quarterly accounting of the cumulative balances of any unobligated funds that were received by the Commission during any previous fiscal year.

#### UNITED STATES SENATE-CHINA INTERPARLIAMENTARY GROUP

##### SALARIES AND EXPENSES

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

#### UNITED STATES INSTITUTE OF PEACE OPERATING EXPENSES

For necessary expenses of the United States Institute of Peace as authorized in the United States Institute of Peace Act, \$25,000,000, to remain available until September 30, 2009.

#### GENERAL PROVISIONS—THIS TITLE

##### ALLOWANCES AND DIFFERENTIALS

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

##### UNOBLIGATED BALANCES REPORT

SEC. 102. The Department of State and the Broadcasting Board of Governors shall provide to the Committees on Appropriations a quarterly accounting of the cumulative balances of any unobligated funds that were received by such agency during any previous fiscal year.

##### EMBASSY CONSTRUCTION

SEC. 103. (a) Except as provided in subsection (b), a project to construct a diplomatic facility of the United States may not include office space or other accommodations for an employee of a Federal agency or department if the Secretary of State determines that such department or agency has not provided to the Department of State the full amount of funding required by subsection (e) of section 604 of the Secure Embassy Construction and Counterterrorism Act of 1999 (as enacted into law by section 1000(a)(7) of Public Law 106-113 and contained in appendix G of that Act; 113 Stat. 1501A-453), as amended by section 629 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2005.

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

##### PEACEKEEPING MISSIONS

SEC. 104. None of the funds made available under title I of this Act may be used for any United Nations undertaking when it is made known to the Federal official having authority to obligate or expend such funds that: (1) the United Nations undertaking is a peacekeeping mission; (2) such undertaking will involve United States Armed Forces under the command or operational control of a foreign national; and (3) the President's military advisors have not submitted to the President a recommendation that such involvement is in the national security interests of the United States and the President has not submitted to the Congress such a recommendation.

##### DENIAL OF VISAS

SEC. 105. (a) None of the funds appropriated or otherwise made available under this Act shall be expended for any purpose for which appropriations are prohibited by section 616 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1999.

(b) The requirements in subsections (b) and (c) of section 616 of that Act shall continue to apply during fiscal year 2008.

##### UNITED STATES CITIZENS BORN IN JERUSALEM

SEC. 106. For the purposes of registration of birth, certification of nationality, or issuance of a passport of a United States citizen born in the city of Jerusalem, the Secretary of State shall, upon request of the citizen, record the place of birth as Israel.

##### STATE DEPARTMENT AUTHORITIES

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

##### RESTRICTION ON CONTRIBUTIONS TO THE UNITED NATIONS

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

##### PERSONNEL ACTIONS

SEC. 109. Any costs incurred by a department or agency funded under this Act resulting from personnel actions taken in response to funding reductions included in this Act shall be absorbed within the total budgetary resources available to such department or agency: Provided, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: Provided further, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 615 of title VI of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

##### RESTRICTIONS ON UNITED NATIONS DELEGATIONS

SEC. 110. None of the funds made available in this Act may be used to pay expenses for any United States delegation to any specialized agency, body, or commission of the United Nations if such commission is chaired or presided over by a country, the government of which the Secretary of State has determined, for purposes of section 6(j)(1) of the Export Administration Act of 1979 (50 U.S.C. App. 2405(j)(1)), has provided support for acts of international terrorism.

## PALESTINIAN BROADCASTING CORPORATION

SEC. 111. None of the funds appropriated or otherwise made available in this Act may be used to provide equipment, technical support, consulting services, or any other form of assistance to the Palestinian Broadcasting Corporation.

## ATTENDANCE AT INTERNATIONAL CONFERENCES

SEC. 112. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees of agencies or departments of the United States Government who are stationed in the United States, at any single international conference occurring outside the United States, unless the Secretary of State determines that such attendance is in the national interest: Provided, That for purposes of this section the term "international conference" shall mean a conference attended by representatives of the United States Government and representatives of foreign governments, international organizations, or non-governmental organizations.

## PEACEKEEPING ASSESSMENT

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

"(v) For assessments made during calendar year 2008, 27.1 percent."

## ALHURRA BROADCASTING

SEC. 114. Funds appropriated by this Act, and any subsequent emergency supplemental appropriations Act for fiscal year 2008, may be made available for the programs and activities of Alhurra only if the Secretary of State certifies and reports to the Committees on Appropriations that Alhurra does not advocate on behalf of any organization that the Secretary knows, or has reason to believe, engages in terrorist activities.

SEC. 115. COMMISSION FINANCIAL MANAGEMENT. (a) TERM LIMITS.—Section 1238(b)(3) of Public Law 106–398 is amended by striking subparagraph (G) and inserting the following:

"(G) a member of the Commission may not be reappointed for an additional term of service if that member has twice been appointed to the Commission; and"

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

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

(d) ANNUAL FINANCIAL AUDIT.—The Commission shall provide to Congress an annual comprehensive independent financial audit of all obligations and expenditures, not later than June 30 each year hereafter.

## REFERENCES

SEC. 116. Except as otherwise provided in this title, any reference in this title to "this Act" shall be deemed to be a reference only to title I.

## TITLE II

EXPORT AND INVESTMENT ASSISTANCE  
EXPORT-IMPORT BANK OF THE UNITED STATES  
INSPECTOR GENERAL

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

## LOANS PROGRAM ACCOUNT

The Export-Import Bank of the United States is authorized to make such expenditures within the limits of funds and borrowing authority available to such corporation, and in accordance with law, and to make such contracts and

commitments without regard to fiscal year limitations, as provided by section 104 of the Government Corporation Control Act, as may be necessary in carrying out the program for the current fiscal year for such corporation: Provided, That none of the funds available during the current fiscal year may be used to make expenditures, contracts, or commitments for the export of nuclear equipment, fuel, or technology to any country, other than a nuclear-weapon state as defined in Article IX of the Treaty on the Non-Proliferation of Nuclear Weapons eligible to receive economic or military assistance under this Act, that has detonated a nuclear explosive after the date of the enactment of this Act: Provided further, That notwithstanding section 1(c) of Public Law 103–428, as amended, sections 1(a) and (b) of Public Law 103–428 shall remain in effect through October 1, 2008: Provided further, That 10 percent of the aggregate loan, guarantee, and insurance authority available to the Export-Import Bank under this or any prior Act should be used for renewable energy and environmentally beneficial products and services.

## SUBSIDY APPROPRIATION

For the cost of direct loans, loan guarantees, insurance, and tied-aid grants as authorized by section 10 of the Export-Import Bank Act of 1945, as amended, \$68,000,000, to remain available until September 30, 2011: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That such sums shall remain available until September 30, 2026, for the disbursement of direct loans, loan guarantees, insurance and tied-aid grants obligated in fiscal years 2008, 2009, 2010, and 2011: Provided further, That none of the funds appropriated by this Act or any prior Act appropriating funds for foreign operations, export financing, and related programs for tied-aid credits or grants may be used for any other purpose except through the regular notification procedures of the Committees on Appropriations: Provided further, That funds appropriated by this paragraph are made available notwithstanding section 2(b)(2) of the Export-Import Bank Act of 1945, in connection with the purchase or lease of any product by any Eastern European country, any Baltic State or any agency or national thereof.

## ADMINISTRATIVE EXPENSES

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

## RECEIPTS COLLECTED

Receipts collected pursuant to the Export-Import Bank Act of 1945, as amended, and the Federal Credit Reform Act of 1990, as amended, in an amount not to exceed the amount appropriated herein, shall be credited as offsetting collections to this account: Provided, That the sums herein appropriated from the General Fund shall be reduced on a dollar-for-dollar basis by such offsetting collections so as to result in a final fiscal year appropriation from the General Fund estimated at \$0: Provided further, That amounts collected in fiscal year 2008 in excess of obligations, up to \$50,000,000, shall become available October 1, 2008 and shall remain available until September 30, 2011.

OVERSEAS PRIVATE INVESTMENT CORPORATION  
NONCREDIT ACCOUNT

The Overseas Private Investment Corporation is authorized to make, without regard to fiscal year limitations, as provided by 31 U.S.C. 9104, such expenditures and commitments within the limits of funds available to it and in accordance with law as may be necessary: Provided, That the amount available for administrative expenses to carry out the credit and insurance programs (including an amount for official reception and representation expenses which shall not exceed \$35,000) shall not exceed \$47,500,000: Provided further, That project-specific transaction costs, including direct and indirect costs incurred in claims settlements, and other direct costs associated with services provided to specific investors or potential investors pursuant to section 234 of the Foreign Assistance Act of 1961, shall not be considered administrative expenses for the purposes of this heading.

## PROGRAM ACCOUNT

For the cost of direct and guaranteed loans, \$21,000,000, as authorized by section 234 of the Foreign Assistance Act of 1961, to be derived by transfer from the Overseas Private Investment Corporation Non-Credit Account: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That such sums shall be available for direct loan obligations and loan guaranty commitments incurred or made during fiscal years 2008, 2009, and 2010: Provided further, That funds so obligated in fiscal year 2008 remain available for disbursement through 2016; funds obligated in fiscal year 2009 remain available for disbursement through 2017; funds obligated in fiscal year 2010 remain available for disbursement through 2018: Provided further, That notwithstanding any other provision of law, the Overseas Private Investment Corporation is authorized to undertake any program authorized by title IV of the Foreign Assistance Act of 1961 in Iraq: Provided further, That funds made available pursuant to the authority of the previous proviso shall be subject to the regular notification procedures of the Committees on Appropriations.

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

## FUNDS APPROPRIATED TO THE PRESIDENT

## TRADE AND DEVELOPMENT AGENCY

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

## TITLE III

## BILATERAL ECONOMIC ASSISTANCE

## FUNDS APPROPRIATED TO THE PRESIDENT

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

## GLOBAL HEALTH PROGRAMS

## (INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the provisions of chapters 1 and 10 of part I of the Foreign Assistance Act of 1961, for global health activities, in addition to funds otherwise available for such purposes, \$6,531,425,000, to remain available until September 30, 2009: Provided, That this amount shall be made available for such activities as: (1) child survival programs; (2) immunization and oral rehydration programs; (3) other health, nutrition, water and sanitation programs which directly address the needs of mothers and children, and related education programs; (4) assistance for children displaced or orphaned by causes other than AIDS;

(5) programs for the prevention, treatment, control of, and research on HIV/AIDS, tuberculosis, polio, malaria, and other infectious diseases, and for assistance to communities severely affected by HIV/AIDS, including children displaced or orphaned by AIDS; and (6) family planning/reproductive health: Provided further, That none of the funds appropriated under this heading may be made available for nonproject assistance, except that funds may be made available for such assistance for ongoing health activities: Provided further, That of the funds appropriated under this heading, not to exceed \$350,000, in addition to funds otherwise available for such purposes, may be used to monitor and provide oversight of child survival, maternal and family planning/reproductive health, and infectious disease programs: Provided further, That the following amounts should be allocated as follows: \$450,000,000 for child survival and maternal health; \$15,000,000 for vulnerable children; \$634,675,000 for other infectious diseases; and \$395,000,000 for family planning/reproductive health, including in areas where population growth threatens biodiversity or endangered species: Provided further, That of the funds appropriated under this heading, \$75,000,000 should be made available for a United States contribution to The GAVI Fund, and up to \$6,000,000 may be transferred to and merged with funds appropriated by this Act under the heading "Operating Expenses of the United States Agency for International Development" for costs directly related to global health, but funds made available for such costs may not be derived from amounts made available for contribution under this and preceding provisos: Provided further, That none of the funds made available in this Act nor any unobligated balances from prior appropriations may be made available to any organization or program which directly supports coercive abortion or involuntary sterilization: Provided further, That none of the funds made available under this Act may be used to pay for the performance of abortion as a method of family planning or to motivate or coerce any person to practice abortions: Provided further, That nothing in this paragraph shall be construed to alter any existing statutory prohibitions against abortion under section 104 of the Foreign Assistance Act of 1961: Provided further, That none of the funds made available under this Act may be used to lobby for or against abortion: Provided further, That in order to reduce reliance on abortion in developing nations, funds shall be available only for voluntary family planning projects which offer, either directly or through referral to, or information about access to, a broad range of family planning methods and services with proven effectiveness, and that any such voluntary family planning project shall meet the following requirements: (1) service providers or referral agents in the project shall not implement or be subject to quotas, or other numerical targets, of total number of births, number of family planning acceptors, or acceptors of a particular method of family planning (this provision shall not be construed to include the use of quantitative estimates or indicators for budgeting and planning purposes); (2) the project shall not include payment of incentives, bribes, gratuities, or financial reward to: (A) an individual in exchange for becoming a family planning acceptor; or (B) program personnel for achieving a numerical target or quota of total number of births, number of family planning acceptors, or acceptors of a particular method of family planning; (3) the project shall not deny any right or benefit, including the right of access to participate in any program of general welfare or the right of access to health care, as a consequence of any individual's decision not to accept family planning services; (4) the project shall provide family planning acceptors comprehensible information on the health benefits and risks of the method chosen, including those conditions that might render the use of the method inadvisable

and those adverse side effects known to be consequent to the use of the method; and (5) the project shall ensure that experimental contraceptive drugs and devices and medical procedures are provided only in the context of a scientific study in which participants are advised of potential risks and benefits; and, not less than 60 days after the date on which the Administrator of the United States Agency for International Development determines that there has been a violation of the requirements contained in paragraph (1), (2), (3), or (5) of this proviso, or a pattern or practice of violations of the requirements contained in paragraph (4) of this proviso, the Administrator shall submit to the Committees on Appropriations a report containing a description of such violation and the corrective action taken by the Agency: Provided further, That in awarding grants for natural family planning under section 104 of the Foreign Assistance Act of 1961 no applicant shall be discriminated against because of such applicant's religious or conscientious commitment to offer only natural family planning; and, additionally, all such applicants shall comply with the requirements of the previous proviso: Provided further, That for purposes of this or any other Act authorizing or appropriating funds for foreign operations, export financing, and related programs, the term "motivate", as it relates to family planning assistance, shall not be construed to prohibit the provision, consistent with local law, of information or counseling about all pregnancy options: Provided further, That to the maximum extent practicable, taking into consideration cost, timely availability, and best health practices, funds appropriated in this Act or prior appropriations Acts that are made available for condom procurement should be made available only for the procurement of condoms manufactured in the United States: Provided further, That information provided about the use of condoms as part of projects or activities that are funded from amounts appropriated by this Act shall be medically accurate and shall include the public health benefits and failure rates of such use.

Of the funds appropriated under this heading, for necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961 for the prevention, treatment, and control of, and research on, HIV/AIDS, including for children displaced or orphaned by AIDS, \$5,050,000,000, to remain available until expended, of which \$550,000,000 shall be made available, notwithstanding any other provision of law, except for the United States Leadership Against HIV/AIDS, Tuberculosis and Malaria Act of 2003 (Public Law 108-25) for a United States contribution to the Global Fund to Fight AIDS, Tuberculosis and Malaria, and shall be expended at the minimum rate necessary to make timely payment for projects and activities: Provided, That up to 5 percent of the aggregate amount of funds made available to the Global Fund in fiscal year 2008 may be made available to the United States Agency for International Development for technical assistance related to the activities of the Global Fund: Provided further, That of the funds appropriated by this paragraph, up to \$13,000,000 may be made available, in addition to amounts otherwise available for such purposes, for administrative expenses of the Office of the Global AIDS Coordinator: Provided further, That the Global AIDS Coordinator shall include in each country operational plan for fiscal year 2008 a health workforce strategy for meeting HIV/AIDS goals without reducing the capacity of the country to meet other health needs: Provided further, That of the funds appropriated by this paragraph, not less than \$45,000,000 shall be made available to support the development of microbicides as a means for combating HIV/AIDS, and not less than \$40,000,000 shall be made available for a United States contribution to UNAIDS: Provided further, That funds made available under this heading shall be made available notwith-

standing the second sentence of section 403(a) of Public Law 108-25.

#### DEVELOPMENT ASSISTANCE

For necessary expenses to carry out the provisions of sections 103, 105, 106, and sections 251 through 255, and chapter 10 of part I of the Foreign Assistance Act of 1961, \$1,455,000,000, to remain available until September 30, 2009: Provided, That of the funds appropriated under this heading that are made available for assistance programs for displaced and orphaned children and victims of war, not to exceed \$43,000, in addition to funds otherwise available for such purposes, may be used to monitor and provide oversight of such programs: Provided further, That of the funds appropriated by this Act, not less than \$250,000,000 shall be made available for microenterprise and microfinance development programs for the poor, especially women: Provided further, That of the funds appropriated under this heading, not less than \$29,000,000 shall be made available for Collaborative Research Support Programs: Provided further, That of the funds appropriated under this heading, \$750,000 shall be made available to implement 7 U.S.C. section 1736g-2(a)(2)(C) to improve food aid product quality and nutrient delivery: Provided further, That of the funds appropriated under this heading, not less than \$22,000,000 should be made available for the American Schools and Hospitals Abroad program: Provided further, That of the funds appropriated under this heading, \$12,000,000 may be made available for cooperative development programs within the Office of Private and Voluntary Cooperation: Provided further, That of the funds appropriated in this Act, not less than \$300,000,000 shall be made available for safe drinking water and sanitation supply projects only to implement the Senator Paul Simon Water for the Poor Act of 2005 (Public Law 109-121), of which not less than \$125,000,000 should be made available for such projects in Africa including drilling wells in northern Niger, Mali and elsewhere in the African Sahel region.

#### INTERNATIONAL DISASTER ASSISTANCE

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

#### TRANSITION INITIATIVES

For necessary expenses for international disaster rehabilitation and reconstruction assistance pursuant to section 491 of the Foreign Assistance Act of 1961, \$50,000,000, to remain available until expended, to support transition to democracy and to long-term development of countries in crisis: Provided, That such support may include assistance to develop, strengthen, or preserve democratic institutions and processes, revitalize basic infrastructure, and foster the peaceful resolution of conflict: Provided further, That the United States Agency for International Development shall submit a report to the Committees on Appropriations at least 5 days prior to beginning a new program of assistance: Provided further, That if the President determines that it is important to the national interests of the United States to provide transition assistance in excess of the amount appropriated under this heading, up to \$15,000,000 of the funds appropriated by this Act to carry out the provisions of part I of the Foreign Assistance Act of 1961 may be used for purposes of this heading and under the authorities applicable to funds appropriated under this heading: Provided further, That funds made available pursuant to the previous proviso shall be made available subject to prior consultation with the Committees on Appropriations.

#### DEVELOPMENT CREDIT AUTHORITY

##### (INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans and loan guarantees provided by the United States Agency for

International Development, as authorized by sections 256 and 635 of the Foreign Assistance Act of 1961, up to \$21,000,000 may be derived by transfer from funds appropriated by this Act to carry out part I of such Act and under the heading "Assistance for Eastern Europe and the Baltic States": Provided, That such funds shall be made available only for micro and small enterprise programs, urban programs, and other programs which further the purposes of part I of the Act: Provided further, That such costs, including the cost of modifying such direct and guaranteed loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That funds made available by this paragraph may be used for the cost of modifying any such guaranteed loans under this Act or prior Acts, and funds used for such costs shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That the provisions of section 107A(d) (relating to general provisions applicable to the Development Credit Authority) of the Foreign Assistance Act of 1961, as contained in section 306 of H.R. 1486 as reported by the House Committee on International Relations on May 9, 1997, shall be applicable to direct loans and loan guarantees provided under this heading: Provided further, That these funds are available to subsidize total loan principal, any portion of which is to be guaranteed, of up to \$700,000,000.

In addition, for administrative expenses to carry out credit programs administered by the United States Agency for International Development, \$8,920,000, which may be transferred to and merged with the appropriation for Operating Expenses of the United States Agency for International Development: Provided, That funds made available under this heading shall remain available until September 30, 2010.

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

For necessary expenses to carry out the provisions of section 667 of the Foreign Assistance Act of 1961, \$645,700,000, of which up to \$25,000,000 may remain available until September 30, 2009: Provided, That none of the funds appropriated under this heading and under the heading "Capital Investment Fund" may be made available to finance the construction (including architect and engineering services), purchase, or long-term lease of offices for use by the United States Agency for International Development, unless the Administrator has identified such proposed construction (including architect and engineering services), purchase, or long-term lease of offices in a report submitted to the Committees on Appropriations at least 15 days prior to the obligation of these funds for such purposes: Provided further, That the previous proviso shall not apply where the total cost of construction (including architect and engineering services), purchase, or long-term lease of offices does not exceed \$1,000,000: Provided further, That contracts or agreements entered into with funds appropriated under this heading may entail commitments for the expenditure of such funds through fiscal year 2009: Provided further, That any decision to open a new overseas mission or office of the United States Agency for International Development or, except where there is a substantial security risk to mission personnel, to close or significantly reduce the number of personnel of any such mission or office, shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That the authority of sections 610 and 109 of the Foreign Assistance Act of 1961 may be exercised by the Secretary of State to transfer funds appropriated to carry out chapter I of part I of such Act to "Operating Expenses of the United States Agency for International Development" in accordance with the provisions of those sections.

CAPITAL INVESTMENT FUND

For necessary expenses for overseas construction and related costs, and for the procurement and enhancement of information technology and related capital investments, pursuant to section 667 of the Foreign Assistance Act of 1961, \$90,508,000, to remain available until expended: Provided, That this amount is in addition to funds otherwise available for such purposes: Provided further, That funds appropriated under this heading shall be available for obligation only pursuant to the regular notification procedures of the Committees on Appropriations: Provided further, That of the funds appropriated under this heading, not to exceed \$75,144,500 may be made available for the purposes of implementing the Capital Security Cost Sharing Program.

OPERATING EXPENSES OF THE UNITED STATES  
AGENCY FOR INTERNATIONAL DEVELOPMENT OF-  
FICE OF INSPECTOR GENERAL

For necessary expenses to carry out the provisions of section 667 of the Foreign Assistance Act of 1961, \$38,000,000, to remain available until September 30, 2009, which sum shall be available for the Office of the Inspector General of the United States Agency for International Development.

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

For necessary expenses to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961, \$3,015,000,000, to remain available until September 30, 2009: Provided, That funds appropriated under this heading that are available for Egypt shall be provided with the understanding that Egypt will undertake significant economic and democratic reforms which are additional to those which were undertaken in previous fiscal years, including the benchmarks accompanying the "Financial Sector Reform Memorandum of Understanding" dated March 20, 2005: Provided further, That with respect to the provision of assistance for Egypt for democracy, human rights and governance activities, the organizations implementing such assistance and the specific nature of that assistance shall not be subject to the prior approval by the Government of Egypt: Provided further, That of the funds appropriated under this heading that are available for assistance for Egypt, not less than \$15,000,000 should be made available for democracy, human rights and governance programs and not less than \$50,000,000 should be used for education programs, of which not less than \$10,000,000 should be made available for scholarships for Egyptian students with high financial need to attend United States accredited institutions of higher education in Egypt: Provided further, That funds appropriated under this heading that are available for assistance for Cyprus should be used only for scholarships, administrative support of the scholarship program, bicomunal projects, and measures aimed at reunification of the island and designed to reduce tensions and promote peace and cooperation between the two communities on Cyprus: Provided further, That of the funds appropriated under this heading, \$363,547,000 shall be made available for assistance for Jordan: Provided further, That of the funds appropriated under this heading, \$75,000,000 shall be made available for assistance for the West Bank and Gaza, of which not to exceed \$2,000,000 may be used for administrative expenses of the United States Agency for International Development, in addition to funds otherwise available for such purposes, to carry out programs in the West Bank and Gaza: Provided further, That of the funds appropriated under this heading, not less than \$30,000,000 shall be made available for assistance for the Philippines and not less than \$10,700,000 shall be made available for assistance for Vietnam: Provided further, That \$45,000,000 of the funds appro-

priated under this heading shall be made available for assistance for Lebanon, of which not less than \$10,000,000 should be made available for scholarships and direct support of United States educational institutions in Lebanon, and of which not less than \$500,000 shall be made available to the United States Forest Service for forest management and wildlife conservation programs in Lebanon: Provided further, That of the funds appropriated under this heading, not less than \$5,000,000 shall be made available for the fund established by section 2108 of Public Law 109-13: Provided further, That of the funds appropriated under this heading, \$3,000,000 shall be made available for programs to promote democracy and human rights in North Korea: Provided further, That of the funds appropriated under this heading for assistance for Cambodia, \$15,000,000 shall be made available to support, democracy, the rule of law, and human rights in Cambodia, including assistance for democratic political parties: Provided further, That notwithstanding any other provision of law, funds appropriated under this heading may be made available for programs and activities in the Central Highlands of Vietnam: Provided further, That of the funds appropriated under this heading for the Middle East Partnership Initiative, not less than \$5,000,000 shall be made available to rescue Iraqi scholars: Provided further, That of the funds appropriated under this heading that are available for assistance for the Democratic Republic of Timor-Leste, up to \$1,000,000 may be available for administrative expenses of the United States Agency for International Development in addition to amounts otherwise made available for such purposes: Provided further, That of the funds appropriated under this heading, not less than \$12,000,000 shall be made available for a United States contribution to the Special Court for Sierra Leone, not less than \$3,000,000 shall be made available for a United States contribution to the Extractive Industries Transparency Initiative Trust Fund, not less than \$3,000,000 shall be made available to support implementation of the Kimberley Process Certification Scheme with an emphasis on support for regional efforts to combat cross-border smuggling and for monitoring by civil society groups, not less than \$2,500,000 shall be made available for East Asia and Pacific Environmental Initiatives, and not less than \$5,000,000 shall be made available for programs to protect biodiversity in Colombia's national parks and indigenous reserves: Provided further, That funds appropriated under this heading that are made available for a Middle East Financing Facility, Middle East Enterprise Fund, or any other similar entity in the Middle East shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That of the funds appropriated under this heading, not less than \$10,000,000 shall be made available for labor and environmental capacity building activities relating to the free trade agreements with the countries of Central America and the Dominican Republic.

ASSISTANCE FOR EASTERN EUROPE AND THE  
BALTIC STATES

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

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

(c) The provisions of section 628 of this Act shall apply to funds appropriated under this heading: Provided, That notwithstanding any

provision of this or any other Act, including provisions in this subsection regarding the application of section 628 of this Act, local currencies generated by, or converted from, funds appropriated by this Act and by previous appropriations Acts and made available for the economic revitalization program in Bosnia may be used in Eastern Europe and the Baltic States to carry out the provisions of the Foreign Assistance Act of 1961 and the Support for East European Democracy (SEED) Act of 1989.

ASSISTANCE FOR THE INDEPENDENT STATES OF  
THE FORMER SOVIET UNION

For necessary expenses to carry out the provisions of chapters 11 and 12 of part I of the Foreign Assistance Act of 1961 and the FREEDOM Support Act, for assistance for the Independent States of the former Soviet Union and for related programs, \$401,885,000, to remain available until September 30, 2009: Provided, That the provisions of such chapters shall apply to funds appropriated by this paragraph: Provided further, That funds made available for the Southern Caucasus region may be used, notwithstanding any other provision of law, for confidence-building measures and other activities in furtherance of the peaceful resolution of regional conflicts, especially those in the vicinity of Abkhazia and Nagorno-Karabagh: Provided further, That of the funds appropriated under this heading, not less than \$8,000,000 shall be made available for humanitarian, conflict mitigation, human rights, civil society, and relief and recovery assistance for Chechnya, Ingushetia, Dagestan, and North Ossetia-Alania in the North Caucasus: Provided further, That of the funds appropriated under this heading that are available for assistance for Russia, not less than \$500,000 shall be made available to the United States Forest Service for forest management and wildlife conservation programs in the Russian Far East: Provided further, That notwithstanding any other provision of law, funds appropriated under this heading in this Act or prior Acts making appropriations for foreign operations, export financing, and related programs, that are made available pursuant to the provisions of section 807 of Public Law 102-511 shall be subject to a 6 percent ceiling on administrative expenses.

INDEPENDENT AGENCIES

INTER-AMERICAN FOUNDATION

For necessary expenses to carry out the functions of the Inter-American Foundation in accordance with the provisions of section 401 of the Foreign Assistance Act of 1969, \$22,000,000, to remain available until September 30, 2009.

AFRICAN DEVELOPMENT FOUNDATION

For necessary expenses to carry out title V of the International Security and Development Cooperation Act of 1980, Public Law 96-533, \$30,000,000, to remain available until September 30, 2009: Provided, That funds made available to grantees may be invested pending expenditure for project purposes when authorized by the Board of Directors of the Foundation: Provided further, That interest earned shall be used only for the purposes for which the grant was made: Provided further, That notwithstanding section 505(a)(2) of the African Development Foundation Act, (1) in exceptional circumstances the Board of Directors of the Foundation may waive the \$250,000 limitation contained in that section with respect to a project and (2) a project may exceed the limitation by up to \$10,000 if the increase is due solely to foreign currency fluctuation: Provided further, That the Foundation shall provide a report to the Committees on Appropriations after each time such waiver authority is exercised.

PEACE CORPS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the provisions of the Peace Corps Act (75 Stat. 612), including the purchase of not to exceed five passenger motor vehicles for administrative pur-

poses for use outside of the United States, \$323,500,000, to remain available until September 30, 2009: Provided, That none of the funds appropriated under this heading shall be used to pay for abortions: Provided further, That the Director may transfer to the Foreign Currency Fluctuations Account, as authorized by 22 U.S.C. 2515, an amount not to exceed \$2,000,000: Provided further, That funds transferred pursuant to the previous proviso may not be derived from amounts made available for Peace Corps overseas operations.

MILLENNIUM CHALLENGE CORPORATION

For necessary expenses to carry out the provisions of the Millennium Challenge Act of 2003, \$1,200,000,000, to remain available until expended: Provided, That of the funds appropriated under this heading, up to \$75,000,000 may be available for administrative expenses of the Millennium Challenge Corporation: Provided further, That up to 10 percent of the funds appropriated under this heading may be made available to carry out the purposes of section 616 of the Millennium Challenge Act of 2003 for candidate countries for fiscal year 2008: Provided further, That none of the funds available to carry out section 616 of such Act may be made available until the Chief Executive Officer of the Millennium Challenge Corporation provides a report to the Committees on Appropriations listing the candidate countries that will be receiving assistance under section 616 of such Act, the level of assistance proposed for each such country, a description of the proposed programs, projects and activities, and the implementing agency or agencies of the United States Government: Provided further, That section 605(e)(4) of the Millennium Challenge Act of 2003 shall apply to funds appropriated under this heading: Provided further, That funds appropriated under this heading may be made available for a Millennium Challenge Compact entered into pursuant to section 609 of the Millennium Challenge Act of 2003 only if such Compact obligates, or contains a commitment to obligate subject to the availability of funds and the mutual agreement of the parties to the Compact to proceed, the entire amount of the United States Government funding anticipated for the duration of the Compact.

DEPARTMENT OF STATE

DEMOCRACY FUND

(a) For necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961 for the promotion of democracy globally, \$177,000,000, of which the following amounts shall be made available, subject to the regular notification procedures of the Committees on Appropriations, until September 30, 2010—

(1) \$75,000,000 for the Human Rights and Democracy Fund of the Bureau of Democracy, Human Rights and Labor, Department of State, of which \$15,000,000 shall be for democracy and rule of law programs in the People's Republic of China, Hong Kong, and Taiwan: Provided, That assistance for Taiwan should be matched from sources other than the United States Government: Provided further, That \$10,000,000 shall be made available for programs and activities for the promotion of democracy in countries located outside the Middle East region with a significant Muslim population, and where such programs and activities would be important to United States efforts to respond to, deter, or prevent acts of international terrorism: Provided further, That funds used for such purposes should support new initiatives and activities in those countries; and

(2) \$102,000,000 for the National Endowment for Democracy: Provided, That of the funds appropriated by this Act under the headings "Development Assistance", "Economic Support Fund", and "Assistance for the Independent States of the Former Soviet Union", an additional \$18,000,000 shall be made available for the programs and activities of the National Endowment of Democracy.

