

MAKING APPROPRIATIONS FOR FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2006, AND FOR OTHER PURPOSES

NOVEMBER 2, 2005.—Ordered to be printed

Mr. KOLBE, from the committee of conference,
submitted the following

CONFERENCE REPORT

[To accompany H.R. 3057]

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 3057) “making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, and for other purposes”, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate to the text, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2006, and for other purposes, namely:

TITLE I—EXPORT AND INVESTMENT ASSISTANCE

EXPORT-IMPORT BANK OF THE UNITED STATES

INSPECTOR GENERAL OF THE EXPORT-IMPORT BANK

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, 2007.

EXPORT-IMPORT BANK 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, 2006.

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, \$100,000,000, to remain available until September 30, 2009: 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, 2024, for the disbursement of direct loans, loan guarantees, insurance and tied-aid grants obligated in fiscal years 2006, 2007, 2008, and 2009: 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, \$73,200,000: 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, 2006.

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 \$42,274,000: 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, \$20,276,000, 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 2006 and 2007: Provided further, That such sums shall remain available through fiscal year 2014 for the disbursement of direct and guaranteed loans obligated in fiscal year 2006, and through fiscal year 2015 for the disbursement of direct and guaranteed loans obligated in fiscal year 2007: 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 Noncredit Account and merged with said account.

FUNDS APPROPRIATED TO THE PRESIDENT

TRADE AND DEVELOPMENT AGENCY

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

TITLE II—BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

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

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT
CHILD SURVIVAL AND HEALTH PROGRAMS FUND
(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 child survival, health, and family planning/reproductive health activities, in addition to funds otherwise available for such purposes, \$1,585,000,000, to remain available until September 30, 2007: Provided, That this amount shall be made available for such activities as: (1) immunization programs; (2) oral rehydration programs; (3) 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: \$360,000,000 for child survival and maternal health; \$30,000,000 for vulnerable children; \$350,000,000 for HIV/AIDS; \$220,000,000 for other infectious diseases; and \$375,000,000 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, and in addition to funds allocated under the previous proviso, not less than \$250,000,000 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 (the "Global Fund"), and shall be expended at the minimum rate necessary to make timely payment for projects and activities: Provided further, That up to 5 percent of the aggregate amount of funds made available to the Global Fund in fiscal year 2006 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 under this heading, \$70,000,000 should be made available for a United States contribution to The Vaccine 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 international 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, as determined by the President of the United States, supports or participates in the management of a program of 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 to 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, 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 author-

izing 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 feasible, 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 shall 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.

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, \$1,524,000,000, to remain available until September 30, 2007: Provided, That \$214,000,000 should be allocated for trade capacity building, of which at least \$20,000,000 shall be made available for labor and environmental capacity building activities relating to the free trade agreement with the countries of Central America and the Dominican Republic: Provided further, That \$365,000,000 should be allocated for basic education: Provided further, That of the funds appropriated under this heading and managed by the United States Agency for International Development, Bureau of Democracy, Conflict, and Humanitarian Assistance, not less than \$15,000,000 shall be made available only for programs to improve women’s leadership capacity in recipient countries: Provided further, That such funds may not be made available for construction: Provided further, 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 \$42,500, in addition to funds otherwise available for such purposes, may be used to monitor and provide oversight of such programs: Provided further, That funds appropriated under this heading should be made available for programs in sub-Saharan Africa to address sexual and gender-based violence: Provided further, That of the aggregate amount of the funds appropriated by this Act that are made available for agriculture and rural development programs, \$30,000,000 should be made available for plant biotechnology research and development: Provided further, That not less than \$2,300,000 should be made available for core support for the International Fertilizer Development Center: Provided further, That of the funds appropriated under this heading, not less than \$20,000,000 should be made available for the American Schools and Hospitals Abroad program: Provided further, That of the funds appropriated under this heading, \$10,000,000 may be made available for cooperative development programs within the Office of Private and Voluntary Cooperation: Provided further, That of the funds appropriated under this heading, \$2,000,000 shall be made available for reconstruction and development programs in South Asia: Provided further, That funds should be made available for activities to reduce the incidence of child marriage in developing coun-

tries: Provided further, That of the funds appropriated under this heading, up to \$20,000,000 should be made available to develop clean water treatment activities in developing countries: Provided further, That of the funds appropriated by this Act, not less than \$200,000,000 shall be made available for drinking water supply projects and related activities, of which not less than \$50,000,000 should be made available for programs in Africa.

INTERNATIONAL DISASTER AND FAMINE 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, \$365,000,000, 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, \$40,000,000, 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 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, \$8,000,000, 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, 2008.

*PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND DISABILITY
FUND*

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

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

For necessary expenses to carry out the provisions of section 667 of the Foreign Assistance Act of 1961, \$630,000,000, of which up to \$25,000,000 may remain available until September 30, 2007: 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 2007: Provided further, That none of the funds in this Act may be used to open a new overseas mission of the United States Agency for International Development without the prior written notification 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 1 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, \$70,000,000, 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 \$48,100,000 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 OFFICE OF INSPECTOR GENERAL

For necessary expenses to carry out the provisions of section 667 of the Foreign Assistance Act of 1961, \$36,000,000, to remain available until September 30, 2007, 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, \$2,634,000,000, to remain available until September 30, 2007: Provided, That of the funds appropriated under this heading, not less than \$240,000,000 shall be available only for Israel, which sum shall be available on a grant basis as a cash transfer and shall be disbursed within 30 days of the enactment of this Act: Provided further, That not less than \$495,000,000 shall be available only for Egypt, which sum shall be provided on a grant basis, and of which sum cash transfer assistance shall be provided with the understanding that Egypt will undertake significant economic and political reforms which are additional to those which were undertaken in previous fiscal years: Provided further, That with respect to the provision of assistance for Egypt for democracy 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 for assistance for Egypt, not less than \$135,000,000 shall be made available for project assistance, of which not less than \$50,000,000 shall be made available for democracy, human rights and governance programs and not less than \$50,000,000 shall be used for education programs, of which not less than \$5,000,000 shall be made available for scholarships for disadvantaged Egyptian students to attend American accredited institutions of higher education in Egypt: Provided further, That of the funds appropriated under this heading for assistance for Egypt for economic reform activities, \$227,600,000 shall be withheld from obligation until the Secretary of State determines and reports to the Committees on Appropriations that Egypt has met the calendar year

2005 benchmarks accompanying the “Financial Sector Reform Memorandum of Understanding” dated March 20, 2005: Provided further, That \$20,000,000 of the funds appropriated under this heading should be made available for Cyprus to be used only for scholarships, administrative support of the scholarship program, bicommunal 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 in exercising the authority to provide cash transfer assistance for Israel, the President shall ensure that the level of such assistance does not cause an adverse impact on the total level of non-military exports from the United States to such country and that Israel enters into a side letter agreement in an amount proportional to the fiscal year 1999 agreement: Provided further, That of the funds appropriated under this heading, not less than \$250,000,000 should be made available only for assistance for Jordan: Provided further, That of the funds appropriated under this heading that are available for assistance for the West Bank and Gaza, 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 not more than \$225,000,000 of the funds made available for assistance for Afghanistan under this heading may be obligated for such assistance until the Secretary of State certifies to the Committees on Appropriations that the Government of Afghanistan at both the national and local level is cooperating fully with United States funded poppy eradication and interdiction efforts in Afghanistan: Provided further, That the President may waive the previous proviso if he determines and reports to the Committees on Appropriations that to do so is vital to the national security interests of the United States: Provided further, That such report shall include an analysis of the steps being taken by the Government of Afghanistan, at the national and local level, to cooperate fully with United States funded poppy eradication and interdiction efforts in Afghanistan: Provided further, That \$40,000,000 of the funds appropriated under this heading shall be made available for assistance for Lebanon, of which not less than \$6,000,000 should be made available for scholarships and direct support of American educational institutions in Lebanon: Provided further, That of the funds appropriated under this heading that are made available for assistance for Iraq, not less than \$5,000,000 shall be transferred to and merged with funds appropriated under the heading “Iraq Relief and Reconstruction Fund” in chapter 2 of title II of Public Law 108–106 and shall be made available for the Marla Ruzicka Iraqi War Victims Fund: Provided further, That of the funds appropriated under this heading that are made available for assistance for Iraq, not less than \$56,000,000 shall be made available for democracy, governance and rule of law programs in Iraq: Provided further, That of the funds appropriated under this heading, not less than \$19,000,000 shall be made available for assistance for the Democratic Republic of Timor-Leste, of which up to \$1,000,000 may be available for administrative expenses of the United States Agency for International Development: Provided further, That notwithstanding any other provision of law, funds appropriated under this heading shall be made available for

programs and activities for the Central Highlands of Vietnam: 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 funds appropriated under this heading, \$13,000,000 should be made available for a United States contribution to the Special Court for Sierra Leone: Provided further, That with respect to funds appropriated under this heading in this Act or prior Acts making appropriations for foreign operations, export financing, and related programs, the responsibility for policy decisions and justifications for the use of such funds, including whether there will be a program for a country that uses those funds and the amount of each such program, shall be the responsibility of the Secretary of State and the Deputy Secretary of State and this responsibility shall not be delegated.

INTERNATIONAL FUND FOR IRELAND

For necessary expenses to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961, \$13,500,000, which shall be available for the United States contribution to the International Fund for Ireland and shall be made available in accordance with the provisions of the Anglo-Irish Agreement Support Act of 1986 (Public Law 99-415): Provided, That such amount shall be expended at the minimum rate necessary to make timely payment for projects and activities: Provided further, That funds made available under this heading shall remain available until September 30, 2007.

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, \$361,000,000, to remain available until September 30, 2007, which shall be available, notwithstanding any other provision of law, for assistance and for related programs for Eastern Europe and the Baltic States: Provided, That of the funds appropriated under this heading \$5,000,000 should be made available for rule of law programs for the training of judges and prosecutors.

(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 529 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 529 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.

(d) The President is authorized to withhold funds appropriated under this heading made available for economic revitalization pro-

grams in Bosnia and Herzegovina, if he determines and certifies to the Committees on Appropriations that the Federation of Bosnia and Herzegovina has not complied with article III of annex 1-A of the General Framework Agreement for Peace in Bosnia and Herzegovina concerning the withdrawal of foreign forces, and that intelligence cooperation on training, investigations, and related activities between state sponsors of terrorism and terrorist organizations and Bosnian officials has not been terminated.

ASSISTANCE FOR THE INDEPENDENT STATES OF THE FORMER SOVIET UNION

(a) 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, \$514,000,000, to remain available until September 30, 2007: 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 the regional conflicts, especially those in the vicinity of Abkhazia and Nagorno-Karabagh: 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.

(b) Of the funds appropriated under this heading, not less than \$50,000,000 should be made available, in addition to funds otherwise available for such purposes, for assistance for child survival, environmental and reproductive health, and to combat HIV/AIDS, tuberculosis and other infectious diseases, and for related activities.

(c) Of the funds appropriated under this heading that are made available for assistance for Ukraine, not less than \$5,000,000 should be made available for nuclear reactor safety initiatives, and not less than \$1,500,000 shall be made available for coal mine safety programs.

(d) Of the funds appropriated under this heading, \$2,500,000 shall be made available for the Business Information Service for the Newly Independent States.

(e)(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 (Nonproliferation and Disarmament Programs and Activities) of the FREEDOM Support Act.

(f) 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.

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, \$19,500,000, to remain available until September 30, 2007.

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, \$23,000,000, to remain available until September 30, 2007: 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, 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: 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 purposes for use outside

of the United States, \$322,000,000, to remain available until September 30, 2007: 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 for the "Millennium Challenge Corporation", \$1,770,000,000 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 2006: 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

GLOBAL HIV/AIDS INITIATIVE

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, \$1,995,000,000, to remain available until expended, of which \$200,000,000 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.

DEMOCRACY FUND

(a) For necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961 for the promotion of democracy, governance, human rights, independent media, and the rule of law glob-

ally, \$95,000,000, to remain available until September 30, 2008: Provided, That funds appropriated under this heading shall be made available notwithstanding any other provision of law, and of such funds \$63,200,000 shall be made available for the Human Rights and Democracy Fund of the Bureau of Democracy, Human Rights and Labor, Department of State, and not less than \$15,250,000 shall be made available for the National Endowment for Democracy: Provided further, That funds appropriated under this heading are in addition to funds otherwise available for such purposes: Provided further, That funds made available by title II of this Act for purposes of this section for any contract, grant, or cooperative agreement (or any amendment to any contract, grant, or cooperative agreement) in excess of \$10,000,000 shall be subject to the regular notification procedures of the Committees on Appropriations.

(b) Funds appropriated in subsection (a) should be made available for assistance for Taiwan for the purposes of furthering political and legal reforms: Provided, That such funds shall only be made available to the extent that they are matched from sources other than the United States Government.

(c) Funds appropriated in subsection (a) shall be made available for programs and activities to foster democracy, governance, human rights, civic education, women's development, press freedom, and the rule of law 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, That such funds should support new initiatives and activities in those countries: Provided further, That of the funds appropriated in subsection (a) \$5,000,000 shall be made available for continuing programs and activities that provide professional training for journalists.

(d) Notwithstanding any other provision of law, funds appropriated by this Act may be made available for democracy, governance, human rights, and rule of law programs for Syria and Iran: Provided, That not less than \$6,550,000 of the funds appropriated in subsection (a) shall be made available for programs and activities that support the advancement of democracy in Iran and Syria.

(e) Funds made available for purposes of this section that are made available to the National Endowment for Democracy may be made available notwithstanding any other provision of law or regulation.

(f) Funds made available pursuant to the authority of subsections (b), (c) and (d) 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, \$477,200,000, to remain available until September 30, 2008: Provided, That during fiscal year 2006, 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 pro-

cedures 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 \$16,000,000 shall be made available for training programs and activities of the International Law Enforcement Academies: Provided further, That \$10,000,000 of the funds appropriated under this heading should be made available for demand reduction programs: Provided further, That of the funds appropriated under this heading, not more than \$33,484,000 may be available for administrative expenses.

ANDEAN COUNTERDRUG INITIATIVE

For necessary expenses to carry out section 481 of the Foreign Assistance Act of 1961 to support counterdrug activities in the Andean region of South America, \$734,500,000, to remain available until September 30, 2008: Provided, That in fiscal year 2006, funds available to the Department of State for assistance to the Government of Colombia shall be available to support a unified campaign against narcotics trafficking, against activities by organizations designated as terrorist organizations such as the Revolutionary Armed Forces of Colombia (FARC), the National Liberation Army (ELN), and the United Self-Defense Forces of Colombia (AUC), and to take actions to protect human health and welfare in emergency circumstances, including undertaking rescue operations: Provided further, 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 government authority and respect for human rights in areas under the effective control of paramilitary and guerrilla organizations: 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 illegal self-defense group or illegal security cooperative, such helicopter shall be immediately returned to the United States: Provided further, That 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: Provided further, That funds made available in this Act for demobilization/reintegration of members of foreign terrorist organizations in Colombia shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations: 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: Provided further, That of the funds appropriated

under this heading that are available for alternative development / institution building, not less than \$228,772,000 shall be apportioned directly to the United States Agency for International Development including \$131,232,000 for assistance for Colombia: Provided further, That with respect to funds apportioned to the United States Agency for International Development under the previous proviso, the responsibility for policy decisions for the use of such funds, including what activities will be funded and the amount of funds that will be provided for each of those activities, shall be the responsibility of the Administrator of the United States Agency for International Development in consultation with the Assistant Secretary of State for International Narcotics and Law Enforcement Affairs: Provided further, That of the funds appropriated under this heading, in addition to funds made available for judicial reform programs in Colombia, not less than \$8,000,000 shall be made available to the United States Agency for International Development for organizations and programs to protect human rights: Provided further, That not more than 20 percent of the funds appropriated by this Act that are used for the procurement of chemicals for aerial coca and poppy fumigation programs may be made available for such programs 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 fumigation are evaluated and fair compensation is being paid for meritorious claims: 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 with local communities, to provide alternative sources of income in areas where security permits for small-acreage growers whose illicit crops are targeted for fumigation: Provided further, That of the funds appropriated under this heading, not less than \$2,000,000 should be made available for programs to protect biodiversity and indigenous reserves in Colombia: Provided further, That funds appropriated by this Act may be used for aerial fumigation in Colombia's national parks or reserves only if the Secretary of State determines that it is in accordance with Colombian laws and that there are no effective alternatives to reduce drug cultivation in these areas: Provided further, That 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: Provided further, That 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 cooperation, military personnel who have been implicated in gross violations of human rights: Provided further, That of

the funds appropriated under this heading, not more than \$19,015,000 may be available for administrative expenses of the Department of State, and not more than \$7,800,000 may be available, in addition to amounts otherwise available for such purposes, for administrative expenses of the United States Agency for International Development.

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, \$791,000,000, to remain available until expended: Provided, That not more than \$23,000,000 may be available for administrative expenses: Provided further, That not less than \$40,000,000 of the funds made available under this heading shall be made available for refugees from the former Soviet Union and Eastern Europe and other refugees resettling in Israel: Provided further, That funds appropriated under this heading may be made available for a headquarters contribution to the International Committee of the Red Cross only if the Secretary of State determines (and so reports to the appropriate committees of Congress) that the Magen David Adom Society of Israel is not being denied participation in the activities of the International Red Cross and Red Crescent Movement: Provided further, That funds appropriated under this heading should be made available to develop effective responses to protracted refugee situations, including the development of programs to assist long-term refugee populations within and outside traditional camp settings that support refugees living or working in local communities such as integration of refugees into local schools and services, resource conservation projects and other projects designed to diminish conflict between refugee hosting communities and refugees, and encouraging dialogue among refugee hosting communities, the United Nations High Commissioner for Refugees, and international and nongovernmental refugee assistance organizations to promote the rights to which refugees are entitled under the Convention Relating to the Status of Refugees of July 28, 1951 and the Protocol Relating to the Status of Refugees, done at New York January 31, 1967.

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)), \$30,000,000, to remain available until expended.

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED
PROGRAMS

For necessary expenses for nonproliferation, anti-terrorism, demining and related programs and activities, \$410,100,000, 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 \$37,500,000, 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 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 \$705,000, 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, 2007.

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, \$20,000,000, to remain available until September 30, 2008, 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, \$65,000,000, to remain available until September 30, 2008: 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 III—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, \$86,744,000, of which up to \$3,000,000 may remain available until expended: Provided, That the civilian personnel for whom military education and training may be provided under this heading may include civilians who are not members of a government whose participation would contribute to improved civil-military relations, civilian control of the military, or respect for human rights: Provided further, That funds appropriated under this heading for military education and training for Guatemala may only be available for expanded international military education and training, and funds made available for Haiti, the Democratic Republic of the Congo, 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, \$4,500,000,000: Provided, That of the funds appropriated under this heading, not less than \$2,280,000,000 shall be available for grants only for Israel, and not less than \$1,300,000,000 shall be made available for grants only for Egypt: Provided further, That the funds appropriated by this paragraph for Israel shall be disbursed within 30 days of the enactment of this Act: 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 \$595,000,000 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, \$210,000,000 shall be made available for assistance for Jordan: 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).

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 and Guatemala: Provided further, That none of the funds appropriated under this heading may be made available for assistance for Haiti 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 \$42,500,000 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 \$373,000,000 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 2006 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 2006 shall be transferred to an interest bearing account for Egypt in the Federal Reserve Bank of New York within 30 days of enactment of this Act.

PEACEKEEPING OPERATIONS

For necessary expenses to carry out the provisions of section 551 of the Foreign Assistance Act of 1961, \$175,000,000: Provided, 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 IV—MULTILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL FINANCIAL INSTITUTIONS

GLOBAL ENVIRONMENT FACILITY

For the United States contribution for the Global Environment Facility, \$80,000,000 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, \$950,000,000, to remain available until expended.

CONTRIBUTION TO THE MULTILATERAL INVESTMENT GUARANTEE AGENCY

For payment to the Multilateral Investment Guarantee Agency by the Secretary of the Treasury, \$1,300,000, to remain available until expended.

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

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

CONTRIBUTION TO THE INTER-AMERICAN INVESTMENT CORPORATION

For payment to the Inter-American Investment Corporation by the Secretary of the Treasury, \$1,741,515, to remain available until expended.

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, \$1,741,515, 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, \$100,000,000, to remain available until expended.

CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK

For payment to the African Development Bank by the Secretary of the Treasury, \$3,638,000, 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 \$88,333,855.

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, \$135,700,000, 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, \$1,015,677 for the United States share of the paid-in portion of the increase in capital stock, to remain available until expended.

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the European Bank for Reconstruction and Development may subscribe without fiscal year limitation to the callable capital portion of the United States share of such capital stock in an amount not to exceed \$2,249,888.

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, \$15,000,000, 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, \$329,458,000: Provided, That none of the funds appropriated under this heading may be made available to the International Atomic Energy Agency (IAEA).

TITLE V—GENERAL PROVISIONS

COMPENSATION FOR UNITED STATES EXECUTIVE DIRECTORS TO
INTERNATIONAL FINANCIAL INSTITUTIONS

SEC. 501. (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.

RESTRICTIONS ON VOLUNTARY CONTRIBUTIONS TO UNITED NATIONS
AGENCIES

SEC. 502. None of the funds appropriated by this Act may be made available to pay any voluntary contribution of the United States to the United Nations (including the United Nations Development Program) if the United Nations implements or imposes any taxation on any United States persons.

LIMITATION ON RESIDENCE EXPENSES

SEC. 503. Of the funds appropriated or made available pursuant to 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. 504. Any Department or Agency to which funds are appropriated or otherwise made available by this Act shall provide to the Committees on Appropriations a quarterly 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. 505. 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 \$2,500 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 548 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 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. 506. (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 2006 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 2007 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. 507. 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, Libya, 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: Provided further, That for purposes of this section, the prohibition shall not include activities of the Overseas Private Investment Corporation in Libya: Provided further, That the prohibition shall not include direct loans, credits, insurance and guarantees made available by the Export-Import Bank or its agents for or in Libya.

MILITARY COUPS

SEC. 508. 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. 509. (a)(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.

