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1 DIVISION ✓ —DEPARTMENT OF STATE, (F
2 FOREIGN OPERATIONS, AND RELATED PRO-
3 GRAMS APPROPRIATIONS ACT, 2010

4 ~~The following sums are appropriated, out of any~~
5 ~~money in the Treasury not otherwise appropriated, for the~~
6 ~~fiscal year ending September 30, 2010, and for other pur-~~
7 ~~poses, namely:~~

8 TITLE I

9 DEPARTMENT OF STATE AND RELATED
10 AGENCY

11 DEPARTMENT OF STATE

12 ADMINISTRATION OF FOREIGN AFFAIRS

13 DIPLOMATIC AND CONSULAR PROGRAMS

14 (INCLUDING TRANSFER OF FUNDS)

15 For necessary expenses of the Department of State
16 and the Foreign Service not otherwise provided for,
17 \$8,227,000,000, of which \$1,586,214,000 is for World-
18 wide Security Protection (to remain available until ex-
19 pended): *Provided*, That the Secretary of State may trans-
20 fer up to \$137,600,000 of the total funds made available
21 under this heading to any other appropriation of any de-

1 partment or agency of the United States, upon the concur-
2 rence of the head of such department or agency, to sup-
3 port operations in and assistance for Afghanistan and to
4 carry out the provisions of the Foreign Assistance Act of
5 1961: *Provided further*, That funds made available under
6 this heading shall be allocated as follows:

7 (1) HUMAN RESOURCES.—For necessary ex-
8 penses for training, human resources management,
9 and salaries, including employment without regard
10 to civil service and classification laws of persons on
11 a temporary basis (not to exceed \$700,000), as au-
12 thorized by section 801 of the United States Infor-
13 mation and Educational Exchange Act of 1948,
14 \$2,667,130,000 to remain available until September
15 30, 2011, of which not less than \$138,075,000 shall
16 be available only for public diplomacy American sal-
17 aries, and \$220,840,000 is for Worldwide Security
18 Protection and shall remain available until expended:
19 *Provided*, That the Secretary of State shall submit
20 to the Committees on Appropriations, concurrent
21 with the fiscal year 2011 congressional budget jus-

1 tification materials, a strategy described in the joint
2 explanatory statement of the committee of con-
3 ference (hereafter “joint explanatory statement”) ac-
4 companying this Act for projected personnel require-
5 ments for the United States Department of State
6 over the next 3 fiscal years.

7 (2) OVERSEAS PROGRAMS.—For necessary ex-
8 penses for the regional bureaus of the Department
9 of State and overseas activities as authorized by law,
10 \$2,495,158,000, to remain available until September
11 30, 2011, of which not less than \$381,800,000 shall
12 be available only for public diplomacy international
13 information programs.

14 (3) DIPLOMATIC POLICY AND SUPPORT.—For
15 necessary expenses for the functional bureaus of the
16 Department of State including representation to cer-
17 tain international organizations in which the United
18 States participates pursuant to treaties ratified pur-
19 suant to the advice and consent of the Senate or
20 specific Acts of Congress, general administration,
21 and arms control, nonproliferation and disarmament

1 activities as authorized, \$892,012,000, to remain
2 available until September 30, 2011.

3 (4) SECURITY PROGRAMS.—For necessary ex-
4 penses for security activities, \$2,172,700,000, to re-
5 main available until September 30, 2011, of which
6 \$1,365,374,000 is for Worldwide Security Protection
7 and shall remain available until expended.

8 (5) FEES AND PAYMENTS COLLECTED.—In ad-
9 dition to amounts otherwise made available under
10 this heading—

11 (A) not to exceed \$1,653,305 shall be de-
12 rived from fees collected from other executive
13 agencies for lease or use of facilities located at
14 the International Center in accordance with sec-
15 tion 4 of the International Center Act, and, in
16 addition, as authorized by section 5 of such
17 Act, \$490,000, to be derived from the reserve
18 authorized by that section, to be used for the
19 purposes set out in that section;

20 (B) as authorized by section 810 of the
21 United States Information and Educational Ex-

1 change Act, not to exceed \$6,000,000, to re-
2 main available until expended, may be credited
3 to this appropriation from fees or other pay-
4 ments received from English teaching, library,
5 motion pictures, and publication programs and
6 from fees from educational advising and coun-
7 seling and exchange visitor programs; and

8 (C) not to exceed \$15,000, which shall be
9 derived from reimbursements, surcharges and
10 fees for use of Blair House facilities.

11 (6) TRANSFER, REPROGRAMMING, AND SPEND-
12 ING PLAN.—

13 (A) Notwithstanding any provision of this
14 Act, funds may be reprogrammed within and
15 between subsections under this heading subject
16 to section 7015 of this Act.

17 (B) Of the amount made available under
18 this heading, not to exceed \$10,000,000 may be
19 transferred to, and merged with, funds made
20 available by this Act under the heading “Emer-
21 gencies in the Diplomatic and Consular Serv-

1 ice”, to be available only for emergency evacu-
2 ations and rewards, as authorized.

3 (C) Funds appropriated under this heading
4 are available for acquisition by exchange or pur-
5 chase of passenger motor vehicles as authorized
6 by law and, pursuant to 31 U.S.C. 1108(g), for
7 the field examination of programs and activities
8 in the United States funded from any account
9 contained in this title.

10 (D) Not later than 45 days after the en-
11 actment of this Act, the Secretary of State shall
12 submit to the Committees on Appropriations a
13 report detailing planned expenditures for funds
14 appropriated under this heading.

15 CIVILIAN STABILIZATION INITIATIVE

16 For necessary expenses to support, maintain, mobi-
17 lize, and deploy a civilian response corps in coordination
18 with the United States Agency for International Develop-
19 ment (USAID), and for related reconstruction and sta-
20 bilization assistance to prevent or respond to conflict or
21 civil strife in foreign countries or regions, or to enable

1 transition from such strife, \$120,000,000, to remain avail-
2 able until expended: *Provided*, That funds made available
3 under this heading may be made available in fiscal year
4 2010 to provide administrative expenses for the Office of
5 the Coordinator for Reconstruction and Stabilization: *Pro-*
6 *vided further*, That notwithstanding any other provision
7 of law and following consultation with the Committees on
8 Appropriations, the President may exercise transfer au-
9 thorities contained in the Foreign Assistance Act of 1961
10 for reconstruction and stabilization assistance managed by
11 the Office of the Coordinator for Reconstruction and Sta-
12 bilization only to support an actively deployed civilian re-
13 sponse corps, subject to the regular notification proce-
14 dures of the Committees on Appropriations: *Provided fur-*
15 *ther*, That of the funds appropriated under this heading,
16 \$10,000,000 shall be withheld from obligation until the
17 Secretary of State reports to the Committees on Appro-
18 priations that the Department of State has signed a
19 memorandum of understanding with the Department of
20 Defense relating to the provision of airlift for deployment
21 of Civilian Response Corps personnel and equipment: *Pro-*

CAPS

1 *vided further*, That not later than 45 days after enactment
2 of this Act, the Secretary of State and the USAID Admin-
3 istrator shall submit a coordinated joint spending plan for
4 funds made available under this heading and under the
5 heading “Civilian Stabilization Initiative” in title II of this
6 Act.

7 CAPITAL INVESTMENT FUND

8 For necessary expenses of the Capital Investment
9 Fund, \$139,000,000, to remain available until expended,
10 as authorized: *Provided*, That section 135(e) of Public
11 Law 103–236 shall not apply to funds available under this
12 heading.

13 OFFICE OF INSPECTOR GENERAL

14 For necessary expenses of the Office of Inspector
15 General, \$100,000,000, notwithstanding section 209(a)(1)
16 of the Foreign Service Act of 1980 (Public Law 96–465),
17 as it relates to post inspections, of which \$23,000,000
18 shall be for the Special Inspector General for Iraq Recon-
19 struction for reconstruction oversight, and \$23,000,000
20 shall be for the Special Inspector General for Afghanistan
21 Reconstruction for reconstruction oversight.

1 EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

2 For expenses of educational and cultural exchange
3 programs, as authorized, \$635,000,000, to remain avail-
4 able until expended: *Provided*, That not to exceed
5 \$5,000,000, to remain available until expended, may be
6 credited to this appropriation from fees or other payments
7 received from or in connection with English teaching, edu-
8 cational advising and counseling programs, and exchange
9 visitor programs as authorized.

10 REPRESENTATION ALLOWANCES

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

13 PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

14 For expenses, not otherwise provided, to enable the
15 Secretary of State to provide for extraordinary protective
16 services, as authorized, \$28,000,000, to remain available
17 until September 30, 2011.

18 EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

19 For necessary expenses for carrying out the Foreign
20 Service Buildings Act of 1926 (22 U.S.C. 292–303), pre-
21 serving, maintaining, repairing, and planning for buildings

1 that are owned or directly leased by the Department of
2 State, renovating, in addition to funds otherwise available,
3 the Harry S Truman Building, and carrying out the Dip-
4 lomatic Security Construction Program as authorized,
5 \$876,850,000, to remain available until expended as au-
6 thorized, of which not to exceed \$25,000 may be used for
7 domestic and overseas representation as authorized: *Pro-*
8 *vided*, That none of the funds appropriated in this para-
9 graph shall be available for acquisition of furniture, fur-
10 nishings, or generators for other departments and agen-
11 cies.

12 In addition, for the costs of worldwide security up-
13 grades, acquisition, and construction as authorized,
14 \$847,300,000, to remain available until expended: *Pro-*
15 *vided*, That not later than 45 days after enactment of this
16 Act, the Secretary of State shall submit to the Committees
17 on Appropriations the proposed allocation of funds made
18 available under this heading and the actual and antici-
19 pated proceeds of sales for all projects in fiscal year 2010.

1 such loans, shall be as defined in section 502 of the Con-
2 gressional Budget Act of 1974.

3 In addition, for administrative expenses necessary to
4 carry out the direct loan program, \$711,000, which may
5 be transferred to, and merged with, funds made available
6 under the heading “Diplomatic and Consular Programs”.

7 PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

8 For necessary expenses to carry out the Taiwan Rela-
9 tions Act (Public Law 96–8), \$21,174,000.

10 PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND
11 DISABILITY FUND

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

14 INTERNATIONAL ORGANIZATIONS

15 CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

16 For necessary expenses, not otherwise provided for,
17 to meet annual obligations of membership in international
18 multilateral organizations, pursuant to treaties ratified
19 pursuant to the advice and consent of the Senate, conven-
20 tions or specific Acts of Congress, \$1,682,500,000: *Pro-*
21 *vided*, That the Secretary of State shall, at the time of

1 the submission of the President's budget to Congress
2 under section 1105(a) of title 31, United States Code,
3 transmit to the Committees on Appropriations the most
4 recent biennial budget prepared by the United Nations for
5 the operations of the United Nations: *Provided further,*
6 That the Secretary of State shall notify the Committees
7 on Appropriations at least 15 days in advance (or in an
8 emergency, as far in advance as is practicable) of any
9 United Nations action to increase funding for any United
10 Nations program without identifying an offsetting de-
11 crease elsewhere in the United Nations budget: *Provided*
12 *further,* That any payment of arrearages under this head-
13 ing shall be directed toward activities that are mutually
14 agreed upon by the United States and the respective inter-
15 national organization: *Provided further,* That none of the
16 funds appropriated under this heading shall be available
17 for a United States contribution to an international orga-
18 nization for the United States share of interest costs made
19 known to the United States Government by such organiza-
20 tion for loans incurred on or after October 1, 1984,
21 through external borrowings.

1 individuals who engage in such acts while participating in
2 the peacekeeping mission, including the prosecution in
3 their home countries of such individuals in connection with
4 such acts; and (2) notification pursuant to section 7015
5 of this Act is submitted, and the procedures therein fol-
6 lowed, setting forth the source of funds that will be used
7 to pay for the cost of the new or expanded mission: *Pro-*
8 *vided further*, That funds shall be available for peace-
9 keeping expenses unless the Secretary of State determines
10 that American manufacturers and suppliers are not being
11 given opportunities to provide equipment, services, and
12 material for United Nations peacekeeping activities equal
13 to those being given to foreign manufacturers and sup-
14 pliers.

15 INTERNATIONAL COMMISSIONS

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

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

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

8 SALARIES AND EXPENSES

9 For salaries and expenses, not otherwise provided for,
10 \$33,000,000.

11 CONSTRUCTION

12 For detailed plan preparation and construction of au-
13 thorized projects, \$43,250,000, to remain available until
14 expended, as authorized.

15 AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

16 For necessary expenses, not otherwise provided, for
17 the International Joint Commission and the International
18 Boundary Commission, United States and Canada, as au-
19 thorized by treaties between the United States and Can-
20 ada or Great Britain, and the Border Environment Co-
21 operation Commission as authorized by Public Law 103-

1 182, \$12,608,000: *Provided*, That of the amount provided
2 under this heading for the International Joint Commis-
3 sion, \$9,000 may be made available for representation ex-
4 penses.

5 INTERNATIONAL FISHERIES COMMISSIONS

6 For necessary expenses for international fisheries
7 commissions, not otherwise provided for, as authorized by
8 law, \$53,976,000: *Provided*, That the United States share
9 of such expenses may be advanced to the respective com-
10 missions pursuant to 31 U.S.C. 3324: *Provided further*,
11 That in addition to other funds available for such pur-
12 poses, funds available under this heading may be used to
13 make payments necessary to fulfill the United States' obli-
14 gations under the Pacific Salmon Treaty.

15 RELATED AGENCY

16 BROADCASTING BOARD OF GOVERNORS

17 INTERNATIONAL BROADCASTING OPERATIONS

18 For necessary expenses to enable the Broadcasting
19 Board of Governors (BBG), as authorized, to carry out
20 international communication activities, including the pur-
21 chase, rent, construction, and improvement of facilities for

1 radio and television transmission and reception and pur-
2 chase, lease, and installation of necessary equipment for
3 radio and television transmission and reception to Cuba,
4 and to make and supervise grants for radio and television
5 broadcasting to the Middle East, ~~[\$733,788,000]~~: *Pro-*
6 *vided*, That of the total amount in this heading, not to
7 exceed \$16,000 may be used for official receptions within
8 the United States as authorized, not to exceed \$35,000
9 may be used for representation abroad as authorized, and
10 not to exceed \$39,000 may be used for official reception
11 and representation expenses of Radio Free Europe/Radio
12 Liberty: *Provided further*, That the authority provided by
13 section 504(c) of the Foreign Relations Authorization Act,
14 Fiscal Year 2003 (Public Law 107-228; 22 U.S.C. 6206
15 note) shall remain in effect through September 30, 2010:
16 *Provided further*, That not later than 45 days after enact-
17 ment of this Act, the BBG shall report to the Committees
18 on Appropriations that all BBG language services and
19 grantees, including the broadcasters to the Middle East,
20 Afghanistan, and Pakistan, have processes and policies,
21 including appropriate management and editorial controls,

INSERT
19 A

Insert 19A

, of which not more than \$5,500,000 may be made available for non-salary and benefits expenses for TV Marti broadcasts to Cuba

1 to require that programming abide by the standards and
2 principles set forth in the United States International
3 Broadcasting Act of 1994 (22 U.S.C. 6202(a) and (b))
4 and the relevant ~~Journalistic Code of Ethics~~, and not pro-
5 vide an open platform for terrorists or those who support
6 terrorists: *Provided further*, That the BBG shall notify the
7 Committees on Appropriations within 15 days of any de-
8 termination by the Board that any of its broadcast enti-
9 ties, including its grantee organizations, was found to be
10 in violation of the principles, standards, or journalistic
11 code of ethics referenced in the previous proviso: *Provided*
12 *further*, That in addition to funds made available under
13 this heading, and notwithstanding any other provision of
14 law, up to \$2,000,000 in receipts from advertising and
15 revenue from business ventures, up to \$500,000 in re-
16 ceipts from cooperating international organizations, and
17 up to \$1,000,000 in receipts from privatization efforts of
18 the Voice of America and the International Broadcasting
19 Bureau, to remain available until expended for carrying
20 out authorized purposes. ~~*Provided further*, That none of~~

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1 ~~the funds appropriated by this Act may be used for TV~~
2 ~~Marti broadcasts to Cuba.~~

3 BROADCASTING CAPITAL IMPROVEMENTS

4 For the purchase, rent, construction, and improve-
5 ment of facilities for radio and television transmission and
6 reception, and purchase and installation of necessary
7 equipment for radio and television transmission and recep-
8 tion as authorized, \$12,622,000, to remain available until
9 expended, as authorized.

10 RELATED PROGRAMS

11 THE ASIA FOUNDATION

12 For a grant to The Asia Foundation, as authorized
13 by The Asia Foundation Act (22 U.S.C. 4402),
14 \$19,000,000, to remain available until expended, as au-
15 thorized.

16 UNITED STATES INSTITUTE OF PEACE

17 For necessary expenses of the United States Institute
18 of Peace) as authorized ~~in~~ the United States Institute of (by
19 Peace Act, \$49,220,000, to remain available until Sep-
20 tember 30, 2011, of which up to \$15,000,000 may be used
21 for construction activities.

1 Organizations), including the restrictions on compensation
2 for personal services.

3 ISRAELI ARAB SCHOLARSHIP PROGRAM

4 For necessary expenses of the Israeli Arab Scholar-
5 ship Program) as authorized by section 214 of the Foreign
6 Relations Authorization Act, Fiscal Years 1992 and 1993
7 (22 U.S.C. 2452), all interest and earnings accruing to
8 the Israeli Arab Scholarship Fund on or before September
9 30, 2010, to remain available until expended.

10 EAST-WEST CENTER

11 To enable the Secretary of State to provide for car-
12 rying out the provisions of the Center for Cultural and
13 Technical Interchange Between East and West Act of
14 1960, by grant to the Center for Cultural and Technical
15 Interchange Between East and West in the State of Ha-
16 waii, \$23,000,000: *Provided*, That none of the funds ap-
17 propriated herein shall be used to pay any salary, or enter
18 into any contract providing for the payment thereof, in
19 excess of the rate authorized by 5 U.S.C. 5376.

1 NATIONAL ENDOWMENT FOR DEMOCRACY

2 For grants made by the Department of State to the
3 National Endowment for Democracy as authorized by the
4 National Endowment for Democracy Act, \$118,000,000,
5 to remain available until expended, of which \$100,000,000
6 shall be allocated in the traditional and customary man-
7 ner, including for the core institutes, and \$18,000,000
8 shall be for democracy, human rights, and rule of law pro-
9 grams: *Provided*, That the President of the National En-
10 dowment for Democracy shall provide to the Committees
11 on Appropriations not later than 45 days after the date
12 of enactment of this Act a report on the proposed uses
13 of funds under this heading on a regional and country
14 basis.

15 OTHER COMMISSIONS

16 COMMISSION FOR THE PRESERVATION OF AMERICA'S

17 HERITAGE ABROAD

18 SALARIES AND EXPENSES

19 For necessary expenses for the Commission for the
20 Preservation of America's Heritage Abroad, \$635,000, as
21 authorized by section 1303 of Public Law 99-83.

1 UNITED STATES COMMISSION ON INTERNATIONAL
2 RELIGIOUS FREEDOM
3 SALARIES AND EXPENSES

4 For necessary expenses for the United States Com-
5 mission on International Religious Freedom, as authorized
6 by title II of the International Religious Freedom Act of
7 1998 (Public Law 105–292), \$4,300,000, to remain avail-
8 able until September 30, 2011: *Provided*, That notwith-
9 standing the expenditure limitation specified in section
10 208(c)(1) of such Act (22 U.S.C. 6435a(c)(1)), the Com-
11 mission may expend up to \$250,000 of the funds made
12 available under this heading to procure temporary and
13 intermittent services under the authority of section
14 3109(b) of title 5, United States Code.

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

18 For necessary expenses of the Commission on Secu-
19 rity and Cooperation in Europe, as authorized by Public
20 Law 94–304, \$2,610,000, to remain available until Sep-
21 tember 30, 2011.

1 6918(e)) (relating to the treatment of employees as Con-
2 gressional employees), and section 309 of such Act (22
3 U.S.C. 6919) (relating to printing and binding costs),
4 shall apply to the Commission in the same manner as such
5 section applies to the Congressional-Executive Commis-
6 sion on the People's Republic of China: *Provided further*,
7 That the Commission shall comply with chapter 43 of title
8 5, United States Code, regarding the establishment and
9 regular review of employee performance appraisals: *Pro-*
10 *vided further*, That the Commission shall comply with sec-
11 tion 4505a of title 5, United States Code, with respect
12 to limitations on payment of performance-based cash
13 awards: *Provided further*, That compensation for the exec-
14 utive director of the Commission may not exceed the rate
15 payable for level II of the Executive Schedule under sec-
16 tion 5313 of title 5, United States Code: *Provided further*,
17 That travel by members and staff of the Commission shall
18 be arranged and conducted under the rules and procedures
19 applying to travel by members and staff of the House of
20 Representatives.

1 TITLE II
2 UNITED STATES AGENCY FOR INTERNATIONAL
3 DEVELOPMENT
4 FUNDS APPROPRIATED TO THE PRESIDENT
5 OPERATING EXPENSES
6 (INCLUDING TRANSFER OF FUNDS)

7 For necessary expenses to carry out the provisions
8 of section 667 of the Foreign Assistance Act of 1961,
9 \$1,388,800,000, of which up to \$105,000,000 may remain
10 available until September 30, 2011: *Provided*, That none
11 of the funds appropriated under this heading and under
12 the heading “Capital Investment Fund” in this Act may
13 be made available to finance the construction (including
14 architect and engineering services), purchase, or long-term
15 lease of offices for use by the United States Agency for
16 International Development (USAID), unless the USAID
17 Administrator has identified such proposed construction
18 (including architect and engineering services), purchase,
19 or long-term lease of offices in a report submitted to the
20 Committees on Appropriations at least 15 days prior to
21 the obligation of funds for such purposes: *Provided fur-*

1 *ther*, That the previous proviso shall not apply when the
2 total cost of construction (including architect and engi-
3 neering services), purchase, or long-term lease of offices
4 does not exceed \$1,000,000: *Provided further*, That of the
5 funds appropriated under this heading that are available
6 for capital investments related to the Development Lead-
7 ership Initiative, up to \$245,000,000 may remain avail-
8 able until September 30, 2014: *Provided further*, That the
9 USAID Administrator shall submit to the Committees on
10 Appropriations, concurrent with the fiscal year 2011 con-
11 gressional budget justification materials, a strategy de-
12 scribed in the joint explanatory statement accompanying
13 this Act for projected personnel requirements for USAID
14 over the next 3 fiscal years: *Provided further*, That con-
15 tracts or agreements entered into with funds appropriated
16 under this heading may entail commitments for the ex-
17 penditure of such funds through the following fiscal year:
18 *Provided further*, That any decision to open a new USAID
19 overseas mission or office or, except where there is a sub-
20 stantial security risk to mission personnel, to close or sig-
21 nificantly reduce the number of personnel of any such mis-

1 sion or office, shall be subject to the regular notification
2 procedures of the Committees on Appropriations: *Provided*
3 *further*, That the authority of sections 610 and 109 of the
4 Foreign Assistance Act of 1961 may be exercised by the
5 Secretary of State to transfer funds appropriated to carry
6 out chapter 1 of part I of such Act to “Operating Ex-
7 penses” in accordance with the provisions of those sec-
8 tions: *Provided further*, That of the funds appropriated or
9 made available under this heading, not to exceed \$250,000
10 may be available for representation and entertainment al-
11 lowances, of which not to exceed \$5,000 may be available
12 for entertainment allowances, for USAID during the cur-
13 rent fiscal year: *Provided further*, That no such entertain-
14 ment funds may be used for the purposes listed in section
15 7020 of this Act: *Provided further*, That appropriate steps
16 shall be taken to assure that, to the maximum extent pos-
17 sible, United States-owned foreign currencies are utilized
18 in lieu of dollars.

19 CIVILIAN STABILIZATION INITIATIVE

20 For necessary expenses to carry out section 667 of
21 the Foreign Assistance Act of 1961 for the United States

1 Agency for International Development (USAID) to sup-
2 port, maintain, mobilize, and deploy a civilian response
3 corps in coordination with the Department of State, and
4 for related reconstruction and stabilization assistance to
5 prevent or respond to conflict or civil strife in foreign
6 countries or regions, or to enable transition from such
7 strife, \$30,000,000, to remain available until expended:
8 *Provided*, That not later than 45 days after enactment of
9 this Act, the Secretary of State and the USAID Adminis-
10 trator shall submit a coordinated joint spending plan for
11 funds made available under this heading and under the
12 heading "Civilian Stabilization Initiative" in title I of this
13 Act.

CAPS

14 CAPITAL INVESTMENT FUND

15 For necessary expenses for overseas construction and
16 related costs, and for the procurement and enhancement
17 of information technology and related capital investments,
18 pursuant to section 667 of the Foreign Assistance Act of
19 1961, \$185,000,000, to remain available until expended,
20 of which not more than \$134,500,000 may be made avail-
21 able for the purpose of implementing the Capital Security

1 Cost-Sharing Program: *Provided*, That this amount is in
2 addition to funds otherwise available for such purposes:
3 *Provided further*, That funds appropriated under this
4 heading shall be available for obligation only pursuant to
5 the regular notification procedures of the Committees on
6 Appropriations.

7 OFFICE OF INSPECTOR GENERAL

8 For necessary expenses to carry out the provisions
9 of section 667 of the Foreign Assistance Act of 1961,
10 \$46,500,000, to remain available until September 30,
11 2011, which sum shall be available for the Office of the 
12 Inspector General of the United States Agency for Inter-
13 national Development.

1 TITLE III
2 BILATERAL ECONOMIC ASSISTANCE
3 FUNDS APPROPRIATED TO THE PRESIDENT

4 For necessary expenses to enable the President to
5 carry out the provisions of the Foreign Assistance Act of
6 1961, and for other purposes, to remain available until
7 September 30, 2010, unless otherwise specified herein, as
8 follows:

9 GLOBAL HEALTH AND CHILD SURVIVAL
10 (INCLUDING TRANSFER OF FUNDS)

11 For necessary expenses to carry out the provisions
12 of chapters 1 and 10 of part I of the Foreign Assistance
13 Act of 1961, for global health activities, in addition to
14 funds otherwise available for such purposes,
15 \$2,420,000,000, to remain available until September 30,
16 2011, and which shall be apportioned directly to the
17 United States Agency for International Development
18 (USAID): *Provided*, That this amount shall be made avail-
19 able for such activities as: (1) child survival and maternal
20 health programs; (2) immunization and oral rehydration
21 programs; (3) other health, nutrition, water and sanitation

1 programs which directly address the needs of mothers and
2 children, and related education programs; (4) assistance
3 for children displaced or orphaned by causes other than
4 AIDS; (5) programs for the prevention, treatment, control
5 of, and research on HIV/AIDS, tuberculosis, polio, ma-
6 laria, and other infectious diseases including neglected
7 tropical diseases, and for assistance to communities se-
8 verely affected by HIV/AIDS, including children infected
9 or affected by AIDS; and (6) family planning/reproductive
10 health: *Provided further*, That none of the funds appro-
11 priated under this paragraph may be made available for
12 nonproject assistance, except that funds may be made
13 available for such assistance for ongoing health activities:
14 *Provided further*, That of the funds appropriated under
15 this paragraph, \$78,000,000 should be made available for
16 a United States contribution to the GAVI Alliance: *Pro-*
17 *vided further*, That none of the funds made available in
18 this Act nor any unobligated balances from prior appro-
19 priations Acts may be made available to any organization
20 or program which, as determined by the President of the
21 United States, supports or participates in the manage-

1 ment of a program of coercive abortion or involuntary
2 sterilization: *Provided further,* That any determination
3 made under the previous proviso must be made no later
4 than 6 months after the date of enactment of this Act,
5 and must be accompanied by the evidence and criteria uti-
6 lized to make the determination: *Provided further,* That
7 none of the funds made available under this Act may be
8 used to pay for the performance of abortion as a method
9 of family planning or to motivate or coerce any person
10 to practice abortions: *Provided further,* That nothing in
11 this paragraph shall be construed to alter any existing
12 statutory prohibitions against abortion under section 104
13 of the Foreign Assistance Act of 1961: *Provided further,*
14 That none of the funds made available under this Act may
15 be used to lobby for or against abortion: *Provided further,*
16 That in order to reduce reliance on abortion in developing
17 nations, funds shall be available only to voluntary family
18 planning projects which offer, either directly or through
19 referral to, or information about access to, a broad range
20 of family planning methods and services, and that any
21 such voluntary family planning project shall meet the fol-

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

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

1 *further*, That for purposes of this or any other Act author-
2 izing or appropriating funds for the Department of State,
3 foreign operations, and related programs, the term “moti-
4 vate”, as it relates to family planning assistance, shall not
5 be construed to prohibit the provision, consistent with
6 local law, of information or counseling about all pregnancy
7 options: *Provided further*, That to the maximum extent
8 practicable, taking into consideration cost, timely avail-
9 ability, and best health practices, funds appropriated in
10 this Act or prior appropriations Acts that are made avail-
11 able for condom procurement should be made available for
12 the procurement of condoms manufactured in the United
13 States: *Provided further*, That information provided about
14 the use of condoms as part of projects or activities that
15 are funded from amounts appropriated by this Act shall
16 be medically accurate and shall include the public health
17 benefits and failure rates of such use.

18 In addition, for necessary expenses to carry out the
19 provisions of the Foreign Assistance Act of 1961 for the
20 prevention, treatment, and control of, and research on,
21 HIV/AIDS, \$5,359,000,000, to remain available until ex-

1 pending, and which shall be apportioned directly to the De-
2 partment of State: *Provided*, That of the funds appro-
3 priated under this paragraph, not less than \$750,000,000
4 shall be made available, notwithstanding any other provi-
5 sion of law, except for the United States Leadership
6 Against HIV/AIDS, Tuberculosis and Malaria Act of 2003
7 (Public Law 108–25), as amended, for a United States
8 contribution to the Global Fund to Fight AIDS, Tuber-
9 culosis and Malaria, and shall be expended at the min-
10 imum rate necessary to make timely payment for projects
11 and activities: *Provided further*, That up to 5 percent of
12 the aggregate amount of funds made available to the Glob-
13 al Fund in fiscal year 2010 may be made available to
14 USAID for technical assistance related to the activities of
15 the Global Fund: *Provided further*, That of the funds ap-
16 propriated under this paragraph, up to \$14,000,000 may
17 be made available, in addition to amounts otherwise avail-
18 able for such purposes, for administrative expenses of the
19 Office of the United States Global AIDS Coordinator.