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

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

(1) all policy, funding, and programming decisions regarding funds made available in this Act and subsequent Acts making appropriations for the Department of State, foreign operations, export financing, and related programs for the Human Rights and Democracy Fund of the Bureau of Democracy, Human Rights, and Labor; and

(2) the development of strategies for the promotion of democracy globally and the coordination of democracy programs between the United States Department of State and the United States Agency for International Development.

(d) For the purposes of funds appropriated by this Act, the term "promotion of democracy" means programs that support good governance, human rights, independent media, and the rule of law, and otherwise strengthen the capacity of democratic political parties, governments, non-governmental institutions, and citizens to support the development of democratic states, institutions, and practices that are responsive and accountable to citizens.

(e) Any contract, grant or cooperative agreement (or any amendment to any contract, grant, or cooperative agreement) in excess of \$2,500,000 for the promotion of democracy under this Act shall be subject to the regular notification procedures of the Committees on Appropriations.

INTERNATIONAL NARCOTICS CONTROL AND LAW  
ENFORCEMENT

For necessary expenses to carry out section 481 of the Foreign Assistance Act of 1961, \$558,449,000, to remain available until September 30, 2010: Provided, That during fiscal year 2008, the Department of State may also use the authority of section 608 of the Foreign Assistance Act of 1961, without regard to its restrictions, to receive excess property from an agency of the United States Government for the purpose of providing it to a foreign country under chapter 8 of part I of that Act subject to the regular notification procedures of the Committees on Appropriations: Provided further, That the Secretary of State shall provide to the Committees on Appropriations not later than 45 days after the date of the enactment of this Act and prior to the initial obligation of funds appropriated under this heading, a report on the proposed uses of all funds under this heading on a country-by-country basis for each proposed program, project, or activity: Provided further, That of the funds appropriated under this heading, not less than \$19,000,000 shall be made available for training programs and activities of the International Law Enforcement Academies: Provided further, That funds appropriated under this heading shall be made available for training of foreign law enforcement and judicial personnel in the prevention of violence and discrimination on account of sexual orientation or gender identity: Provided further, That of the funds appropriated under this heading, not less than \$10,500,000 should be made available for programs to combat trafficking in persons and migrant smuggling: Provided further, That of the funds appropriated under this heading, not more than \$38,000,000 may be available for administrative expenses.

ANDEAN PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

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

(b) In fiscal year 2008, funds available to the Department of State for assistance to the Government of Colombia may be made available to support a unified campaign against drug trafficking, against activities by organizations designated as Foreign Terrorist Organizations, and to take actions to protect human health and welfare in emergency circumstances, including undertaking rescue operations: Provided, That this authority shall cease to be effective if the Secretary of State has credible evidence that the Colombian Armed Forces are not conducting vigorous operations to restore civilian government authority and respect for human rights in areas under the effective control of paramilitary organizations or successor armed groups: Provided further, That the President shall ensure that if any helicopter procured with funds under this heading is used to aid or abet the operations of any such organization, the helicopter shall be immediately returned to the United States: Provided further, That section 482(b) of the Foreign Assistance Act of 1961 shall not apply to funds appropriated under this heading: Provided further, That assistance provided with funds appropriated under this heading that is made available notwithstanding section 482(b) of the Foreign Assistance Act of 1961 shall be made available subject to the regular notification procedures of the Committees on Appropriations.

(c) Of the funds appropriated under this heading that are available for assistance for Colombia, not less than \$22,000,000 shall be made available for the Office of the Attorney General, of which \$5,000,000 shall be for the Human Rights Unit, \$5,000,000 shall be for the Justice and Peace Unit, \$9,000,000 shall be used to develop a witness protection program for victims of armed groups, and \$3,000,000 shall be for investigations of mass graves and identification of remains: Provided further, That of the funds appropriated under this heading that are available for assistance for Colombia, \$5,000,000 shall be for the Office of the Procuraduría General de la Nación, \$3,000,000 shall be for the Office of the Defensoría del Pueblo, and \$750,000 shall be made available for a United States contribution to the Office of the United Nations High Commissioner for Human Rights in Colombia to support monitoring and public reporting of human rights conditions in the field.

(d) Funds appropriated by this Act that are available for aerial eradication of coca in Colombia may be made available only for targeted eradication in specific areas and only if the Secretary of State certifies to the Committees on Appropriations that manual eradication in such areas is not feasible: Provided, That not more than 20 percent of such funds may be made available unless the Secretary of State certifies to the Committees on Appropriations that: (1) the herbicide is being used in accordance with EPA label requirements for comparable use in the United States and with Colombian laws; and (2) the herbicide, in the manner it is being used, does not pose unreasonable risks or adverse effects to humans or the environment including endemic species: Provided further, That such funds may not be made available unless the Secretary of State certifies to the Committees on Appropriations that complaints of harm to health or licit crops caused by such aerial eradication are thoroughly evaluated and fair compensation is being paid in a timely manner for meritorious claims, and the Secretary submits a report to the Committees on Appropriations detailing all claims, evaluations, and compensation paid during the twelve month period prior to the date of enactment of this Act: Provided further, That such funds may not be made available for such purposes unless programs are being implemented by the United States Agency for International Development, the Government of Colombia, or other organizations, in consultation and coordination with local communities, to provide alternative sources of income in municipalities where security permits for small-

acreage growers whose illicit crops are targeted for aerial eradication: Provided further, That funds appropriated by this Act may be used for aerial eradication in Colombia's national parks or reserves only if the Secretary of State determines on a case-by-case basis that there are no feasible alternatives and the eradication is conducted in accordance with Colombian laws: Provided further, That of the funds appropriated under this heading that are available for Colombia, \$10,000,000 shall be transferred to, and merged with, funds appropriated under the heading "Foreign Military Financing Program" and shall be made available only for assistance for the Colombian military to provide security for manual eradication programs, including in national parks: Provided further, That none of the funds appropriated by this Act shall be made available for the cultivation or processing of African oil palm, if doing so would contribute to significant loss of native species or the forced displacement of local people.

(e) No United States Armed Forces personnel or United States civilian contractor employed by the United States will participate in any combat operation in connection with assistance made available by this Act for Colombia.

(f) Funds appropriated under this heading that are made available for assistance for the Bolivian military may be made available for such purposes only if the Secretary of State certifies that the Bolivian military is respecting human rights, and civilian judicial authorities are investigating and prosecuting, with the military's full cooperation, military personnel who have been implicated in gross violations of human rights.

(g) Of the funds appropriated under this heading, not more than \$16,000,000 may be available for administrative expenses of the Department of State, and not more than \$8,000,000 may be available, in addition to amounts otherwise available for such purposes, for administrative expenses of the United States Agency for International Development.

(h) The Secretary of State, in consultation with the Administrator of the United States Agency for International Development, shall provide to the Committees on Appropriations not later than 45 days after the date of the enactment of this Act and prior to the initial obligation of funds appropriated under this heading, a report on the proposed uses of all funds under this heading on a country-by-country basis for each proposed program, project, or activity.

#### MIGRATION AND REFUGEE ASSISTANCE

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

#### UNITED STATES EMERGENCY REFUGEE AND MIGRATION ASSISTANCE FUND

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

available under this heading are appropriated notwithstanding the provisions contained in section 2(c)(2) of such Act which would limit the amount of funds which could be appropriated for this purpose.

#### NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

For necessary expenses for nonproliferation, anti-terrorism, demining and related programs and activities, \$499,000,000, to carry out the provisions of chapter 8 of part II of the Foreign Assistance Act of 1961 for anti-terrorism assistance, chapter 9 of part II of the Foreign Assistance Act of 1961, section 504 of the FREEDOM Support Act, section 23 of the Arms Export Control Act or the Foreign Assistance Act of 1961 for demining activities, the clearance of unexploded ordnance, the destruction of small arms, and related activities, notwithstanding any other provision of law, including activities implemented through nongovernmental and international organizations, and section 301 of the Foreign Assistance Act of 1961 for a voluntary contribution to the International Atomic Energy Agency (IAEA), and for a United States contribution to the Comprehensive Nuclear Test Ban Treaty Preparatory Commission: Provided, That of this amount not to exceed \$32,000,000, to remain available until expended, may be made available for the Nonproliferation and Disarmament Fund, notwithstanding any other provision of law, to promote bilateral and multilateral activities relating to nonproliferation and disarmament: Provided further, That such funds may also be used for such countries other than the Independent States of the former Soviet Union and international organizations when it is in the national security interest of the United States to do so: Provided further, That of the funds appropriated under this heading, not less than \$30,000,000 shall be made available for the Biosecurity Engagement Program: Provided further, That funds appropriated under this heading may be made available for the International Atomic Energy Agency only if the Secretary of State determines (and so reports to the Congress) that Israel is not being denied its right to participate in the activities of that Agency: Provided further, That of the funds made available for demining and related activities, not to exceed \$700,000, in addition to funds otherwise available for such purposes, may be used for administrative expenses related to the operation and management of the demining program: Provided further, That funds appropriated under this heading that are available for "Anti-terrorism Assistance" and "Export Control and Border Security" shall remain available until September 30, 2009.

#### DEPARTMENT OF THE TREASURY

##### INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

For necessary expenses to carry out the provisions of section 129 of the Foreign Assistance Act of 1961, \$22,800,000, to remain available until September 30, 2010, which shall be available notwithstanding any other provision of law.

##### DEBT RESTRUCTURING

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, of modifying loans and loan guarantees, as the President may determine, for which funds have been appropriated or otherwise made available for programs within the International Affairs Budget Function 150, including the cost of selling, reducing, or canceling amounts owed to the United States as a result of concessional loans made to eligible countries, pursuant to parts IV and V of the Foreign Assistance Act of 1961, of modifying concessional credit agreements with least developed countries, as authorized under section 411 of the Agricultural Trade Development and Assistance Act of 1954, as amended, of concessional loans, guarantees and credit agreements, as authorized under section 572 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1989 (Public Law 100-461), and of canceling amounts owed,



as a result of loans or guarantees made pursuant to the Export-Import Bank Act of 1945, by countries that are eligible for debt reduction pursuant to title V of H.R. 3425 as enacted into law by section 1000(a)(5) of Public Law 106-113, \$200,300,000, to remain available until September 30, 2010: Provided, That not less than \$20,000,000 of the funds appropriated under this heading shall be made available to carry out the provisions of part V of the Foreign Assistance Act of 1961: Provided further, That amounts paid to the HIPC Trust Fund may be used only to fund debt reduction under the enhanced HIPC initiative by—

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

Provided further, That funds may not be paid to the HIPC Trust Fund for the benefit of any country if the Secretary of State has credible evidence that the government of such country is engaged in a consistent pattern of gross violations of internationally recognized human rights or in military or civil conflict that undermines its ability to develop and implement measures to alleviate poverty and to devote adequate human and financial resources to that end: Provided further, That on the basis of final appropriations, the Secretary of the Treasury shall consult with the Committees on Appropriations concerning which countries and international financial institutions are expected to benefit from a United States contribution to the HIPC Trust Fund during the fiscal year: Provided further, That the Secretary of the Treasury shall inform the Committees on Appropriations not less than 15 days in advance of the signature of an agreement by the United States to make payments to the HIPC Trust Fund of amounts for such countries and institutions: Provided further, That the Secretary of the Treasury may disburse funds designated for debt reduction through the HIPC Trust Fund only for the benefit of countries that—

(1) have committed, for a period of 24 months, not to accept new market-rate loans from the international financial institution receiving debt repayment as a result of such disbursement, other than loans made by such institutions to export-oriented commercial projects that generate foreign exchange which are generally referred to as “enclave” loans; and

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

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

#### TITLE IV

##### MILITARY ASSISTANCE

###### FUNDS APPROPRIATED TO THE PRESIDENT INTERNATIONAL MILITARY EDUCATION AND TRAINING

For necessary expenses to carry out the provisions of section 541 of the Foreign Assistance Act of 1961, \$85,877,000, of which up to \$3,000,000 may remain available until expended: Provided, That funds appropriated under this heading shall not be available for Equatorial Guinea: Provided further, That the civilian personnel for whom military education and training may be provided under this heading may include civil-

ians who are not members of a government whose participation would contribute to improved civil-military relations, civilian control of the military, or respect for human rights: Provided further, That funds appropriated under this heading that are made available for assistance for Angola, Cameroon, Central African Republic, Chad, Cote d'Ivoire, Guinea, Libya, and Nepal may be made available only for expanded international military education and training: Provided further, That expanded international military education and training may include English language training for purposes of funds appropriated under this heading: Provided further, That funds made available under this heading for assistance for Haiti, Guatemala, the Democratic Republic of the Congo, Sri Lanka, Ethiopia, Bangladesh, Libya, Angola, and Nigeria may only be provided through the regular notification procedures of the Committees on Appropriations.

###### FOREIGN MILITARY FINANCING PROGRAM

For expenses necessary for grants to enable the President to carry out the provisions of section 23 of the Arms Export Control Act, \$4,579,000,000: Provided, That of the funds appropriated under this heading, not less than \$2,400,000,000 shall be available for grants only for Israel: Provided further, That the funds appropriated by this paragraph for Israel shall be disbursed within 30 days of the enactment of this Act or by October 31, 2007, whichever is later: Provided further, That to the extent that the Government of Israel requests that funds be used for such purposes, grants made available for Israel by this paragraph shall, as agreed by Israel and the United States, be available for advanced weapons systems, of which not less than \$631,200,000 shall be available for the procurement in Israel of defense articles and defense services, including research and development: Provided further, That of the funds appropriated by this paragraph, \$300,000,000 shall be made available for assistance for Jordan: Provided further, That of the funds appropriated under this heading, not less than \$8,413,000 shall be made available for assistance for Tunisia: Provided further, That of the funds appropriated under this heading, not less than \$1,300,000,000 shall be made available for grants only for Egypt: Provided further, That funds made available under this heading for assistance for Egypt should be made available for counterterrorism and border security programs in the Sinai: Provided further, That of the funds appropriated under this heading that are available for Colombia, \$10,000,000 shall be made available for medical and rehabilitation assistance, removal of landmines, and to enhance communications capabilities: Provided further, That funds appropriated or otherwise made available by this paragraph shall be nonrepayable notwithstanding any requirement in section 23 of the Arms Export Control Act: Provided further, That funds made available under this paragraph shall be obligated upon apportionment in accordance with paragraph (5)(C) of title 31, United States Code, section 1501(a): Provided further, That 0.1 percent of the funds appropriated under this heading shall be transferred to and merged with funds appropriated under the heading “Economic Support Fund” to be made available to the Bureau of Democracy, Human Rights and Labor, Department of State, to ensure adequate monitoring of the use of assistance made available under this heading in countries where such monitoring is most needed, in addition to amounts otherwise available for such purposes.

None of the funds made available under this heading shall be available to finance the procurement of defense articles, defense services, or design and construction services that are not sold by the United States Government under the Arms Export Control Act unless the foreign country proposing to make such procurements has first signed an agreement with the United

States Government specifying the conditions under which such procurements may be financed with such funds: Provided, That all country and funding level increases in allocations shall be submitted through the regular notification procedures of section 515 of this Act: Provided further, That none of the funds appropriated under this heading shall be available for assistance for Sudan: Provided further, That none of the funds appropriated under this heading may be made available for assistance for Haiti, Guatemala, Nepal, Sri Lanka, Pakistan, Bangladesh, Philippines, Indonesia, Bosnia and Herzegovina, Ethiopia, and Democratic Republic of the Congo except pursuant to the regular notification procedures of the Committees on Appropriations: Provided further, That funds made available under this heading may be used, notwithstanding any other provision of law, for demining, the clearance of unexploded ordnance, and related activities, and may include activities implemented through nongovernmental and international organizations: Provided further, That only those countries for which assistance was justified for the “Foreign Military Sales Financing Program” in the fiscal year 1989 congressional presentation for security assistance programs may utilize funds made available under this heading for procurement of defense articles, defense services or design and construction services that are not sold by the United States Government under the Arms Export Control Act: Provided further, That funds appropriated under this heading shall be expended at the minimum rate necessary to make timely payment for defense articles and services: Provided further, That not more than \$41,900,000 of the funds appropriated under this heading may be obligated for necessary expenses, including the purchase of passenger motor vehicles for replacement only for use outside of the United States, for the general costs of administering military assistance and sales: Provided further, That not more than \$395,000,000 of funds realized pursuant to section 21(e)(1)(A) of the Arms Export Control Act may be obligated for expenses incurred by the Department of Defense during fiscal year 2008 pursuant to section 43(b) of the Arms Export Control Act, except that this limitation may be exceeded only through the regular notification procedures of the Committees on Appropriations: Provided further, That foreign military financing program funds estimated to be outlaid for Egypt during fiscal year 2008 may be transferred to an interest bearing account for Egypt in the Federal Reserve Bank of New York.

###### PEACEKEEPING OPERATIONS

For necessary expenses to carry out the provisions of section 551 of the Foreign Assistance Act of 1961, \$273,200,000: Provided, That of the funds made available under this heading, not less than \$25,000,000 shall be made available for a United States contribution to the Multinational Force and Observers mission in the Sinai: Provided further, That none of the funds appropriated under this heading shall be obligated or expended except as provided through the regular notification procedures of the Committees on Appropriations.

#### TITLE V

##### MULTILATERAL ECONOMIC ASSISTANCE

###### FUNDS APPROPRIATED TO THE PRESIDENT INTERNATIONAL FINANCIAL INSTITUTIONS

###### GLOBAL ENVIRONMENT FACILITY

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

###### CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT ASSOCIATION

For payment to the International Development Association by the Secretary of the Treasury, \$1,000,000,000, to remain available until expended: Provided, That funds appropriated

under this heading should not be obligated until the Secretary of the Treasury reports to the Committees on Appropriations that he has received written assurance from the President of the World Bank that the bank's management will not recommend or support any loan, grant, credit or other financing for any infrastructure project which would contribute to significant loss of tropical forest or biodiversity.

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

For payment to the Enterprise for the Americas Multilateral Investment Fund by the Secretary of the Treasury, for the United States contribution to the fund, \$25,000,000, to remain available until expended.

**CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND**

For the United States contribution by the Secretary of the Treasury to the increase in resources of the Asian Development Fund, as authorized by the Asian Development Bank Act, as amended, \$90,000,000, to remain available until expended.

**CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK**

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

**LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS**

The United States Governor of the African Development Bank may subscribe without fiscal year limitation for the callable capital portion of the United States share of such capital stock in an amount not to exceed \$31,918,770.

**CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND**

For the United States contribution by the Secretary of the Treasury to the increase in resources of the African Development Fund, \$105,000,000, to remain available until expended.

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

For payment to the European Bank for Reconstruction and Development by the Secretary of the Treasury, \$10,159 for the United States share of the paid-in portion of the increase in capital stock, to remain available until expended.

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

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

**INTERNATIONAL ORGANIZATIONS AND PROGRAMS**

For necessary expenses to carry out the provisions of section 301 of the Foreign Assistance Act of 1961, and of section 2 of the United Nations Environment Program Participation Act of 1973, \$313,925,000: Provided, That of the funds appropriated under this heading that are available for the Organization of American States Fund for Strengthening Democracy, \$500,000 shall be subject to the regular notification procedures of the Committees on Appropriations.

**TITLE VI**

**GENERAL PROVISIONS**

**COMPENSATION FOR UNITED STATES EXECUTIVE DIRECTORS TO INTERNATIONAL FINANCIAL INSTITUTIONS**

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

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

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

**ALLOCATIONS**

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

"Educational and Cultural Exchange Programs".

"Embassy Security, Construction, and Maintenance".

"International Fisheries Commissions".

"International Broadcasting Operations".

"Global Health Programs".

"Economic Support Fund".

"Assistance for Eastern Europe and the Baltic States".

"Assistance for the Independent States of the Former Soviet Union".

"Democracy Fund".

"Andean Programs".

"Nonproliferation, Anti-Terrorism, Demining and Related Programs".

"Foreign Military Financing Program".

"International Organizations and Programs".

(b) Any proposed increases or decreases to the amounts contained in such tables in the accompanying report shall be subject to the regular notification procedures of the Committees on Appropriations and section 634A of the Foreign Assistance Act of 1961.

**LIMITATION ON RESIDENCE EXPENSES**

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

**UNOBLIGATED BALANCES REPORT**

SEC. 604. Any Department or Agency to which funds are appropriated or otherwise made available by this Act shall provide, upon request of the Committees on Appropriations, an accurate accounting by program, project, and activity of the funds received by such Department or Agency in this fiscal year or any previous fiscal year that remain unobligated and unexpended.

**LIMITATION ON REPRESENTATIONAL ALLOWANCES**

SEC. 605. Of the funds appropriated or made available pursuant to this Act, not to exceed \$250,000 shall be available for representation and entertainment allowances, of which not to exceed \$5,000 shall be available for entertainment allowances, for the United States Agency for International Development during the current fiscal year: Provided, That no such entertainment funds may be used for the purposes listed in section 648 of this Act: Provided further, That appropriate steps shall be taken to assure that, to the maximum extent possible, United States-owned foreign currencies are utilized in lieu of dollars: Provided further, That of the funds made available by this Act for general costs of administering military assistance and sales under the heading "Foreign Military Financing Program", not to exceed \$4,000 shall be available for entertainment expenses and not to exceed \$130,000 shall be available for representation allowances: Provided further, That of the

funds made available by this Act under the heading "International Military Education and Training", not to exceed \$55,000 shall be available for entertainment allowances: Provided further, That of the funds made available by this Act for the Inter-American Foundation, not to exceed \$2,000 shall be available for entertainment and representation allowances: Provided further, That of the funds made available by this Act under the heading "United States-China Economic and Security Review Commission", not to exceed \$3,000 shall be available for official reception, representation, and entertainment allowances: Provided further, That of the funds made available by this Act for the Peace Corps, not to exceed a total of \$4,000 shall be available for entertainment expenses: Provided further, That of the funds made available by this Act under the heading "Trade and Development Agency", not to exceed \$4,000 shall be available for representation and entertainment allowances: Provided further, That of the funds made available by this Act under the heading "Millennium Challenge Corporation", not to exceed \$115,000 shall be available for representation and entertainment allowances.

**PROHIBITION ON TAXATION OF UNITED STATES ASSISTANCE**

SEC. 606. (a) PROHIBITION ON TAXATION.—None of the funds appropriated by this Act may be made available to provide assistance for a foreign country under a new bilateral agreement governing the terms and conditions under which such assistance is to be provided unless such agreement includes a provision stating that assistance provided by the United States shall be exempt from taxation, or reimbursed, by the foreign government, and the Secretary of State shall expeditiously seek to negotiate amendments to existing bilateral agreements, as necessary, to conform with this requirement.

(b) REIMBURSEMENT OF FOREIGN TAXES.—An amount equivalent to 200 percent of the total taxes assessed during fiscal year 2008 on funds appropriated by this Act by a foreign government or entity against commodities financed under United States assistance programs for which funds are appropriated by this Act, either directly or through grantees, contractors and subcontractors shall be withheld from obligation from funds appropriated for assistance for fiscal year 2009 and allocated for the central government of such country and for the West Bank and Gaza Program to the extent that the Secretary of State certifies and reports in writing to the Committees on Appropriations that such taxes have not been reimbursed to the Government of the United States.

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

(d) REPROGRAMMING OF FUNDS.—Funds withheld from obligation for each country or entity pursuant to subsection (b) shall be reprogrammed for assistance to countries which do not assess taxes on United States assistance or which have an effective arrangement that is providing substantial reimbursement of such taxes.

(e) DETERMINATIONS.—

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

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

(B) the foreign policy interests of the United States outweigh the policy of this section to ensure that United States assistance is not subject to taxation.

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

(f) IMPLEMENTATION.—The Secretary of State shall issue rules, regulations, or policy guidance, as appropriate, to implement the prohibition against the taxation of assistance contained in this section.

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

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

(2) the term “bilateral agreement” refers to a framework bilateral agreement between the Government of the United States and the government of the country receiving assistance that describes the privileges and immunities applicable to United States foreign assistance for such country generally, or an individual agreement between the Government of the United States and such government that describes, among other things, the treatment for tax purposes that will be accorded the United States assistance provided under that agreement.

#### PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN COUNTRIES

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

#### MILITARY COUPS

SEC. 608. None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to finance directly any assistance to the government of any country whose duly elected head of government is deposed by military coup or decree: Provided, That assistance may be resumed to such government if the President determines and certifies to the Committees on Appropriations that subsequent to the termination of assistance a democratically elected government has taken office: Provided further, That the provisions of this section shall not apply to assistance to promote democratic elections or public participation in democratic processes: Provided further, That funds made available pursuant to the previous provisions shall be subject to the regular notification procedures of the Committees on Appropriations.

#### TRANSFERS

SEC. 609. (a) DEPARTMENT OF STATE AND BROADCASTING BOARD OF GOVERNORS.—Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of State in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: Provided, That not to exceed 5 percent of any appropriation made available for the current fiscal year for the Broadcasting Board of Governors in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: Provided further, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 104 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

(b)(1) LIMITATION ON TRANSFERS BETWEEN AGENCIES.—None of the funds made available by this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

(2) Notwithstanding paragraph (1), in addition to transfers made by, or authorized elsewhere in, this Act, funds appropriated by this

Act to carry out the purposes of the Foreign Assistance Act of 1961 may be allocated or transferred to agencies of the United States Government pursuant to the provisions of sections 109, 610, and 632 of the Foreign Assistance Act of 1961.

(c) TRANSFERS BETWEEN ACCOUNTS.—None of the funds made available by this Act may be obligated under an appropriation account to which they were not appropriated, except for transfers specifically provided for in this Act, unless the President provides notification in accordance with the regular notification procedures of the Committees on Appropriations.

(d) AUDIT OF INTER-AGENCY TRANSFERS.—Any agreement for the transfer or allocation of funds appropriated by this Act, or prior Acts, entered into between the United States Agency for International Development and another agency of the United States Government under the authority of section 632(a) of the Foreign Assistance Act of 1961 or any comparable provision of law, shall expressly provide that the Office of the Inspector General for the agency receiving the transfer or allocation of such funds shall perform periodic program and financial audits of the use of such funds: Provided, That funds transferred under such authority may be made available for the cost of such audits.

#### COMMERCIAL LEASING OF DEFENSE ARTICLES

SEC. 610. Notwithstanding any other provision of law, and subject to the regular notification procedures of the Committees on Appropriations, the authority of section 23(a) of the Arms Export Control Act may be used to provide financing to Israel, Egypt and NATO and major non-NATO allies for the procurement by leasing (including leasing with an option to purchase) of defense articles from United States commercial suppliers, not including Major Defense Equipment (other than helicopters and other types of aircraft having possible civilian application), if the President determines that there are compelling foreign policy or national security reasons for those defense articles being provided by commercial lease rather than by government-to-government sale under such Act.

#### AVAILABILITY OF FUNDS

SEC. 611. No part of any appropriation contained in this Act shall remain available for obligation after the expiration of the current fiscal year unless expressly so provided in this Act: Provided, That funds appropriated for the purposes of chapters 1, 8, 11, and 12 of part I, section 661, section 667, chapters 4, 6, 8, and 9 of part II of the Foreign Assistance Act of 1961, section 23 of the Arms Export Control Act, and funds provided under the heading “Assistance for Eastern Europe and the Baltic States”, shall remain available for an additional 4 years from the date on which the availability of such funds would otherwise have expired, if such funds are initially obligated before the expiration of their respective periods of availability contained in this Act: Provided further, That, notwithstanding any other provision of this Act, any funds made available for the purposes of chapter 1 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961 which are allocated or obligated for cash disbursements in order to address balance of payments or economic policy reform objectives, shall remain available until expended: Provided further, That the Director of the Trade and Development Agency shall notify the Committees on Appropriations not later than 15 days prior to any re- obligation of funds appropriated for the purposes of section 661 of part II of the Foreign Assistance Act of 1961.

#### LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

SEC. 612. No part of any appropriation contained in this Act shall be used to furnish assistance to the government of any country which is in default during a period in excess of 1 calendar year in payment to the United States of principal or interest on any loan made to the

government of such country by the United States pursuant to a program for which funds are appropriated under this Act unless the President determines, following consultations with the Committees on Appropriations, that assistance to such country is in the national interest of the United States.

#### COMMERCE AND TRADE

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

(b) None of the funds appropriated by this or any other Act to carry out chapter 1 of part I of the Foreign Assistance Act of 1961 shall be available for any testing or breeding feasibility study, variety improvement or introduction, consultancy, publication, conference, or training in connection with the growth or production in a foreign country of an agricultural commodity for export which would compete with a similar commodity grown or produced in the United States: Provided, That this subsection shall not prohibit—

(1) activities designed to increase food security in developing countries where such activities will not have a significant impact on the export of agricultural commodities of the United States; or

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

#### SURPLUS COMMODITIES

SEC. 614. The Secretary of the Treasury shall instruct the United States Executive Directors of the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, the Inter-American Development Bank, the International Monetary Fund, the Asian Development Bank, the Inter-American Investment Corporation, the North American Development Bank, the European Bank for Reconstruction and Development, the African Development Bank, and the African Development Fund to use the voice and vote of the United States to oppose any assistance by these institutions, using funds appropriated or made available pursuant to this Act, for the production or extraction of any commodity or mineral for export, if it is in surplus on world markets and if the assistance will cause substantial injury to United States producers of the same, similar, or competing commodity.

#### REPROGRAMMING NOTIFICATION REQUIREMENTS

SEC. 615. (a) None of the funds made available in all titles of this Act, or in prior appropriations Acts to the agencies and departments funded by this Act that remain available for obligation or expenditure in fiscal year 2008, or provided from any accounts in the Treasury of the United States derived by the collection of fees or of currency reflows or other offsetting collections, or made available by transfer, to the agencies and departments funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that: (1) creates new programs; (2) eliminates a program,

project, or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) closes or opens a mission or post; (6) reorganizes or re-names offices; (7) reorganizes programs or activities; or (8) contracts out or privatizes any functions or activities presently performed by Federal employees; unless the Committees on Appropriations are notified 15 days in advance of such reprogramming of funds.

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

(c) For the purposes of providing the executive branch with the necessary administrative flexibility, none of the funds made available under titles II through V of this Act for "Global Health Programs", "Development Assistance", "International Organizations and Programs", "Trade and Development Agency", "International Narcotics Control and Law Enforcement", "Andean Programs", "Assistance for Eastern Europe and the Baltic States", "Assistance for the Independent States of the Former Soviet Union", "Economic Support Fund", "Democracy Fund", "Peacekeeping Operations", "Capital Investment Fund", "Operating Expenses of the United States Agency for International Development", "Operating Expenses of the United States Agency for International Development Office of Inspector General", "Nonproliferation, Anti-terrorism, Demining and Related Programs", "Millennium Challenge Corporation" (by country only), "Foreign Military Financing Program", "International Military Education and Training", "Peace Corps", and "Migration and Refugee Assistance", shall be available for obligation for activities, programs, projects, type of materiel assistance, countries, or other operations not justified or in excess of the amount justified to the Committees on Appropriations for obligation under any of these specific headings unless the Committees on Appropriations of both Houses of Congress are previously notified 15 days in advance. Provided, That the President shall not enter into any commitment of funds appropriated for the purposes of section 23 of the Arms Export Control Act for the provision of major defense equipment, other than conventional ammunition, or other major defense items defined to be aircraft, ships, missiles, or combat vehicles, not previously justified to Congress or 20 percent in excess of the quantities justified to Congress unless the Committees on Appropriations are notified 15 days in advance of such commitment: Provided further, That this subsection shall not apply to any reprogramming for an activity, program, or project for which funds are appropriated under titles III or IV of this Act of less than 10 percent of the amount previously justified to the Congress for obligation for such activity, program, or project for the current fiscal year.