(b) 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 spe-

cifically provided for in this Act, unless the President, not less than 5 days prior to the exercise of any authority contained in the Foreign Assistance Act of 1961 to transfer funds, consults with and provides a written policy justification to the Committees on Appropriations of the House of Representatives and the Senate.

(c) *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. 510. 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. 511. 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 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.

LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

SEC. 512. 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. 513. (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. 514. 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 sub-

stantial injury to United States producers of the same, similar, or competing commodity.

NOTIFICATION REQUIREMENTS

SEC. 515. For the purposes of providing the executive branch with the necessary administrative flexibility, none of the funds made available under this Act for "Child Survival and Health Programs Fund", "Development Assistance", "International Organizations and Programs", "Trade and Development Agency", "International Narcotics Control and Law Enforcement", "Andean Counterdrug Initiative", "Assistance for Eastern Europe and the Baltic States", "Assistance for the Independent States of the Former Soviet Union", "Economic Support Fund", "Global HIV/AIDS Initiative", "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", "Non-proliferation, 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 section shall not apply to any reprogramming for an activity, program, or project for which funds are appropriated under title II of this Act of less than 10 percent of the amount previously justified to the Congress for obligation for such activity, program, or project for the current fiscal year: Provided further, That the 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 further, 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. 516. 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, 2007.

INDEPENDENT STATES OF THE FORMER SOVIET UNION

SEC. 517. (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 nonproliferation 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) Funds made available in this Act for assistance for the Independent States of the former Soviet Union shall be subject to the provisions of section 117 (relating to environment and natural resources) of the Foreign Assistance Act of 1961.

(e) In issuing new task orders, entering into contracts, or making grants, with funds appropriated in this Act or prior appropriations Acts under the heading "Assistance for the Independent States of the Former Soviet Union" and under comparable headings in prior appropriations Acts, for projects or activities that have as one of their primary purposes the fostering of private sector development, the Coordinator for United States Assistance to Europe and Eurasia and the implementing agency shall encourage the participation of and give significant weight to contractors and grantees who propose investing a significant amount of their own resources (including volunteer services and in-kind contributions) in such projects and activities.

PROHIBITION ON FUNDING FOR ABORTIONS AND INVOLUNTARY
STERILIZATION

SEC. 518. 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 plan-

ning 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. 519. Not to exceed 5 percent of any appropriation other than for administrative expenses made available for fiscal year 2006, for programs under title I 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. 520. None of the funds appropriated by this Act shall be obligated or expended for assistance for Liberia, Serbia, Sudan, Zimbabwe, Pakistan, or Cambodia except as provided through the regular notification procedures of the Committees on Appropriations.

DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

SEC. 521. For the purpose 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.

CHILD SURVIVAL AND HEALTH ACTIVITIES

SEC. 522. Up to \$13,500,000 of the funds made available by this Act for assistance under the heading "Child Survival and Health Programs Fund", 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 II and III 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 "Child Survival and Health Programs Fund" 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 II of this Act, not less than \$440,000,000 shall be made available for family planning/reproductive health: Provided further, That the Comptroller General of the United States shall conduct an audit on the use of funds appropriated for fiscal years 2004 and 2005 under the heading "Child Survival and Health Programs Fund", to include specific recommendations on improving the effectiveness of such funds.

AFGHANISTAN

SEC. 523. Of the funds appropriated by titles II and III of this Act, not less than \$931,400,000 should be made available for humanitarian, reconstruction, and related assistance for Afghanistan: Provided, That of the funds made available pursuant to this section, not less than \$3,000,000 should be made available for reforestation activities: Provided further, That funds made available pursuant to the previous proviso should be matched, to the maximum extent possible, with contributions from American and Afghan businesses: Provided further, That of the funds allocated for assistance for Afghanistan from this Act and other Acts making appropriations for foreign operations, export financing, and related programs for fiscal year 2006, not less than \$50,000,000 should be made available to support programs that directly address the needs of Afghan women and girls, of which not less than \$7,500,000 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: Provided further, That of the funds made available pursuant to this section, not less than \$2,000,000 should be made available for the Afghan Independent Human Rights Commission and for other Afghan human rights organizations.

NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

SEC. 524. 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.

HIV/AIDS

SEC. 525. (a) 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) has established clear progress indicators upon which to determine the release of incremental disbursements;

(2) is releasing such incremental disbursements only if progress is being made based on those indicators; and

(3) 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.

(b) The Secretary of State may waive 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.

BURMA

SEC. 526. (a) 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 of any loan or financial or technical assistance or any other utilization of funds of the respective bank to and for Burma.

(b) Of the funds appropriated 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 assist-

ance 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 assistance 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 section shall be subject to the regular notification procedures of the Committees on Appropriations.

(c) The President shall include amounts expended by the Global Fund to Fight AIDS, Tuberculosis and Malaria to the State Peace and Development Council in Burma, directly or through groups and organizations affiliated with the Global Fund, in making determinations regarding the amount to be withheld by the United States from its contribution to the Global Fund pursuant to section 202(d)(4)(A)(ii) of Public Law 108-25.

PROHIBITION ON BILATERAL ASSISTANCE TO TERRORIST COUNTRIES

SEC. 527. (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 to 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 a country 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. 528. 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 II 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. 529. (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 coun-

try, 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. 530. (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.

FINANCIAL MARKET ASSISTANCE IN TRANSITION COUNTRIES

SEC. 531. Of the funds appropriated by this Act under the headings "Trade and Development Agency", "Development Assistance", "Transition Initiatives", "Economic Support Fund", "International Affairs Technical Assistance", "Assistance for the Independent States of the Former Soviet Union", "Nonproliferation, Anti-terrorism, Demining and Related Programs", and "Assistance for Eastern Europe and Baltic States", not less than \$40,000,000 should be made available for building capital markets and financial systems in countries in transition.

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

SEC. 532. 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. 533. 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.

SPECIAL AUTHORITIES

SEC. 534. (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 512 of this Act or any similar provision of law and section 660 of the Foreign Assistance Act of 1961, and funds appropriated in titles I and II 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 2005” and inserting “through 2007”.

(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) *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.

(i) *UNIVERSITY PROGRAMS.*—Notwithstanding any other provision of law, of the funds appropriated under the heading “Development Assistance” in this Act, up to \$5,000,000 shall be made available to American educational institutions 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.

(j) *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 508 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) Section 512 of this Act and section 620(q) of the Foreign Assistance Act of 1961 shall not apply with respect to assistance for Pakistan from funds appropriated by this Act.

(3) 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.

(k) MIDDLE EAST FOUNDATION.—Of the funds appropriated by this Act under the heading “Economic Support Fund” that are available for the Middle East Partnership Initiative, up to \$35,000,000 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) 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 530 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.

(l) EXTENSION OF AUTHORITY.—(1) Section 21(h)(1)(A) of the Arms Export Control Act (22 U.S.C. 2761(h)(1)(A)) is amended by inserting after “North Atlantic Treaty Organization” the following: “or the Governments of Australia, New Zealand, Japan, or Israel”.

(2) Section 21(h)(2) of the Arms Export Control Act (22 U.S.C. 2761(h)(2)) is amended by striking “or to any member government that Organization if that Organization or member government” and inserting the following: “, to any member of that Organization, or to the Governments of Australia, New Zealand, Japan, or Israel if that Organization, member government, or the Governments of Australia, New Zealand, Japan, or Israel”.

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

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

(B) by adding at the end the following new subsection:
 “(b) The President shall seek reimbursement for military education and training furnished under this chapter from countries using assistance under section 23 of the Arms Export Control Act (22 U.S.C. 2763, relating to the Foreign Military Financing Program) to purchase such military education and training at a rate comparable to the rate charged to countries receiving grant assistance for military education and training under this chapter.”.

(m) *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 2005” and inserting “2005, and 2006”; and
 - (B) in subsection (e), by striking “2005” each place it appears and inserting “2006”; and
- (2) in section 599E (8 U.S.C. 1255 note) in subsection (b)(2), by striking “2005” and inserting “2006”.

ARAB LEAGUE BOYCOTT OF ISRAEL

SEC. 535. *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. 536. (a) *ASSISTANCE THROUGH NONGOVERNMENTAL 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 2006, 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. 537. (a) Funds appropriated by 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 earmarked 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 earmark.

CEILINGS AND EARMARKS

SEC. 538. Ceilings and earmarks 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.

PROHIBITION ON PUBLICITY OR PROPAGANDA

SEC. 539. 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: Provided, That not to exceed \$25,000 may be made available to carry out the provisions of section 316 of Public Law 96-533.

PROHIBITION OF PAYMENTS TO UNITED NATIONS MEMBERS

SEC. 540. 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.

NONGOVERNMENTAL ORGANIZATIONS—DOCUMENTATION

SEC. 541. None of the funds appropriated or made available pursuant to this Act shall be available to a nongovernmental organization 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.

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

SEC. 542. (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. 543. (a) Subject to subsection (c), of the funds appropriated 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 appropriate congressional committees 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 appropriate congressional committees, 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 "appropriate congressional committees" means the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives.

(2) 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.

(3) 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, 2005.

(4) 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. 544. 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. 545. 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 the drawdown made under this section for any tribunal shall not be construed as an endorsement or precedent for the establishment of any standing or permanent international criminal tribunal or court: 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. 546. 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. 547. 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: Provided further, That meetings between officers and employees of the United States and officials of the Palestinian Authority, or any successor Palestinian governing entity provided for in the Israel-PLO Declaration of Principles, for the purpose of conducting official United States Government business with such authority should continue to take place in locations other than Jerusalem. As has been true in the past, officers and employees of the United States Government may continue to meet in Jerusalem on other subjects with Palestinians (including those who now occupy positions in the Palestinian Authority), have social contacts, and have incidental discussions.

PROHIBITION OF PAYMENT OF CERTAIN EXPENSES

SEC. 548. 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 "Child Survival and Health Programs Fund", "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.

HAITI

SEC. 549. (a) Of the funds appropriated by this Act, the following amounts shall be made available for assistance for Haiti—

- (1) \$20,000,000 from "Child Survival and Health Programs Fund";
 - (2) \$30,000,000 from "Development Assistance";
 - (3) \$50,000,000 from "Economic Support Fund";
 - (4) \$15,000,000 from "International Narcotics Control and Law Enforcement";
 - (5) \$1,000,000 from "Foreign Military Financing Program";
- and
- (6) \$215,000 from "International Military Education and Training".

(b) 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.

(c) *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: (1) the United Nations Mission in Haiti (MINUSTAH) has carried out the vetting of the senior levels of the Haitian National Police and has ensured that those credibly alleged to have committed serious crimes, including drug trafficking and human rights violations, have been suspended; and (2) the Transitional Haitian National Government is cooperating in a reform and restructuring plan for the Haitian National Police and the reform of the judicial system as called for in United Nations Security Council Resolution 1608 adopted on June 22, 2005.*

LIMITATION ON ASSISTANCE TO THE PALESTINIAN AUTHORITY

SEC. 550. (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 Speaker of the House of Representatives and the President pro tempore of the Senate 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 steps the Palestinian Authority has taken to arrest terrorists, confiscate weapons and dismantle the terrorist infrastructure. The report shall also include a description of how funds will be spent and the accounting procedures in place to ensure that they are properly disbursed.

LIMITATION ON ASSISTANCE TO SECURITY FORCES

SEC. 551. None of the funds made available by this Act may be provided 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, unless the Secretary determines and reports to 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: Provided, That nothing in this section shall be construed to withhold funds made available by this Act from any unit of the security forces of a foreign country not credibly alleged to be involved in gross violations of human rights: Provided further, That 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. 552. 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 of the House of Representatives and the Senate by the date specified in that section.

AUTHORIZATION REQUIREMENT

SEC. 553. Funds appropriated by this Act, except funds appropriated under the headings "Trade and Development Agency", "Overseas Private Investment Corporation", and "Global HIV/AIDS Initiative", 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.

CAMBODIA

SEC. 554. (a)(1) None of the funds appropriated by this Act may be made available for assistance for the Central Government of Cambodia.

(2) Paragraph (1) shall not apply to assistance for basic education, reproductive and maternal and child health, cultural and historic preservation, programs for the prevention, treatment, and control of, and research on, HIV/AIDS, tuberculosis, malaria, polio and other infectious diseases, development and implementation of legislation and implementation of procedures on inter-country adoptions consistent with international standards, rule of law programs, counternarcotics programs, programs to combat human trafficking that are provided through nongovernmental organizations, anti-corruption programs, and for the Ministry of Women and Veterans Affairs to combat human trafficking.

(b) Notwithstanding any provision of this or any other Act, of the funds appropriated by this Act under the heading "Economic Support Fund", \$15,000,000 shall be made available for activities to support democracy, the rule of law, and human rights, including assistance for democratic political parties in Cambodia.

(c) Funds appropriated by this Act to carry out provisions of section 541 of the Foreign Assistance Act of 1961 may be made available notwithstanding subsection (a).

PALESTINIAN STATEHOOD

SEC. 555. (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) a new leadership of a Palestinian governing entity has been democratically elected through credible and competitive elections;

*(2) the elected governing entity of a new Palestinian state—
(A) has demonstrated a firm 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;

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

(3) the Palestinian Authority (or the governing body of a new Palestinian state) is working with other countries in the region to vigorously pursue efforts 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 newly-elected 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 vital 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 a newly-elected governing entity, in order to help meet the requirements of subsection (a), consistent with the provisions of section 550 of this Act (“Limitation on Assistance to the Palestinian Authority”).

COLOMBIA

SEC. 556. (a) 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 75 percent of such funds may be obligated prior to a determination and certification by the Secretary of State pursuant to paragraph (2).

(2) Up to 12.5 percent of such funds may be obligated only after the Secretary of State certifies and reports to the appropriate congressional committees 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 Procuraduria General de la Nacion, have been credibly alleged to have committed gross violations of human rights, including extra-judicial killings, or to have aided or abetted paramilitary organizations.

(B) *The Colombian Government is vigorously investigating and prosecuting 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, 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 paramilitary organizations.*

(C) *The Colombian Armed Forces have made substantial progress in cooperating 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 made substantial progress in severing 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, especially in regions where these organizations have a significant presence.*

(E) *The Colombian Government is dismantling paramilitary leadership and financial networks by arresting commanders and financial backers, especially in regions where these networks have a significant presence.*

(F) *The Colombian Government is taking effective steps to ensure that the Colombian Armed Forces are not violating the land and property rights of Colombia's indigenous communities.*

(3) *The balance of such funds may be obligated after July 31, 2006, if the Secretary of State certifies and reports to the appropriate congressional committees, after such date, that the Colombian Armed Forces are continuing to meet the conditions contained in paragraph (2) and are conducting vigorous operations to restore government authority and respect for human rights in areas under the effective control of paramilitary and guerrilla organizations.*

(b) **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.*

(c) **CONSULTATIVE PROCESS.**—*Not later than 60 days after the date of enactment of this Act, and every 90 days thereafter until September 30, 2007, the Secretary of State shall consult with internationally recognized human rights organizations regarding progress in meeting the conditions contained in subsection (a).*

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

(1) **AIDED OR ABETTED.**—*The term “aided or abetted” means to provide any support to paramilitary 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.*

ILLEGAL ARMED GROUPS

SEC. 557. (a) DENIAL OF VISAS TO SUPPORTERS OF COLOMBIAN ILLEGAL ARMED GROUPS.—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), 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 urgent humanitarian reasons.

PROHIBITION ON ASSISTANCE TO THE PALESTINIAN BROADCASTING CORPORATION

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

WEST BANK AND GAZA PROGRAM

SEC. 559. (a) OVERSIGHT.—For fiscal year 2006, 30 days prior to the initial obligation of funds for the bilateral West Bank and Gaza Program, the Secretary of State shall certify to the appropriate committees of Congress that procedures have been established to assure the Comptroller General of the United States will have access to appropriate United States financial information in order to review the uses of United States assistance for the Program funded under the heading “Economic Support Fund” for the West Bank and Gaza.

(b) VETTING.—Prior to the obligation of funds appropriated by this Act under the heading “Economic Support 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, as appropriate, establish procedures specifying the steps to be taken in carrying out this subsection and shall terminate assistance to any individual, entity, or educational institution which he has determined to be involved in or advocating terrorist activity.

(c) 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.

(d) 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 subcontractors 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 \$1,000,000 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.*

(e) *Subsequent to the certification specified in subsection (a), the Comptroller General of the United States shall conduct an audit and an investigation of the treatment, handling, and uses of all funds for the bilateral West Bank and Gaza Program in fiscal year 2006 under the heading "Economic Support Fund". The audit shall address—*

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

(2) *an examination of all programs, projects, and activities carried out under such Program, including both obligations and expenditures.*

(f) *Not later than 180 days after enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations updating the report contained in section 2106 of chapter 2 of title II of Public Law 109–13.*

CONTRIBUTIONS TO UNITED NATIONS POPULATION FUND

SEC. 560. (a) *LIMITATIONS ON AMOUNT OF CONTRIBUTION.—Of the amounts made available under "International Organizations and Programs" and "Child Survival and Health Programs Fund" for fiscal year 2006, \$34,000,000 shall be made available for the United Nations Population Fund (hereafter in this section referred to as the "UNFPA"): Provided, That of this amount, not less than \$22,500,000 shall be derived from funds appropriated under the heading "International Organizations and Programs".*

(b) *AVAILABILITY OF FUNDS.—Funds appropriated under the heading "International Organizations and Programs" in this Act that are available for UNFPA, that are not made available for UNFPA because of the operation of any provision of law, shall be transferred to "Child Survival and Health Programs Fund" and shall be made available for family planning, maternal, and reproductive health activities, subject to the regular notification procedures of the Committees on Appropriations.*

(c) *PROHIBITION ON USE OF FUNDS IN CHINA.—None of the funds made available under "International Organizations and Programs" may be made available for the UNFPA for a country program in the People's Republic of China.*

(d) *CONDITIONS ON AVAILABILITY OF FUNDS.—Amounts made available under "International Organizations and Programs" for fiscal year 2006 for the UNFPA may not be made available to UNFPA unless—*

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

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

(3) the UNFPA does not fund abortions.

WAR CRIMINALS

SEC. 561. (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. 562. 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 efforts for HIV/AIDS, malaria, tuberculosis, and infant, child, and maternal well-being, in connection with the institutions’ financing programs.

FUNDING FOR SERBIA

SEC. 563. (a) Funds appropriated by this Act may be made available for assistance for the central Government of Serbia after May 31, 2006, if the President has made the determination and certification contained in subsection (c).

(b) After May 31, 2006, 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 and Montenegro subject to the conditions in subsection (c): Provided, That section 576 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1997, as amended, shall not apply to the provision of loans and assistance to the Government of Serbia and Montenegro through international financial institutions.

(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 and Montenegro is—

(1) cooperating with the International Criminal Tribunal for the former Yugoslavia including access for investigators, the provision of documents, and the surrender and transfer of indictees or assistance in their apprehension, including Ratko Mladic and Radovan Karadzic, unless the Secretary of State determines and reports to the Committees on Appropriations that these individuals are no longer residing in Serbia;

(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 Montenegro, Kosovo, humanitarian assistance or assistance to promote democracy.*

COMMUNITY-BASED POLICE ASSISTANCE

SEC. 564. (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. 565. (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. 566. (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 admin-

istering 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”.

BASIC EDUCATION

SEC. 567. Of the funds appropriated by title II of this Act, not less than \$465,000,000 shall be made available for basic education, of which not less than \$250,000 shall be provided to the Comptroller General of the United States to prepare an analysis of United States funded international basic education programs, which should be submitted to the Committees on Appropriations by May 1, 2006.

RECONCILIATION PROGRAMS

SEC. 568. Of the funds appropriated under the heading “Economic Support Fund”, not less than \$15,000,000 should 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. 569. (a) *AVAILABILITY OF FUNDS.*—Of the funds appropriated under the heading “Development Assistance” up to \$70,000,000 may be made available for assistance for Sudan, of which not to exceed \$6,000,000 may be made available for administrative expenses of the United States Agency for International Development associated with assistance programs for Sudan.

(b) *LIMITATION ON ASSISTANCE.*—Subject to subsection (c):

(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.

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

(1) the Government of Sudan has taken significant steps to disarm and disband government-supported militia groups in the Darfur region;

(2) the Government of Sudan and all government-supported militia groups are honoring their commitments made in the cease-fire agreement of April 8, 2004; 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.

(d) EXCEPTIONS.—The provisions of subsection (b) 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.

(e) DEFINITIONS.—For the purposes of this Act and section 501 of Public Law 106–570, the terms “Government of Sudan”, “areas outside of control of the Government of Sudan”, and “area in Sudan outside of control of the Government of Sudan” shall have the same meaning and application as was the case immediately prior to June 5, 2004, and, Southern Kordofan/Nuba Mountains State, Blue Nile State and Abyei shall be deemed “areas outside of control of the Government of Sudan”.

TRADE CAPACITY BUILDING

SEC. 570. Of the funds appropriated by this Act, under the headings “Trade and Development Agency”, “Development Assistance”, “Transition Initiatives”, “Economic Support Fund”, “International Affairs Technical Assistance”, and “International Organizations and Programs”, not less than \$522,000,000 should be made available for trade capacity building assistance: Provided, That \$20,000,000 of the funds appropriated in this Act under the heading “Economic Support Fund” shall be made available for labor and environmental capacity building activities relating to the free trade agreement with the countries of Central America and the Dominican Republic.

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

SEC. 571. Notwithstanding section 516(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(e)), during fiscal year 2006, 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, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Moldova, Mongolia, Pakistan, Romania, Slovakia, Tajikistan, Turkmenistan, Ukraine, and Uzbekistan.

ZIMBABWE

SEC. 572. 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.

GENDER-BASED VIOLENCE

SEC. 573. Programs funded under titles II and III of this Act that provide training for foreign police, judicial, and military officials, shall include, where appropriate, programs and activities that address gender-based violence.

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

SEC. 574. (a) None of the funds made available in this Act in title II under the heading "Economic Support Fund" may be used to provide assistance to the government of a country that is a party to the International Criminal Court and has not entered into an agreement with the United States pursuant to Article 98 of the Rome Statute preventing the International Criminal Court from proceeding against United States personnel present in such country.

