

# DEPARTMENT OF STATE FEE COLLECTIONS

## *Overview*

Like other U.S. Government agencies, the Department of State has the authority to charge user fees pursuant to 31 U.S.C. 9701. The Department also has specific statutory authority to charge certain consular fees (8 U.S.C. 1351; 22 U.S.C. 214, 4201, 4215, 4219, 4223, 4225), as well as certain other fees – for example, fees for the use of the National Foreign Affairs Training Center authorized in section 53 of the State Department Basic Authorizations Act of 1956 (22 U.S.C. 2725). While certain of these fees are required to be deposited into miscellaneous receipts, a number of fee authorities specifically permit the Department to charge and retain the fees collected. The following section cites the authority for major fee collections and notes the use of each fee.

## *Fee Collections by Bureau*

### **BUREAU OF CONSULAR AFFAIRS**

#### **Machine Readable Visa Fees**

Section 140 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (P.L. 102-236), as amended, authorizes the Department to charge a fee for processing machine readable non-immigrant visas and to deposit such fees as offsetting collections to any Department appropriation to recover the costs of providing consular services. These fees finance much of the Department's Border Security Program.

#### **Expedited Passport Fees**

The Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1995 (P.L. 103-317) authorizes the Department to charge and retain a fee for expedited passport services, to be deposited as an offsetting collection. These fee receipts currently are dedicated to information technology programs.

#### **Passport Security Surcharge and Immigrant Visa Security Surcharge**

The Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2005 (P.L. 108-447) authorizes the Department to charge and retain surcharges related to consular services in support of enhanced border security. These fees finance a significant portion of the Department's Border Security Program.

#### **H-1B and L Fraud Prevention and Detection Fee**

Section 426 of the Consolidated Appropriations Act, 2005 (P. L. 108-447) authorizes one-third of fees collected for H-1B and L applications to be available to the Department of State for fraud prevention and detection activities. Section 402 of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terrorism and Tsunami Relief (Public Law 109-13) expands the program to cover H-2B visas. These fees are part of the Department's Border Security Program.

#### **Western Hemisphere Travel Surcharge**

The Passport Services Enhancement Act of 2005 (P.L. 109-167) authorizes the Department to charge a fee to meet increased demand for passports as a result of the Department's implementation of the Western Hemisphere Travel Initiative. This program, enacted through Section 7209 of the Intelligence Reform and Terrorism Prevention Act of 2004 (IRTPA), requires the Secretary of Homeland Security, in consultation with the Secretary of State, to develop and implement a plan by January 2008 that requires U.S. citizens and

## **DEPARTMENT OF STATE FEE COLLECTIONS**

certain non-U.S. citizens to present a passport or other secure documentation proving identity and citizenship when entering the United States.

### **Diversity Visa Fees**

Section 636 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (P.L. 104-208) provides that the State Department may collect and retain a fee that ensures the recovery of the cost to the Department of allocating and processing applications for visas to be issued under the Diversity Lottery Program. These fee collections are available until expended to provide consular services and are deposited as an offsetting collection.

### **FBI Fingerprint Fees**

The Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1995 (P.L. 103-317) provides that thereafter all receipts received from an increase in the charge for immigration visas attributable to the cost of processing an applicant's fingerprints shall be deposited as an offsetting collection. This allows State to pass on to the visa applicant the cost of FBI fingerprint checks, for which the FBI charges State a fee.

### **Affidavit of Support Fees**

Section 232 of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, 2000 and 2001 (P.L. 106-113), as amended, authorizes the Department to charge and retain fees relating to affidavits of support required under section 213A of the Immigration and Nationality Act. These fee collections are available until expended and are deposited as an offsetting collection to recover the cost of providing consular services.

## **BUREAU OF ECONOMIC AND BUSINESS AFFAIRS**

### **Commercial Services Fees**

Section 52 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2724) authorizes the Department to collect certain fees to recover the cost of providing commercial services at posts abroad in countries where the Department of Commerce does not perform commercial services. These fees are available until September 30 of the fiscal year following the fiscal year in which the funds were deposited.