1 DEVELOPMENT ASSISTANCE

2 For necessary expenses to carry out the provisions
3 of sections 103, 105, 106, and sections 251 through 255,
4 and chapter 10 of part I of the Foreign Assistance Act
5 of 1961, \$2,520,000,000, to remain available until Sep-
6 tember 30, 2011: *Provided*, That of the funds appro-
7 priated by this Act, not less than \$265,000,000 shall be
8 made available for microenterprise and microfinance devel-
9 opment programs for the poor, especially women: *Provided*
10 *further*, That of the funds appropriated under this head-
11 ing, not less than \$23,500,000 shall be made available for
12 the American Schools and Hospitals Abroad program:
13 *Provided further*, That of the funds appropriated under
14 this heading, \$10,000,000 shall be made available for co-
15 operative development programs within the Office of Pri-
16 vate and Voluntary Cooperation, United States Agency for
17 International Development (USAID): *Provided further*,
18 That of the funds appropriated by this Act, not less than
19 \$315,000,000 shall be made available for water and sani-
20 tation supply projects pursuant to the Senator Paul Simon
21 Water for the Poor Act of 2005 (Public Law 109–121):

1 *Provided further*, That the relevant bureaus and offices of
2 USAID that support cross-cutting development programs
3 shall coordinate such programs on a regular basis: *Pro-*
4 *vided further*, That of the funds appropriated by title III
5 of this Act, not less than \$1,169,833,000 should be made
6 available for food security and agricultural development
7 programs, of which \$31,500,000 shall be made available
8 for Collaborative Research Support Programs: *Provided*
9 *further*, That prior to the obligation of funds pursuant to
10 the previous proviso and after consultation with other rel-
11 evant Federal departments and agencies, the Committees
12 on Appropriations, and relevant nongovernmental organi-
13 zations, the USAID Administrator shall submit to the
14 Committees on Appropriations a strategy for achieving
15 food security and agricultural development program goals:
16 *Provided further*, That of the funds appropriated under
17 this heading for food security and agricultural develop-
18 ment programs, \$10,000,000 shall be made available for
19 a United States contribution to the endowment of the
20 Global Crop Diversity Trust pursuant to section 3202 of
21 Public Law 110-246: *Provided further*, That of the funds

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which may be made available notwithstanding any other provision of law to address critical food shortages,

1 appropriated under this heading, not less than
2 \$20,000,000 shall be made available for programs to im-
3 prove women's leadership capacity in recipient countries.

4 INTERNATIONAL DISASTER ASSISTANCE

5 For necessary expenses to carry out the provisions
6 of section 491 of the Foreign Assistance Act of 1961 for
7 international disaster relief, rehabilitation, and recon-
8 struction assistance, \$845,000,000, to remain available
9 until expended.

10 TRANSITION INITIATIVES

11 For necessary expenses for international disaster re-
12 habilitation and reconstruction assistance pursuant to sec-
13 tion 491 of the Foreign Assistance Act of 1961,
14 \$55,000,000, to remain available until expended, to sup-
15 port transition to democracy and to long-term develop-
16 ment of countries in crisis: *Provided*, That such support
17 may include assistance to develop, strengthen, or preserve
18 democratic institutions and processes, revitalize basic in-
19 frastructure, and foster the peaceful resolution of conflict:
20 *Provided further*, That the United States Agency for Inter-
21 national Development shall submit a report to the Com-

1 mittees on Appropriations at least 5 days prior to begin-
2 ning a new program of assistance: *Provided further*, That
3 if the Secretary of State determines that it is important
4 to the national interests of the United States to provide
5 transition assistance in excess of the amount appropriated
6 under this heading, up to \$15,000,000 of the funds appro-
7 priated by this Act to carry out the provisions of part I
8 of the Foreign Assistance Act of 1961 may be used for
9 purposes of this heading and under the authorities appli-
10 cable to funds appropriated under this heading: *Provided*
11 *further*, That funds made available pursuant to the pre-
12 vious proviso shall be made available subject to prior con-
13 sultation with the Committees on Appropriations.

14 COMPLEX CRISES FUND

15 For necessary expenses to enable the Administrator
16 of the United States Agency for International Develop-
17 ment (USAID), in consultation with the Secretary of
18 State, to support programs and activities to prevent or
19 respond to emerging or unforeseen complex crises over-
20 seas, \$50,000,000, to remain available until expended:
21 *Provided*, That funds appropriated under this heading

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to carry out the provisions of the Foreign Assistance Act of 1961

1 may be made available on such terms and conditions as
2 the USAID Administrator may determine, in consultation
3 with the Committees on Appropriations, for the purposes
4 of preventing or responding to such crises, except that no
5 funds shall be made available to respond to natural disas-
6 ters: *Provided further*, That funds appropriated under this
7 heading shall be made available notwithstanding section
8 10 of Public Law 91–672 and section 15 of the State De-
9 partment Basic Authorities Act of 1956: *Provided further*,
10 That the USAID Administrator may furnish assistance
11 under this heading notwithstanding any other provision of
12 law, except sections 7007, 7008, and 7018 of this Act and
13 section 620J of the Foreign Assistance Act of 1961: *Pro-*
14 *vided further*, That funds appropriated under this heading
15 shall be subject to the regular notification procedures of
16 the Committees on Appropriations, except that such notifi-
17 cations shall be transmitted at least 5 days in advance
18 of the obligation of funds: *Provided further*, That the re-
19 quirements of the previous proviso may be waived if failure
20 to do so would pose a substantial risk to human health
21 or welfare: *Provided further*, That in case of any such

1 waiver, notification to the Committees on Appropriations
2 shall be provided as early as practicable, but in no event
3 later than 3 days after taking the action to which such
4 notification requirement was applicable, in the context of
5 the circumstances necessitating such waiver: *Provided fur-*
6 *ther*, That any such notification provided pursuant to such
7 waiver shall contain an explanation of the emergency cir-
8 cumstances.

9 DEVELOPMENT CREDIT AUTHORITY

10 (INCLUDING TRANSFER OF FUNDS)

11 For the cost of direct loans and loan guarantees pro-
12 vided by the United States Agency for International De-
13 velopment, as authorized by sections 256 and 635 of the
14 Foreign Assistance Act of 1961, up to \$25,000,000 may
15 be derived by transfer from funds appropriated by this Act
16 to carry out part I of such Act and under the heading
17 “Assistance for Europe, Eurasia and Central Asia”: *Pro-*
18 *vided*, That funds provided under this paragraph and
19 funds provided as a gift pursuant to section 635(d) of the
20 Foreign Assistance Act of 1961 shall be made available
21 only for micro and small enterprise programs, urban pro-

1 grams, and other programs which further the purposes of
2 part I of such Act: *Provided further*, That such costs, in-
3 cluding the cost of modifying such direct and guaranteed
4 loans, shall be as defined in section 502 of the Congres-
5 sional Budget Act of 1974, as amended: *Provided further*,
6 That funds made available by this paragraph may be used
7 for the cost of modifying any such guaranteed loans under
8 this Act or prior Acts, and funds used for such costs shall
9 be subject to the regular notification procedures of the
10 Committees on Appropriations: *Provided further*, That the
11 provisions of section 107A(d) (relating to general provi-
12 sions applicable to the Development Credit Authority) of
13 the Foreign Assistance Act of 1961, as contained in sec-
14 tion 306 of H.R. 1486 as reported by the House Com-
15 mittee on International Relations on May 9, 1997, shall
16 be applicable to direct loans and loan guarantees provided
17 under this heading: *Provided further*, That these funds are
18 available to subsidize total loan principal, any portion of
19 which is to be guaranteed, of up to \$700,000,000.

20 In addition, for administrative expenses to carry out
21 credit programs administered by the United States Agency

1 for International Development, \$8,600,000, which may be
2 transferred to, and merged with, funds made available
3 under the heading "Operating Expenses" in title II of this
4 Act: *Provided*, That funds made available under this head-
5 ing shall remain available until September 30, 2012.

6 ECONOMIC SUPPORT FUND

7 (INCLUDING TRANSFER OF FUNDS)

8 For necessary expenses to carry out the provisions
9 of chapter 4 of part II of the Foreign Assistance Act of
10 1961, \$6,337,000,000, to remain available until Sep-
11 tember 30, 2011: *Provided*, That of the funds appro-
12 priated under this heading, \$250,000,000 shall be avail-
13 able only for assistance for Egypt, which sum shall be pro-
14 vided on a grant basis, and of which sum cash transfer
15 assistance shall be provided with the understanding that
16 Egypt will undertake significant economic and democratic
17 reforms which are additional to those which were under-
18 taken in previous fiscal years: *Provided further*, That of
19 the funds appropriated under this heading for assistance
20 for Egypt, not less than \$25,000,000 shall be made avail-
21 able for democracy, human rights and governance pro-

1 grams, and not less than \$35,000,000 shall be made avail-
2 able for education programs, of which not less than
3 \$10,000,000 is for scholarships for Egyptian students
4 with high financial need: *Provided further*, That
5 \$11,000,000 of the funds appropriated under this heading
6 should be made available for assistance for Cyprus to be
7 used only for scholarships, administrative support of the
8 scholarship program, bicommunal projects, and measures
9 aimed at reunification of the island and designed to reduce
10 tensions and promote peace and cooperation between the
11 two communities on Cyprus: *Provided further*, That
12 \$12,000,000 of the funds made available for assistance for
13 Lebanon under this heading shall be made available for
14 educational scholarships for students in Lebanon with
15 high financial need: *Provided further*, That of the funds
16 appropriated under this heading, not less than
17 \$363,000,000 shall be made available only for assistance
18 for Jordan: *Provided further*, That of the funds appro-
19 priated under this heading not more than \$400,400,000
20 may be made available for assistance for the West Bank
21 and Gaza, of which not to exceed \$2,000,000 may be used

1 for administrative expenses of the United States Agency
2 for International Development (USAID), in addition to
3 funds otherwise available for such purposes: *Provided fur-*
4 *ther*, That not more than \$150,000,000 of the funds pro-
5 vided for the West Bank and Gaza shall be for cash trans-
6 fer assistance: *Provided further*, That funds appropriated
7 under this heading that are made available for assistance
8 for infrastructure projects in Pakistan shall be imple-
9 mented in a manner consistent with section 507(6) of the
10 Trade Act of 1974 (19 U.S.C. 2467(6)): *Provided further*,
11 That of the funds appropriated under this heading for as-
12 sistance for Afghanistan and Pakistan, assistance may be
13 provided notwithstanding any provision of law that re-
14 stricts assistance to foreign countries for cross border sta-
15 bilization and development programs between Afghanistan
16 and Pakistan or between either country and the Central
17 Asian republics: *Provided further*, That funds appropriated
18 by this Act for assistance for Afghanistan and Pakistan
19 may be made available for ~~cash transfer~~ assistance only
20 if the Secretary of State certifies to the Committees on
21 Appropriations that the Government of the United States

government-to-government

1 and the government of the recipient country have agreed,
2 in writing, to clear and achievable goals and objectives for
3 the use of such funds, and have established mechanisms
4 within each implementing agency to ensure that such
5 funds are used for the purposes for which they were in-
6 tended: *Provided further*, That any such cash transfer as-
7 sistance shall be subject to prior consultation with the
8 Committees on Appropriations: *Provided further*, That the
9 Secretary of State should suspend any such cash transfer
10 assistance to an implementing agency if the Secretary has
11 credible evidence of misuse of such funds by any such
12 agency: *Provided further*, That any decision to signifi-
13 cantly modify the scope, objectives or implementation
14 mechanisms of United States assistance programs in Af-
15 ghanistan or Pakistan shall be subject to prior consulta-
16 tion with, and the regular notification procedures of, the
17 Committees on Appropriations, except that the prior con-
18 sultation requirement may be waived if it is determined
19 that failure to do so would pose a substantial risk to
20 human health or welfare: *Provided further*, That in case
21 of any such waiver, notification to the Committees on Ap-

1 appropriations shall be provided as early as practicable, but
2 in no event later than 3 days after taking the action to
3 which such consultation requirement was applicable: *Pro-*
4 *vided further*, That of the funds made available under this
5 heading for assistance for Pakistan, \$2,000,000 shall be
6 transferred to, and merged with, funds available under the
7 heading “Administration of Foreign Affairs, Office of In-
8 spector General” for oversight of programs in Pakistan:
9 *Provided further*, That of the funds appropriated under
10 this heading, \$209,790,000 shall be apportioned directly
11 to USAID for alternative development/institution building
12 programs in Colombia: *Provided further*, That of the funds
13 appropriated under this heading that are available for as-
14 sistance for Colombia, not less than \$8,000,000 shall be
15 transferred to, and merged with, funds appropriated under
16 the heading “Migration and Refugee Assistance” and shall
17 be made available only for assistance to nongovernmental
18 and international organizations that provide assistance to
19 Colombian refugees in neighboring countries.

1 DEMOCRACY FUND

2 For necessary expenses to carry out the provisions
3 of the Foreign Assistance Act of 1961 for the promotion
4 of democracy globally, \$120,000,000, to remain available
5 until September 30, 2011, of which \$70,000,000 shall be
6 made available for the Human Rights and Democracy
7 Fund of the Bureau of Democracy, Human Rights and
8 Labor, Department of State, and \$50,000,000 shall be
9 made available for the Office of Democracy and Govern-
10 ance of the Bureau for Democracy, Conflict, and Humani-
11 tarian Assistance, United States Agency for International
12 Development.

13 INTERNATIONAL FUND FOR IRELAND

14 For necessary expenses to carry out the provisions
15 of chapter 4 of part II of the Foreign Assistance Act of
16 1961, \$17,000,000, which shall be available for the United
17 States contribution to the International Fund for Ireland
18 and shall be made available in accordance with the provi-
19 sions of the Anglo-Irish Agreement Support Act of 1986
20 (Public Law 99-415): *Provided*, That such amount shall
21 be expended at the minimum rate necessary to make time-

1 ly payment for projects and activities: *Provided further*,
2 That funds made available under this heading shall re-
3 main available until September 30, 2011.

4 ASSISTANCE FOR EUROPE, EURASIA AND CENTRAL ASIA

5 For necessary expenses to carry out the provisions
6 of the Foreign Assistance Act of 1961, the FREEDOM
7 Support Act, and the Support for East European Democ-
8 racy (SEED) Act of 1989, \$741,632,000, to remain avail-
9 able until September 30, 2011, which shall be available,
10 notwithstanding any other provision of law, for assistance
11 and for related programs for countries identified in section
12 3 of the FREEDOM Support Act and section 3(c) of the
13 SEED Act: *Provided*, That funds appropriated under this
14 heading shall be considered to be economic assistance
15 under the Foreign Assistance Act of 1961 for purposes
16 of making available the administrative authorities con-
17 tained in that Act for the use of economic assistance: *Pro-*
18 *vided further*, That notwithstanding any provision of this
19 or any other Act, funds appropriated in prior years under
20 the headings “Independent States of the Former Soviet
21 Union” and similar headings and “Assistance for Eastern

1 Europe and the Baltic States” and similar headings, and
2 currencies generated by or converted from such funds,
3 shall be available for use in any country for which funds
4 are made available under this heading without regard to
5 the geographic limitations of the heading under which
6 such funds were originally appropriated: *Provided further,*
7 That funds made available for the Southern Caucasus re-
8 gion may be used for confidence-building measures and
9 other activities in furtherance of the peaceful resolution
10 of conflicts, including in Nagorno-Karabakh: *Provided fur-*
11 *ther,* That of the funds appropriated under this heading
12 that are available for assistance for the Kyrgyz Republic,
13 up to \$11,500,000 shall be made available for the Joint
14 Development Fund.

15 DEPARTMENT OF STATE

16 MIGRATION AND REFUGEE ASSISTANCE

17 For necessary expenses, not otherwise provided for,
18 to enable the Secretary of State to provide, as authorized
19 by law, a contribution to the International Committee of
20 the Red Cross, assistance to refugees, including contribu-
21 tions to the International Organization for Migration and

1 the United Nations High Commissioner for Refugees, and
2 other activities to meet refugee and migration needs; sala-
3 ries and expenses of personnel and dependents as author-
4 ized by the Foreign Service Act of 1980; allowances as
5 authorized by sections 5921 through 5925 of title 5,
6 United States Code; purchase and hire of passenger motor
7 vehicles; and services as authorized by section 3109 of title
8 5, United States Code, \$1,685,000,000, to remain avail-
9 able until expended, of which \$25,000,000 shall be made
10 available for refugees resettling in Israel, and not less than
11 \$35,000,000 shall be made available to respond to small-
12 scale emergency humanitarian requirements of inter-
13 national and non-governmental partners.

14 UNITED STATES EMERGENCY REFUGEE AND MIGRATION
15 ASSISTANCE FUND

16 For necessary expenses to carry out the provisions
17 of section 2(c) of the Migration and Refugee Assistance
18 Act of 1962, as amended (22 U.S.C. 2601(c)),
19 \$45,000,000, to remain available until expended.

1 INDEPENDENT AGENCIES

2 PEACE CORPS

3 (INCLUDING TRANSFER OF FUNDS)

4 For necessary expenses to carry out the provisions
5 of the Peace Corps Act (22 U.S.C. 2501–2523), including
6 the purchase of not to exceed five passenger motor vehicles
7 for administrative purposes for use outside of the United
8 States, \$400,000,000, to remain available until September
9 30, 2011: *Provided*, That none of the funds appropriated
10 under this heading shall be used to pay for abortions: *Pro-*
11 *vided further*, That the Director of the Peace Corps may
12 transfer to the Foreign Currency Fluctuations Account,
13 as authorized by 22 U.S.C. 2515, an amount not to exceed
14 \$5,000,000: *Provided further*, That funds transferred pur-
15 suant to the previous proviso may not be derived from
16 amounts made available for Peace Corps overseas oper-
17 ations: *Provided further*, That of the funds appropriated
18 under this heading, not to exceed \$4,000 may be made
19 available for entertainment expenses: *Provided further*,
20 That any decision to open, close, significantly reduce, or
21 suspend a domestic or overseas office or country program

1 shall be subject to prior consultation with, and the regular
2 notification procedures of, the Committees on Appropria-
3 tions, except that prior consultation and regular notifica-
4 tion procedures may be waived when there is a substantial
5 security risk to volunteers or other Peace Corps personnel,
6 pursuant to section 7015(e) of this Act: *Provided further,*
7 That not later than 45 days after enactment of this Act,
8 the Director shall submit a spending plan to the Commit-
9 tees on Appropriations on the proposed uses of funds
10 under this heading: *Provided further,* That not later than
11 180 days after enactment of this Act, the Director shall,
12 after consultation with the Committees on Appropriations,
13 submit a report to the Committees that includes the find-
14 ings of a comprehensive assessment of the current pro-
15 gram model of the Peace Corps and a strategy for reform-
16 ing and improving operations.

17 MILLENNIUM CHALLENGE CORPORATION

18 (INCLUDING TRANSFER OF FUNDS)

19 For necessary expenses to carry out the provisions
20 of the Millennium Challenge Act of 2003, \$1,105,000,000
21 to remain available until expended: *Provided,* That of the

1 funds appropriated under this heading, up to \$95,000,000
2 may be available for administrative expenses of the Millen-
3 nium Challenge Corporation (the Corporation): *Provided*
4 *further*, That up to 10 percent of the funds appropriated
5 under this heading may be made available to carry out
6 the purposes of section 616 of the Millennium Challenge
7 Act of 2003 for fiscal year 2010: *Provided further*, That
8 section 605(e)(4) of the Millennium Challenge Act of 2003
9 shall apply to funds appropriated under this heading: *Pro-*
10 *vided further*, That funds appropriated under this heading
11 may be made available for a Millennium Challenge Com-
12 pact entered into pursuant to section 609 of the Millen-
13 nium Challenge Act of 2003 only if such Compact obli-
14 gates, or contains a commitment to obligate subject to the
15 availability of funds and the mutual agreement of the par-
16 ties to the Compact to proceed, the entire amount of the
17 United States Government funding anticipated for the du-
18 ration of the Compact: *Provided further*, That the Cor-
19 poration should reimburse the United States Agency for
20 International Development (USAID) for all expenses in-
21 curred by USAID with funds appropriated under this

1 heading in assisting the Corporation in carrying out such
2 Act, including administrative costs for compact develop-
3 ment, negotiation, and implementation: *Provided further,*
4 That the Chief Executive Officer of the Millennium Chal-
5 lenge Corporation shall notify the Committees on Appro-
6 priations not later than 15 days prior to signing any new
7 country compact or new threshold country program; termi-
8 nating or suspending any country compact or threshold
9 country program; or commencing negotiations for any new
10 compact or threshold country program: *Provided further,*
11 That funds appropriated by this Act or any prior Act ap-
12 propriating funds for the Department of State, foreign op-
13 erations, and related programs that are made available for
14 a Millennium Challenge Compact and that are suspended
15 or terminated by the Chief Executive Officer of the Cor-
16 poration shall be subject to the regular notification proce-
17 dures of the Committees on Appropriations prior to re-
18 obligation: *Provided further,* That none of the funds appro-
19 priated by this Act and prior Acts making appropriations
20 for the Department of State, foreign operations, and re-
21 lated programs under this heading may be used for mili-

1 tary assistance or military training, including for assist-
2 ance for military or paramilitary purposes and for assist-
3 ance to military forces: *Provided further*, That the terms
4 and conditions of section 1105(c) of Public Law 111-32
5 shall apply to funds appropriated under this heading: *Pro-*
6 *vided further*, That a Millennium Challenge Corporation
7 candidate country selected as an eligible country in fiscal
8 year 2009 in accordance with section 607(c) of the Millen-
9 nium Challenge Act of 2003 that is transitioning out of
10 one of the income categories identified in subsections
11 606(a) and (b) shall retain its candidacy status at the
12 lower income category for purposes of setting compact
13 funding levels for the fiscal year of its transition and the
14 two subsequent fiscal years: *Provided further*, That of the
15 funds appropriated under this heading, not to exceed
16 \$100,000 may be available for representation and enter-
17 tainment allowances, of which not to exceed \$5,000 may
18 be available for entertainment allowances.

19

INTER-AMERICAN FOUNDATION

20 For necessary expenses to carry out the functions of
21 the Inter-American Foundation in accordance with the

1 provisions of section 401 of the Foreign Assistance Act
2 of 1969, \$23,000,000, to remain available until September
3 30, 2011: *Provided*, That of the funds appropriated under
4 this heading, not to exceed \$2,000 may be available for
5 entertainment and representation allowances.

6 AFRICAN DEVELOPMENT FOUNDATION

7 For necessary expenses to carry out title V of the
8 International Security and Development Cooperation Act
9 of 1980 (Public Law 96-533), \$30,000,000, to remain
10 available until September 30, 2011: *Provided*, That funds
11 made available to grantees may be invested pending ex-
12 penditure for project purposes when authorized by the
13 Board of Directors of the Foundation: *Provided further*,
14 That interest earned shall be used only for the purposes
15 for which the grant was made: *Provided further*, That not-
16 withstanding section 505(a)(2) of the African Develop-
17 ment Foundation Act, in exceptional circumstances the
18 Board of Directors of the Foundation may waive the
19 \$250,000 limitation contained in that section with respect
20 to a project and a project may exceed the limitation by
21 up to \$10,000 if the increase is due solely to foreign cur-

1 rency fluctuation: *Provided further*, That the Foundation
2 shall provide a report to the Committees on Appropria-
3 tions after each time such waiver authority is exercised.

4 DEPARTMENT OF THE TREASURY

5 INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

6 For necessary expenses to carry out the provisions
7 of section 129 of the Foreign Assistance Act of 1961,
8 \$25,000,000, to remain available until September 30,
9 2012, which shall be available notwithstanding any other
10 provision of law.

11 DEBT RESTRUCTURING

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

1 least developed countries, as authorized under section 411
2 of the Agricultural Trade Development and Assistance Act
3 of 1954, as amended, of concessional loans, guarantees
4 and credit agreements, as authorized under section 572
5 of the Foreign Operations, Export Financing, and Related
6 Programs Appropriations Act, 1989 (Public Law 100–
7 461), and of canceling amounts owed, as a result of loans
8 or guarantees made pursuant to the Export-Import Bank
9 Act of 1945, by countries that are eligible for debt reduc-
10 tion pursuant to title V of H.R. 3425 as enacted into law
11 by section 1000(a)(5) of Public Law 106–113,
12 \$60,000,000, to remain available until September 30,
13 2012: *Provided*, That not less than \$20,000,000 of the
14 funds appropriated under this heading shall be made avail-
15 able to carry out the provisions of part V of the Foreign
16 Assistance Act of 1961: *Provided further*, That amounts
17 paid to the Heavily Indebted Poor Countries (HIPC)
18 Trust Fund may be used only to fund debt reduction
19 under the enhanced HIPC initiative by—

20 (1) the Inter-American Development Bank;

21 (2) the African Development Fund;

1 (3) the African Development Bank; and

2 (4) the Central American Bank for Economic

3 Integration:

4 *Provided further*, That funds may not be paid to the HIPC
5 Trust Fund for the benefit of any country if the Secretary
6 of State has credible evidence that the central government
7 of such country is engaged in a consistent pattern of gross
8 violations of internationally recognized human rights or in
9 military or civil conflict that undermines its ability to de-
10 velop and implement measures to alleviate poverty and to
11 devote adequate human and financial resources to that
12 end: *Provided further*, That on the basis of final appropria-
13 tions, the Secretary of the Treasury shall consult with the
14 Committees on Appropriations concerning which countries
15 and international financial institutions are expected to
16 benefit from a United States contribution to the HIPC
17 Trust Fund during the fiscal year: *Provided further*, That
18 the Secretary of the Treasury shall notify the Committees
19 on Appropriations not less than 15 days in advance of the
20 signature of an agreement by the United States to make
21 payments to the HIPC Trust Fund of amounts for such

1 countries and institutions: *Provided further*, That the Sec-
2 retary of the Treasury may disburse funds designated for
3 debt reduction through the HIPC Trust Fund only for the
4 benefit of countries that—

5 (1) have committed, for a period of 24 months,
6 not to accept new market-rate loans from the inter-
7 national financial institution receiving debt repay-
8 ment as a result of such disbursement, other than
9 loans made by such institutions to export-oriented
10 commercial projects that generate foreign exchange
11 which are generally referred to as “enclave” loans;
12 and

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

19 *Provided further*, That any limitation of subsection (e) of
20 section 411 of the Agricultural Trade Development and
21 Assistance Act of 1954 shall not apply to funds appro-

1 priated under this heading: *Provided further*, That none
2 of the funds made available under this heading in this or
3 any other appropriations Act shall be made available for
4 Sudan or Burma unless the Secretary of the Treasury de-
5 termines and notifies the Committees on Appropriations
6 that a democratically elected government has taken office.

1 TITLE IV
2 INTERNATIONAL SECURITY ASSISTANCE
3 DEPARTMENT OF STATE
4 INTERNATIONAL NARCOTICS CONTROL AND LAW
5 ENFORCEMENT

6 For necessary expenses to carry out section 481 of
7 the Foreign Assistance Act of 1961, \$1,597,000,000, to
8 remain available until September 30, 2011: *Provided,*
9 That during fiscal year 2010, the Department of State
10 may also use the authority of section 608 of the Foreign
11 Assistance Act of 1961, without regard to its restrictions,
12 to receive excess property from an agency of the United
13 States Government for the purpose of providing it to a
14 foreign country or international organization under chap-
15 ter 8 of part I of that Act subject to the regular notifica-
16 tion procedures of the Committees on Appropriations: *Pro-*
17 *vided further,* That the Secretary of State shall provide
18 to the Committees on Appropriations not later than 45
19 days after the date of the enactment of this Act and prior
20 to the initial obligation of funds appropriated under this
21 heading, a report on the proposed uses of all funds under

1 this heading on a country-by-country basis for each pro-
2 posed program, project, or activity: *Provided further*, That
3 section 482(b) of the Foreign Assistance Act of 1961 shall
4 not apply to funds appropriated under this heading: *Pro-*
5 *vided further*, That assistance provided with funds appro-
6 priated under this heading that is made available notwith-
7 standing section 482(b) of the Foreign Assistance Act of
8 1961 shall be made available subject to the regular notifi-
9 cation procedures of the Committees on Appropriations:
10 *Provided further*, That of the funds appropriated under
11 this heading, \$5,000,000 should be made available to com-
12 bat piracy of United States copyrighted materials, con-
13 sistent with the requirements of section 688(a) and (b)
14 of the Department of State, Foreign Operations, and Re-
15 lated Programs Appropriations Act, 2008 (division J of
16 Public Law 110–161): *Provided further*, That none of the
17 funds appropriated under this heading for assistance for
18 Afghanistan may be made available for eradication pro-
19 grams through the aerial spraying of herbicides unless the
20 Secretary of State determines and reports to the Commit-
21 tees on Appropriations that the President of Afghanistan

1 has requested assistance for such aerial spraying pro-
2 grams for counternarcotics purposes: *Provided further,*
3 That in the event the Secretary of State makes a deter-
4 mination pursuant to the previous proviso, the Secretary
5 shall consult with the Committees on Appropriations prior
6 to the obligation of funds for such eradication programs:
7 *Provided further,* That none of the funds appropriated
8 under this heading for assistance for Colombia shall be
9 made available for budget support or as cash payments:
10 *Provided further,* That none of the funds appropriated
11 under this heading shall be made available for assistance
12 for the Bolivian military and police unless the Secretary
13 of State determines and reports to the Committees on Ap-
14 propriations that the Government of Bolivia is inves-
15 tigating, prosecuting, and punishing military and police
16 personnel who have been credibly alleged to have violated
17 internationally recognized human rights.

18 NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND
19 RELATED PROGRAMS

20 For necessary expenses for nonproliferation, anti-ter-
21 rorism, demining and related programs and activities,

1 \$754,000,000, to carry out the provisions of chapter 8 of
2 part II of the Foreign Assistance Act of 1961 for anti-
3 terrorism assistance, chapter 9 of part II of the Foreign
4 Assistance Act of 1961, section 504 of the FREEDOM
5 Support Act, section 23 of the Arms Export Control Act
6 or the Foreign Assistance Act of 1961 for demining activi-
7 ties, the clearance of unexploded ordnance, the destruction
8 of small arms, and related activities, notwithstanding any
9 other provision of law, including activities implemented
10 through nongovernmental and international organizations,
11 and section 301 of the Foreign Assistance Act of 1961
12 for a voluntary contribution to the International Atomic
13 Energy Agency (IAEA), and for a United States contribu-
14 tion to the Comprehensive Nuclear Test Ban Treaty Pre-
15 paratory Commission: *Provided*, That of this amount not
16 to exceed \$75,000,000, to remain available until expended,
17 may be made available for the Nonproliferation and Disar-
18 mament Fund, notwithstanding any other provision of
19 law, to promote bilateral and multilateral activities relat-
20 ing to nonproliferation, disarmament and weapons de-
21 struction: *Provided further*, That such funds may also be

1 used for such countries other than the Independent States
2 of the former Soviet Union and international organiza-
3 tions when it is in the national security interest of the
4 United States to do so: *Provided further*, That funds made
5 available for the Nonproliferation and Disarmament Fund
6 shall be subject to prior consultation with, and the regular
7 notification procedures of, the Committees on Appropria-
8 tions: *Provided further*, That funds appropriated under
9 this heading may be made available for the IAEA unless
10 the Secretary of State determines that Israel is being de-
11 nied its right to participate in the activities of that Agen-
12 cy: *Provided further*, That of the funds appropriated under
13 this heading, not more than \$500,000 may be made avail-
14 able for public-private partnerships for conventional weap-
15 ons and mine action by grant, cooperative agreement or
16 contract: *Provided further*, That of the funds made avail-
17 able for demining and related activities, not to exceed
18 \$700,000, in addition to funds otherwise available for such
19 purposes, may be used for administrative expenses related
20 to the operation and management of the demining pro-
21 gram: *Provided further*, That funds appropriated under

1 this heading that are available for “Anti-terrorism Assist-
2 ance” and “Export Control and Border Security” shall re-
3 main available until September 30, 2011.

4 PEACEKEEPING OPERATIONS

5 For necessary expenses to carry out the provisions
6 of section 551 of the Foreign Assistance Act of 1961,
7 \$331,500,000: *Provided*, That funds appropriated under
8 this heading may be used, notwithstanding section 660 of
9 such Act, to provide assistance to enhance the capacity
10 of foreign civilian security forces, including gendarmes, to
11 participate in peacekeeping operations: *Provided further*,
12 That of the funds appropriated under this heading, up to
13 \$102,000,000 may be made available for assistance for
14 Somalia, of which up to \$55,000,000 may be used to pay
15 assessed expenses of international peacekeeping activities
16 in Somalia: *Provided further*, That of the funds appro-
17 priated under this heading, not less than \$26,000,000
18 shall be made available for a United States contribution
19 to the Multinational Force and Observers mission in the
20 Sinai: *Provided further*, That none of the funds appro-
21 priated under this heading shall be obligated or expended

1 except as provided through the regular notification proce-
2 dures of the Committees on Appropriations.