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

(c) The President may, with prior notice to Congress, waive the prohibition of subsection (a) with respect to a particular country if he determines and reports to the appropriate congressional committees that such country has entered into an agreement with the United States pursuant to Article 98 of the Rome Statute preventing the International Criminal Court from proceeding against United States personnel present in such country.

(d) *The prohibition of this section shall not apply to countries otherwise eligible for assistance under the Millennium Challenge Act of 2003, notwithstanding section 606(a)(2)(B) of such Act.*

(e) *Funds appropriated for fiscal year 2005 under the heading “Economic Support Fund” may be made available for democracy and rule of law programs and activities, notwithstanding the provisions of section 574 of division D of Public Law 108–447.*

TIBET

SEC. 575. (a) 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.

(b) Notwithstanding any other provision of law, not less than \$4,000,000 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.

CENTRAL AMERICA

SEC. 576. (a) Of the funds appropriated by this Act under the headings “Child Survival and Health Programs Fund” and “Development Assistance”, not less than the amount of funds initially allocated pursuant to section 653(a) of the Foreign Assistance Act of 1961 for fiscal year 2005 should be made available for El Salvador, Guatemala, Nicaragua and Honduras.

(b) In addition to the amounts requested under the heading “Economic Support Fund” for assistance for Nicaragua and Guatemala in fiscal year 2006, not less than \$1,500,000 should be made available for electoral assistance, media and civil society programs, and activities to combat corruption and strengthen democracy in Nicaragua, and not less than \$1,500,000 should be made available for programs and activities to combat organized crime, crimes of violence specifically targeting women, and corruption in Guatemala.

(c) Funds made available pursuant to subsection (b) shall be subject to prior consultation with the Committees on Appropriations.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT
MANAGEMENT

(INCLUDING TRANSFER OF FUNDS)

SEC. 577. (a) AUTHORITY.—Up to \$75,000,000 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, 2008.

(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 \$10,000,000 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.

HIPC DEBT REDUCTION

SEC. 578. Section 501(b) of H.R. 3425, as enacted into law by section 1000(a)(5) of division B of Public Law 106–113 (113 Stat.

1501A-311), is amended by adding at the end the following new paragraph:

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

OPIC TRANSFER AUTHORITY

(INCLUDING TRANSFER OF FUNDS)

SEC. 579. 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 earmarked 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.

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

SEC. 580. 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 nongovernmental organizations.

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

SEC. 581. None of the funds made available in this Act for the Department of State may be used to provide assistance to the central government of a country which has notified the Department of State of its refusal to extradite to the United States any individual indicted in the United States for killing a law enforcement officer, as specified in a United States extradition request, unless the Secretary of State certifies to the Committees on Appropriations in writing that the application of the restriction to a country or countries is contrary to the national interest of the United States.

PROHIBITION AGAINST DIRECT FUNDING FOR SAUDI ARABIA

SEC. 582. None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to finance any assistance to Saudi Arabia: Provided, That the President may waive the prohibition of this section if he certifies to the Committees on Appropriations, 15 days prior to the obligation of funds

for assistance for Saudi Arabia, that Saudi Arabia is cooperating with efforts to combat international terrorism and that the proposed assistance will help facilitate that effort.

GOVERNMENTS THAT HAVE FAILED TO PERMIT CERTAIN EXTRADITIONS

SEC. 583. None of the funds made available in this Act for the Department of State, other than funds provided under the heading "International Narcotics Control and Law Enforcement", may be used to provide assistance to the central government of a country with which the United States has an extradition treaty and which government has notified the Department of State of its refusal to extradite to the United States any individual indicted for a criminal offense for which the maximum penalty is life imprisonment without the possibility of parole, unless the Secretary of State certifies to the Committees on Appropriations in writing that the application of this restriction to a country or countries is contrary to the national interest of the United States.

REPORTING REQUIREMENT

SEC. 584. The Secretary of State shall provide the Committees on Appropriations, not later than April 1, 2006, 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 PROGRAMS

SEC. 585. (a) FUNDING.—Of the funds appropriated under the heading "Development Assistance", not less than \$165,500,000 shall be made available for programs and activities which directly protect biodiversity, including forests, in developing countries, of which not less than \$10,000,000 should be made available to implement the United States Agency for International Development's biodiversity conservation strategy for the Amazon basin, which amount shall be in addition to the amounts requested for biodiversity activities in these countries in fiscal year 2006: Provided, That of the funds appropriated by this Act, not less than \$17,500,000 should be made available for the Congo Basin Forest Partnership of which not less than \$2,500,000 should be made available to the United States Fish and Wildlife Service for the protection of great apes in Central Africa: Provided further, That of the funds appropriated by this Act, not less than \$180,000,000 shall be made available to support clean energy and other climate change policies and programs in developing countries, of which \$100,000,000 should be made available to directly promote and deploy energy conservation, energy efficiency, and renewable and clean energy technologies, and of which the balance should be made available to directly: (1) measure, monitor, and reduce greenhouse gas emissions; (2) increase carbon sequestration activities; and (3) enhance climate change mitigation and adaptation programs.

(b) *CLIMATE CHANGE REPORT.*—Not later than 60 days after the date on which the President's fiscal year 2007 budget request is submitted to Congress, the President shall submit a report to the Committees on Appropriations describing in detail the following—

(1) all Federal agency obligations and expenditures, domestic and international, for climate change programs and activities in fiscal year 2006, including an accounting of expenditures by agency with each agency identifying climate change activities and associated costs by line item as presented in the President's Budget Appendix; and

(2) all fiscal year 2005 obligations and estimated expenditures, fiscal year 2006 estimated expenditures and estimated obligations, and fiscal year 2007 requested funds by the United States Agency for International Development, by country and central program, for each of the following: (i) to promote the transfer and deployment of a wide range of United States clean energy and energy efficiency technologies; (ii) to assist in the measurement, monitoring, reporting, verification, and reduction of greenhouse gas emissions; (iii) to promote carbon capture and sequestration measures; (iv) to help meet such countries' responsibilities under the Framework Convention on Climate Change; and (v) to develop assessments of the vulnerability to impacts of climate change and mitigation and adaptation response strategies.

(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 or is taking the necessary steps to establish 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 for 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, 2005.

UZBEKISTAN

SEC. 586. Assistance may be provided to the central Government of Uzbekistan only if the Secretary of State determines and reports to the Committees on Appropriations that 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 multi-party system, and ensuring free and fair elections, freedom of expression, and the independence of the media, and that a credible international investigation of the May 31, 2005, shootings in Andijan is underway with the support of the Government of Uzbekistan: Provided, That for the purposes of this section "assistance" shall include excess defense articles.

CENTRAL ASIA

SEC. 587. (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, 2006, 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 International Relations 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) Prior to the initial obligation of assistance for the Government of Kyrgyzstan, the Secretary of State shall submit a report to the Committees on Appropriations describing (1) whether the Government of Kyrgyzstan is forcibly returning Uzbeks who have fled violence and political persecution, in violation of the 1951 Geneva Convention relating to the status of refugees, and the Convention Against Torture and Other Forms of Cruel, Inhuman, or Degrading Treatment; (2) efforts made by the United States to prevent such returns; and (3) the response of the Government of Kyrgyzstan.

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

DISABILITY PROGRAMS

SEC. 588. (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.

(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 accessible 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.

DISCRIMINATION AGAINST MINORITY RELIGIOUS FAITHS IN THE RUSSIAN FEDERATION

SEC. 589. None of the funds appropriated for assistance under this Act may be made available for the Government of the Russian Federation, after 180 days from the date of the enactment of this Act, unless the President determines and certifies in writing to the Committees on Appropriations that the Government of the Russian Federation has implemented no statute, Executive order, regulation or similar government action that would discriminate, or which has as its principal effect discrimination, against religious groups or religious communities in the Russian Federation in violation of accepted international agreements on human rights and religious freedoms to which the Russian Federation is a party.

WAR CRIMES IN AFRICA

SEC. 590. (a) The Congress reaffirms its support for the efforts of the International Criminal Tribunal for Rwanda (ICTR) and the Special Court for Sierra Leone (SCSL) to bring to justice individuals responsible for war crimes and crimes against humanity in a timely manner.

(b) Funds appropriated by this Act, including funds for debt restructuring, may be made available for assistance to the central government of a country in which individuals indicted by ICTR and SCSL are credibly alleged to be living, if the Secretary of State determines and reports to the Committees on Appropriations that such government is cooperating with ICTR and SCSL, including the surrender and transfer of indictees in a timely manner: Provided, That this subsection shall not apply to assistance provided under section 551 of the Foreign Assistance Act of 1961 or to project assistance under title II of this Act: Provided further, That the United States shall use its voice and vote in the United Nations Security Council to fully support efforts by ICTR and SCSL to bring to justice individuals indicted by such tribunals in a timely manner.

(c) The prohibition in subsection (b) may be waived on a country by country basis if the President determines that doing so is in the national security interest of the United States: Provided, That

prior to exercising such waiver authority, the President shall submit a report to the Committees on Appropriations, in classified form if necessary, on: (1) the steps being taken to obtain the cooperation of the government in surrendering the indictee in question to the court of jurisdiction; (2) a strategy, including a timeline, for bringing the indictee before such court; and (3) the justification for exercising the waiver authority.

(d) Notwithstanding subsections (b) and (c), assistance may be made available for the central Government of Nigeria after 120 days following enactment of this Act only if the President submits a report to the Committees on Appropriations, in classified form if necessary, on: (1) the steps taken in fiscal years 2003, 2004 and 2005 to obtain the cooperation of the Government of Nigeria in surrendering Charles Taylor to the SCSL; and (2) a strategy, including a timeline, for bringing Charles Taylor before the SCSL.

SECURITY IN ASIA

SEC. 591. (a) Of the funds appropriated under the heading "Foreign Military Financing Program", not less than the following amounts shall be made available to enhance security in Asia, consistent with democratic principles and the rule of law—

- (1) \$30,000,000 for assistance for the Philippines;
- (2) \$1,000,000 for assistance for Indonesia;
- (3) \$1,000,000 for assistance for Bangladesh;
- (4) \$3,000,000 for assistance for Mongolia;
- (5) \$1,500,000 for assistance for Thailand;
- (6) \$1,000,000 for assistance for Sri Lanka;
- (7) \$1,000,000 for assistance for Cambodia;
- (8) \$500,000 for assistance for Fiji; and
- (9) \$250,000 for assistance for Tonga.

(b) In addition to amounts appropriated elsewhere in this Act, \$10,000,000 is hereby appropriated for "Foreign Military Financing Program": Provided, That these funds shall be available only to assist the Philippines in addressing the critical deficiencies identified in the Joint Defense Assessment of 2003.

(c) Funds made available for assistance for Indonesia pursuant to subsection (a) may only be made available for the Indonesian Navy, notwithstanding section 599F of this Act: Provided, That such funds shall only be made available subject to the regular notification procedures of the Committees on Appropriations.

(d) Funds made available for assistance for Cambodia pursuant to subsection (a) shall be made available notwithstanding section 554 of this Act: Provided, That such funds shall only be made available subject to the regular notification procedures of the Committees on Appropriations.

NEPAL

SEC. 592. (a) Funds appropriated under the heading "Foreign Military Financing Program" may be made available for assistance for Nepal only if the Secretary of State certifies to the Committees on Appropriations that the Government of Nepal, including its security forces, has restored civil liberties, is protecting human rights, and has demonstrated, through dialogue with Nepal's political parties, a commitment to a clear timetable to restore multi-party democratic government consistent with the 1990 Nepalese Constitution.

(b) *The Secretary of State may waive the requirements of this section if the Secretary certifies to the Committees on Appropriations that to do so is in the national security interests of the United States.*

NEGLECTED DISEASES

SEC. 593. Of the funds appropriated under the heading "Child Survival and Health Programs Fund", not less than \$15,000,000 shall be made available to support 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 consult with the Committees on Appropriations, representatives from the relevant international technical and nongovernmental organizations addressing the specific diseases, recipient countries, donor countries, the private sector, UNICEF and the World Health Organization (1) on the most effective uses of such funds to demonstrate the health and economic benefits of such an approach, and (2) 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. 594. Of the funds appropriated under title II of this Act, not less than \$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 II 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.

ADVISOR FOR INDIGENOUS PEOPLES ISSUES

SEC. 595. (a) After consultation with the Committees on Appropriations and not later than 120 days after enactment of this Act, the Administrator of the United States Agency for International De-

velopment shall designate an "Advisor for Indigenous Peoples Issues" whose responsibilities shall include—

- (1) consulting with representatives of indigenous peoples organizations;
- (2) ensuring that the rights and needs of indigenous peoples are being respected and addressed in United States Agency for International Development policies, programs and activities;
- (3) monitoring the design and implementation of United States Agency for International Development policies, programs and activities which affect indigenous peoples; and
- (4) coordinating with other Federal agencies on relevant issues relating to indigenous peoples.

STATEMENT

SEC. 596. (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:

- "Child Survival and Health Programs Fund".
- "Economic Support Fund".
- "Assistance for Eastern Europe and the Baltic States".
- "Assistance for the Independent States of the Former Soviet Union".
- "Global HIV/AIDS Initiative".
- "Democracy Fund".
- "International Narcotics Control and Law Enforcement".
- "Andean Counterdrug Initiative".
- "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.

COMBATTING PIRACY OF UNITED STATES COPYRIGHTED MATERIALS

SEC. 597. (a) PROGRAM AUTHORIZED.—The Secretary of State may carry out a program of activities to combat piracy in countries that are not members of the Organization for Economic Cooperation and Development (OECD), including activities as follows:

- (1) The provision of equipment and training for law enforcement, including in the interpretation of intellectual property laws.
- (2) The provision of training for judges and prosecutors, including in the interpretation of intellectual property laws.
- (3) The provision of assistance in complying with obligations under applicable international treaties and agreements on copyright and intellectual property.

(b) CONSULTATION WITH WORLD INTELLECTUAL PROPERTY ORGANIZATION.—In carrying out the program authorized by subsection (a), the Secretary shall, to the maximum extent practicable, consult with and provide assistance to the World Intellectual Property Organization in order to promote the integration of countries described in subsection (a) into the global intellectual property system.

(c) *FUNDING.*—Of the amount appropriated or otherwise made available under the heading “International Narcotics Control and Law Enforcement”, \$5,000,000 may be made available in fiscal year 2006 for the program authorized by subsection (a).

MALARIA

SEC. 598. Of the funds appropriated under the heading “Child Survival and Health Programs Fund”, not less than \$100,000,000 should be made available for programs and activities to combat malaria: Provided, That such funds should be made available in accordance with country strategic plans incorporating best public health practices, which should include considerable support for the purchase of commodities and equipment including: (1) insecticides for indoor residual spraying that are proven to reduce the transmission of malaria; (2) pharmaceuticals that are proven effective treatments to combat malaria; (3) long-lasting insecticide-treated nets used to combat malaria; and (4) other activities to strengthen the public health capacity of malaria-affected countries: Provided further, That no later than 90 days after the date of enactment of this Act, and every 90 days thereafter until September 30, 2006, the Administrator of the United States Agency for International Development shall submit to the Committees on Appropriations a report describing in detail expenditures to combat malaria during fiscal year 2006.

OVERSIGHT OF IRAQ RECONSTRUCTION

SEC. 599. 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 1203(j) of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 2081), is amended by striking “obligated” and inserting “expended”.

NONPROLIFERATION AND COUNTERPROLIFERATION EFFORTS

SEC. 599A. Funds appropriated under title II under the heading “Nonproliferation, Anti-Terrorism, Demining and Related Programs” may be made available to the Under Secretary of State for Arms Control and International Security for use in certain nonproliferation efforts and counterproliferation efforts such as increased voluntary dues to the International Atomic Energy Agency and Proliferation Security Initiative activities.

PROMOTION OF POLICY GOALS AT MULTILATERAL DEVELOPMENT BANKS

SEC. 599B. Title XV of the International Financial Institutions Act (22 U.S.C. 2620, et seq.) is amended by adding at the end the following:

“SEC. 1505. PROMOTION OF POLICY GOALS.

“(a) The Secretary of the Treasury shall instruct the United States Executive Director at each multilateral development bank to inform each such bank and the executive directors of each such bank of the policy of the United States as set out in this section and to actively promote this policy and the goals set forth in section

1504 of this Act. It is the policy of the United States that each bank should—

“(1) require the bank’s employees, officers and consultants to make an annual disclosure of their financial interests and income and of any other potential source of conflict of interest;

“(2) link project and program design and results to management and staff performance appraisals, salaries, and bonuses;

“(3) implement voluntary disclosure programs for firms and individuals participating in projects financed by such bank;

“(4) ensure that all loan, credit, guarantee, and grant documents and other agreements with borrowers include provisions for the financial resources and conditionality necessary to ensure that a person or country that obtains financial support from a bank complies with applicable bank policies and national and international laws in carrying out the terms and conditions of such documents and agreements, including bank policies and national and international laws pertaining to the comprehensive assessment and transparency of the activities related to access to information, public health, safety, and environmental protection;

“(5) implement clear anti-corruption procedures setting forth the circumstances under which a person will be barred from receiving a loan, contract, grant, guarantee or credit from such bank, make such procedures available to the public, and make the identity of such person available to the public;

“(6) coordinate policies across multilateral development banks on issues including debarment, cross-debarment, procurement guidelines, consultant guidelines, and fiduciary standards so that a person that is debarred by one such bank is subject to a rebuttable presumption of ineligibility to conduct business with any other such bank during the specific ineligibility period;

“(7) require each bank borrower and grantee and each bidder, supplier and contractor for MDB projects to comply with the highest standard of ethics prohibiting coercive, collusive, corrupt and fraudulent practices, such as are defined in the World Bank’s Procurement Guidelines of May, 2004;

“(8) maintain a functionally independent Investigations Office, Auditor General Office and Evaluation Office that are free from interference in determining the scope of investigations (including forensic audits), internal auditing (including assessments of management controls for meeting operational objectives and complying with bank policies), performing work and communicating results, and that regularly report to such bank’s board of directors and, as appropriate and in a manner consistent with such functional independence of the Investigations Office and the Auditor General Office, to the bank’s President;

“(9) require that each candidate for adjustment or budget support loans demonstrate transparent budgetary and procurement processes including budget publication and public scrutiny prior to loan or grant approval;

“(10) require that for each project where compensation is to be provided to persons adversely affected by the project, such persons have recourse to an impartial and responsive mecha-

nism to receive and resolve complaints. The mechanism should be easily accessible to all segments of the affected community without impeding access to other judicial or administrative remedies and without retribution;

“(11) implement best practices in domestic laws and international conventions against corruption for whistleblower and witness disclosures and protections against retaliation for internal and lawful public disclosures by the bank’s employees and others affected by such bank’s operations who challenge illegality or other misconduct that could threaten the bank’s mission, including (1) best practices for legal burdens of proof, (2) access to independent adjudicative bodies, including external arbitration based on consensus selection and shared costs, and (3) results that eliminate the effects of proven retaliation; and

“(12) require, to the maximum extent possible, that all draft country strategies are issued for public consideration no less than 45 days before the country strategy is considered by the multilateral development bank board of directors.

“(b) The Secretary of the Treasury shall, beginning thirty days after the enactment of this Act and within sixty calendar days of the meeting of the respective bank’s Board of Directors at which such decisions are made, publish on the Department of the Treasury website a statement or explanation of the United States position on decisions related to (1) operational policies; and (2) any proposal which would result or be likely to result in a significant effect on the environment.

“(c) In this section the term ‘multilateral development bank’ has the meaning given that term in section 1307 of the International Financial Institutions Act (22 U.S.C. 262m–7) and also includes the European Bank for Reconstruction and Development and the Global Environment Facility.”.

AUTHORIZATIONS

SEC. 599C. (a) To authorize the United States participation in and appropriations for the United States contribution to the fourteenth replenishment of the resources of the International Development Association, the International Development Association Act, Public Law 86–565, as amended (22 U.S.C. 284, et seq.), is further amended by adding at the end thereof the following new section:

“SEC. 23. FOURTEENTH REPLENISHMENT.

“(a) The United States Governor of the International Development Association is authorized to contribute on behalf of the United States \$2,850,000,000 to the fourteenth replenishment of the resources of the Association, subject to obtaining the necessary appropriations.

“(b) In order to pay for the United States contribution provided for in subsection (a), there are authorized to be appropriated, without fiscal year limitation, \$2,850,000,000 for payment by the Secretary of the Treasury.”.

(b) To authorize the United States participation in and appropriations for the United States contribution to the tenth replenishment of the resources of the African Development Fund, the African Development Fund Act, Public Law 94–302, as amended (22 U.S.C.

290g, et seq.), is further amended by adding at the end thereof the following new section:

“SEC. 218. TENTH REPLENISHMENT.

“(a) The United States Governor of the Fund is authorized to contribute on behalf of the United States \$407,000,000 to the tenth replenishment of the resources of the Fund, subject to obtaining the necessary appropriations.

“(b) In order to pay for the United States contribution provided for in subsection (a), there are authorized to be appropriated, without fiscal year limitation, \$407,000,000 for payment by the Secretary of the Treasury.”.

(c) To authorize the United States participation in and appropriations for the United States contribution to the eighth replenishment of the resources of the Asian Development Fund, the Asian Development Fund Act, Public Law 92–245, as amended (22 U.S.C. 285, et seq.), is further amended by adding at the end thereof the following new section:

“SEC. 32. EIGHTH REPLENISHMENT.

“(a) The United States Governor of the Bank is authorized to contribute on behalf of the United States \$461,000,000 to the eighth replenishment of the resources of the Fund, subject to obtaining the necessary appropriations.

“(b) In order to pay for the United States contribution provided for in subsection (a), there are authorized to be appropriated, without fiscal year limitation, \$461,000,000 for payment by the Secretary of the Treasury.”.

ANTICORRUPTION PROVISIONS

SEC. 599D. 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 certifies to the appropriate congressional committees that—

(1) World Bank procurement guidelines are applied to all procurement financed in whole or in part by a loan from the International Bank for Reconstruction and Development (IBRD) or a credit agreement or grant from the International Development Association (IDA);

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

(3) the World Bank is maintaining a strong central procurement office staffed with senior experts who are designated to address commercial concerns, questions, and complaints regarding procurement procedures and payments under IDA and IBRD projects;

(4) thresholds for international competitive bidding are established to maximize international competitive bidding in accordance with sound procurement practices, including transparency, competition, and cost-effective results for the Borrowers;

(5) all tenders under the World Bank’s national competitive bidding provisions are subject to the same advertisement re-

quirements as tenders under international competitive bidding; and

(6) loan agreements are made public between the World Bank and the Borrowers.