(d) The requirements of this section or any similar provision of this Act or any other Act, including any prior Act requiring notification in accordance with the regular notification procedures of the Committees on Appropriations, may be waived if failure to do so would pose a substantial risk to human health or welfare: Provided, That in case of any such waiver, notification to the Congress, or the appropriate congressional committees, shall be provided as early as practicable, but in no event later than 3 days after taking the action to which such notification requirement was applicable, in the context of the circumstances necessitating such waiver: Provided further, That any notification provided pursuant to such a waiver shall contain an explanation of the emergency circumstances.

LIMITATION ON AVAILABILITY OF FUNDS FOR INTERNATIONAL ORGANIZATIONS AND PROGRAMS  
SEC. 616. Subject to the regular notification procedures of the Committees on Appropriations, funds appropriated under this Act or any previously enacted Act making appropriations for foreign operations, export financing, and related programs, which are returned or not made available for organizations and programs because of the implementation of section 307(a) of the Foreign Assistance Act of 1961, shall remain available for obligation until September 30, 2009: Provided, That section 307(a) of the Foreign Assistance Act of 1961 is amended by striking "Libya,".

INDEPENDENT STATES OF THE FORMER SOVIET UNION

SEC. 617. (a) None of the funds appropriated under the heading "Assistance for the Independent States of the Former Soviet Union" shall be made available for assistance for a government of an Independent State of the former Soviet Union if that government directs any action in violation of the territorial integrity or national sovereignty of any other Independent State of the former Soviet Union, such as those violations included in the Helsinki Final Act: Provided, That such funds may be made available without regard to the restriction in this subsection if the President determines that to do so is in the national security interest of the United States.

(b) None of the funds appropriated under the heading "Assistance for the Independent States of the Former Soviet Union" shall be made available for any state to enhance its military capability: Provided, That this restriction does not apply to demilitarization, demining or non-proliferation programs.

(c) Funds appropriated under the heading "Assistance for the Independent States of the Former Soviet Union" for the Russian Federation, Armenia, Kazakhstan, and Uzbekistan shall be subject to the regular notification procedures of the Committees on Appropriations.

(d)(1) Of the funds appropriated under this heading that are allocated for assistance for the Government of the Russian Federation, 60 percent shall be withheld from obligation until the President determines and certifies in writing to the Committees on Appropriations that the Government of the Russian Federation—

(A) has terminated implementation of arrangements to provide Iran with technical expertise, training, technology, or equipment necessary to develop a nuclear reactor, related nuclear research facilities or programs, or ballistic missile capability; and

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

(2) Paragraph (1) shall not apply to—

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

(B) activities authorized under title V (Non-proliferation and Disarmament Programs and Activities) of the FREEDOM Support Act.

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

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

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

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

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

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

(6) humanitarian assistance.

PROHIBITION ON FUNDING FOR ABORTIONS AND INVOLUNTARY STERILIZATION

SEC. 618. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for the performance of abortions as a method of family planning or to motivate or coerce any person to practice abortions. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for the performance of involuntary sterilization as a method of family planning or to coerce or provide any financial incentive to any person to undergo sterilizations. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for any biomedical research which relates in whole or in part, to methods of, or the performance of, abortions or involuntary sterilization as a means of family planning. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be obligated or expended for any country or organization if the President certifies that the use of these funds by any such country or organization would violate any of the above provisions related to abortions and involuntary sterilizations.

EXPORT FINANCING TRANSFER AUTHORITIES

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

SPECIAL NOTIFICATION REQUIREMENTS

SEC. 620. None of the funds appropriated by this Act shall be obligated or expended for assistance for Serbia, Sudan, Zimbabwe, Pakistan, Cuba, the Dominican Republic, Iran, Haiti, Mexico or Cambodia except as provided through the regular notification procedures of the Committees on Appropriations.

DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

SEC. 621. For the purpose of titles II through V of this Act "program, project, and activity" shall be defined at the appropriations Act account level and shall include all appropriations and authorizations Acts earmarks, ceilings, and limitations with the exception that for the following accounts: "Economic Support Fund" and "Foreign Military Financing Program", "program, project, and activity" shall also be considered to include country, regional, and central program level funding within each such account; for the development assistance accounts of the United States Agency for International Development "program, project, and activity" shall also be considered to include central, country, regional, and program level funding, either as: (1) justified to the Congress; or (2)

allocated by the executive branch in accordance with a report, to be provided to the Committees on Appropriations within 30 days of the enactment of this Act, as required by section 653(a) of the Foreign Assistance Act of 1961.

#### GLOBAL HEALTH ACTIVITIES

SEC. 622. Up to \$13,500,000 of the funds made available by this Act for assistance under the heading "Global Health Programs", may be used to reimburse United States Government agencies, agencies of State governments, institutions of higher learning, and private and voluntary organizations for the full cost of individuals (including for the personal services of such individuals) detailed or assigned to, or contracted by, as the case may be, the United States Agency for International Development for the purpose of carrying out activities under that heading: Provided, That up to \$3,500,000 of the funds made available by this Act for assistance under the heading "Development Assistance" may be used to reimburse such agencies, institutions, and organizations for such costs of such individuals carrying out other development assistance activities: Provided further, That funds appropriated by titles III and IV of this Act that are made available for bilateral assistance for child survival activities or disease programs including activities relating to research on, and the prevention, treatment and control of, HIV/AIDS may be made available notwithstanding any other provision of law except for the provisions under the heading "Global Health Programs" and the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (117 Stat. 711; 22 U.S.C. 7601 et seq.), as amended: Provided further, That of the funds appropriated under title III of this Act, not less than \$461,060,000 shall be made available for family planning/reproductive health: Provided further, That in order to prevent unintended pregnancies, abortions, and the transmission of sexually transmitted infections, including HIV/AIDS, no contract or grant for the exclusive purpose of providing donated contraceptives in developing countries shall be denied to any nongovernmental organization solely on the basis of the policy contained in the President's March 28, 2001, Memorandum to the Administrator of the United States Agency for International Development with respect to providing contraceptives in developing countries, or any comparable administration policy regarding the provision of contraceptives.

#### AFGHANISTAN

SEC. 623. Of the funds appropriated by titles III and IV of this Act, up to \$1,057,050,000 may be made available for assistance for Afghanistan, of which not less than \$75,000,000 should be made available to support programs that directly address the needs of Afghan women and girls, of which not less than \$12,000,000 shall be made available for grants to support training and equipment to improve the capacity of women-led Afghan nongovernmental organizations and to support the activities of such organizations, and not less than \$3,000,000 should be made available for reforestation activities: Provided, That funds made available pursuant to the previous proviso for reforestation activities should be matched, to the maximum extent possible, with contributions from American and Afghan businesses: Provided further, That of the funds appropriated by this Act that are available for Afghanistan, \$20,000,000 should be made available through United States universities to develop agriculture extension services for Afghan farmers, and not less than \$10,000,000 shall be made available for continued support of the United States Agency for International Development's Afghan Civilian Assistance Program.

#### NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

SEC. 624. Prior to providing excess Department of Defense articles in accordance with section 516(a) of the Foreign Assistance Act of 1961, the Department of Defense shall notify the Committees on Appropriations to the same extent and

under the same conditions as are other committees pursuant to subsection (f) of that section: Provided, That before issuing a letter of offer to sell excess defense articles under the Arms Export Control Act, the Department of Defense shall notify the Committees on Appropriations in accordance with the regular notification procedures of such Committees if such defense articles are significant military equipment (as defined in section 47(9) of the Arms Export Control Act) or are valued (in terms of original acquisition cost) at \$7,000,000 or more, or if notification is required elsewhere in this Act for the use of appropriated funds for specific countries that would receive such excess defense articles: Provided further, That such Committees shall also be informed of the original acquisition cost of such defense articles.

#### GLOBAL FUND MANAGEMENT

SEC. 625. Notwithstanding any other provision of this Act, 20 percent of the funds that are appropriated by this Act for a contribution to support the Global Fund to Fight AIDS, Tuberculosis and Malaria (the "Global Fund") shall be withheld from obligation to the Global Fund until the Secretary of State certifies to the Committees on Appropriations that the Global Fund—

- (1) is releasing incremental disbursements only if grantees demonstrate progress against clearly defined performance indicators;
- (2) is providing support and oversight to country-level entities, such as country coordinating mechanisms, principal recipients, and local Fund agents, to enable them to fulfill their mandates;
- (3) has a full-time, professional, independent Office of Inspector General that is fully operational;
- (4) requires local Fund agents to assess whether a principal recipient has the capacity to oversee the activities of sub-recipients;
- (5) is making progress toward implementing a reporting system that breaks down grantee budget allocations by programmatic activity;
- (6) has adopted and is implementing an appropriate policy on the public release of documents produced by the Office of the Inspector General; and
- (7) is tracking and encouraging the involvement of civil society in country coordinating mechanisms and program implementation.

#### PROHIBITION ON BILATERAL ASSISTANCE TO TERRORIST COUNTRIES

SEC. 626. (a) Funds appropriated for bilateral assistance under any heading of this Act and funds appropriated under any such heading in a provision of law enacted prior to the enactment of this Act, shall not be made available for assistance to the government of any country which the President determines—

- (1) grants sanctuary from prosecution to any individual or group which has committed an act of international terrorism; or
  - (2) otherwise supports international terrorism.
- (b) The President may waive the application of subsection (a) to such government if the President determines that national security or humanitarian reasons justify such waiver. The President shall publish each waiver in the Federal Register and, at least 15 days before the waiver takes effect, shall notify the Committees on Appropriations of the waiver (including the justification for the waiver) in accordance with the regular notification procedures of the Committees on Appropriations.

#### DEBT-FOR-DEVELOPMENT

SEC. 627. In order to enhance the continued participation of nongovernmental organizations in debt-for-development and debt-for-nature exchanges, a nongovernmental organization which is a grantee or contractor of the United States Agency for International Development may place in interest bearing accounts local currencies which accrue to that organization as a result of economic assistance provided under title III of this Act and, subject to the regular

notification procedures of the Committees on Appropriations, any interest earned on such investment shall be used for the purpose for which the assistance was provided to that organization.

#### SEPARATE ACCOUNTS

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

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

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

(B) enter into an agreement with that government which sets forth—

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

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

(C) establish by agreement with that government the responsibilities of the United States Agency for International Development and that government to monitor and account for deposits into and disbursements from the separate account.

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

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

- (i) project and sector assistance activities; or
- (ii) debt and deficit financing; or

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

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

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

(5) REPORTING REQUIREMENT.—The Administrator of the United States Agency for International Development shall report on an annual basis as part of the justification documents submitted to the Committees on Appropriations on the use of local currencies for the administrative requirements of the United States Government as authorized in subsection (a)(2)(B), and such report shall include the amount of local currency (and United States dollar equivalent) used and/or to be used for such purpose in each applicable country.

(b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—

(1) If assistance is made available to the government of a foreign country, under chapter 1 or 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961, as cash transfer assistance or as nonproject sector assistance, that country shall be required to maintain such funds in a separate account and not commingle them with any other funds.

(2) APPLICABILITY OF OTHER PROVISIONS OF LAW.—Such funds may be obligated and expended notwithstanding provisions of law which are inconsistent with the nature of this

assistance including provisions which are referenced in the Joint Explanatory Statement of the Committee of Conference accompanying House Joint Resolution 648 (House Report No. 98-1159).

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

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

#### ENTERPRISE FUND RESTRICTIONS

SEC. 629. (a) Prior to the distribution of any assets resulting from any liquidation, dissolution, or winding up of an Enterprise Fund, in whole or in part, the President shall submit to the Committees on Appropriations, in accordance with the regular notification procedures of the Committees on Appropriations, a plan for the distribution of the assets of the Enterprise Fund.

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

#### INTERNATIONAL FAMILY PLANNING AND REPRODUCTIVE HEALTH

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

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

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

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

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

(3) UNFPA does not fund abortions.

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

SEC. 631. Unless expressly provided to the contrary, provisions of this or any other Act, including provisions contained in prior Acts authorizing or making appropriations for foreign operations, export financing, and related programs, shall not be construed to prohibit activities authorized by or conducted under the Peace Corps Act, the Inter-American Foundation Act or the African Development Foundation Act. The agency shall promptly report to the Committees on Appropriations whenever it is conducting activities or is proposing to conduct activities in a country for which assistance is prohibited.

#### IMPACT ON JOBS IN THE UNITED STATES

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

(1) any financial incentive to a business enterprise currently located in the United States for the purpose of inducing such an enterprise to relocate outside the United States if such incentive or inducement is likely to reduce the number of employees of such business enterprise in the United States because United States production is being replaced by such enterprise outside the United States; or

(2) assistance for any program, project, or activity that contributes to the violation of internationally recognized workers rights, as defined in section 507(4) of the Trade Act of 1974, of

workers in the recipient country, including any designated zone or area in that country: Provided, That the application of section 507(4)(D) and (E) of such Act should be commensurate with the level of development of the recipient country and sector, and shall not preclude assistance for the informal sector in such country, micro and small-scale enterprise, and smallholder agriculture.

#### COMPREHENSIVE EXPENDITURES REPORT

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

#### SPECIAL AUTHORITIES

SEC. 634. (a) AFGHANISTAN, IRAQ, PAKISTAN, LEBANON, MONTENEGRO, VICTIMS OF WAR, DISPLACED CHILDREN, AND DISPLACED BURMESE.—Funds appropriated by this Act that are made available for assistance for Afghanistan may be made available notwithstanding section 612 of this Act or any similar provision of law and section 660 of the Foreign Assistance Act of 1961, and funds appropriated in titles II and III of this Act that are made available for Iraq, Lebanon, Montenegro, Pakistan, and for victims of war, displaced children, and displaced Burmese, and to assist victims of trafficking in persons and, subject to the regular notification procedures of the Committees on Appropriations, to combat such trafficking, may be made available notwithstanding any other provision of law.

(b) TROPICAL FORESTRY AND BIODIVERSITY CONSERVATION ACTIVITIES.—Funds appropriated by this Act to carry out the provisions of sections 103 through 106, and chapter 4 of part II, of the Foreign Assistance Act of 1961 may be used, notwithstanding any other provision of law, for the purpose of supporting tropical forestry and biodiversity conservation activities and energy programs aimed at reducing greenhouse gas emissions: Provided, That such assistance shall be subject to sections 116, 502B, and 620A of the Foreign Assistance Act of 1961.

(c) PERSONAL SERVICES CONTRACTORS.—Funds appropriated by this Act to carry out chapter 1 of part I, chapter 4 of part II, and section 667 of the Foreign Assistance Act of 1961, and title II of the Agricultural Trade Development and Assistance Act of 1954, may be used by the United States Agency for International Development to employ up to 25 personal services contractors in the United States, notwithstanding any other provision of law, for the purpose of providing direct, interim support for new or expanded overseas programs and activities managed by the agency until permanent direct hire personnel are hired and trained: Provided, That not more than 10 of such contractors shall be assigned to any bureau or office: Provided further, That such funds appropriated to carry out title II of the Agricultural Trade Development and Assistance Act of 1954, may be made available only for personal services contractors assigned to the Office of Food for Peace.

(d)(1) WAIVER.—The President may waive the provisions of section 1003 of Public Law 100-204 if the President determines and certifies in writing to the Speaker of the House of Representatives and the President pro tempore of the Senate that it is important to the national security interests of the United States.

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

(e) SMALL BUSINESS.—In entering into multiple award indefinite-quantity contracts with

funds appropriated by this Act, the United States Agency for International Development may provide an exception to the fair opportunity process for placing task orders under such contracts when the order is placed with any category of small or small disadvantaged business.

(f) VIETNAMESE REFUGEES.—Section 594(a) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2005 (enacted as division D of Public Law 108-447; 118 Stat. 3038) is amended by striking “and 2007” and inserting “through 2009”.

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

(h) CHINA PROGRAMS.—Notwithstanding any other provision of law, of the funds appropriated under the heading “Development Assistance” in this Act, not less than \$10,000,000 shall be made available to United States educational institutions and nongovernmental organizations for programs and activities in the People's Republic of China relating to the environment, democracy, and the rule of law: Provided, That funds made available pursuant to this authority shall be subject to the regular notification procedures of the Committees on Appropriations.

#### (i) EXTENSION OF AUTHORITY.—

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

(2) Notwithstanding the date contained in section 6 of Public Law 107-57, as amended, the provisions of sections 2 and 4 of that Act shall remain in effect through the current fiscal year.

(j) MIDDLE EAST FOUNDATION.—Funds appropriated by this Act and prior Acts under the heading “Economic Support Fund” that are available for the Middle East Partnership Initiative may be made available, including as an endowment, notwithstanding any other provision of law and following consultations with the Committees on Appropriations, to establish and operate a Middle East Foundation, or any other similar entity, whose purpose is to support democracy, governance, human rights, and the rule of law in the Middle East region: Provided, That such funds may be made available to the Foundation only to the extent that the Foundation has commitments from sources other than the United States Government to at least match the funds provided under the authority of this subsection: Provided further, That provisions contained in section 201 of the Support for East European Democracy (SEED) Act of 1989 (excluding the authorizations of appropriations provided in subsection (b) of that section and the requirement that a majority of the members of the board of directors be citizens of the United States provided in subsection (d)(3)(B) of that section) shall be deemed to apply to any such foundation or similar entity referred to under this subsection, and to funds made available to such entity, in order to enable it to provide assistance for purposes of this section: Provided further, That prior to the initial obligation of funds for any such foundation or similar entity pursuant to the authorities of this subsection, other than for administrative support, the Secretary of State shall take steps to ensure, on an ongoing basis, that any such funds made available pursuant to such authorities are not provided to or through any individual or group

that the management of the foundation or similar entity knows or has reason to believe, advocates, plans, sponsors, or otherwise engages in terrorist activities: Provided further, That section 629 of this Act shall apply to any such foundation or similar entity established pursuant to this subsection: Provided further, That the authority of the Foundation, or any similar entity, to provide assistance shall cease to be effective on September 30, 2010.

(k) EXTENSION OF AUTHORITY.—Section 1365(c) of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102-484; 22 U.S.C. 2778 note) is amended by striking “During the 16 year period beginning on October 23, 1992” and inserting “During the 22 year period beginning on October 23, 1992” before the period at the end.

(l) EXTENSION OF AUTHORITY.—The Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990 (Public Law 101-167) is amended—

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

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

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

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

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

(n) CAPITAL SECURITY COST-SHARING.—Notwithstanding any other provision of law, of the funds appropriated under the heading “Embassy Security, Construction, and Maintenance”, not less than \$2,000,000 shall be made available for the Capital Security Cost-Sharing fees of the Library of Congress for fiscal year 2008.

#### ARAB LEAGUE BOYCOTT OF ISRAEL

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

(1) the Arab League boycott of Israel, and the secondary boycott of American firms that have commercial ties with Israel, is an impediment to peace in the region and to United States investment and trade in the Middle East and North Africa;

(2) the Arab League boycott, which was regrettably reinstated in 1997, should be immediately and publicly terminated, and the Central Office for the Boycott of Israel immediately disbanded;

(3) all Arab League states should normalize relations with their neighbor Israel;

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

(5) the President should report to Congress annually on specific steps being taken by the United States to encourage Arab League states to normalize their relations with Israel to bring about the termination of the Arab League boycott of Israel, including those to encourage allies and trading partners of the United States to enact laws prohibiting businesses from complying with the boycott and penalizing businesses that do comply.

#### ELIGIBILITY FOR ASSISTANCE

SEC. 636. (a) ASSISTANCE THROUGH NON-GOVERNMENTAL ORGANIZATIONS.—Restrictions contained in this or any other Act with respect to assistance for a country shall not be construed to restrict assistance in support of programs of nongovernmental organizations from funds appropriated by this Act to carry out the provisions of chapters 1, 10, 11, and 12 of part I

and chapter 4 of part II of the Foreign Assistance Act of 1961, and from funds appropriated under the heading “Assistance for Eastern Europe and the Baltic States”: Provided, That before using the authority of this subsection to furnish assistance in support of programs of nongovernmental organizations, the President shall notify the Committees on Appropriations under the regular notification procedures of those committees, including a description of the program to be assisted, the assistance to be provided, and the reasons for furnishing such assistance: Provided further, That nothing in this subsection shall be construed to alter any existing statutory prohibitions against abortion or involuntary sterilizations contained in this or any other Act.

(b) PUBLIC LAW 480.—During fiscal year 2008, restrictions contained in this or any other Act with respect to assistance for a country shall not be construed to restrict assistance under the Agricultural Trade Development and Assistance Act of 1954: Provided, That none of the funds appropriated to carry out title I of such Act and made available pursuant to this subsection may be obligated or expended except as provided through the regular notification procedures of the Committees on Appropriations.

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

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

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

#### RESERVATIONS OF FUNDS

SEC. 637. (a) Funds appropriated under titles II through V of this Act which are earmarked may be reprogrammed for other programs within the same account notwithstanding the earmark if compliance with the earmark is made impossible by operation of any provision of this or any other Act: Provided, That any such reprogramming shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That assistance that is reprogrammed pursuant to this subsection shall be made available under the same terms and conditions as originally provided.

(b) In addition to the authority contained in subsection (a), the original period of availability of funds appropriated by this Act and administered by the United States Agency for International Development that are earmarked for particular programs or activities by this or any other Act shall be extended for an additional fiscal year if the Administrator of such agency determines and reports promptly to the Committees on Appropriations that the termination of assistance to a country or a significant change in circumstances makes it unlikely that such designated funds can be obligated during the original period of availability: Provided, That such earmarked funds that are continued available for an additional fiscal year shall be obligated only for the purpose of such designation.

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

#### ASIA

SEC. 638. (a) FUNDING LEVELS.—Of the funds appropriated by this Act under the headings “Global Health Programs” and “Development Assistance”, not less than the amount of funds initially allocated for each such account pursuant to subsection 653(a) of the Foreign Assistance Act of 1961 for fiscal year 2006 shall be made available for Cambodia, Philippines, Viet-

nam, Asia and Near East Regional, and Regional Development Mission/Asia: Provided, That for the purposes of this subsection, “Global Health Programs” shall mean “Child Survival and Health Programs Fund”.

(b) BURMA.—

(1) The Secretary of the Treasury shall instruct the United States executive director to each appropriate international financial institution in which the United States participates, to oppose and vote against the extension by such institution any loan or financial or technical assistance or any other utilization of funds of the respective bank to and for Burma.

(2) Of the funds appropriated by this Act under the heading “Economic Support Fund”, not less than \$11,000,000 shall be made available to support democracy activities in Burma, along the Burma-Thailand border, for activities of Burmese student groups and other organizations located outside Burma, and for the purpose of supporting the provision of humanitarian assistance to displaced Burmese along Burma’s borders: Provided, That funds made available under this heading may be made available notwithstanding any other provision of law: Provided further, That in addition to assistance for Burmese refugees provided under the heading “Migration and Refugee Assistance” in this Act, not less than \$3,000,000 shall be made available for community-based organizations operating in Thailand to provide food, medical and other humanitarian assistance to internally displaced persons in eastern Burma: Provided further, That funds made available under this heading shall be subject to the regular notification procedures of the Committees on Appropriations.

(c) TIBET.—

(1) The Secretary of the Treasury should instruct the United States executive director to each international financial institution to use the voice and vote of the United States to support projects in Tibet if such projects do not provide incentives for the migration and settlement of non-Tibetans into Tibet or facilitate the transfer of ownership of Tibetan land and natural resources to non-Tibetans; are based on a thorough needs-assessment; foster self-sufficiency of the Tibetan people and respect Tibetan culture and traditions; and are subject to effective monitoring.

(2) Notwithstanding any other provision of law, not less than \$5,000,000 of the funds appropriated by this Act under the heading “Economic Support Fund” should be made available to nongovernmental organizations to support activities which preserve cultural traditions and promote sustainable development and environmental conservation in Tibetan communities in the Tibetan Autonomous Region and in other Tibetan communities in China, and not less than \$250,000 should be made available to the National Endowment for Democracy for human rights and democracy programs relating to Tibet.

#### PROHIBITION ON PUBLICITY OR PROPAGANDA

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

#### PROHIBITION OF PAYMENTS TO UNITED NATIONS MEMBERS

SEC. 640. None of the funds appropriated or made available pursuant to this Act for carrying out the Foreign Assistance Act of 1961, may be used to pay in whole or in part any assessments, arrearages, or dues of any member of the United Nations or, from funds appropriated by this Act to carry out chapter 1 of part I of the Foreign Assistance Act of 1961, the costs for participation of another country’s delegation at international conferences held under the auspices of multilateral or international organizations.

#### REQUESTS FOR DOCUMENTS

SEC. 641. (a) None of the funds appropriated or made available pursuant to this Act shall be

available to a nongovernmental organization, including any contractor, which fails to provide upon timely request any document, file, or record necessary to the auditing requirements of the United States Agency for International Development.

(b) Notwithstanding any other provision of law or regulation, the Administrator of the United States Agency for International Development shall provide to the Committees on Appropriations, on a timely basis, such information on the obligation and expenditure of funds appropriated by this Act and prior Acts, pursuant to grants, cooperative agreements, and contracts entered into or financed by the agency, as may be requested by the Committee on Appropriations to satisfy oversight responsibilities of those Committees.

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

SEC. 642. (a) None of the funds appropriated or otherwise made available by this Act may be available to any foreign government which provides lethal military equipment to a country the government of which the Secretary of State has determined is a terrorist government for purposes of section 6(j) of the Export Administration Act of 1979. The prohibition under this section with respect to a foreign government shall terminate 12 months after that government ceases to provide such military equipment. This section applies with respect to lethal military equipment provided under a contract entered into after October 1, 1997.

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

(c) Whenever the waiver authority of subsection (b) is exercised, the President shall submit to the appropriate congressional committees a report with respect to the furnishing of such assistance. Any such report shall include a detailed explanation of the assistance to be provided, including the estimated dollar amount of such assistance, and an explanation of how the assistance furthers United States national interests.

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

SEC. 643. (a) Subject to subsection (c), of the funds appropriated under titles II through V by this Act that are made available for assistance for a foreign country, an amount equal to 110 percent of the total amount of the unpaid fully adjudicated parking fines and penalties and unpaid property taxes owed by the central government of such country shall be withheld from obligation for assistance for the central government of such country until the Secretary of State submits a certification to the Committees on Appropriations stating that such parking fines and penalties and unpaid property taxes are fully paid.

(b) Funds withheld from obligation pursuant to subsection (a) may be made available for other programs or activities funded by this Act, after consultation with and subject to the regular notification procedures of the Committees on Appropriations, provided that no such funds shall be made available for assistance for the central government of a foreign country that has not paid the total amount of the fully adjudicated parking fines and penalties and unpaid property taxes owed by such country.

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

(d)(1) The Secretary of State may waive the requirements set forth in subsection (a) with respect to parking fines and penalties no sooner than 60 days from the date of enactment of this Act, or at any time with respect to a particular

country, if the Secretary determines that it is in the national interests of the United States to do so.

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

(e) Not later than 6 months after the initial exercise of the waiver authority in subsection (d), the Secretary of State, after consultations with the City of New York, shall submit a report to the Committees on Appropriations describing a strategy, including a timetable and steps currently being taken, to collect the parking fines and penalties and unpaid property taxes and interest owed by nations receiving foreign assistance under this Act.

(f) In this section:

(1) The term "fully adjudicated" includes circumstances in which the person to whom the vehicle is registered—

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

(ii) has not followed the appropriate adjudication procedure to challenge the summons; and

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

(2) The term "parking fines and penalties" means parking fines and penalties—

(A) owed to—

(i) the District of Columbia; or

(ii) New York, New York; and

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

(3) The term "unpaid property taxes" means the amount of unpaid taxes and interest determined to be owed by a foreign country on real property in the District of Columbia or New York, New York in a court order or judgment entered against such country by a court of the United States or any State or subdivision thereof.

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

SEC. 644. None of the funds appropriated by this Act may be obligated for assistance for the Palestine Liberation Organization for the West Bank and Gaza unless the President has exercised the authority under section 604(a) of the Middle East Peace Facilitation Act of 1995 (title VI of Public Law 104-107) or any other legislation to suspend or make inapplicable section 307 of the Foreign Assistance Act of 1961 and that suspension is still in effect: Provided, That if the President fails to make the certification under section 604(b)(2) of the Middle East Peace Facilitation Act of 1995 or to suspend the prohibition under other legislation, funds appropriated by this Act may not be obligated for assistance for the Palestine Liberation Organization for the West Bank and Gaza.

**WAR CRIMES TRIBUNALS DRAWDOWN**

SEC. 645. If the President determines that doing so will contribute to a just resolution of charges regarding genocide or other violations of international humanitarian law, the President may direct a drawdown pursuant to section 552(c) of the Foreign Assistance Act of 1961 of up to \$30,000,000 of commodities and services for the United Nations War Crimes Tribunal established with regard to the former Yugoslavia by the United Nations Security Council or such other tribunals or commissions as the Council may establish or authorize to deal with such violations, without regard to the ceiling limitation contained in paragraph (2) thereof: Provided, That the determination required under this section shall be in lieu of any determinations otherwise required under section 552(c): Provided further, That funds made available for tribunals other than Yugoslavia, Rwanda, or the Special Court for Sierra Leone shall be made available subject to the regular notification procedures of the Committees on Appropriations.

**LANDMINES**

SEC. 646. Notwithstanding any other provision of law, demining equipment available to the

United States Agency for International Development and the Department of State and used in support of the clearance of landmines and unexploded ordnance for humanitarian purposes may be disposed of on a grant basis in foreign countries, subject to such terms and conditions as the President may prescribe.

**RESTRICTIONS CONCERNING THE PALESTINIAN AUTHORITY**

SEC. 647. None of the funds appropriated by this Act may be obligated or expended to create in any part of Jerusalem a new office of any department or agency of the United States Government for the purpose of conducting official United States Government business with the Palestinian Authority over Gaza and Jericho or any successor Palestinian governing entity provided for in the Israel-PLO Declaration of Principles: Provided, That this restriction shall not apply to the acquisition of additional space for the existing Consulate General in Jerusalem.

**PROHIBITION OF PAYMENT OF CERTAIN EXPENSES**

SEC. 648. None of the funds appropriated or otherwise made available by this Act under the heading "International Military Education and Training" or "Foreign Military Financing Program" for Informational Program activities or under the headings "Global Health Programs", "Development Assistance", and "Economic Support Fund" may be obligated or expended to pay for—

(1) alcoholic beverages; or

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

**WESTERN HEMISPHERE**

SEC. 649. (a) **CENTRAL AMERICA.**—Of the funds appropriated by this Act under the headings "Global Health Programs" and "Development Assistance", not less than the amount of funds initially allocated for each such account pursuant to section 653(a) of the Foreign Assistance Act of 1961 for fiscal year 2006 shall be made available for El Salvador, Guatemala, Nicaragua, Honduras, Ecuador, Peru, Bolivia, and Brazil: Provided, That for the purposes of this subsection, "Global Health Programs" shall mean "Child Survival and Health Programs Fund".

(b)(1) **HAITI.**—Of the funds appropriated by this Act under the headings "Development Assistance" and "Economic Support Fund", not less than \$106,200,000 shall be made available for assistance for Haiti, of which not less than \$5,000,000 shall be for programs to improve court administration and reduce pre-trial detention and of which not less than \$5,000,000 shall be made available for watershed remediation and reforestation activities.

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

(3) None of the funds made available in this Act under the heading "International Narcotics Control and Law Enforcement" may be used to transfer excess weapons, ammunition or other lethal property of an agency of the United States Government to the Government of Haiti for use by the Haitian National Police until the Secretary of State certifies to the Committees on Appropriations that the United Nations Mission in Haiti has ensured that any members of the Haitian National Police who have been credibly alleged to have committed serious crimes, including drug trafficking and human rights violations, have been suspended.

(c) **DOMINICAN REPUBLIC.**—Of the funds appropriated by this Act under the headings "Global Health Programs" and "Development Assistance", not less than \$23,600,000 shall be made available for assistance for the Dominican Republic, of which not less than \$5,000,000 shall



be made available for basic health care, nutrition, sanitation, education, and shelter for migrant sugar cane workers and other residents of batey communities.