3 FUNDS APPROPRIATED TO THE PRESIDENT

4 INTERNATIONAL MILITARY EDUCATION AND TRAINING

5 For necessary expenses to carry out the provisions
6 of section 541 of the Foreign Assistance Act of 1961,
7 \$108,000,000, of which up to \$4,000,000 may remain
8 available until expended and may only be provided through
9 the regular notification procedures of the Committees on
10 Appropriations: *Provided*, That the civilian personnel for
11 whom military education and training may be provided
12 under this heading may include civilians who are not mem-
13 bers of a government whose participation would contribute
14 to improved civil-military relations, civilian control of the
15 military, or respect for human rights: *Provided further*,
16 That funds made available under this heading for assist-
17 ance for Angola, Bangladesh, Cameroon, Central African
18 Republic, Chad, Cote d'Ivoire, Democratic Republic of the
19 Congo, Ethiopia, Guatemala, Guinea, Haiti, Kenya, Libya,
20 Nepal, Nigeria, and Sri Lanka may only be provided
21 through the regular notification procedures of the Com-

1 mittees on Appropriations and any such notification shall
2 include a detailed description of proposed activities: *Pro-*
3 *vided further*, That of the funds appropriated under this
4 heading, not to exceed \$55,000 may be available for enter-
5 tainment allowances.

6 FOREIGN MILITARY FINANCING PROGRAM

7 For necessary expenses for grants to enable the
8 President to carry out the provisions of section 23 of the
9 Arms Export Control Act, \$4,195,000,000: *Provided*,
10 That to expedite the provision of assistance to foreign
11 countries and international organizations, the Secretary of
12 State, following consultation with the Committees on Ap-
13 propriations and subject to the regular notification proce-
14 dures of such Committees, may use the funds appro-
15 priated under this heading to procure defense articles and
16 services to enhance the capacity of foreign security forces:
17 *Provided further*, That of the funds appropriated under
18 this heading, not less than \$2,220,000,000 shall be avail-
19 able for grants only for Israel, and not less than
20 \$1,040,000,000 shall be made available for grants only for
21 Egypt, including for border security programs and activi-

1 ties in the Sinai: *Provided further*, That the funds appro-
2 priated under this heading for assistance for Israel shall
3 be disbursed within 30 days of the enactment of this Act:
4 *Provided further*, That to the extent that the Government
5 of Israel requests that funds be used for such purposes,
6 grants made available for Israel under this heading shall,
7 as agreed by the United States and Israel, be available
8 for advanced weapons systems, of which not less than
9 \$583,860,000 shall be available for the procurement in
10 Israel of defense articles and defense services, including
11 research and development: *Provided further*, That funds
12 appropriated under this heading estimated to be outlayed
13 for Egypt during fiscal year 2010 shall be transferred to
14 an interest bearing account for Egypt in the Federal Re-
15 serve Bank of New York within 30 days of enactment of
16 this Act: *Provided further*, That of the funds appropriated
17 under this heading, \$150,000,000 shall be made available
18 for assistance for Jordan: *Provided further*, That of the
19 funds appropriated under this heading, not more than
20 \$55,000,000 shall be available for assistance for Colombia,
21 of which up to \$12,500,000 is available to support mari-

1 time interdiction and riverine operations: *Provided further*,
2 That of the funds appropriated under this heading, not
3 less than \$238,000,000 should be made available for as-
4 sistance for Pakistan: *Provided further*, That in addition
5 to the funds made available in the previous proviso, up
6 to \$60,000,000 of the funds appropriated under the head-
7 ing “Economic Support Fund” in this Act ~~or~~ prior Acts [and
8 making appropriations for the Department of State, for-
9 eign operations, and related programs, may be transferred
10 to, and merged with, funds appropriated under this head-
11 ing and made available for assistance for Pakistan, subject
12 to the regular notification procedures of the Committees
13 on Appropriations: *Provided further*, That none of the
14 funds made available under this heading shall be made
15 available to support or continue any program initially
16 funded under the authority of section 1206 of the National
17 Defense Authorization Act for Fiscal Year 2006 (Public
18 Law 109–163; 119 Stat. 3456) unless the Secretary of
19 State, in coordination with the Secretary of Defense, has
20 justified such program to the Committees on Appropria-
21 tions: *Provided further*, That funds appropriated or other-

1 wise made available under this heading shall be nonrepay-
2 able notwithstanding any requirement in section 23 of the
3 Arms Export Control Act: *Provided further*, That funds
4 made available under this heading shall be obligated upon
5 apportionment in accordance with paragraph (5)(C) of
6 title 31, United States Code, section 1501(a).

7 None of the funds made available under this heading
8 shall be available to finance the procurement of defense
9 articles, defense services, or design and construction serv-
10 ices that are not sold by the United States Government
11 under the Arms Export Control Act unless the foreign
12 country proposing to make such procurements has first
13 signed an agreement with the United States Government
14 specifying the conditions under which such procurements
15 may be financed with such funds: *Provided*, That all coun-
16 try and funding level increases in allocations shall be sub-
17 mitted through the regular notification procedures of sec-
18 tion 7015 of this Act: *Provided further*, That none of the
19 funds appropriated under this heading may be made avail-
20 able for assistance for Nepal, Sri Lanka, Pakistan, Ban-
21 gladesh, Philippines, Indonesia, Bosnia and Herzegovina,

1 Haiti, Guatemala, Ethiopia, Cambodia, Kenya, Chad, and
2 the Democratic Republic of the Congo except pursuant to
3 the regular notification procedures of the Committees on
4 Appropriations: *Provided further*, That funds made avail-
5 able under this heading may be used, notwithstanding any
6 other provision of law, for demining, the clearance of
7 unexploded ordnance, and related activities, and may in-
8 clude activities implemented through nongovernmental
9 and international organizations: *Provided further*, That
10 only those countries for which assistance was justified for
11 the “Foreign Military Sales Financing Program” in the
12 fiscal year 1989 congressional presentation for security as-
13 sistance programs may utilize funds made available under
14 this heading for procurement of defense articles, defense
15 services or design and construction services that are not
16 sold by the United States Government under the Arms
17 Export Control Act: *Provided further*, That funds appro-
18 priated under this heading shall be expended at the min-
19 imum rate necessary to make timely payment for defense
20 articles and services: *Provided further*, That not more than
21 \$54,464,000 of the funds appropriated under this heading

1 may be obligated for necessary expenses, including the
2 purchase of passenger motor vehicles for replacement only
3 for use outside of the United States, for the general costs
4 of administering military assistance and sales, except that
5 this limitation may be exceeded only through the regular
6 notification procedures of the Committees on Appropria-
7 tions: *Provided further*, That of the funds appropriated
8 under this heading for general costs of administering mili-
9 tary assistance and sales, not to exceed \$4,000 may be
10 available for entertainment expenses and not to exceed
11 \$130,000 may be available for representation allowances:
12 *Provided further*, That not more than \$550,000,000 of
13 funds realized pursuant to section 21(e)(1)(A) of the Arms
14 Export Control Act may be obligated for expenses incurred
15 by the Department of Defense during fiscal year 2010
16 pursuant to section 43(b) of the Arms Export Control Act,
17 except that this limitation may be exceeded only through
18 the regular notification procedures of the Committees on
19 Appropriations.

1

TITLE V

2

MULTILATERAL ASSISTANCE

3

FUNDS APPROPRIATED TO THE PRESIDENT

4

INTERNATIONAL ORGANIZATIONS AND PROGRAMS

5

For necessary expenses to carry out the provisions
6 of section 301 of the Foreign Assistance Act of 1961, and
7 of section 2 of the United Nations Environment Program
8 Participation Act of 1973, \$394,000,000: *Provided*, That
9 section 307(a) of the Foreign Assistance Act of 1961 shall
10 not apply to contributions to the United Nations Democ-
11 racy Fund.

12

INTERNATIONAL FINANCIAL INSTITUTIONS

13

GLOBAL ENVIRONMENT FACILITY

14

For the United States contribution for the Global En-
15 vironment Facility, \$86,500,000, to the International
16 Bank for Reconstruction and Development as trustee for
17 the Global Environment Facility, by the Secretary of the
18 Treasury, to remain available until expended.

1 CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT
2 ASSOCIATION

3 For payment to the International Development Asso-
4 ciation by the Secretary of the Treasury, \$1,262,500,000,
5 to remain available until expended.

6 CONTRIBUTION TO THE CLEAN TECHNOLOGY FUND

7 For contributions to the multilateral Clean Tech-
8 nology Fund, \$300,000,000, to remain available until ex-
9 pended.

10 CONTRIBUTION TO THE STRATEGIC CLIMATE FUND

11 For contributions to the multilateral Strategic Cli-
12 mate Fund, \$75,000,000, to remain available until ex-
13 pended.

14 CONTRIBUTION TO THE INTER-AMERICAN DEVELOPMENT
15 BANK

16 For payment to the Inter-American Investment Cor-
17 poration by the Secretary of the Treasury, \$4,670,000, to
18 remain available until expended.

1 CONTRIBUTION TO THE ENTERPRISE FOR THE AMERICAS
2 MULTILATERAL INVESTMENT FUND

3 For payment to the Enterprise for the Americas Mul-
4 tilateral Investment Fund by the Secretary of the Treas-
5 ury, for the United States contribution to the fund,
6 \$25,000,000, to remain available until expended.

7 CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

8 For the United States contribution by the Secretary
9 of the Treasury to the increase in resources of the Asian
10 Development Fund, as authorized by the Asian Develop-
11 ment Bank Act, as amended, \$105,000,000, to remain
12 available until expended.

13 CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

14 For the United States contribution by the Secretary
15 of the Treasury to the increase in resources of the African
16 Development Fund, \$155,000,000, to remain available
17 until expended.

18 CONTRIBUTION TO THE INTERNATIONAL FUND FOR
19 AGRICULTURAL DEVELOPMENT

20 For the United States contribution by the Secretary
21 of the Treasury to increase the resources of the Inter-

- 1 national Fund for Agricultural Development,
- 2 \$30,000,000, to remain available until expended.

1 TITLE VI
2 EXPORT AND INVESTMENT ASSISTANCE
3 EXPORT-IMPORT BANK OF THE UNITED STATES
4 INSPECTOR GENERAL

5 For necessary expenses of the Office of Inspector
6 General in carrying out the provisions of the Inspector
7 General Act of 1978, as amended, \$2,500,000, to remain
8 available until September 30, 2011.

9 PROGRAM ACCOUNT

10 The Export-Import Bank of the United States is au-
11 thorized to make such expenditures within the limits of
12 funds and borrowing authority available to such corpora-
13 tion, and in accordance with law, and to make such con-
14 tracts and commitments without regard to fiscal year limi-
15 tations, as provided by section 104 of the Government
16 Corporation Control Act, as may be necessary in carrying
17 out the program for the current fiscal year for such cor-
18 poration: *Provided*, That none of the funds available dur-
19 ing the current fiscal year may be used to make expendi-
20 tures, contracts, or commitments for the export of nuclear
21 equipment, fuel, or technology to any country, other than

1 a nuclear-weapon state as defined in Article IX of the
2 Treaty on the Non-Proliferation of Nuclear Weapons eligi-
3 ble to receive economic or military assistance under this
4 Act, that has detonated a nuclear explosive after the date
5 of the enactment of this Act: *Provided further*, That not-
6 withstanding section 1(c) of Public Law 103-428, as
7 amended, sections 1(a) and (b) of Public Law 103-428
8 shall remain in effect through October 1, 2010: *Provided*
9 *further*, That not less than 10 percent of the aggregate
10 loan, guarantee, and insurance authority available to the
11 Export-Import Bank under this Act should be used for
12 renewable energy technologies or end-use energy efficiency
13 technologies.

14

SUBSIDY APPROPRIATION

15 For the cost of direct loans, loan guarantees, insur-
16 ance, and tied-aid grants as authorized by section 10 of
17 the Export-Import Bank Act of 1945, as amended, not
18 to exceed \$58,000,000: *Provided*, That such costs, includ-
19 ing the cost of modifying such loans, shall be as defined
20 in section 502 of the Congressional Budget Act of 1974:
21 *Provided further*, That such funds shall remain available

1 until September 30, 2025, for the disbursement of direct
2 loans, loan guarantees, insurance and tied-aid grants obli-
3 gated in fiscal years 2010, 2011, 2012, and 2013: *Pro-*
4 *vided further*, That none of the funds appropriated by this
5 Act or any prior Acts appropriating funds for the Depart-
6 ment of State, foreign operations, and related programs
7 for tied-aid credits or grants may be used for any other
8 purpose except through the regular notification procedures
9 of the Committees on Appropriations: *Provided further*,
10 That funds appropriated by this paragraph are made
11 available notwithstanding section 2(b)(2) of the Export-
12 Import Bank Act of 1945, in connection with the purchase
13 or lease of any product by any Eastern European country,
14 any Baltic State or any agency or national thereof.

15 ADMINISTRATIVE EXPENSES

16 For administrative expenses to carry out the direct
17 and guaranteed loan and insurance programs, including
18 hire of passenger motor vehicles and services as authorized
19 by 5 U.S.C. 3109, and not to exceed \$30,000 for official
20 reception and representation expenses for members of the
21 Board of Directors, not to exceed \$83,880,000: *Provided*,

1 That the Export-Import Bank may accept, and use, pay-
2 ment or services provided by transaction participants for
3 legal, financial, or technical services in connection with
4 any transaction for which an application for a loan, guar-
5 antee or insurance commitment has been made: *Provided*
6 *further*, That notwithstanding subsection (b) of section
7 117 of the Export Enhancement Act of 1992, subsection
8 (a) thereof shall remain in effect until October 1, 2010.

9

RECEIPTS COLLECTED

10 Receipts collected pursuant to the Export-Import
11 Bank Act of 1945, as amended, and the Federal Credit
12 Reform Act of 1990, as amended, in an amount not to
13 exceed the amount appropriated herein, shall be credited
14 as offsetting collections to this account: *Provided*, That the
15 sums herein appropriated from the General Fund shall be
16 reduced on a dollar-for-dollar basis by such offsetting col-
17 lections so as to result in a final fiscal year appropriation
18 from the General Fund estimated at \$0: *Provided further*,
19 That amounts collected in fiscal year 2010 in excess of
20 obligations shall become available on September 1, 2010
21 and shall remain available until September 30, 2013.

1 OVERSEAS PRIVATE INVESTMENT CORPORATION

2 NONCREDIT ACCOUNT

3 The Overseas Private Investment Corporation is au-
4 thORIZED to make, without regard to fiscal year limitations,
5 as provided by 31 U.S.C. 9104, such expenditures and
6 commitments within the limits of funds available to it and
7 in accordance with law as may be necessary: *Provided,*
8 That the amount available for administrative expenses to
9 carry out the credit and insurance programs (including an
10 amount for official reception and representation expenses
11 which shall not exceed \$35,000) shall not exceed
12 \$52,310,000: *Provided further,* That project-specific trans-
13 action costs, including direct and indirect costs incurred
14 in claims settlements, and other direct costs associated
15 with services provided to specific investors or potential in-
16 vestors pursuant to section 234 of the Foreign Assistance
17 Act of 1961, shall not be considered administrative ex-
18 penses for the purposes of this heading.

19 PROGRAM ACCOUNT

20 For the cost of direct and guaranteed loans,
21 \$29,000,000, as authorized by section 234 of the Foreign

1 Assistance Act of 1961, to be derived by transfer from
2 the Overseas Private Investment Corporation Noncredit
3 Account: *Provided*, That such costs, including the cost of
4 modifying such loans, shall be as defined in section 502
5 of the Congressional Budget Act of 1974: *Provided fur-*
6 *ther*, That such sums shall be available for direct loan obli-
7 gations and loan guaranty commitments incurred or made
8 during fiscal years 2010, 2011, and 2012: *Provided fur-*
9 *ther*, That funds so obligated in fiscal year 2010 remain
10 available for disbursement through 2018; funds obligated
11 in fiscal year 2011 remain available for disbursement
12 through 2019; and funds obligated in fiscal year 2012 re-
13 main available for disbursement through 2020: *Provided*
14 *further*, That notwithstanding any other provision of law,
15 the Overseas Private Investment Corporation is authorized
16 to undertake any program authorized by title IV of the
17 Foreign Assistance Act of 1961 in Iraq: *Provided further*,
18 That funds made available pursuant to the authority of
19 the previous proviso shall be subject to the regular notifi-
20 cation procedures of the Committees on Appropriations.

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

7 FUNDS APPROPRIATED TO THE PRESIDENT
8 TRADE AND DEVELOPMENT AGENCY

9 For necessary expenses to carry out the provisions
10 of section 661 of the Foreign Assistance Act of 1961,
11 \$55,200,000, to remain available until September 30,
12 2011: *Provided*, That of the funds appropriated under this
13 heading, not more than \$4,000 may be available for rep-
14 resentation and entertainment allowances.

1

TITLE VII

2

GENERAL PROVISIONS

3

ALLOWANCES AND DIFFERENTIALS

4

SEC. 7001. Funds appropriated under title I of this Act shall be available, except as otherwise provided, for allowances and differentials as authorized by subchapter 59 of title 5, United States Code; for services as authorized by 5 U.S.C. 3109; and for hire of passenger transportation pursuant to 31 U.S.C. 1343(b).

10

UNOBLIGATED BALANCES REPORT

11

SEC. 7002. Any department or agency of the United States Government to which funds are appropriated or otherwise made available by this Act shall provide to the Committees on Appropriations a quarterly accounting of cumulative balances 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.

19

CONSULTING SERVICES

20

SEC. 7003. The expenditure of any appropriation under title I of this Act for any consulting service through

21

1 the Judiciary, and Related Agencies Appropriations Act,
2 2005.

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

7 (c) Funds appropriated by this Act, and any prior
8 Act making appropriations for the Department of State,
9 foreign operations, and related programs, which may be
10 made available for the acquisition of property for diplo-
11 matic facilities in Kabul, Afghanistan, shall be subject to
12 prior consultation with, and the regular notification proce-
13 dures of, the Committees on Appropriations.

14 PERSONNEL ACTIONS

15 SEC. 7005. Any costs incurred by a department or
16 agency funded under title I of this Act resulting from per-
17 sonnel actions taken in response to funding reductions in-
18 cluded in this Act shall be absorbed within the total budg-
19 etary resources available under title I to such department
20 or agency: *Provided*, That the authority to transfer funds
21 between appropriations accounts as may be necessary to

1 carry out this section is provided in addition to authorities
2 included elsewhere in this Act: *Provided further*, That use
3 of funds to carry out this section shall be treated as a
4 reprogramming of funds under section 7015 of this Act
5 and shall not be available for obligation or expenditure ex-
6 cept in compliance with the procedures set forth in that
7 section.

8 LOCAL GUARD CONTRACTS

9 SEC. 7006. In evaluating proposals for local guard
10 contracts, the Secretary of State shall award contracts in
11 accordance with section 136 of the Foreign Relations Au-
12 thorization Act, Fiscal Years 1990 and 1991 (22 U.S.C.
13 4864), except that the Secretary may grant authorization
14 to award such contracts on the basis of best value as de-
15 termined by a cost-technical tradeoff analysis (as de-
16 scribed in Federal Acquisition Regulation (~~FAR~~) part 
17 15.101) in Iraq, Afghanistan, and Pakistan, notwith-
18 standing subsection (c)(3) of such section: *Provided*, That
19 the authority in this section shall apply to any options for
20 renewal that may be exercised under such contracts that
21 are awarded during the current fiscal year: *Provided fur-*

1 *ther*, That prior to issuing a solicitation for a contract to
2 be awarded pursuant to the authority under this section,
3 the Secretary of State shall consult with the Committees
4 on Foreign Relations and Appropriations of the Senate
5 and the Committees on Foreign Affairs and Appropria-
6 tions of the House of Representatives.

7 PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN
8 COUNTRIES

9 SEC. 7007. None of the funds appropriated or other-
10 wise made available pursuant to titles III through VI of
11 this Act shall be obligated or expended to finance directly
12 any assistance or reparations for the governments of
13 Cuba, North Korea, Iran, or Syria: *Provided*, That for
14 purposes of this section, the prohibition on obligations or
15 expenditures shall include direct loans, credits, insurance
16 and guarantees of the Export-Import Bank or its agents.

17 COUPS D'ÉTAT

18 SEC. 7008. None of the funds appropriated or other-
19 wise made available pursuant to titles III through VI of
20 this Act shall be obligated or expended to finance directly
21 any assistance to the government of any country whose

1 duly elected head of government is deposed by military
2 coup or decree: *Provided*, That assistance may be resumed
3 to such government if the President determines and cer-
4 tifies to the Committees on Appropriations that subse-
5 quent to the termination of assistance a democratically
6 elected government has taken office: *Provided further*,
7 That the provisions of this section shall not apply to as-
8 sistance to promote democratic elections or public partici-
9 pation in democratic processes: *Provided further*, That
10 funds made available pursuant to the previous provisos
11 shall be subject to the regular notification procedures of
12 the Committees on Appropriations.

13 TRANSFER AUTHORITY

14 SEC. 7009. (a) DEPARTMENT OF STATE AND BROAD-
15 CASTING BOARD OF GOVERNORS.—Not to exceed 5 per-
16 cent of any appropriation made available for the current
17 fiscal year for the Department of State under title I of
18 this Act may be transferred between such appropriations,
19 but no such appropriation, except as otherwise specifically
20 provided, shall be increased by more than 10 percent by
21 any such transfers: *Provided*, That not to exceed 5 percent

1 of any appropriation made available for the current fiscal
2 year for the Broadcasting Board of Governors under title
3 I of this Act may be transferred between such appropria-
4 tions, but no such appropriation, except as otherwise spe-
5 cifically provided, shall be increased by more than 10 per-
6 cent by any such transfers: *Provided further*, That any
7 transfer pursuant to this section shall be treated as a re-
8 programming of funds under section 7015(a) and (b) of
9 this Act and shall not be available for obligation or ex-
10 penditure except in compliance with the procedures set
11 forth in that section.

12 (b) EXPORT FINANCING TRANSFER AUTHORITIES.—
13 Not to exceed 5 percent of any appropriation other than
14 for administrative expenses made available for fiscal year
15 2010, for programs under title VI of this Act may be
16 transferred between such appropriations for use for any
17 of the purposes, programs, and activities for which the
18 funds in such receiving account may be used, but no such
19 appropriation, except as otherwise specifically provided,
20 shall be increased by more than 25 percent by any such
21 transfer: *Provided*, That the exercise of such authority

1 shall be subject to the regular notification procedures of
2 the Committees on Appropriations.

3 (c) LIMITATION ON TRANSFERS BETWEEN AGEN-
4 CIES.—

5 (1) None of the funds made available under ti-
6 tles II through V of this Act may be transferred to
7 any department, agency, or instrumentality of the
8 United States Government, except pursuant to a
9 transfer made by, or transfer authority provided in,
10 this Act or any other appropriation Act.

11 (2) Notwithstanding paragraph (1), in addition
12 to transfers made by, or authorized elsewhere in,
13 this Act, funds appropriated by this Act to carry out
14 the purposes of the Foreign Assistance Act of 1961
15 may be allocated or transferred to agencies of the
16 United States Government pursuant to the provi-
17 sions of sections 109, 610, and 632 of the Foreign
18 Assistance Act of 1961.

19 (3) Any agreement entered into by the United
20 States Agency for International Development
21 (USAID) or the Department of State with any de-

1 partment, agency, or instrumentality of the United
2 States Government pursuant to section 632(b) of the
3 Foreign Assistance Act of 1961 valued in excess of
4 \$1,000,000 and any agreement made pursuant to
5 section 632(a) of such Act, with funds appropriated
6 by this Act and prior Acts making appropriations
7 for the Department of State, foreign operations, and
8 related programs under the headings “Global Health
9 and Child Survival”, “Development Assistance”, and
10 “Economic Support Fund” shall be subject to the
11 regular notification procedures of the Committees on
12 Appropriations: *Provided*, That the requirement in
13 the previous sentence shall not apply to agreements
14 entered into between USAID and the Department of
15 State.

16 (d) TRANSFERS BETWEEN ACCOUNTS.—None of the
17 funds made available under titles II through V of this Act
18 may be obligated under an appropriation account to which
19 they were not appropriated, except for transfers specifi-
20 cally provided for in this Act, unless the President, not
21 less than 5 days prior to the exercise of any authority con-

1 tained in the Foreign Assistance Act of 1961 to transfer
2 funds, consults with and provides a written policy jus-
3 tification to the Committees on Appropriations.

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

17 REPORTING REQUIREMENT

18 SEC. 7010. The Secretary of State shall provide the
19 Committees on Appropriations, not later than April 1,
20 2010, and for each fiscal quarter, a report in writing on
21 the uses of funds made available under the headings “For-

1 eign Military Financing Program”, “International Mili-
2 tary Education and Training”, and “Peacekeeping Oper-
3 ations”: *Provided*, That such report shall include a de-
4 scription of the obligation and expenditure of funds, and
5 the specific country in receipt of, and the use or purpose
6 of the assistance provided by such funds.

7 AVAILABILITY OF FUNDS

8 SEC. 7011. No part of any appropriation contained
9 in this Act shall remain available for obligation after the
10 expiration of the current fiscal year unless expressly so
11 provided in this Act: *Provided*, That funds appropriated
12 for the purposes of chapters 1, 8, 11, and 12 of part I,
13 section 661, section 667, chapters 4, 5, 6, 8, and 9 of
14 part II of the Foreign Assistance Act of 1961, section 23
15 of the Arms Export Control Act, and funds provided under
16 the headings “Assistance for Europe, Eurasia and Central
17 Asia” and “Development Credit Authority”, shall remain
18 available for an additional 4 years from the date on which
19 the availability of such funds would otherwise have ex-
20 pired, if such funds are initially obligated before the expi-
21 ration of their respective periods of availability contained

1 in this Act: *Provided further*, That, notwithstanding any
2 other provision of this Act, any funds made available for
3 the purposes of chapter 1 of part I and chapter 4 of part
4 II of the Foreign Assistance Act of 1961 which are allo-
5 cated or obligated for cash disbursements in order to ad-
6 dress balance of payments or economic policy reform ob-
7 jectives, shall remain available until expended.

8 LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

9 SEC. 7012. No part of any appropriation provided
10 under titles III through VI in this Act shall be used to
11 furnish assistance to the government of any country which
12 is in default during a period in excess of one calendar year
13 in payment to the United States of principal or interest
14 on any loan made to the government of such country by
15 the United States pursuant to a program for which funds
16 are appropriated under this Act unless the President de-
17 termines, following consultations with the Committees on
18 Appropriations, that assistance for such country is in the
19 national interest of the United States.

1 PROHIBITION ON TAXATION OF UNITED STATES

2 ASSISTANCE

3 SEC. 7013. (a) PROHIBITION ON TAXATION.—None
4 of the funds appropriated under titles III through VI of
5 this Act may be made available to provide assistance for
6 a foreign country under a new bilateral agreement gov-
7 erning the terms and conditions under which such assist-
8 ance is to be provided unless such agreement includes a
9 provision stating that assistance provided by the United
10 States shall be exempt from taxation, or reimbursed, by
11 the foreign government, and the Secretary of State shall
12 expeditiously seek to negotiate amendments to existing bi-
13 lateral agreements, as necessary, to conform with this re-
14 quirement.

15 (b) REIMBURSEMENT OF FOREIGN TAXES.—An
16 amount equivalent to 200 percent of the total taxes as-
17 sessed during fiscal year 2010 on funds appropriated by
18 this Act by a foreign government or entity against com-
19 modities financed under United States assistance pro-
20 grams for which funds are appropriated by this Act, either
21 directly or through grantees, contractors and subcontrac-

1 tors shall be withheld from obligation from funds appro-
2 priated for assistance for fiscal year 2011 and allocated
3 for the central government of such country and for the
4 West Bank and Gaza program to the extent that the Sec-
5 retary of State certifies and reports in writing to the Com-
6 mittees on Appropriations that such taxes have not been
7 reimbursed to the Government of the United States.

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

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

17 (e) DETERMINATIONS.—

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

1 (A) does not assess taxes on United States
2 assistance or which has an effective arrange-
3 ment that is providing substantial reimburse-
4 ment of such taxes; or

5 (B) the foreign policy interests of the
6 United States outweigh the purpose of this sec-
7 tion to ensure that United States assistance is
8 not subject to taxation.

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

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

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

18 (1) the terms “taxes” and “taxation” refer to
19 value added taxes and customs duties imposed on
20 commodities financed with United States assistance

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

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

14 RESERVATIONS OF FUNDS

15 SEC. 7014. (a) Funds appropriated under titles II
16 through VI of this Act which are specifically designated
17 may be reprogrammed for other programs within the same
18 account notwithstanding the designation if compliance
19 with the designation is made impossible by operation of
20 any provision of this or any other Act: *Provided*, That any
21 such reprogramming shall be subject to the regular notifi-

1 cation procedures of the Committees on Appropriations:
2 *Provided further*, That assistance that is reprogrammed
3 pursuant to this subsection shall be made available under
4 the same terms and conditions as originally provided.

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

20 (c) Ceilings and specifically designated funding levels
21 contained in this Act shall not be applicable to funds or

1 authorities appropriated or otherwise made available by
2 any subsequent Act unless such Act specifically so directs:
3 *Provided*, That specifically designated funding levels or
4 minimum funding requirements contained in any other
5 Act shall not be applicable to funds appropriated by this
6 Act.

7 REPROGRAMMING NOTIFICATION REQUIREMENTS

8 SEC. 7015. (a) None of the funds made available in
9 title I of this Act, or in prior appropriations Acts to the
10 agencies and departments funded by this Act that remain
11 available for obligation or expenditure in fiscal year 2010,
12 or provided from any accounts in the Treasury of the
13 United States derived by the collection of fees or of cur-
14 rency reflows or other offsetting collections, or made avail-
15 able by transfer, to the agencies and departments funded
16 by this Act, shall be available for obligation or expenditure
17 through a reprogramming of funds that: (1) creates new
18 programs; (2) eliminates a program, project, or activity;
19 (3) increases funds or personnel by any means for any
20 project or activity for which funds have been denied or
21 restricted; (4) relocates an office or employees; (5) closes

1 or opens a mission or post; (6) reorganizes or renames
2 offices; (7) reorganizes programs or activities; or (8) con-
3 tracts out or privatizes any functions or activities pres-
4 ently performed by Federal employees; unless the Commit-
5 tees on Appropriations are notified 15 days in advance of
6 such reprogramming of funds.

7 (b) For the purposes of providing the executive
8 branch with the necessary administrative flexibility, none
9 of the funds provided under title I of this Act, or provided
10 under previous appropriations Acts to the agency or de-
11 partment funded under title I of this Act that remain
12 available for obligation or expenditure in fiscal year 2010,
13 or provided from any accounts in the Treasury of the
14 United States derived by the collection of fees available
15 to the agency or department funded by title I of this Act,
16 shall be available for obligation or expenditure for activi-
17 ties, programs, or projects through a reprogramming of
18 funds in excess of \$1,000,000 or 10 percent, whichever
19 is less, that: (1) augments existing programs, projects, or
20 activities; (2) reduces by 10 percent funding for any exist-
21 ing program, project, or activity, or numbers of personnel

1 by 10 percent as approved by Congress; or (3) results from
2 any general savings, including savings from a reduction
3 in personnel, which would result in a change in existing
4 programs, activities, or projects as approved by Congress;
5 unless the Committees on Appropriations are notified 15
6 days in advance of such reprogramming of funds.