ASSISTANCE FOR DEMOBILIZATION AND DISARMAMENT OF FORMER
IRREGULAR COMBATANTS IN COLOMBIA

SEC. 599E. (a) AVAILABILITY OF FUNDS.—Of the funds appropriated in this Act, up to \$20,000,000 may be made available in fiscal year 2006 for assistance for the demobilization and disarmament of former members of foreign terrorist organizations (FTOs) in Colombia, specifically the United Self-Defense Forces of Colombia (AUC), the Revolutionary Armed Forces of Colombia (FARC) and the National Liberation Army (ELN), if the Secretary of State makes a certification described in subsection (b) to the appropriate congressional committees 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, and (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;

(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, and other violations of United States law;

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

(4) 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) DEFINITIONS.—In this section:

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

(A) the Committee on Appropriations and the Committee on International Relations 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. 599F. (a) Funds appropriated by this Act under the heading "Foreign Military Financing Program" may be made available for assistance for Indonesia, and licenses may be issued for the export of lethal defense articles for the Indonesian Armed Forces, only if the Secretary of State certifies to the appropriate congressional committees that—

(1) the Indonesian Government is prosecuting and punishing, in a manner proportional to the crime, members of the Armed Forces who have been credibly alleged to have committed gross violations of human rights;

(2) at the direction of the President of Indonesia, the Armed Forces are cooperating with civilian judicial authorities and with international efforts to resolve cases of gross violations of human rights in East Timor and elsewhere; and

(3) at the direction of the President of Indonesia, the Government of Indonesia is implementing reforms to improve civilian control of the military.

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

REPORT ON INDONESIAN COOPERATION

SEC. 599G. Not later than 90 days after enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations that describes—

(1) the status of the investigation of the murders of two United States citizens and one Indonesian citizen that occurred on August 31, 2002 in Timika, Indonesia, the status of any individuals indicted within the United States or Indonesia for crimes relating to those murders, and the status of judicial proceedings relating to those murders;

(2) the efforts by the Government of Indonesia to arrest individuals indicted for crimes relating to those murders and any other actions taken by the Government of Indonesia, including the Indonesian judiciary, police and Armed Forces, to bring the individuals responsible for those murders to justice; and

(3) the cooperation provided by the Government of Indonesia, including the Indonesian judiciary, police and Armed Forces, to requests related to those murders made by the Secretary of State or the Director of the Federal Bureau of Investigation.

This Act may be cited as the "Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2006".

And the Senate agree to the same.

That the Senate recede from its amendment to the title of the bill.

JIM KOLBE,
JERRY LEWIS,
JOE KNOLLENBERG,
MARK STEVEN KIRK,
ANDER CRENSHAW,
DON SHERWOOD,

JOHN E. SWEENEY,
DENNIS REHBERG,
JOHN CARTER,
NITA M. LOWEY,
DAVID R. OBEY,
JESSE L. JACKSON, Jr.,
CAROLYN C. KILPATRICK,
STEVEN R. ROTHMAN,
CHAKA FATTAH,

Managers on the Part of the House.

MITCH McCONNELL,
ARLEN SPECTER,
JUDD GREGG,
RICHARD SHELBY,
ROBERT F. BENNETT,
CHRISTOPHER BOND,
MIKE DeWINE,
SAM BROWNBACK,
THAD COCHRAN,
PATRICK J. LEAHY,
DANIEL INOUE,
TOM HARKIN,
BARBARA A. MIKULSKI,
DICK DURBIN,
TIM JOHNSON,
MARY L. LANDRIEU,
ROBERT C. BYRD,

Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF
CONFERENCE

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 3057), “making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, and for other purposes”, submits the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report.

The conference agreement incorporates some of the provisions of both the House and Senate versions of the bill. The statement of the managers remains silent on provisions that were in both the House bill and Senate bill that remain substantially unchanged by the conference agreement.

The language set forth in House Report 109–152 and Senate Report 109–96 should be complied with unless specifically addressed in the accompanying bill and statement of the managers to the contrary. The statement of the managers, while repeating some report language for emphasis or clarification, does not intend to negate the language in either the House or Senate reports unless expressly addressed herein.

CONFERENCE AGREEMENT

[Budget authority in thousands of dollars]

	<i>Conference agreement</i>
Title I—Export and Investment Assistance:	
Export Import Bank	100,000
Export Import Bank Admin Expenses	73,200
Export Import Bank Inspector General	1,000
Export Import Bank negative subsidy	– 35,000
OPIC Administrative expenses	42,274
OPIC Credit subsidy	20,276
OPIC offsetting collections	– 240,000
Trade and Development Agency	50,900
Subtotal, Title I	12,650
Title II—Bilateral Economic Assistance:	
Child Survival and health programs fund	1,585,000
Development Assistance	1,524,000
International Disaster Assistance	365,000
Transition Initiatives	40,000
Development Credit Program (by transfer)	21,000
Administrative expenses	8,000
Payment to the Foreign Service Retirement and Disability Fund (mandatory)	41,700
Operating expenses of USAID	630,000
Capital investment fund	70,000
Operating Expenses of USAID Inspector General	36,000
Economic Support Fund	2,634,000
International Fund for Ireland	13,500
Assistance to Eastern Europe and the Baltic States	361,000

	<i>Conference agreement</i>
Assistance for the Independent States of the Former Soviet Union	514,000
Inter-American Foundation	19,500
African Development Foundation	23,000
Peace Corps	322,000
Millennium Challenge Corporation	1,770,000
Global HIV/AIDS Initiative	1,995,000
Democracy Fund	95,000
International Narcotics Control	477,200
Andean Counterdrug Initiative	734,500
Migration and Refugee Assistance	791,000
United States Emergency Refugee and Migration Assistance Fund	30,000
Nonproliferation, Anti-terrorism, and Demining	410,100
International affairs technical assistance	20,000
Debt Restructuring	65,000
Subtotal, Title II (Discretionary)	14,532,800
Subtotal, Title II (Mandatory)	41,700
Subtotal, Title II	14,574,500
Title III—Military Assistance	
International Military Education and Training	86,744
Foreign Military Financing	4,500,000
Peacekeeping Operations	175,000
Subtotal, Title III	4,761,744
Title IV—Multilateral Economic Assistance:	
Global Environment Facility	80,000
International Development Association	950,000
Multilateral Investment Guarantee Agency	1,300
Multilateral Investment Fund	1,742
Inter-American Investment Corporation	1,742
Asian Development Fund	100,000
African Development Bank	3,638
African Development Fund	135,700
European Bank for Reconstruction and Development	1,016
International Fund for Agriculture	15,000
International Organizations and Programs	329,458
Subtotal, Title IV	1,619,596
Title V—General Provisions:	
Section 6084, “Security in Asia”	10,000
Subtotal, Title V	10,000
Discretionary total	20,936,548
Mandatory total	41,700
Total, Foreign Operations	20,978,490

Once again, the conferees include a significant increase to fight HIV/AIDS, tuberculosis (TB), and malaria. This funding is appropriated in several accounts and is summarized in the chart below. Narratives for the specific diseases are under the headings “Child Survival and Health Programs Fund” and “Global HIV/AIDS Initiative”.

The conferees include a total of \$2,820,000,000 for HIV/AIDS, TB, and malaria, \$268,000,000 over the President’s request and \$629,000,000 over the fiscal year 2005 level. This figure does not include significant funding anticipated to be appropriated for the

Department of Health and Human Services or the United States share of HIV/AIDS assistance through the World Bank Group.

FUNDING FOR HIV/AIDS, TUBERCULOSIS AND MALARIA

[Budget authority in thousands of dollars]

Disease/account	Fiscal year 2006 request	Fiscal year 2006 con- ference agree- ment
HIV/AIDS	2,341,040	2,426,600
Child Survival and Health Programs Fund	386,000	490,000
Global HIV/AIDS Initiative	1,926,000	1,907,000
Economic Support Fund	3,700	4,000
Assistance for Eastern Europe and the Baltic States	1,560	1,600
Assistance for the Independent States of the Former Soviet Union	21,800	22,000
Foreign Military Financing	1,980	2,000
Tuberculosis	88,586	150,900
Global HIV/AIDS Initiative	13,000	26,000
Child Survival and Health Programs Fund	63,000	112,500
Economic Support Fund	1,900	2,000
Assistance for Eastern Europe and the Baltic States	386	400
Assistance for the Independent States of the Former Soviet Union	10,300	10,000
Malaria	122,500	242,500
Child Survival and Health Programs Fund	90,000	177,500
Global HIV/AIDS Initiative	31,000	62,000
Economic Support Fund	1,500	3,000
Total	2,552,126	2,820,000
Of which, for the Global Fund to Fight AIDS, Tuberculosis and Malaria ¹	200,000	450,000

¹ The contribution to the Global Fund has been allocated among the diseases in proportion to the Global Fund's grant portfolio.

The conference agreement makes available \$450,000,000 for the United States contribution to the Global Fund to Fight AIDS, TB and Malaria (Global Fund), \$250,000,000 from the "Child Survival and Health Programs Fund" and \$200,000,000 from the "Global HIV/AIDS Initiative" account. The disease amounts for "Child Survival and Health Programs Fund" and "Global HIV/AIDS Initiative" in the table above include the amount of the Global Fund contribution from those accounts estimated to be dedicated to those diseases, using Global Fund grant trend data.

The fiscal year 2006 budget request for these accounts included \$200,000,000 for a United States contribution to the Global Fund: \$100,000,000 from the "Global HIV/AIDS Initiative" account and \$100,000,000 from the "Child Survival and Health Programs Fund" account. The President requested an additional \$100,000,000 from the accounts which appropriate funding for the Department of Health and Human Services.

BUDGET JUSTIFICATION MATERIALS

The conferees agree with the direction of the Senate with respect to submission of a report on a proposal to improve budget justification material submitted with the fiscal year 2007 budget request. The conferees agree that the State Department should submit proposals as recommended by the Senate to the Committees on Appropriations no later than December 15, 2005.

TITLE I—EXPORT AND INVESTMENT ASSISTANCE

EXPORT-IMPORT BANK OF THE UNITED STATES

The conference agreement includes a first-time appropriation of \$1,000,000 for an Office of Inspector General. The conferees expect the position of Inspector General to be filled as expeditiously as possible.

The conference agreement provides \$100,000,000 for the subsidy appropriation. The conferees expect that there will be no reduction in Export-Import Bank activity levels due to the extraordinarily high level of carryover balances in fiscal year 2006, which totals approximately \$320,000,000.

The conference agreement provides \$73,200,000 for administrative expenses.

The conferees agree the Export-Import Bank should act promptly on all requests for assistance from United States exporters that meet the Bank's criteria for credit worthiness, export additionality, foreign competition and net benefit to the United States economy. The conferees do not require from the Bank an explanation for rejections of requests for assistance from any specific United States industry. The conferees direct the Export-Import Bank to report by March 31, 2006 on all applications received in fiscal year 2005 and a summary of actions undertaken by the Bank with regard to such applications.

OVERSEAS PRIVATE INVESTMENT CORPORATION

The conferees direct the President of the Overseas Private Investment Corporation (OPIC) to continue current policy and consult with the Committees on Appropriations before any future financing for non-governmental organizations or private and voluntary organizations is approved.

TRADE AND DEVELOPMENT AGENCY

The conference agreement provides \$50,900,000 for the Trade and Development Agency (TDA).

The conferees provide \$1,500,000 for TDA to conduct an international aviation security and safety program to enhance the capabilities of foreign civil aviation authorities. The conferees believe this program will have the most impact if a substantial portion is implemented through a cooperative agreement between TDA and a non-profit aviation organization with relevant experience in development and training programs that assist countries in meeting their obligations for international aviation security and safety standards.

TITLE II—BILATERAL ECONOMIC ASSISTANCE
 United States Agency for International Development
 CHILD SURVIVAL AND HEALTH PROGRAMS FUND
 (INCLUDING TRANSFER OF FUNDS)

The conference agreement provides \$1,585,000,000 for the “Child Survival and Health Programs Fund” instead of \$1,497,000,000 as proposed by the House or \$1,659,000,000 as proposed by the Senate. The conference agreement includes not to exceed \$350,000 for monitoring and oversight as proposed by the Senate, rather than \$250,000 as proposed by the House.

As in previous years, the conference agreement includes language allocating the “Child Survival and Health Programs Fund” among six program categories. A definition of program categories and their components can be found on pages 9 through 11 of House Report 107–142 and under the heading “Family Planning/Reproductive Health” on page 12 of Senate Report 107–58.

Funds in this account are allocated in the following table and, as stipulated in section 596, any change to these allocations is subject to the regular reprogramming procedures of the Committees on Appropriations:

CHILD SURVIVAL AND HEALTH PROGRAMS FUND	
[Budget authority in thousands of dollars]	
	<i>Conference agreement</i>
Child Survival/Maternal Health	360,000
(The Vaccine Fund)	[70,000]
Vulnerable Children	30,000
Family Planning/Reproductive Health	375,000
HIV/AIDS	350,000
Microbicides	[40,000]
IAVI	[29,000]
Other Infectious Diseases	220,000
TB	[80,000]
Malaria	[100,000]
Surveillance/OID	[25,000]
Neglected Diseases	[15,000]
Global Fund to Fight AIDS, Tuberculosis and Malaria	250,000
Total	1,585,000

A table describing HIV/AIDS, TB, and malaria allocations by account is at the beginning of this statement of the managers. Again this year, no funding for HIV/AIDS programs in the 15 Emergency Plan for AIDS Relief “focus” countries is appropriated in this account. Funding for the “focus” countries is appropriated under the heading “Global HIV/AIDS Initiative”. The narrative for HIV/AIDS funding is under the heading “Global HIV/AIDS Initiative”.

THE GLOBAL FUND

The conference agreement includes a total of \$450,000,000 for the Global Fund: \$250,000,000 from this account, and \$200,000,000 from the Global HIV/AIDS Initiative account.

The conferees note that, of the funding committed by the Global Fund to recipient countries, approximately 56 percent will be for

HIV/AIDS interventions, 31 percent for malaria interventions, and 13 percent for TB or combined TB/AIDS interventions. The conferees have used these percentages to estimate the portion of the United States contribution to the Global Fund that is likely to be attributed for each disease.

TUBERCULOSIS

The conference agreement provides a total of \$150,900,000 for TB assistance. Of this amount, \$80,000,000 is funded through the “other infectious diseases” allocation in this account, an estimated \$12,400,000 from other bilateral accounts, and \$58,500,000 through the contribution to the Global Fund.

MALARIA

For malaria, the conference agreement provides a total of \$242,500,000. Of this amount, it is expected that \$139,500,000 of the contribution to the Global Fund will fund malaria programs, \$100,000,000 is funded through the “other infectious diseases” allocation in this account, and an estimated \$3,000,000 is provided from other bilateral accounts. The conferees have long been concerned by the mortality and morbidity caused by this disease, and have made available more than \$657,500,000 since 2001 to fight malaria, consistently more each year than requested by the President.

The conferees include section 598, similar to a Senate provision, which requires that bilateral malaria funds made available in this Act are spent in a coordinated, transparent manner on effective anti-malarial programs. The conferees urge the United States Agency for International Development (USAID) to work with host country health authorities, other donors, and multilateral institutions to develop, where they do not already exist, country-level malaria plans with clearly delineated roles and responsibilities. These plans should include specific indicators, procedures to measure progress toward those indicators, and mechanisms to track the disbursement of funds.

Where appropriate, the plans should include significant support for the purchase of commodities, including bednets and pharmaceutical products. In accordance with these strategies, USAID’s malaria programming should be provided for activities that maximize the effectiveness of United States assistance dollars in mitigating the effects of malaria.

Section 598 also requires USAID to submit quarterly reports delineating expenditures to fight malaria. These reports should include indicators for USAID’s programming, progress toward those indicators, and how USAID programming fits within country-level malaria strategic plans.

NEGLECTED DISEASES

The conferees are aware that certain neglected diseases cause debilitating illness and disfigurement among hundreds of millions of people in mostly tropical countries, and that medicines exist to either prevent or cure most of these diseases. In section 593, the conference agreement includes a provision similar to a Senate

amendment which provides \$15,000,000 for an integrated approach to the control of neglected diseases. The conferees direct USAID to consult broadly to ensure the most effective uses of these funds and develop a multilateral mechanism to implement an integrated initiative to control these diseases, enhance coordination and effectiveness and maximize donor contributions. The Administrator of USAID should consult with the Committees on Appropriations before a mechanism is chosen. Until such a mechanism is available, the Administrator should develop and implement the program through existing bilateral and multilateral mechanisms.

RESEARCH AND DEVELOPMENT

The conferees note that USAID is developing a “Research and Development” strategy. In doing so for fiscal year 2006, USAID shall program not less than \$40,000,000 for microbicides, including up to \$3,000,000 for the International Partnership for Microbicides, and \$29,000,000 for the International AIDS Vaccine Initiative. Additional organizations and amounts are specified in the House and Senate reports.

AVIAN INFLUENZA

The conferees believe that strengthening international surveillance, reporting, and response capacity is the foundation of preventing and responding to an outbreak of avian influenza in the United States. Congress provided \$25,000,000 in Public Law 109–13 for the first step of the multi-year effort necessary to address the threat posed by an avian influenza pandemic, and the conferees expect the Administration to submit requests for further funds for this priority in future appropriations Acts.

DEVELOPMENT ASSISTANCE

The conference agreement provides \$1,524,000,000 for “Development Assistance”.

The conference agreement includes \$214,000,000 for trade capacity building under this heading, of which at least \$20,000,000 shall be made available for labor and environmental capacity building related to the free trade agreement with the countries of Central America and the Dominican Republic. Trade capacity building is further addressed in section 570 of the general provisions.

The conference agreement provides \$365,000,000 for basic education, including adult literacy programs, under this heading. The conference agreement addresses this matter further in section 567 of the general provisions.

The conferees provide \$15,000,000 for a program in Africa regarding school fees. This program is in addition to last year’s provision of a similar amount.

The conference agreement provides \$15,000,000 for programs to improve women’s leadership capacity in recipient countries. The conferees recommend \$11,500,000 for USAID’s Office of Women in Development, and note that the additional \$500,000 above the level recommended in the Senate report should enable the office to begin conducting gender assessments in select country missions.

The conference agreement provides \$200,000,000 of the aggregated amounts in the Act for drinking water supply and related projects, of which not less than \$50,000,000 should be available for drinking water projects in Africa. The conference agreement includes language similar to that proposed by the Senate, recommending \$20,000,000 for clean water treatment activities in developing countries.

The conferees support the fertilizer-related research and development work being conducted by the International Fertilizer Development Center (IFDC) and urge USAID to make at least \$4,000,000 available to IFDC, including not less than \$2,300,000 for its core grant, as provided under the Senate amendment. The House did not address this matter.

The conference agreement provides \$20,000,000 for American Schools and Hospitals Abroad. The conferees request USAID consider supporting the American Community School in Beirut.

The conferees agree that not less than \$1,000,000 should be made available to the United States Telecommunications Training Institute.

The conferees support language proposed by the Senate regarding micronutrient fortification of donated American commodities. The conferees expect USAID and the United States Department of Agriculture to work together to implement the 2001 Micronutrient Compliance Review to ensure these commodities are safe for consumption.

The conference agreement provides \$2,000,000 for reconstruction and development projects in South Asia. The conferees direct that these funds be provided to the Doulos Foundation.

The conferees agree that \$20,000,000 should be made available for the Election and Political Processes Program of USAID's Office of Democracy and Governance, of which \$18,000,000 should be made available for democracy programs. The conferees note that the level of funding contained in the budget request may be insufficient for effective promotion of democracy abroad, and urge increased funding in fiscal year 2007. The conferees request USAID to consult with the Committees on how it can better coordinate its democracy and governance programs between Washington and the field, and between USAID and the State Department.

The conferees note with concern the reductions made in the fiscal year 2006 budget request for a number of African countries. The conference agreement contains funding levels for both the "Child Survival and Health Programs Fund" and "Development Assistance" that significantly exceed the amounts requested. The conferees therefore expect USAID to restore cuts in African country allocations to their fiscal year 2005 levels, consistent with proper programmatic considerations.

The conferees endorse the list of university proposals in the Senate and House reports. In addition, the conferees recommend consideration of proposals by:

- the University of South Alabama in partnership with the National Birth Defects Center of the Centers for Disease Control and Prevention;

- Historically Black Colleges and Universities in Mississippi to strengthen civil society in Latin America and the Caribbean; and

—a Consortium of Management Schools to link management schools in developing countries with faculty from leading United States management schools.

In order to eliminate a discrepancy between the Senate and House reports, the conferees direct that the first report requested from USAID on the status of university funding proposals be submitted no later than June 1, 2006 and the second report submitted no later than September 1, 2006.

The conferees clarify that funding contained in the Senate report under the heading “Birds of Prey” supports the Peregrine Fund’s work in the International Raptor Center, to be matched by private contributions.

INTERNATIONAL DISASTER AND FAMINE ASSISTANCE

The conference agreement provides \$365,000,000 for “International Disaster and Famine Assistance”. The conferees take note of the tragic earthquake in Pakistan and are aware that additional funds, including the reprogramming of funds contained in titles II and III of this Act, may be needed to address the needs caused by this tragedy.

TRANSITION INITIATIVES

The conference agreement provides \$40,000,000 to support the transition to democracy of countries in crisis.

DEVELOPMENT CREDIT AUTHORITY

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides \$21,000,000 via transfer authority for micro and small enterprise programs, urban programs and other credit programs.

OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

The conference agreement provides \$630,000,000 for USAID operating expenses.

CAPITAL INVESTMENT FUND

The conference agreement provides \$70,000,000 for USAID’s Capital Investment Fund. The conference agreement makes available \$48,100,000 for USAID’s contribution to the Capital Security Cost Sharing program, an increase of nearly 150 percent above last year’s contribution. The remainder of the funding in this account is to be used for USAID’s information technology requirements so that the Agency will be able to process timely and accurate information in a secure manner.