LIMITATION ON ASSISTANCE TO THE PALESTINIAN AUTHORITY

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

(b) WAIVER.—The prohibition included in subsection (a) shall not apply if the President certifies in writing to the Committees on Appropriations that waiving such prohibition is important to the national security interests of the United States.

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

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

LIMITATION ON ASSISTANCE TO SECURITY FORCES

SEC. 651. Chapter 1 of part III of the Foreign Assistance Act of 1961 is amended by adding the following section:

“SEC. 620J. LIMITATION ON ASSISTANCE TO SECURITY FORCES.

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

“(b) EXCEPTION.—The prohibition in subsection (a) shall not apply if the Secretary determines and reports to the Committee on Foreign Relations of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Committees on Appropriations that the government of such country is taking effective measures to bring the responsible members of the security forces unit to justice.

“(c) DUTY TO INFORM.—In the event that funds are withheld from any unit pursuant to this section, the Secretary of State shall promptly inform the foreign government of the basis for such action and shall, to the maximum extent practicable, assist the foreign government in taking effective measures to bring the responsible members of the security forces to justice.”.

FOREIGN MILITARY TRAINING REPORT

SEC. 652. The annual foreign military training report required by section 656 of the Foreign Assistance Act of 1961 shall be submitted by the Secretary of Defense and the Secretary of State to the Committees on Appropriations by the date specified in that section.

AUTHORIZATION REQUIREMENT

SEC. 653. Funds appropriated by this Act, except funds appropriated under the headings “Trade and Development Agency” and “Overseas Private Investment Corporation”, may be obligated and expended notwithstanding section 10 of Public Law 91–672 and section 15 of the State Department Basic Authorities Act of 1956.

AVIAN INFLUENZA PREPAREDNESS

SEC. 654. Notwithstanding any other provision of law except section 551 of Public Law 109–102, of the funds appropriated by this Act under the heading “Foreign Military Financing Program”, \$12,500,000 shall be made available to enhance the preparedness of militaries in Asia and Africa to respond to an avian influenza pandemic, and of the funds appropriated by this Act under the heading “Peacekeeping Operations”, \$12,500,000 shall be transferred to, and

merged with, funds made available under the heading “Foreign Military Financing Program” to be used for this purpose.

PALESTINIAN STATEHOOD

SEC. 655. (a) LIMITATION ON ASSISTANCE.—None of the funds appropriated by this Act may be provided to support a Palestinian state unless the Secretary of State determines and certifies to the appropriate congressional committees that—

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

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

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

(2) the Palestinian Authority (or the governing entity of a new Palestinian state) is working with other countries in the region to establish a just, lasting, and comprehensive peace in the Middle East that will enable Israel and an independent Palestinian state to exist within the context of full and normal relationships, which should include—

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

(B) respect for and acknowledgement of the sovereignty, territorial integrity, and political independence of every state in the area through measures including the establishment of demilitarized zones;

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

(D) freedom of navigation through international waterways in the area; and

(E) a framework for achieving a just settlement of the refugee problem.

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

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

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

COLOMBIA

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

(b) DETERMINATION AND CERTIFICATION REQUIRED.—Funds appropriated by this Act that are available for assistance for the Colombian Armed Forces, may be made available as follows:

(1) Up to 70 percent of such funds may be obligated prior to the certification and report by the Secretary of State pursuant to paragraph (2).

(2) Up to 15 percent of such funds may be obligated only after the Secretary of State consults with, and submits a written certification and report to, the Committees on Appropriations that:

(A) The Commander General of the Colombian Armed Forces is suspending from the Armed Forces those members, of whatever rank who, according to the Minister of Defense or the Procuraduría General de la Nación, have been credibly alleged to have committed gross violations of human rights, including extra-judicial killings, or to have aided or abetted paramilitary organizations or successor armed groups.

(B) The Colombian Government is vigorously investigating and prosecuting, in the civilian justice system, those members of the Colombian Armed Forces, of whatever rank, who have been credibly alleged to have committed gross violations of human rights, including extra-judicial killings, or to have aided or abetted paramilitary organizations or successor armed groups, and is promptly punishing those members of the Colombian Armed Forces found to have committed such violations of human rights or to have aided or abetted such organizations or successor groups.

(C) The Colombian Armed Forces are cooperating fully with civilian prosecutors and judicial authorities in such cases (including providing requested information, such as the identity of persons suspended from the Armed Forces and the nature and cause of the suspension, and access to witnesses, relevant military documents, and other requested information).

(D) The Colombian Armed Forces have taken all necessary steps to sever links (including denying access to military intelligence, vehicles, and other equipment or supplies, and ceasing other forms of active or tacit cooperation) at the command, battalion, and brigade levels, with paramilitary organizations and successor armed groups, especially in regions where such organizations or successor groups have a significant presence.

(E) The Colombian Government is dismantling paramilitary leadership and financial networks by arresting and prosecuting under civilian criminal law individuals who have provided financial, planning, or logistical support, or have otherwise aided or abetted paramilitary organizations or successor armed groups, by identifying and confiscating land and other assets illegally acquired by such organizations or their associates and returning such land or assets to their rightful owners, by revoking reduced sentences for demobilized paramilitaries who engage in new criminal activity, and by arresting, prosecuting under civilian criminal law, and when requested, promptly extraditing to the United States members of successor armed groups.

(F) The Colombian Government is ensuring that the Colombian Armed Forces are not violating the land and property rights of Colombia's indigenous and Afro-Colombian communities, and the Colombian Armed Forces are distinguishing between civilians, including displaced persons, and combatants in their operations.

(3) The balance of such funds may be obligated after July 31, 2008, if, before such date, the Secretary of State consults with, and submits a written certification and report to, the Committees on Appropriations, that the Colombian Armed Forces are continuing to meet the conditions contained in paragraph (2) and are conducting vigorous operations to restore civilian government authority and respect for human rights in areas under the effective control of paramilitary organizations or successor armed groups and guerrilla organizations.

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

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

(e) CONSULTATIVE PROCESS.—Not later than 60 days after the date of enactment of this Act, and every 90 days thereafter until September 30, 2008, the Secretary of State shall consult with Colombian and internationally recognized

human rights organizations regarding progress in meeting the conditions contained in subsection (a).

(f) DEFINITIONS.—In this section:

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

(2) PARAMILITARY GROUPS.—The term “paramilitary groups” means illegal self-defense groups and illegal security cooperatives, including those groups and cooperatives that have formerly demobilized but continue illegal operations, as well as parts thereof.

#### ILLEGAL ARMED GROUPS

SEC. 657. (a) DENIAL OF VISAS.—Subject to subsection (b), the Secretary of State shall not issue a visa to any alien who the Secretary determines, based on credible evidence—

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

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

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

#### WEST BANK AND GAZA ASSISTANCE

SEC. 658. (a) VETTING.—Prior to the obligation of funds appropriated by this Act under the heading “Economic Support Fund” for assistance for the West Bank and Gaza, the Secretary of State shall take all appropriate steps to ensure that such assistance is not provided to or through any individual, private or government entity, or educational institution that the Secretary knows or has reason to believe advocates, plans, sponsors, engages in, or has engaged in, terrorist activity. The Secretary of State shall terminate assistance to any individual, entity, or educational institution which the Secretary has determined to be involved in or advocating terrorist activity.

(b) PROHIBITION.—None of the funds appropriated by this Act for assistance under the West Bank and Gaza program may be made available for the purpose of recognizing or otherwise honoring individuals who commit, or have committed, acts of terrorism.

(c) AUDITS.—

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

(2) Of the funds appropriated by this Act under the heading “Economic Support Fund” that are made available for assistance for the West Bank and Gaza, up to \$500,000 may be used by the Office of the Inspector General of the United States Agency for International Development for audits, inspections, and other activities in furtherance of the requirements of this subsection. Such funds are in addition to funds otherwise available for such purposes.

#### WAR CRIMINALS

SEC. 659. (a)(1) None of the funds appropriated or otherwise made available pursuant to this Act may be made available for assistance, and the Secretary of the Treasury shall instruct the United States executive directors to the international financial institutions to vote against any new project involving the extension

by such institutions of any financial or technical assistance, to any country, entity, or municipality whose competent authorities have failed, as determined by the Secretary of State, to take necessary and significant steps to implement its international legal obligations to apprehend and transfer to the International Criminal Tribunal for the former Yugoslavia (the “Tribunal”) all persons in their territory who have been indicted by the Tribunal and to otherwise cooperate with the Tribunal.

(2) The provisions of this subsection shall not apply to humanitarian assistance or assistance for democratization.

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

(1) cooperating with the Tribunal, including access for investigators to archives and witnesses, the provision of documents, and the surrender and transfer of indictees or assistance in their apprehension; and

(2) are acting consistently with the Dayton Accords.

(c) Not less than 10 days before any vote in an international financial institution regarding the extension of any new project involving financial or technical assistance or grants to any country or entity described in subsection (a), the Secretary of the Treasury, in consultation with the Secretary of State, shall provide to the Committees on Appropriations a written justification for the proposed assistance, including an explanation of the United States position regarding any such vote, as well as a description of the location of the proposed assistance by municipality, its purpose, and its intended beneficiaries.

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

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

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

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

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

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

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

#### USER FEES

SEC. 660. The Secretary of the Treasury shall instruct the United States Executive Director at each international financial institution (as defined in section 1701(c)(2) of the International Financial Institutions Act) and the International Monetary Fund to oppose any loan, grant, strategy or policy of these institutions that would require user fees or service charges on poor people for primary education or primary healthcare, including prevention and treatment for HIV/AIDS, malaria, tuberculosis, and infant, child, and maternal well-being, in connection with the institutions’ financing programs.

#### FUNDING FOR SERBIA

SEC. 661. (a) Funds appropriated by this Act may be made available for assistance for the

central Government of Serbia after May 31, 2008, if the President has made the determination and certification contained in subsection (c).

(b) After May 31, 2008, the Secretary of the Treasury should instruct the United States executive directors to the international financial institutions to support loans and assistance to the Government of Serbia subject to the conditions in subsection (c).

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

(1) cooperating with the International Criminal Tribunal for the former Yugoslavia including access for investigators, the provision of documents, timely information on the location, movement, and sources of financial support of indictees, and the surrender and transfer of indictees or assistance in their apprehension, including Ratko Mladic and Radovan Karadzic;

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

(3) taking steps to implement policies which reflect a respect for minority rights and the rule of law.

(d) This section shall not apply to Kosovo, humanitarian assistance or assistance to promote democracy.

#### COMMUNITY-BASED POLICE ASSISTANCE

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

(b) NOTIFICATION.—Assistance provided under subsection (a) shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

#### SPECIAL DEBT RELIEF FOR THE POOREST

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

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

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

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

(b) LIMITATIONS.—

(1) The authority provided by subsection (a) may be exercised only to implement multilateral official debt relief and referendum agreements, commonly referred to as “Paris Club Agreed Minutes”.

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

(3) The authority provided by subsection (a) may be exercised only with respect to countries with heavy debt burdens that are eligible to borrow from the International Development Association, but not from the International Bank for

Reconstruction and Development, commonly referred to as "IDA-only" countries.

(c) **CONDITIONS.**—The authority provided by subsection (a) may be exercised only with respect to a country whose government—

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

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

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

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

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

(d) **AVAILABILITY OF FUNDS.**—The authority provided by subsection (a) may be used only with regard to the funds appropriated by this Act under the heading "Debt Restructuring".

(e) **CERTAIN PROHIBITIONS INAPPLICABLE.**—A reduction of debt pursuant to subsection (a) shall not be considered assistance for the purposes of any provision of law limiting assistance to a country. The authority provided by subsection (a) may be exercised notwithstanding section 620(r) of the Foreign Assistance Act of 1961 or section 321 of the International Development and Food Assistance Act of 1975.

**AUTHORITY TO ENGAGE IN DEBT BUYBACKS OR SALES**

**SEC. 664. (a) LOANS ELIGIBLE FOR SALE, REDUCTION, OR CANCELLATION.**—

(1) **AUTHORITY TO SELL, REDUCE, OR CANCEL CERTAIN LOANS.**—Notwithstanding any other provision of law, the President may, in accordance with this section, sell to any eligible purchaser any concessional loan or portion thereof made before January 1, 1995, pursuant to the Foreign Assistance Act of 1961, to the government of any eligible country as defined in section 702(6) of that Act or on receipt of payment from an eligible purchaser, reduce or cancel such loan or portion thereof, only for the purpose of facilitating—

(A) debt-for-equity swaps, debt-for-development swaps, or debt-for-nature swaps; or

(B) a debt buyback by an eligible country of its own qualified debt, only if the eligible country uses an additional amount of the local currency of the eligible country, equal to not less than 40 percent of the price paid for such debt by such eligible country, or the difference between the price paid for such debt and the face value of such debt, to support activities that link conservation and sustainable use of natural resources with local community development, and child survival and other child development, in a manner consistent with sections 707 through 710 of the Foreign Assistance Act of 1961, if the sale, reduction, or cancellation would not contravene any term or condition of any prior agreement relating to such loan.

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

(3) **ADMINISTRATION.**—The Facility, as defined in section 702(8) of the Foreign Assistance Act of 1961, shall notify the administrator of the agency primarily responsible for administering part I of the Foreign Assistance Act of 1961 of purchasers that the President has determined to be eligible, and shall direct such agency to carry out the sale, reduction, or cancellation of a loan pursuant to this section. Such agency shall make adjustment in its accounts to reflect the sale, reduction, or cancellation.

(4) **LIMITATION.**—The authorities of this subsection shall be available only to the extent that appropriations for the cost of the modification, as defined in section 502 of the Congressional Budget Act of 1974, are made in advance.

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

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

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

(e) **AVAILABILITY OF FUNDS.**—The authority provided by subsection (a) may be used only with regard to funds appropriated by this Act under the heading "Debt Restructuring".

**RECONCILIATION PROGRAMS**

**SEC. 665.** Of the funds appropriated under the heading "Economic Support Fund", not less than \$20,000,000 shall be made available to support reconciliation programs and activities which bring together individuals of different ethnic, religious, and political backgrounds from areas of civil conflict and war.

**SUDAN**

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

(1) Notwithstanding section 501(a) of the International Malaria Control Act of 2000 (Public Law 106-570) or any other provision of law, none of the funds appropriated by this Act may be made available for assistance for the Government of Sudan.

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

(b) Subsection (a) shall not apply if the Secretary of State determines and certifies to the Committees on Appropriations that—

(1) the Government of Sudan is honoring its pledges to cease attacks upon civilians and has disarmed and demobilized the Janjaweed and other government-supported militias;

(2) the Government of Sudan and all government-supported militia groups are honoring their commitments made in all previous ceasefire agreements; and

(3) the Government of Sudan is allowing unimpeded access to Darfur to humanitarian aid organizations, the human rights investigation and humanitarian teams of the United Nations, including protection officers, and an international monitoring team that is based in Darfur and that has the support of the United States.

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

(1) humanitarian assistance;

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

(3) assistance to support implementation of the Comprehensive Peace Agreement and the Darfur Peace Agreement or any other internationally-recognized peace agreement in Sudan.

(d) **DEFINITIONS.**—For the purposes of this Act, the term "Government of Sudan" shall not include the Government of Southern Sudan.

**TRANSPARENCY AND ACCOUNTABILITY**

**SEC. 667. (a) UNITED NATIONS DEVELOPMENT PROGRAM.**—Prior to the initial obligation of funds appropriated in this Act under the head-

ing "International Organizations and Programs" for a United States contribution to the United Nations Development Program (UNDP), the Secretary of State shall certify and report to the Committees on Appropriations that UNDP is—

(1) giving adequate and appropriate access to information to the United States Mission to the United Nations regarding UNDP's programs and activities, as requested, including in North Korea and Burma; and

(2) conducting appropriate oversight of UNDP programs and activities globally.

(b) **WORLD BANK.**—Twenty percent of the funds appropriated by this Act under the heading "International Development Association" shall be withheld from disbursement until the Secretary of the Treasury reports to the Committees on Appropriations that—

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

(2) the World Bank has established a plan and maintains a schedule for conducting regular, independent audits of internal management controls and procedures for meeting operational objectives, and is making reports describing the scope and findings of such audits available to the public;

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

(4) the World Bank has made publicly available the "Volker Panel" report regarding the review and evaluation of the mandate and authorities, policies, procedures, practices, independence, reporting lines, and oversight mechanisms of the World Bank's Department of Institutional Integrity.

(c) **REPORT.**—The Comptroller General of the United States shall conduct an assessment of the financial management and oversight of programs and activities funded under the headings "Millennium Challenge Corporation", "Global Health Programs" (for HIV/AIDS programs), and "Global HIV/AIDS Initiative" in this Act and prior Acts making appropriations for foreign operations, export financing, and related programs. The assessment shall include an examination of donor coordination efforts, and recommendations for improving financial oversight of such programs and activities.

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

**SEC. 668.** Notwithstanding section 516(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(e)), during fiscal year 2008, funds available to the Department of Defense may be expended for crating, packing, handling, and transportation of excess defense articles transferred under the authority of section 516 of such Act to Albania, Afghanistan, Bulgaria, Croatia, Estonia, Former Yugoslavian Republic of Macedonia, Georgia, India, Iraq, Latvia, Lithuania, Moldova, Mongolia, Pakistan, Romania, Slovakia, and Ukraine.

**ZIMBABWE**

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

**DEVELOPMENT GRANTS PROGRAM**

**SEC. 670. (a) ESTABLISHMENT OF THE PROGRAM.**—There is established within the United States Agency for International Development (USAID) a Development Grants Program (DGP)

to provide small grants to United States and indigenous nongovernmental organizations for the purpose of carrying out the provisions of chapters 1 and 10 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961.

(b) **ELIGIBILITY FOR GRANTS.**—Grants from the DGP shall be made only for proposals of nongovernmental organizations identified in the report accompanying this Act that are recommended for consideration for funding by that report, and for proposals of other nongovernmental organizations that apply.

(c) **COMPETITION.**—To the maximum extent practicable, grants made pursuant to the authority of this section shall be open, transparent and competitive.

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

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

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

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

(f) **DEFINITION.**—For purposes of this section, the term “nongovernmental organization” means a private and voluntary organization or for-profit entity, and shall not include entities owned in whole or in part by a government or governmental entity.

(g) **REPORT.**—Within 90 days from the date of enactment of this Act, and after consultation with the Committees on Appropriations, the Administrator of USAID shall submit a report to those Committees describing the procedures and mechanisms USAID will use to implement this section.

#### MONITORING OF MILITARY ASSISTANCE

SEC. 671. Not later than 90 days after enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations describing the procedures being applied, on a country-by-country basis, to monitor whether funds appropriated by this Act under the heading “Foreign Military Financing Program” for assistance for Bangladesh, Democratic Republic of the Congo, Ethiopia, Pakistan, Philippines, and Sri Lanka, are misused by units of the security forces of such countries against civilians, including civilians who are members of political opposition parties and human rights groups.

#### DISASTER ASSISTANCE AND RECOVERY

SEC. 672. (a) Funds made available to the Comptroller General under chapter 4 of title I of the Emergency Supplemental Appropriations Act (Public Law 106–31; 113 Stat. 69) and section 593 of the Foreign Operations, Export Financing, and Programs Agencies Appropriations Act, 2001 (Public Law 106–429; 114 Stat. 1900A–59) to monitor the provisions of assistance to address the effects of hurricanes in Central America and the Caribbean and the earthquake in Colombia, and to monitor the earthquake relief and reconstruction efforts in El Salvador under section 561 of the Foreign Operations, Export Financing, and Programs Agencies Appropriations Act, 2002 (Public Law 107–115; 115 Stat. 2162) shall also be available to the Comptroller General to monitor any other disaster assistance and recovery effort.

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

#### UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT MANAGEMENT (INCLUDING TRANSFER OF FUNDS)

SEC. 673. (a) **AUTHORITY.**—Up to \$81,000,000 of the funds made available in this Act to carry

out the provisions of part I of the Foreign Assistance Act of 1961, including funds appropriated under the heading “Assistance for Eastern Europe and the Baltic States”, may be used by the United States Agency for International Development (USAID) to hire and employ individuals in the United States and overseas on a limited appointment basis pursuant to the authority of sections 308 and 309 of the Foreign Service Act of 1980.

(b) **RESTRICTIONS.**—

(1) The number of individuals hired in any fiscal year pursuant to the authority contained in subsection (a) may not exceed 175.

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

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

(d) **PRIORITY SECTORS.**—In exercising the authority of this section, primary emphasis shall be placed on enabling USAID to meet personnel positions in technical skill areas currently encumbered by contractor or other nondirect-hire personnel.

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

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

(g) **MANAGEMENT REFORM PILOT.**—Of the funds made available in subsection (a), USAID may use, in addition to funds otherwise available for such purposes, up to \$15,000,000 to fund overseas support costs of members of the Foreign Service with a Foreign Service rank of four or below: Provided, That such authority is only used to reduce USAID’s reliance on overseas personal services contractors or other nondirect-hire employees compensated with funds appropriated to carry out part I of the Foreign Assistance Act of 1961, including funds appropriated under the heading “Assistance for Eastern Europe and the Baltic States”.

(h) **DISASTER SURGE CAPACITY.**—Funds appropriated by this Act to carry out part I of the Foreign Assistance Act of 1961, including funds appropriated under the heading “Assistance for Eastern Europe and the Baltic States”, may be used, in addition to funds otherwise available for such purposes, for the cost (including the support costs) of individuals detailed to or employed by the United States Agency for International Development whose primary responsibility is to carry out programs in response to natural disasters.

#### OPIC TRANSFER AUTHORITY

##### (INCLUDING TRANSFER OF FUNDS)

SEC. 674. Whenever the President determines that it is in furtherance of the purposes of the Foreign Assistance Act of 1961, up to a total of \$20,000,000 of the funds appropriated under title II of this Act may be transferred to and merged with funds appropriated by this Act for the Overseas Private Investment Corporation Program Account, to be subject to the terms and conditions of that account: Provided, That such funds shall not be available for administrative expenses of the Overseas Private Investment Corporation: Provided further, That funds ear-

marked by this Act shall not be transferred pursuant to this section: Provided further, That the exercise of such authority shall be subject to the regular notification procedures of the Committees on Appropriations.

#### REPORTING REQUIREMENT

SEC. 675. The Secretary of State shall provide the Committees on Appropriations, not later than April 1, 2008, and for each fiscal quarter, a report in writing on the uses of funds made available under the headings “Foreign Military Financing Program”, “International Military Education and Training”, and “Peacekeeping Operations”: Provided, That such report shall include a description of the obligation and expenditure of funds, and the specific country in receipt of, and the use or purpose of the assistance provided by such funds.

#### ENVIRONMENT AND ENERGY CONSERVATION PROGRAMS

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

(b) **ENERGY.**—

(1) Of the funds appropriated by this Act, not less than \$195,000,000 shall be made available to support clean energy and other climate change programs in developing countries, of which not less than \$125,000,000 should be made available to directly promote and deploy energy conservation, energy efficiency, and renewable and clean energy technologies with an emphasis on small hydro, solar and wind energy, and of which the balance should be made available to directly: (1) reduce greenhouse gas emissions; (2) increase carbon sequestration activities; and (3) support climate change mitigation and adaptation programs.

(2) The Secretary of State shall convene an interagency committee, including appropriate officials of the Department of State, the United States Agency for International Development, and the Environmental Protection Agency, to evaluate the specific needs of developing countries in adapting to climate change impacts: Provided, That the Secretary shall submit a report to the Committees on Appropriations not later than September 1, 2008, describing such needs, on a country-by-country and regional basis, and the actions planned and being taken by the United States, including funding provided to developing countries specifically for adaptation to climate change impacts.

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

(1) The Secretary of the Treasury shall inform the managements of the international financial institutions and the public that it is the policy of the United States that any assistance by such institutions (including but not limited to any loan, credit, grant, or guarantee) for the extraction and export of oil, gas, coal, timber, or other natural resource should not be provided unless the government of the country has in place functioning systems for: (A) accurately accounting for revenues and expenditures in connection with the extraction and export of the type of natural resource to be extracted or exported; (B) the independent auditing of such accounts and

the widespread public dissemination of the audits; and (C) verifying government receipts against company payments including widespread dissemination of such payment information, and disclosing such documents as Host Government Agreements, Concession Agreements, and bidding documents, allowing in any such dissemination or disclosure the redaction of, or exceptions for, information that is commercially proprietary or that would create competitive disadvantage.

(2) Not later than 180 days after the enactment of this Act, the Secretary of the Treasury shall submit a report to the Committees on Appropriations describing, for each international financial institution, the amount and type of assistance provided, by country, for the extraction and export of oil, gas, coal, timber, or other national resource since September 30, 2007, and whether each institution considered, in its proposal for such assistance, the extent to which the country has functioning systems described in paragraph (c)(1).

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

#### UZBEKISTAN

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

(1) the Government of Uzbekistan is making substantial and continuing progress in meeting its commitments under the “Declaration on the Strategic Partnership and Cooperation Framework Between the Republic of Uzbekistan and the United States of America”, including respect for human rights, establishing a genuine multiparty system, and ensuring free and fair elections, freedom of expression, and the independence of the media; and

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

(b) SANCTIONS.—Not later than 90 days after the date of enactment of this Act, the Secretary of State shall send to the appropriate congressional committees a list of officials of the Government of Uzbekistan and their immediate family members who have been credibly alleged to have been involved in the Andijan massacre or in other gross violations of human rights in Uzbekistan;

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

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

(2) No property or interest in property belonging to an individual on the list submitted under subsection (b), or to a member of the immediate family of such individual if the property is effectively under the control of such individual, may be transferred, paid, exported, withdrawn, or otherwise dealt with, if the property is within the United States or within the possession or control of a United States person, including the overseas branch of such person, or after the date of the enactment of this Act comes within the control of such person.

(3) No United States person may engage in financial transactions with an individual on the list submitted under subsection (b), or with a member of the immediate family of such individual if the transaction will benefit an individual on the list submitted under subsection (b).

(c) FREEZING OF ASSETS.—

(1) IN GENERAL.—The Secretary of the Treasury shall immediately block any assets, prop-

erty, transactions in foreign exchange, currency, or securities, and transfers of credit or payments between, by, through, or to any banking institution under the jurisdiction of the United States of an individual identified under subsection (b) of this section.

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

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

(B) require any United States financial institution holding such funds or assets to promptly report those funds and assets to the Office of Foreign Assets Control.

#### CENTRAL ASIA

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

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

(c) Not later than October 1, 2008, the Secretary of State shall submit a report to the Committees on Appropriations and the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives describing the following:

(1) The defense articles, defense services, and financial assistance provided by the United States to the countries of Central Asia during the 6-month period ending 30 days prior to submission of such report.

(2) The use during such period of defense articles, defense services, and financial assistance provided by the United States by units of the armed forces, border guards, or other security forces of such countries.

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

#### DISABILITY PROGRAMS

SEC. 679. (a) Of the funds appropriated by this Act under the heading “Economic Support Fund”, not less than \$4,000,000 shall be made available for programs and activities administered by the United States Agency for International Development (USAID) to address the needs and protect the rights of people with disabilities in developing countries, of which \$1,500,000 should be made available to disability advocacy organizations that have expertise in working to protect the rights and increasing the independence and full participation of people with disabilities: Provided, That funds for disability advocacy organizations should be used for training and technical assistance for foreign disabled persons organizations in such areas as advocacy, education, independent living, and transportation, with the goal of promoting equal participation of people with disabilities in developing countries: Provided further, That USAID should seek to disburse at least 25 percent of the funds made available pursuant to this subsection in the form of small grants.

(b) Funds appropriated under the heading “Operating Expenses of the United States Agency for International Development” shall be made available to develop and implement training for staff in overseas USAID missions to promote the full inclusion and equal participation of people with disabilities in developing countries.

(c) The Secretary of State, the Secretary of the Treasury, and the Administrator of USAID shall seek to ensure that, where appropriate, construction projects funded by this Act are acces-

sible to people with disabilities and in compliance with the USAID Policy on Standards for Accessibility for the Disabled, or other similar accessibility standards.

(d) Of the funds made available pursuant to subsection (a), not more than 7 percent may be for management, oversight and technical support.

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

#### NEGLECTED TROPICAL DISEASES

SEC. 680. Of the funds appropriated under the heading “Global Health Programs”, not less than \$15,000,000 shall be made available for continued support of the United States Agency for International Development’s cooperative agreement to implement an integrated response to the control of neglected diseases including intestinal parasites, schistosomiasis, lymphatic filariasis, onchocerciasis, trachoma and leprosy: Provided, That the Administrator of the United States Agency for International Development shall work with relevant technical organizations addressing the specific diseases, recipient countries, donor countries, the private sector, UNICEF and the World Health Organization to develop a multilateral, integrated initiative to control these diseases that will enhance coordination and effectiveness and maximize the leverage of United States contributions with those of other donors: Provided further, That funds made available pursuant to this section shall be subject to the regular notification procedures of the Committees on Appropriations.

#### ORPHANS, DISPLACED AND ABANDONED CHILDREN

SEC. 681. Of the funds appropriated under title III of this Act, \$3,000,000 should be made available for activities to improve the capacity of foreign government agencies and nongovernmental organizations to prevent child abandonment, address the needs of orphans, displaced and abandoned children and provide permanent homes through family reunification, guardianship and domestic adoptions: Provided, That funds made available under title III of this Act should be made available, as appropriate, consistent with—

(1) the goal of enabling children to remain in the care of their family of origin, but when not possible, placing children in permanent homes through adoption;

(2) the principle that such placements should be based on informed consent which has not been induced by payment or compensation;

(3) the view that long-term foster care or institutionalization are not permanent options and should be used when no other suitable permanent options are available; and

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

#### COORDINATOR OF ACTIVITIES RELATING TO

##### INDIGENOUS PEOPLES INTERNATIONALLY

SEC. 682. (a) COORDINATOR.—After consultation with the Committees on Appropriations and not later than 90 days after the enactment of this Act, there shall be established within the Department of State in the immediate office of the Director of United States Foreign Assistance a Coordinator of Activities Relating to Indigenous Peoples Internationally (hereinafter in this section referred to as the “Coordinator”), who shall be appointed by the Director. The Coordinator shall report directly to the Director.

(b) RESPONSIBILITIES.—The Coordinator shall:

(1) Serve as a principal advisor to the Director of United States Foreign Assistance and the Administrator of the United States Agency for International Development on matters relating to the rights and needs of indigenous peoples internationally and should represent the United States Government on such matters in meetings with foreign governments and multilateral institutions.

(2) Provide for the oversight and coordination of all resources, programs, projects, and activities of the United States Government to protect the rights and address the needs of indigenous peoples internationally; and

(3) Develop and coordinate assistance strategies with specific goals, benchmarks, guidelines, and impact assessments (including support for local indigenous peoples' organizations).

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

(d) REPORT.—Not later than one year after the enactment of this Act, the Secretary shall submit a report to the Committees on Appropriations describing progress made in implementing this section.

#### OVERSIGHT OF IRAQ RECONSTRUCTION

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

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

(2) by adding at the end of such section the following subsection:

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

#### DEMobilIZATION AND DISARMAMENT IN COLOMBIA

SEC. 684. (a) AVAILABILITY OF FUNDS.—Of the funds appropriated in this Act, up to \$12,000,000 may be made available in fiscal year 2008 for assistance for the demobilization and reintegration of former members of foreign terrorist organizations (FTOs) in Colombia, if the Secretary of State consults with and makes a certification described in subsection (b) to the Committees on Appropriations prior to the initial obligation of amounts for such assistance for the fiscal year involved.