7 (c) For the purposes of providing the executive
8 branch with the necessary administrative flexibility, none
9 of the funds made available under titles II through V in
10 this Act under the headings “Global Health and Child
11 Survival”, “Development Assistance”, “International Or-
12 ganizations and Programs”, “Trade and Development
13 Agency”, “International Narcotics Control and Law En-
14 forcement”, “Assistance for Europe, Eurasia and Central
15 Asia”, “Economic Support Fund”, “Democracy Fund”,
16 “Peacekeeping Operations”, “Capital Investment Fund”,
17 “Operating Expenses”, “Civilian Stabilization Initiative”,
18 “Office of Inspector General”, “Nonproliferation, Anti-
19 terrorism, Demining and Related Programs”, “Millen-
20 nium Challenge Corporation”, “Foreign Military Financ-
21 ing Program”, “International Military Education and

1 Training”, “Peace Corps”, “Complex Crises Fund”, and
2 “Migration and Refugee Assistance”, shall be available for
3 obligation for activities, programs, projects, type of mate-
4 riel assistance, countries, or other operations not justified
5 or in excess of the amount justified to the Committees on
6 Appropriations for obligation under any of these specific
7 headings unless the Committees on Appropriations are
8 previously notified 15 days in advance: *Provided*, That the
9 President shall not enter into any commitment of funds
10 appropriated for the purposes of section 23 of the Arms
11 Export Control Act for the provision of major defense
12 equipment, other than conventional ammunition, or other
13 major defense items defined to be aircraft, ships, missiles,
14 or combat vehicles, not previously justified to Congress or
15 20 percent in excess of the quantities justified to Congress
16 unless the Committees on Appropriations are notified 15
17 days in advance of such commitment: *Provided further*,
18 That requirements of this subsection or any similar provi-
19 sion of any other Act shall not apply to any reprogram-
20 ming for an activity, program, or project for which funds
21 are appropriated under titles II through IV of this Act

1 of less than 10 percent of the amount previously justified
2 to the Congress for obligation for such activity, program,
3 or project for the current fiscal year.

4 (d) Notwithstanding any other provision of law, with
5 the exception of funds transferred to, and merged with,
6 funds appropriated under title I of this Act, funds trans-
7 ferred by the Department of Defense to the Department
8 of State and the United States Agency for International
9 Development for assistance for foreign countries and
10 international organizations, and funds made available for
11 programs authorized by section 1206 of the National De-
12 fense Authorization Act for Fiscal Year 2006 (Public Law
13 109–163), shall be subject to the regular notification pro-
14 cedures of the Committees on Appropriations.

15 (e) The requirements of this section or any similar
16 provision of this Act or any other Act, including any prior
17 Act requiring notification in accordance with the regular
18 notification procedures of the Committees on Appropria-
19 tions, may be waived if failure to do so would pose a sub-
20 stantial risk to human health or welfare: *Provided*, That
21 in case of any such waiver, notification to the Committees

1 on Appropriations shall be provided as early as prac-
2 ticable, but in no event later than 3 days after taking the
3 action to which such notification requirement was applica-
4 ble, in the context of the circumstances necessitating such
5 waiver: *Provided further*, That any notification provided
6 pursuant to such a waiver shall contain an explanation
7 of the emergency circumstances.

8 (f) None of the funds appropriated under titles III
9 through VI of this Act shall be obligated or expended for
10 assistance for Serbia, Sudan, Zimbabwe, Pakistan, Do-
11 minican Republic, Cuba, Iran, Haiti, Libya, Ethiopia,
12 Nepal, Colombia, Mexico, Kazakhstan, Somalia, Sri
13 Lanka, or Cambodia and countries listed in section
14 7045(c)(2) and (f)(2) of this Act except as provided
15 through the regular notification procedures of the Com-
16 mittees on Appropriations.

17 NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

18 SEC. 7016. Prior to providing excess Department of
19 Defense articles in accordance with section 516(a) of the
20 Foreign Assistance Act of 1961, the Department of De-
21 fense shall notify the Committees on Appropriations to the

1 same extent and under the same conditions as other com-
2 mittees pursuant to subsection (f) of that section: *Pro-*
3 *vided*, That before issuing a letter of offer to sell excess
4 defense articles under the Arms Export Control Act, the
5 Department of Defense shall notify the Committees on
6 Appropriations in accordance with the regular notification
7 procedures of such Committees if such defense articles are
8 significant military equipment (as defined in section 47(9)
9 of the Arms Export Control Act) or are valued (in terms
10 of original acquisition cost) at \$7,000,000 or more, or if
11 notification is required elsewhere in this Act for the use
12 of appropriated funds for specific countries that would re-
13 ceive such excess defense articles: *Provided further*, That
14 such Committees shall also be informed of the original ac-
15 quisition cost of such defense articles.

16 LIMITATION ON AVAILABILITY OF FUNDS FOR

17 INTERNATIONAL ORGANIZATIONS AND PROGRAMS

18 SEC. 7017. Subject to the regular notification proce-
19 dures of the Committees on Appropriations, funds appro-
20 priated under titles III through VI of this Act or any pre-
21 viously enacted Act making appropriations for the Depart-

1 ment of State, foreign operations, and related programs,
2 which are returned or not made available for organizations
3 and programs because of the implementation of section
4 307(a) of the Foreign Assistance Act of 1961, shall re-
5 main available for obligation until September 30, 2011.

6 PROHIBITION ON FUNDING FOR ABORTIONS AND
7 INVOLUNTARY STERILIZATION

8 SEC. 7018. None of the funds made available to carry
9 out part I of the Foreign Assistance Act of 1961, as
10 amended, may be used to pay for the performance of abor-
11 tions as a method of family planning or to motivate or
12 coerce any person to practice abortions. None of the funds
13 made available to carry out part I of the Foreign Assist-
14 ance Act of 1961, as amended, may be used to pay for
15 the performance of involuntary sterilization as a method
16 of family planning or to coerce or provide any financial
17 incentive to any person to undergo sterilizations. None of
18 the funds made available to carry out part I of the Foreign
19 Assistance Act of 1961, as amended, may be used to pay
20 for any biomedical research which relates in whole or in
21 part, to methods of, or the performance of, abortions or

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

9

ALLOCATIONS

10 SEC. 7019. (a) Funds provided in this Act for the
11 following accounts shall be made available for programs
12 and countries in the amounts contained in the respective
13 tables included in the joint explanatory statement accom-
14 panying this Act:

15 "American Sections, International Commis-
16 sions".

17 "Civilian Stabilization Initiative".

18 "Diplomatic and Consular Programs".

19 "Educational and Cultural Exchange Pro-
20 grams".

1 “International Boundary and Water Commis-
2 sion, United States and Mexico”.

3 “International Fisheries Commissions”.

4 “International Broadcasting Operations”.

5 “Global Health and Child Survival”.

6 “Democracy Fund”.

7 “Economic Support Fund”.

8 “Assistance for Europe, Eurasia and Central
9 Asia”.

10 “International Narcotics Control and Law En-
11 forcement”.

12 “Nonproliferation, Anti-terrorism, Demining
13 and Related Programs”.

14 “Foreign Military Financing Program”.

15 “Peacekeeping Operations”.

16 “International Organizations and Programs”.

17 (b) For the purposes of implementing this section and
18 only with respect to the tables included in the joint explan-
19 atory statement accompanying this Act, the Secretary of
20 State, the Administrator of the United States Agency for
21 International Development and the Broadcasting Board of

1 Governors, as appropriate, may propose deviations to the
2 amounts referenced in subsection (a), subject to the reg-
3 ular notification procedures of the Committees on Appro-
4 priations.

5 (c) The requirements contained in subsection (a)
6 shall apply to the tables under the headings “Bilateral
7 Economic Assistance” and “General Provisions” in the
8 joint explanatory statement.

9 PROHIBITION OF PAYMENT OF CERTAIN EXPENSES

10 SEC. 7020. None of the funds appropriated or other-
11 wise made available by this Act under the headings “Inter-
12 national Military Education and Training” or “Foreign
13 Military Financing Program” for Informational Program
14 activities or under the headings “Global Health and Child
15 Survival”, “Development Assistance”, and “Economic
16 Support Fund” may be obligated or expended to pay for—

17 (1) alcoholic beverages; or

18 (2) entertainment expenses for activities that
19 are substantially of a recreational character, includ-
20 ing but not limited to entrance fees at sporting

1 events, theatrical and musical productions, and
2 amusement parks.

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

7 SEC. 7021. (a) None of the funds appropriated or
8 otherwise made available by titles III through VI of this
9 Act may be available to any foreign government which pro-
10 vides lethal military equipment to a country the govern-
11 ment of which the Secretary of State has determined is
12 a government that supports international terrorism for
13 purposes of section 6(j) of the Export Administration Act
14 of 1979: *Provided*, That the prohibition under this section
15 with respect to a foreign government shall terminate 12
16 months after that government ceases to provide such mili-
17 tary equipment: *Provided further*, That this section applies
18 with respect to lethal military equipment provided under
19 a contract entered into after October 1, 1997.

20 (b) Assistance restricted by subsection (a) or any
21 other similar provision of law, may be furnished if the

1 President determines that to do so is important to the na-
2 tional interests of the United States.

3 (c) Whenever the President makes a determination
4 pursuant to subsection (b), the President shall submit to
5 the Committees on Appropriations a report with respect
6 to the furnishing of such assistance, including a detailed
7 explanation of the assistance to be provided, the estimated
8 dollar amount of such assistance, and an explanation of
9 how the assistance furthers United States national inter-
10 ests.

11 PROHIBITION ON BILATERAL ASSISTANCE TO TERRORIST
12 COUNTRIES

13 SEC. 7022. (a) Funds appropriated for bilateral as-
14 sistance in titles III through VI of this Act and funds ap-
15 propriated under any such heading in a provision of law
16 enacted prior to the enactment of this Act, shall not be
17 made available to any country which the President deter-
18 mines—

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

1 (2) otherwise supports international terrorism.

2 (b) The President may waive the application of sub-
3 section (a) to a country if the President determines that
4 national security or humanitarian reasons justify such
5 waiver: *Provided*, That the President shall publish each
6 such waiver in the Federal Register and, at least 15 days
7 before the waiver takes effect, shall notify the Committees
8 on Appropriations of the waiver (including the justifica-
9 tion for the waiver) in accordance with the regular notifi-
10 cation procedures of the Committees on Appropriations.

11 AUTHORIZATION REQUIREMENTS

12 SEC. 7023. Funds appropriated by this Act, except
13 funds appropriated under the heading “Trade and Devel-
14 opment Agency”, may be obligated and expended notwith-
15 standing section 10 of Public Law 91–672, section 15 of
16 the State Department Basic Authorities Act of 1956, sec-
17 tion 313 of the Foreign Relations Authorization Act, Fis-
18 cal Years 1994 and 1995 (Public Law 103–236), and sec-
19 tion 504(a)(1) of the National Security Act of 1947 (50
20 U.S.C. 414(a)(1)).

1 DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

2 SEC. 7024. For the purpose of titles II through VI
3 of this Act “program, project, and activity” shall be de-
4 fined at the appropriations Act account level and shall in-
5 clude all appropriations and authorizations Acts funding
6 directives, ceilings, and limitations with the exception that
7 for the following accounts: “Economic Support Fund” and
8 “Foreign Military Financing Program”, “program,
9 project, and activity” shall also be considered to include
10 country, regional, and central program level funding with-
11 in each such account; for the development assistance ac-
12 counts of the United States Agency for International De-
13 velopment “program, project, and activity” shall also be
14 considered to include central, country, regional, and pro-
15 gram level funding, either as: (1) justified to the Congress;
16 or (2) allocated by the executive branch in accordance with
17 a report, to be provided to the Committees on Appropria-
18 tions within 30 days of the enactment of this Act, as re-
19 quired by section 653(a) of the Foreign Assistance Act
20 of 1961.

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

3 SEC. 7025. Unless expressly provided to the contrary,
4 provisions of this or any other Act, including provisions
5 contained in prior Acts authorizing or making appropria-
6 tions for the Department of State, foreign operations, and
7 related programs, shall not be construed to prohibit activi-
8 ties authorized by or conducted under the Peace Corps
9 Act, the Inter-American Foundation Act or the African
10 Development Foundation Act: *Provided*, That the agency
11 shall promptly report to the Committees on Appropria-
12 tions whenever it is conducting activities or is proposing
13 to conduct activities in a country for which assistance is
14 prohibited.

15 COMMERCE, TRADE AND SURPLUS COMMODITIES

16 SEC. 7026. (a) None of the funds appropriated or
17 made available pursuant to titles III through VI of this
18 Act for direct assistance and none of the funds otherwise
19 made available to the Export-Import Bank and the Over-
20 seas Private Investment Corporation shall be obligated or
21 expended to finance any loan, any assistance or any other

1 financial commitments for establishing or expanding pro-
2 duction of any commodity for export by any country other
3 than the United States, if the commodity is likely to be
4 in surplus on world markets at the time the resulting pro-
5 ductive capacity is expected to become operative and if the
6 assistance will cause substantial injury to United States
7 producers of the same, similar, or competing commodity:
8 *Provided*, That such prohibition shall not apply to the Ex-
9 port-Import Bank if in the judgment of its Board of Direc-
10 tors the benefits to industry and employment in the
11 United States are likely to outweigh the injury to United
12 States producers of the same, similar, or competing com-
13 modity, and the Chairman of the Board so notifies the
14 Committees on Appropriations.

15 (b) None of the funds appropriated by this or any
16 other Act to carry out chapter 1 of part I of the Foreign
17 Assistance Act of 1961 shall be available for any testing
18 or breeding feasibility study, variety improvement or intro-
19 duction, consultancy, publication, conference, or training
20 in connection with the growth or production in a foreign
21 country of an agricultural commodity for export which

1 would compete with a similar commodity grown or pro-
2 duced in the United States: *Provided*, That this subsection
3 shall not prohibit—

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

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

10 (c) The Secretary of the Treasury shall instruct the
11 United States Executive Directors of the International
12 Bank for Reconstruction and Development, the Inter-
13 national Development Association, the International Fi-
14 nance Corporation, the Inter-American Development
15 Bank, the International Monetary Fund, the Asian Devel-
16 opment Bank, the Inter-American Investment Corpora-
17 tion, the North American Development Bank, the Euro-
18 pean Bank for Reconstruction and Development, the Afri-
19 can Development Bank, and the African Development
20 Fund to use the voice and vote of the United States to
21 oppose any assistance by these institutions, using funds

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

7 SEPARATE ACCOUNTS

8 SEC. 7027. (a) SEPARATE ACCOUNTS FOR LOCAL
9 CURRENCIES.—

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

17 (A) require that local currencies be depos-
18 ited in a separate account established by that
19 government;

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

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

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

6 (C) establish by agreement with that gov-
7 ernment the responsibilities of USAID and that
8 government to monitor and account for deposits
9 into and disbursements from the separate ac-
10 count.

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

16 (A) to carry out chapter 1 or 10 of part
17 I or chapter 4 of part II of the Foreign Assist-
18 ance Act of 1961 (as the case may be), for such
19 purposes as—

20 (i) project and sector assistance activi-
21 ties; or

1 (ii) debt and deficit financing; or
2 (B) for the administrative requirements of
3 the United States Government.

4 (3) PROGRAMMING ACCOUNTABILITY.—USAID
5 shall take all necessary steps to ensure that the
6 equivalent of the local currencies disbursed pursuant
7 to subsection (a)(2)(A) from the separate account
8 established pursuant to subsection (a)(1) are used
9 for the purposes agreed upon pursuant to subsection
10 (a)(2).

11 (4) TERMINATION OF ASSISTANCE PRO-
12 GRAMS.—Upon termination of assistance to a coun-
13 try under chapter 1 or 10 of part I or chapter 4 of
14 part II of the Foreign Assistance Act of 1961 (as
15 the case may be), any unencumbered balances of
16 funds which remain in a separate account estab-
17 lished pursuant to subsection (a) shall be disposed of
18 for such purposes as may be agreed to by the gov-
19 ernment of that country and the United States Gov-
20 ernment.

1 (5) REPORTING REQUIREMENT.—The USAID
2 Administrator shall report on an annual basis as
3 part of the justification documents submitted to the
4 Committees on Appropriations on the use of local
5 currencies for the administrative requirements of the
6 United States Government as authorized in sub-
7 section (a)(2)(B), and such report shall include the
8 amount of local currency (and United States dollar
9 equivalent) used and/or to be used for such purpose
10 in each applicable country.

11 (b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—

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

20 (2) APPLICABILITY OF OTHER PROVISIONS OF
21 LAW.—Such funds may be obligated and expended

1 notwithstanding provisions of law which are incon-
2 sistent with the nature of this assistance including
3 provisions which are referenced in the Joint Explan-
4 atory Statement of the Committee of Conference ac-
5 companying House Joint Resolution 648 (House Re-
6 port No. 98–1159).

7 (3) NOTIFICATION.—At least 15 days prior to
8 obligating any such cash transfer or nonproject sec-
9 tor assistance, the President shall submit a notifica-
10 tion through the regular notification procedures of
11 the Committees on Appropriations, which shall in-
12 clude a detailed description of how the funds pro-
13 posed to be made available will be used, with a dis-
14 cussion of the United States interests that will be
15 served by the assistance (including, as appropriate,
16 a description of the economic policy reforms that will
17 be promoted by such assistance).

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

1 ELIGIBILITY FOR ASSISTANCE

2 SEC. 7028. (a) ASSISTANCE THROUGH NONGOVERN-
3 MENTAL ORGANIZATIONS.—Restrictions contained in this
4 or any other Act with respect to assistance for a country
5 shall not be construed to restrict assistance in support of
6 programs of nongovernmental organizations from funds
7 appropriated by this Act to carry out the provisions of
8 chapters 1, 10, 11, and 12 of part I and chapter 4 of
9 part II of the Foreign Assistance Act of 1961, and from
10 funds appropriated under the heading “Assistance for Eu-
11 rope, Eurasia and Central Asia”: *Provided*, That before
12 using the authority of this subsection to furnish assistance
13 in support of programs of nongovernmental organizations,
14 the President shall notify the Committees on Appropria-
15 tions under the regular notification procedures of those
16 committees, including a description of the program to be
17 assisted, the assistance to be provided, and the reasons
18 for furnishing such assistance: *Provided further*, That
19 nothing in this subsection shall be construed to alter any
20 existing statutory prohibitions against abortion or involun-
21 tary sterilizations contained in this or any other Act.

1 (b) PUBLIC LAW 480.—During fiscal year 2010, re-
2 strictions contained in this or any other Act with respect
3 to assistance for a country shall not be construed to re-
4 strict assistance under the Agricultural Trade Develop-
5 ment and Assistance Act of 1954: *Provided*, That none
6 of the funds appropriated to carry out title I of such Act
7 and made available pursuant to this subsection may be
8 obligated or expended except as provided through the reg-
9 ular notification procedures of the Committees on Appro-
10 priations.

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

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

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

1 IMPACT ON JOBS IN THE UNITED STATES

2 SEC. 7029. None of the funds appropriated under ti-
3 tles III through VI of this Act may be obligated or ex-
4 pended to provide—

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

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

1 assistance for the informal sector in such country,
2 micro and small-scale enterprise, and smallholder
3 agriculture.

4 INTERNATIONAL FINANCIAL INSTITUTIONS

5 SEC. 7030. (a) None of the funds appropriated in
6 title V of this Act may be made as payment to any inter-
7 national financial institution while the United States Ex-
8 ecutive Director to such institution is compensated by the
9 institution at a rate which, together with whatever com-
10 pensation such Director receives from the United States,
11 is in excess of the rate provided for an individual occu-
12 pying a position at level IV of the Executive Schedule
13 under section 5315 of title 5, United States Code, or while
14 any alternate United States Director to such institution
15 is compensated by the institution at a rate in excess of
16 the rate provided for an individual occupying a position
17 at level V of the Executive Schedule under section 5316
18 of title 5, United States Code.

19 (b) The Secretary of the Treasury shall instruct the
20 United States Executive Director at each international fi-
21 nancial institution to oppose any loan, grant, strategy or

1 policy of such institution that would require user fees or
2 service charges on poor people for primary education or
3 primary healthcare, including prevention, care and treat-
4 ment for HIV/AIDS, malaria, tuberculosis, and infant,
5 child, and maternal health, in connection with the institu-
6 tions' financing programs.

7 (c) The Secretary of the Treasury shall instruct the
8 United States Executive Director of the International
9 Monetary Fund (the Fund) to use the voice and vote of
10 the United States to oppose any loan, project, agreement,
11 memorandum, instrument, plan, or other program of the
12 Fund to a Heavily Indebted Poor Country that imposes
13 budget caps or restraints that do not allow the mainte-
14 nance of or an increase in governmental spending on
15 health care or education; and to promote government
16 spending on health care, education, food aid, or other crit-
17 ical safety net programs in all of the Fund's activities with
18 respect to Heavily Indebted Poor Countries.

19 (d) For purposes of this section "international finan-
20 cial institutions" are the International Bank for Recon-
21 struction and Development, the Inter-American Develop-

1 ment Bank, the Asian Development Bank, the Asian De-
2 velopment Fund, the African Development Bank, the Afri-
3 can Development Fund, the International Monetary Fund,
4 the North American Development Bank, and the Euro-
5 pean Bank for Reconstruction and Development.

6 DEBT-FOR-DEVELOPMENT

7 SEC. 7031. In order to enhance the continued partici-
8 pation of nongovernmental organizations in debt-for-devel-
9 opment and debt-for-nature exchanges, a nongovern-
10 mental organization which is a grantee or contractor of
11 the United States Agency for International Development
12 may place in interest bearing accounts local currencies
13 which accrue to that organization as a result of economic
14 assistance provided under title III of this Act and, subject
15 to the regular notification procedures of the Committees
16 on Appropriations, any interest earned on such investment
17 shall be used for the purpose for which the assistance was
18 provided to that organization.

19 AUTHORITY TO ENGAGE IN DEBT BUYBACKS OR SALES

20 SEC. 7032. (a) LOANS ELIGIBLE FOR SALE, REDUC-
21 TION, OR CANCELLATION.—

1 (1) AUTHORITY TO SELL, REDUCE, OR CANCEL
2 CERTAIN LOANS.—Notwithstanding any other provi-
3 sion of law, the President may, in accordance with
4 this section, sell to any eligible purchaser any
5 concessional loan or portion thereof made before
6 January 1, 1995, pursuant to the Foreign Assist-
7 ance Act of 1961, to the government of any eligible
8 country as defined in section 702(6) of that Act or
9 on receipt of payment from an eligible purchaser, re-
10 duce or cancel such loan or portion thereof, only for
11 the purpose of facilitating—

12 (A) debt-for-equity swaps, debt-for-develop-
13 ment swaps, or debt-for-nature swaps; or

14 (B) a debt buyback by an eligible country
15 of its own qualified debt, only if the eligible
16 country uses an additional amount of the local
17 currency of the eligible country, equal to not
18 less than 40 percent of the price paid for such
19 debt by such eligible country, or the difference
20 between the price paid for such debt and the
21 face value of such debt, to support activities

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

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

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

1 tion: *Provided*, That such agency shall make adjust-
2 ment in its accounts to reflect the sale, reduction, or
3 cancellation.

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

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

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

19 (d) DEBTOR CONSULTATIONS.—Before the sale to
20 any eligible purchaser, or any reduction or cancellation
21 pursuant to this section, of any loan made to an eligible

1 country, the President should consult with the country
2 concerning the amount of loans to be sold, reduced, or
3 canceled and their uses for debt-for-equity swaps, debt-
4 for-development swaps, or debt-for-nature swaps.

5 (e) AVAILABILITY OF FUNDS.—The authority pro-
6 vided by subsection (a) may be used only with regard to
7 funds appropriated by this Act under the heading “Debt
8 Restructuring”.

9 SPECIAL DEBT RELIEF FOR THE POOREST

10 SEC. 7033. (a) AUTHORITY TO REDUCE DEBT.—The
11 President may reduce amounts owed to the United States
12 (or any agency of the United States) by an eligible country
13 as a result of—

14 (1) guarantees issued under sections 221 and
15 222 of the Foreign Assistance Act of 1961;

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

18 (3) any obligation or portion of such obligation,
19 to pay for purchases of United States agricultural
20 commodities guaranteed by the Commodity Credit
21 Corporation under export credit guarantee programs

1 authorized pursuant to section 5(f) of the Com-
2 modity Credit Corporation Charter Act of June 29,
3 1948, as amended, section 4(b) of the Food for
4 Peace Act of 1966, as amended (Public Law 89-
5 808), or section 202 of the Agricultural Trade Act
6 of 1978, as amended (Public Law 95-501).

7 (b) LIMITATIONS.—

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

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

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

1 Development, commonly referred to as “IDA-only”
2 countries.

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

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

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

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

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

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

19 (d) AVAILABILITY OF FUNDS.—The authority pro-
20 vided by subsection (a) may be used only with regard to

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

3 (e) CERTAIN PROHIBITIONS INAPPLICABLE.—A re-
4 duction of debt pursuant to subsection (a) shall not be
5 considered assistance for the purposes of any provision of
6 law limiting assistance to a country: *Provided*, That the
7 authority provided by subsection (a) may be exercised not-
8 withstanding section 620(r) of the Foreign Assistance Act
9 of 1961 or section 321 of the International Development
10 and Food Assistance Act of 1975.

11 SPECIAL AUTHORITIES

12 SEC. 7034. (a) AFGHANISTAN, IRAQ, PAKISTAN,
13 LEBANON, MONTENEGRO, VICTIMS OF WAR, DISPLACED
14 CHILDREN, AND DISPLACED BURMESE.—Funds appro-
15 priated under titles III through VI of this Act that are
16 made available for assistance for Afghanistan may be
17 made available notwithstanding section 7012 of this Act
18 or any similar provision of law and section 660 of the For-
19 eign Assistance Act of 1961, and funds appropriated in
20 titles III and VI of this Act that are made available for
21 Iraq, Lebanon, Montenegro, Pakistan, and for victims of

1 war, displaced children, and displaced Burmese, and to as-
2 sist victims of trafficking in persons and, subject to the
3 regular notification procedures of the Committees on Ap-
4 propriations, to combat such trafficking, may be made
5 available notwithstanding any other provision of law.

6 (b) WAIVER.—

7 (1) The President may waive the provisions of
8 section 1003 of Public Law 100–204 if the Presi-
9 dent determines and certifies in writing to the
10 Speaker of the House of Representatives, the Presi-
11 dent pro tempore of the Senate, and the Committees
12 on Appropriations that it is important to the na-
13 tional security interests of the United States.

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

19 (c) SMALL BUSINESS.—In entering into multiple
20 award indefinite-quantity contracts with funds appro-
21 priated by this Act, the United States Agency for Inter-

1 national Development may provide an exception to the fair
2 opportunity process for placing task orders under such
3 contracts when the order is placed with any category of
4 small or small disadvantaged business.

5 (d) **AUTHORITY REPEALED.**—Section 7034(d) of
6 Public Law 111–8 is hereby repealed.

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

15 (f) **EXTENSION OF AUTHORITY.**—The Foreign Oper-
16 ations, Export Financing, and Related Programs Appro-
17 priations Act, 1990 (Public Law 101–167) is amended—

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

19 (A) in subsection (b)(3), by striking “and
20 2009” and inserting “2009, and 2010”; and

1 (B) in subsection (e), by striking “2009”
2 each place it appears and inserting “2010”; and
3 (2) in section 599E (8 U.S.C. 1255 note) in
4 subsection (b)(2), by striking “2009” and inserting
5 “2010”.

6 (g) WORLD FOOD PROGRAM.—Of the funds managed
7 by the Bureau for Democracy, Conflict, and Humanitarian
8 Assistance, United States Agency for International Devel-
9 opment, from this or any other Act, not less than
10 \$10,000,000 shall be made available as a general contribu-
11 tion to the World Food Program, notwithstanding any
12 other provision of law.

13 (h) DISARMAMENT, DEMOBILIZATION AND RE-
14 INTEGRATION.—Notwithstanding any other provision of
15 law, regulation or Executive order, funds appropriated by
16 this Act and prior Acts making appropriations for the De-
17 partment of State, foreign operations, and related pro-
18 grams under the headings “Economic Support Fund”,
19 “Peacekeeping Operations”, “International Disaster As-
20 sistance”, and “Transition Initiatives” should be made
21 available to support programs to disarm, demobilize, and

1 reintegrate into civilian society former members of foreign
2 terrorist organizations: *Provided*, That the Secretary of
3 State shall consult with the Committees on Appropriations
4 prior to the obligation of funds pursuant to this sub-
5 section: *Provided further*, That for the purposes of this
6 subsection the term “foreign terrorist organization”
7 means an organization designated as a terrorist organiza-
8 tion under section 219 of the Immigration and Nationality
9 Act.

10 (i) MIDDLE EAST FOUNDATION.—Funds appro-
11 priated by this Act and prior Acts for a Middle East Foun-
12 dation shall be subject to the regular notification proce-
13 dures of the Committees on Appropriations.

14 (j) CONTINGENCIES.—During fiscal year 2010, the
15 President may use up to \$50,000,000 under the authority
16 of section 451 of the Foreign Assistance Act of 1961, not-
17 withstanding any other provision of law.

18 (k) PROGRAM FOR RESEARCH AND TRAINING ON
19 EASTERN EUROPE AND THE INDEPENDENT STATES OF
20 THE FORMER SOVIET UNION.—Of the funds appropriated
21 by this Act under the heading, “Economic Support Fund”,

1 not less than \$5,000,000 shall be made available to carry
2 out the Program for Research and Training on Eastern
3 Europe and the Independent States of the Former Soviet
4 Union (title VIII) as authorized by the Soviet-Eastern Eu-
5 ropean Research and Training Act of 1983 (22 U.S.C.
6 4501–4508, as amended).

7 (l) INTERPARLIAMENTARY EXCHANGES.—Of the un-
8 obligated funds in the “Educational and Cultural Ex-
9 change Programs” appropriation account, \$411,687 shall
10 be transferred to the permanent appropriation for delega-
11 tion expenses provided under section 303 of the Depart-
12 ments of Commerce, Justice, and State, the Judiciary, and
13 Related Agencies Appropriations Act, 1988, as enacted
14 into law by section 101(a) of Public Law 100–202 (22
15 USC 276e note), for the purpose of conducting Inter-
16 parliamentary Exchanges and shall remain available until
17 expended.

18 (m) DEMOCRACY PROMOTION.—

19 (1) Funds made available by this Act that are
20 made available for the promotion of democracy may
21 be made available notwithstanding any other provi-

1 sion of law, and with regard to the National Endow-
2 ment for Democracy, any regulation.

3 (2) For the purposes of funds appropriated by
4 this Act, the term “promotion of democracy” means
5 programs that support good governance, human
6 rights, independent media, and the rule of law, and
7 otherwise strengthen the capacity of democratic po-
8 litical parties, governments, nongovernmental organi-
9 zations and institutions, and citizens to support the
10 development of democratic states, institutions, and
11 practices that are responsive and accountable to citi-
12 zens.

13 (3) Any contract, grant, or cooperative agree-
14 ment (or any amendment to any contract, grant or
15 cooperative agreement) in excess of \$1,000,000 of
16 funds under the heading “Democracy Fund”, and in
17 excess of \$2,500,000 under other headings in this
18 Act for the promotion of democracy, with the excep-
19 tion of programs and activities of the National En-
20 dowment for Democracy, shall be subject to the reg-

1 ular notification procedures of the Committees on
2 Appropriations.