The conferees note that USAID plans to open a new mission in southern Sudan. To the degree that other United States Government agencies avail themselves of these facilities, the conferees note that USAID should charge a fair and reasonable rental assessment.

Other Bilateral Economic Assistance

ECONOMIC SUPPORT FUND

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides \$2,634,000,000 for the “Economic Support Fund” (ESF), instead of \$2,558,525,000 as proposed by the House and \$3,031,375,000 as proposed by the Senate.

Funds in this account are allocated in the following table and, as stipulated in section 596, any change to these allocations is subject to the regular reprogramming procedures of the Committees on Appropriations.

ECONOMIC SUPPORT FUND	
[Budget authority in thousands of dollars]	
	<i>Conference agreement</i>
Africa:	
Ethiopia	10,000
Sierra Leone (Special Court)	13,000
Sudan	20,000
Zimbabwe	3,000
Kimberley Process	2,500
Other Africa	88,000
	<hr/>
Subtotal—Africa	136,500
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East Asia and the Pacific:	
Burma	11,000
Cambodia	15,000
East Timor	19,000
Indonesia	70,000
Mongolia	7,500
Philippines	25,000
Tibet	4,000
Thailand	1,000
Vietnam	2,000
Environmental programs	2,000
South Pacific Fisheries	18,000
Other Asia	9,000
	<hr/>
Subtotal—East Asia and the Pacific	183,500
	<hr/> <hr/>
Europe and Eurasia:	
Cyprus	20,000
Irish Visa Program	3,500
Other Europe and Eurasia	2,000
	<hr/>
Subtotal—Europe and Eurasia	25,500
	<hr/> <hr/>
Near East:	
Egypt	495,000
Iraq	61,000
(Marla Ruzicka Iraqi War Victims Fund)	[5,000]
(IRI)	[28,000]
(NDI)	[28,000]
Israel	240,000
Jordan	250,000
Lebanon	40,000
Middle East Partnership Initiative	110,000
Middle East Regional Cooperation	5,000
West Bank/Gaza	150,000
(USAID Administrative Expenses)	[2,000]

	<i>Conference agreement</i>
Other Near East	15,600
Subtotal—Near East	<u>1,366,600</u>
South Asia:	
Afghanistan	430,000
Pakistan	300,000
Nepal	5,000
Other South Asia	15,000
Subtotal—South Asia	<u>750,000</u>
Western Hemisphere:	
Haiti	50,000
Guatemala	4,000
(programs to combat organized crime)	1,500
Mexico	11,500
Nicaragua	1,900
(elections, media, civil society and anti-corruption pro- grams)	1,500
Labor and Environment in Central America	20,000
Other Western Hemisphere	26,000
Subtotal—Western Hemisphere	<u>116,400</u>
Global:	
Disability Fund	4,000
Wheelchairs	5,000
Reconciliation Programs	15,000
Security and Sustainability Programs	3,000
UNHCHR Nepal	2,500
Trafficking in Persons	12,000
Extractive Industries Transparency	1,000
House Democracy Assistance Program	1,000
Other Global	12,000
Subtotal—Global	<u>55,500</u>
Total	<u>2,634,000</u>

EGYPT

The conferees note that the reduction in the overall ESF request for Egypt has come at the expense of project assistance, and that the budget request for cash transfer and commodity import program assistance each continue at a \$200,000,000 funding level. The conferees are concerned that reduced overall ESF levels not erode further the amount of project assistance provided to Egypt.

Therefore, the conference agreement includes a minimum of \$135,000,000 of project assistance taking into consideration the increased levels of assistance for democracy, governance and education programs. Within the amount provided for project assistance, not less than \$50,000,000 shall be made available for democracy, governance and human rights programs and not less than \$50,000,000 shall be used for education programs, including \$5,000,000 that shall be made available for scholarships for disadvantaged Egyptian students. The conferees support the work of the Leadership for Education and Development program implemented by USAID in Egypt as it attracts students from rural areas of Egypt to attend the American University in Cairo.

In order to support the appropriations process in subsequent years, the conferees request the State Department submit a report

to the Committees on Appropriations, as part of the fiscal year 2007 budget request, which describes the overall assistance objectives for the ESF program in Egypt. The report should address how project and non-project assistance attempts to achieve those objectives, the extent to which such objectives are being achieved, the rationale for the continued decline in project assistance, and to what extent the State Department and USAID believe this trend will continue. In addition, the conferees request that the report address the balance between economic and military assistance provided to Egypt, including whether maintaining the current level of military assistance in relation to economic assistance is most appropriate in light of political and economic conditions in Egypt and in the region.

The conferees agree with the House proposal that not less than 50 percent of the funds for democracy, governance and human rights be provided through non-governmental organizations for the purpose of strengthening Egyptian civil society organizations, enhancing their participation in the political process and their ability to promote and monitor human rights. Of the funds provided for education, the conferees recommend that not less than 50 percent be used to improve access to basic education. The remainder of funds provided for education shall be used to strengthen institutions of higher education, promote academic freedom, fund educational and cultural exchange programs, and provide educational scholarships including for the American University in Cairo. The conferees request USAID to consult with the Committees on Appropriations regarding the use of democracy funds for Egypt.

The conference agreement does not include language, proposed by the Senate, conditioning ESF assistance on the installation of an FM transmitter in Media City for Radio SAWA. The conferees expect the State Department to continue to make this matter a priority in Egypt-United States relations.

AFRICA

The conferees agree to provide \$10,000,000 for political reform programs in Ethiopia and direct the State Department to consult with the Committees on Appropriations on the uses of these funds.

The conferees agree to provide \$4,000,000 for assistance for Zimbabwe for activities consistent with the Zimbabwe Democracy and Economic Recovery Act of 2001 (Public Law 107-99). The conferees remain concerned with the authoritarianism of the Mugabe regime and the impact of its misrule on the people of Zimbabwe and the region, particularly with respect to the spread of HIV/AIDS.

The conferees support efforts to revitalize the peace process in Uganda, and expect funding in this Act to be made available for humanitarian, psycho-social, and development needs for displaced and war-affected persons. The conferees urge the Government of Uganda to accept the presence of international human rights monitors in northern and eastern Uganda.

EAST ASIA AND THE PACIFIC

The conference agreement includes language, similar to that proposed by the Senate, which recommends targeted assistance for

Cambodia, including \$15,000,000 for the promotion of democracy, human rights, and the rule of law. The conferees agree with the Senate position with respect to Cambodia, and condemn the continued suppression of free speech and intimidation of political activists and opposition parties by the Government of Cambodia.

The conferees note that democracy remains fragile in Timor-Leste. The UNOTIL is scheduled to end in May 2006 and some essential government functions remain dependent on international assistance. The conference agreement includes language directing not less than \$19,000,000 in ESF assistance for Timor-Leste, and \$1,500,000 in INCLE assistance for on-the-ground training of police.

The conferees agree to provide \$25,000,000 for assistance for the Philippines, an increase of \$5,000,000 above the budget request.

NEAR EAST

The conferees agree to provide \$110,000,000 for the Middle East Partnership Initiative and direct that up to \$9,000,000 be made available for scholarship programs for students from countries with significant Muslim populations at not-for-profit American institutions of basic and higher education in the Middle East that are accredited by an accrediting agency recognized by the United States Secretary of Education and are not controlled by the government of the country in which they are located, including the American University of Beirut, the American University in Cairo, and the Lebanese American University. The conferees note that funding provided to American educational institutions in Lebanon may be used for scholarships to support students from any country within the Middle East.

The conference agreement includes \$56,000,000 for democracy, governance and rule of law programs in Iraq, which is similar to a provision proposed by the Senate. The conferees direct that of these funds, \$28,000,000 be made available to the International Republican Institute and \$28,000,000 to the National Democratic Institute.

The conferees recognize the important programs of organizations, such as Interns for Peace, regarding peacemaking and economic empowerment of Palestinian youth, and recommend sufficient funding be made available to support these activities from assistance provided for the West Bank and Gaza.

OTHER

The conferees recommend \$5,000,000 to continue support for the provision of wheelchairs for needy persons in developing countries, instead of \$10,000,000 as proposed by the Senate.

The conference agreement does not include language proposed by the Senate regarding English language training programs in Francophone countries. The conferees direct that funds made available under the heading "Economic Support Fund" be made available for such purposes.

EXTRACTIVE INDUSTRIES TRANSPARENCY INITIATIVE

The conference agreement does not include a provision proposed by the Senate to provide a United States contribution to the Extractive Industries Transparency Initiative Trust Fund (EITI), which is managed by the World Bank. The House did not address this matter. However, the conferees support this initiative which aims to improve the capacity of developing countries to sustainably manage the extraction of natural resources and to monitor revenues generated from such extraction so they are used for purposes which benefit their people. The conferees provide \$1,000,000 in ESF assistance to be administered by USAID to support EITI implementation and to strengthen the role and capacity of civil society organizations in the EITI process.

PAKISTAN

The conference agreement does not include language proposed by the Senate which conditioned ESF assistance to the central government of Pakistan on submission of a report describing steps the government has taken to protect the rights and safety of Pakistan's human rights lawyers and journalists. The conferees are concerned with reports of harassment and violence perpetrated by Pakistani security forces against lawyers who represent political dissidents and journalists who report on government corruption and other abuses. The conferees direct the Secretary of State to provide the report required by the Senate provision no later than 120 days after enactment of this Act.

FOUNDATION FOR SECURITY AND SUSTAINABILITY

The conferees agree to provide \$3,000,000 for the Foundation for Security and Sustainability, as proposed by the Senate.

CENTRAL HIGHLANDS OF VIETNAM

The conferees agree to provide \$2,000,000 for programs to address the needs of affected communities and individuals in the Central Highlands of Vietnam. The conferees expect up to \$1,000,000 will be provided to the Montagnard Development Project.

ECONOMIC DEVELOPMENT PROGRAMS—INDONESIAN UNIVERSITIES

The conference agreement does not include a proposal by the Senate that \$2,000,000 be made available for economic development programs conducted by Indonesian universities. However, the conferees expect funding to be provided for this purpose.

UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS IN NEPAL

The conferees agree to provide a total of not less than \$7,500,000 in ESF assistance for Nepal, including \$2,500,000 for a United States contribution to the Office of the UN High Commissioner for Human Rights in Nepal.

INTERNATIONAL FUND FOR IRELAND

The conference agreement provides \$13,500,000 as proposed by the House instead of no appropriation as proposed by the Senate.

ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC STATES

The conference agreement provides \$361,000,000 instead of \$357,000,000 as proposed by the House and \$395,000,000 as proposed by the Senate.

Funds in this account are allocated in the following table and, as stipulated in section 596, any change to these allocations is subject to the regular reprogramming procedures of the Committees on Appropriations:

ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC STATES	
[Budget authority in thousands of dollars]	
	<i>Conference agreement</i>
Albania	28,000
Bosnia-Herzegovina	40,000
Bulgaria	20,000
Croatia	15,000
Kosovo	75,000
Macedonia	35,000
Romania	20,000
Serbia	70,000
Montenegro	15,000
Regional Programs	43,000
Total	361,000

SERBIA

The conference agreement includes language in section 563 similar to that proposed by the Senate conditioning assistance to the central government of Serbia on a determination by the President that the Government of Serbia and Montenegro is cooperating with the International Criminal Tribunal for the former Yugoslavia.

The conferees recognize that Serbia’s democratic transition remains fragile, and directs the State Department to give priority from funds appropriated for assistance for Serbia to programs and activities that strengthen democratic political parties, parliament and civil society.

KOSOVO

The conferees recommend that support be considered for the American University in Kosovo.

TRAINING AND DEVELOPMENT

The conference agreement does not include language, proposed by the Senate, which recommends \$3,500,000 for leadership development programs for women and youth. The conferees expect the State Department to make these funds available for such purposes.

The conference agreement provides \$5,000,000 for the training of judges and prosecutors, as proposed by the Senate. The conferees request the State Department to consult with the Committees on Appropriations on the use of these funds. The conferees note the American Bar Association’s rule of law programs and support implementing them through cooperative agreements.

The conferees recommend funding for the Russian, Eurasian, and East European Research and Training Program (Title VIII) at the fiscal year 2005 level. The conferees also encourage the use of

Title VIII funds to include comparative research and language training concerning Eurasian countries critical in the war on terrorism.

The conferees continue to support the East Central European Scholarship Program (ECESP) and expect that USAID will continue to fund ECESP in Albania and Macedonia through an extension of the current ECESP cooperative agreement.

ASSISTANCE FOR THE INDEPENDENT STATES OF THE FORMER SOVIET UNION

The conference agreement provides \$514,000,000 instead of \$477,000,000 as proposed by the House and \$565,000,000 as proposed by the Senate.

Funds in this account are allocated in the following table and, as stipulated in section 596, any change to these allocations is subject to the regular reprogramming procedures of the Committees on Appropriations:

ASSISTANCE FOR THE INDEPENDENT STATES OF THE FORMER SOVIET UNION

[Budget authority in thousands of dollars]

	<i>Conference agreement</i>
Armenia	75,000
Azerbaijan	35,000
Belarus	12,000
Georgia	67,000
Kazakhstan	25,000
Kyrgyz Republic	25,000
Moldova	19,000
Russia	80,000
Russian Far East	[17,500]
Northern Caucasus	[5,000]
Tajikistan	24,000
Turkmenistan	5,000
Ukraine	84,000
Uzbekistan	20,000
Regional Programs	43,000
Total	514,000

HUMANITARIAN PROGRAMS

The conferees are concerned that internal armed conflicts in the Northern Caucasus have caused great suffering and resulted in enormous humanitarian and development needs for the people of Chechnya, Ingushetia, North Ossetia-Alania, and Dagestan. The conference agreement includes not less than \$5,000,000 for improvements in basic services, community reconstruction and recovery, economic development with an emphasis on job creation, the promotion of good governance, human rights, free media, and support for civil society organizations. The above-mentioned republics should receive priority consideration for this assistance. These funds should be disbursed through a transparent, competitive process.

The conferees agree that at least \$3,000,000 of the funds allocated for regional programs should be provided to address ongoing humanitarian needs in Nagorno-Karabagh.

The conferees recommend that the State Department consider a proposal for a Central Diagnostic Laboratory in the Caucasus, to be located in Armenia.

The conferees recommend USAID give consideration to the programs of the Vishnevskaya-Rostropovich Foundation, which conducts health programs for children that emphasize disease prevention in the Russian Federation.

TRAFFICKING IN PERSONS

The conferees include not less than \$4,000,000 for programs to fight trafficking in persons. The conferees intend that this funding be used to protect victims of trafficking, prevent new instances of trafficking, and support the prosecution of traffickers.

NUCLEAR SAFETY

The conference agreement recommends that of the funds made available for assistance for Ukraine, \$5,000,000 should be made available for nuclear reactor safety initiatives, similar to that proposed by the Senate. The conferees expect that of this amount, \$3,000,000 should be provided for simulator-related projects.

TRAINING AND DEVELOPMENT

The conference agreement provides \$2,500,000, as proposed by the Senate, for the Business Information Service for the Newly Independent States (BISNIS). The conferees support BISNIS's efforts to establish a self-sustaining program under the Department of Commerce and will reconsider this matter in fiscal year 2007.

The conferees recognize the important work of the Eurasia Foundation in promoting civil society and private enterprise in the successor countries of the former Soviet Union and encourage USAID and the State Department to support the Foundation's efforts to launch and build indigenous foundations throughout the region to continue this work. The conferees note the Eurasia Foundation's commitment to seek sustainable funding for such indigenous organizations through private sector and regional donors.

Independent Agencies

INTER-AMERICAN FOUNDATION

The conference agreement provides \$19,500,000 as proposed by the House instead of \$20,000,000 as proposed by the Senate.

AFRICAN DEVELOPMENT FOUNDATION

The conference agreement provides \$23,000,000 instead of \$20,500,000 as proposed by the House and \$25,000,000 as proposed by the Senate.

PEACE CORPS

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides \$322,000,000, instead of \$325,000,000 as proposed by the House and \$320,000,000 as proposed by the Senate.

SUPPORT FOR COUNSEL

The conferees are aware that under certain circumstances jurisdictions overseas require the victim of a crime to participate in the prosecution of the crime. The conferees believe that the language of section 5(l) of the Peace Corps Act could support the use of funds appropriated to the Peace Corps to enable the Peace Corps to employ local counsel for volunteers in proceedings where they are parties or complaining witnesses. The conferees urge the Peace Corps to work with the committees of substantive jurisdiction to seek additional clarity on this issue in the Peace Corps Act.

AVIAN INFLUENZA

The conferees expect the Peace Corps to use funding appropriated under this heading for expenses relating to avian influenza.

MILLENNIUM CHALLENGE CORPORATION

The conference agreement provides \$1,770,000,000 for the Millennium Challenge Corporation (MCC) instead of \$1,750,000,000 as proposed by the House and \$1,800,000,000 as proposed by the Senate.

The conference agreement makes available up to \$75,000,000 for administrative expenses as proposed by the House, instead of \$70,000,000 as proposed by the Senate. Additionally, the conferees include language proposed by the Senate, and similar to that proposed by the House, providing up to 10 percent of funds for threshold country assistance.

The conference agreement includes a number of provisions proposed by both the House and Senate requesting a report on the threshold country program, extending section 605(e)(4) of the Millennium Challenge Act of 2003, and requiring that the MCC fully fund multi-year compacts for fiscal year 2006.

The conferees understand that strong participation from indigenous civil society organizations is critical to increasing public support for and ensuring that the MCC successfully meets its intended goals of economic growth and poverty reduction. Such participation would also strengthen the nascent democratic processes in eligible countries, contribute to the MCC criteria of good governance, and provide opportunities for discussion of how best to achieve national priorities of economic growth and poverty reduction.

The conferees request that the Chief Executive Officer of the MCC submit a report that describes and assesses the record of national governance structures to take into account indigenous civil society input within countries that have completed compact negotiations. The report should be submitted to the relevant committees of jurisdiction identified in the MCC authorization no later than March 31, 2006.

Department of State

GLOBAL HIV/AIDS INITIATIVE

The conference agreement provides \$1,995,000,000 for "Global HIV/AIDS Initiative" instead of \$1,920,000,000 as proposed by the House and \$2,020,000,000 as proposed by the Senate.

Funds in this account are allocated in the following table and, as stipulated in section 596, any change to these allocations is subject to the regular reprogramming procedures of the Committees on Appropriations:

GLOBAL HIV/AIDS INITIATIVE	
[Budget authority in thousands of dollars]	
	<i>Conference agreement</i>
Focus Countries	1,232,000
Central programs	393,000
Global Fund	200,000
Central Technical Support and Management	59,000
(Administrative Expenses)	[12,000]
Non-focus countries	50,000
Strategic Information/Evaluation	31,000
UNAIDS	30,000
	1,995,000
Total	1,995,000

ACCOUNT STRUCTURE

The conferees note that all funding for the 15 Global HIV/AIDS Initiative “focus” countries is appropriated in this account. The conferees strongly encourage the Office of the Global AIDS Coordinator to continue its policy of providing additional funding to “non-focus” countries and have included \$50,000,000 for “non-focus” countries in this account.

HIV AND NUTRITION

The conferees urge the Office of the Global AIDS Coordinator to develop and implement a strategy, in coordination with groups responsible for issues of nutrition, such as USAID, the Department of Agriculture, the World Food Program, and the Food and Agriculture Organization, to address the nutritional requirements of those on antiretroviral therapy. The conferees ask the Office of the Global AIDS Coordinator, in collaboration with USAID, to consult with and report to the Committees on Appropriations not later than 180 days after the enactment of this Act on the following for the Global HIV/AIDS Initiative “focus” countries:

- (a) The number of Global HIV/AIDS Initiative beneficiaries on antiretroviral therapy;
 - (b) The impact of food and nutrition on care and treatment;
- and
- (c) A strategy to address the nutritional requirements of persons receiving care and treatment.

TECHNICAL AND PROGRAMMATIC SUPPORT

The conferees urge USAID and the Office of the Global AIDS Coordinator to improve coordination for programs to fight HIV and TB, including through increased funding to organizations such as the World Health Organization which can provide technical support to countries.

The conferees continue to support the country planning process and recommend that the Office of the Global AIDS Coordinator consider support for organizations, such as Dream for Africa, which develop civil society and local health outreach.

DEMOCRACY FUND

The conference agreement includes a new appropriations account, similar to that proposed by the Senate, which seeks to increase the effectiveness and oversight of programs that promote democracy, governance, human rights, independent media, and the rule of law globally. The conferees note that this account also incorporates provisions contained in sections 6026 and 6034 of the Senate bill, and section 534 of the House bill.

The conferees recommend \$95,000,000 for specific democracy programs and activities, as contained in the following table, and up to \$1,448,200,000 for democracy, human rights, and rule of law activities under title II of this Act, as contained in the budget request:

DEMOCRACY FUND	
[Budget authority in thousands of dollars]	
	<i>Conference agreement</i>
Human Rights and Democracy Fund:	
Global Programs	27,000
China/Hong Kong/Taiwan	20,000
Muslim Countries outside Middle East	12,000
Forensic assistance in Central and South America	3,000
Reagan/Fascell Democracy Fellows program	1,200
Subtotal, Human Rights and Democracy Fund	63,200
National Endowment for Democracy:	
China/Hong Kong/Taiwan	3,000
Muslim Countries outside Middle East	3,000
Africa	2,000
Tibet	250
Venezuela	2,000
Russia	4,000
North Korea	1,000
Subtotal, National Endowment for Democracy	15,250
Other:	
Thailand	2,000
UN Democracy Fund	8,000
Iran and Syria	6,550
Subtotal, Other	16,550
Total	95,000

The conference agreement does not include language proposed by the Senate that caps USAID contracts for democracy programs at \$250,000,000. The conference agreement includes a provision requiring USAID to notify the Committees on Appropriations of democracy, governance, human rights and rule of law contracts, grants and cooperative agreements (and any amendments to the same) exceeding \$10,000,000. The conferees include language similar to that proposed by the Senate to provide that funds in the Act that are made available to the National Endowment for Democracy (NED) may be made available notwithstanding any other provision of law or regulation.