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

(1) assistance for the fiscal year will be provided only for individuals who have: (A) verifiably renounced and terminated any affiliation or involvement with FTOs or other illegal armed groups; (B) are meeting all the requirements of the Colombia Demobilization Program, including having disclosed their involvement in past crimes and their knowledge of the FTO's structure, financing sources, illegal assets, and the location of kidnapping victims and bodies of the disappeared; and (C) are not involved in acts of intimidation or violence against human rights defenders;

(2) the Government of Colombia is providing full cooperation to the Government of the United States to extradite the leaders and members of the FTOs who have been indicted in the United States for murder, kidnapping, narcotics trafficking, or other violations of United States law, and is immediately extraditing to the United States those commanders, leaders and

members indicted in the United States who have breached the terms of the Colombia Demobilization Program, including by failing to confess their crimes, failing to disclose their illegal assets, or committing new crimes since the approval of the Justice and Peace Law;

(3) the Government of Colombia is not taking any steps to legalize the titles of land or other assets illegally obtained and held by FTOs, their associates, or successors, has established effective procedures to identify such land and other assets, and is confiscating and returning such land and other assets to their rightful owners;

(4) the Government of Colombia is implementing a concrete and workable framework for dismantling the organizational structures of foreign terrorist organizations; and

(5) funds shall not be made available as cash payments to individuals and are available only for activities under the following categories: verification, reintegration (including training and education), vetting, recovery of assets for reparations for victims, and investigations and prosecutions.

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

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the Committee on Appropriations and the Committee on Foreign Affairs of the House of Representatives; and

(B) the Committee on Appropriations and the Committee on Foreign Relations of the Senate.

(2) FOREIGN TERRORIST ORGANIZATION.—The term “foreign terrorist organization” means an organization designated as a terrorist organization under section 219 of the Immigration and Nationality Act.

#### INDONESIA

SEC. 685. Of the funds appropriated under the heading “Foreign Military Financing Program”, \$15,700,000 may be made available for assistance for Indonesia, and an additional \$2,000,000 may be made available when the Secretary of State reports to the Committees on Appropriations that the Government of Indonesia has provided a copy of its written plans to effectively address the following, and a copy of each plan has been provided with the report—

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

(2) to allow public access to Papua and West Irian Jaya; and

(3) to pursue the criminal investigation, and provide the projected timeframe for completing the investigation, of the murder of Munir Said Thalib.

#### ASSISTANCE FOR GUATEMALA

SEC. 686. (a) Funds appropriated by this Act under the heading “International Military Education and Training” that are available for assistance for Guatemala, other than for expanded international military education and training, may be made available only for the Guatemalan Air Force and Navy and may be made available for the Guatemalan Army Corps of Engineers only for training to improve disaster response capabilities and to participate in international peacekeeping operations: Provided, That such funds may be made available only if the Secretary of State certifies that the Guatemalan Air Force, Navy and Army Corps of Engineers are respecting human rights, and civilian judicial authorities are investigating and prosecuting, with the military's full cooperation, military personnel who have been credibly alleged to have committed gross violations of human rights.

(b) Funds appropriated by this Act under the heading “Foreign Military Financing Program” that are available for assistance for Guatemala

may be made available only for the Guatemalan Air Force, Navy and Army Corps of Engineers if the Secretary of State certifies that the Guatemalan Air Force, Navy and Army Corps of Engineers are respecting human rights, civilian judicial authorities are investigating and prosecuting, with the military's full cooperation, military personnel who have been credibly alleged to have committed gross violations of human rights, and the Guatemalan Government has enacted into law the International Commission Against Impunity in Guatemala.

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

#### CHILD SOLDIERS

SEC. 687. (a) No military assistance shall be furnished with funds appropriated by this Act and, during the current fiscal year, no military equipment or technology shall be sold or transferred pursuant to the authorities contained in this Act or any other Act, to the government of a country that is identified by the Department of State's 2006 Country Reports on Human Rights Practices as having security forces that recruit or use child soldiers.

(b) The Secretary of State may provide assistance or defense articles otherwise prohibited under subsection (a) to a country upon certifying to the Committees on Appropriations that the government of such country has implemented effective measures to prohibit and prevent the future recruitment or use of child soldiers.

(c) The Secretary of State may waive the application to a country of the prohibition in subsection (a) if the Secretary determines and reports to the Committees on Appropriations that such waiver is important to the national interest of the United States.

#### PHILIPPINES

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

(1) the Philippine Government is implementing the recommendations of the United Nations Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions; and

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

#### PAKISTAN

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

(1) making effective and consistent efforts to prevent Al Qaeda and associated terrorist groups from operating in the territory of Pakistan, including by eliminating terrorist training camps or facilities, arresting members of Al Qaeda and associated terrorist groups, and countering recruitment efforts;

(2) making effective and consistent efforts to prevent the Taliban from using the territory of Pakistan as a sanctuary from which to launch attacks within Afghanistan, including by arresting Taliban leaders, stopping cross-border incursions, and countering recruitment efforts; and

(3) implementing democratic reforms, including by—

(A) allowing free, fair and inclusive elections in accordance with internationally recognized democratic norms;

(B) ensuring freedom of expression and ending harassment of journalists and government critics by security and intelligence forces; and

(C) respecting the independence of the judiciary and implementing judicial decisions.

(b) If the Secretary reports pursuant to subsection (a), funds that are available for assistance for Pakistan pursuant to this section which have not been made available may be transferred to and merged with funds appropriated by this Act under the heading "Economic Support Fund" and used for basic education, health, micro-enterprise development, and democracy programs in Pakistan.

#### SRI LANKA

SEC. 690. None of the funds appropriated by this Act under the heading "Foreign Military Financing Program" may be made available for assistance for Sri Lanka, no defense export license may be issued, and no military equipment or technology shall be sold or transferred to Sri Lanka pursuant to the authorities contained in this Act or any other Act, unless the Secretary of State certifies and reports to the Committees on Appropriations that the Sri Lankan military is suspending and the Sri Lankan Government is bringing to justice members of the military who have been credibly alleged to have committed gross violations of human rights, including extrajudicial executions and the recruitment of child soldiers.

#### PEACE CORPS SEPARATION PAY

SEC. 691. (a) ESTABLISHMENT OF FUND.—There is established in the Treasury of the United States a fund for the Peace Corps to provide separation pay for host country resident personal services contractors of the Peace Corps.

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

(1) amounts previously obligated and not canceled for separation pay of host country resident personal services contractors of the Peace Corps; and

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

(c) AVAILABILITY.—Beginning in fiscal year 2007 and thereafter, amounts in the fund are available without fiscal year limitation for severance, retirement, or other separation payments to host country resident personal services contractors of the Peace Corps in countries where such pay is legally authorized.

#### MULTILATERAL DEVELOPMENT BANKS

SEC. 692. (a) INDEPENDENT AUDITING AND INSPECTOR GENERAL.—The Secretary of the Treasury shall instruct the United States Executive Director to each multilateral development bank to inform the bank of, and use the voice and vote of the United States to achieve at the bank, the following United States policy goals:

(1) Each multilateral development bank should—

(A) establish an independent Office of Inspector General, establish or strengthen an independent auditing function at the bank, and require that the Inspector General and the auditing function report directly to the board of directors of the bank; and

(B) adopt and implement an internationally recognized internal controls framework, allocate adequate staffing to auditing and supervision, require external audits of internal controls, and external audits of loans where fraud is suspected.

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

(A) complaints received by the bank regarding fraud, accounting, mismanagement, internal accounting controls, or auditing matters; and

(B) the confidential, anonymous submission, particularly by employees of the bank, of concerns regarding fraud, accounting, mismanagement, internal accounting controls, or auditing matters.

(b) WORLD BANK INSPECTION PANEL.—The Secretary of the Treasury shall instruct the United States Executive Director to the World

Bank to inform the Bank of, and use the voice and vote of the United States to achieve transparency reforms of the selection process for members of the World Bank Inspection Panel, including—

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

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

(3) Making public the schedule of the selection process;

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

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

(c) ANTI-CORRUPTION TRUST PILOT PROGRAM.—

(1) AUTHORITY.—The Secretary of the Treasury shall seek the creation of a pilot program that establishes an Anti-Corruption Trust at the World Bank, the purposes of which should include—

(A) to assist poor countries in investigations and prosecutions of fraud and corruption related to loans, grants, or credits of the World Bank; and

(B) to determine whether such a program should be carried out at other multilateral development banks.

(2) POOR COUNTRIES DEFINED.—In this subsection, the term "poor countries" means countries eligible to borrow from the International Development Association.

(3) REPORT.—Not later than 180 days after enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report detailing the actions taken to establish the Anti-Corruption Trust.

(c) AUTHORIZATIONS.—

(1) Section 501(i) of title V of H.R. 3425 as enacted into law by section 1000(a)(5) of Public Law 106-113, as amended by section 591(b) of Division D of Public Law 108-447, is further amended by striking "fiscal" and all that follows through "which" and inserting in lieu thereof "fiscal years 2000-2010, which".

(2) Section 801(b)(1)(ii) of Public Law 106-429, as amended by section 591(a)(2) of Division D of Public Law 108-447, is further amended by striking "fiscal years 2004-2006" and by inserting in lieu thereof "fiscal years 2004-2010".

#### MILLENNIUM CHALLENGE CORPORATION

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

(1) in paragraph (2)(B) by striking "and the sustainable management of natural resources";

(2) in paragraph (3)—

(A) in subparagraph (A), by striking "and";

(B) in subparagraph (B), by striking the period and inserting "; and"; and

(C) by adding the following subparagraph:

"(C) promote the protection of biodiversity and the sustainable management and use of natural resources."

#### MATERIAL SUPPORT

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

SEC. 694. (a) AMENDMENT TO AUTHORITY TO DETERMINE THE BAR TO ADMISSION INAPPLICABLE.—Section 212(d)(3)(B)(i) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(3)(B)(i)) is amended to read as follows: "The Secretary of State, after consultation with the Attorney General and the Secretary of Homeland Security, or the Secretary of Homeland Security, after consultation with the Secretary of State and the Attorney General, may determine in such Secretary's sole unreviewable discretion that subsection (a)(3)(B) shall not apply with respect to an alien, within the scope of that subsection, unless that alien is described in subsection

(a)(3)(B)(i)(V), or that subsection (a)(3)(B)(vi)(III) shall not apply to a group. Such a determination shall neither prejudice the ability of the United States Government to commence criminal or civil proceedings involving a beneficiary of such a determination or any other person, nor create any substantive or procedural right or benefit for a beneficiary of such a determination or any other person. Notwithstanding any other provision of law (statutory or non-statutory), including but not limited to section 2241 of title 28, or any other habeas corpus provision, and sections 1361 and 1651 of such title, no court shall have jurisdiction to review such a determination or revocation except in a proceeding for review of a final order of removal pursuant to section 242 and only to the extent provided in section 242(a)(2)(D). The Secretary of State may not exercise the discretion provided in this clause with respect to an alien at any time during which the alien is the subject of pending removal proceedings under section 1229a of title 8."

(b) AUTOMATIC RELIEF FOR THE MONTAGNARDS AND OTHER GROUPS THAT DO NOT POSE A THREAT TO THE UNITED STATES.—Section 212(a)(3)(B) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)) is amended—

(1) in clause (vi) in the matter preceding section (I), by striking "As" and inserting "Except as provided in clause (vii), as"; and

(2) by adding at the end the following new clause:

"(vii) Notwithstanding clause (vi), for purposes of this section the Hmong, the Montagnards, the Karen National Union/Karen Liberation Army (KNU/KNLA), the Chin National Front/Chin National Army (CNF/CNA), the Chin National League for Democracy (CNLD), the Kayan New Land Party (KNLP), the Arakan Liberation Party (ALP), the Mustangs, the Alzados, and the Karenni National Progressive Party shall not be considered to be a terrorist organization on the basis of any act or event occurring before the date of enactment of this section. Nothing in this subsection may be construed to alter or limit the authority of the Secretary of State and Secretary of Homeland Security to exercise their discretionary authority pursuant to 212(d)(3)(B)(i) (8 U.S.C. 1182(d)(3)(B)(i))."

(c) DURESS EXCEPTION.—Section 212(a)(3)(B)(iv)(VI) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)(iv)(VI)) is amended by adding at the end: "It shall be an affirmative defense to inadmissibility under this subsection that the actor provided material support under duress."

(d) TECHNICAL CORRECTION. IN GENERAL.—Section 212(a)(3)(B)(ii) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)(ii)) is amended by striking "Subclause (VII)" and replacing it with "Subclause (IX)".

(e) REGULATIONS.—Section 212(d)(3)(B) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(3)(B)) is amended by adding the following subsection:

"(iii) Not later than 180 days after the date of enactment of this Act, the Secretary of the Department of Homeland Security and Secretary of State shall each publish in the Federal Register regulations establishing the process by which the eligibility of a refugee, asylum seeker, or individual seeking to adjust his or her immigration status is considered eligible for any of the exceptions authorized by clause (i), including a timeline for issuing a determination."

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

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

(2) acts and conditions constituting a ground for inadmissibility, excludability, deportation, or

removal occurring or existing before, on, or after such date.

#### CLUSTER MUNITIONS

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

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

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

#### CUBA

SEC. 696. (a) Subject to subsection (b), of the funds appropriated by this Act under the heading "International Narcotics Control and Law Enforcement", \$1,000,000 shall be made available for preliminary work by the Department of State, or such other entity as the Secretary of State may designate, to establish cooperation with appropriate agencies of the Government of Cuba on counter-narcotics matters, including matters relating to cooperation, coordination, and mutual assistance in the interdiction of illicit drugs being transported through Cuba airspace or over Cuba waters.

(b) The amount in subsection (a) shall not be available if the Secretary certifies to the Committees on Appropriations that—

(1) Cuba does not have in place appropriate procedures to protect against the loss of innocent life in the air and on the ground in connection with the interdiction of illegal drugs; and

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

#### LIBYA

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

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

(2) activities in Libya related to energy development; or

(3) activities in Libya which support investment in Libya's hydrocarbon sector, including the processing of applications for dual-use export licenses.

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

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

#### CARRY FORWARD OF UNUSED SPECIAL IMMIGRANT VISAS

SEC. 698. Section 1059(c) of the National Defense Authorization Act for Fiscal Year 2006 (8 U.S.C. 1101 note) is amended by adding at the end the following:

"(3) CARRY FORWARD.—If the numerical limitation described in paragraph (1) is not reached during a given fiscal year, the numerical limitation for the following fiscal year shall be increased by a number equal to the difference between the number of visas authorized for the given fiscal year and the number of aliens provided special immigrant status during the given fiscal year."

#### GLOBAL FUND CONTRIBUTION

##### (INCLUDING RESCISSION OF FUNDS)

SEC. 699. (a) The amount appropriated or otherwise made available by title III for bilateral

assistance for Global Health Programs is hereby increased by \$40,000,000.

(b) The amount appropriated or otherwise made available for such purpose and available for a United States contribution to the Global Fund to Fight AIDS, Tuberculosis, and Malaria is hereby increased by \$40,000,000.

(c) Of the unobligated balances of amounts appropriated or otherwise made available in prior appropriations Acts under the heading "Economic Support Fund", \$40,000,000 is rescinded.

#### REFERENCES

SEC. 699A. Except as otherwise provided, any reference in titles II through V, including the general provisions for such titles, to "this Act" shall be deemed to be a reference to titles II through V of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2008.

The ACTING PRESIDENT pro tempore. The Senator from Vermont.

Mr. LEAHY. Mr. President, I compliment my colleagues for moving so rapidly through the Military Construction legislation. It brings us to the State-Foreign Operations appropriations bill, which Senator GREGG, my friend and neighbor from New Hampshire, and I will be handling. I want to make a couple comments.

If there are Senators who have amendments, I urge that they bring them to the floor. I understand because of the policy luncheons, it will probably be about an hour before we get to an amendment. But if there aren't any amendments pending, it would be my intent, if the Senator from New Hampshire has none, to go to final passage. We would like to wrap up this bill, if we can, today. I thank both Senator REID and Senator MCCONNELL for calling up this bill. I also thank Chairman BYRD and Ranking Member COCHRAN for the allocation we have.

I do want to say, at the risk of causing political problems for him back in my neighboring State of New Hampshire, how appreciative I am to Senator GREGG and his staff for the bipartisan way they worked with me and my staff. Senator MCCONNELL and I had established this way of doing things for a number of years, when he was chairman and I was chairman. We realized that, almost like the Vandenberg rule, bipartisanship has to begin at the water's edge. We have tried to do that with this bill.

We have a balanced bill. When it was reported out of the Appropriations Committee, 28 of the 29 members of the committee voted for it.

As a housekeeping matter, I remind Senators that on August 2, 2007, by a vote of 83 to 14, the Senate approved S. 1, the Honest Leadership and Open Government Act, clearing the measure for the President. This act will significantly improve transparency and accountability in the legislative process.

The President has not yet signed it, but I want to inform Senators that we intend to abide by the requirements of that legislation during the consideration of this bill. The legislation requires that the chairman of the committee of jurisdiction certify that certain information related to congress-

ionally directed spending be identified and that the required information be available on a publicly accessible congressional Web site in a searchable format at least 48 hours before a vote. The information required includes the identification of the congressionally directed spending and the name of the Senator who requested it.

With regard to this legislation, I notify my colleagues that the committee bill and report do not include any congressionally directed spending as defined by S. 1. A description of how the committee addresses this issue is contained in the committee report numbered 110-128, dated July 10 of this year. It has been on the Internet for a couple months.

I ask unanimous consent to print in the RECORD the certification by the chairman of the Committee on Appropriations.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Senator BYRD: I certify that the information that will be required by S. 1, when it becomes law, related to congressionally directed spending, has been identified in the Committee report numbered 110-128, filed on July 10, 2007, and that the required information has been available on a publicly accessible congressional website in a searchable format at least 48 hours before a vote on the pending bill.

Mr. LEAHY. Senator GREGG and I did, of course, do our best to address the many requests we received. We have made some difficult choices. The bill contains a total of \$34.4 billion in budget authority. The President has threatened to veto all appropriations bills that are above his budget request. This bill is \$700 million below the President's budget request. In case anybody did not hear that, it is \$700 million below the President's budget request.

We have a significant increase for State Department and U.S. Embassy operations and security costs. We provide \$1.35 billion for assessed contributions to international peacekeeping missions. These are peacekeeping missions the U.S. Government has voted for in Sudan, Liberia, the Democratic Republic of Congo, Haiti, Lebanon, and other nations.

We provide \$5.09 billion to combat HIV/AIDS. That is \$940 million above the President's request but within the overall budget limits. This includes \$590 million for the Global Fund to Fight AIDS, Tuberculosis, and Malaria. Added to the \$300 million in the Labor, Health and Human Services bill, it is a total of \$890 million for the Global Fund, an increase of \$166 above last year's budget.

The bill contains \$476.5 million for Child Survival and Maternal Health. These programs address the most basic public health needs in the world's poorest countries.

In our country, we are blessed with so many riches. For a child born here, almost always maternal health care and child health care is available. They



can believe the water they are going to drink will be clean water. They can be given a schedule where the child will be given certain shots, inoculations, and so on, at certain times. In all likelihood—barring an accident or rare disease—that child is going to grow up.

In so many of these other countries, they do not even list a child's birth until they are 2 years old because of the enormous number who die either in childbirth, where the mother can die also, or die of diseases easily controlled—dysentery, malaria, things such as that—before the child is even old enough to walk.

I would say it is not an economic issue with us. We are blessed with the wealthiest, most powerful nation on Earth. We are so blessed. I think it is a moral responsibility for us to help in these areas.

We provide \$509 million for educational and cultural exchange programs, particularly to build bridges with predominantly Muslim countries. We should have these exchanges. We should have as many students coming to America as possible, and as many of our students going over to these other countries as possible. Maybe they will learn some languages. Maybe they will learn different cultures. Maybe our own students will come back having learned there is a world outside our borders, but those who come here will learn something about the United States.

We provide lifesaving programs for millions of destitute refugees and displaced persons in Darfur, Iraq, the Middle East, and Colombia. More than 4 million Iraqis have fled their homes. Many of these people have worked for the U.S. Government or U.S. contractors or the U.S. news media and are being targeted because of those affiliations. They cannot even get help in getting out of there. They supported us. Now—whether one was for or opposed to the war in Iraq, these people helped us—it is time for us to help them. Other Iraqis are being killed simply because they are academic scholars or officials of Iraq's Ministry of Education. We have a moral responsibility to help these people.

There is up to \$1 billion in the bill for humanitarian and reconstruction programs in Afghanistan to help counter the resurgence of the Taliban and al-Qaida.

The bill provides \$1.2 billion for the Millennium Challenge Corporation. We support the Millennium Challenge Corporation, but they have had \$6 billion appropriated since 2004, and they have only disbursed about \$100 million. I felt they ought to use some of the undisbursed money they already have, to give us some of the other money for much greater needs.

There are provisions in the bill considering international family planning the President said he would veto. That is no surprise. We have had these provisions in past bills. These are the same provisions that have been in the State,

Foreign Operations appropriations bill year after year. Every year, the President says he will veto it because of it. We will have time for that debate later on.

But I recall what Senator Mark Hatfield, the then-chairman of the Senate Appropriations Committee, said. Mark Hatfield—a strong right-to-lifer, as strongly opposed to abortion as anybody else I have ever met—pointed out those family planning moneys actually cut down on abortions around the world. When they have been cut off, abortions have gone up. Sometimes we should get beyond the sloganeering.

President Reagan, God rest his soul, used to give some speeches about how we needed a Constitutional amendment to ban abortions. Of course, he never supported one here and never asked to have one introduced. But it was a great speech. Many objected to President Clinton because he was pro-choice. Now we are back to somebody who is a right-to-lifer. But do you know what. As a matter of curiosity, abortions went up under President Reagan. They went down under President Clinton. Now they are going back up again. I wish we would never have abortions, but let us give alternatives to abortion in family planning. Sometimes the reality shames the rhetoric. The fact is, abortions went up during President Reagan's time, and they went down during President Clinton's time, and they are going back up now.

The same thing can happen here. Give people family planning money and abortions will go down. We saw this in Russia. We have seen it categorically in other parts of the world. But that will be a debate for later on.

My main point coming here was to say we would not have gotten the bill out with this kind of huge bipartisan support without the strong help of the former Governor, now Senator, JUDD GREGG.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from New Hampshire.

Mr. GREGG. Mr. President, let me join and participate in expressing my appreciation to Senator LEAHY and his staff for bringing forward a bill that is a reasonable bill. It is within the budget requested by the President. In fact, it is a little bit underneath it. It has a very strong commitment to the right priorities, and Senator LEAHY deserves great credit. He has been instrumental on the issue of how we proceed in foreign policy for many years. Prior to my assuming this ranking position, Senator MCCONNELL and he worked together hand in hand to address these issues, which cover the globe, are complicated but have a huge impact on an awful lot of lives.

I appreciate his exceptional work in this area, and I appreciate the fact he has brought forward a piece of legislation which I am happy to support with enthusiasm. There are some issues, obviously, on policy which hopefully will

be straightened out and which have been alluded to. They are primarily the issues of Mexico City and the Kemp-Kasten language. But the bill itself is basically a very strong bill, and it is within the budget as requested by the President. Therefore, hopefully, we can get the Mexico City language straightened out and move on to passing the bill.

His staff—Tim Rieser and the Democratic staff—have been extraordinarily fair to our staff—Paul Grove and our people on this side—and we appreciate their courtesy. When we raised issues, they tried to address them and resolve them.

I wish to point out a few highlights in this bill. The chairman has mentioned a number of them. I think it is important to recognize we are a compassionate Nation, committed to trying to help people who we see in need. This bill reflects that innate quality of the American people. It is one of our great characteristics as Americans that we as a nation and as a people try to reach out to those who have not been dealt quite as good a hand as we have been dealt and try to help them across the globe.

We use a lot of American taxpayers' dollars to do that. People work hard for those dollars. When we spend them in other countries, people want to be sure, of course, they are spent well, and they want to be sure they are getting results. They expect them to be spent to benefit regions of the world that have not been quite as lucky as we have been.

That is why the commitment in this bill to AIDS, which is huge—\$5 billion—is important. It is something that has been bipartisan. The President has clearly taken the lead on this issue. This committee has strongly supported those initiatives.

We also have made a very significant effort in the area of humanitarian aid dealing with migration and refugee assistance and with international disaster assistance. That is what these dollars are used for. When you go out and you meet folks, as all of us do—that is one of the fun parts of doing this job, representing our constituents and hearing from them—sometimes—actually, not that often in New Hampshire and I suspect not that often in Vermont, but sometimes you hear people say: What are we sending all this money overseas for? Those are dollars we worked hard for and could spend here in America.

Well, we spend them overseas, first, because we are a nation which is blessed—and we understand others are not—and when we see things we can try to help with, such as the AIDS epidemic in Africa. We also send these dollars overseas because, quite honestly, it benefits us. It is that simple: It benefits us. It benefits us on two levels.

First, it benefits us on a national security level. Most or many of these dollars which we spend under this bill essentially go to countries which undertake actions which assist us in our national security and pick up burdens which we might otherwise have to pick up, not only with dollars but also with American troops being at risk. So it is a good investment from that standpoint.

Also, we basically are a trading nation. Our great success as an economy is the fact we are engaged, we are the international economy. Participating in that economy is critical to creating jobs and economic benefit here. Thus, we use these dollars, to a significant degree, to stabilize regions and give them economic viability. Quite simply, we can then participate in that economic viability by selling them goods—products or services—which we manufacture or make in the United States.

Again, it benefits us. So these dollars which we spend—and they are significant; \$34 billion is a lot of money—are dollars which we spend well, I believe, on behalf of the American people in most instances.

In this bill, for example, we significantly assist the military efforts of the nations of Egypt, Israel, Pakistan, Indonesia, and other allies around the globe. We have increased the funding, for example, rather significantly to the country of Jordan. Let's take that as an example.

Here is a country right in the middle of the Middle East, which is a linchpin in the Middle East which represents stability, represents a forward-thinking Government, that cares for its people and wants its people to succeed but does not have the resources of many of those nations in the Middle East that have the good fortune to have oil or gas. Yet they take on responsibility that we would have to otherwise take on. They take on massive numbers of refugees from Iraq, which has strained significantly their infrastructure and their educational system and the culture.

We have some obligation, I believe, to support a country which is willing to take these types of steps to assist its neighbors but also has duress to some degree because of our efforts in that region. So that is why I think increasing the funding for Jordan is very appropriate. I certainly hope we will be able to maintain that as we move through the entire process.

There are no earmarks in this bill. We obviously have had quite a battle in this Congress over how many earmarks people should have, what types of earmarks people should have. This bill is pretty much earmark free. In fact, unless you consider funds going to a foreign government requested by the President as an earmark, there are virtually no earmarks in this bill, for which, again, I congratulate the chairman for that sort of leadership. As he said, he is complying with S. 1, which

passed this body back in July. It has not been signed yet, but we presume it will be, or at least the language relative to how earmarks in appropriations bills are handled will certainly go into force. So I congratulate the chairman for pulling this bill together in that form.

I wish to speak briefly, though, about one area which I am concerned about and which I find to be a bit of an affront—more than a bit—a real affront, and that is dollars which we are allocating to certain activities in this international arena which are being wasted, they are being fraudulently handled, they are being used for patronage or there is simple corruption, which is stealing. We have three examples of that which are rather severe. We are missing \$8 billion, minimum—remember, the number, I suspect, is significantly higher—in Iraq reconstruction. A lot of the reconstruction money which we are supposed to be spending in Iraq doesn't appear to be getting out into the field, the rubber doesn't seem to be hitting the road. The money seems to be somewhere; we are not sure where. We hear representations that it may be buying buildings in Switzerland rather than building buildings in Iraq, but we know, because the money is not moving out, that the dollars are not there and not doing what they are supposed to be doing.

This concerns many of us on both sides of the aisle. The GAO has been giving us report after report. The special Inspector General has been giving us report after report highlighting this concern, which is that there is and appears to be significant corruption, and that corruption is misallocating funds—American tax dollars—in Iraq.

In addition, another example of concern is the World Bank. The World Bank has just taken on a new leader, Secretary Zoellick, Ambassador Zoellick, who is one of the strongest individuals I have met in my experience in public life. I think he is one of the best public servants I have come across. He is totally committed to doing things the right way and has no problem making a decision and shaking a place up, that is for sure. I think he is going to be good for the World Bank. But he comes into a situation which has very big issues relative to the dollars that are being spent there. Reports are coming out that literally hundreds of millions—if not billions—of dollars are being siphoned off from these grants, that there is inadequate oversight, that there is a lack of transparency, that there is shoddy accounting, and that there is just plain theft going on of some of these dollars. We have examples of corruption which appear to be fairly significant in Kenya, in Guyana, in India, in Bolivia, and in various other regions. The biggest concern, independent of the loss of dollars and the dollars not being used to benefit these nations which need the assistance, is the fact that there seems to be a real resistance within the struc-

tured bureaucracy of the World Bank to telling anybody what is going on, and there appears to be more of a commitment to hiding the facts than to disclosing the facts when it comes to corruption, mismanagement, poor accounting, and that is not right.

These are American tax dollars. We are going to put \$1.1 billion into the World Bank with this bill, and the American taxpayer, at least the people from New Hampshire and, I am sure, the people from Vermont, don't expect those dollars to be spent to line the pockets of some corrupt official in one of these nations. They expect them to be spent to assist the people in those nations who haven't been as fortunate as we have. The World Bank has to get its act cleaned up, and that begins with transparency.

So in this bill we have put in significant language—I believe it is significant—which will essentially fence 20 percent of the appropriations until we hear from the World Bank that they have made public the available financial disclosure forms, that the bank has established a plan and a schedule for conducting regular independent audits, that the bank is adequately staffing and sufficiently funding the Department of Institutional Integrity, and that the bank has made publicly available the bulk of the panel report which we wish to see. We may add another thing to that. We want to make it unalterably clear that we are tired of the obfuscation that is coming out of the World Bank and that the World Bank makes public the Department of Institutional Integrity November 23 report relative to the India issue, which has received a fair amount of attention recently.

So we are fencing these funds. They are not going to get this money until we get some accounting rules that work over there. I think with Secretary Zoellick now in charge, he will be equally aggressive in making sure that this sort of action occurs.

In addition, of course, there is the United Nations. I have always supported funding the United Nations. I strongly support the United Nations as an institution, as a concept, and as a key player in world events in order to try to give the world a place where it can come together and resolve disputes, especially.

But once again, we have a track record of mismanagement and shoddy accounting, and sometimes no accounting, and patronage and misuse of tax dollars that are rather staggering. Article after article has been reported in this area. It is—the U.S. taxpayer picks up about a quarter of the cost of the United Nations—a disproportionate amount quite honestly, in my opinion—but we do it because we believe in that institution. But it is very hard to tell an American taxpayer that the dollars they are sending to the United Nations, if it goes into certain accounts is going to disappear, or it is going to be used to give a job to somebody's cousin

who is coming in from some country where they couldn't get him a job.

So again, I say this is an issue we are going to focus on in order to try to get some fair and honest accounting, transparency, and a system that uses at least American tax dollars efficiently to benefit the world rather than uses them to benefit individuals who happen to be in high places or have found themselves in positions to take advantage of the situation.

So those are issues I think are critical. The corruption issue is very high, at least on my agenda, as to how we handle these dollars. But that doesn't undercut the basic need here, which is to have a strong and vibrant commitment to foreign aid assistance and to international assistance which addresses priorities that we have as a nation in dealing with other countries and also addresses the needs of other people around this globe where we see we can make a difference, such as in the AIDS area.

Again I congratulate the chairman who has done a good job on this bill, his staff has done a good job on this bill, our staff has done a good job on this bill, and I hope we can pass it promptly.

There are a number of amendments from our side. I have been made aware of a number of amendments, and we are ready to start the amendment process, and whenever people want to start offering amendments—I see the Senator from Florida is here and I know he has two very good amendments that I will certainly be supportive of, I suspect, and I will be happy to proceed if he wants to offer them, and I will be happy to hear them. I presume there will be no votes until about 2:30.