3 (4) With respect to the provision of assistance
4 for democracy, human rights and governance activi-
5 ties in this Act, the organizations implementing such
6 assistance and the specific nature of that assistance
7 shall not be subject to the prior approval by the gov-
8 ernment of any foreign country.

9 (5) Of the funds appropriated under title III of
10 this Act that are made available for the promotion
11 of democracy, not less than \$30,000,000 shall be
12 made available to expand access to information and
13 communications through the Internet, and shall be
14 used for programs that provide unmonitored and un-
15 censored access to the Internet for large numbers of
16 users living in closed societies that have acutely hos-
17 tile Internet environments.

18 (n) PERSONNEL.—The authority provided by section
19 1113 of Public Law 111–32 shall remain in effect through
20 fiscal year 2010.

1 (o) PARTNER VETTING.—None of the funds appro-
2 priated by this Act or any prior Act may be used by the
3 Secretary of State or the Administrator of the United
4 States Agency for International Development (USAID) to
5 implement a Partner Vetting System (PVS): *Provided,*
6 That notwithstanding the previous sentence, funds appro-
7 priated by this Act may be used to implement a PVS pilot
8 program, including necessary rulemaking: *Provided fur-*
9 *ther,* That any such PVS pilot program shall apply equally
10 to the programs and activities of the Department of State
11 and USAID: *Provided further,* That the Secretary of State
12 and the USAID Administrator shall jointly consult with
13 the Committees on Appropriations not later than 90 days
14 after enactment of this Act and prior to the implementa-
15 tion of such a PVS pilot program, and such funds shall
16 be subject to the regular notification procedures of the
17 Committees on Appropriations.

18 (p) SPENDING PLANS.—The Secretary of State shall
19 submit to the Committees on Appropriations not later
20 than 45 days after enactment of this Act, and prior to
21 the initial obligation of funds for assistance for Afghani-

1 stan, Pakistan, and Iraq, detailed spending plans for
2 funds appropriated for such purposes.

3 (q) TECHNICAL CORRECTIONS.—

4 (1)(A) Section 67 of the Bretton Woods Agree-
5 ments Act, as added by section 1402 of the Supple-
6 mental Appropriations Act, 2009, is amended by
7 striking “resolution numbered 54-4” and inserting
8 “resolution numbered 52-4”.

(Public
Law
111-32)

9 (B) The amendment made by subparagraph (A)
10 shall take effect as if included in the enactment of
11 section 1402 of Public Law 111-32.

12 (2) Section 302(1) of the Foreign Assistance
13 Act of 1961 is amended by striking “Vaccine Fund”
14 and inserting “GAVI Alliance”.

15 (r) ACCOUNTABILITY REVIEW BOARDS.—The au-
16 thority provided by section 301(a)(3) of the Omnibus Dip-
17 lomatic Security and Antiterrorism Act of 1986 (22
18 U.S.C. 4831(a)(3)) shall remain in effect through Sep-
19 tember 30, 2010.

20 (s) PROTECTIONS AND REMEDIES FOR EMPLOYEES
21 OF DIPLOMATIC MISSIONS AND INTERNATIONAL ORGANI-

1 ZATIONS.—The Secretary of State shall promptly and fully
2 implement section 203(a)(2) of the William Wilberforce
3 Trafficking Victims Protection Reauthorization Act of
4 2008 (Public Law 110–457): *Provided*, That in deter-
5 mining whether to suspend the issuance of A–3 or G–5
6 visas to applicants seeking to work for officials of a diplo-
7 matic mission or international organization, the Secretary
8 shall consider whether a final court judgment has been
9 issued against a current or former employee of such mis-
10 sion or organization (and the time period for a final appeal
11 has expired): *Provided further*, That the Secretary should
12 assist in obtaining payment of final court judgments
13 awarded to A–3 and G–5 visa holders: *Provided further*,
14 That the Secretary should include all trafficking cases in-
15 volving A–3 or G–5 visa holders in the Trafficking in Per-
16 sons annual report where a final civil judgment has issued
17 (and the time period for final appeal has expired) or the
18 Department of Justice has determined that the United
19 States Government would seek to indict the diplomat or
20 a family member but for diplomatic immunity.

been

1 (t) INTERNATIONAL TRIBUNAL FOR YUGOSLAVIA.—
2 Section 1342(c)(3) of the National Defense Authorization
3 Act for Fiscal Year 1996 (Public Law 104–106) is amend-
4 ed by adding “, as amended” after “signed at The Hague,
5 October 5, 1994”.

6 ARAB LEAGUE BOYCOTT OF ISRAEL

7 SEC. 7035. It is the sense of the Congress that—

8 (1) the Arab League boycott of Israel, and the
9 secondary boycott of American firms that have com-
10 mercial ties with Israel, is an impediment to peace
11 in the region and to United States investment and
12 trade in the Middle East and North Africa;

13 (2) the Arab League boycott, which was regret-
14 tably reinstated in 1997, should be immediately and
15 publicly terminated, and the Central Office for the
16 Boycott of Israel immediately disbanded;

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

19 (4) the President and the Secretary of State
20 should continue to vigorously oppose the Arab
21 League boycott of Israel and find concrete steps to

1 demonstrate that opposition by, for example, taking
2 into consideration the participation of any recipient
3 country in the boycott when determining to sell
4 weapons to said country; and

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

14 PALESTINIAN STATEHOOD

15 SEC. 7036. (a) LIMITATION ON ASSISTANCE.—None
16 of the funds appropriated under titles III through VI of
17 this Act may be provided to support a Palestinian state
18 unless the Secretary of State determines and certifies to
19 the appropriate congressional committees that—

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

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

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

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

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

19 (B) respect for and acknowledgment of the
20 sovereignty, territorial integrity, and political
21 independence of every state in the area through

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

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

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

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

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

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

19 (d) EXEMPTION.—The restriction in subsection (a)
20 shall not apply to assistance intended to help reform the
21 Palestinian Authority and affiliated institutions, or the

1 governing entity, in order to help meet the requirements
2 of subsection (a), consistent with the provisions of section
3 7040 of this Act (“Limitation on Assistance to the Pales-
4 tinian Authority”).

5 RESTRICTIONS CONCERNING THE PALESTINIAN
6 AUTHORITY

7 SEC. 7037. None of the funds appropriated under ti-
8 tles II through VI of this Act may be obligated or ex-
9 pended to create in any part of Jerusalem a new office
10 of any department or agency of the United States Govern-
11 ment for the purpose of conducting official United States
12 Government business with the Palestinian Authority over
13 Gaza and Jericho or any successor Palestinian governing
14 entity provided for in the Israel-PLO Declaration of Prin-
15 ciples: *Provided*, That this restriction shall not apply to
16 the acquisition of additional space for the existing Con-
17 sulate General in Jerusalem: *Provided further*, That meet-
18 ings between officers and employees of the United States
19 and officials of the Palestinian Authority, or any successor
20 Palestinian governing entity provided for in the Israel-
21 PLO Declaration of Principles, for the purpose of con-

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

9 PROHIBITION ON ASSISTANCE TO THE PALESTINIAN
10 BROADCASTING CORPORATION

11 SEC. 7038. None of the funds appropriated or other-
12 wise made available by this Act may be used to provide
13 equipment, technical support, consulting services, or any
14 other form of assistance to the Palestinian Broadcasting
15 Corporation.

16 ASSISTANCE FOR THE WEST BANK AND GAZA

17 SEC. 7039. (a) OVERSIGHT.—For fiscal year 2010,
18 30 days prior to the initial obligation of funds for the bi-
19 lateral West Bank and Gaza Program, the Secretary of
20 State shall certify to the Committees on Appropriations
21 that procedures have been established to assure the Comp-

1 troller General of the United States will have access to
2 appropriate United States financial information in order
3 to review the uses of United States assistance for the Pro-
4 gram funded under the heading “Economic Support
5 Fund” for the West Bank and Gaza.

6 (b) VETTING.—Prior to the obligation of funds ap-
7 propriated by this Act under the heading “Economic Sup-
8 port Fund” for assistance for the West Bank and Gaza,
9 the Secretary of State shall take all appropriate steps to
10 ensure that such assistance is not provided to or through
11 any individual, private or government entity, or edu-
12 cational institution that the Secretary knows or has reason
13 to believe advocates, plans, sponsors, engages in, or has
14 engaged in, terrorist activity nor, with respect to private
15 entities or educational institutions, those that have as a
16 principal officer of the entity’s governing board or gov-
17 erning board of trustees any individual that has been de-
18 termined to be involved in, or advocating terrorist activity
19 or determined to be a member of a designated foreign ter-
20 rorist organization: *Provided*, That the Secretary of State
21 shall, as appropriate, establish procedures specifying the

1 steps to be taken in carrying out this subsection and shall
2 terminate assistance to any individual, entity, or edu-
3 cational institution which the Secretary has determined to
4 be involved in or advocating terrorist activity.

5 (c) PROHIBITION.—

6 (1) None of the funds appropriated under titles
7 III through VI of this Act for assistance under the
8 West Bank and Gaza Program may be made avail-
9 able for the purpose of recognizing or otherwise hon-
10 oring individuals who commit, or have committed
11 acts of terrorism.

12 (2) Notwithstanding any other provision of law,
13 none of the funds made available by this or prior ap-
14 propriations Acts, including funds made available by
15 transfer, may be made available for obligation for se-
16 curity assistance for the West Bank and Gaza until
17 the Secretary of State reports to the Committees on
18 Appropriations on the benchmarks that have been
19 established for security assistance for the West
20 Bank and Gaza and reports on the extent of Pales-
21 tinian compliance with such benchmarks.

1 (d) AUDITS.—

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

10 (2) Of the funds appropriated by this Act up to
11 \$500,000 may be used by the Office of the Inspector
12 General of the United States Agency for Inter-
13 national Development for audits, inspections, and
14 other activities in furtherance of the requirements of
15 this subsection: *Provided*, That such funds are in ad-
16 dition to funds otherwise available for such pur-
17 poses.

18 (e) Subsequent to the certification specified in sub-
19 section (a), the Comptroller General of the United States
20 shall conduct an audit and an investigation of the treat-
21 ment, handling, and uses of all funds for the bilateral

1 West Bank and Gaza Program, including all funds pro-
2 vided as cash transfer assistance, in fiscal year 2010
3 under the heading “Economic Support Fund”, and such
4 audit shall address—

5 (1) the extent to which such Program complies
6 with the requirements of subsections (b) and (c);
7 and

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

11 (f) Funds made available in this Act for West Bank
12 and Gaza shall be subject to the regular notification proce-
13 dures of the Committees on Appropriations.

14 (g) Not later than 180 days after enactment of this
15 Act, the Secretary of State shall submit a report to the
16 Committees on Appropriations updating the report con-
17 tained in section 2106 of chapter 2 of title II of Public
18 Law 109–13.

1 the funds will be spent, and the accounting procedures in
2 place to ensure that the funds are properly disbursed: *Pro-*
3 *vided*, That the report shall also detail the steps the Pales-
4 tinian Authority has taken to arrest terrorists, confiscate
5 weapons and dismantle the terrorist infrastructure.

6 (e) CERTIFICATION.—If the President exercises the
7 waiver authority under subsection (b), the Secretary of
8 State must certify and report to the Committees on Ap-
9 propriations prior to the obligation of funds that the Pal-
10 estinian Authority has established a single treasury ac-
11 count for all Palestinian Authority financing and all fi-
12 nancing mechanisms flow through this account, no parallel
13 financing mechanisms exist outside of the Palestinian Au-
14 thority treasury account, and there is a single comprehen-
15 sive civil service roster and payroll.

16 (f) PROHIBITION TO HAMAS AND THE PALESTINE
17 LIBERATION ORGANIZATION.—

18 (1) None of the funds appropriated in titles III
19 through VI of this Act may be obligated for salaries
20 of personnel of the Palestinian Authority located in
21 Gaza or may be obligated or expended for assistance

1 to Hamas or any entity effectively controlled by
2 Hamas or any power-sharing government of which
3 Hamas is a member.

4 (2) Notwithstanding the limitation of subsection
5 (1), assistance may be provided to a power-sharing
6 government only if the President certifies and re-
7 ports to the Committees on Appropriations that such
8 government, including all of its ministers or such
9 equivalent, has publicly accepted and is complying
10 with the principles contained in section
11 620K(b)(1)(A) and (B) of the Foreign Assistance
12 Act of 1961, as amended.

13 (3) The President may exercise the authority in
14 section 620K(e) of the Foreign Assistance Act as
15 added by the Palestinian Anti-Terrorism Act of
16 2006 (Public Law 109-446) with respect to this
17 subsection.

18 (4) Whenever the certification pursuant to
19 paragraph (2) is exercised, the Secretary of State
20 shall submit a report to the Committees on Appro-
21 priations within 120 days of the certification and

1 every quarter thereafter on whether such govern-
2 ment, including all of its ministers or such equiva-
3 lent are continuing to comply with the principles
4 contained in section 620K(b)(1)(A) and (B) of the
5 Foreign Assistance Act of 1961, as amended: *Pro-*
6 *vided*, That the report shall also detail the amount,
7 purposes and delivery mechanisms for any assistance
8 provided pursuant to the abovementioned certifi-
9 cation and a full accounting of any direct support of
10 such government.

11 (5) None of the funds appropriated under titles
12 III through VI of this Act may be obligated for as-
13 sistance for the Palestine Liberation Organization.

14 SAUDI ARABIA

15 SEC. 7041. None of the funds made available in this
16 Act may be obligated or expended to finance any assist-
17 ance to Saudi Arabia: *Provided*, That the Secretary of
18 State may waive this section if the Secretary determines
19 that to do so is in the national interests of the United
20 States.

1 NEAR EAST

2 SEC. 7042. (a) EGYPT.—

3 (1) Of the funds appropriated by titles III and
4 IV of this Act, not less than \$1,295,200,000 shall be
5 made available for assistance for Egypt.

6 (2) Of the funds appropriated by this Act under
7 the heading “Economic Support Fund” for assist-
8 ance for Egypt, up to \$50,000,000 may be made
9 available for an endowment to further the shared in-
10 terests of the United States and Egypt, consistent
11 with the purposes and requirements for which such
12 funds are requested in the fiscal year 2010 congress-
13 sional budget justification materials and appro-
14 priated under such heading: *Provided*, That the Sec-
15 retary of State shall consult with the Committees on
16 Appropriations on the establishment of such an en-
17 dowment, and any funds to be used for such an en-
18 dowment shall be subject to the regular notification
19 procedures of the Committees on Appropriations.

20 (b) IRAQ.—

1 (1) Of the funds appropriated by titles III and
2 IV of this Act, up to \$466,800,000 may be made
3 available for assistance for Iraq.

4 (2) The terms and conditions of section 1106(a)
5 and (b) of Public Law 111–32 shall apply to assist-
6 ance for Iraq in fiscal year 2010.

7 (3) None of the funds made available in this
8 Act may be used by the Government of the United
9 States to enter into a permanent basing rights
10 agreement between the United States and Iraq.

11 (c) JORDAN.—Of the funds appropriated by titles III
12 and IV of this Act, not less than \$542,950,000 shall be
13 made available for assistance for Jordan.

14 (d) LEBANON.—

15 (1) Of the funds appropriated by titles III and
16 IV of this Act, not less than \$238,300,000 shall be
17 made available for assistance for Lebanon.

18 (2) Funds appropriated under the heading
19 “Foreign Military Financing Program” in this Act
20 for assistance for Lebanon shall be made available
21 only to professionalize the Lebanese Armed Forces

1 and to strengthen border security and combat ter-
2 rorism, including training and equipping the Leba-
3 nese Armed Forces to secure Lebanon's borders,
4 interdicting arms shipments, preventing the use of
5 Lebanon as a safe haven for terrorist groups and
6 implementing United Nations Security Resolution
7 1701: *Provided*, That funds may not be made avail-
8 able for obligation until the Secretary of State pro-
9 vides the Committees on Appropriations a detailed
10 spending plan.

Council

11 (e) MIDDLE EAST PEACE.—Funds appropriated by
12 this Act should be made available in a manner to further
13 peace in the Middle East between Israelis and Palestin-
14 ians.

15 (f) WEST BANK AND GAZA.—

16 (1) Of the funds appropriated by titles III and
17 IV of this Act, \$502,900,000 shall be made available
18 for assistance for the West Bank and Gaza.

19 (2) The reporting requirements contained in
20 section 1404 of Public Law 110–242 shall apply to
21 funds made available by this Act, including a de-

SC

SEC. 7043. (a) USE OF FUNDS.—It is the policy of the United States to seek to prevent Iran from achieving the capability to produce or otherwise manufacture nuclear weapons, including by supporting international diplomatic efforts to halt Iran's uranium enrichment program, and the President should fully implement and enforce the Iran Sanctions Act of 1996, as amended (Public Law 104-172) as a means of encouraging foreign governments to require state-owned and private entities to cease all investment in, and support of, Iran's energy sector and all exports of refined petroleum products to Iran.

(b) LIMITATION.—

(1) None of the funds made available in title VI of this Act under the heading "Program Account" or "Subsidy Appropriation" may be used by the Export-Import Bank of the United States to authorize any new guarantee, insurance, or extension of credit for any project controlled by an energy producer or refiner that continues to:

- (A) provide Iran with significant refined petroleum resources;
- (B) materially contribute to Iran's capability to import refined petroleum resources; or
- (C) allow Iran to maintain or expand, in any material respect, its domestic production of refined petroleum resources, including any assistance in refinery construction, modernization, or repair.

(2) If the Secretary of State determines and reports to the Committees on Appropriations that a country is closely cooperating with efforts of the United States related to Iran, such as through the imposition of sanctions, the Secretary may exempt private entities from such country from the limitation under paragraph (1).

(3) The President may waive the limitation under paragraph (1) if the President determines and reports to the Committees on Appropriations that to do so is important to the national security interest of the United States.

(c) REPORTS.—

(1) The Secretary of State shall submit to the Committees on Appropriations, not later than 90 days after the date of enactment of this Act and the end of each 90-day period thereafter until September 30, 2010, a report on the status of the bilateral and multilateral efforts aimed at curtailing the pursuit by Iran of nuclear weapons technology.

(2) The Secretary of State, in consultation with the Secretary of the Treasury, shall submit to the Committees on Appropriations, not later than 180 days after the date of enactment of this Act, a report on the status of bilateral United States and multilateral sanctions against Iran and actions taken by the United States and the international community to enforce sanctions against Iran: *Provided*, That such report may be submitted in classified form if necessary and shall include the following:

- (A) a list of all current United States bilateral and multilateral sanctions against Iran;
- (B) a list of all United States and foreign entities that the Secretary of State has reason to believe may be in violation of existing United States bilateral and multilateral sanctions;
- (C) a detailed description of United States efforts to enforce sanctions, including a list of all investigations initiated in the 12 months preceding the date of enactment of this Act that have resulted in a determination that a sanctions violation has occurred, and actions taken by the United States Government pursuant to the determination;
- (D) any case in which sanctions were waived or otherwise not imposed against an entity which was determined to have engaged in activities for which sanctions should be imposed and the reason why action was not taken to sanction the entity; and
- (E) a description of United States diplomatic efforts to expand bilateral and multilateral sanctions against Iran and strengthen international efforts to enforce existing sanctions.

1 gram Account” and “Subsidy Appropriation” may be used
2 by the Export-Import Bank of the United States to guar-
3 antee, insure, or extend credit for any project controlled
4 by an energy producer or refiner that provides the Islamic
5 Republic of Iran with significant refined petroleum re-
6 sources, that materially contributes to Iran’s capability to
7 import refined petroleum resources, or that allows Iran to
8 maintain or expand, in any material respect, its domestic
9 production of refined petroleum resources, including any
10 assistance in refinery construction, modernization, or re-
11 pair.

12 (c) SANCTIONS REPORT.—Not later than 90 days
13 after enactment of this Act, the Secretary of State shall
14 submit a report to the Committees on Appropriations on
15 the status of multilateral and bilateral United States sanc-
16 tions against Iran and actions taken by the United States
17 and the international community to enforce sanctions
18 against Iran. The report, which may be submitted in clas-
19 sified form if necessary, shall include the following:

- 20 (1) A list of all current United States bilateral
21 and multilateral sanctions against Iran.

1 (2) A list of all United States and foreign reg-
2 istered entities which the Secretary of State has rea-
3 son to believe may be in violation of existing United
4 States bilateral and multilateral sanctions.

5 (3) A detailed description of United States ef-
6 forts to enforce sanctions, including a list of all in-
7 vestigations initiated in the 12 months preceding the
8 enactment of this Act that have resulted in a deter-
9 mination that a sanctions violation has occurred and
10 United States Government actions taken pursuant to
11 the determination.

12 (4) In the instances when sanctions were
13 waived or otherwise not imposed against entities
14 that were determined to have violated United States
15 bilateral or multilateral sanctions, the reason in each
16 instance of why action was not taken to sanction the
17 entity.

18 (5) A description of United States diplomatic
19 efforts to expand bilateral and multilateral sanctions
20 against Iran and strengthen international efforts to
21 enforce existing sanctions.

1 AIRCRAFT TRANSFER AND COORDINATION

2 SEC. 7044. (a) TRANSFER AUTHORITY.—Notwith-
3 standing any other provision of law or regulation, aircraft
4 procured with funds appropriated by this Act and prior
5 Acts making appropriations for the Department of State,
6 foreign operations, and related programs under the head-
7 ings “Diplomatic and Consular Programs”, “International
8 Narcotics Control and Law Enforcement”, and “Andean
9 Counterdrug Programs” may be used for any other pro-
10 gram and in any region, including for the transportation
11 of active and standby Civilian Response Corps personnel
12 and equipment during a deployment: *Provided*, That the
13 responsibility for policy decisions and justification for the
14 use of such transfer authority shall be the responsibility
15 of the Secretary of State and the Deputy Secretary of
16 State and this responsibility shall not be delegated.

17 (b) PROPERTY DISPOSAL.—The authority provided
18 in subsection (a) shall apply only after a determination
19 by the Secretary of State to the Committees on Appropria-
20 tions that the equipment is no longer required to meet
21 programmatic purposes in the designated country or re-

1 gion: *Provided*, That any such transfer shall be subject
2 to prior consultation with, and the regular notification
3 procedures of, the Committees on Appropriations.

4 (c) AIRCRAFT COORDINATION.—

5 (1) The uses of aircraft purchased or leased by
6 the Department of State and the United States
7 Agency for International Development (USAID)
8 with funds made available in this Act or prior Acts
9 making appropriations for the Department of State,
10 foreign operations, and related programs shall be co-
11 ordinated under the authority of the appropriate
12 Chief of Mission: *Provided*, That such aircraft may
13 be used to transport Federal and non-Federal per-
14 sonnel supporting the Department of State and
15 USAID programs and activities: *Provided further*,
16 That official travel for other agencies for other pur-
17 poses may be supported on a reimbursable basis, or
18 without reimbursement when traveling on a space
19 available basis.

1 mental capacity building activities relating to the free
2 trade agreements with countries of Central America, Peru
3 and the Dominican Republic.

4 (b) ASSISTANCE FOR HAITI.—

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

9 (2) Of the funds appropriated by this Act under
10 titles III and IV, not less than \$295,530,000 shall
11 be made available for assistance for Haiti.

12 (3) None of the funds made available by this
13 Act under the heading “International Narcotics Con-
14 trol and Law Enforcement” may be used to transfer
15 excess weapons, ammunition or other lethal property
16 of an agency of the United States Government to
17 the Government of Haiti for use by the Haitian Na-
18 tional Police until the Secretary of State reports to
19 the Committees on Appropriations that any mem-
20 bers of the Haitian National Police who have been
21 credibly alleged to have committed serious crimes,

1 including drug trafficking and violations of inter-
2 nationally recognized human rights, have been sus-
3 pended.

for assistance for
the countries of
the Caribbean Basin,

4 (c) CARIBBEAN BASIN SECURITY INITIATIVE.—Of
5 the funds appropriated under the headings “Development
6 Assistance”, “Economic Support Fund”, “International
7 Narcotics Control and Law Enforcement”, and “Foreign
8 Military Financing Program” in this Act, not less than
9 \$37,000,000 should be made available to provide equip-
10 ment and training to combat drug trafficking and related
11 violence and organized crime, and for judicial reform, in-
12 stitution building, education, anti-corruption, rule of law
13 activities, and maritime security, of which not less than
14 \$21,100,000 should be made available for social justice
15 and education programs to include vocational training,
16 workforce development and juvenile justice activities: *Pro-*
17 *vided*, That none of the funds made available under this
18 subsection shall be made available for budget support or
19 as cash payments.

20 (1) SPENDING PLAN.—Not later than 45 days
21 after the date of the enactment of this Act, the Sec-

1 retary of State shall submit to the Committees on
2 Appropriations a detailed spending plan for funds
3 appropriated or otherwise made available for the
4 countries of the Caribbean Basin by this Act, with
5 concrete goals, actions to be taken, budget pro-
6 posals, and anticipated results.

7 (2) DEFINITION.—For the purposes of this sub-
8 section, the term “countries of the Caribbean Basin”
9 means Antigua and Barbuda, The Bahamas, Bar-
10 bados, Belize, Dominica, Dominican Republic, Gre-
11 nada, Guyana, Haiti, Jamaica, St. Kitts and Nevis,
12 Saint Lucia, St. Vincent and the Grenadines,
13 Suriname, and Trinidad and Tobago.

14 (d) ASSISTANCE FOR GUATEMALA.—

15 (1) Of the funds appropriated by this Act under
16 the heading “International Narcotics Control and
17 Law Enforcement” not less than \$4,000,000 shall
18 be made available for a United States contribution
19 to the International Commission Against Impunity
20 in Guatemala (CICIG).

1 (2) Funds appropriated by this Act under the
2 heading “International Military Education and
3 Training” (IMET) that are available for assistance
4 for Guatemala, other than for expanded IMET, may
5 be made available only for the Guatemalan Air
6 Force, Navy and Army Corps of Engineers: *Pro-*
7 *vided*, That assistance for the Army Corps of Engi-
8 neers shall only be available for training to improve
9 disaster response capabilities and to participate in
10 international peacekeeping operations: *Provided fur-*
11 *ther*, That such funds may be made available only if
12 the Secretary of State certifies that the Air Force,
13 Navy and Army Corps of Engineers are respecting
14 internationally recognized human rights and cooper-
15 ating with civilian judicial investigations and pros-
16 ecutions of current and retired military personnel
17 who have been credibly alleged to have committed
18 violations of such rights, and with the CICIG by
19 granting access to CICIG personnel, providing evi-
20 dence to CICIG, and allowing witness testimony.

1 (3) Of the funds appropriated by this Act under
2 the heading “Foreign Military Financing Program”,
3 not more than \$1,000,000 may be made available
4 for the Guatemalan Air Force, Navy and Army
5 Corps of Engineers: *Provided*, That assistance for
6 the Army Corps of Engineers shall only be available
7 for training to improve disaster response capabilities
8 and to participate in international peacekeeping op-
9 erations: *Provided further*, That such funds may be
10 made available only if the Secretary of State certifies
11 that the Air Force, Navy and Army Corps of Engi-
12 neers are respecting internationally recognized
13 human rights and cooperating with civilian judicial
14 investigations and prosecutions of current and re-
15 tired military personnel who have been credibly al-
16 leged to have committed violations of such rights, in-
17 cluding protecting and providing to the Attorney
18 General’s office all military archives pertaining to
19 the internal armed conflict, and cooperating with the
20 CICIG by granting access to CICIG personnel, pro-
21 viding evidence to CICIG, and allowing witness testi-

1 mony: *Provided further*, That funds made available
2 in this Act for regional naval cooperation and mari-
3 time security assistance programs shall not be sub-
4 ject to the funding limitations of this subsection.

5 (e) ASSISTANCE FOR MEXICO.—

6 (1) ASSISTANCE.—Of the funds appropriated
7 under the headings “International Narcotics Control
8 and Law Enforcement”, “Foreign Military Financ-
9 ing Program”, and “Economic Support Fund” in
10 this Act, not more than \$210,250,000 may be made
11 available for assistance for Mexico, only to combat
12 drug trafficking and related violence and organized
13 crime, and for judicial reform, institution building,
14 anti-corruption, and rule of law activities: *Provided*,
15 That none of the funds made available under this
16 subsection shall be made available for budget sup-
17 port or as cash payments.

18 (2) APPLICABILITY OF FISCAL YEAR 2009 PRO-
19 VISIONS.—The provisions of paragraphs (1) through
20 (3) of section 7045(e) of the Department of State,
21 Foreign Operations, and Related Programs Appro-

1 priations Act, 2009 (division H of Public Law 111–
2 8) shall apply to funds appropriated or otherwise
3 made available by this Act for assistance for Mexico
4 to the same extent and in the same manner as such
5 provisions of law applied to funds appropriated or
6 otherwise made available by such other Act for as-
7 sistance for Mexico.

8 (f) ASSISTANCE FOR THE COUNTRIES OF CENTRAL
9 AMERICA.—Of the funds appropriated under the headings
10 “International Narcotics Control and Law Enforcement”,
11 “Economic Support Fund”, and “Foreign Military Fi-
12 nancing Program”, up to \$83,000,000 may be made avail-
13 able for assistance for the countries of Central America
14 only to combat drug trafficking and related violence and
15 organized crime, and for judicial reform, institution build-
16 ing, anti-corruption, rule of law activities, and maritime
17 security: *Provided*, That funds appropriated under the
18 heading “Economic Support Fund” shall be made avail-
19 able through the United States Agency for International
20 Development for continued support of an Economic and
21 Social Development Fund for Central America: *Provided*

1 *further*, That none of the funds made available under this
2 subsection shall be made available for budget support or
3 as cash payments.

4 (1) APPLICABILITY OF FISCAL YEAR 2009 PRO-
5 VISIONS.—The provisions of paragraphs (1) through
6 (3) of section 7045(f) of the Department of State,
7 Foreign Operations, and Related Programs Appro-
8 priations Act, 2009 (division H of Public Law 111–
9 8) shall apply to funds appropriated or otherwise
10 made available by this Act for assistance for coun-
11 tries of Central America to the same extent and in
12 the same manner as such provisions of law applied
13 to funds appropriated or otherwise made available by
14 such other Act for assistance for the countries of
15 Central America.

16 (2) DEFINITION.—For the purposes of this sub-
17 section, the term “countries of Central America”
18 means Belize, Costa Rica, El Salvador, Guatemala,
19 Honduras, Nicaragua, and Panama.

20 (g) AIRCRAFT OPERATIONS AND MAINTENANCE.—
21 To the maximum extent practicable, the costs of oper-

(CISC)
PILOT
PROJECT.]

1 ations and maintenance, including fuel, of aircraft funded
2 by this Act should be borne by the recipient country.
3 (h) Not later than June 30, 2011, the Secretary of
4 State, in consultation with the Secretary of Homeland Se-
5 curity, shall submit a report to the Committees on Appro-
6 priations on the feasibility of extending the use of passport
7 cards as proof of identity and citizenship for the purposes
8 of international travel by nationals of the United States,
9 Canada, and Mexico to air ports of entry between the
10 United States and Canada and between the United States
11 and Mexico: *Provided*, That the report shall detail all rel-
12 evant security, infrastructure, budget, policy, or diplo-
13 matic implications that may arise from extending such use
14 of passport cards: *Provided further*, That the Secretary
15 shall use up to \$100,000 of the funds made available
16 under the heading “Diplomatic and Consular Programs”
17 in this Act for a pilot project to test the feasibility of such
18 use of passport cards at selected air ports of entry between
19 the United States and Canada.