The conference agreement recommends \$6,550,000 for programs that support the advancement of democracy in Iran and Syria, and language permitting other funds in this Act to be used

of \$10,000,000 from funds in this account as well as funds provided for the Middle East Partnership Initiative be made available for programs to support democracy in Iran, including through educational, humanitarian and nongovernmental organizations and individuals inside Iran. The conferees encourage the State Department to consider a range of proposals for democracy promotion in Iran, including activities utilizing the media.

The conferees support additional assistance for democracy programs in the Democratic Republic of the Congo from funds made available under this heading and elsewhere in this Act.

In addition to funds for programs targeted toward Africa, Asia, and Muslim countries outside the Middle East, the conferees include for the National Endowment of Democracy: \$250,000 for democracy and human rights programs relating to Tibet; \$2,000,000 for the promotion of democracy in Venezuela; \$4,000,000 for political party development programs in Russia; and \$1,000,000 for programs that promote democratization in North Korea, including human rights and the free flow of information.

The conferees provide \$8,000,000 for a United Nations Democracy Fund. The conferees request the State Department to report to the Committees on Appropriations on how this fund will complement ongoing United States democracy building efforts.

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

The conference agreement provides \$477,200,000 for International Narcotics Control and Law Enforcement (INCLE), instead of \$442,400,000 as proposed by the House and \$523,874,000 as proposed by the Senate. Funds are made available until September 30, 2008 as proposed by the House instead of September 30, 2007 as proposed by the Senate.

The conference agreement provides \$10,000,000 for assistance for demand reduction programs, similar to the House bill. The Senate did not address this matter.

The conference agreement provides \$16,000,000 for the International Law Enforcement Training Academies (ILEA) as proposed by the Senate. The House did not address this issue.

The conference agreement does not include a Senate provision making \$10,000,000 in INCLE funds available for law enforcement programs to combat violent gangs in Guatemala, Honduras and El Salvador. The House bill did not address this issue. However, the conferees are alarmed by the growing violent gang activity in these countries and urge the Secretary of State to increase funding for these programs.

The conferees direct the State Department to consult with the Committees on Appropriations concerning the use of funds available under this heading and specified as "other programs" in the accompanying table. The conferees expect that programs in Iraq will be given the highest priority with either fiscal year 2006 INCLE funds or prior year unobligated funds.

The conferees agree with the concerns expressed in Senate report language regarding the unwieldy structure of funding for INL aviation programs. The conferees direct that not less than 30 days prior to the obligation of funds available for "International Narcotics and Law Enforcement" or "Andean Counterdrug Initiative"

for the procurement of aircraft, the State Department shall provide the Committees on Appropriations with an Analysis of Alternatives. The analysis shall include, at a minimum: the requirement or mission need for the aircraft to be procured; planned funding for the subject acquisition; cost of alternative aircraft; mission capabilities to include range, lift and operational limitations; estimated maintenance costs and requirements; planned acquisition strategy; and contract or availability limitations.

The conference agreement makes available \$33,484,000 for administrative expenses as proposed by the House instead of \$30,000,000 as proposed by the Senate.

Funds in this account are allocated in the following table and, as stipulated in section 596, any change to these allocations is subject to the regular reprogramming procedures of the Committees on Appropriations:

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

[Budget authority, dollars in thousands]

	<i>Conference agreement</i>
Indonesia	5,000
Timor-Leste	1,500
Philippines	2,000
Thailand	1,000
Afghanistan	235,000
Pakistan	38,000
Haiti	15,000
Jamaica	1,000
Mexico	40,000
Latin America Regional	2,500
Anticorruption	1,500
Demand Reduction	10,000
Anticrime (includes intellectual property protection)	9,000
ILEAS	16,000
Other countries and programs	99,700
Total	477,200

ANDEAN COUNTERDRUG INITIATIVE

The conference agreement provides \$734,500,000 for the “Andean Counterdrug Initiative” as proposed by the House and the Senate. Funds are made available until September 30, 2008 as proposed by the House instead of September 30, 2007 as proposed by the Senate. The conferees emphasize that there are other funds for Andean nations in this Act.

The conference agreement provides that not less than \$228,772,000 shall be directly apportioned to USAID, including \$131,232,000 for Colombia.

The conference agreement includes a provision similar to the Senate amendment that recommends that not less than \$2,000,000 should be made available to protect biodiversity and indigenous reserves in Colombia. The House did not address this matter. The conferees intend these funds to be used for continued assistance for the Colombian National Park Service and to support activities of nongovernmental organizations.

The conference agreement includes a provision similar to that proposed by the Senate to provide \$8,000,000 to USAID for organizations and programs to protect human rights in Colombia. These

funds are in addition to the \$6,000,000 requested for judicial reform programs in Colombia in fiscal year 2006.

The conferees are aware that hundreds of Colombian military personnel, mostly young recruits, have suffered grievous injuries from landmines and other causes. Many require sophisticated medical treatment. Through the efforts of "United for Colombia," several United States hospitals are providing this treatment free of charge but there are incidental costs such as transportation, lodging and medicines. The conferees direct that of the funds available for the Colombian Armed Forces, \$500,000 be made available to pay the incidental costs associated with the treatment and care of injured soldiers in the United States. The conferees also recommend that additional Leahy War Victims Fund assistance be made available for Colombian civilians who are disabled from landmines and other causes resulting from the conflict.

The conference agreement again includes conditions, similar to current law and the same as the Senate amendment, on aerial spraying. The House bill did not address this matter.

The conference agreement includes a provision proposed by the Senate, which is current law, that requires that the Administrator of USAID, in consultation with the Assistant Secretary of State for International Narcotics and Law Enforcement Affairs, shall have responsibility for the use of funds under this heading that are directly apportioned to USAID. The House did not address this matter.

The conference agreement makes available \$19,015,000 from this account for administrative expenses of the State Department and \$7,800,000 for administrative expenses of USAID as proposed by the House instead of \$16,000,000 for the State Department and \$7,000,000 for USAID as proposed by the Senate.

The conferees urge the Administration to include in its fiscal year 2007 budget request amounts necessary for a maritime refueling support vessel capable of refueling United States and allied vessels engaged in drug interdiction in the eastern Pacific transit zone.

Funds in this account are allocated in the following table and, as stipulated in section 596, any change to these allocations is subject to the regular reprogramming procedures of the Committees on Appropriations:

ANDEAN COUNTERDRUG INITIATIVE		
[Budget authority in thousands of dollars]		
		<i>Conference agreement</i>
Bolivia:		
Interdiction/Eradication	43,000	
Alternative Development/Institution Building	37,000	
Colombia:		
Interdiction/Eradication	310,850	
USAID Alternative Development/Institution Building	131,232	
Rule of Law	27,393	
Ecuador:		
Interdiction/Eradication	8,460	
Alternative Development/Institution Building	11,540	
Peru:		
Interdiction/Eradication	59,000	
Alternative Development/Institution Building	49,000	
Panama	4,500	
Brazil	6,000	

	<i>Conference agreement</i>
Venezuela	2,252
Air Bridge Denial	14,000
Critical Flight Safety	30,000
	<hr/>
Total	734,500

MIGRATION AND REFUGEE ASSISTANCE

The conference agreement provides \$791,000,000 for the Migration and Refugee Assistance Account instead of \$790,720,000 as proposed by the House and \$900,000,000 as proposed by the Senate.

ISRAEL

The conference agreement also includes Senate language providing not less than \$40,000,000 for refugees from the former Soviet Union and Eastern Europe and other refugees resettling in Israel. The House bill did not address this matter.

NORTH KOREA

The conference agreement does not include language, as proposed by the Senate, regarding assistance for refugees from North Korea. The conferees note that this matter remains a priority for the Committees on Appropriations, and expect the State Department to continue to consult with the Committees on Appropriations on how best to assist these refugees.

CONFLICT MITIGATION

The conferees include a provision, similar to Senate language, recommending funding for programs to mitigate conflict between refugees and hosting communities and to provide technical assistance to local organizations for assistance to refugees, including refugee registration and protection.

UNITED STATES EMERGENCY REFUGEE AND MIGRATION ASSISTANCE FUND

The conference agreement provides \$30,000,000 for the United States Emergency Refugee and Migration Assistance Fund, as proposed by the House, instead of \$40,000,000 as proposed by the Senate.

The conference agreement does not include language proposed by the Senate that provides the funds notwithstanding section 2(c)(2) of the Migration and Refugee Assistance Act of 1962.

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

The conference agreement provides \$410,100,000 for Nonproliferation, Anti-terrorism, Demining and Related Programs, instead of \$400,350,000 as proposed by the House and \$445,100,000 as proposed by the Senate.

The conference agreement provides that certain funds appropriated under this heading may be made available notwithstanding any other provision of law, the same as current law and as proposed by the Senate. The House provided that these funds may be

used notwithstanding any provision of law that restricts assistance to foreign countries.

The conferees support the use of facilities in New Mexico for instruction in Rural Border patrol operations and urge the State Department to continue Anti-Terror Assistance Program training at these facilities.

The conferees recognize the strategic and potential economic importance of the port of Riga, given Latvia's status as a valued and trusted NATO ally. In addition to the reporting requirements set forth in the Senate report, the State Department shall also report to the Committees on Appropriations on any specific security and non-proliferation issues and concerns needed to be addressed in the assessment.

Due to budget constraints, the conference agreement does not include a provision proposed by the Senate to provide additional funds above the amount requested for a United States contribution to the Comprehensive Nuclear Test Ban Treaty Preparatory Commission (CTBT). The House did not address this matter. The conferees urge the State Department to include sufficient funds for CTBT in the Administration's fiscal year 2007 budget request.

The conference agreement does not include \$29,000,000 as requested for programs in Iraq, including \$16,000,000 as requested for humanitarian demining programs in Iraq. The conferees expect these programs to be funded from prior year funds currently unobligated for Iraq.

Funds in this account are allocated in the following table and, as stipulated in section 596, any change to these allocations is subject to the regular reprogramming procedures of the Committees on Appropriations:

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

(Budget authority in thousands of dollars)

	<i>Conference agreement</i>
Nonproliferation and Disarmament Fund	37,500
Export Control and Border Security assistance	43,400
Nonproliferation of WMD Expertise	52,600
International Atomic Energy Agency—Voluntary Contribution	50,000
CTBT/International Monitoring System	14,350
Anti-Terrorism Assistance	123,500
Counterterrorism financing	7,500
Terrorist Interdiction Program	5,500
CT Engagement with Allies	1,000
Humanitarian Demining	56,000
International Trust Fund for Demining	10,000
Small Arms/Light Weapons Destruction	8,750
Total	410,100

CONFLICT RESPONSE FUND

The conference agreement does not include funding for the Conflict Response Fund. The conferees request the State Department, prior to the submission of the fiscal year 2007 budget request, to provide the Committees on Appropriations with a comprehensive, disciplined and coherent strategy detailing how the Office of the Coordinator for Reconstruction and Stabilization will coordinate United States Government-wide efforts to respond to international post-conflict contingencies.

Department of the Treasury

INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

The conference agreement provides \$20,000,000 for the International Affairs Technical Assistance program of the Department of the Treasury as proposed by the House and the Senate. Funds for this account are made available until September 30, 2008, instead of 2009 as proposed by the House and 2007 as proposed by the Senate.

The conference agreement provides that funds appropriated under this heading may be made available notwithstanding any other provision of law, the same as current law and as proposed by the Senate. The House provided that these funds may be made available notwithstanding any provision of law that restricts assistance to foreign countries.

DEBT RESTRUCTURING

The conference agreement provides \$65,000,000 for Debt Restructuring as proposed by the House, instead of \$99,750,000 as proposed by the Senate. The conference agreement provides \$20,000,000 for the Tropical Forest Conservation Act Programs as proposed by both the House and Senate.

The conferees include a technical provision proposed by the Senate referencing limitations by the Agricultural Trade Development and Assistance Act of 1954. The House did not address this matter.

The conference agreement does not include Senate language limiting the use of the United States contribution to the HIPC Trust Fund. The House did not address this matter.

TITLE III—MILITARY ASSISTANCE

INTERNATIONAL MILITARY EDUCATION AND TRAINING

The conference agreement provides \$86,744,000 for International Military Education and Training (IMET), as proposed by the House and the Senate.

FOREIGN MILITARY FINANCING PROGRAM

The conference agreement provides \$4,500,000,000 for the Foreign Military Financing Program (FMF), instead of \$4,442,300,000 as proposed by the House and \$4,603,600,000 as proposed by the Senate.

The conferees agree with the House position that \$1,300,000,000 shall be made available for grants only for Egypt and that \$210,000,000 as proposed by the Senate shall be made available for assistance for Jordan.

Funds in this account are allocated in the following table and, as stipulated in section 596, any change to these allocations is subject to the regular reprogramming procedures of the Committees on Appropriations:

FOREIGN MILITARY FINANCING PROGRAM

[Budget authority in thousands of dollars]

	<i>Conference agreement</i>
Israel	2,280,000
Jordan	210,000
Egypt	1,300,000
Armenia	5,000
Azerbaijan	5,000
Pakistan	300,000
Turkey	15,000
Uzbekistan	0
Estonia	5,000
Latvia	6,000
Lithuania	5,000
Guatemala	0
Operation Enduring Friendship	4,000
Administrative Expenses	41,000
Mongolia	3,000
Georgia	12,000
Lebanon	1,000
Poland	30,000
Indonesia	1,000
Philippines	20,000
Thailand	1,500
Tunisia	10,000
Tonga	250
Bangladesh	1,000
Sri Lanka	1,000
Cambodia	1,000
Fiji	500
Other	241,750
Total	4,500,000

ARMENIA AND AZERBAIJAN

The conferees agree to include \$5,000,000 for each of the countries of Armenia and Azerbaijan. In addition, the conferees support IMET assistance levels of \$750,000 for each country.

LEBANON

The conferees agree to initiate FMF in Lebanon for \$1,000,000. The conferees agree that this assistance should be used to initiate procurement of such non-lethal equipment as radios and vehicles.

PEACEKEEPING OPERATIONS

The conference agreement provides \$175,000,000 for "Peacekeeping Operations", instead of \$177,800,000 as proposed by the House and \$195,800,000 as proposed by the Senate.

TITLE IV—MULTILATERAL ECONOMIC ASSISTANCE

International Financial Institutions

GLOBAL ENVIRONMENT FACILITY

The conference agreement provides \$80,000,000 for the Global Environment Facility (GEF) instead of no appropriation as proposed by the House and \$107,500,000 as proposed by the Senate.

The conferees recognize that the GEF adopted a new Resource Allocation Framework (RAF) in September, 2005. The RAF will

link the allocation of GEF resources to a country's potential to generate global environmental benefits as well as its performance, including transparency and good governance. The purpose of performance-based allocations in any institution is to maximize the beneficial impact of scarce resources. The conferees are pleased that the GEF Council established the performance-based allocation system, the centerpiece reform of the GEF-3 replenishment agreement of 2002, and the basis for budget requests to the Congress over the last four years. Due to constraints of the budget allocation, the conferees were unable to provide the full amount for the GEF proposed by the Senate.

Additionally, the conferees are aware that the donor negotiations for the next GEF replenishment, GEF-4, are currently underway. Therefore, the conferees direct the Department of the Treasury to consult with the Committees on Appropriations on a periodic basis during the fiscal year regarding the implementation of the RAF and other reforms adopted by the GEF for the remaining GEF-3 funding as well as for new funding being proposed under the GEF-4 replenishment.

CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT ASSOCIATION

The conference agreement provides \$950,000,000 for the International Development Association (IDA), the concessional lending facility of the World Bank, as proposed by the House instead of \$900,000,000 as proposed by the Senate.

The conferees believe that the IDA could be an appropriate source of funds to help eligible countries prepare for and combat a potential avian influenza epidemic. There exists significant need in Asia for programs to increase surveillance capacity, compensate small-scale farmers for timely reports of bird die-offs, modernize animal husbandry practices, and upgrade infectious disease infrastructure. The conferees urge the United States Executive Director to the World Bank to use the voice and vote of the United States to increase support for this global priority, and direct the Secretary of the Treasury to report not later than 90 days after enactment of this Act on the World Bank's plans to do so. The conferees urge governments in that region to make combating avian influenza a top priority.

CONTRIBUTION TO THE MULTILATERAL INVESTMENT GUARANTEE AGENCY

The conference agreement provides \$1,300,000 for the Multilateral Investment Guarantee Agency, as proposed by the Senate, instead of \$1,741,515 as proposed by the House.

CONTRIBUTION TO THE INTER-AMERICAN DEVELOPMENT BANK

INTER-AMERICAN INVESTMENT CORPORATION

The conference agreement provides \$1,741,515 for past due payments by the United States to the Inter-American Investment Corporation as proposed by the House, instead of \$1,500,000 as proposed by the Senate.

CONTRIBUTION TO THE ENTERPRISE FOR THE AMERICAS
MULTILATERAL INVESTMENT FUND

The conference agreement provides \$1,741,515 for past due payments by the United States to the Multilateral Investment Fund as proposed by the House, instead of \$3,742,000 as proposed by the Senate.

CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

The conference agreement provides \$100,000,000 for the United States contribution to the Asian Development Fund, as proposed by the Senate, instead of \$115,250,000 as proposed by the House.

CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK

The conference agreement provides \$3,638,000 for the African Development Bank, as proposed by the Senate, instead of \$5,638,350 as proposed by the House.

CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

The conference agreement provides \$135,700,000 for the African Development Fund as proposed by the House and the Senate.

INTERNATIONAL ORGANIZATIONS AND PROGRAMS

The conference agreement provides \$329,458,000 for voluntary contributions to "International Organizations and Programs", instead of \$328,958,000 as proposed by the House and \$330,000,000 as proposed by the Senate.

Funds in this account are allocated in the following table and, as stipulated in section 596, any change to these allocations is subject to the regular reprogramming procedures of the Committees on Appropriations:

INTERNATIONAL ORGANIZATIONS AND PROGRAMS

[Budget authority in thousands of dollars]

	<i>Conference agreement</i>
Center for Human Settlements	150
IMO Maritime Security	400
ICAO Aviation Programs	950
International Conservation Programs (CITES/ITTO/IUCN/Ramsar/CCD)	5,950
International Contributions for Scientific Educational & Cultural Activities	1,000
IPCC/UNFCCC	6,000
Montreal Protocol	21,500
OAS Development Assistance	4,750
OAS Fund for Strengthening Democracy	2,500
Reserve to be allocated	22,500
UNICEF	127,000
UNIFEM	3,250
UNIFEM Trust Fund	1,500
UNDP	110,000
UNEP	10,262
UN Office for the Coordination of Humanitarian Affairs	813
UN Fund for Tech. Cooperation in Human Rights	1,500
UN Voluntary Fund for Victims of Torture	6,583
World Meteorological Organization	1,900

	<i>Conference agreement</i>
WTO	950
Total	329,458

UNITED NATIONS DEVELOPMENT PROGRAM

The conferees encourage the United Nations Development Program (UNDP) to remain vigilant over the politicization of its funding for propaganda purposes, particularly by the Palestinian Authority in the West Bank and Gaza and by the illegitimate State Peace and Development Council in Burma. The conferees do not endorse the purchase of aircraft by UNDP for program purposes in Burma.

WORLD FOOD PROGRAM

The conferees support the work of the World Food Program and have provided \$10,000,000 for a voluntary contribution under section 534 of this Act as proposed by the Senate, rather than \$6,000,000 as proposed by the House.

TITLE V—GENERAL PROVISIONS

(Note: If the provision proposed by the House and Senate is similar, except for a different section number or minor technical differences, the section is not addressed in this statement of the managers.)

Sec. 504. Report on Unobligated Balances

The conference agreement includes a new provision as proposed by the Senate (section 6100), with some modification, that requires the submission of quarterly reports on unobligated and unexpended funds.

The conferees agree that the quarterly report required by this section should be formatted to provide information on unobligated balances for the relevant quarter as well as cumulative balances for unobligated and unexpended funds. For purposes of this quarterly report, the terms “unobligated” and “unexpended” shall have the same meaning as such terms defined by the Government Accountability Office (GAO) “Red Book” and as used by the Office of Management and Budget (OMB).

The conferees agree that the first quarterly report required by this provision, covering the first quarter of the fiscal year 2006 and prior year balances, shall be due to the Committees on Appropriations no later than February 1, 2006.

Sec. 505. Limitation on Expenses and Representational Allowances

The conference agreement includes a revision of House sections 504 and 505 and Senate sections 6004 and 6005. The agreement combines these provisions into a new section 505 which addresses both a limitation on representational allowances as well as a limitation on entertainment expenses to also include recorded music, live artistic performances, personal gifts and furnishings.

Sec. 507. Prohibition Against Direct Funding for Certain Countries

The conference agreement includes a provision similar to that proposed by both the House and Senate (section 6007) which prohibits direct funding for certain countries, exempting Libya from the prohibition on Export-Import Bank programs and Overseas Private Investment Corporation financing.

Sec. 509. Transfers

The conference agreement includes a provision similar to that proposed by the House and Senate (section 6009) limiting transfers of funds in this Act.

Sec. 510. Commercial Leasing of Defense Articles

The conference agreement includes a provision similar to that proposed by the House and Senate (section 6010) which provides the same authority in current law regarding the commercial leasing of defense articles.

Sec. 511. Availability of Funds

The conference agreement includes a provision similar to that proposed by both the House and Senate (section 6011) which addresses the availability of funds.

Sec. 515. Notification Requirements

The conference agreement includes a provision similar to that proposed by both the House and Senate (section 6015), with modifications, which requires the application of reprogramming oversight procedures. The conference agreement includes a new heading, "Democracy Fund", subject to notification.

Sec. 517. Independent States of the Former Soviet Union

The conference agreement includes a provision similar to that proposed by both the House and Senate (section 6017), with modifications. The agreement excludes subsection (a) of the House bill regarding restrictions on assistance and includes Kazakhstan and Uzbekistan in the list of countries for which funds are subject to notification procedures, as proposed by the House.