Madam President, I make a point of order that a quorum is not present.

Madam President, I would like to reserve that request and I ask unanimous consent that the committee amendment be agreed to, that the bill as thus amended be considered as original text for the purpose of further amendment, and that no points of order be waived by virtue of this agreement.

The PRESIDING OFFICER (Mrs. MCCASKILL). Without objection, it is so ordered.

The Committee amendment in the nature of a substitute was agreed to.

Mr. GREGG. I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MARTINEZ. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MARTINEZ. Are we not in a posture where amendments would be appropriate?

The PRESIDING OFFICER. The Senator is correct.

AMENDMENT NO. 2694

Mr. MARTINEZ. I wish to offer an amendment to H.R. 2764 and send it to the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Florida Mr. [MARTINEZ] proposes an amendment numbered 2694.

The amendment is as follows:

(Purpose: To promote democracy in Cuba)

On page 410, between lines 15 and 16, insert the following:

CUBA DEMOCRACY ASSISTANCE PROGRAM

SEC. 699B. (a) The amount appropriated or otherwise made available by title III under the subheading "ECONOMIC SUPPORT FUND" under the heading "OTHER BILATERAL ECONOMIC ASSISTANCE" is hereby increased by \$30,700,000 and such amount shall be available for the Cuba democracy assistance program to assist the pro-democracy movement in Cuba and shall be in addition to any other amounts appropriated or made available for such purposes.

(b) The amount appropriated or otherwise made available by title I for the Department of State and Related Agency under the subheading "DIPLOMATIC AND CONSULAR PROGRAMS" under the heading "ADMINISTRATION OF FOREIGN AFFAIRS" for expenses of general administration is hereby decreased by \$30,700,000.

Mr. MARTINEZ. This amendment essentially restores \$30.7 million for the Cuba Democracy Assistance Program by offsetting it from the Department of State's \$3.8 billion in the general administrative budget. In conjunction with the committee's recommendation, \$15 million funding for the Cuban Democracy Assistance, this amendment would now equal the administration's request. These funds are used to provide needed humanitarian assistance to Cuban civil society and pro-democracy movement.

Let me say that Cuba at the current time is living through a transitional moment, an historic moment. After the dictatorship of Fidel Castro of almost half a century, it appears that he no longer is in a position to govern. His brother Raul Castro has assumed power in Cuba in a way frankly that belies legitimacy or anything close to Democratic rule. It is my hope, it is the hope of those of us who support this amendment, that by restoring these funds to the amounts necessary, we will be able to help the Cuban people create the conditions within the country similar to those that were created in Eastern Europe through our assistance to the forces of democracy and freedom. We now see the flourish in democracies of Eastern Europe and we relish the opportunity that they have brought to those people. We want to see the same take place in Cuba.

A few days ago, I had the unusual opportunity and privilege to talk on a teleconference with members of the Civil Society—the opposition in Cuba—who hope and dream of a day when they will have the opportunity to freely speak, where human rights will be observed, and where they will have the opportunity to elect their own leaders. These folks pleaded with us to please assist them, not with high tech, if that would come, but with even the simple things such as pencils, paper, ballpoint

pens, so that they can communicate with each other and so they can create the atmosphere and the condition of a civil society that would permit the flourishing of a democracy in Cuba at this critical time and at this juncture.

I think it would be a good idea to not reduce the funding that is going to the civil society and democracy movement in Cuba. It is humanitarian assistance. It is civil society assistance. This isn't military. This is about creating peaceful conditions of change and by allowing the Cuban people those opportunities that they otherwise would not have through the current totalitarian system that currently rules in Cuba.

I could talk on and on about this, but I hope that with this bill we would restore the funding to the administration recommended levels, which are not in keeping even with what was done for Eastern Europe, which are essential and which will make a big difference to the people of Cuba.

AMENDMENT NO. 2695

Madam President, I have another amendment I wish to offer at this time.

The PRESIDING OFFICER. Without objection, the pending amendment is set aside.

The clerk will report.

The bill clerk read as follows:

The Senator from Florida [Mr. MARTINEZ] proposes an amendment numbered 2695.

Mr. MARTINEZ. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To increase the funding for broadcasts to Cuba and to provide an offset)

On page 410, between lines 15 and 16, insert the following:

INTERNATIONAL BROADCASTING OPERATIONS TO CUBA

SEC. 699B. (a) The amount appropriated or otherwise made available by title I under the subheading "INTERNATIONAL BROADCASTING OPERATIONS" under the heading "BROADCASTING BOARD OF GOVERNORS" is hereby increased by \$5,019,000 and such amount shall be available for the international broadcasting operations to Cuba and is in addition to any other amounts available for broadcasting operations to Cuba under title I.

(b) The amount appropriated or otherwise made available by title I for the Department of State and Related Agency under the subheading "DIPLOMATIC AND CONSULAR PROGRAMS" under the heading "ADMINISTRATION OF FOREIGN AFFAIRS" for expenses of general administration is hereby decreased by \$5,019,000.

Mr. MARTINEZ. Madam President, this amendment again deals with the budding hopes of democracy in Cuba and it deals with Radio and TV Marti. Radio and TV Marti for years has been the source of information and the source of hope, much like Radio Free Europe was for the enslaved people of Europe.

The people of Cuba today have no opportunity for anything close to a free press. All they get handed daily are the diatribes of the Communist regime as

they control every source of media available to the Cuban people. This amendment would restore funding to Radio and TV Marti by increasing the funding by \$5 million to allow the continuation of this very important tool of democracy, which is information to the Cuban people.

Again, I would point out this is a critical time in the history of this country. We are only 90 miles from the shores of Cuba. What happens in Cuba is important to the United States. It is important to our national security. At a time when we fear the potential for mass migration, at a time when we see the opportunity perhaps for political change, this would be the wrong time to cut back and to diminish our commitment to the voice of democracy, the voice of freedom, and, frankly, simply to the voice of unfettered information.

If there was a condition in Cuba that created unrest or a governmental change, our defense forces, the Department of Homeland Security is greatly concerned that there would be a mass migration. It has happened in the past. Radio and TV Marti would be the tools that people such as myself, speaking in Spanish to the Cuban people, could use to urge them not to go to the high seas, not to seek to migrate but simply remain calm in Cuba. That is why TV and Radio Marti, at this critical juncture, ought not to be cut in funding. The amendment doesn't restore it to current funding; it increases it by \$5 million, which I think would be a great step in the right direction.

I ask unanimous consent that the current amendment be set aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GREGG. Will the Senator yield for a question?

Mr. MARTINEZ. Yes.

Mr. GREGG. I understand all of the Senator's amendments are paid for, is that correct?

Mr. MARTINEZ. That is correct. And the Senator is correct that there were going to be two amendments—it is actually four, dealing with two subjects, two in Cuba and two in Colombia. They are the same fundamental issues and they are offset within the State Department budget.

AMENDMENT NO. 2696

Mr. MARTINEZ. Madam President, I call up the next amendment.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Florida (Mr. MARTINEZ) proposes an amendment numbered 2696.

Mr. MARTINEZ. I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To modify the conditions on the availability of funds for the aerial eradication of coca in Colombia to address circumstances where manual eradication is too impractical or risky and to limit the requirement to implement programs to provide alternative sources of income to areas where conditions exist for successful alternative development)

Beginning on page 266, line 13, strike "manual eradication" and all that follows through "municipalities where security permits" on page 267, line 12, and insert the following: "manual eradication in such areas is not practical or poses an unacceptable risk to government security forces, as determined based on consultations with appropriate authorities of the Government of Colombia: *Provided*, That not more than 20 percent of such funds may be made available unless the Secretary of State certifies to the Committees on Appropriations that: (1) the herbicide is being used in accordance with EPA label requirements for comparable use in the United States and with Colombian laws; and (2) the herbicide, in the manner it is being used, does not pose unreasonable risks or adverse effects to humans or the environment including endemic species: *Provided further*, That such funds may not be made available unless the Secretary of State certifies to the Committees on Appropriations that complaints of harm to health or licit crops caused by such aerial eradication are thoroughly evaluated and fair compensation is being paid in a timely manner for meritorious claims, and the Secretary submits a report to the Committees on Appropriations detailing all claims, evaluations, and compensation paid during the twelve month period prior to the date of enactment of this Act: *Provided further*, That such funds may not be made available for such purposes unless programs are being implemented by the United States Agency for International Development, the Government of Colombia, or other organizations, in consultation and coordination with local communities, to provide alternative sources of income in areas where conditions exist for successful alternative development and security permits".

Mr. MARTINEZ. Madam President, this amendment deals with the situation in Colombia. This was a congressional effort started in the Clinton administration, which has been a dramatic help—and it has been continued by the Bush administration—to the people of Colombia as they fight the narco-traffickers who essentially took over that country for more than a decade.

The number of deaths and the destruction due to the drug trafficking out of Colombia that has occurred on our streets and in our neighborhoods and schools has been known for decades now. Under the presidency of President Uribe, whom the Colombian people elected in an unprecedented fashion a year ago, the Colombian Government, in partnership with us in Plan Colombia, has made a turnaround in that country relating to drug interdiction and eradication, and in the fight against these narcoterrorists who have threatened life in Colombia as we know it. Today, life there is returning to normal. Business and trade are increasing dramatically. They are becoming the kind of neighbor we want and need. There is no closer ally in Latin America than Colombia today. Their successes have been undeniable.

My amendment seeks to change language in the current Foreign Relations appropriations bill that would dictate that air eradication not take place. We seek to restore language that would allow for air eradication of drugs to take place when it is reasonable to do so, and when to do otherwise would endanger the Colombian security forces. Rather than hamstringing and tie down the Colombian forces and eliminate eradication, we are changing the language to permit it where necessary, when to do otherwise would endanger the life of Colombians.

Drug eradication is vitally important. To allow the current language in the bill would diminish these important efforts so that we can eradicate drugs in the Colombian fields and not have to deal with them in our neighborhoods.

At this time, I ask unanimous consent that this amendment be set aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 2697

Mr. MARTINEZ. I call up amendment No. 2697.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Florida (Mr. MARTINEZ) proposes an amendment numbered 2697.

The amendment is as follows:

(Purpose: To increase by \$30,000,000 the amount appropriated or otherwise made available for "Andean Programs" and available for aerial eradication of coca in Colombia, and to provide an offset)

On page 410, between lines 15 and 16, insert the following:

AERIAL ERADICATION OF COCA IN COLOMBIA

SEC. 699B. (a) The amount appropriated or otherwise made available by title III under the heading "ANDEAN PROGRAMS" for the Department of State and available for aerial eradication of coca in Colombia is hereby increased by \$30,000,000.

(b) The amount appropriated or otherwise made available by title I for the Department of State under the heading "DIPLOMATIC AND CONSULAR PROGRAMS" and available for expenses of general administration is hereby reduced by \$30,000,000.

Mr. MARTINEZ. Madam President, this amendment restores \$30 million of the amount requested by the administration to continue a drug eradication program. It doesn't go as high as the administration requested, but it is higher than what came out of committee. It is vitally important to continue our commitment to drug eradication in Colombia not only by air but with other means as well. This would permit the continuation of this very important program, which we think is vital to our hemisphere's security and to our drug eradication and interdiction efforts to keep our streets safe in America. It is also a very important component of Plan Colombia, this partnership where we have enjoyed such a positive and fruitful relationship during the presidency of President Uribe.

Mr. GREGG. Madam President, first, I thank the Senator from Florida for his cooperation with the committee

and for bringing these amendments forward so promptly so we can address these important issues he raised.

The Senator from Florida obviously is the leading expert in this Congress on the issue of Cuba for a variety of reasons, not the least of which is that he was a refugee from Cuba. His success story is an American success story since his arrival in the United States. I am sure the Cuban people take great pride in seeing him in the Senate as a person who came to this country with nothing. We admire him for that fact. He has maintained, obviously, close ties to the issue of Cuba and how we can best address it. His suggestions here are that we bring the funding levels for supporting initiatives relative to democracy in Cuba up by \$10 million and supporting Radio Marti so it is fully funded by adding \$5 million. Those are reasonable suggestions that I support. I hope we can move them forward.

The Senator is also the leading expert in Congress on the issue of South America and how we deal with that. South America—the issues of Colombia, Venezuela, Peru, Ecuador, and Bolivia—is a very important issue to us as a nation. This region of the world is very close to us. What happens there has a direct and immediate impact on us both in terms of people leaving those countries and illegally coming to the United States and in terms of drugs being exported to the United States.

In the case of Venezuela, they have a government that has a clear antipathy toward the United States and is trying to undermine American interests throughout the world, but especially in South America.

As the Senator pointed out, the government has had incredible successes in Colombia, which was a basket case when it was controlled by the mob—the FARC, as it is known—for a number of years. It was the center of and remains, regrettably, a high-profile producer of cocaine, which ends up in the United States. Now they have a government that is freely elected and which is making significant strides toward establishing a functioning nondrug-based culture and economy in that country. We need to support this government. We need to support President Uribe as he moves forward.

I honestly haven't understood what seems to be an antipathy from the intelligentsia in the United States, especially the Northeast intelligentsia, toward President Uribe and his government. It has a lot of overtones, in my opinion, to what happened in Haiti, where the intelligentsia of the Northeast decided that Mr. Aristide was the perfect person for that nation, and it turned out he was a horrific event for that nation, as he backtracked and continues to backtrack. Why there should be antagonism toward a government that has been freely elected with overwhelming majorities, and which is moving aggressively toward trying to control the criminals who export co-

caine to this country, is hard to fathom. But that exists and I think it is unfortunate.

But I do think we, as a government, should recognize that the Government of Colombia, and specifically President Uribe's government, has made some very significant strides toward trying to get control over the cocaine production and the FARC elements. They have done it at not only a risk to their Government but at tremendous personal risk. These folks are targeted for assassination by these criminal groups. They have shown tremendous courage in moving forward and moving their nation forward. We should be supporting that courage. We hear from our own people—not from the Colombians but those who are fighting drugs in this country, including General Walters, who believes firmly that he needs the additional money being proposed here by the Senator from Florida in order to adequately fund the effort with primarily hardware—helicopters specifically—in Colombia in order to continue the successes we have begun to see under Plan Colombia.

I support the Senator's initiative, and I hope we can support these amendments as we move forward. We are not going to have any votes until probably later in the afternoon, but it is good to start with these amendments. I congratulate the Senator from Florida for bringing them forward.

Mr. MARTINEZ. I thank the Senator for his kind comments and for allowing me to move forward with these amendments. I appreciate his sentiment about the Colombian situation. There is no question that they are an ally and friend. One of the things I think is often not talked about, but is very important, is what President Uribe has done. He has had an amnesty program where people would lay down their arms and simply have to atone for what they have done; they may get a jail sentence, but they can then reincorporate themselves into that society. They would have a job training program, have a way of getting out of the armed forces, which they did legally or illegally, including the paramilitary, or whatever. So if the rebel groups that supported the FARC lay down their arms and come back into society, that helps heal that country and bring it together.

We have a great opportunity here to see Plan Colombia in its next phase not only continue with eradication and interdiction and fighting the guerrillas, but also with the reestablishment of economic opportunities, so we can also try to improve the lives of the Colombian people.

On the Cuban amendments, I also appreciate his support very much. It means a great deal to me personally. I assure you that, at a moment when we are at the cusp of a democracy there, this is precisely the time in which to encourage the forces of change, forces of democracy, and provide them with the meager tools they need to commu-

nicate with each other. I think the fruits from that can be manifold.

I thank the Senator. I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

IRAQ

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SALAZAR). Without objection, it is so ordered.

Mr. SCHUMER. Mr. President, I ask unanimous consent to speak as in morning business for 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. SCHUMER are printed in today's record under "Morning Business.")

Mr. SCHUMER. Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BOND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Missouri.

Mr. BOND. Mr. President, I rise today to speak on behalf of the Foreign Operations bill, and I thank the managers of the bill for putting forward an excellent measure.

I have a couple of areas I wish to speak about at some length, but let me give the framework in which I will talk about it. I come to the floor a lot—I spoke this morning about military action, but I come to the floor to talk about intelligence. We are, at least in my thesis, in a worldwide war against those who have declared us to be their enemy. It is an ideological war. I think, by any stretch of the imagination, most people realize that a war against this kind of enemy is only 20 percent kinetic, it is 80 percent economic/educational.

What we are doing in this bill some people object to—spending money on foreign operations—because they think, oh, it is do-gooderism; it is trying to make us feel good, helping people in the world. Well, clearly we are carrying out an important mission to help less developed countries throughout the world. That is certainly one of the areas where America's generosity has always shown through. Our private charities are even more robust than what we do through government.

I continue to hear people back home saying: If we just cut out foreign aid, we could do this and we could do that. But foreign aid is minuscule. I, frankly, think it ought to be more. If we are going to turn the tide against those who are committed to radical views, to misusing and misinterpreting their religion to declare war on us, we have to

deal with them not only kinetically when they pick up arms or when they threaten to bomb us, but we have to help create the conditions in those countries where people are not driven to earn a small amount of money for planting a roadside bomb or an IED or even get a little more for their family by committing suicide in a terrorist attack.

There are some things we can do through this bill that I think are very important to connect with those countries which view us with suspicion. We can help change the attitude—not of everybody; not of the committed mufsidoon. Those are people who, in the name of Islam, kill innocents, men and women, fellow Muslims. They are too often called jihadists. They are not for jihad. Jihad is a legitimate self-fulfillment and improvement by Muslims. They commit hirabah, which is the terrible form of violence these Muslims commit. We need to show people in the countries from which they come that America can be a force for good.

There are a couple of things that are very important. No. 1 is establishing and improving educational exchanges. No. 2 is economic assistance to help them build their economy. I will talk about that later. No. 3 is getting Americans on the ground.

I have traveled to a lot of countries, and I have spent a lot of time in Southeast Asia. They keep telling me that the best emissaries the United States has are Peace Corps members, the Peace Corps members who have been here, and those in other volunteer organizations—if they come with a church, if they come with a charity or a nongovernmental organization, if they come with the volunteers in the financial services program. When Americans come, even as tourists, they can make a difference.

I wish to talk just a minute about the Peace Corps. The Peace Corps, as I said, is one of the important weapons we have, not only to help them understand us but to help us understand them. At no other time in this Nation's history has the work of the Peace Corps and its volunteers been more vital or valued. Peace Corps volunteers are the good face of America in the developing world. They provide practical, hands-on experience while spreading compassion and good will, which is vital in winning the hearts and minds of people all over the world. The United States is no longer the only game in town, and we can no longer take for granted that countries will line up to want to support the United States.

China, for example, with over 1 trillion U.S. dollars, is aggressively engaging in courting countries all over the world on economic, diplomatic, and cultural fronts, frankly shutting us out, moving us out of the game by establishing what the Chinese call their Confucius Institutes, thus promoting their language and culture through internationally affiliated institutes. The Chinese Ministry of Education es-

timates that by the year 2010 there will be approximately 100 million people worldwide learning Chinese as a foreign language. And it plans to set up 100 more. They will be learning Chinese, not English.

I ask, why are we reducing and not increasing our efforts to promote American values, our culture, our way of life? As I said, to fight the war on terror, our efforts are 20 percent kinetic, 80 percent public diplomacy—international exchanges, education, aid, and community development. In other words, I believe that putting more sandals on the ground will prevent having to put boots on the ground in the future to fight militarily what we could have won economically with education and diplomacy beforehand.

Only about 20 percent of Peace Corps volunteers are serving in predominantly Muslim countries. There are far too few. In key areas, there are just not enough. Why? We just do not have the money. The money stayed stable, and costs have gone up. We have been declining in Peace Corps participation. Why is it important to have them in Muslim countries? Because they provide alternatives to the Wahabist view of life, financed too often by our Saudi Arabian friends. They are too often promoting the Salafists' radical agenda—barbaric ideologies, trying to reach impressionable Muslims.

Numerous accomplishments have been achieved over the past 6 years by our American volunteers, and the Peace Corps is poised to meet not only the growing demands from interested countries but from thousands of Americans who want to serve as well. I believe the Peace Corps should obtain its full request in 2008 in order to expand opportunities to enter these countries, vitally important countries in Southeast Asia and elsewhere, and I hope we will get a more robust request from the administration next year. It should not be hindered in expanding the number of volunteers in countries where the Peace Corps already exists and is advancing American ideals and building good will. Budget tightening has already occurred at many posts, and program closures are likely without additional funds.

Many of our diplomats and host country officials say that the Peace Corps is the most effective and cost-efficient U.S. agency in getting a better view of America.

I look forward to working with my colleagues in the conference committee. I hope we will be able to restore the President's full request for the Peace Corps. It is an investment in an effort vitally important to improving the lives of those in the developing world.

I also wish to talk about another initiative. I have been on the floor talking about it a long time; that is, effective grass roots development for agriculture in Afghanistan. Agriculture is the main building block of the Afghan economy, but it has suffered from dis-

investment and neglect. Over 70 percent of Afghans live in rural areas and derive their income from agriculture. Yet the public and private support infrastructure for agriculture is yet to be rebuilt.

I talked to some Missouri farmers—I will discuss it more later—who were over there with our National Guard. They tell us that they believe the Afghans could move a tremendous leap forward if we got them 19th century, not 21st century, not 20th century, but 19th century tools and equipment because they are that far behind.

I thank the managers of the bill. They have used in this bill \$20 million for USAID to set up and develop a nationwide agriculture extension system. It would establish and execute a strategy through a consortium of U.S. land grant universities, integrating the program into Afghanistan institutions, guided by local councils, comprising community, private sector, and government education leaders. Our U.S. education extension service transformed American agriculture over the last hundred years, and it can do a lot to improve the livelihood of the people in Afghanistan and counter the other influences, such as the cultivation of poppies for the drug trade.

Unfortunately, we have given money to USAID in the past, and it has been largely ineffective. USAID has refused to set up an extension system in Afghanistan. They continue to rely on large, DC-based contractors who apparently have had no impact. They lack that expertise and capacity-building know-how and expertise which will create sustainable development.

Over 5 years and hundreds of millions of dollars later, after USAID has been spinning its wheels, Afghanistan now accounts for 92 percent of the world's opium supply. I recognize USAID and the Department of State are large bureaucracies that cannot operate as effectively as the military can in places such as Iraq and Afghanistan. However, the community development efforts they are tasked with are paramount to establish a strong economy that will allow the Afghan farmers and the Afghan people an alternative to opium production. When I was in Iraq, for example, I observed our warfighters taking action and picking up the mantle where State and USAID's hands were tied.

In Ramadi, we saw the marines, after they had pacified Ramadi, went in and rebuilt the Blue Mosque, the absolutely central Sunni mosque for that entire region. There was a tremendous amount of goodwill created, showing them we supported their religion.

In Afghanistan, a member of my staff, a month ago, returned from Nangarhar Province with members of the Missouri National Guard. As a result of my working with the Guard and what we saw on the ground and the fact that the President, Hamid Karzai, had asked for extension service assistance but USAID was not able to produce it,

I asked the National Guard to send an agricultural development team over to see what could be done. They came back with a very promising response.

The team and subsequent others we hope will be established by the Department of Defense through the National Guard will be composed of citizen soldiers who come, in their civilian lives, from farming, agribusiness, and construction trades. Each AG team will have extension service experts—whether it is in soil or meat technology or other things that have been identified as pressing needs. They are going to focus on more efficient use of irrigation, crop rotation, cold storage, harvesting, processing, and agribusiness. They will not just be giving farmers seeds, they will be building real, long-term relationships and capacity-building that will sustain agriculture in Afghanistan, to bring it into the 19th and even into the 20th century. They will be doing so in a place where building trust with the populace is paramount.

From my time as Governor, I have always been impressed with not only the capacity and the ability and dedication of our National Guard throughout the United States but their flexibility. The National Guard structure, capabilities, and the skill-set of the citizen soldiers in the Army are uniquely positioned to execute a position that many others are incapable of fully executing. I hope the USAID and State Department will follow the lead of its Department of Defense cohorts in Iraq and Afghanistan. As I said, 80 percent of the war on terror is non-kinetic—agricultural development, education exchanges, Peace Corps volunteers, and public diplomacy. If USAID continues to rely on giving large chunks of money to cumbersome contractors in its foreign aid, it will fail, and I will see if I can convince my colleagues to choose another route.

Efforts in Afghanistan, like the land grant extension initiative and the agricultural development teams, are models for how we should be conducting the nonkinetic war we must fight against those who vowed continuing war against us and the way of life we espouse.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I rise to speak to one of the amendments pending before the Senate on Cuba democracy. But before I speak to that specific amendment, I wish to start off by thanking Chairman LEAHY for all of his hard work on the Foreign Operations appropriations bill. His leadership on crucial issues around the world is critical. I also appreciate his support for human rights around the world—Latin America and other places—as well as his willingness to work with me and my staff. So we appreciate his leadership on what I believe is overall an exceptional bill that has been brought to the Senate for its consideration.

AMENDMENT NO. 2694

I didn't know my colleague from Florida, Senator MARTINEZ, was going to come to the floor earlier. I would have joined him at the time. But I certainly wish to join him in promoting this amendment and Cuban democracy. This amendment is simple and for a simple but powerful purpose: to support democracy inside of Cuba. I believe that no matter where we as Members of the Senate stand on the issue of U.S. policy toward Cuba—and I recognize there are diverging views—every Member of this body, however, I suspect, supports achieving democracy in Cuba and therefore should support this particular amendment.

Right now, we are at a critical time for democracy in Cuba. Some would ask: Why now? Why should we increase the funding for Cuban democracy right now in this legislation?

I would answer: Right now, we face a moment of hope for the Cuban people. Right now, we face a moment of hope for the Cuban people who have suffered under the only dictatorship in the entire hemisphere—a dictatorship of 48 years. Dictatorships, whether they be from the left or the right, are nonetheless dictatorships. They are an oppression of people, and we should be against such oppression.

Sometimes I hear from some the romanticism of who Fidel Castro is.

They forget that he is, above all, a dictator and that he oppresses his people on a daily basis. And even at the height of what was the former Soviet Union giving billions of dollars in assistance to the Castro regime, what did he do? He still rationed, Cuban families having to wait in long lines, as they do today, because of a regime that seeks to put its money in security forces, to oppress its people, instead of feeding its own people.

We should be against such repression. Right now we are faced with a moment of hope for the Cuban people with Castro ailing. Right now we face a potential tipping point for the Cuban opposition leaders and dissidents who risk their lives and well-being and their security and their freedom every day to speak out for democracy.

Right now we have to seize this moment of hope and increase our support for democracy inside of Cuba. Now, as we look at the history of democratic movements around the world, we have learned it is at such moments that internal democratic movements need external support.

Look at similar moments in Eastern Europe. Look at Poland's Solidarity movement; look at the former Czechoslovakia's Charter 77 movement in 1989. In each case, these internal moments were also supported from the outside. We must remember our responsibility when we hear those who formerly languished under Communist rule, when we hear people such as the famous Polish human rights activist and former President of Poland Lech Walesa say:

The United States led the free world defending values of democracy and humanism.

Your determination and your civilization bloomed with the hope of Poles.

That is why it is critical that we increase our funds to support democracy in Cuba right now. A few weeks ago I participated in a video conference at the State Department with Cuban human rights activists, political dissidents, independent journalists, who took great risk to travel to the U.S. Interest Section in Havana from different parts of Cuba to speak to a group of Members of Congress, of which I was one.

We heard one clear message: that they are facing increased pressure. Think about it. Already under a totalitarian dictatorship, even under that oppression they are facing increased pressure from the regime, and U.S. funds are critical to their ability to continue speaking out against repression.

I would add that dissidents and opposition leaders were united. There was well over a dozen of them in this video conference at the U.S. Interest Section, and they were united on this point, even though they are sometimes divided on other issues. On this point of receiving assistance in order to nurture the opportunity for civil society and the opportunity for change to take place, they were united.

In fact, I received a letter from these same leaders which said their needs were, among others:

Medicine to keep a political prisoner or dissident from dying to food, water filters, medical equipment, clothing, shoes, coats, toys for the children of political prisoners who suffer doubly the loss of a loved one who is in prison and social repression on the streets and in schools, essential vitamins, office supplies and the tools of democracy (computers, printers, phones, fax machines).

Because in a closed society in which only the dictatorship owns the airwaves, whether it be that of radio, or that of television, or the state newspaper, when you cannot express your God-given right as an individual to have a different view and to speak out, and you have no form of expressing that view to those of your fellow countrymen, to have them seek to move in a different direction, what we do by providing computers and printers and phones and fax machines is the very essence of what we take for granted here at home but for them are the very seeds, the tools they need to promote democracy.

This letter was signed by a diverse group of Cuban dissidents, including Julio Cecilia Delgado Gonzalez, Juan Gonzalez Febles, Laura Pollan Toledo, Gidal Delgado Sablon, Candido J. Hidalgo-Gato, Vladimiro Roca Antunez, Guillermo Farinas Hernandez, Hector Palacio Ruiz, and Elizardo Sanchez Santa Cruz.

This is a very diverse group of human rights activists, political dissidents, independent journalists. They do not all agree, just as sometimes we do not all agree here, but they all seek to have democracy and human rights. They may have come at it in different

ways, but they all agree that they need help from the United States and from others throughout the world in order to achieve this.

This is why this amendment, increasing funding in the bill to \$45.7 million, is important. This is the same level of funding the President requested, the same level of funding that was included in the House version of this bill that was passed by a strong bipartisan vote.

Let me be clear. We are asking for an increase in these funds. We are asking for an increase in these funds because this is exactly the moment to increase funds for Cuban democracy. We do provide an offset for these funds, so we are not increasing the overall total of the bill. The offset is exactly what was included in the House-passed version of this bill. It is from the largest pot of money in the entire bill, for general expenses, for general administration.

I wish also to remind my friends that these programs I am talking about for democracy inside of Cuba—health, helping the human rights activists, political dissidents, journalists and activists—are carried out by organizations well known to my Senate colleagues: the National Endowment for Democracy, Freedom House, Pan American Development Foundation.

Our Cuba Democracy Program also works with well-known international organizations such as France's Reporters Without Borders, the Netherlands' Pax Christi, and the Czechs' People in Need Foundation.

I think we would all support the type of work the Cuba Democracy programs carry out. U.S. funds support helping victims of repression. U.S. funds support advocating for human rights, including helping the wives of political prisoners advocate for their release from prison and defending their rights in jail.

U.S. funds support pro-democracy activists, grantees of training Cuban dissidents on information technology, leadership, civil society activities, facilitating coordination among activists, and making small institutional developmental grants to strengthen the organizational capacity of democracy groups.

U.S. funds give Cubans a voice and help disseminate activists' writing and provide Internet coverage by independent Cuban journalists. The work they do is powerful and meaningful. Between 2004 and 2005, there was a 54 percent increase in civil resistance actions within Cuba, 89 percent of which occurred outside of Havana in Cuba's provinces.

A 2005 study by the Cuban Democratic Directorate found that actions of civil resistance have increased from 444 in the year 2000 to 3,322 in the year 2005. It is a positive trend of those who seek to create civil society and peaceful change inside of their country, toward that which we promote around the world, human rights, democracy. Ignoring this opportunity would only undermine this historic undertaking.

In conclusion, I believe this is a vote that should unite all of us wherever we stand on general U.S. policy toward Cuba. Let me remind my friends, this is not a vote on the embargo, this is not a vote on basic U.S. policies toward Cuba; we may have that discussion on some other day. By voting for this amendment, you are voting to support those in Cuba who continue to go out in the street every day, to ask for peaceful democratic change, who risk their lives, who risk their liberty. That is not an overdramatization of the reality of the challenge those who seek to create change in the country of Cuba face.