1 COLOMBIA

2 SEC. 7046. (a) ASSISTANCE.—Of the funds appro-
3 priated under the headings “Economic Support Fund”,
4 “International Narcotics Control and Law Enforcement”,
5 “Nonproliferation, Anti-terrorism, Demining and Related
6 Programs”, “International Military Education and Train-
7 ing”, and “Foreign Military Financing Program” in this
8 Act, not more than \$521,880,000 shall be made available
9 for assistance for Colombia.

10 Funds appropriated by this Act and made available
11 to the Department of State for assistance to the Govern-
12 ment of Colombia may be used to support a unified cam-
13 paign against narcotics trafficking and organizations des-
14 igned as Foreign Terrorist Organizations and successor
15 organizations, and to take actions to protect human health
16 and welfare in emergency circumstances, including under-
17 taking rescue operations: *Provided*, That assistance made
18 available in prior Acts for the Government of Colombia
19 to protect the Cano-Limon pipeline may also be used for
20 purposes for which funds are made available under the
21 heading “International Narcotics Control and Law En-

1 enforcement” in this Act: *Provided further*, That no United
2 States Armed Forces personnel or United States civilian
3 contractor employed by the United States will participate
4 in any combat operation in connection with assistance
5 made available by this Act for Colombia: *Provided further*,
6 That rotary and fixed wing aircraft supported with funds
7 appropriated under the heading “International Narcotics
8 Control and Law Enforcement” for assistance for Colom-
9 bia may be used for aerial or manual drug eradication and
10 interdiction including to transport personnel and supplies
11 and to provide security for such operations, and to provide
12 transport in support of alternative development programs
13 and investigations of cases under the jurisdiction of the
14 Attorney General, the Procuraduria General de la Nacion,
15 and the Defensoria del Pueblo: *Provided further*, That the
16 President shall ensure that if any helicopter procured with
17 funds in this Act or prior Acts making appropriations for
18 the Department of State, foreign operations, and related
19 programs, is used to aid or abet the operations of any ille-
20 gal self-defense group, paramilitary organization, illegal
21 security cooperative or successor organizations in Colom-

1 bia, such helicopter shall be immediately returned to the
2 United States: *Provided further*, That none of the funds
3 appropriated by this Act or prior Acts making appropria-
4 tions for the Department of State, foreign operations, and
5 related programs may be made available for assistance for
6 the Colombian Departamento Administrativo de
7 Seguridad.

8 Of the funds available under the heading “Inter-
9 national Narcotics Control and Law Enforcement” for the
10 Colombian national police for the procurement of chemi-
11 cals for aerial coca and poppy eradication programs, not
12 more than 20 percent of such funds may be made available
13 for such eradication programs unless the Secretary of
14 State certifies to the Committees on Appropriations that:
15 (1) the herbicide is being used in accordance with Environ-
16 mental Protection Agency label requirements for com-
17 parable use in the United States and with Colombian laws;
18 and (2) the herbicide, in the manner it is being used, does
19 not pose unreasonable risks or adverse effects to humans
20 or the environment, including endemic species: *Provided*,
21 That such funds may not be made available unless the

1 Secretary of State certifies to the Committees on Appro-
2 priations that any complaints of harm to health or licit
3 crops caused by such aerial eradication are thoroughly in-
4 vestigated and evaluated, and fair compensation is being
5 paid in a timely manner for meritorious claims: *Provided*
6 *further*, That such funds may not be made available for
7 such purposes unless programs are being implemented by
8 the United States Agency for International Development,
9 the Government of Colombia, or other organizations, in
10 consultation and coordination with local communities, to
11 provide alternative sources of income in areas where secu-
12 rity permits for small-acreage growers and communities
13 whose illicit crops are targeted for aerial eradication: *Pro-*
14 *vided further*, That none of the funds appropriated by this
15 Act for assistance for Colombia shall be made available
16 for the cultivation or processing of African oil palm, if
17 doing so would contribute to significant loss of native spe-
18 cies, disrupt or contaminate natural water sources, reduce
19 local food security, or cause the forced displacement of
20 local people: *Provided further*, That funds appropriated by
21 this Act may not be used for aerial eradication in Colom-

1 bia's national parks or reserves unless the Secretary of
2 State certifies to the Committees on Appropriations on a
3 case-by-case basis that there are no effective alternatives
4 and the eradication is conducted in accordance with Co-
5 lombian laws.

6 (b) APPLICABILITY OF FISCAL YEAR 2009 PROVI-
7 SIONS.—

8 (1) IN GENERAL.—Except as provided in para-
9 graph (2), the provisions of subsections (b) through
10 (f) of section 7046 of the Department of State, For-
11 eign Operations, and Related Programs Appropria-
12 tions Act, 2009 (division H of Public Law 111–8)
13 shall apply to funds appropriated or otherwise made
14 available by this Act for assistance for Colombia to
15 the same extent and in the same manner as such
16 provisions of law applied to funds appropriated or
17 otherwise made available by such other Act for as-
18 sistance for Colombia.

19 (2) EXCEPTIONS.—The following provisions of
20 section 7046 of division H of Public Law 111–8
21 shall apply to funds appropriated or otherwise made

1 available by this Act for assistance for Colombia as
2 follows:

3 (A) Subsection (b)(1)(B) is amended by
4 striking clause (iv) and inserting the following:

5 “(iv) That the Government of Colom-
6 bia is respecting the rights of human
7 rights defenders, journalists, trade union-
8 ists, political opposition and religious lead-
9 ers, and indigenous and Afro-Colombian
10 communities, and the Colombian Armed
11 Forces are implementing procedures to dis-
12 tinguish between civilians, including dis-
13 placed persons, and combatants in their
14 operations.”.

15 (B) Subsection (b)(2) is amended by strik-
16 ing “July 31, 2009” and inserting “July 31,
17 2010”.

18 (C) Subsection (b)(3) is amended by strik-
19 ing “Andean Counterdrug Programs” and in-
20 sserting “International Narcotics Control and
21 Law Enforcement”.

1 (D) Subsection (c) is amended by striking
2 “September 30, 2009” and inserting “Sep-
3 tember 30, 2010”.

4 (E) Subsection (d)(1) is amended—

5 (i) by striking “\$16,769,000” and in-
6 serting “\$18,606,000”; and

7 (ii) by striking “fiscal year 2009” and
8 inserting “fiscal year 2010”.

9 COMMUNITY-BASED POLICE ASSISTANCE

10 SEC. 7047. (a) AUTHORITY.—Funds made available
11 by titles III and IV of this Act to carry out the provisions
12 of chapter 1 of part I and chapters 4 and 6 of part II
13 of the Foreign Assistance Act of 1961, may be used, not-
14 withstanding section 660 of that Act, to enhance the effec-
15 tiveness and accountability of civilian police authority
16 through training and technical assistance in human rights,
17 the rule of law, anti-corruption, strategic planning, and
18 through assistance to foster civilian police roles that sup-
19 port democratic governance including assistance for pro-
20 grams to prevent conflict, respond to disasters, address

1 gender-based violence, and foster improved police relations
2 with the communities they serve.

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

7 PROHIBITION OF PAYMENTS TO UNITED NATIONS
8 MEMBERS

9 SEC. 7048. None of the funds appropriated or made
10 available pursuant to titles III through VI of this Act for
11 carrying out the Foreign Assistance Act of 1961, may be
12 used to pay in whole or in part any assessments, arrear-
13 ages, or dues of any member of the United Nations or,
14 from funds appropriated by this Act to carry out chapter
15 1 of part I of the Foreign Assistance Act of 1961, the
16 costs for participation of another country's delegation at
17 international conferences held under the auspices of multi-
18 lateral or international organizations.

19 WAR CRIMES TRIBUNALS DRAWDOWN

20 SEC. 7049. If the President determines that doing so
21 will contribute to a just resolution of charges regarding

1 genocide or other violations of international humanitarian
2 law, the President may direct a drawdown pursuant to sec-
3 tion 552(c) of the Foreign Assistance Act of 1961 of up
4 to \$30,000,000 of commodities and services for the United
5 Nations War Crimes Tribunal established with regard to
6 the former Yugoslavia by the United Nations Security
7 Council or such other tribunals or commissions as the
8 Council may establish or authorize to deal with such viola-
9 tions, without regard to the ceiling limitation contained
10 in paragraph (2) thereof: *Provided*, That the determina-
11 tion required under this section shall be in lieu of any de-
12 terminations otherwise required under section 552(c): *Pro-*
13 *vided further*, That funds made available pursuant to this
14 section shall be made available subject to the regular noti-
15 fication procedures of the Committees on Appropriations.

16 PEACEKEEPING MISSIONS

17 SEC. 7050. None of the funds made available under
18 title I of this Act may be used for any United Nations
19 activity when it is made known to the Federal official hav-
20 ing authority to obligate or expend such funds that: (1)
21 the United Nations activity is a peacekeeping mission; (2)

1 such activity will involve United States Armed Forces
2 under the command or operational control of a foreign na-
3 tional; and (3) the President's military advisors have not
4 submitted to the President a recommendation that such
5 involvement is in the national interests of the United
6 States and the President has not submitted to the Con-
7 gress such a recommendation.

8 PEACEKEEPING ASSESSMENT

9 SEC. 7051. Section 404(b)(2)(B) of the Foreign Re-
10 lations Authorization Act, Fiscal Years 1994 and 1995
11 (22 U.S.C. 287e note) is amended by adding the following:

12 “(vi) For assessments made during
13 calendar year 2010, 27.3 percent.”.

14 UNITED NATIONS HUMAN RIGHTS COUNCIL

15 SEC. 7052. The Secretary of State shall report to the
16 Committees on Appropriations not later than 30 days
17 after the date of enactment of this Act, and every 180
18 days thereafter until September 30, 2010, on the resolu-
19 tions adopted in the United Nations Human Rights Coun-
20 cil.

1 ATTENDANCE AT INTERNATIONAL CONFERENCES

2 SEC. 7053. None of the funds made available in this
3 Act may be used to send or otherwise pay for the attend-
4 ance of more than 50 employees of agencies or depart-
5 ments of the United States Government who are stationed
6 in the United States, at any single international con-
7 ference occurring outside the United States, unless the
8 Secretary of State reports to the Committees on Appro-
9 priations that such attendance is in the national interest:
10 *Provided*, That for purposes of this section the term
11 “international conference” shall mean a conference at-
12 tended by representatives of the United States Govern-
13 ment and of foreign governments, international organiza-
14 tions, or nongovernmental organizations.

15 RESTRICTIONS ON UNITED NATIONS DELEGATIONS

16 SEC. 7054. None of the funds made available under
17 title I of this Act may be used to pay expenses for any
18 United States delegation to any specialized agency, body,
19 or commission of the United Nations if such commission
20 is chaired or presided over by a country, the government
21 of which the Secretary of State has determined, for pur-

1 poses of section 6(j)(1) of the Export Administration Act
2 of 1979 (50 U.S.C. App. 2405(j)(1)), supports inter-
3 national terrorism.

4 PARKING FINES AND REAL PROPERTY TAXES OWED BY
5 FOREIGN GOVERNMENTS

6 SEC. 7055. (a) Subject to subsection (c), of the funds
7 appropriated under titles III through VI by this Act that
8 are made available for assistance for a foreign country,
9 an amount equal to 110 percent of the total amount of
10 the unpaid fully adjudicated parking fines and penalties
11 and unpaid property taxes owed by the central government
12 of such country shall be withheld from obligation for as-
13 sistance for the central government of such country until
14 the Secretary of State submits a certification to the Com-
15 mittees on Appropriations stating that such parking fines
16 and penalties and unpaid property taxes are fully paid.

17 (b) Funds withheld from obligation pursuant to sub-
18 section (a) may be made available for other programs or
19 activities funded by this Act, after consultation with and
20 subject to the regular notification procedures of the Com-
21 mittees on Appropriations, provided that no such funds

1 shall be made available for assistance for the central gov-
2 ernment of a foreign country that has not paid the total
3 amount of the fully adjudicated parking fines and pen-
4 alties and unpaid property taxes owed by such country.

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

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

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

18 (e) Not later than 6 months after the initial exercise
19 of the waiver authority in subsection (d), the Secretary
20 of State, after consultations with the City of New York,
21 shall submit a report to the Committees on Appropriations

1 describing a strategy, including a timetable and steps cur-
2 rently being taken, to collect the parking fines and pen-
3 alties and unpaid property taxes and interest owed by na-
4 tions receiving foreign assistance under this Act.

5 (f) In this section:

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

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

11 (ii) has not followed the appropriate adju-
12 dication procedure to challenge the summons;
13 and

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

16 (2) The term “parking fines and penalties”
17 means parking fines and penalties—

18 (A) owed to—

19 (i) the District of Columbia; or

20 (ii) New York, New York; and

1 (B) incurred during the period April 1,
2 1997, through September 30, 2009.

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

10 LANDMINES AND CLUSTER MUNITIONS

11 SEC. 7056. (a) LANDMINES.—Notwithstanding any
12 other provision of law, demining equipment available to
13 the United States Agency for International Development
14 and the Department of State and used in support of the
15 clearance of landmines and unexploded ordnance for hu-
16 manitarian purposes may be disposed of on a grant basis
17 in foreign countries, subject to such terms and conditions
18 as the President may prescribe.

19 (b) CLUSTER MUNITIONS.—No military assistance
20 shall be furnished for cluster munitions, no defense export
21 license for cluster munitions may be issued, and no cluster

1 munitions or cluster munitions technology shall be sold or
2 transferred, unless—

3 (1) the submunitions of the cluster munitions,
4 after arming, do not result in more than 1 percent
5 unexploded ordnance across the range of intended
6 operational environments; and

7 (2) the agreement applicable to the assistance,
8 transfer, or sale of such cluster munitions or cluster
9 munitions technology specifies that the cluster muni-
10 tions will only be used against clearly defined mili-
11 tary targets and will not be used where civilians are
12 known to be present or in areas normally inhabited
13 by civilians.

14 PROHIBITION ON PUBLICITY OR PROPAGANDA

15 SEC. 7057. No part of any appropriation contained
16 in this Act shall be used for publicity or propaganda pur-
17 poses within the United States not authorized before the
18 date of the enactment of this Act by the Congress: *Pro-*
19 *vided*, That not to exceed \$25,000 may be made available
20 to carry out the provisions of section 316 of Public Law
21 96-533.

1 LIMITATION ON RESIDENCE EXPENSES

2 SEC. 7058. Of the funds appropriated or made avail-
3 able pursuant to title II of this Act, not to exceed
4 \$100,500 shall be for official residence expenses of the
5 United States Agency for International Development dur-
6 ing the current fiscal year: *Provided*, That appropriate
7 steps shall be taken to assure that, to the maximum extent
8 possible, United States-owned foreign currencies are uti-
9 lized in lieu of dollars.

10 UNITED STATES AGENCY FOR INTERNATIONAL
11 DEVELOPMENT MANAGEMENT
12 (INCLUDING TRANSFER OF FUNDS)

13 SEC. 7059. (a) AUTHORITY.—Up to \$93,000,000 of
14 the funds made available in title III of this Act to carry
15 out the provisions of part I of the Foreign Assistance Act
16 of 1961, including funds appropriated under the heading
17 “Assistance for Europe, Eurasia and Central Asia”, may
18 be used by the United States Agency for International De-
19 velopment (USAID) to hire and employ individuals in the
20 United States and overseas on a limited appointment basis

1 pursuant to the authority of sections 308 and 309 of the
2 Foreign Service Act of 1980.

3 (b) RESTRICTIONS.—

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

7 (2) The authority to hire individuals contained
8 in subsection (a) shall expire on September 30,
9 2011.

10 (c) CONDITIONS.—The authority of subsection (a)
11 may only be used to the extent that an equivalent number
12 of positions that are filled by personal services contractors
13 or other non-direct hire employees of USAID, who are
14 compensated with funds appropriated to carry out part I
15 of the Foreign Assistance Act of 1961, including funds
16 appropriated under the heading “Assistance for Europe,
17 Eurasia and Central Asia”, are eliminated.

18 (d) PRIORITY SECTORS.—In exercising the authority
19 of this section, primary emphasis shall be placed on ena-
20 bling USAID to meet personnel positions in technical skill

1 areas currently encumbered by contractor or other non-
2 direct hire personnel.

3 (e) CONSULTATIONS.—The USAID Administrator
4 shall consult with the Committees on Appropriations on
5 a quarterly basis concerning the implementation of this
6 section.

7 (f) PROGRAM ACCOUNT CHARGED.—The account
8 charged for the cost of an individual hired and employed
9 under the authority of this section shall be the account
10 to which such individual's responsibilities primarily relate:
11 *Provided*, That funds made available to carry out this sec-
12 tion may be transferred to, and merged with, funds appro-
13 priated by this Act in title II under the heading "Oper-
14 ating Expenses".

15 (g) FOREIGN SERVICE LIMITED EXTENSIONS.—Indi-
16 viduals hired and employed by USAID, with funds made
17 available in this Act or prior Acts making appropriations
18 for the Department of State, foreign operations, and re-
19 lated programs, pursuant to the authority of section 309
20 of the Foreign Service Act of 1980, may be extended for

1 a period of up to 4 years notwithstanding the limitation
2 set forth in such section.

3 (h) JUNIOR OFFICER PLACEMENT AUTHORITY.—Of
4 the funds made available in subsection (a), USAID may
5 use, in addition to funds otherwise available for such pur-
6 poses, up to \$15,000,000 to fund overseas support costs
7 of members of the Foreign Service with a Foreign Service
8 rank of four or below: *Provided*, That such authority is
9 only used to reduce USAID’s reliance on overseas personal
10 services contractors or other non-direct hire employees
11 compensated with funds appropriated to carry out part I
12 of the Foreign Assistance Act of 1961, including funds
13 appropriated under the heading “Assistance for Europe,
14 Eurasia and Central Asia”.

15 (i) DISASTER SURGE CAPACITY.—Funds appro-
16 priated under title III of this Act to carry out part I of
17 the Foreign Assistance Act of 1961, including funds ap-
18 propriated under the heading “Assistance for Europe,
19 Eurasia and Central Asia”, may be used, in addition to
20 funds otherwise available for such purposes, for the cost
21 (including the support costs) of individuals detailed to or

1 employed by USAID whose primary responsibility is to
2 carry out programs in response to natural disasters.

3 (j) TECHNICAL ADVISORS.—Up to \$13,500,000 of
4 the funds made available by this Act in title III for assist-
5 ance under the heading “Global Health and Child Sur-
6 vival”, may be used to reimburse United States Govern-
7 ment agencies, agencies of State governments, institutions
8 of higher learning, and private and voluntary organiza-
9 tions for the full cost of individuals (including for the per-
10 sonal services of such individuals) detailed or assigned to,
11 or contracted by, as the case may be, USAID for the pur-
12 pose of carrying out activities under that heading: *Pro-*
13 *vided*, That up to \$3,500,000 of the funds made available
14 by this Act for assistance under the heading “Develop-
15 ment Assistance” may be used to reimburse such agencies,
16 institutions, and organizations for such costs of such indi-
17 viduals carrying out other development assistance activi-
18 ties.

19 (k) PERSONAL SERVICES CONTRACTORS.—Funds ap-
20 propriated by this Act to carry out chapter 1 of part I,
21 chapter 4 of part II, and section 667 of the Foreign As-

1 sistance Act of 1961, and title II of the Agricultural Trade
2 Development and Assistance Act of 1954, may be used
3 by USAID to employ up to 40 personal services contrac-
4 tors in the United States, notwithstanding any other pro-
5 vision of law, for the purpose of providing direct, interim
6 support for new or expanded overseas programs and ac-
7 tivities managed by the agency until permanent direct hire
8 personnel are hired and trained: *Provided*, That not more
9 than 10 of such contractors shall be assigned to any bu-
10 reau or office: *Provided further*, That not more than 15
11 of such contractors shall be for activities related to
12 USAID's Afghanistan program: *Provided further*, That
13 such funds appropriated to carry out title II of the Agri-
14 cultural Trade Development and Assistance Act of 1954,
15 may be made available only for personal services contrac-
16 tors assigned to the Office of Food for Peace.

17 (1) HIRING AUTHORITY.—Notwithstanding section
18 307 of the Foreign Service Act of 1980, the USAID Ad-
19 ministrator may hire up to 30 individuals under the Devel-
20 opment Leadership Initiative: *Provided*, That the author-

1 ity contained in this subsection shall expire on September
2 30, 2011.

3 (m) RECRUITMENT STRATEGY.—Funds made avail-
4 able under the heading “Operating Expenses” in title II
5 of this Act may be made available to implement the strat-
6 egy described in section 7059(1) of Public Law 111–8,
7 subject to the regular notification procedures of the Com-
8 mittees on Appropriations.

9 (n) LOCALLY EMPLOYED STAFF.—Of the funds ap-
10 propriated under title II of this Act, up to \$1,000,000,
11 in addition to funds otherwise made available for such pur-
12 poses, may be made available for special compensation for
13 overseas, locally employed staff.

14 (o) SENIOR FOREIGN SERVICE LIMITED APPOINT-
15 MENTS.—Pursuant to the authority of section 309 of the
16 Foreign Service Act of 1980, and notwithstanding the lim-
17 itation set forth in Section 305 of the Foreign Service Act l.c.
18 of 1980, as amended, USAID may appoint into the Senior
19 Foreign Service and employ up to 10 individuals to be as-
20 signed to or support programs in Iraq, Afghanistan, or
21 Pakistan with funds made available in this Act ~~or~~ prior [and

1 Acts making appropriations for the Department of State,
2 foreign operations, and related programs.

3 GLOBAL HEALTH ACTIVITIES

4 SEC. 7060. Funds appropriated by titles III and IV
5 of this Act that are made available for bilateral assistance
6 for child survival activities or disease programs including
7 activities relating to research on, and the prevention,
8 treatment and control of, HIV/AIDS may be made avail-
9 able notwithstanding any other provision of law except for
10 the provisions under the heading “Global Health and
11 Child Survival” and the United States Leadership Against
12 HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (117
13 Stat. 711; 22 U.S.C. 7601 et seq.), as amended: *Provided*,
14 That of the funds appropriated under title III of this Act,
15 not less than \$648,457,000 should be made available for
16 family planning/reproductive health, including in areas
17 where population growth threatens biodiversity or endan-
18 gered species.

19 DEVELOPMENT GRANTS PROGRAM

20 SEC. 7061. Of the funds appropriated in title III of
21 this Act, not less than \$40,000,000 shall be made avail-

1 able for the Development Grants Program established pur-
2 suant to section 674 of the Department of State, Foreign
3 Operations, and Related Programs Appropriations Act,
4 2008 (division J of Public Law 110–161), to support
5 grants of not more than \$2,000,000 to small nongovern-
6 mental organizations: *Provided*, That funds made avail-
7 able under this section are in addition to other funds avail-
8 able for such purposes including funds designated by this
9 Act by section 7065.

10

WOMEN IN DEVELOPMENT

11 SEC. 7062. (a) Programs funded under title III of
12 this Act shall include, where appropriate, gender consider-
13 ations in the planning, assessment, implementation, moni-
14 toring and evaluation of such programs.

15 (b) Funds made available under title III of this Act
16 shall be made available to support programs to enhance
17 economic opportunities for poor women in developing
18 countries, including increasing the number and capacity
19 of women-owned enterprises, improving property rights for
20 women, increasing access to financial services, and im-

1 proving women's ability to participate in the global econ-
2 omy.

3 (c) Funds made available under title III of this Act
4 for food security and agricultural development shall take
5 into consideration the unique needs of women, and tech-
6 nical assistance for women farmers should be a priority.

7 GENDER-BASED VIOLENCE

8 SEC. 7063. (a) Funds appropriated under the head-
9 ings "Development Assistance", "Economic Support
10 Fund", and "International Narcotics Control and Law
11 Enforcement" in this Act shall be made available for pro-
12 grams to address sexual and gender-based violence.

13 (b) Programs and activities funded under titles III
14 and IV of this Act that provide training for foreign police,
15 judicial, and military officials shall address, where appro-
16 priate, gender-based violence.

17 EDUCATION

18 SEC. 7064. (a) BASIC EDUCATION.—

19 (1) Of the funds appropriated by title III of
20 this Act, not less than \$925,000,000 should be made
21 available for assistance for basic education, of which

1 not less than \$365,000,000 shall be made available
2 under the heading "Development Assistance".

Actions to
Provide

3 (2) There shall continue to be a Coordinator of
4 United States Government basic education assist-
5 ance in developing countries as established in section
6 664 of division J of Public Law 110-161.

CAP

7 (3) The United States Agency for International
8 Development shall ensure that programs supported
9 with funds appropriated for basic education in this
10 Act and prior Acts are integrated, when appropriate,
11 with health, agriculture, governance, and economic
12 development activities to address the economic and
13 social needs of the broader community.

14 (b) HIGHER EDUCATION.—Of the funds appropriated
15 by title III of this Act, not less than \$200,000,000 shall
16 be made available for assistance for higher education, of
17 which not less than \$25,000,000 shall be made available
18 for such assistance for Africa including not less than
19 \$15,000,000 to support partnerships between African and
20 United States institutions of higher education.

1 RECONCILIATION PROGRAMS

2 SEC. 7065. Of the funds appropriated by title III of
3 this Act under the headings "Economic Support Fund"
4 and "Development Assistance", \$26,000,000 shall be
5 made available to support people to people reconciliation
6 programs which bring together individuals of different eth-
7 nic, religious and political backgrounds from areas of civil
8 strife and war, of which \$10,000,000 shall be made avail-
9 able ~~to support~~ programs in the Middle East: *Provided,*
10 That the Administrator of the United States Agency for
11 International Development shall consult with the Commit-
12 tees on Appropriations, prior to the initial obligation of
13 funds, on the most effective uses of such funds.

for
such

14 COMPREHENSIVE EXPENDITURES REPORT

15 SEC. 7066. Not later than 180 days after the date
16 of enactment of this Act, the Secretary of State shall sub-
17 mit a report to the Committees on Appropriations detail-
18 ing the total amount of United States Government ex-
19 penditures in fiscal years 2008 and 2009, by Federal
20 agency, for assistance programs and activities in each for-
21 eign country, identifying the line item as presented in the

1 (b) None of the funds provided under title I of this
2 or any other Act making appropriations for the Depart-
3 ment of State, foreign operations, and related programs
4 shall be expended to perform functions that duplicate co-
5 ordinating responsibilities of the Operating Group.

6 (c) The Operating Group shall continue to report only
7 to the authorities that appointed them pursuant to section
8 105(f).

9 PROHIBITION ON USE OF TORTURE

10 SEC. 7069. None of the funds made available in this
11 Act shall be used in any way whatsoever to support or
12 justify the use of torture, cruel or inhumane treatment
13 by any official or contract employee of the United States
14 Government.

15 AFRICA

16 SEC. 7070. (a) EXPANDED INTERNATIONAL MILI-
17 TARY EDUCATION AND TRAINING.—

18 (1) Funds appropriated under the heading
19 “International Military Education and Training” in
20 this Act that are made available for assistance for
21 Angola, Cameroon, Central African Republic, Chad,

(l.c.)

d)

1 Côte D'Ivoire, Guinea and Zimbabwe may be made
2 available only for training related to international
3 peacekeeping operations and expanded international
4 military education and training: *Provided*, That the
5 limitation included in this paragraph shall not apply
6 to courses that support training in maritime security
for] 7 in Angola and Cameroon.

8 (2) None of the funds appropriated under the
9 heading "International Military Education and
10 Training" in this Act may be made available for as-
11 sistance for Equatorial Guinea or Somalia.

12 (b) COUNTERTERRORISM PROGRAMS.—Funds appro-
13 priated by this Act under the headings "Development As-
14 sistance", "Economic Support Fund", "International
15 Narcotics Control and Law Enforcement", "Nonprolifera-
16 tion, Anti-terrorism, Demining, and Related Programs",
17 and "Peacekeeping Operations" shall be made available
18 as follows:

19 (1) Not less than \$24,735,000 shall be made
20 available for the East Africa Regional Strategic Ini-
21 tiative;

1 (2) Not less than \$3,600,000 shall be made
2 available for Africa Conflict Stabilization and Border
3 Security;

4 (3) Not less than \$81,315,000 shall be made
5 available for Trans-Sahara Counterterrorism Part-
6 nership; and

7 (4) Not less than \$10,000,000 shall be made
8 available for a Horn of Africa and Pan Sahel Pro-
9 gram, in addition to funds otherwise made available
10 for such purposes, to be administered by the United
11 States Agency for International Development.

12 (c) ETHIOPIA.—

13 (1) None of the funds appropriated by this Act
14 under the heading “Foreign Military Financing Pro-
15 gram” that are available for assistance for Ethiopia
16 may be made available unless the Secretary of
17 State—

18 (A) determines that the Government of
19 Ethiopia is taking effective measures to guar-
20 antee the rights of its citizens to peaceful ex-
21 pression, association and assembly, and to doc-

1 ument violations of internationally recognized
2 human rights without harassment or criminal
3 penalty, and provides such determination in
4 writing to the Committees on Appropriations;
5 and

6 (B) submits a report to such Committees
7 on the types and amounts of United States
8 training and equipment provided to the Ethio-
9 pian military including steps being taken to en-
10 sure that such assistance is not provided to
11 Ethiopian military units or personnel with
12 records of violations of internationally recog-
13 nized human rights.

14 (2) The restriction in paragraph (1) shall not
15 apply to assistance to support the deployment of
16 members of the Ethiopian military in international
17 peacekeeping operations.

18 (d) RWANDA.—

19 (1) None of the funds appropriated by this Act
20 under the heading “Foreign Military Financing Pro-
21 gram” may be made available for assistance for

1 Rwanda if the Secretary of State has credible evi-
2 dence that the Government of Rwanda is providing
3 political, military or financial support to armed
4 groups in the Democratic Republic of the Congo
5 that have committed violations of internationally rec-
6 ognized human rights, including rape.

7 (2) The restriction in paragraph (1) shall not
8 apply to assistance to improve border controls to
9 prevent the importation of minerals into Rwanda by
10 such groups, or to support the deployment of mem-
11 bers of the Rwandan military in international peace-
12 keeping operations.

13 (e) NATURAL RESOURCE TRANSPARENCY.—Funds
14 appropriated by this Act that are available for assistance
15 for Liberia, Sierra Leone, Nigeria, ~~Cote~~ d'Ivoire, and the [Côte
16 countries participating in the Congo Basin Forest Part-
17 nership shall be made available to promote and support
18 transparency and accountability in relation to the extrac-
19 tion of timber, oil and gas, cacao and other natural re-
20 sources, including by strengthening implementation and

1 monitoring of the Extractive Industries Transparency Ini-
2 tiative and the Kimberley Process Certification Scheme.

3 (f) SUDAN LIMITATION ON ASSISTANCE.—

4 (1) Subject to subsection (2):

5 (A) Notwithstanding any other provision of
6 law, none of the funds appropriated by this Act
7 may be made available for assistance for the
8 Government of Sudan.

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

18 (2) Subsection (f)(1) shall not apply if the Sec-
19 retary of State determines and certifies to the Com-
20 mittees on Appropriations that:

1 (A) The Government of Sudan honors its
2 pledges to cease attacks upon civilians and dis-
3 arms and demobilizes the Janjaweed and other
4 government-supported militias;

5 (B) The Government of Sudan and all gov-
6 ernment-supported militia groups are honoring
7 their commitments made in all previous cease-
8 fire agreements; and

9 (C) The Government of Sudan is allowing
10 unimpeded access to Darfur to humanitarian
11 aid organizations, the human rights investiga-
12 tion and humanitarian teams of the United Na-
13 tions, including protection officers, and an
14 international monitoring team that is based in
15 Darfur and has the support of the United
16 States.