Sec. 519. Export Financing Transfer Authorities

The conference agreement includes a provision similar to that proposed by both the House and Senate (section 6019) limiting the transfer authorities for funds, modified to apply to funds appropriated in title I of this Act.

Sec. 520. Special Notification Requirements

The conference agreement includes a provision proposed by the Senate (section 6020) which requires that funds for Serbia, Sudan, Zimbabwe, Pakistan, Liberia, and Cambodia be subject to the special notification procedures of this section, instead of a similar provision proposed by the House (section 520).

Sec. 521. Definition of Program, Project, and Activity

The conference agreement includes a provision similar to that proposed by both the House and Senate (section 6021) which ap-

plies the definition for the terms “program, project, and activity” to the entire Act, the same as current law and as proposed by the House.

Sec. 522. Child Survival and Health Activities

The conference agreement includes a provision similar to that proposed by both the House and Senate (section 6022) which addresses expenditure of funds made available for assistance under the heading “Child Survival and Health Programs Fund”. The provision makes available for family planning/reproductive health activities not less than \$440,000,000 of funds appropriated under title II, rather than \$450,000,000 as proposed by the Senate. The House did not address this matter.

The conference agreement also includes language as proposed by the Senate which mandates a Government Accountability Office audit of the 2004 and 2005 “Child Survival and Health Programs Fund”.

Sec. 523. Afghanistan

The conference agreement includes a provision similar to that proposed by both the House and Senate (section 6023) which addresses funds provided for humanitarian, reconstruction, and related assistance for Afghanistan. The conference agreement provides that not less than \$3,000,000 should be for reforestation activities, rather than \$5,000,000 as proposed by the Senate.

The conference agreement does not include a Senate proposal to provide \$3,000,000 for assistance for Afghan families and communities that have suffered losses as a result of the military operations. The House did not address this matter. The conferees support continued funding for this initiative and provide \$2,000,000 for this purpose. The conferees intend these funds to be used to support the same types of activities that are being carried out in Iraq through the Marla Ruzicka Iraqi War Victims Fund. The conferees direct that a portion of these funds be used, consistent with the Senate provision, to employ a liaison between Afghan families and communities, the Afghan Independent Human Rights Commission, U.S. Armed Forces and USAID, to facilitate implementation of this initiative.

The conference agreement provides that not less than \$2,000,000 should be for Afghan human rights groups, as proposed by the Senate.

The conference agreement does not include language, proposed by the Senate, which recommends funding for a National Emergency Response and Preparedness System. The conferees expect the State Department to consider this project.

The conference agreement does not include a vetting requirement for the Afghan National Army, as proposed by the Senate, which would have been duplicative of vetting requirements included elsewhere in this Act.

The conference agreement contains language, similar to that proposed by the House and Senate, that provides that \$50,000,000 should be made available to support programs that directly address the needs of Afghan women and girls, of which not less than

\$7,500,000 shall be made available for small grants to improve the capacity of women-led Afghan nongovernmental organizations.

Sec. 525. HIV/AIDS

The conference agreement includes a provision, similar to that proposed by the House, which conditions a portion of the United States contribution to the Global Fund to Fight AIDS, TB and Malaria on the progress of reforms to improve monitoring and evaluation of the effectiveness of Global Fund financing. The conference agreement conditions 20 percent, rather than 25 percent as in the House provision, and a clarifying change is made in paragraph (2).

Sec. 526. Burma

The conference agreement includes language, similar to that proposed by the Senate (section 6031), regarding assistance for Burma. The conferees endorse language on Burma contained in the Senate report.

The conferees recommend that in addition to assistance for Burmese refugees provided under the heading "Migration and Refugee Assistance", \$3,000,000 be made available for assistance for community-based organizations operating in Thailand to provide food, medical and other humanitarian assistance to internally displaced persons in eastern Burma. The conferees recommend \$4,000,000 for the Burma Border Consortium.

The conferees affirm that the responsibility for programs and activities regarding Burmese refugees and internally displaced persons resides with the United States Ambassador to Thailand.

The conference agreement does not include language proposed by the Senate restricting assistance to the central government of any country that is a major provider of weapons or defense-related equipment to the State Peace and Development Council (SPDC). The House did not address this matter.

The conference agreement does not include language proposed by the Senate restricting funding for the United Nations Office on Drugs and Crime (UNODC). The House did not address this matter. The conferees remain concerned by reports that the UNODC in Burma is failing to report to other relevant United Nations organizations incidents of gross human rights violations encountered during the conduct of its programs in Burma.

Sec. 531. Financial Market Assistance in Transition Countries

The conference agreement includes a provision as proposed by the House which requires not less than \$40,000,000 should be made available for building capital markets and financial systems in countries in transition. The conferees agree that the Secretary of State should direct that at least \$30,000,000 for this purpose come from accounts under the State Department's control.

Sec. 532. Authorities for the Peace Corps, Inter-American Foundation and African Development Foundation

The conference agreement includes a provision proposed by the Senate (section 6032), and similar to that proposed by the House (section 532), which states that provisions of this Act or any other Act, shall not be construed to prohibit certain activities of the

Peace Corps Act, the Inter-American Foundation Act or the African Development Foundation Act.

Sec. 534. Special Authorities

The conference agreement includes a provision similar to that proposed by both the House (section 534) and Senate (section 6034) which provides special authorities as follows:

In subsection (a), the conference agreement includes language proposed by the Senate which provides certain authority for assistance for Afghanistan, Pakistan, Montenegro, Lebanon, assistance to victims of war, displaced Burmese, and Iraq. The House did not include Iraq in the list of countries and provided the funds with more limited authorities.

In subsection (b), the conference agreement provides that funds appropriated for tropical forestry and biodiversity conservation activities may be used notwithstanding any other provision of law, the same as current law and as proposed by the Senate. The House provided that these funds may be used notwithstanding any provision of law that restricts assistance to foreign countries.

In subsection (c), the conference agreement provides authority for employment of personal services contractors in the United States by USAID notwithstanding any other provision of law, the same as current law and as proposed by the Senate. The House bill did not provide this authority.

The conference agreement does not include subsection (f) as proposed by both the House and Senate which addressed section 451(a) of the Foreign Assistance Act of 1961. The conferees agree instead to include language proposed by the Senate (section 6114) which extends until 2007 the application of law making certain Vietnamese nationals eligible for resettlement in the United States.

In subsection (h), the conference agreement includes \$10,000,000 for a contribution to the World Food Program from funds managed by USAID's Bureau for Democracy, Conflict and Humanitarian Assistance, as proposed by the Senate. The funds are made available notwithstanding any other provision of law as proposed by the Senate. The House proposed a \$6,000,000 contribution.

The conference agreement does not include subsection (i) as proposed by the House and Senate which addressed availability of funds for the National Endowment for Democracy. The conferees agree to address this issue in the "Democracy Fund" appropriation heading in title II of this Act.

In subsection (i), the conference agreement includes language similar to that proposed by the Senate that provides \$5,000,000 for American educational institutions in the People's Republic of China. The House did not address this issue.

In subsection (j), the conference agreement includes language similar to that proposed by the Senate which addresses assistance to Pakistan in accordance with requirements contained in Public Law 107-57. The House did not address this issue. The conferees agree to include language that extends the "sunset provision" contained in Public Law 107-57.

In subsection (k), the conference agreement includes language similar to that proposed by the Senate that addresses the estab-

lishment of a Middle East Foundation. The House did not address this issue. The conference agreement establishes the Foundation with a limitation on United States contributions of \$35,000,000 and the requirement that United States contributions to the Foundation be matched by grants from other donors.

In subsection (l), the conference agreement includes language proposed by the Senate that amends sections 21(h)(1)(A) and 21(h)(2) of the Arms Export Control Act and section 541 of the Foreign Assistance Act. The House did not address this issue.

In subsection (m), the conference agreement includes language proposed by the Senate which extends authorities for refugee status for certain peoples of the Soviet Union, Vietnam, Laos and Cambodia. The House did not address this issue.

The conference agreement does not include a provision proposed by the Senate that made funds available for administrative expenses of USAID with respect to programs in the West Bank and Gaza. The House did not address this issue. The conferees agree to address this issue in the “Economic Support Funds” appropriation heading in title II of this Act.

Sec. 536. Eligibility for Assistance

The conference agreement includes a provision similar to that proposed by both the House (section 536) and Senate (section 6036) which applies restrictions contained in this or any other Act with respect to assistance for a country.

Sec. 537. Reservation of Funds

The conference agreement includes a provision similar to that proposed by both the House (section 537) and Senate (section 6037) which provides that certain funds may be reprogrammed under certain conditions notwithstanding any other provision of this or any other Act.

Sec. 539. Prohibition on Publicity or Propaganda

The conference agreement includes a provision similar to that proposed by both the House (section 539) and Senate (section 6039) prohibiting the use of funds for publicity or propaganda purposes. The conferees have modified the section to provide that not to exceed \$25,000 may be made available to carry out the provisions of section 316 of Public Law 96-533, instead of \$750,000 as proposed by the Senate. The conferees agree to reconsider funding for this purpose next year.

Sec. 542. Prohibition on Assistance to Foreign Governments that Export Lethal Military Equipment to Countries Supporting International Terrorism

The conference agreement includes a provision similar to that proposed by both the House (section 542) and Senate (section 6042) which prohibits funds in this Act from being made available to any foreign government that provides lethal military equipment to certain countries.

Sec. 546. Landmines

The conference agreement includes a provision similar to that proposed by both the House (section 546) and Senate (section 6046) which provides the same authority in current law regarding the provision of demining equipment notwithstanding any other provision of law.

Sec. 549. Haiti

The conference agreement includes a provision similar to that proposed by both the House (section 549) and Senate (section 6049), modified to address language proposed by the House in section 583, "Prohibition on Certain International Narcotics Control and Law Enforcement Assistance to the Government of Haiti."

The conferees agree to include language similar to that proposed by the Senate which establishes a total funding level of \$116,215,000 as requested from the following accounts: "Child Survival and Health Programs Fund", "Development Assistance", "Economic Support Fund", "International Narcotics Control and Law Enforcement", "Foreign Military Financing Program", and "International Military Education and Training".

The conferees agree to include language similar to that proposed by the House in section 583, revised to address the specific issues associated with the Haitian National Police (HNP). The conferees are concerned about members of the Haitian National Police or other individuals unlawfully using weapons, ammunition, and other lethal materiel that has been provided or sold by the United States Government and therefore require the certification included in section 549(c). The conferees understand that investigations into extrajudicial killings and other alleged incidents of human rights abuses by the police are currently underway but severely limited by the lack of investigative capacity within the HNP. The conferees request that not later than 60 days after the date of enactment of this Act, the State Department report to the appropriate congressional committees the findings of these investigations, including information on whether any United States-supplied or provided weapon or ammunition was used during those incidents.

The conference agreement does not include a provision proposed by the Senate requiring a report prior to funds being made available to support elections in Haiti. The conferees direct the Secretary of State to submit a report to the Committees on Appropriations within 30 days of enactment of the Act which (1) describes in detail the steps taken by the Haitian Transitional Government and the United Nations Stabilization Mission to provide adequate security to permit free and fair elections with broad based participation by all political parties, and to demobilize, disarm and reintegrate armed groups, and (2) provides an assessment of the effectiveness of such steps.

Sec. 551. Limitation on Assistance to Security Forces

The conference agreement includes a provision similar to that proposed by both the House (section 551) and Senate (section 6051) which prohibits funds in this Act from being provided to any unit of security forces if there is credible evidence of human rights violations.

Sec. 554. Cambodia

The conference agreement includes language similar to that proposed by the House (section 554) and Senate (section 6054) which addresses assistance for Cambodia.

The conference agreement does not include language as proposed by the House regarding international financial institution loans to the central Government of Cambodia.

The conference agreement includes language similar to that proposed by the Senate which prohibits assistance for the central Government of Cambodia with the exception of assistance for certain programs; makes \$15,000,000 available for activities to support democracy, rule of law, and human rights, including democratic political parties; and, provides such assistance notwithstanding section 541 of the Foreign Assistance Act.

Sec. 556. Colombia

The conference agreement includes language similar to that proposed by the House (section 556) and Senate (section 6056), and similar to current law which conditions the provision of assistance to the Colombian Armed Forces.

The conference agreement does not include a Senate provision requiring prior consultation with the Office of the United Nations High Commissioner for Human Rights in Colombia and with the appropriate congressional committees. The conferees expect the Secretary of State, prior to making the certifications required by this paragraph, to consider the opinion of the Office of the United Nations High Commissioner for Human Rights in Colombia regarding the conditions in section 556(a)(2) of this Act and to consult with the Committees on Appropriations.

Sec. 559. West Bank and Gaza Program

The conference agreement includes a provision similar to that proposed by both the House (section 559) and Senate (section 6059) which addresses funds available for the West Bank and Gaza Program, including a provision proposed by the House which requires the Comptroller General of the United States to conduct an audit of fiscal year 2006 funds and a provision proposed by the Senate which requires the Secretary of State to submit a report required in section 2106 of chapter 2 of title II of Public Law 109-13.

Sec. 560. Contribution to the United Nations Population Fund

The conference agreement includes a provision similar to that proposed by both the House (section 560) and Senate (section 6060) which addresses limitations on contributions for the UN Population Fund (UNFPA), amended to provide \$34,000,000 from the "International Organizations and Programs" (IOP) account and the "Child Survival and Health Programs Fund" account, of which \$22,500,000 shall be derived from IOP and shall be made available for the UNFPA.

The agreement does not include language proposed by the Senate which provided for exceptions to the limitations on the use of funds.

Sec. 563. Funding for Serbia

The conference agreement includes a provision proposed by the Senate (section 6063), and similar to that proposed by the House (section 563), which restricts assistance for the central government of Serbia, after May 31, 2006, for certain specified conditions.

Sec. 565. Special Debt Relief for the Poorest

The conference agreement includes a provision proposed by the Senate (section 6065), and similar to that proposed by the House (section 565), which provides the President authority to reduce debt owed to the United States as a result of certain guarantees. The conferees agree to include language proposed by the Senate that extends debt reduction to obligations for purchases of United States agricultural commodities under export credit guarantee programs. The House did not address this issue.

Sec. 566. Authority To Engage in Debt Buybacks or Sales

The conference agreement includes a provision proposed by the Senate (section 6066) and similar to a provision proposed by the House (section 566), which provides the same authority in current law to engage in debt buybacks or sales notwithstanding any other provision of law. The House limited this authority to notwithstanding any provision of law that restricts assistance to foreign countries.

Sec. 567. Basic Education

The conference agreement includes a provision similar to that proposed by the House (section 567), which provides not less than \$465,000,000 from title II for basic education, including a total of \$365,000,000 from the "Development Assistance" account. The conferees note this is \$65,000,000 above the fiscal year 2005 level.

The conferees are aware of the need for programs in the developing world that increase access to quality education, including by removing financial impediments to attending school, training teachers, developing curricula, improving physical plant, and making school supplies more available. The conferees note that a number of developing nations have committed to achieving universal basic education by 2015, and that the World Bank Fast Track Initiative, to which the United States is a party, has identified certain countries for which this goal may be within reach with adequate donor support and technical assistance. The conferees want to ensure that the \$65,000,000 increase in funding for fiscal year 2006 is programmed to achieve the maximum and most dramatic results in a select number of countries, and direct USAID to program the increase only after consultation with the Committees on Appropriations.

The conference agreement includes a provision similar to that proposed by the House requiring the Comptroller General of the United States to prepare an analysis of United States-funded international basic education programs within six months of enactment. The conferees provide \$250,000 for this purpose. The conferees refer the Comptroller General to the provisions in House section 567 detailing what should be included in the analysis. The conferees also direct the Comptroller General to include an analysis of

the staffing needs of United States Government agencies to carry out international basic education assistance programs and a description and analysis of United States Government contracts, grants, and cooperative agreements that are designed to achieve the goals of the basic education assistance program.

The conferees also agree to provide \$15,000,000 in basic education funding to expand and extend a pilot project to increase access to basic education by addressing the prohibitive fees that keep children, and particularly girls, out of school.

Sec. 568. Reconciliation Programs

The conference agreement includes a provision similar to that proposed by the House (section 568) and Senate (section 6068) which provides \$15,000,000 in ESF assistance for reconciliation programs and does not include a Senate proposal to make these funds available notwithstanding any other provision of law.

Sec. 569. Sudan

The conference agreement includes a provision similar to that proposed by the House (section 569) and Senate (section 6069) which addresses assistance to Sudan, providing up to \$70,000,000 under "Development Assistance" for Sudan, of which \$6,000,000 may be made available to USAID for administrative expenses.

The conference agreement includes subsection (b)(1) as in the Senate bill, limiting the availability of funds, and subsection (e) as in the House bill, defining certain regions as "outside of control of the Government of Sudan".

Sec. 570. Trade Capacity Building

The conference agreement includes a provision proposed by the House (section 570) which makes not less than \$522,000,000 available for trade capacity building assistance from several accounts in title II of this Act and \$20,000,000 from ESF for labor and environmental capacity building activities relating to the Central America Free Trade Agreement. The Senate did not address this issue.

Sec. 572. Zimbabwe

The conference agreement includes a provision proposed by the Senate (section 6078) which requires the Secretary of the Treasury to take certain actions with respect to loans to the Government of Zimbabwe. The House did not address this issue.

Sec. 573. Gender-Based Violence Training

The conference agreement includes a provision similar to that proposed by the House (section 573) which addresses the use of funds to provide training for foreign police, judicial, and military officials, modified to state that such training shall be provided where appropriate.

Sec. 574. Limitation on Economic Support Fund Assistance for Certain Foreign Governments That Are Parties to the International Criminal Court

The conference agreement includes a provision similar to that proposed by the House (section 574), amended to include a provision similar to that proposed by the Senate (section 6086).

The conferees agree to language proposed by the House which addresses assistance for countries that are party to the International Criminal Court that have not entered into an agreement with the United States pursuant to Article 98 of the Rome Statute. The conferees further agree to include as subsection (e), the Senate provision (section 6086), amended to delete reference to IMET funds.

Sec. 575. Tibet

The conference agreement includes a provision similar to that proposed by both the House (section 575) and Senate (section 6079) which provides that of the funds appropriated to the “Economic Support Fund” account, not less than \$4,000,000 should be made available to nongovernmental organizations which preserve cultural traditions and promote sustainable development and environmental conservation in Tibetan communities.

The conference agreement also provides that these funds be made available notwithstanding any other provision of law, the same as current law and as proposed by the Senate. The House proposed that these funds be made available notwithstanding any other provision of law that restricts assistance to foreign countries.

The conference agreement provides that \$250,000 should be made available for human rights and democracy programs through the National Endowment for Democracy, as proposed by the Senate. The House did not address this issue.

Sec. 576. Central America

The conference agreement includes a provision similar to that proposed by the House (section 576), amended to include language similar to that proposed by the Senate (section 6092).

The conferees agree to include language proposed by the House which provides that of the funds appropriated by this Act under the headings “Child Survival and Health Programs Fund” and “Development Assistance”, not less than the amount of funds initially allocated pursuant to section 653(a) of the Foreign Assistance Act of 1961 for fiscal year 2005 should be made available for El Salvador, Guatemala, Nicaragua and Honduras. The conferees direct that USAID not fund these increases from other fiscal year 2006 programs in the Western Hemisphere.

The conferees further agree to include language similar to that proposed by the Senate in section 6092, which provides not less than \$1,500,000 for electoral assistance, media and civil society programs, and activities to combat corruption and strengthen democracy in Nicaragua and not less than \$1,500,000 for programs and activities to combat organized crime, crimes of violence specifically targeting women and corruption in Guatemala.

Sec. 577. United States Agency for International Development Management

(INCLUDING TRANSFER OF FUNDS)

The conference agreement includes a provision similar to that proposed by the House (section 577) which provides certain authorities to USAID. The conferees agree to continue authority that enables USAID to hire Foreign Service Limited employees to replace on a one-for-one basis individuals who were employed by USAID under other authorities, such as Personal Services Contracts (PSCs). To ensure that relatively junior Foreign Service Officers have an early opportunity to gain valuable overseas experience, the conferees provide \$10,000,000 to pay for such indirect costs as housing and transportation. These costs are routinely covered for PSCs and paid out of program accounts. In using these authorities, USAID should achieve annualized savings in administrative costs, including an estimated \$4,000,000 in fiscal year 2007. The conferees direct USAID to provide baseline data on administrative costs so these annual savings can be verified and tracked.

The conference agreement includes language under this section that allows USAID to use program funds to cover the costs of staff working to mitigate the effects of natural disasters. The conferees note that this authority should be used sparingly and only when necessary to enable USAID to cope with the consequences of natural disasters, such as those on the scale of Hurricane Mitch in Central America in 1998.

Sec. 578. HIPC Debt Reduction

The conference agreement includes a provision as proposed by the House (section 578) which addresses HIPC debt reduction. The Senate did not address this matter.

Sec. 579. OPIC Transfer Authority

(INCLUDING TRANSFER OF FUNDS)

The conference agreement includes a provision as proposed by the House (section 579), which authorizes the transfer of funds under title II of this Act to OPIC for certain purposes. The Senate did not address this matter.

Sec. 580. Limitation on Funds Relating to Attendance of Federal Employees at Conferences Occurring Outside the United States

The conference agreement includes a provision similar to that proposed by both the House (section 585) and Senate (section 6124) which prohibits funds for attendance of more than 50 employees at any single conference occurring outside the United States, modified to clarify that the prohibition applies to employees stationed in the United States attending international conferences.

Sec. 581. Limitation On Assistance To Foreign Countries That Refuse To Extradite To The United States Any Individual Accused In The United States Of Killing A Law Enforcement Officer

The conference agreement includes a provision similar to that proposed by the House (section 587) which prohibits funds for assistance under certain conditions associated with extradition of certain individuals, modified to provide a waiver of the restriction when the Secretary of State certifies to the Committees on Appropriations that such a restriction is contrary to the national interest of the United States.

Sec. 582. Prohibition Against Direct Funding for Saudi Arabia

The conference agreement includes a provision similar to that proposed by the House (section 588) which prohibits assistance to Saudi Arabia, modified to reflect current law.