I represent many in New Jersey who have languished in Castro's jails for 10, 20, even 30 years. What was their crime? What was their crime that they had languished for 10, 20, or 30 years in Castro's jails? Simply to suggest, simply to suggest, that there was a better way for the Cuban people simply to speak out for those freedoms we enjoy here in this country, simply to be able to have the opportunity to worship at the altar that we choose, simply to be able to elect those who represent us in our Government as we are privileged to serve here, simply to be able to come together and organize and demonstrate a different view than that which the Government might have at any given time, simply to speak your mind without the fear that the consequences of doing so will have you languishing 10, 20, or 30 years in Castro's gulags.

Anyone who doubts that is welcome to come to my home State of New Jersey, I am sure to the home State of my colleague from Florida, and others in the country who can visit with these human living examples of that oppression, and in many cases of the torture that they receive under the hand of this dictatorship.

By voting for this amendment, you are voting to support those in Cuba who are seeking and trying to create peaceful democratic change. By voting for this amendment you are voting to provide food and clothing to support political prisoners in Castro's jails who have been imprisoned for doing nothing more than reading the Universal Declaration of Human Rights or other democratic documents.

I wrote, when I was in the House, what is still the law of the land, title II of the Helms-Burton legislation, which is the document of that law which talks about how the United States stands ready to assist a future government pledged to democracy and transition, and then a future democratic government. We put in, under President Clinton, the first plan that described the proactive nature, the first time we proactively prepared for the possibility of a transition in a country. That document was sent to the U.S. Interest Section and reproduced, was given to Cubans who came to the section. Those who had the audacity to have that simple document in their possession were often arrested and thrown into jail.

The power of the thought, the liberating thought of the freedoms and the real attitude the United States had with the Cuban people as to where we wanted to help the people, not those who oppressed them, was so powerful that the regime could not afford for people to read it and would arrest them as they left the Interest Section.

By voting for this amendment, you give those who read that document or the Universal Declaration of Human Rights or other democratic documents the opportunity to be able to survive those jails. By voting for this amendment you are voting to do what the international community did in Poland, in Hungary, in Eastern Europe.

By voting for this amendment, you are voting to support democracy and human rights as we do in other programs in countries such as China, Burma, Cambodia, and many others. By voting for this amendment, you are making a simple statement—whether or not we disagree on how we achieve the policy goals—we support democracy, freedom, and human rights of the Cuban people. That is what this amendment does.

I hope we will have, as the House did, a strong bipartisan vote to send a message to those who struggle every day inside Cuba to create freedom, to promote the rights of individuals, as we are able to enjoy here in this country, that 90 miles away from the shores of the United States there can be the same opportunity as people aspire to throughout the world.

This is the moment. This is the time. This is the opportunity. I hope the Senate will avail itself of it and vote for this amendment.

I yield the floor, and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MARTINEZ. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. NELSON of Nebraska). Without objection, it is so ordered.

Mr. MARTINEZ. Mr. President, I ask unanimous consent that Senators MENENDEZ, ENSIGN, and NELSON of Florida be added as cosponsors of amendment No. 2694.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MARTINEZ. I further ask unanimous consent that Senator NELSON of Florida and Senator MENENDEZ be added as cosponsors of amendment No. 2695.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MENENDEZ. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LEAHY. I ask unanimous consent that the order for the quorum call be rescinded.



The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, I commend Senator GREGG for his opening statement. I associate myself especially with his comments and concern related to corruption at the World Bank and the U.N. and in our assistance programs in Iraq. We have serious and nonpartisan concerns. These go across the spectrum in this body. We intend to address them. I commend the Senator from New Hampshire for raising them in his statement.

We are trying very much to work out amendments. I hope we can go to third reading.

Mr. GREGG. I see no objection.

Mr. LEAHY. In saying that, I am reminded of that wonderful part in Henry IV—I am sure the Chair remembers this very well—with Glendower and Hotspur, when Glendower says: I can call spirits from the frothy depths, or something to that effect. And Hotspur says: Well, so can I, so can any man, but will they come when you call them.

The Senator from New Hampshire and I can call them from the depths, but we would just like to have them come when we call them. Staffs are working with a number of people. As soon as we have a finite list of amendments, we are going to go through them. I would hope we can wrap up.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LEAHY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. KLOBUCHAR). Without objection, it is so ordered.

Mr. LEAHY. Madam President, the distinguished Senator from New Jersey and the distinguished Senator from Florida have been working together on an amendment actually that is part of an overall package that the distinguished Senator from New Hampshire and I are working on with them, and I think we are prepared to move forward on that part of the legislation now. Both of the distinguished Senators are on the floor. Once that is disposed of, we have a few other odds and ends, and I would hope—I have heard there may be some other amendments, and I hope we get to them right away so that maybe we can go to third reading within the next hour or so.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. MARTINEZ. Madam President, as was pointed out by the distinguished chairman, Senator MENENDEZ and I have worked together on this effort which has been collaborative and bipartisan and has the support also, as co-sponsors, of Senators ENSIGN and NELSON of Florida.

AMENDMENT NO. 2694, AS MODIFIED

Mr. President, at this time I have a modification to the amendment No.

2694 that I would like to send to the desk.

The PRESIDING OFFICER. Will the Senator indicate the number again for the clerk?

Mr. MARTINEZ. Amendment No. 2694, which is the amendment we have been discussing.

The PRESIDING OFFICER. Without objection, the amendment is so modified.

The amendment, as modified, is as follows:

On page 255, line 5 before the period, insert the following:

: *Provided further*, That of the funds appropriated under this heading, \$45,700,000 should be made available to promote democracy in Cuba, and to assist the pro-democracy movement in Cuba.

Mr. MARTINEZ. At this time, I would simply speak on behalf of this amendment, which is to provide \$45,700,000 to the democracy movement and to assist the pro-democracy movement in Cuba and to promote democracy in Cuba. It is an essential part, as the Senator from New Jersey very eloquently discussed, of support for the dissident movement so they can have the resources necessary for them to carry out their work, so we can create a civil society in Cuba. So that, at this very critical juncture in history—a very critical moment in history—the forces of democracy, the forces of freedom, the forces of a new way for Cuba could be heard and have the resources necessary to carry their message to others within the Cuban population.

Senator MENENDEZ and I both listened as we discussed with these people their needs and their wants. They are not asking for things other than that which makes their work possible: The ability to have a cell phone so they can communicate with one another; pencils, paper, ballpoint pens, things as simple as that—computers, of course; printers, of course. All these things are the tools of democracy that, as we saw in Eastern Europe bring about the fruits of democracy, we can also see that these seeds of democracy planted in Cuba, that these funds can also bear the same kind of fruit at this very critical moment of transition, we hope, in the Cuban situation.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey is recognized.

Mr. MENENDEZ. Madam President, I am happy to join with my distinguished colleague from Florida in offering this amendment. I appreciate what I understand I hope will be the acceptance of the distinguished chairman and ranking member of the amendment by voice. I appreciate the fact that even those who have different views as to how we promote democracy in Cuba are willing to allow resources to have the ability to nurture human rights activists, political dissidents, independent journalists, those who struggle inside Cuba every day to promote civil society and peaceful change in their country which has languished

for 48 years under a dictatorship—are willing to allow that to move forward.

This is about promoting the opportunities of nurturing those people who risk their life and liberty every day to create change in their country, and in doing so the United States has always been a beacon of light of democracy throughout the world and a strong advocate for human rights. The adoption of the amendment would continue in that fine tradition.

I urge our colleagues, when the distinguished Senator from Florida seeks to do so, with hopefully the distinguished acquiescence of the chairman of the committee and ranking Republican, to have the amendment adopted and take advantage of this most propitious and historic moment.

With that, I yield the floor.

AMENDMENTS NOS. 2695, 2696, AND 2697

WITHDRAWN

Mr. MARTINEZ. Madam President, there are three amendments I wish to withdraw at this time. They are amendments Nos. 2695, 2696, and 2697.

The PRESIDING OFFICER. Without objection, it is so ordered. Those amendments are withdrawn.

The Senator from Vermont is recognized.

Mr. LEAHY. Madam President, I am prepared to accept the amendment, as modified, by the Senators from Florida and New Jersey.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the amendment, as modified.

The amendment (No. 2694), as modified, was agreed to.

Mr. GREGG. Madam President, I move to reconsider the vote and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LEAHY. Madam President, I ask unanimous consent that the Senator from New Mexico be recognized for up to 10 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from New Mexico is recognized.

(The remarks of Senator BINGAMAN are printed in today's RECORD under "Morning Business.")

The PRESIDING OFFICER. The Senator from Kansas is recognized.

Mr. BROWNBACK. Madam President, I have two amendments I will be offering to this Foreign Operations bill dealing with international family planning. I would like to call up both of them and discuss them as a way of being able to deal with this in a timely fashion for my colleagues. I ask unanimous consent that these two amendments be called up and put in order.

The PRESIDING OFFICER. Is there objection?

Mr. LEAHY. Madam President, reserving the right to object, and I shall not, the Senator from Kansas wishes to speak about the amendments now, and there is going to be an amendment or two by Senator BOXER. I hope the Senator will work with us—and the Senator from California, too—to give their

speeches, have the amendments discussed, but before the votes start, we can work out a sequence of votes in a relatively short period of time. It is my understanding that comports with the thinking of the Senator from Kansas. He can speak as long as he wants because he has the floor. Does that comport with his thinking?

Mr. BROWNBAC. Yes, it does. There is a dispute on international family planning and the dollars. I was asking here—and I ask my colleague from Vermont about this—would it be appropriate to bring the two amendments up on the floor at this time? I am willing to work on any sequencing that the Senator from California or anybody else would feel appropriate. I want to get votes on these issues; they are important. They are matters of longstanding policy. Frankly, they are policy issues that if either of them ends up in the bill, it will be vetoed. I think it is a significant issue for debate on the bill. If the Senator from Vermont would like to sequence things in a different way—

Mr. LEAHY. I wonder if we might begin with the amendment that says:

On page 308, beginning line 18, strike "health:" And all that follows through page 309, line 4, and insert "health."

Can we deal with that first and then go to the next one? If that was the request, I have no objection.

AMENDMENT NO. 2708

Mr. BROWNBAC. I call up amendment No. 2708.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Kansas [Mr. BROWNBAC] proposes an amendment numbered 2708.

The amendment is as follows:

(Purpose: To prevent contributions to organizations that perform or promote abortion as a method of family planning)

On page 308, beginning on line 18, strike "health:" and all that follows through page 309, line 4, and insert "health:".

Mr. BROWNBAC. Madam President, I want to describe the overview of this and go into the specifics. This amendment No. 2708 deals with the Mexico City policy. The second one deals with the Kemp-Kasten legislation. They are both policies the U.S. has in place. Kemp-Kasten has been in place over 20 years. The Mexico City policy has been in place since President Reagan. It was repealed under President Clinton and put back in place under President Bush. These are long, well-known policy issues. They are significant policy issues. There is significant policy debate about it.

The centerpiece of this debate is whether the U.S. should use taxpayer funding to fund abortion overseas. That is at the centerpiece of the debate—whether the U.S. Government should use taxpayer dollars to fund abortions overseas. I submit that regardless of your position on abortion, we should not be using taxpayer funds to fund abortions here or overseas. A

number of Americans would oppose on moral grounds that their taxpayer dollars are being used to fund abortions here or overseas but particularly overseas. They would object to that. And a number of people would say why are we even doing something like this overseas.

People who are pro-choice might say: I am OK with abortion, but why are we using taxpayer dollars to do this overseas? Why not let those countries and governments deal with their own problems rather than us funding these issues?

There is a taxpayer angle on this issue and there is an overseas meddling angle on this issue, and there is obviously a major moral issue of our day that is involved with this issue.

These amendments raise important issues. Should, as I mentioned, U.S. taxpayers be forced to subsidize international groups involved in abortions? Should U.S. taxpayers support organizations involved with coercive abortion policies? Some people support abortion but not coercive abortion. And should U.S. taxpayers be involved with organizations that are connected to involuntary sterilizations?

I hope everybody in this body would be opposed to those last two points.

As drafted, the Foreign Operations bill, unfortunately, answers yes to all three questions, and that is what this first amendment, the Mexico City language amendment, seeks to turn around.

The bill is a radical departure from both current policy and common sense, and it should make us pause. Do we want to go down this road?

The first amendment I offer today addresses what is known as the Mexico City policy. This policy originated with President Ronald Reagan, as I stated previously, in 1984 and has been continued by the current administration. The Mexico City policy prohibits Federal taxpayer funds from going to organizations that perform or actively promote abortion as a method of family planning in other nations. The Mexico City language is this: prohibits Federal taxpayer funds from going to organizations that "perform or actively promote abortion as a method of family planning in other nations." However, the language in the pending bill would gut this policy. In fact, the language in this appropriations bill implies that elective abortion is an acceptable method of family planning.

No matter how one feels about the taking of human life through surgically induced abortions, surely we can reach some consensus that abortion is not a legitimate means of family planning.

Further, I hope we can agree that taxpayers should not be forced to subsidize groups that provide abortion, many of whom object to abortion and find it morally wrong. The Mexico City policy is common sense and aligns with the values of most Americans.

The bottom line is, U.S. taxpayers should not be forced to subsidize or

support organizations that perform or promote abortions for overseas family planning programs.

In case my colleagues think, OK, that was the language in 1984, that was the world situation in 1984, let me read from a newspaper article, an AP story that was filed on August 30, 2007. The article is "Chinese victims of forced late-term abortion fight back."

The article is dated August 30, 2007. It reads as follows:

Yang Zhongchen, a small-town businessman, wined and dined three government officials for permission to become a father.

Yes, permission to become a father. It didn't work. Even though he wined and dined, his wife was taken out of town and her baby was killed by injection while still inside her. This is her quote. I want to read this for my colleagues:

"Several people held me down, they ripped my clothes aside and the doctor pushed a large syringe into my stomach," says Jin Yani, a shy, petite woman with a long ponytail. "It was very painful. . . . It was all very rough."

The article goes on to say:

Some 30 years after China decreed a general limit of one child per family, resentment still brews over the state's regular and sometimes brutal intrusion into intimate family matters. Not only are many second pregnancies aborted, but even to have one's first child requires a license.

Why would we want to be associated with any sort of family planning that is coercive of an abortion, regardless of where you are on the choice issue? Whether you are pro-choice or not, you wouldn't want to be associated with a government, with a group that does forced abortions, coercive abortions such as I am reading about in an AP story written at the end of August of this year. Why would we want to be a part of that?

Madam President, I ask unanimous consent to have printed in the RECORD the article on "Chinese victims of forced late-term abortion fight back."

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Houston Chronicle, Aug. 30, 2007]

CHINESE VICTIMS OF FORCED LATE-TERM ABORTION FIGHT BACK

QIAN'AN, CHINA.—Yang Zhongchen, a small-town businessman, wined and dined three government officials for permission to become a father.

But the Peking duck and liquor weren't enough. One night, a couple of weeks before her date for giving birth, Yang's wife was dragged from her bed in a north China town and taken to a clinic, where, she says, her baby was killed by injection while still inside her.

"Several people held me down, they ripped my clothes aside and the doctor pushed a large syringe into my stomach," says Jin Yani, a shy, petite woman with a long ponytail. "It was very painful. . . . It was all very rough."

Some 30 years after China decreed a general limit of one child per family, resentment still brews over the state's regular and sometimes brutal intrusion into intimate family matters. Not only are many second

pregnancies aborted, but even to have one's first child requires a license.

Seven years after the dead baby was pulled from her body with forceps, Jin remains traumatized and, the couple and a doctor say, unable to bear children. Yang and Jin have made the rounds of government offices pleading for restitution—to no avail.

This year, they took the unusual step of suing the family planning agency. The judges ruled against them, saying Yang and Jin conceived out of wedlock. Local family planning officials said Jin consented to the abortion. The couple's appeal to a higher court is pending.

The one-child policy applies to most families in this nation of 1.3 billion people, and communist officials, often under pressure to meet birth quotas set by the government, can be coldly intolerant of violators.

But in the new China, economically powerful and more open to outside influences, ordinary citizens such as Yang and Jin increasingly are speaking out. Aiding them are social campaigners and lawyers who have documented cases of forced abortions in the seventh, eighth or ninth month.

Chen Guangcheng, a self-taught lawyer, prepared a lawsuit cataloguing 20 cases of forced abortions and sterilizations in rural parts of Shandong province in 2005, allegedly carried out because local officials had failed to reach population control targets.

Chen, who is blind, is serving a prison sentence of three years and four months which his supporters say was meted out in retaliation for his activism.

Many countries ban abortion after 12 or sometimes 24 weeks of pregnancy unless the mother's life is at risk. While China outlaws forced abortions, its laws do not expressly prohibit or even define late-term termination.

#### A FAMILY UNPLANNED

Jin, an 18-year-old high school dropout from a broken home, met 30-year-old Yang, a building materials supplier, in September 1998. They moved in together. A year and a half later, in January or February 2000, they discovered Jin was pregnant but couldn't get married right away because she had not reached 20, the marriage age.

After her birthday in April, Jin bought porcelain cups for the wedding and posed for studio photos. On May 5, they were married.

Now all that was missing was the piece of paper allowing them to have a child. So about a month before Jin's due date, her husband Yang set out to curry favor with Di Wenjun, head of the neighborhood family planning office in Anshan, the couple's home town about 190 miles east of Beijing.

He faced a fine of \$660 to \$1,330 for not having gotten a family planning permit in advance, so he treated Di to the Peking duck lunch on Aug. 15, 2000, hoping to escape with a lower fine since this was his first child.

The next day he paid for another meal with Di and the village's Communist Party secretary and accountant.

He said the mood was cordial and that the officials toasted him for finding a young wife and starting a family.

"They told me 'We'll talk to our superiors. We'll do our best. Wait for our news.' So I was put at ease," Yang said.

But three weeks later, on Sept. 7, when Yang was away opening a new building supplies store, Jin was taken from her mother-in-law's home and forced into having the abortion.

Why had the officials failed to make good on their assurances? One of Yang's two lawyers, Wang Chen, says he believes it was because no bribe was paid.

"Dinner is not enough," Wang said. "Nothing gets done without a bribe. This is the situation in China. Yang was too naive."

Di, who has since been promoted to head of family planning for all of Anshan township, could not be reached. Officials who answered his office phone refused to take a message and gave a cell phone number for him that was out of service.

#### LATE-TERM PROCEDURES DECLINE

Zhai Zhenwu, a sociology professor at the People's University Institute of Demographic Studies in Beijing, said that while forced, late-term abortions do still occur sporadically, they have fallen sharply.

In the late '80s and early '90s, he said, some family planning officials "were really radical and would do very inappropriate things like take your house, levy huge fines, force you into procedures."

Things have improved since a propaganda campaign in 1993 to make enforcement more humane and the enactment of the family planning law in 2001, he said. Controls have been relaxed, allowing couples in many rural areas to have two children under certain conditions.

Still, Radio Free Asia reported this year that dozens of women in Baise, a small city in the southern province of Guangxi, were forced to have abortions because local officials failed to meet their population targets.

In the province's Bobai county, thousands of farmers rioted in May after family planners levied huge fines against people with too many children. Those who didn't pay were told their homes would be demolished and their belongings seized.

Yang and Jin are suing the Family Planning Bureau in their county of Changli for \$38,000 in medical expenses and \$130,000 for psychological distress.

But it's not about the money, said Yang, a fast-talking chain-smoker. No longer able to afford to run his business, he now works as a day laborer in Qian'an, an iron mining town east of Beijing.

"What I want is my child and I want the court to acknowledge our suffering," he said.

A family planning official in Changli justified Jin's abortion on the grounds she lacked a birth permit. The woman, who would only give her surname, Fu, said no one in the clinic was punished for performing the procedure.

#### CONTRADICTORY EVIDENCE

The National Population and Family Planning Commission, the agency overseeing the one-child policy, says it is looking into Jin and Yang's case. Meanwhile, the evidence appears contradictory.

Jin's medical records include a doctor's certificate from 2001, the year after the abortion, confirming she could not have children. Doctors in Changli county say they examined her in 2001 and 2002 and found nothing wrong with her.

The court ruling says Jin agreed to have the operation. Jin says the signature on the consent form is not hers but that of Di, the official her husband courted.

Sun Maohang, another of the Yangs' lawyers, doubts the court will rule for the couple lest it encourage further lawsuits. But he hopes the case will stir debate and lead to clearer guidelines on abortion.

As she waits for the next round in court, Jin says she is too weak to work and has been celibate for years because sex is too painful.

Her husband prods her to tell her story, but during an interview she sits silent for a long time and finally says she doesn't want to talk about the past because it's too sad.

Then she quietly insists the lawsuit is something she has to do for Yang Ying, the baby girl she carried but never got to see or hold.

Mr. BROWNBACK. Madam President, several years ago, when I was chairing

the South Asia Subcommittee of the Foreign Relations Committee, we held a hearing on a lady who went undercover in China and filmed and interviewed a number of women who had been forced into abortions. She talked about the brutality. She brought the interviews forward. This continues to go on to today.

There is no reason that we as an American Government should be associated with it. Period. The Mexico City language has been a longstanding policy of the United States. It makes sense. It is something we should continue. It is gutted in the bill.

I want to make another point on this issue. If this language remains in the bill, if the Mexico City language is not put back in the bill, or if the current language remains in the bill and it goes to the President, it will be vetoed. The President has issued a very clear statement to the Congress to maintain the language of Mexico City and Kemp-Kasten, saying very clearly, if this is in the bill, the bill will be vetoed.

I don't know why we would want to overturn a policy that has been in place for a number of years, a policy that makes common sense, to get a veto on a very important Foreign Operations bill.

I thank my colleague from Vermont who chairs the committee and my colleague from New Hampshire who is the ranking member for many good provisions in this Foreign Operations bill. I know my colleague from Vermont has a heart for foreign operations issues, for taking care of people overseas and domestically, to do whatever he can in situations that are difficult, that are dire. We have talked about it many times. I am very appreciative of his efforts in this field. This is not the way to go. This is something that will divide us. This is something that is harmful. It is something that will be vetoed. It is something that will bring this bill back in front of us. I believe we will have the votes to sustain the President's veto. We should not go this route on this particular bill.

Mr. GREGG. Madam President, will the Senator from Kansas yield for a question?

Mr. BROWNBACK. Yes, I will.

Mr. GREGG. I see the Senator from California is in the Chamber. I was wondering if we could enter a game plan. I understand the Senator from Kansas has two amendments, one dealing with the Mexico City language and one dealing with Kemp-Kasten.

Mr. BROWNBACK. Yes.

Mr. GREGG. The Senator from California has an amendment that deals with the language in this bill also in that general area. I was wondering if we can work out an agreement where the Senator from Kansas can have the time he has already taken, plus an additional 30 minutes on his two amendments, and the Senator from California can have 30 minutes on her amendment, and then maybe we can vote on all these amendments.

Mr. BROWNBACK. I would be agreeable to that request.

Mr. GREGG. Madam President, I ask unanimous consent that the Senator from Kansas have 30 minutes and be allowed to offer his two amendments without second-degree amendments, and the Senator from California then follow with 30 minutes and be allowed to offer her amendment without second-degree amendments, and those three amendments be voted on at the conclusion of that time.

Mrs. BOXER. Reserving the right to object.

Mr. LEAHY. I am not sure I understand. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from Kansas has the floor.

Mr. LEAHY. Will the Senator from Kansas suggest the absence of a quorum without yielding the floor?

Mr. BROWNBACK. Without yielding the floor, I suggest the absence of a quorum.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator will be recognized.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEAHY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Madam President, I understand the Senator from Kansas has the floor, and I ask if he will yield to me to propose a unanimous consent request.

Mr. BROWNBACK. I yield to the Senator from Vermont.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Madam President, I propose, similar to what the Senator from New Hampshire said, that the Senator from Kansas has the time he already used, plus 30 minutes, during which he will have offered and spoken on or yielded to others to speak on his two amendments, and then the Senator from California have up to 30 minutes, either to speak or to yield to others and to offer her amendment. Then the amendments be set aside to be voted on prior to final passage at a time to be determined by the two managers.

Mr. GREGG. And in an order to be determined.

Mr. LEAHY. And in an order to be determined by the two managers?

Mr. BROWNBACK. Reserving the right to object, I want to make sure I understand the point. We will have votes on all three amendments. I am assuming that the Senator from California—

Mr. LEAHY. The Senator is right, there will have to be votes on these amendments prior to final passage.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Kansas.

Mr. GREGG. Madam President, I ask that the Senator from Kansas yield for an additional unanimous consent.

Mr. BROWNBACK. I will be happy to yield.

Mr. GREGG. Madam President, I ask unanimous consent that no second-degree amendments be in order to the amendments proposed.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWNBACK. Madam President, I thank my colleagues from Vermont and New Hampshire for getting this play set. These are well-known policy issues. They have been debated a long time in this country. My guess is that most people in this body know where they stand on these particular issues. A lengthy debate is not necessary.

What I want to do is clarify what we are talking about, No. 1, and No. 2, factually these conditions continue to exist in the world and this is not something that is an old policy and not needed any longer.

I ask unanimous consent to add Senator CORKER as a cosponsor to my amendment No. 2708.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWNBACK. Madam President, I thank my colleagues for working on this issue. It is a gut-check issue about where you stand on life, where you stand on the U.S. role around the world, where you stand on whether we should be using taxpayers' funds for abortion, where you stand on whether we should be using taxpayers' dollars to promote abortion overseas. I think those are important and key issues. They are issues on which people know where they stand, and I hope we will be able to have a positive vote on all of these amendments.

I also say to my colleagues that if these particular provisions as currently exist in the bill, as I already stated, pass through this body and are in the ultimate bill, I believe the bill will be vetoed and we will be right back talking about this bill which has a number of very good provisions in it on foreign affairs, foreign operations that are very important, but this is certainly going to hold it up.

Continuing my comments, as we all know, many Americans are deeply opposed to abortion. If you poll the issue of taxpayer funding of abortion, a solid majority of Americans is opposed to taxpayer funding of abortion. They do not want a part of it. They may say: I am okay with a woman's right to choose, but I don't want us to pay for that. I don't see why the taxpayers should be paying for it, let alone abortions overseas. Many who support abortion question whether it should be used for family planning purposes, which these funds are designated to be used for. We should not force American taxpayers to subsidize organizations that perform or actively promote abortion. That is a position—if you polled that—that would be supported by 75 percent of the American public, probably. I don't have actual poll data on it, but people don't support doing this, and there is no reason we should do it.

If anything, they would like to see us cut foreign operations and foreign aid budgets, and here would be a prime spot. They would be happy to see this cut taking place, and it would support their view of the role of the United States in the world and the moral authority with which the United States leads.

These are very difficult moral issues, and then we go and insert ourselves in a moral debate overseas—a moral debate about which we are very divided here—and it doubles the negative view of the United States meddling in a country's domestic issues and one of such key significance as life, human life; that we would meddle with U.S. taxpayer dollars.

I would like to argue a few other points. First, some will argue incorrectly that Federal tax dollars would not have to be used for actual abortions but could still be used to support the organization's other activities. This is something you will hear a lot about: We are not actually funding abortion, we are funding an organization that happens to be associated with abortion, but it is not for abortions. Well, I think most people see through that figleaf. It fails to properly understand the fungibility of money.

If I represent an organization, and I have money in this pocket and money in this pocket, but the budget all flows together—it supports staff, it supports overhead—it is used to support the full organization, and that is U.S. taxpayer money. Again, we are talking about overseas. It is used to support that organization. Sure, they will show us that, yes, in our bookkeeping and recordkeeping we don't support abortions with U.S. taxpayer money, but it does support the overall organization, and the image of that organization overseas is they support abortion. So you are funding abortion, even if the actual dollars themselves don't go for abortion. People get it.

I don't think we should fall for the figleaf they are going to keep a separate set of books. It is one organization, and the money goes to support one organization that has one policy, and that policy is to support and promote abortion overseas. The organization receives funds, and they can simply reallocate private funds or other sources of financial support away from their nonabortion-related activities into their abortion activities. It frees up other money they have that they can get from us and then use the money they have from private sources to fund abortions. So we are still helping out with abortions.

Second, the Mexico City policy also prohibits organizations that actively promote abortion from receiving funds. This means our Federal tax dollars should not be used to support the lobbying efforts of pro-abortion organizations that are attempting to change the abortion laws in other countries. These are groups that are trying to push pro-abortion laws, pro-choice laws

in many other countries. Why should we be involved in lobbying efforts in other countries on a controversial topic such as abortion? That makes no sense whether you are pro-life or pro-abortion as to why we should do that.

These are basic considerations I believe we should take into account with the amendment I have offered today to strike the language in this bill which guts the Mexico City policy. The current bill language guts the Mexico City policy. In effect, my amendment would ensure the Mexico City policy stands as is. It would stand.

I wish to recognize, too, that my colleagues, particularly the Senator from California, she and I have had various debates about this. I certainly don't question her ability. I don't question her heart. We view this differently. I don't think we should be anywhere near policies that promote abortion overseas. I see no reason the United States should be involved in policies that promote abortion overseas or the support of organizations that promote abortions overseas. My colleague from California looks at this differently. I respect her and her opinion on this.

I would hope our colleagues would look at this and simply ask—particularly those who are voting on this for the first time—is this something they want the United States to be associated with. A lot of people get mad at the United States for pushing its weight around overseas. A number of people get in our face and mad at the United States for pushing cultural changes overseas. I would think most of my colleagues would be very sensitive to our pushing cultural changes overseas, saying: OK, we have policies about democracy, we have thoughts on that; and people should be allowed to govern themselves. We don't necessarily want to push our views on major moral issues around the world today. Yet here is one of a most offensive nature to many Americans, to many people overseas, and the United States is funding it.

Why not take the money and use it to do water well promotion or provide AIDS drugs to help people to be able to live or malaria or tuberculosis, where there is no controversy associated with that. In those situations, people would applaud us helping them out with a problem they have, instead of getting involved in a very divisive moral issue in their country as well as ours. This doesn't make sense that we would do this.

AMENDMENT NO. 2707

Madam President, in the order of agreement, I would like to call up now the second amendment that I would propose, and I ask unanimous consent that the current one be set aside and the second amendment be called up.

I do not have a number. It deals with the Kemp-Kasten language.

The PRESIDING OFFICER. Without objection, the current amendment is set aside. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Kansas [Mr. BROWNBACK] proposes an amendment numbered 2707.

Mr. BROWNBACK. Madam President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To prohibit funding of organizations that support coercive abortion)

On page 240, beginning on line 4, strike "Provided" and all that follows through "sterilization:" on line 9 and insert "Provided further, That none of the funds made available in this Act nor any unobligated balances from prior appropriations may be made available to any organization or program which, as determined by the President, supports, or participates in the management of, a program of coercive abortion or involuntary sterilization:".

Mr. BROWNBACK. Madam President, this is a provision similar to the last one, as far as the issue. It is more specific. It has been the policy of the United States since 1985, and consistently been the policy of the United States through Republican and Democratic Congresses, through Republican and Democratic administrations. It is commonly referred to as the Kemp-Kasten legislation. It would require the reinsertion of what is known as the Kemp-Kasten law into this legislation. This law helps to ensure that American taxpayers do not subsidize groups and organizations with ties to coercive abortions and forced sterilizations. So this is a narrower subset of the past amendment, the last amendment that I put forward. I would like to read it to my colleagues. It is a short amendment. It is well-known language. I would hope it would get near unanimous support in this body. We would put this language in the bill:

That none of the funds made available in this Act nor any unobligated balances from prior appropriations may be made available to any organization or program which, as determined by the President, supports, or participates in the management of, a program of coercive abortion or involuntary sterilization.

Coerced abortion. Involuntary sterilization. It says you cannot support groups or organizations that participate in each of those. Now, I don't know of anybody in the Congress who I have ever run into at all that supports coerced abortion or involuntary sterilization.

We have seen involuntary sterilization at times in the past in this country, and it was a bad, dark chapter. This is not something we want to be a part of. What we are saying is you cannot support any organization overseas that is involved in involuntary sterilizations or coerced abortions, commonly referred to, as I said, as the Kemp-Kasten legislation. This has been the law on the books for 20 years, and I think my colleagues can see why.