17 (3) The provisions of subsection (f)(1) shall not
18 apply to—

19 (A) humanitarian assistance;

20 (B) assistance for the Darfur region,
21 Southern Sudan, Southern Kordofan/Nuba

1 Mountains State, Blue Nile State, and Abyei;
2 and

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

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

11 (5) Notwithstanding any other provision of law,
12 assistance in this Act may be made available to the
13 Government of Southern Sudan to provide non-lethal
14 military assistance, military education and training,
15 and defense services controlled under the Inter-
16 national Traffic in Arms Regulations (22 ~~CFR~~
17 120.1 et seq.) if the Secretary of State—

18 (A) determines that the provision of such
19 items is in the national interest of the United
20 States; and

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1 (B) not later than 15 days before the pro-
2 vision of any such assistance, notifies the Com-
3 mittees on Appropriations of such determina-
4 tion.

5 (g) SOUTHERN SUDAN.—The Secretary of State shall
6 seek to obtain regular audits of the Government of South-
7 ern Sudan's financial accounts to ensure transparency and
8 accountability of funds, including revenues from the ex-
9 traction of oil and gas, and the public disclosure of such
10 audits in a timely manner: *Provided*, That in determining
11 amounts and types of United States assistance to make
12 available to the Government of Southern Sudan, the Sec-
13 retary shall consider the extent to which such government
14 is ensuring transparency and accountability of funds: *Pro-*
15 *vided further*, That the Secretary shall, as appropriate, as-
16 sist the Government of Southern Sudan in conducting
17 such audits, and shall submit a report not later than 90
18 days after enactment of this Act to the Committees on
19 Appropriations detailing the steps that will be taken by
20 the Government of Southern Sudan to improve resource

financial
accounts
of the

1 management and ensure transparency and accountability
2 of funds.

3 (h) WAR CRIMES IN AFRICA.—

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

10 (2) Funds appropriated by this Act, including
11 funds for debt restructuring, may be made available
12 for assistance for the central government of a coun-
13 try in which individuals indicted by ICTR and SCSL
14 are credibly alleged to be living, if the Secretary of
15 State determines and reports to the Committees on
16 Appropriations that such government is cooperating
17 with ICTR and SCSL, including the surrender and
18 transfer of inditees in a timely manner: *Provided,*
19 That this subsection shall not apply to assistance
20 provided under section 551 of the Foreign Assist-
21 ance Act of 1961 or to project assistance under title

1 VI of this Act: *Provided further*, That the United
2 States shall use its voice and vote in the United Na-
3 tions Security Council to fully support efforts by
4 ICTR and SCSL to bring to justice individuals in-
5 dicted by such tribunals in a timely manner.

6 (3) The prohibition in subsection (2) may be
7 waived on a country-by-country basis if the Presi-
8 dent determines that doing so is in the national se-
9 curity interest of the United States: *Provided*, That
10 prior to exercising such waiver authority, the Presi-
11 dent shall submit a report to the Committees on Ap-
12 propriations, in classified form if necessary, on—

13 (A) the steps being taken to obtain the co-
14 operation of the government in surrendering the
15 indictee in question to the court of jurisdiction;

16 (B) a strategy, including a timeline, for
17 bringing the indictee before such court; and

18 (C) the justification for exercising the
19 waiver authority.

20 (i) ZIMBABWE.—

1 and vote of the United States to support projects in
2 Tibet if such projects do not provide incentives for
3 the migration and settlement of non-Tibetans into
4 Tibet or facilitate the transfer of ownership of Ti-
5 betan land and natural resources to non-Tibetans;
6 are based on a thorough needs-assessment; foster
7 self-sufficiency of the Tibetan people and respect Ti-
8 betan culture and traditions; and are subject to ef-
9 fective monitoring.

10 (2) Notwithstanding any other provision of law,
11 not less than \$7,400,000 of the funds appropriated
12 by this Act under the heading “Economic Support
13 Fund” should be made available to nongovernmental
14 organizations to support activities which preserve
15 cultural traditions and promote sustainable develop-
16 ment and environmental conservation in Tibetan
17 communities in the Tibetan Autonomous Region and
18 in other Tibetan communities in China.

19 (b) BURMA.—

20 (1) The Secretary of the Treasury shall instruct
21 the United States executive director to each appro-

1 puate international financial institution in which the
2 United States participates, to oppose and vote
3 against the extension by such institution of any loan
4 or financial or technical assistance or any other utili-
5 zation of funds of the respective bank to and for
6 Burma.

7 (2) Of the funds appropriated by this Act under
8 the heading “Economic Support Fund”, not less
9 than \$36,500,000 shall be made available for assist-
10 ance for Burma: *Provided*, That such assistance
11 shall be made available only to support democracy
12 and humanitarian programs and activities in Burma,
13 programs and activities along the Burma-Thailand
14 border, programs and activities involving Burmese
15 student groups and other organizations located out-
16 side Burma, and humanitarian assistance for dis-
17 placed Burmese along Burma’s borders: *Provided*
18 *further*, That such funds may be made available not-
19 withstanding any other provision of law: *Provided*
20 *further*, That in addition to assistance for Burmese
21 refugees provided under the heading “Migration and

1 Refugee Assistance” in this Act, not less than
2 \$4,000,000 shall be made available for community-
3 based organizations operating in Thailand to provide
4 food, medical and other humanitarian assistance to
5 internally displaced persons in eastern Burma.

6 (3) Funds made available under paragraph (2)
7 for any new program, project or activity shall be
8 subject to prior consultation with the Committees on
9 Appropriations and all such funds made available
10 under paragraph (2) shall be subject to the regular
11 notification procedures of such Committees: *Pro-*
12 *vided*, That when implementing activities with funds
13 appropriated by this Act for assistance for Burma,
14 the implementing agency shall only support activities
15 that are consistent with the principles and goals of
16 the National League for Democracy in Burma.

17 (c) CAMBODIA.—Funds made available in this Act for
18 a United States contribution to a Khmer Rouge tribunal
19 may only be made available if the Secretary of State cer-
20 tifies to the Committees on Appropriations that the
21 United Nations and the Government of Cambodia are tak-

1 ing credible steps to address allegations of corruption and
2 mismanagement within the tribunal.

3 (d) INDONESIA.—

4 (1) Of the funds appropriated by this Act under
5 the heading “Foreign Military Financing Program”,
6 not to exceed \$20,000,000 shall be made available
7 for assistance for Indonesia, of which \$2,000,000 is
8 withheld from obligation until the Secretary of State
9 submits to the Committees on Appropriations the re-
10 port on Indonesia detailed under such heading in the
11 joint explanatory statement accompanying this Act.

12 (2) Of the funds appropriated by this Act under
13 the heading “Economic Support Fund” that are
14 available for assistance for Indonesia, not less than
15 \$400,000 should be made available for grants for ca-
16 pacity building of Indonesian human rights organi-
17 zations, including in Papua.

18 (e) NEPAL.—

19 (1) Funds appropriated by this Act under the
20 heading “Foreign Military Financing Program” may
21 be made available for assistance for Nepal if the

1 Secretary of State certifies to the Committees on
2 Appropriations that the Nepal Army is—

3 (A) cooperating fully with investigations
4 and prosecutions by civilian judicial authorities
5 of violations of internationally recognized
6 human rights; and

7 (B) working constructively to redefine the
8 Nepal Army's mission and adjust its size ac-
9 cordingly, implement reforms including
10 strengthening the capacity of the civilian min-
11 istry of defense to ~~support~~ budget transparency
12 and accountability, and facilitate the integration
13 of former rebel combatants into the Nepal
14 Army, consistent with the goals of reconciliation,
15 peace and stability.

16 (2) The conditions in paragraph (1) shall not
17 apply to assistance to support the deployment of
18 members of the Nepal Army in humanitarian relief
19 and reconstruction operations in Nepal.

20 (f) NORTH KOREA.—

(improve

Security forces, including the

)

1 (1) Funds appropriated under the heading “Mi-
2 gration and Refugee Assistance” in this Act shall be
3 made available for assistance for refugees from
4 North Korea.

5 (2) Of the funds made available under the
6 heading “International Broadcasting Operations” in
7 title I of this Act, up to \$8,000,000 ~~shall~~ be made [should]
8 available for broadcasts into North Korea.

9 (3) Of the funds appropriated by this Act under
10 the heading “Economic Support Fund”, \$3,500,000
11 shall be made available for democracy, human
12 rights, and governance programs for North Korea.

13 (4) None of the funds made available by this
14 Act under the heading “Economic Support Fund”
15 may be made available for energy-related assistance
16 for North Korea.

17 (5) Funds made available by this Act under the
18 heading “Economic Support Fund” for assistance
19 for countries in the North Asia region may be made
20 available for programs and activities pursuant to
21 section 4 of Public Law 108–333, as amended, and

1 subject to the regular notification procedures of the
2 Committees on Appropriations: *Provided*, That for
3 the purposes of this subsection, such programs and
4 activities shall be considered democracy promotion.

5 (6) Not later than 45 days after enactment of
6 this Act, the Secretary of State shall report to the
7 Committees on Appropriations the amount the Sec-
8 retary determines the Government of North Korea
9 owes the Government of the United States for the
10 unsupervised distribution of food assistance provided
11 by the United States: *Provided*, That the Secretary
12 of State should reduce any assistance made available
13 to the Government of North Korea by such amount,
14 unless the Secretary reports to the Committees on
15 Appropriations that the Government of North Korea
16 provided such food assistance to eligible recipients as
17 intended, or that North Korea has reimbursed the
18 Government of the United States for the costs of
19 such food assistance: *Provided further*, That the pre-
20 vious proviso shall not apply to programs and activi-

1 ties that promote human rights, democracy, rule of
2 law, and to humanitarian assistance.

3 (g) PEOPLE'S REPUBLIC OF CHINA.—

4 (1) None of the funds appropriated under the
5 heading “Diplomatic and Consular Programs” in
6 this Act may be obligated or expended for processing
7 licenses for the export of satellites of United States
8 origin (including commercial satellites and satellite
9 components) to the People's Republic of China un-
10 less, at least 15 days in advance, the Committees on
11 Appropriations are notified of such proposed action.

12 (2) The terms and requirements of section
13 620(h) of the Foreign Assistance Act of 1961 shall
14 apply to foreign assistance projects or activities of
15 the People's Liberation Army (PLA) of the People's
16 Republic of China, to include such projects or activi-
17 ties by any entity that is owned or controlled by, or
18 an affiliate of, the PLA: *Provided*, That none of the
19 funds appropriated or otherwise made available pur-
20 suant to this Act may be used to finance any grant,
21 contract, or cooperative agreement with the PLA, or

1 any entity that the Secretary of State has reason to
2 believe is owned or controlled by, or an affiliate of,
3 the PLA.

4 (3) Notwithstanding any other provision of law
5 and subject to the regular notification procedures of
6 the Committees on Appropriations, of the funds ap-
7 propriated by this Act under the heading “Develop-
8 ment Assistance”, not less than \$12,000,000 shall
9 be made available to United States educational insti-
10 tutions and nongovernmental organizations for pro-
11 grams and activities in the People’s Republic of
12 China relating to the environment, governance, and
13 the rule of law.

14 (h) PHILIPPINES.—Of the funds appropriated by this
15 Act under the heading “Foreign Military Financing Pro-
16 gram”, not to exceed \$32,000,000 may be made available
17 for assistance for the Philippines, of which \$3,000,000
18 may not be obligated until the Secretary of State submits
19 to the Committees on Appropriations the report on the
20 Philippines detailed under such heading in the joint ex-
21 planatory statement accompanying this Act.

1 (i) TIMOR-LESTE.—Of the funds appropriated by this
2 Act under the heading “Economic Support Fund”, not
3 less than \$1,000,000, in addition to funds otherwise made
4 available for such purposes, shall be made available for
5 democracy programs and activities in Timor-Leste, and
6 not less than \$2,000,000 shall be made available for high-
7 er education scholarships.

8 [^] SERBIA

INSERT
236a

9 SEC. 7072. (a) Funds appropriated by this Act may
10 be made available for assistance for the central Govern-
11 ment of Serbia after May 31, 2010, if the President has
12 made the determination and certification contained in sub-
13 section (c).

14 (b) After May 31, 2010, the Secretary of the Treas-
15 ury should instruct the United States executive directors
16 to the international financial institutions to support loans
17 and assistance to the Government of Serbia subject to the
18 conditions in subsection (c).

19 (c) The determination and certification referred to in
20 subsection (a) is a determination and a certification by

Insert 236a

j) (1) VIETNAM.—Funds appropriated by this Act that are made available for assistance for Vietnam for remediation of dioxin contaminated sites and related health activities may be made available for assistance for the Government of Vietnam, including the military, for such purposes.

1 the President to the Committees on Appropriations that
2 the Government of Serbia is—

3 (1) cooperating with the International Criminal
4 Tribunal for the former Yugoslavia including access
5 for investigators, the provision of documents, timely
6 information on the location, movement, and sources
7 of financial support of indictees, and the surrender
8 and transfer of indictees or assistance in their ap-
9 prehension, including Ratko Mladic;

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

15 (3) taking steps to implement policies which re-
16 flect a respect for minority rights and the rule of
17 law.

18 (d) This section shall not apply to humanitarian as-
19 sistance or assistance to promote democracy.

1 INDEPENDENT STATES OF THE FORMER SOVIET UNION

2 SEC. 7073. (a) None of the funds appropriated under
3 the heading “Assistance for Europe, Eurasia and Central
4 Asia” shall be made available for assistance for a govern-
5 ment of an Independent State of the former Soviet Union
6 if that government directs any action in violation of the
7 territorial integrity or national sovereignty of any other
8 Independent State of the former Soviet Union, such as
9 those violations included in the Helsinki Final Act: *Pro-*
10 *vided*, That such funds may be made available without re-
11 gard to the restriction in this subsection if the President
12 determines that to do so is in the national security interest
13 of the United States.

14 (b) Funds appropriated under the heading “Assist-
15 ance for Europe, Eurasia and Central Asia” for the Rus-
16 sian Federation, Armenia, Kazakhstan, and Uzbekistan
17 shall be subject to the regular notification procedures of
18 the Committees on Appropriations.

19 (c)(1) Of the funds appropriated under the heading
20 “Assistance for Europe, Eurasia and Central Asia” that
21 are allocated for assistance for the Government of the

1 Russian Federation, 60 percent shall be withheld from ob-
2 ligation until the President determines and certifies in
3 writing to the Committees on Appropriations that the Gov-
4 ernment of the Russian Federation—

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

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

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

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

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

1 (d) Section 907 of the FREEDOM Support Act shall
2 not apply to—

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

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

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

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

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

20 (6) humanitarian assistance.

1 REPRESSION IN THE RUSSIAN FEDERATION

2 SEC. 7074. (a) None of the funds appropriated under
3 the heading “Assistance for Europe, Eurasia and Central
4 Asia” in this Act may be made available for the Govern-
5 ment of the Russian Federation, after 180 days from the
6 date of the enactment of this Act, unless the Secretary
7 of State certifies to the Committees on Appropriations
8 that the Government of the Russian Federation:

9 (1) has implemented no statute, Executive
10 order, regulation or similar government action that
11 would discriminate, or which has as its principal ef-
12 fect discrimination, against religious groups or reli-
13 gious communities in the Russian Federation in vio-
14 lation of accepted international agreements on
15 human rights and religious freedoms to which the
16 Russian Federation is a party;

17 (2) is honoring its international obligations re-
18 garding freedom of expression, assembly, and press,
19 as well as due process;

20 (3) is investigating and prosecuting law enforce-
21 ment personnel credibly alleged to have committed

1 human rights abuses against political leaders, activ-
2 ists and journalists; and

3 (4) is immediately releasing political leaders,
4 activists and journalists who remain in detention.

5 (b) The Secretary of State may waive the require-
6 ments of subsection (a) if the Secretary determines that
7 to do so is important to the national interests of the
8 United States.

9 CENTRAL ASIA

10 SEC. 7075. The terms and conditions of sections
11 7075(a) and (b) and 7076(a) through (e) of the Depart-
12 ment of State, Foreign Operations, and Related Programs
13 Appropriations Act, 2009 (division H of Public Law 111-
14 8) shall apply to funds appropriated by this Act: *Provided*,
15 That for purposes of the application of section 7076(e)
16 to this Act, the term “assistance” shall not include ex-
17 panded international military education and training.

18 AFGHANISTAN

19 SEC. 7076. (a) IN GENERAL.—Funds appropriated
20 by this Act that are available for assistance for Afghani-
21 stan shall be made available, to the maximum extent prac-

1 ticable, in a manner that utilizes Afghan entities and em-
2 phasizes the participation and leadership of Afghan
3 women and directly improves the security, economic and
4 social well-being, and political status of Afghan women
5 and girls.

6 (b) ASSISTANCE FOR WOMEN AND GIRLS.—

7 (1) The terms and conditions of section
8 1102(b)(1) of Public Law 111–32 shall apply to as-
9 sistance for Afghanistan in fiscal year 2010.

10 (2) Of the funds appropriated by this Act under
11 the headings “Economic Support Fund” and “Inter-
12 national Narcotics Control and Law Enforcement”,
13 not less than \$175,000,000 shall be made available
14 to support programs that directly address the needs
15 and protect the rights of Afghan women and girls,
16 including for the Afghan Independent Human
17 Rights Commission, the Afghan Ministry of Wom-
18 en’s Affairs, and for women-led nongovernmental or-
19 ganizations.

20 (c) PROCUREMENT OF AFGHAN PRODUCTS AND
21 SERVICES.—The terms and conditions of section 1102(c)

1 of Public Law 111–32 shall apply to assistance for Af-
2 ghanistan in fiscal year 2010.

3 (d) ANTICORRUPTION.—

4 (1) The terms and conditions of section
5 1102(d) of Public Law 111–32 shall apply to assist-
6 ance for Afghanistan in fiscal year 2010.

7 (2) Of the funds appropriated by this Act under
8 the heading “Economic Support Fund” that are
9 available for assistance for the Government of Af-
10 ghanistan, \$200,000,000 may not be obligated for
11 such assistance unless the Secretary of State cer-
12 tifies to the Committees on Appropriations that the
13 Government of Afghanistan is cooperating fully with
14 United States efforts against the Taliban and Al
15 Qaeda and to reduce poppy cultivation and illicit
16 drug trafficking: *Provided*, That the Secretary of
17 State may waive the previous sentence if the Sec-
18 retary reports to the Committees on Appropriations
19 that to do so is vital to the national security inter-
20 ests of the United States.

1 (e) RECONSTRUCTION AND DEVELOPMENT ASSIST-
2 ANCE.—

3 (1) Of the funds appropriated by this Act under
4 the heading “Economic Support Fund” that are
5 available for assistance for Afghanistan, not less
6 than \$175,000,000 shall be made available for the
7 National Solidarity Program.

8 (2) The Secretary of State, in consultation with
9 the Administrator of the United States Agency for
10 International Development and the Secretary of De-
11 fense, should enhance United States reconstruction
12 efforts in Afghanistan by—

13 (A) emphasizing capacity building and sup-
14 port of Afghan entities and institutions at the
15 provincial and sub-provincial levels; and

16 (B) requiring civilian Provincial Recon-
17 struction Team (PRT) leaders to consult regu-
18 larly with appropriate local Afghan leaders in
19 their respective provinces and ensuring that
20 PRT reconstruction and development activities
21 support local needs in a sustainable manner

1 (b) Funds made available under titles III through VI
2 of this Act for Enterprise Funds shall be expended at the
3 minimum rate necessary to make timely payment for
4 projects and activities and shall be subject to the regular
5 notification procedures of the Committees on Appropria-
6 tions.

7 UNITED NATIONS POPULATION FUND

8 SEC. 7078. (a) CONTRIBUTION.—Of the funds made
9 available under the heading “International Organizations
10 and Programs” in this Act for fiscal year 2010,
11 \$55,000,000 shall be made available for the United Na-
12 tions Population Fund (UNFPA).

13 (b) AVAILABILITY OF FUNDS.—Funds appropriated
14 by this Act for UNFPA, that are not made available for
15 UNFPA because of the operation of any provision of law,
16 shall be transferred to the “Global Health and Child Sur-
17 vival” account and shall be made available for family plan-
18 ning, maternal, and reproductive health activities, subject
19 to the regular notification procedures of the Committees
20 on Appropriations.

1 (c) PROHIBITION ON USE OF FUNDS IN CHINA.—

2 None of the funds made available by this Act may be used
3 by UNFPA for a country program in the People's Repub-
4 lic of China.

5 (d) CONDITIONS ON AVAILABILITY OF FUNDS.—

6 Funds made available by this Act for UNFPA may not
7 be made available unless—

8 (1) UNFPA maintains funds made available by
9 this Act in an account separate from other accounts
10 of UNFPA and does not commingle such funds with
11 other sums; and

12 (2) UNFPA does not fund abortions.

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

15 (1) Not later than 4 months after the date of
16 enactment of this Act, the Secretary of State shall
17 submit a report to the Committees on Appropria-
18 tions indicating the amount of funds that the
19 UNFPA is budgeting for the year in which the re-
20 port is submitted for a country program in the Peo-
21 ple's Republic of China.

1 designated funding levels in this Act shall not be trans-
2 ferred pursuant to this section: *Provided further*, That the
3 exercise of such authority shall be subject to the regular
4 notification procedures of the Committees on Appropria-
5 tions.

6 (b) The President of the Overseas Private Investment
7 Corporation is hereby authorized and directed to issue, not
8 later than 9 months after the date of enactment of this
9 Act, a comprehensive set of environmental, transparency
10 and internationally recognized worker rights and human
11 rights guidelines with requirements binding on the Cor-
12 poration and its investors that shall be consistently applied
13 to all projects, funds and sub-projects supported by the
14 Corporation: *Provided*, That these regulations shall be no
15 less rigorous than the environmental and social guidelines
16 that the Corporation has made publicly available as of
17 June 3, 2009, and the environmental and social policies
18 of the World Bank Group, and hereafter may be issued
19 and further revised only following public notice and oppor-
20 tunity for comment: *Provided further*, That the Overseas
21 Private Investment Corporation shall issue a report, not

1 later than 180 days after enactment of this Act, high-
2 lighting its substantial commitment to invest in renewable
3 and other clean energy technologies and plans to signifi-
4 cantly reduce greenhouse gas emissions from its portfolio:
5 *Provided further*, That such commitment shall include im-
6 plementing a revised climate change mitigation plan to re-
7 duce greenhouse gas emissions associated with projects
8 and sub-projects in the agency's portfolio as of ~~June~~ 30,
9 2008 by at least 30 percent over a 10-year period and
10 by at least 50 percent over a 15-year period.

(September
≡)

11 (c) Notwithstanding section 235(a)(2) of the Foreign
12 Assistance Act of 1961 (22 U.S.C. 2195(a)(2)), the au-
13 thority of subsections (a) through (c) of section 234 of
14 such Act shall remain in effect through June 30, 2010.

15 EXTRADITION

16 SEC. 7080. (a) None of the funds appropriated in this
17 Act may be used to provide assistance (other than funds
18 provided under the headings "International Narcotics
19 Control and Law Enforcement", "Migration and Refugee
20 Assistance", "Emergency Migration and Refugee Assist-
21 ance", and "Nonproliferation, Anti-terrorism, Demining

1 and Related Assistance”) for the central government of
2 a country which has notified the Department of State of
3 its refusal to extradite to the United States any individual
4 indicted for a criminal offense for which the maximum
5 penalty is life imprisonment without the possibility of pa-
6 role or for killing a law enforcement officer, as specified
7 in a United States extradition request.

8 (b) Subsection (a) shall only apply to the central gov-
9 ernment of a country with which the United States main-
10 tains diplomatic relations and with which the United
11 States has an extradition treaty and the government of
12 that country is in violation of the terms and conditions
13 of the treaty.

14 (c) The Secretary of State may waive the restriction
15 in subsection (a) on a case-by-case basis if the Secretary
16 certifies to the Committees on Appropriations that such
17 waiver is important to the national interests of the United
18 States.

1 CLIMATE CHANGE AND ENVIRONMENT PROGRAMS

2 SEC. 7081. (a) IN GENERAL.—Of the funds appro-
3 priated by this Act, up to ~~\$1,239,500,000~~ may be made
4 available for programs and activities to—

5 (1) reduce, mitigate, and sequester greenhouse
6 gases that contribute to global climate change;

7 (2) support climate change adaptation;

8 (3) protect forests and other critical landscapes;

9 and

10 (4) protect biodiversity.

11 (b) CLEAN ENERGY PROGRAMS.—Funds appro-
12 priated by this Act under the headings “Development As-
13 sistance”, “Economic Support Fund”, and “Assistance for
14 Europe, Eurasia and Central Asia” for clean energy pro-
15 grams and activities, may be made available only to pro-

16 mote the sustainable use of renewable energy technologies

17 and ~~energy efficient~~ end-use technologies, carbon seques-
18 tration, and carbon accounting: *Provided*, That of the

19 funds made available for the United States Agency for

20 International Development (USAID) for clean energy pro-

21 grams, not less than \$10,000,000 shall be made available

1,257,200,000

energy efficiency

1 for microfinance renewable energy programs, including
2 solar energy programs.

3 (c) ADAPTATION PROGRAMS.—Funds appropriated
4 by this Act shall be made available for United States con-
5 tributions to the Least Developed Countries Fund and the
6 Special Climate Change Fund to support adaptation pro-
7 grams and activities, if the Global Environment Facility
8 makes publicly available on its website the criteria used
9 to determine which programs and activities receive funds,
10 the manner in which such programs and activities meet
11 such criteria, the extent of local involvement in such pro-
12 grams and activities, the amount of funds provided, and
13 the results achieved.

14 (d) BIODIVERSITY.—Of the funds appropriated by
15 title III of this Act, not less than \$205,000,000 shall be
16 made available for programs and activities which directly
17 protect biodiversity, including tropical forests and wildlife,
18 in developing countries, of which not less than
19 \$25,000,000 shall be made available for USAID's con-
20 servation programs in the Amazon Basin: *Provided*, That
21 of the funds made available under this paragraph, not less

1 than \$20,500,000 shall be made available for the Congo
2 Basin Forest Partnership only for programs which directly
3 promote the conservation and sustainable management of
4 natural resources in landscapes in the Congo Basin area,
5 with a priority on protected area and landscape resource
6 management to enable local communities to conserve the
7 natural resource base, including programs to substantially
8 reduce the impacts of industrial-scale resource extraction
9 on local communities and the natural resource base: *Pro-*
10 *vided further*, That none of the funds appropriated by this
11 Act may be made available, directly or indirectly, to sup-
12 port industrial-scale logging or other industrial scale re-
13 source extraction or sector reform that would promote
14 these activities: *Provided further*, That funds appropriated
15 by this Act to carry out the provisions of sections 103
16 through 106, and chapter 4 of part II, of the Foreign As-
17 sistance Act of 1961 may be used, notwithstanding any
18 other provision of law and subject to the regular notifica-
19 tion procedures of the Committees on Appropriations, for
20 the purpose of supporting tropical forestry and biodiver-
21 sity conservation activities, clean energy and climate

1 change programs aimed at reducing greenhouse gas emis-
2 sions, and programs to mitigate mercury pollution: *Pro-*
3 *vided further*, That funds appropriated under the heading
4 “Development Assistance” may be made available as a
5 contribution to the Galapagos Invasive Species Fund.

6 (e) CONSULTATION.—Funds made available pursuant
7 to this section are subject to prior consultation with, and
8 the regular notification procedures of, the Committees on
9 Appropriations: *Provided*, That prior to the obligation of
10 funds for a contribution to the Forest Carbon Partnership
11 Facility, the Secretary of State and the Secretary of the
12 Treasury, as appropriate, shall determine and report to
13 the Committees on Appropriations that there have been
14 thorough consultations by the World Bank with interested
15 civil society and indigenous organizations.

16 (f) EXTRACTION OF NATURAL RESOURCES.—

17 (1) The Secretary of the Treasury shall inform
18 the managements of the international financial insti-
19 tutions and the public that it is the policy of the
20 United States to oppose any assistance by such in-
21 stitutions (including but not limited to any loan,

1 credit, grant, or guarantee) for the extraction and
2 export of oil, gas, coal, timber, or other natural re-
3 source unless the government of the country has in
4 place functioning systems for:

5 (A) accurately accounting for payments for
6 companies involved in the extraction and export
7 of natural resources;

8 (B) the independent auditing of accounts
9 receiving such payments and the widespread
10 public dissemination of the findings of such au-
11 dits; and

12 (C) verifying government receipts against
13 company payments including widespread dis-
14 semination of such payment information, and
15 disclosing such documents as Host Government
16 Agreements, Concession Agreements, and bid-
17 ding documents, allowing in any such dissemi-
18 nation or disclosure for the redaction of, or ex-
19 ceptions for, information that is commercially
20 proprietary or that would create competitive
21 disadvantage.

1 (2) Not later than 180 days after the enact-
2 ment of this Act, the Secretary of the Treasury shall
3 submit a report to the Committees on Appropria-
4 tions describing, for each international financial in-
5 stitution, the amount and type of assistance pro-
6 vided, by country, for the extraction and export of
7 oil, gas, coal, timber, or other natural resources in
8 the preceding 12 months, and whether each institu-
9 tion considered, in its proposal for such assistance,
10 the extent to which the country has functioning sys-
11 tems described in paragraph (1).

12 (g) AUTHORIZATION FOR THE CLEAN TECHNOLOGY
13 FUND.—

14 **[(1) LIMITATIONS ON AUTHORIZATION OF AP-**
15 **PROPRIATIONS.—**For fiscal year 2010, up to
16 \$300,000,000 is authorized to be appropriated for a
17 United States contribution to the Clean Technology
18 Fund (the Fund).**]**

19 **[(2) LIMITS ON COUNTRY ACCESS.—**The Sec-
20 retary of the Treasury shall use the voice and vote
21 of the United States to ensure that—**]**

INSERT
258A+
B

Insert 258A

(1) LIMITATIONS ON AUTHORIZATION OF APPROPRIATIONS.—For fiscal year 2010, up to \$300,000,000 is authorized to be appropriated for a United States contribution to the Clean Technology Fund (the Fund).

(2) LIMITS ON COUNTRY ACCESS.—The Secretary of the Treasury shall use the voice and vote of the United States to ensure that—

(A) The Fund does not provide more than 15 percent of Fund resources to any one country;

(B) Prior to the obligation of funds, recipient countries submit to the governing body of the Fund, and the governing body of the Fund appropriately reviews and considers, an investment plan that will achieve significant net reductions in national-level greenhouse gas emissions;

(C) The investment plan for a recipient country, whose borrowing status is classified by the World Bank as ‘International Development Association (IDA) blend’, shall have at least 15 percent of its total cost for public sector activities contributed from the public funds of the recipient country, and any recipient country whose borrowing status is classified by the World Bank as ‘International Bank for Reconstruction and Development (IBRD) Only’ status, shall have at least 25 percent of its total cost for public sector activities contributed from public funds of the recipient country; and

(D) Assistance made available by the Fund is used exclusively to support the deployment of clean energy technologies in developing countries (including, where appropriate, through the provision of technical support or support for policy or institutional reforms) in a manner that achieves substantial net reductions in greenhouse gas emissions.

(3) REPORTING REQUIREMENT.—Not later than 180 days after the date of enactment of this Act and annually thereafter, the Secretary of the Treasury shall submit to the Committees on Appropriations in the House and Senate, the Senate Foreign Relations Committee and the House Financial Services Committee, a report describing –

(A) the operations and governance of the Fund, and the purpose and progress of each project supported by the Fund, including the extent to which assistance made available by the Fund has reduced or will reduce greenhouse gas emissions in recipient countries; and

(B) how each project furthers the Fund’s investment plan of the country or countries in which the project is implemented.