Sec. 583. Governments That Have Failed To Permit Certain Extraditions

The conference agreement includes a provision similar to that proposed by the House (section 590) and Senate (section 6129) which prohibits funds for assistance under certain conditions when governments fail to permit the extradition of certain individuals, modified to provide a waiver of the restriction when the Secretary of State certifies to the Committees on Appropriations that such a restriction is contrary to the national interest of the United States.

Sec. 584. Reporting Requirements

The conference agreement includes a provision similar to that proposed by the Senate (section 6067) which requires a quarterly report on the uses of fiscal year 2006 funds for "Foreign Military Financing", "International Military Education and Training" and "Peacekeeping Operations", modified to change the date of the first report to April 1, 2006 and remove the reference to "hereafter."

Sec. 585. Environment Programs

The conference agreement includes a provision similar to that proposed by the Senate (section 6074) which addresses environment programs. The conference agreement also includes language similar to that proposed by the Senate with respect to the submission of the climate change report. The conferees expect that, pursuant to the August 2005 Government Accountability Office report (GAO-05-461), OMB and the Climate Change Science Program (CCSP) will explain in detail any changes in the Administration's annual climate change report content and format since fiscal year 2002. The conferees expect OMB and the CCSP to develop cross-walk tables to compare new and old report structures, definitions, categories, content, and format to ensure better assessment of changes in spending over time, specifically by agency and category. In addition, the conferees direct OMB in its fiscal year 2007 report to transmit information in the form of budget authority, expenditures, and obligations as has been consistently required by the Congress.

The conference agreement contains a subsection similar to current law and the Senate proposal regarding extractive industries and the international financial institutions. The House did not address this matter.

Sec. 586. Uzbekistan

The conference agreement includes a provision as proposed by the Senate (section 6075) and similar to current law.

Sec. 587. Central Asia

The conference agreement includes a provision similar to that proposed by the Senate (section 6076) regarding assistance to Central Asia.

Sec. 588. Disability Programs

The conference agreement includes a provision similar to that proposed by the Senate (section 6077) making available \$4,000,000 in ESF for programs and activities administered by USAID to address the needs and protect the rights of people with disabilities in developing countries. Of this amount, the conferees direct that \$1,500,000 be made available to organizations that specialize in advocacy for people with disabilities, to support training, technical, and related assistance for foreign NGOs that work primarily on behalf of people with disabilities in developing countries, and \$2,500,000 be made available for equipment and other assistance for such foreign NGOs.

Sec. 589. Discrimination Against Minority Religious Faiths in the Russian Federation

The conference agreement includes a provision proposed by the Senate (section 6080) regarding assistance for the Russian Federation. The House did not address this matter.

Sec. 590. War Crimes in Africa

The conference agreement includes a provision similar to that proposed by the Senate (section 6081), requiring a certification by the Secretary of State before any funding may be made available to the central government of any country in which a person indicted by the Special Court for Sierra Leone or International Criminal Tribunal for Rwanda is living.

The conferees believe that Charles Taylor should stand trial for the crimes for which he has been indicted. In subsection (d), the conferees require a report by the President outlining the Administration's strategy for working with the Government of Nigeria to turn over Charles Taylor to the Special Court for Sierra Leone. If that report has not been received by 120 days following enactment of this Act, no funding may be made available for the central Government of Nigeria. This restriction is not intended to include support provided for peacekeeping operations in other countries.

Sec. 591. Security in Asia

The conference agreement includes a provision similar to that proposed by the Senate (section 6084) which (1) specifies military assistance for a number of countries in Asia; (2) makes funds avail-

able for the Philippines to address critical deficiencies identified in the Joint Defense Assessment of 2003; (3) permits funding for the Indonesian Navy, subject to the notification of the Committees on Appropriations; and (4) makes funds available for Cambodia notwithstanding certain provisions of this Act.

The conference agreement does not include language proposed by the Senate with respect to Nepal in this provision. These requirements are addressed in section 592.

Sec. 592. Nepal

The conference agreement includes a new provision similar to language proposed by the Senate in subsection (e) of section 6084 which addressed Nepal.

For purposes of determining whether the conditions for certification have been met, the conferees intend that “civil liberties” include due process under law, freedoms of speech, the press and association, and the right of movement; and “protecting human rights” includes (1) the release of all political detainees including those detained before February 1, 2005; (2) granting civilian prosecutors and judicial authorities, the National Human Rights Commission of Nepal (NHRC), the Office of the United Nations High Commissioner for Human Rights in Nepal, and international humanitarian organizations, unannounced and unimpeded access to all detainees, places of detention, witnesses, relevant documents and other requested information, and cooperating with these entities to identify and resolve all security related cases involving persons in government custody; (3) complying with international humanitarian law and ending torture, extrajudicial killings and other gross violations of human rights, and prosecuting and punishing individuals responsible for such violations; (4) restoring the independence of the NHRC in accordance with constitutional provisions, including providing adequate funding and staff; (5) complying with habeas corpus orders issued by Nepal’s courts including all outstanding orders, and the security forces are respecting such orders; and (6) ensuring that the Commission for Investigation of Abuse of Authority is receiving adequate support to effectively implement its mandate and that no other anti-corruption body is functioning in violation of the 1990 Constitution or contrary to due process.

Sec. 593. Neglected Diseases

The conference agreement includes a provision similar to that proposed by the Senate (section 6094) which allocates \$15,000,000 of the “Child Survival and Health Programs Fund” to fight neglected diseases. The conferees recognize that a multilateral initiative may be the most effective mechanism for leveraging and coordinating with additional contributions from other donors. The Administrator of USAID should consult with the Committees on Appropriations before a mechanism is chosen. Until such a mechanism is available, the Administrator should develop and implement the program through existing bilateral and multilateral mechanisms.

Sec. 594. Orphans, Displaced and Abandoned Children

The conference agreement includes a provision similar to that proposed by the Senate (section 6095) which provides not less than \$3,000,000 for activities to improve the capacity of foreign government agencies and NGOs to prevent child abandonment, address the needs of orphans, displaced and abandoned children and provide permanent homes through family reunification, guardianship and domestic adoptions.

Sec. 595. Advisor for Indigenous Peoples Issues

The conference agreement includes a provision similar to that proposed by the Senate (section 6097) that requires USAID to appoint an Advisor for Indigenous Peoples Issues.

Sec. 596. Statement

The conference agreement includes a provision similar to that proposed by the Senate (section 6112) which requires that funds in the specified accounts be allocated as indicated in the respective tables in this statement of the managers. Any change to these allocations is subject to the regular reprogramming procedures of the Committees on Appropriations.

Sec. 597. Combatting Piracy of United States Copyrighted Materials

The conference agreement includes a provision similar to that proposed by the Senate (section 6115) regarding the use of funds under the heading "International Narcotics Control and Law Enforcement" to combat piracy of United States copyrighted materials overseas.

Sec. 598. Malaria

The conference agreement includes a provision, similar to that proposed by the Senate (section 6125) which addresses malaria. The House did not address this matter. Further discussion of malaria is under "Child Survival and Health Programs Fund".

Sec. 599. Oversight of Iraq Reconstruction

The conference agreement includes a provision, similar to that proposed by the Senate (section 6131) which addresses authorities and funding for the Special Inspector General for Iraq Reconstruction (SIGIR), amended to extend the period of oversight for the SIGIR without providing additional funds as proposed by the Senate.

The conferees endorse oversight of United States reconstruction efforts in Iraq and therefore support the work of the SIGIR. The conferees intend that programs and operations of the Coalition Provisional Authority (CPA) that had been within the oversight jurisdiction of the Coalition Provisional Authority Inspector General (CPA-IG) remain within the jurisdiction of its successor, SIGIR. The conferees understand that SIGIR has sufficient funds to carry out its activities through fiscal year 2006 and expect any additional funds necessary to complete SIGIR's work in fiscal year 2007 will be included in the fiscal year 2007 budget request for consideration in the fiscal year 2007 appropriations process.

With respect to Iraq's reconstruction, the conferees note the importance of an open and transparent process in developing projects, issuing contracts and fulfilling those contracts currently underway. The conferees encourage the State Department and the Defense Department to consider current proposals to use advanced software programs that provide solutions for soliciting contracts and ensuring that the bidding process is transparent and accountable.

The conferees are aware of a joint proposal by the Sabre Foundation and the Harvard Committee on Iraqi Libraries to enhance the quality and quantity of Iraqi university library collections. The conferees urge the State Department, working with other donors, to enhance and strengthen higher education in Iraq.

Sec. 599A. Nonproliferation and Counterproliferation Efforts

The conference agreement includes a provision similar to that proposed by the Senate (section 6134) which makes NADR funds available for certain nonproliferation and counterproliferation efforts, but does not include the reference to the Cooperative Threat Reduction program and the National Counter Proliferation Center as proposed by the Senate. The House did not address this matter.

Sec. 599B. Promotion of Policy Goals at Multilateral Development Banks

The conference agreement includes a provision, similar to that proposed by the Senate, which amends the International Financial Institutions Act by requiring the Secretary of the Treasury to inform the multilateral development banks and the executive directors of such banks of certain reform goals and to actively promote these reforms. The conferees believe these reforms would improve transparency, deter corruption, promote justice and accountability, protect whistleblowers, and enhance the quality of MDB-financed projects, and should be vigorously implemented. The House did not address this matter.

Sec. 599C. Authorizations

The conference agreement includes authorization language for the International Development Association, the African Development Fund, and the Asian Development Fund.

Sec. 599D. Anticorruption Provisions

The conference agreement includes a provision, similar to that proposed by the House that would withhold 20 percent of the funds for the World Bank's International Development Association (IDA) from disbursement until the Secretary of the Treasury makes a certification about a number of procurement issues that would increase transparency in the World Bank procurement process. The provision includes International Bank for Reconstruction and Development (IBRD) loans as well as IDA credit agreement or grants and project preparation advances, and "World Bank procurement guidelines" include the following World Bank Guidelines: Procurement Under IBRD Loans and IDA Credits; Guidelines: Selection and Employment of Consultants by World Bank Borrowers; and, all

relevant Standard Bidding Documents applicable to World Bank-funded tenders. The Senate did not address this issue.

Sec. 599E. Assistance for Demobilization and Disarmament of Former Irregular Combatants in Colombia

The conferees include a provision that provides up to \$20,000,000 to demobilize and disarm former members of Colombian terrorist organizations. This funding may be made available if the Secretary of State certifies that certain conditions specified in the language are met.

Sec. 599F. Indonesia

The conferees include a provision, similar to that proposed by the Senate (section 6072), which conditions the availability of military assistance for Indonesia on a certification by the Secretary of State that certain conditions have been met. The conferees are grateful for Indonesia's contributions to the global war on terrorism, and recognize the important progress evinced by the government of Indonesia in advancing civilian control of the military. The conferees remain concerned with human rights in Indonesia, including the role of some Indonesian military officers in organizing and supplying militia groups during 1999 attacks in East Timor, and urge the Indonesian Government to bring those responsible to justice. The House did not address this issue.

Sec. 599G. Report on Indonesian Cooperation

The conferees include a provision, similar to that proposed by the Senate (section 6108), which requires a report by the Secretary of State on progress being made into the investigation and prosecution of the murders of two United States citizens and one Indonesian citizen in 2002.

PROVISIONS NOT ADOPTED BY THE CONFEREES

The conference agreement does not include a provision proposed by the House and the Senate (sections 504 and 6024) regarding "Limitation on Expenses". This issue is addressed in section 505, "Limitation on Expenses and Representational Allowances".

The conference agreement does not include a provision proposed by the Senate (section 6025) that prohibited certain funds from this Act from being used to procure aircraft. The House did not address this matter. The conferees have addressed this matter under the heading "International Narcotics Control and Law Enforcement".

The conference agreement does not include a provision proposed by both the House (section 526) and the Senate (section 6026) that addressed funding for democracy programs and instead creates a new appropriation in title II, "Democracy Programs" to accommodate the financing otherwise addressed in these title V provisions.

The conference agreement does not include a provision proposed by the House (section 572) or a provision proposed by the Senate (section 6089), regarding assistance for Cuba.

The conference agreement does not include a provision proposed by the Senate (section 6073), which prohibited funds from

being used to fund any contract contravening section 8(d)(6) of the Small Business Act. This provision was not included because such a requirement is permanent law. The House did not address this issue.

The conference agreement does not include a provision proposed by the House (section 580) which provided authority to transfer up to \$100,000,000 to furnish reconstruction and stabilization assistance.

The conference agreement does not include a provision, similar to provisions proposed by the House (section 581) and the Senate (section 6083) which reduced unobligated balances.

The conference agreement does not include a Senate provision (section 6082) related to the admission and resettlement of refugees to the United States. The House did not address this matter. However, consistent with the Senate provision, the conferees expect the Secretary of State to continue to utilize private voluntary and international nongovernmental organizations with expertise in the protection needs of refugees in the processing of refugees overseas for admission and resettlement to the United States, and to utilize such organizations in addition to the United Nations High Commissioner for Refugees in the identification and referral of refugees.

The conference agreement does not include a House provision (section 583), the "Prohibition on Certain International Narcotics Control and Law Enforcement Assistance to the Government of Haiti". The issue is addressed under section 549, "Haiti", in the conference agreement. The Senate did not address this matter.

The conference agreement does not include a provision proposed by the House (section 584) that prohibited funds for assistance to Romania. The Senate did not address this issue.

The conference agreement does not include language regarding UNDP in Burma, as proposed by the Senate (section 6085). The House did not address this matter. The conferees appreciate the responsiveness of the UNDP's Washington-based staff to concerns with UNDP programs and activities in Burma.

The conference agreement does not include a provision proposed by the House (section 586) that limited the availability of funds while there is a vacancy at the head of the Office of Inspector General of the Bank. The conferees addressed this issue in title I of this Act as proposed by the Senate.

The conference agreement does not include the provision "Democracy Exception" as proposed by the Senate (section 6086). This issue is addressed in section 574. The House did not address this matter.

The conference agreement does not include a provision proposed by the Senate (section 6087) regarding "University Programs" and USAID. The House did not address this matter.

The conference agreement does not include a provision proposed by the House (section 589) regarding Export-Import Bank assistance for nuclear power projects.

The conference agreement does not include a Senate provision (section 6090) regarding funding for English language training in Francophone countries. The House did not address this matter. However, the conferees direct that funds made available under the

heading "Economic Support Fund" be made available for such purposes.

The conference agreement does not include a provision proposed by the Senate (section 6091) regarding transfer of funds. The House did not address this matter.

The conference agreement does not include a provision proposed by the Senate (section 6092) "Organized Crime and Corruption in Central America". The House did not address this matter. The conference agreement addresses this issue under section 576 "Central America".

The conference agreement does not include a Senate provision (section 6093) regarding assistance for Iraq. The House did not address this matter. The conference agreement includes language under the heading "Economic Support Fund" to transfer \$5,000,000 to the Iraq Relief and Reconstruction Fund for the Marla Ruzicka Iraqi War Victims Fund for assistance for families and communities that have suffered losses as a result of the military operations. The conferees direct USAID to: (1) support joint training for implementing NGOs to share lessons learned and improve coordination and communication; (2) explore approaches to help alleviate emotional trauma; and (3) facilitate dialogue between victims, their communities, and United States and coalition armed forces to promote reconciliation and reduce civilian casualties.

The conference agreement does not include a provision proposed by the Senate (section 6096) "Forensic Assistance". The House did not address this matter. The conferees provide \$3,000,000 under the "Democracy Fund" account to support investigations, including DNA analysis, in cases of extrajudicial killings and child disappearances in Central and South America, in addition to funds otherwise made available for such purposes.

The conference agreement does not include a provision proposed by the Senate (section 6109) regarding a "West Papua Report" requiring the Secretary of State to submit a report regarding Indonesian troops, and current humanitarian and human rights conditions, in the Papua region of Indonesia. The House did not address this matter. The conferees direct the Secretary of State to submit, within 90 days of enactment of the Act, the report required by the Senate provision.

The conference agreement does not include a provision proposed by the Senate (section 6111) regarding "Assistance for Foreign Nongovernmental Organizations". The House did not address this issue.

The conference agreement does not include a provision proposed by the Senate (section 6114) that extends the eligibility of certain potential Vietnamese refugees to be considered refugees "of special humanitarian concern" and to be resettled in the United States. Instead, the conferees agree to address this issue in section 534 ("Special Authorities"). The conferees understand that this will be the last year such an extension will be necessary.

The conference agreement does not include a provision proposed by the Senate (section 6116) regarding a "Report on Anti-Retroviral Drug Procurement". The conferees request the Global AIDS Coordinator to submit the report required in section 6116 of

the Senate bill as part of its annual reporting requirements. The House did not address this issue.

The conference agreement does not include a provision proposed by the Senate (section 6117) regarding "Forced Repatriation of Refugees in Cambodia". The House did not address this issue. The conferees note that Cambodia has a long and tragic history as a nation of refugees and strongly urge the Government of Cambodia to demonstrate greater compassion with the plight of its Montagnard neighbors. The conferees encourage the United Nations and other organizations to help safeguard all Montagnard refugees returned to Vietnam. The conferees direct the State Department to provide a report to the Committees on Appropriations not later than 90 days after enactment of this Act detailing the concerns of the Special Representative of the Secretary-General for Human Rights in Cambodia with the January 25, 2005 Memorandum of Understanding between the United Nations High Commissioner for Refugees (UNHCR) and the Governments of Cambodia and Vietnam, an assessment of the validity of those concerns, and actions taken by UNHCR to address the concerns.

The conference agreement does not include a provision proposed by the Senate (section 6118) regarding "Transfer of Funds". Not less than \$450,000,000 is made available for a United States contribution to the Global Fund to Fight AIDS, TB and Malaria from funds appropriated under the headings "Child Survival and Health Programs Fund" and "Global HIV/AIDS Initiative".

The conference agreement does not include a provision proposed by the Senate (section 6119) that transferred \$50,000,000 to the FMF account for assistance to support the African Union Mission in Sudan. While the conference agreement does not include additional funds for this Mission in Sudan, the Administration should expeditiously submit a request for any necessary funding.

The conference agreement does not include a provision proposed by the Senate (section 6120), "Support for Democracy and Governance Activities in Zimbabwe". This issue is addressed under the heading "Economic Support Fund". The House did not address this matter.

The conference agreement does not include a provision proposed by the Senate (section 6121) regarding assistance for Venezuela. This issue is addressed under the heading "Democracy Fund" in title II of this Act. The House did not address this matter.

The conference agreement does not include a provision proposed by the Senate (section 6123) regarding the Export-Import Bank. The conferees direct that the Inspector General shall provide a written analysis to the Committees on Appropriations and other appropriate committees, including the Senate Finance Committee, within 90 days of appointment as to whether loan guarantees provided to an ethanol dehydration plant in Trinidad and Tobago met the conditions of section 2(e)(4) of the Export-Import Bank Act of 1945 or any provision in the Bank's charter. The analysis shall include whether "value added" methodology is routinely used by the Bank to determine whether or not a proposed loan guarantee or export credit meets the statutory test found in section 2(e)(4). The Inspector General shall also make recommendations as to whether it

is appropriate to use such methodology in making a determination of substantial injury.

The conference agreement does not include a provision proposed by the Senate (section 6126) regarding “Report on Small Arms Programs” that required the Secretary of State to submit a report describing activities and progress by the State Department on the destruction of small arms and light weapons. The House did not address this matter. The conferees direct the Secretary of State to submit, within 180 days of enactment of the Act, the report required by the Senate provision.

The conference agreement does not include a provision proposed by the Senate (section 6127) regarding democracy programs in Iraq. This issue is addressed under the heading “Economic Support Funds” in title II of this Act. The House did not address this matter.

The conference agreement does not include a provision proposed by the Senate (section 6128) that addressed orphans and displaced and abandoned children. The House did not address this matter.

The conference agreement does not include a provision proposed by the Senate (section 6130) regarding a “Report on Reciprocity”. The House did not address this issue.

The conference agreement does not include a provision proposed by the Senate (section 6135) regarding police training activities conducted by the State Department’s INCLE bureau. The House did not address this matter. The conferees direct the Secretary of State to ensure that: (1) training is provided by instructors with proven records of experience; (2) the bureau has established procedures to ensure vetting of trainees for criminal or terrorist backgrounds and minimum age and experience requirements; (3) the bureau has established procedures that set standards for training and provide certification to meet such standards. The conferees further direct the Secretary to submit the report required by the Senate provision within 180 days of enactment of the Act.

The conference agreement adopts the title of the bill as proposed by the House.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2006 recommended by the Committee of Conference, with comparisons to the fiscal year 2005 amount, the 2006 budget estimates, and the House and Senate bills for 2006 follow:

[In thousands of dollars]

New budget (obligational) authority, fiscal year 2005	22,310,592
Budget estimates of new (obligational) authority, fiscal year 2006	22,867,945
House bill, fiscal year 2006	20,311,677
Senate bill, fiscal year 2006	22,122,189
Conference agreement, fiscal year 2006	20,978,490
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 2005	-1,332,102
Budget estimates of new (obligational) authority, fiscal year 2006	-1,889,455
House bill, fiscal year 2006	+666,813
Senate bill, fiscal year 2006	-1,143,699

JIM KOLBE,
 JERRY LEWIS,
 JOE KNOLLENBERG,
 MARK STEVEN KIRK,
 ANDER CRENSHAW,
 DON SHERWOOD,
 JOHN E. SWEENEY,
 DENNIS REHBERG,
 JOHN CARTER,
 NITA M. LOWEY,
 DAVID R. OBEY,
 JESSE L. JACKSON, Jr.,
 CAROLYN C. KILPATRICK,
 STEVEN R. ROTHMAN,
 CHAKA FATTAH,

Managers on the Part of the House.

MITCH McCONNELL,
 ARLEN SPECTER,
 JUDD GREGG,
 RICHARD SHELBY,
 ROBERT F. BENNETT,
 CHRISTOPHER BOND,
 MIKE DeWINE,
 SAM BROWNBACK,
 THAD COCHRAN,
 PATRICK J. LEAHY,
 DANIEL INOUYE,
 TOM HARKIN,
 BARBARA A. MIKULSKI,
 DICK DURBIN,
 TIM JOHNSON,
 MARY L. LANDRIEU,
 ROBERT C. BYRD,

Managers on the Part of the Senate.

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