This is something people don't support. It has been in place since 1985 through Republican-led Congresses and

Democratically led Congresses, Republican administrations and Democratic administrations. However, year after year the language has been watered down in the Foreign Operations appropriation bill and essentially gutted. That is why in this amendment my colleagues will support it. This is language we would reinsert into this bill.

This commonsense provision prohibits funding of these organizations. One important effect of this law has been to prohibit taxpayer funding of the United Nations Population Fund. That is what this narrow piece of the debate will be about, because of that agency's support for and participation in the management of the population control program of the People's Republic of China. This program relies heavily on Government-coerced abortions.

This gets a bit personal with me. One of our children is adopted from China. I think often of the woman who had our child, Jenna; that somehow she fought through a system that would have paid for, in places and cases, a coerced abortion. But she fought through this system to have the child who is my daughter, who is 9 years old, and who won her third grade spelling bee contest. She is, I think, a beautiful gift to society. A beautiful gift to the world. Why would we want to be anywhere closely associated with any government or organization that would have forced people, such as my daughter's mother, to have an abortion? I don't know why anybody would want to be associated with that or come anywhere close to that.

I read to my colleagues, and we inserted in the RECORD an AP story about this still going on today. This is not an isolated incident. This happens in many places. We have held Senate hearings with people where the local population control officials in China are very aggressive on pushing a one-child policy, and that you have to get a license for that child. Many women will flee a local community when they are pregnant in order to have their child somewhere else. My daughter was left on the doorsteps of an orphanage by somebody who fought through that system. Maybe she was from a community that was some ways away, but somehow she fought through to have this child. Why would we want to be anywhere close to something like that?

The Appropriations Committee-approved bill has inappropriately removed the Kemp-Kasten provision by changing the language in important ways. It requires evidence that the UNFPA directly supports coercive abortion. We, as a civilized society, should reject the brutal practice of forced abortion, whether it is promoted directly or indirectly. If you have local population planning authorities in China who are indirectly supporting coercive abortion, do we want to be anywhere closely associated with that? I don't think so. The bill removes the language giving the President the explicit authority to invoke the provision.

We ought to allow the President to enforce this provision, as it is essential, I believe, to a civilized society. A civilized society doesn't do forced abortions, coercive abortions or involuntary sterilization. The Brownback amendment would restore the Kemp-Kasten language that has been the law for over 20 years.

While we have had a rigorous debate in this country about abortion, we have come to some fundamental agreements, I believe. One of those agreements is we should not use tax dollars to fund coercive abortion. It is a brutal practice and it should be stopped. We should not use this as an occasion for partisan politics. Whatever your thoughts on abortion, we should be able to agree that forced abortion goes too far. It is not worthy of the America we all know is possible. I envision an America where the strong protect the weak.

We ought to value each life and every life, everywhere and without exception. That is why I talk often about being pro-life and whole-life. I believe the life in the womb is sacred. I believe the life of a child in Darfur is sacred and a child in China. It is a hopeful message and a unifying message and it is one that should apply in this bill on this language.

I urge my colleagues to support the Brownback amendment to prohibit funding for forced abortions and return to the sensible policy of the past 20 years and to advance a culture of life; to not get involved in other countries' internal debates on abortion, particularly ones involving forced abortions and sterilizations.

I yield the floor, I reserve the remainder of my time, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. BOXER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. BOXER. Madam President, can you tell me what the order is, please.

The PRESIDING OFFICER. The Senator from California has 30 minutes. The Senator from Kansas has 13 minutes 7 seconds remaining.

Mrs. BOXER. Madam President, will you let me know when I have used 20 minutes of time?

The PRESIDING OFFICER. The Chair will do so.

AMENDMENT NO. 2719

Mrs. BOXER. Madam President, I call up amendment No. 2719, and I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from California [Mrs. BOXER], for herself and Ms. SNOWE, Ms. COLLINS, Mrs. CLINTON, Ms. CANTWELL, Mr. MENENDEZ, Mr. DODD, Mr. LAUTENBERG, Mrs. FEINSTEIN, Mr. FEINGOLD, and Mrs. MURRAY, proposes an amendment numbered 2719.

Mrs. BOXER. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To prohibit the application of certain restrictive eligibility requirements to foreign nongovernmental organizations with respect to the provision of assistance under part I of the Foreign Assistance Act of 1961)

On page 410, between lines 15 and 16, insert the following:

REMOVAL OF CERTAIN RESTRICTIVE ELIGIBILITY REQUIREMENTS APPLICABLE TO FOREIGN NON-GOVERNMENTAL ORGANIZATIONS

SEC. 699B. Notwithstanding any other provision of law, regulation, or policy, in determining eligibility for assistance authorized under part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.), foreign nongovernmental organizations shall not be ineligible for such assistance solely on the basis of health or medical services, including counseling and referral services, provided by such organizations with non-United States Government funds if such services do not violate the laws of the country in which they are being provided and would not violate United States Federal law if provided in the United States, and shall not be subject to requirements relating to the use of non-United States Government funds for advocacy and lobbying activities other than those that apply to United States nongovernmental organizations receiving assistance under part I of such Act.

Mrs. BOXER. Madam President, I rise today with my colleague, Senator OLYMPIA SNOWE, to offer a very important amendment that could significantly enhance the health and well-being of millions of women around the globe. This amendment would overturn the so-called Mexico City policy, also known as the global gag rule, which undermines a number of key principles and goals on which our country is based.

As many of you know, this policy was put in place at a conference in Mexico City in 1984. When we learned what it really did, we dubbed it the "global gag rule." As many of my colleagues know, the policy literally gags foreign organizations that receive USAID family planning funds.

Let me be clear about this issue. Under the gag rule, international family planning organizations that provide perfectly legal family planning services with their own funds in the countries in which they operate are prohibited from receiving U.S. assistance if they provide legal abortion services and those services include counseling or referral services, or they also do not get the funds if they publicly support the right to comprehensive reproductive health care.

Let me bring this home to you. I know you are a mom of a young child. If a mom walks into one of these family planning clinics that receives USAID funds with her 11-year-old daughter who has been raped and wants to be counseled as to what the options are or wants to be told where she can take that child, this organization will

lose all their USAID funds if they help that mom and that traumatized daughter. Is this America? We are talking about punishing family planning clinics all over the world if they use their own funds for perfectly legal activities to help families.

I will give you a clear example. Until 2004, abortion in Ethiopia was illegal unless the life of the mother was at stake, and complications from unsafe procedures were the second leading cause of death among hospitalized women. The Government decided to have a national debate about how to fix this problem which was taking a terrible toll on Ethiopian women. That is right, the Ethiopian Government said: Let's talk about what is right for our people, what is right for our customs, what is right for our way of life, and how can we save women's lives.

In order to weigh in on this debate, the two largest family planning organizations in Ethiopia actually had to give up their U.S. funding. That is why we call it a gag rule. The organizations were gagged from expressing themselves. They could not engage in the debate for fear of losing their funds. So the two largest family planning organizations in Ethiopia decided they would give up their U.S. assistance in order to spare women's lives. Imagine, as a result of this misguided policy, U.S. misguided policy, the two largest family planning organizations in Ethiopia lost U.S. funds simply because they wanted to weigh in on a debate about reproductive health care.

One of the things about President Bush that we all love is when he speaks about democracy and how democracy should be the centerpiece of our foreign policy. I ask you, what is democratic about gagging people? What is democratic about saying you have no right to free speech unless you agree with me? Then, if you agree with me, I support your right to speak. That is what the global gag rule is. Free speech is only allowed, under this administration, when that speech agrees with them. What is happening as a result? Women are dying and there are unnecessary abortions. This is a terrible result of this policy. Basically, we say to people who are doing hard work to help their people: If you don't agree with us, gag it. If you don't gag it, you are not going to get funds. This feeds into the stereotype of America that is around the world today. Most foreigners do not like us very much these days. They look at this administration, and they say that our strategy is: Do as we say; don't do as you choose.

I always thought that a legitimate democracy had the right to self-determination, that they were not punished if they said what they thought. We are not talking about spending a penny of U.S. money for abortions abroad. That has been illegal since 1976. We are not talking about using one cent of U.S. money to pay for lobbying for abortions. That also has been illegal all those years. We are talking, again,

about gagging family planning organizations that use their own money, in a legal way in the country in which they are present, to help women who desperately need help, to help children who are raped, to help children who are victims of incest.

In both 2003 and 2005, this Senate debated this exact amendment, and it passed with bipartisan support on both occasions. Why am I back? Because, sadly, the Senate never took final action on those bills, so we need to go back again and back again and back again until there is a clear decision on this issue. That clear decision is America, the greatest democracy in the world, is not going to tell other countries they have to see everything the way a particular administration sees it. They should have the right to make their own decisions. As a country that believes in democracy, free speech, and improving the health and well-being of people all over the world, it is time for us once and for all to do away with this harsh and cruel policy. The health and lives of millions of women depend on it, and that is why repealing this global gag rule is so important.

This is not a small matter; this is a large matter. In the bill currently on the floor of the Senate and in the House bill, some steps have been taken to ease the burden of the global gag rule. However, it really does not go the distance. The bill before us today tries to address it by allowing contraceptives to be provided by the United States to international family planning organizations that would otherwise be ineligible. But at the end of the day, these organizations are still gagged, they still can't lobby for changes in the law in the countries in which they work. They still cannot even refer someone for an abortion.

Again, I take the case of the mother who walks into one of these clinics with a child who is the victim of rape or incest and the mother is desperate: Where can I take my child? Please tell me.

We can't tell you because if we tell you, we are going to lose our funding.

Meanwhile, the child is losing time here in a battle to save her health. That is shameful. That is not something to be proud of.

Let's face it, these organizations need the funding and they need the freedom to exercise the most basic rights of humankind: the rights to free speech and expression to try to change policies they think are fundamentally wrong. In truth, we need family planning clinics to have open doors, not just to provide contraceptive services—which are so important—but to attend to all the aspects of reproductive health care.

Let me tell why I get so emotional about this issue. Approximately 500,000 women die from pregnancy, childbirth, and postpartum complications every year—500,000. Think of your largest cities—500,000 women a year, 1 woman every single minute. This includes

deaths from a horrific condition known as obstetric fistula, which occurs when women's bodies are too young or underdeveloped to give birth. In Ethiopia, this problem is particularly prevalent, where child marriage rates are extremely high and some girls actually get married at 7, 8, and 9 years of age.

The fact that we as a country would do anything to harm access to comprehensive family planning is shameful. This is the 21st century. Even if you would never, ever want a member of your family to have an abortion, even if you would want a member of your family never to know that it even exists as an option, put aside your own feelings and allow other people to make their choice.

Let me give a specific example of what happens when international family planning organizations are barred from speaking out against injustice in the countries in which they operate. I will tell you a story I have told on the floor before, a story that a nongovernmental organization leader from Nepal told us at a hearing I chaired in the Foreign Relations Committee in 2001.

Like so many nonprofits, this NGO was forced to make an impossible decision when faced with the unjust imprisonment of a 13-year-old girl named Min Min. What did Min Min do? A 13-year-old girl—why was she in prison? Because she was raped by her uncle. A relative took her for an abortion, and instead of going after the uncle, they put her in jail; a 13-year-old girl, sentenced to 20 years in jail. But because of this outrageous gag rule, the organizations that operated inside Nepal were faced with a horrific choice: They would either lose their funding or they would keep their mouths shut and not try to free Min Min and change the laws. Do you know what they did? They gave up the money and they struggled, but they did the right thing, because Min Min was raped by a relative, she became pregnant, her family forced her to have an illegal abortion, and therefore she was sentenced to 20 years in prison. Imagine—a 13-year-old girl sent to jail for 20 years for the crime of being raped by an uncle.

Is that the kind of country we are, that we would tie the hands of an organization that wants to help that child and tell them: If you try to help that child and change the laws here, you lose your American funding. Doesn't that make us proud as Americans? No, it doesn't. It certainly doesn't make me proud. I hope it doesn't make anyone proud who would vote on this important amendment later on today.

I praise that nongovernmental organization, that health care agency for saying: You know what, it is not worth the money; it is not worth the money. These countries have people in them who struggle for money. This child celebrated her 14th birthday in prison, her 15th birthday in prison, but because that health care organization, that NGO, was able to change the laws, Min Min was set free. That organiza-

tion lost \$100,000 in funding because they saved a child, and they had to let 60 staff members go. That meant stopping a program that reached more than 50,000 people in remote communities.

What are we doing? What are we about? Are we about helping families? Oh, we hear it all the time: family values. I have them. I want to help that mom who walks into a clinic with a pregnant 11-year-old girl who was raped. I don't want to punish the people who help her. I don't see how you stand for family values if you do that. It doesn't make sense.

What we are doing by keeping the gag rule in place is saying to clinics and doctors: You have to choose between helping the people in your country by speaking out, by offering them referrals and counseling, or American dollars. This is not a good policy for this country. This is a shameful policy for this country. I am very optimistic that, again, we will have a successful vote to overturn this global gag rule.

President Bush says he will veto it. Let's have the debate. Let's have the debate because I think any moderate, sensible American will say this policy is misguided, and at the end of the day women and children are being hurt by it.

I reserve the remainder of my time. I would ask how much time I have remaining.

**THE PRESIDING OFFICER.** The Senator has 13 minutes, 43 seconds.

**Mrs. BOXER.** Madam President, I note the absence of a quorum.

**THE PRESIDING OFFICER.** The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

**Mr. BROWNBACK.** Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

**THE PRESIDING OFFICER.** Without objection, it is so ordered.

**Mr. BROWNBACK.** Madam President, in the time I have allotted, I would like to respond to some of the arguments put forward by my colleague from California, who is a tremendous advocate on the cause and the case. We certainly see it a different way, different light. There is a term that is starting to move around the world a fair amount today because they are seeing it in practice. The term is called gendercide. It is a product of family planning institutions in places, particularly, such as China and India. There are laws in India, particularly, that you cannot reveal the sex of a child in utero because so many of the female babies are being killed. Even then they are not working as laws. The people doing the sonograms will wink or nod to tell whether it is a girl or a boy child. And if it is a girl child, a lot of times the parents will go on and go forward with an abortion.

It has a result and effect that is taking place—normal balance ratios. You normally have a few more male children born than female children. In China your average now is 115 males

born per 100 females. In some areas in China the ratio is 120 to 130 males to 100 females in the country.

As I mentioned, my own experience with adopting a child from China, Jenna—Jenna, a joy in our household. And if you go into a Chinese orphanage, it is virtually all female children in a Chinese orphanage. There will be some male children. They are the ones who have some physical, sometimes mental difficulties, but otherwise it is all girls in the orphanage.

My colleague talks about that women are dying through these policies. Yes, they are dying through these policies. Female children around the world are being killed through these policies. Female babies are being left at orphanages or other places around the world because of these policies. I think that is a powerful indictment of a system that still forces abortions on people, still forces people to have forced sterilizations. I do not think we should be anywhere around these. That is why the second bill, on the Kemp-Kasten, I hope would pass the body nearly unanimously because it is about forced abortion and forced sterilization that is taking place.

My colleagues may say, well, I do not think it still goes on. I mentioned an article. I only read a piece of the quote in it, but I wanted to read further in it.

Radio Free Asia reported this year that dozens of women in a small city in a central province in China were forced to have abortions because local officials failed to meet their population targets.

From a report in Radio Free Asia:

In one province thousands of farmers rioting in May after family planners levied huge fines against people with too many children. Those that didn't pay were told their homes would be demolished and their belongings seized.

This is in an AP article and reported by Radio Free Asia. In that second amendment I put forward, we are saying: We do not want any part of this. We do not want any part of an organization that does support this. We do not want to support a coercive family policy in China. We do not want to associate with any organization that does. I would hope all of my colleagues would say: I do not want to see or be a part of anything like that.

My colleague from California talks about us gagging other people. They are free, organizations in every country are free as they want to be to advocate any policy they want to. We just do not want to fund it. We do not need to fund it. If they want to advocate different abortion policies, that is fine. We do not have to pay for it, and we should not pay for it, on something that is so controversial here and there. These are policies that are controversial in other countries.

If we dispute over the money, let's use the money to fight malaria or AIDS or tuberculosis. We will all agree on doing that. We do not gag them. They can do whatever they want. Peo-

ple in those countries get it too. If the United States is funding them, we are funding that voice. We are associated with that voice. I agree there are terrible things that happen in various parts around the world. But these abortion policies are not something that we should be supporting or funding, with its controversy here and there.

There is a basic right around the world, a basic right that I think trumps all other rights. It is the right to life. It is the right to live. Why would we support policies, promote organizations that are promoting policies that are opposed to that very basic right? If you do not get that one, any of the others do not matter a whole lot, do they? If you do not get to live, if you continue to have the kind of genocide and gender imbalances in various countries taking place, you are not going to have the voices there. You are not going to have the female voices that are there because they are being killed. This is happening in our world today. We do not need to do it.

There is a thought—it is a Proverb actually that says:

There is a way that seems right to a man, but in the end it is death.

One can argue for the saying: Well, OK, this is right for us to do. We need to support family planning. I do not think so. I do not think that is the right way. There are ones who could look at this and say: This is about women's rights and we should use this for women's rights. I do not think you have to support abortion or abortion provider organizations to support women's rights. I think we can do that through other means.

But at the end of the day what this does, and what these policies do, is it ends in death. This ends in the death of a lot of children. The numbers are there, and they are huge. They are the ones we should not be associated with. So I would ask again, my colleagues, on Kemp-Kasten to support this language that we would not fund any organizations or support any groups that support forced abortion and involuntary sterilization. That one I do not think anybody should disagree with, and that we should reinstate the Mexico City language that we will not support organizations that directly or indirectly support abortion or lobby for abortion. These are matters that countries there should take care of. If these provisions remain in the bill, the bill is not going to become law, and it will be back to us.

Madam President, I reserve the remainder of my time, and I yield the floor.

THE PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Madam President, I think this debate has been a good one, and Senator BROWBACK and I are used to debating this issue. I think we lay out our case the best we can. But let me be clear. I deplore genocide. I am the mother of a daughter. I would do anything to protect her. I deplore hurting girls. I deplore hurting women.

That is why it is so difficult for me to understand my friend's position on the Mexico City global gag rule policy. If he says he deplores hurting women, hurting children, hurting girls, then why would he support a policy that would punish a health care organization operating abroad from using its own funds to protect women, girls, children, families? Why would he support that?

He says: Oh, we are not gagging anybody. They can say anything they want. They just will not get our money. Well, this is America. We help people who are doing good things. That is the reason at one time we were beloved in the world. Is it not a good thing to help an organization that is using its own funds to help girls and women, to protect an 11-year-old who was raped to make sure she gets the health care she needs? Would not we want to think that American funding should help get contraceptives to families abroad? Should we help them if they have an unintended pregnancy or a rape or incest in their family?

That is why I do not understand how my friend's rhetoric matches his actions. I think it is cruel to continue the global gag rule. I think it is cruel to punish an organization that had to give up all of its money and all of its staff to go to work to change the law, to free a young girl who was raped by her uncle, and instead of the uncle going to jail, because of the laws in Nepal at that time, the child went to jail, and had her 14th and 15th birthday in jail and could have had 18 more years in jail had the organization not walked away from U.S. funding. How does that make you feel as an American? It makes me feel very sad.

Then my colleague says he agrees that women are dying from these policies. But he does not define what are "these policies." Well, let me define these policies. Women are dying because of Mexico City language, because of the global gag rule known as Mexico City.

Let me read from the New Republic.

The destructiveness of the gag rule is hard to overstate. The World Health Organization estimates that nearly 500,000 women in developing countries die each year from causes related to pregnancy and childbirth. Of those, roughly 70,000 die from back-alley abortions. And aid restrictions have hurt those groups best positioned to help. In Kenya, for example, two health organizations have had to shut down their clinics since 2001 after proving unable to abide by the gag rule and losing their USAID funding. Many of these clinics were the sole providers of health care for women and children in their respective regions, and most had offered post-abortion care—critical in a country where abortion is illegal, unsafe, and causes an estimated one-third of maternal deaths annually.

Imagine a clinic had to shut down its doors because America withheld its funding. They could not afford to keep it open. And women came crying into the front door there, bleeding from back-alley abortions. This is something my friend speaks about as being humane and kind and good.



Well, today the Senate has a chance to take a stand against the global gag order. The Senate has a chance to express itself in favor of the health of women, of girls. I am proud to be offering this amendment.

I ask unanimous consent to retain the remainder of my time, set aside the amendment, at which time we will have a vote on it at a later time.

The PRESIDING OFFICER. Without objection, it is so ordered.

Who yields time?

Mr. ENSIGN. Madam President, I ask unanimous consent to set aside the pending amendment and call up amendment No. 2700.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ENSIGN. Madam President, before the clerk reports the amendment, I ask unanimous consent that I be recognized for 5 minutes to speak on the amendment, followed by—that my amendment be set aside and Senator LIEBERMAN be recognized for 5 minutes to call up an amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. ENSIGN] proposes an amendment numbered 2700.

Mr. ENSIGN. I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To strike the provision in section 113 that increases the limit on the United States' share for United Nations peacekeeping operations during fiscal year 2008 from 25 percent to 27.1 percent so that the United States does not pay more than its fair share for United States peacekeeping) On page 231, strike lines 1 through 7.

Mr. ENSIGN. Madam President, the history of our financial commitment to United Nations peacekeeping should be a cautionary tale. For instance, from 1988 to 1994, U.N. peacekeeping spiraled out of control as the number of operations more than tripled and costs soared from \$268 million to \$3.5 billion. Finally, in 1994, the Democratically controlled Congress and President Clinton enacted legislation unilaterally reducing the U.S. share of the U.N. peacekeeping budget from 31 percent to 25 percent. The annual U.S. peacekeeping bill fell from almost \$1 billion to around \$300 million back in 1997. With the historic Helms-Biden U.N. agreement, we managed to clear up our fair share of arrears in exchange for much needed reforms.

Congress later agreed to a glidepath in our peacekeeping assessment rate, still maintaining the 25-percent cap in law but permitting higher authorized levels as we worked to achieve that goal.

Last year the United States recognized our assessment at 25 percent; the same as the year before. Now in a Democratically controlled Congress,

there is suddenly a push to roll back this achievement. It is estimated that for 2007, each percentage point over the cap costs U.S. taxpayers \$50 million per year. There is no way the United States should pay a penny more than the 25-percent assessed contribution rate. Despite scandal after scandal, the U.N. has neglected to adopt any reforms that would address the abuse, misconduct, mismanagement, and corruption that have plagued its peacekeeping operations and the body as a whole. United Nations peacekeepers are reported to have committed such egregious crimes as the rape and forced prostitution of the women and young girls they are sent to protect, all under the protection of the blue helmet. Peacekeepers have also been accused of torturing and murdering prisoners in their efforts to smuggle gold and arms to the rebels they were charged with disarming. Tell me how these actions such as these are worth more money.

The United Nations cannot even spend the billions of dollars they receive now in a manner that is above reproach. According to the U.N. Office of Internal Oversight, from the audit of \$1 billion in U.N. peacekeeping contracts over a 6-year period, \$298 million was subject to waste, fraud, and abuse.

I rise in support of this amendment that would actually keep our assessment rate at the 25-percent rate instead of what is in the bill, raising it to 27.1 percent. I personally think we should decrease it even further, but the least we should do is keep it at the 25-percent rate.

I urge adoption of the amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. ENSIGN. I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

AMENDMENT NO. 2691

Mr. LIEBERMAN. Madam President, I call up amendment No. 2691.

The PRESIDING OFFICER. Without objection, the pending amendment is set aside.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Connecticut [Mr. LIEBERMAN], for himself, Mr. BROWNBACK, Mr. KYL, Mr. GRAHAM, and Mr. COLEMAN, proposes an amendment numbered 2691.

Mr. LIEBERMAN. I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide that, of the amount appropriated or otherwise made available for the Economic Support Fund, \$75,000,000 shall be made available for programs of the Bureau of Near Eastern Affairs of the Department of State to support democracy, the rule of law, and governance in Iran)

On page 410, between lines 15 and 16, insert the following:

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

SEC. 699B. Of the amount appropriated or otherwise made available by title III for other bilateral economic assistance under the heading "ECONOMIC SUPPORT FUND", \$75,000,000 shall be made available for programs of the Bureau of Near Eastern Affairs of the Department of State to support democracy, the rule of law, and governance in Iran.

Mr. LIEBERMAN. Madam President, this is an amendment I am pleased to offer with Senators BROWNBACK and KYL. It would restore the \$75 million requested by the administration to support programs of democracy, rule of law, and governance in Iran.

I ask unanimous consent that Senators COLEMAN and GRAHAM be added as original sponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LIEBERMAN. No government today poses a greater threat to the United States, indeed, to the Middle East and probably to the world, than the Islamic Republic of Iran. We are all aware of the belligerent international behavior of the Iranian regime, its efforts to develop nuclear weapons, its use of Islamist terrorist groups such as Hamas, Hezbollah, and the Taliban, to undermine moderate governments across the Middle East, its designation by the United States State Department as the No. 1 state sponsor of terror and, of course, its escalating proxy war against American troops and Iraqi civilians and military in Iraq, where the Iranian Revolutionary Guard has been training, arming, equipping, and directing terrorists who are responsible in turn for the murder of hundreds of American soldiers and the murder of thousands of Iraqi civilians and soldiers.

What may, I fear, be less appreciated is that Iran's extremist terrorist behavior abroad is matched by equally extremist behavior at home. Just as the Iranian regime has been supporting the forces of repression and terror against the people of Lebanon, Palestine, Iraq, and Afghanistan, it is also escalating a campaign of repression and terror against its own citizens, the people of Iran. As the New York Times reported yesterday, the Iranian Government has in recent months "arrested prominent intellectuals, suppressed the Iranian student movement, rolled back social freedoms, purged university faculties, [and] closed newspapers."

This assault on Iranian civil society has been well documented by the most prominent international human rights nongovernmental organizations. Amnesty International, for instance, reports that "in recent months, the Iranian authorities have been carrying out a widespread crackdown on civil society, targeting academics, women's rights activists, students, journalists and labor organizations."

Dissidents and democrats in Iran today are under attack by their own Government. The question before this

Congress is whether we are going to stand with them in solidarity or whether we will turn away our heads. This amendment would provide \$75 million in funds, the amount requested by the administration; in fact, announced by Secretary of State Rice. That announcement, I know from sources I have, was broadly heard and appreciated within the Iranian civil society dissident movement. The committee has recommended one-third of that amount of money. This \$75 million would go to labor activists, women's groups, journalists, human rights advocates, and other members of Iranian civil society. It provides Congress an opportunity to demonstrate that even as we condemn the behavior of the Iranian regime, we stand with the Iranian people, a people with a proud history who truly are, in my opinion, yearning to be free. That freedom is suppressed by the fanatical regime that dominates their lives today.

The alternative path before Congress, if we don't adopt this amendment, would be to cut the administration's request by two-thirds. At that level of funding, existing programs will not only be unable to expand, they will actually be cut back. In other words, at just the moment when the Iranian Government is engaged in an unprecedented rollback of the human rights and political freedoms of the Iranian people, the American Government will be rolling back its own programs to help defend those rights and freedoms. Why would we do this?

The report language of the Appropriations subcommittee, I say respectfully, says that "the Committee supports the goals of promoting democracy in Iran," but "it is particularly concerned that grantees suspected of receiving U.S. assistance have been harassed and arrested by the Government of Iran for their pro-democracy activities."

I ask unanimous consent to be given another 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LIEBERMAN. In other words, the argument against this amendment seems to be that we should give less to help dissidents in Iran because our help, in turn, may lead to their harassment by the totalitarian government in Tehran. I respectfully disagree with this logic. I know that we do not give less to democracy advocates in Myanmar or Zimbabwe or Belarus when they are being harassed by the regime, nor do we give less to freedom fighters behind the Iron Curtain in Poland, Czechoslovakia, and Hungary. On the contrary, it is precisely when dissidents are under attack that they need more help from the United States, not less. I am sure my colleagues would agree that if we give less money to these civil society human rights activists in Iran, the Iranian regime will not repress them any less. The repression probably, in fact, will be greater. As to the argument that those who accept

this money—and I can say, speaking generally, that the money is given through third parties, international organizations, to the civil society human rights advocates in Iran—that somehow they will be harassed for receiving this money, I believe the just and right thing to do is leave that decision to those who are fighting for freedom in Iran, for us to be willing to help them if they want that help. The record is clear there.

Since the State Department began making these grants 8 months ago, 90 percent of the fiscal year 2006 funds have been obligated, with the remaining funds expected to be obligated by mid-September. Perhaps there are some Iranian groups that do not want our funding, but it is clear that many others do. The need is great. It is beyond the \$75 million this amendment would provide. That choice should be theirs. Our moral responsibility is to make the money available to these courageous fighters for freedom in Iran, those who want not only more freedom but a better future for themselves and their children.

I want to close by saying that we know from history that dissidents can change history, because history is made not by abstract, inexorable forces but by individual human beings such as Vaclav Havel or Lech Walesa or Andrei Sakharov or Natan Sharansky. It was the bravery of these people that kindled our moral imagination to see the suffering of millions behind the Iron Curtain, and it was their leadership that inspired millions more to cast off their shackles and overthrow a cruel and dictatorial system of Communist government that many thought would endure forever. Like the Communist terrorists of eastern Europe, the leaders of the Islamic Republic of Iran repress their people because they are frightened of them. They know how powerful the dissidents and the democrats in their midst can become. These are the people to whom this money would go. That is the reason my colleagues and I have offered this amendment.

I ask all Members of the Senate to support it, and I thank the Chair.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. LIEBERMAN. I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

#### VISIT TO THE SENATE BY PARLIAMENTARIANS FROM THE REPUBLIC OF SLOVENIA

Mr. HARKIN. Madam President, I take great pride now in asking unanimous consent that the Senate stand in recess for 2 minutes so we may greet five Parliamentarians from the Republic of Slovenia. I take great pride in this. As the occupant of the Chair

knows, my mother came from the small village of Suha in Slovenia, was an immigrant to this country. I know the grandfather of the Senator from Minnesota also came from Slovenia. So for those of us with Slovenian roots, this is a proud moment. In its 16 years of independence, Slovenia has established a stable multiparty democracy, a free press, an independent judiciary, and an excellent human rights record. In 2004, Slovenia joined NATO and became a member of the European Union. In fact, in January of 2008, Slovenia will ascend to the presidency of the European Union.

So we are proud to have five members of the Slovenian Parliament here: Miro Petek, Marijan Pojbcic, Jozef Horvat, Samo Bevk, and Marjan Drogenik.

#### RECESS

Mr. HARKIN. Madam President, I ask unanimous consent that the Senate stand in recess for 2 minutes to greet these fine Parliamentarians.

There being no objection, the Senate, at 4:45 p.m., recessed until 4:47 p.m., and reassembled when called to order by the Presiding Officer (Ms. KLOBUCHAR).

#### DEPARTMENT OF STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2008—Continued

The PRESIDING OFFICER. The Senator from Kansas is recognized.

Mr. BROWNBACK. Madam President, I ask unanimous consent to speak on the Lieberman amendment for up to 7 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### AMENDMENT NO. 2691

Mr. BROWNBACK. Madam President, this is the Lieberman-Brownback amendment; and several others are on the amendment as well. I have worked on this issue for some period of time. Over the past 4 years, we have been able to get some funding for democracy-building activity inside of Iran. It has been a difficult project. We have not been able to get much money secured, but it follows a long tradition of successful efforts at targeting regimes that do not support democracy, that undermine democracy, indeed, even support terrorism around the world, by building civil society organizations within that country.

It is very interesting to me you can get a message into Iran, and there is a good possibility, there is an excellent prospect of building civil society organizations inside Iran. You can look at some of the things that have taken place recently where there has been a bus driver strike and the possibility of a labor union movement forming there or even with some of the teacher strikes or some of the student strikes.

You are clearly seeing the people inside Iran are opposed to the regime. We