(4) DEFINITIONS.—For purposes of this subsection—

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(A) NET REDUCTIONS.—The term ‘net reductions’ refers to the extent to which a project or program supported under this subsection results in lower greenhouse gas emissions than would be emitted by the same entity or sector in the same country in the absence of the Fund’s project, taking into account, unless impracticable, effects beyond the physical boundaries of the project or program that result from project or program activities.

(B) PUBLIC SECTOR ACTIVITIES.—The term ‘public sector activities’ may include sovereign loans assumed by the recipient country to contribute to the financing of the investment plan.

(C) CLEAN ENERGY TECHNOLOGY.—The term ‘clean energy technology’ means a technology that, as compared with technologies being deployed at that time for widespread commercial use in the country involved,

(i) achieves substantial reductions in greenhouse gas emissions;

(ii) does not result in significant incremental adverse effects on public health or the environment; and

(iii) does one or more of the following:

(I) generates electricity or useful thermal energy from a renewable resource;

(II) substantially increases the energy efficiency of buildings, industrial, or agricultural processes, or of electricity transmission, distribution, or end-use consumption; or

(III) substantially increases the energy efficiency of the transportation system or increases utilization of transportation fuels that have lifecycle greenhouse gas emissions that are substantially lower than those attributable to fossil fuel-based alternatives.

1 **[(A) The Fund does not provide more**
2 **than 15 percent of Fund resources to any one**
3 **country;]**

4 **[(B) Prior to the obligation of funds, re-**
5 **ipient countries submit to the governing body**
6 **of the Fund, and the governing body of the**
7 **Fund appropriately review and consider, an in-**
8 **vestment plan that will achieve significant net**
9 **reductions in national-level greenhouse gas**
10 **emissions;]**

11 **[(C) The investment plan for a recipient**
12 **country, which is classified by the World Bank,**
13 **based on gross national income per capita, as**
14 **“lower-to-middle income” (LMIC), shall have at**
15 **least 15 percent of its total cost contributed**
16 **from the public funds of the recipient country,**
17 **and any recipient country which is classified by**
18 **the World Bank above LMIC status shall have**
19 **at least 35 percent of its total cost contributed**
20 **from public funds of the recipient country;**
21 **and]**

1 **[(D)** Assistance made available by the
2 Fund is used exclusively to support the deploy-
3 ment of clean energy technologies in developing
4 countries (including, where appropriate,
5 through the provision of technical support or
6 support for policy or institutional reforms) in a
7 manner that achieves substantial net reductions
8 in greenhouse gas emissions.]

9 **[(3) REPORTING REQUIREMENT.—**Not later
10 than 180 days after the date of enactment of this
11 Act, and annually thereafter, the Secretary of the
12 Treasury shall submit to the Committees on Appro-
13 priations in the House and Senate, the Senate For-
14 eign Relations Committee, and the House Financial
15 Services Committee a report describing—**]**

16 **[(A)** the operations and governance of the
17 Fund, and the purpose and progress of each
18 project supported by the Fund, including the
19 extent to which assistance made available by
20 the Fund has reduced or will reduce greenhouse
21 gas emissions in recipient countries; and**]**

1 **[(B) how each project furthers the Fund's**
2 investment plan of the country or countries in
3 which the project is implemented.]

4 **[(4) DEFINITIONS.—For purposes of this sub-**
5 section:]

6 **[(A) NET REDUCTIONS.—The term “net**
7 reductions” refers to the extent to which a
8 project or program supported under this sub-
9 section results in lower greenhouse gas emis-
10 sions than would be emitted by the same entity
11 or sector in the same country in the absence of
12 the Fund's project, taking into account, unless
13 impracticable, effects beyond the physical
14 boundaries of the project or program that result
15 from project or program activities, and the term
16 “public sector activities” may include sovereign
17 loans assumed by the recipient country to con-
18 tribute to the financing of the investment
19 plan.]

20 **[(B) CLEAN ENERGY TECHNOLOGY.—The**
21 term “clean energy technology” means a tech-

1 nology that, as compared with technologies
2 being deployed at that time for widespread com-
3 mercial use in the country involved,】

4 【(i) achieves substantial reductions in
5 greenhouse gas emissions;】

6 【(ii) does not result in significant in-
7 cremental adverse effects on public health
8 or the environment, as indicated by compli-
9 ance with United States law; and】

10 【(iii) does one or more of the fol-
11 lowing:】

12 【(I) generates electricity or use-
13 ful thermal or kinetic energy from a
14 non-fossil, non-nuclear, and non-high-
15 impoundment dam renewable re-
16 source;】

17 【(II) substantially increases the
18 energy efficiency of buildings, indus-
19 trial, or agricultural processes, or of
20 electricity transmission, distribution,
21 or end-use consumption;】

1 **[(III) substantially increases the**
2 energy efficiency of the transportation
3 system or increases utilization of
4 transportation fuels that have lifecycle
5 greenhouse gas emissions that are
6 substantially lower than those attrib-
7 utable to fossil fuels; or]
8 **[(IV) results in the net seques-**
9 tration of larger amounts of green-
10 house gases from the technology that
11 it replaces.]

12 PROHIBITION ON PROMOTION OF TOBACCO

13 SEC. 7082. None of the funds provided by this Act
14 shall be available to promote the sale or export of tobacco
15 or tobacco products, or to seek the reduction or removal
16 by any foreign country of restrictions on the marketing
17 of tobacco or tobacco products, except for restrictions
18 which are not applied equally to all tobacco or tobacco
19 products of the same type.

1 COMMERCIAL LEASING OF DEFENSE ARTICLES

2 SEC. 7083. Notwithstanding any other provision of
3 law, and subject to the regular notification procedures of
4 the Committees on Appropriations, the authority of sec-
5 tion 23(a) of the Arms Export Control Act may be used
6 to provide financing to Israel, Egypt and NATO and
7 major non-NATO allies for the procurement by leasing
8 (including leasing with an option to purchase) of defense
9 articles from United States commercial suppliers, not in-
10 cluding Major Defense Equipment (other than helicopters
11 and other types of aircraft having possible civilian applica-
12 tion), if the President determines that there are compel-
13 ling foreign policy or national security reasons for those
14 defense articles being provided by commercial lease rather
15 than by government-to-government sale under such Act.

16 ANTI-KLEPTOCRACY

17 SEC. 7084. (a) In furtherance of the National Strat-
18 egy to Internationalize Efforts Against Kleptocracy and
19 Presidential Proclamation 7750, the Secretary of State
20 shall compile and maintain a list of officials of foreign gov-
21 ernments and their immediate family members who the

1 Secretary has credible evidence have been involved in cor-
2 ruption relating to the extraction of natural resources in
3 their countries.

4 (b) Any individual on the list compiled under sub-
5 section (a) shall be ineligible for admission to the United
6 States.

7 (c) The Secretary may waive the application of sub-
8 section (b) if the Secretary determines that admission to
9 the United States is necessary to attend the United Na-
10 tions or to further United States law enforcement objec-
11 tives, or that the circumstances which caused the indi-
12 vidual to be included on the list have changed sufficiently
13 to justify the removal of the individual from the list.

14 (d) Not later than 90 days after enactment of this
15 Act and 180 days thereafter, the Secretary of State shall
16 report in writing, in classified form if necessary, to the
17 Committees on Appropriations describing the evidence of
18 corruption concerning each of the individuals listed pursu-
19 ant to subsection (a).

1 INTERNATIONAL PRISON CONDITIONS

2 SEC. 7085. (a) Not later than 180 days after enact-
3 ment of this Act, the Secretary of State shall submit to
4 the Committees on Appropriations a report, which shall
5 also be made publicly available including on the Depart-
6 ment of State's website, describing the conditions in pris-
7 ons and other detention facilities in countries receiving
8 United States assistance where the Assistant Secretary of
9 State for Democracy, Human Rights and Labor has deter-
10 mined, based on the Department of State's most recent
11 Human Rights Report and any other relevant information,
12 arbitrary detention and/or cruel, inhumane or degrading
13 treatment of prisoners or detainees, or inhumane prison
14 conditions, is common, and identifying those countries, if
15 any, whose governments the Assistant Secretary deter-
16 mines are making significant efforts to eliminate inhu-
17 mane conditions and those countries whose governments
18 the Assistant Secretary determines are not making such
19 efforts.

1 (b) For purposes of each determination made pursu-
2 ant to subsection (a), the Assistant Secretary shall con-
3 sider whether:

4 (1) the number of prisoners or detainees does
5 not so exceed prison capacity such that per capita
6 floor space is sufficient to allow for humane sleeping
7 conditions and reasonable physical movement;

8 (2) human waste facilities are available and are
9 located separately from the prison population at
10 large, and human waste is disposed of regularly and
11 in a sanitary manner;

12 (3) the lighting, ventilation, temperature and
13 physical construction of prisons and other detention
14 facilities do not seriously endanger health and safe-
15 ty;

16 (4) prisoners and detainees have access to ade-
17 quate food and potable drinking water;

18 (5) prisoners and detainees have access to basic
19 and emergency medical care;

1 (6) to the maximum extent practicable, pris-
2 oners and detainees are allowed reasonable contact
3 with visitors and permitted religious observance;

4 (7) the government permits prisoners and de-
5 tainees to submit complaints to judicial authorities
6 without censorship, investigates credible allegations
7 of inhumane conditions, and documents the results
8 of such investigations in a manner that is publicly
9 accessible;

10 (8) the government is investigating and moni-
11 toring the conditions of prisons and other detention
12 facilities under its authority, including cooperation
13 with international experts on eliminating inhumane
14 conditions, and such information is available to the
15 Secretary of State;

16 (9) the government is appointing ombudsmen to
17 serve on behalf of prisoners and detainees, consid-
18 ering alternatives to incarceration for nonviolent of-
19 fenders to alleviate inhumane overcrowding, making
20 efforts to address the status and circumstances of
21 confinement of juvenile offenders, making efforts to

1 improve pre-trial detention, bail and recordkeeping
2 procedures to reduce pre-trial detention periods and
3 to ensure that prisoners do not serve beyond the
4 maximum sentence for the charged offense; and

5 (10) the government is increasing the amount
6 of government resources to eliminate inhumane con-
7 ditions.

8 (c) Funds appropriated by this Act to carry out the
9 provisions of chapters 1 and 11 of part I and chapter 4
10 of part II of the Foreign Assistance Act of 1961, and the
11 Support for East European Democracy (SEED) Act of
12 1989, shall be made available, notwithstanding section
13 660 of the Foreign Assistance Act of 1961, for assistance
14 to help eliminate inhumane conditions in prisons and other
15 detention facilities administered by foreign governments
16 that the Assistant Secretary of State determines are mak-
17 ing significant efforts to eliminate such conditions.

18 (d) The Secretary of State shall designate a Deputy
19 Assistant Secretary of State in the Bureau of Democracy,
20 Human Rights and Labor to have primary responsibility

1 for diplomatic efforts related to international prison condi-
2 tions.

3 TRANSPARENCY AND ACCOUNTABILITY

4 SEC. 7086. (a) UNITED NATIONS.—Funds appro-
5 priated by this Act shall be available to continue to sup-
6 port efforts to promote transparency and accountability
7 at the United Nations, including access to audits and pro-
8 gram information, as appropriate: *Provided*, That the Sec-
9 retary of State, following consultation with the Commit-
10 tees on Appropriations, may withhold from obligation
11 funds appropriated under the heading “International Or-
12 ganizations and Programs” for a United States contribu-
13 tion to a United Nations organization or agency if the Sec-
14 retary determines that such organization or agency is not
15 adequately implementing reforms to increase transparency
16 and accountability.

17 (b) INTERNATIONAL MONETARY FUND.—

18 (1) The Secretary of the Treasury shall instruct
19 the United States Executive Director of the Inter-
20 national Monetary Fund to promote standard public [(the Fund)]
21 disclosure of documents of the Fund presented to

1 the Executive Board of the Fund and summaries of
2 the minutes of meetings of the Board, as rec-
3 ommended by the Independent Evaluation Office of
4 the Fund, not later than 2 years after the date of
5 the meeting at which the document was presented or
6 the minutes were taken (as the case may be), unless
7 the Executive Board—

8 (A) determines that it is appropriate to
9 delay disclosure; and

10 (B) posts the reason for the delay on the
11 website of the Fund.

12 (2) TRANSPARENCY AND ACCOUNTABILITY OF
13 LOANS, AGREEMENTS, AND OTHER PROGRAMS OF
14 THE INTERNATIONAL MONETARY FUND.—The Sec-
15 retary of the Treasury shall instruct the United
16 States Executive Director of the International Mone-
17 tary Fund to promote—

18 (A) transparency and accountability in the
19 policymaking and budgetary procedures of gov-
20 ernments of members of the Fund;

1 (B) the participation of citizens and non-
2 governmental organizations in the economic pol-
3 icy choices of those governments; and

4 (C) the adoption by those governments of
5 loans, agreements, or other programs of the
6 Fund through a parliamentary process or an-
7 other participatory and transparent process, as
8 appropriate.

9 (3) EFFORTS TO REDUCE THE WORST FORMS
10 OF CHILD LABOR.—

11 (A) The Secretary of the Treasury shall in-
12 struct the United States Executive Director of
13 the International Monetary Fund to promote
14 policies and practices to reduce the worst forms
15 of child labor (as defined in section 507(6) of
16 the Trade Act of 1974 (19 U.S.C. 2467(6)))
17 through education and other means, such as
18 promoting the need for members of the Fund to
19 develop and implement national action plans to
20 combat the worst forms of child labor.

1 (B) Not later than one year after the date
2 of the enactment of this Act, the Secretary of
3 the Treasury shall submit to the Committees on
4 Appropriations and Foreign Relations of the
5 Senate and the Committees on Appropriations
6 and Financial Services of the House of Rep-
7 resentatives a report describing efforts of the
8 Fund to reduce the worst forms of child labor.

9 (c) NATIONAL BUDGET TRANSPARENCY.—

10 (1) None of the funds appropriated under titles
11 III and IV of this Act may be made available for as-
12 sistance for the central government of any country
13 that fails to publicly disclose on an annual basis its
14 national budget, to include income and expenditures.

15 (2) The Secretary of State may waive the re-
16 quirements of paragraph (1) on a country-by-coun-
17 try basis if the Secretary reports to the Committees
18 on Appropriations that to do so is important to the
19 national interest of the United States.

20 (3) Of the funds appropriated by this Act under
21 the heading “Economic Support Fund”, up to

1 \$1,500,000 may be made available for programs and
2 activities to assist the central government of any
3 country named in the reports required by paragraph
4 (2) to improve national budget transparency: *Pro-*
5 *vided*, That such sums shall be in addition to funds
6 otherwise made available for such purposes.

7 (d) ASIAN DEVELOPMENT BANK.—Ten percent of
8 the funds appropriated by this Act under the heading
9 “Contribution to the Asian Development Fund” ~~(the~~

10 ~~Fund)~~ shall be withheld from obligation until the Sec-
11 retary of the Treasury reports to the Committees on Ap-
12 propriations that the ~~Fund~~ is taking steps to—

13 (1) implement an independent review, to include
14 external specialists, of the operations and internal
15 controls of the Office of Information Systems and
16 Technology and any other offices considered vulner-
17 able to fraud and corruption;

18 (2) strengthen internal controls to improve ac-
19 countability by management and prevent cases of
20 fraud and corruption; and

Asian
Development
Bank (the
Bank)

1 (3) ensure that restitution, including criminal
2 prosecution if appropriate, is sought if the ~~Fund~~ ex-
3 periences losses from fraud and corruption.

Bank

4 DISABILITY PROGRAMS

5 SEC. 7087. (a) Of the funds appropriated by this Act
6 under the heading “Economic Support Fund”, not less
7 than \$5,000,000 shall be made available for programs and
8 activities administered by the United States Agency for
9 International Development (USAID) to address the needs
10 and protect and promote the rights of people with disabil-
11 ities in developing countries, and for programs to dissemi-
12 nate information (including best practices and strategies)
13 on independent living, advocacy, education, and transpor-
14 tation to people with disabilities and disability advocacy
15 organizations in developing countries, including for the
16 cost of translation.

17 (b) Funds appropriated under the heading “Oper-
18 ating Expenses” in title II of this Act shall be made avail-
19 able to develop and implement training for staff in over-
20 seas USAID missions to promote the full inclusion and

1 equal participation of people with disabilities in developing
2 countries.

3 (c) The Secretary of State, the Secretary of the
4 Treasury, and the USAID Administrator shall seek to en-
5 sure that, where appropriate, construction projects funded
6 by this Act are accessible to people with disabilities and
7 in compliance with the USAID Policy on Standards for
8 Accessibility for the Disabled, or other similar accessibility
9 standards.

10 (d) Of the funds made available pursuant to sub-
11 section (a), not more than 7 percent may be for manage-
12 ment, oversight, and technical support.

13 ORPHANS, DISPLACED, AND ABANDONED CHILDREN

14 SEC. 7088. Of the funds appropriated under title III
15 of this Act, \$3,000,000 should be made available for ac-
16 tivities to improve the capacity of foreign government
17 agencies and nongovernmental organizations to prevent
18 child abandonment, address the needs of orphans, dis-
19 placed and abandoned children and provide permanent
20 homes through family reunification, guardianship and
21 adoptions, consistent with the Hague Convention on the

1 Protection of Children and Co-operation in Respect of
2 Inter-Country Adoption.

3 SRI LANKA

4 SEC. 7089. (a) IN GENERAL.—Funds appropriated
5 in title III of this Act that are available for assistance
6 for Sri Lanka shall be made available for programs that
7 promote reconciliation between ethnic Sinhalese and Tamil
8 populations, support post-conflict reconstruction, and ad-
9 vance the participation of Tamils and other minorities in
10 the political and economic life of the country, and shall
11 be subject to the regular notification procedures of the
12 Committees on Appropriations.

13 (b) RESTRICTION ON MILITARY ASSISTANCE.—None
14 of the funds appropriated by this Act under the heading
15 “Foreign Military Financing Program” may be made
16 available for assistance for Sri Lanka, no defense export
17 license may be issued, and no military equipment or tech-
18 nology shall be sold or transferred to Sri Lanka pursuant
19 to the authorities contained in this Act or any other Act,
20 until the Secretary of State certifies to the Committees
21 on Appropriations that the Government of Sri Lanka—

1 (1) is suspending and bringing to justice mem-
2 bers of the military who have been credibly alleged
3 to have violated internationally recognized human
4 rights or international humanitarian law; and

5 (2) has agreed to the establishment of a field
6 presence of the Office of the United Nations High
7 Commissioner for Human Rights in Sri Lanka with
8 sufficient staff and mandate to conduct full and
9 unimpeded monitoring throughout the country and
10 to publicize its findings;

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11 (3) is treating internally displaced persons in
12 accordance with international standards, including
13 by guaranteeing their freedom of movement, pro-
14 viding access to conflict-affected areas and popu-
15 lations by humanitarian organizations and journal-
16 ists, and accounting for persons detained in the con-
17 flict; and

18 (4) is implementing policies to promote rec-
19 onciliation and justice including devolution of power
20 ~~to provincial councils in the north and east~~ as pro-
21 vided for in the Constitution of Sri Lanka.

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is respecting internationally recognized human rights, including the right of due process and freedoms of the press, association and assembly;

1 (c) EXCEPTION.—Subsection (b) shall not apply to
2 assistance for humanitarian demining.

3 (d) USE OF FUNDS.—If the Secretary makes the cer-
4 tification required in subsection (b), funds appropriated
5 under the heading “Foreign Military Financing Program”
6 that are made available for assistance for Sri Lanka
7 should be used to support the recruitment and training
8 of Tamils into the Sri Lankan military, Tamil language
9 training for Sinhalese military personnel, and human
10 rights training for all military personnel.

11 (e) RESTRICTION ON MULTILATERAL ASSISTANCE.—
12 The Secretary of the Treasury shall instruct the United
13 States Executive Directors of the international financial
14 institutions (as defined in section 1701(c)(2) of the Inter-
15 national Financial Institutions Act (22 U.S.C.
16 262r(c)(2))) to vote against any loan, agreement, or other
17 financial support for Sri Lanka except to meet basic
18 human needs, unless the Secretary of State certifies to the
19 Committees on Appropriations that the Government of Sri
20 Lanka is meeting the requirements in subsections (a)(3)
21 ~~and (4)~~.

(b)

(a)(3)

1 INTERNATIONAL MONETARY FUND PROVISIONS

2 SEC. 7090. (a) OPPOSITION TO HARD CURRENCY
3 FOR SDRS RECEIVED BY TERRORIST COUNTRIES.—The
4 Secretary of the Treasury shall instruct the United States
5 Executive Director at the International Monetary Fund
6 (the Fund) to use the voice and vote of the United States
7 to oppose the provision by the Fund of United States dol-
8 lars, euros, or Japanese yen to any country the govern-
9 ment of which the Secretary of State has determined, for
10 purposes of section 6(j) of the Export Administration Act
11 of 1979, section 620A of the Foreign Assistance Act of
12 1961, or section 40 of the Arms Export Control Act, to
13 be a government that has repeatedly provided support for
14 acts of international terrorism, in exchange for any Spe-
15 cial Drawing Rights received by the country pursuant to
16 the amendments to the Articles of Agreement of the Fund
17 as described in section 64 of the Bretton Woods Agree-
18 ments Act.

19 (b) CONDITIONAL SUNSET ON AUTHORITY TO MAKE
20 LOANS TO FUND THE NEW ARRANGEMENTS TO BOR-
21 ROW.—Section 17(a) of the Bretton Woods Agreements

1 Act (22 U.S.C. 286e-2(a)) is amended by adding at the
2 end the following:

3 “(3) The authority to make loans under this
4 section shall expire on the date that is 5 years after
5 the date of the enactment of this paragraph unless
6 the Secretary of the Treasury, not later than 60
7 days before such expiration date or 60 days prior to
8 the renewal of the decision governing the New Ar-
9 rangements to Borrow (NAB), whichever occurs
10 first, certifies to the appropriate congressional com-
11 mittees, that—

12 “(A) no amendments made, or anticipated
13 to be made, to the NAB to achieve an expanded
14 and more flexible NAB, as described in para-
15 graph 17 of the G20 Leaders’ Statement at the
16 2009 London Summit, will impair the ability of
17 the Secretary of the Treasury to consider a re-
18 newal of the NAB decision at intervals no
19 greater than 5 years and to withdraw the ad-
20 herence of the United States to the NAB deci-
21 sion as is currently provided under paragraph

1 19 of the New Arrangement to Borrow, adopted
2 by the Executive Board of the International
3 Monetary Fund (IMF) on January 27, 1997;
4 and

5 “(B)(i) the IMF will borrow resources
6 from members under the NAB only when quota
7 resources need to be supplemented in order to
8 forestall or cope with an impairment of the
9 international monetary system or to deal with
10 an exceptional situation that poses a threat to
11 the stability of that system;

12 “(ii) the IMF has, prior to any activation
13 of the NAB, fully explored other means of fund-
14 ing to supplement any potential shortfall in
15 quota resources necessary to forestall or cope
16 with an impairment of the international mone-
17 tary system or to deal with an exceptional situ-
18 ation that poses a threat to the stability of that
19 system; or

20 “(iii) it is in the United States’ strategic
21 economic interest to maintain the relative size

1 or lower of the United States contribution to
2 the NAB as in effect on the date of the certifi-
3 cation.

4 “(4) Not later than 15 days before submitting
5 the certification under paragraph (3), the Secretary
6 of the Treasury shall consult with the appropriate
7 congressional committees regarding such certifi-
8 cation.”.

9 (c) LIMITATION ON PERCENTAGE OF NEW ARRANGE-
10 MENTS TO BORROW TO BE FUNDED BY THE UNITED
11 STATES.—Section 17(a)(2) of the Bretton Woods Agree-
12 ments Act (22 U.S.C. 286e–2(a)(2)) is amended by strik-
13 ing “is representative of its share as of the date of the
14 enactment of this Act” and inserting “remains not greater
15 than 20 percent, which approximates the United States
16 share as of the date of the enactment of the Supplemental
17 Appropriations Act, 2009”.

18 (d) REPORTING REQUIREMENTS.—Not later than 60
19 days after the enactment of this Act and annually there-
20 after until September 30, 2014, the Secretary of the
21 Treasury, in consultation with other appropriate Federal

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1 agencies, shall submit to the Committees on Appropria-
2 tions a report on the loans made and programs carried
3 out using financing provided by or through the New Ar-
4 rangements to Borrow: *Provided*, That each such report
5 shall include the following:

6 (1) A description of the economies of countries
7 requiring the assistance from the New Arrangements
8 to Borrow, including the monetary, fiscal, and ex-
9 change rate policies of the countries.

10 (2) A description of the degree to which the
11 countries requiring the assistance have implemented
12 domestic reforms including—

13 (A) the enactment and implementation of
14 appropriate financial reform legislation;

15 (B) strengthening the domestic financial
16 system and improving transparency and super-
17 vision;

18 (C) opening domestic capital markets; and

19 (D) making nontransparent conglomerate
20 practices more transparent through the applica-
21 tion of internationally accepted accounting

1 practices, independent external audits, full dis-
2 closure, and provision of consolidated state-
3 ments.

4 (3) A detailed summary of the trade policies of
5 the countries, including any unfair trade practices or
6 adverse effects of the trade policies on the United
7 States.

8 (4) The amount, rate of interest, and disburse-
9 ment and repayment schedules of any funds dis-
10 bursed by the International Monetary Fund pursu-
11 ant to the New Arrangements to Borrow.

12 INTELLECTUAL PROPERTY RIGHTS PROTECTIONS

13 SEC. 7091. Not later than 60 days after enactment
14 of this Act and every 120 days thereafter until September
15 30, 2010, the Secretary of State shall submit a report to
16 the Committees on Appropriations detailing actions by the
17 Secretary during negotiations on the United Nations
18 Framework Convention on Climate Change, and subse-
19 quent international climate change negotiations, to pro-
20 mote compliance with and enforcement of existing inter-
21 national legal requirements concerning intellectual prop-

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1 erty rights and effective intellectual property rights pro-
2 tection and enforcement for energy and environmental
3 technologies.

4 PROHIBITION ON CERTAIN FIRST-CLASS TRAVEL

5 SEC. 7092. None of the funds made available in this
6 Act may be used for first-class travel by employees of
7 agencies funded by this Act in contravention of sections
8 301–10.122 through 301–10.124 of title 41, Code of Fed-
9 eral Regulations.

10 LIMITATION ON USE OF FUNDS IN CONTRAVENTION OF
11 CERTAIN LAWS

12 SEC. 7093. None of the funds made available in this
13 Act or prior Acts may be used in contravention of any
14 provision of, or amendment made by, this Act or sections
15 1110, 1112, 1403, or 1404 of the Supplemental Appro-
16 priations Act, 2009 (Public Law 111–32), unless such au-
17 thority is expressly provided in statute: *Provided*, That if
18 a determination is made on constitutional grounds by the
19 Executive Branch that any provision of law covered by the
20 preceding sentence shall not apply, the head of the rel-
21 evant Federal agency shall notify the Committees on Ap-

1 appropriations in writing within 5 days of such determina-
2 tion, the basis for such determination and any resulting
3 changes to program and policy.

4 **【CUBA】**

5 SEC 7094. (a) Subject to subsection (b), of the funds
6 appropriated by this Act under the heading "International
7 Narcotics Control and Law Enforcement", \$1,000,000
8 shall be made available for preliminary work by the De-
9 partment of State, or such other entity as the Secretary
10 of State may designate, to establish cooperation with ap-
11 propriate agencies of the Government of Cuba on counter-
12 narcotics matters, including matters relating to coopera-
13 tion, coordination, and mutual assistance in the interdic-
14 tion of illicit drugs being transported through Cuban air-
15 space or over Cuban waters.

16 (b) The amount in subsection (a) shall not be avail-
17 able if the Secretary certifies to the Committees on Appro-
18 priations that—

19 (1) Cuba does not have in place appropriate
20 procedures to protect against the loss of innocent

1 life in the air and on the ground in connection with
2 the interdiction of illegal drugs; and

3 (2) There is credible evidence of involvement of
4 the Government of Cuba in drug trafficking during
5 the preceding 10 years.

6 (c) Not later than 90 days after enactment of this
7 Act, the [Secretary of State, in consultation with the]
8 Broadcasting Board of Governors[, the International
9 Broadcasting Bureau, and other relevant agencies and or-
10 ganizations,] shall submit to the Committees on Appro-
11 priations a report detailing the following—

12 (1) the estimated size of the audiences in Cuba
13 for TV Marti and Radio Marti, and the sources and
14 relative reliability of the data on which such esti-
15 mates are based;

16 (2) the annual operating cost of AeroMarti and
17 its effectiveness in increasing such audience size;

18 (3) the annual operating cost (and total cost
19 over the life of the contract) of the contract with TV
20 Azteca to broadcast TV Marti on DirecTV and its
21 effectiveness in increasing such audience size;

1 (4) the principal obstacles to increasing such
2 audience size;

3 (5) other options for disseminating news and
4 information to Cuba which may be as, or more, cost
5 effective, including DVDs, the Internet, and cell
6 phones and other handheld electronic devices;

7 (6) the basis (including supporting data, if any)
8 for the decision to replace the two evening TV Marti
9 news programs with five-minute updates every half
10 hour; and

11 (7) a formal, multi-year strategic plan for the
12 Office of Cuba Broadcasting.

13 **【LIMITATION ON FUNDS RELATING TO TRANSFER OR RE-**
14 **LEASE OF INDIVIDUALS DETAINED AT NAVAL STA-**
15 **TION, GUANTANAMO BAY, CUBA **】****

16 **SEC. 7095** None of the funds made available in this
17 Act, or any other Act, may be obligated for any country,
18 including a state with a compact of free association with
19 the United States, that concludes an agreement with the
20 United States to receive by transfer or release individuals
21 detained at Naval Station, Guantanamo Bay, Cuba, un-

1 less, not later than 5 days after the conclusion of the
2 agreement but prior to implementation of the agreement,
3 the Secretary of State notifies the Committees on Appro-
4 priations in writing of the terms of the agreement.

5 **[ASSISTANCE FOR FOREIGN NONGOVERNMENTAL**
6 **ORGANIZATIONS]**

7 SEC. 7096. Part I of the Foreign Assistance Act of
8 1961 (22 U.S.C. 2151 et seq.) is amended by inserting
9 after section 104C, the following new section:

10 **“SEC. 104D. ELIGIBILITY FOR ASSISTANCE.**

11 “Notwithstanding any other provision of law, regula-
12 tion, or policy, in determining eligibility for assistance au-
13 thorized under sections 104, 104A, 104B, and 104C—

14 “(1) foreign nongovernmental organizations
15 shall not be ineligible for such assistance solely on
16 the basis of health or medical services, including
17 counseling and referral services, provided by such or-
18 ganization with non-United States Government
19 funds if such services are permitted in the country
20 in which they are being provided and would not vio-

1 late United States law if provided in the United
2 States; and

3 “(2) foreign nongovernmental organizations
4 shall not be subject to requirements relating to the
5 use of non-United States Government funds for ad-
6 vocacy and lobbying activities other than those that
7 apply to United States nongovernmental organiza-
8 tions receiving assistance under this part.”

1 This ~~Act~~ may be cited as the “Department of State,
2 Foreign Operations, and Related Programs Appropria-
3 tions Act, 2010”

4 ~~And the Senate agree to the same.~~

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1 And the Senate agree to the same.