## **BUREAU OF POLITICAL MILITARY AFFAIRS**

### **Defense Trade Control Fees**

Registration fees are charged by the Office of Defense Trade Controls in accordance with Section 45 of the State Department Basic Authorities Act (22 U.S.C. 2717) and are available without fiscal year limitation for specified expenses related to Defense Trade Control licensing, compliance, and enforcement activities.

## **BUREAU OF EDUCATIONAL AND CULTURAL AFFAIRS AND BUREAU OF INTERNATIONAL INFORMATION PROGRAMS**

### **Information and Educational Exchange Fees**

As authorized by section 810 of the United States Information and Educational Exchange Act (22 U.S.C. 1475e) and pursuant to annual appropriations, fees or other payments received are available until expended from the following:

- English Teaching Program
- Library Program

## **DEPARTMENT OF STATE FEE COLLECTIONS**

- Publication Program
- Book Program
- Student Advising Program
- Exchange Visitor Services.

### **FOREIGN SERVICE INSTITUTE**

#### **Fees for Use of National Foreign Affairs Training Center**

Section 53 of the State Department Basic Authorities Act (22 U.S.C. 2725) authorizes the Secretary to charge a fee for use of the National Foreign Affairs Training Center of the Department of State. Amounts collected (including reimbursements and surcharges) are deposited as an offsetting collection to Department of State appropriations to recover the costs of such use and remain available for obligation until expended.

### **BUREAU OF ADMINISTRATION**

#### **Fees for Use of Diplomatic Reception Rooms**

Section 54 of the State Department Basic Authorities Act (22 U.S.C. 2726) authorizes the Secretary to charge a fee for use of the diplomatic reception rooms of the Department of State. Amounts collected (including reimbursements and surcharges) are deposited as an offsetting collection to Department of State appropriations to recover the costs of such use and remain available for obligation until expended.

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(\$ in thousands)

Revenue Source	FY 2006 Actual	FY 2007 Estimate	FY 2008 Request
<b>Machine Readable Visas Processing Fees</b>			
Carryforward Allocations	65,629	54,786	-
Prior Year Collections Unallocated	142,485	84,038	98,960
Current Year Collections Projected (Net)	661,699	707,700	783,085
Total Collections Available	869,813	846,524	894,045
Carryforward Allocations Planned	13,020	-	-
Current Year Allocation Plan	772,755	747,564	861,950
Total Allocations	785,775	747,564	861,950
Carryforward Allocations Returned	52,609	54,786	-
Unallocated Collections	31,429	44,174	20,095
Ending Unallocated Collections	84,038	98,960	20,095
<b>Western Hemisphere Travel Surcharge</b>			
Carryforward Allocations	-	-	-
Prior Year Collections Unallocated	-	8,425	8,425
Current Year Collections Projected (Net)	8,425	103,800	130,200
Total Collections Available	8,425	103,800	130,200
Carryforward Allocations Planned	-	-	-
Current Year Allocation Plan	-	103,800	130,200
Total Allocations	-	103,800	130,200
Carryforward Allocations Returned	-	-	-
Unallocated Collections	8,425	8,425	8,425
Ending Unallocated Collections	8,425	8,425	8,425
<b>Passport Security Surcharge</b>			
Carryforward Allocations	-	358	-
Prior Year Collections Unallocated	12,628	25,662	26,020
Current Year Collections Projected (Net)	139,761	223,650	239,700
Total Collections Available	152,419	249,670	265,720
Carryforward Allocations Planned	-	-	-
Current Year Allocation Plan	126,757	223,650	239,700
Total Allocations	126,757	223,650	239,700
Carryforward Allocations Returned	-	-	-
Unallocated Collections	25,662	26,020	26,020
Ending Unallocated Collections	25,662	26,020	26,020
<b>Immigrant Visa Security Surcharge</b>			
Carryforward Allocations	-	-	-
Prior Year Collections Unallocated	6,889	23,062	23,062
Current Year Collections Projected (Net)	39,461	26,965	26,965
Total Collections Available	42,361	50,027	50,027
Carryforward Allocations Planned	-	-	-
Current Year Allocation Plan	23,288	26,965	26,965
Total Allocations	23,288	26,965	26,965
Carryforward Allocations Returned	-	-	-
Unallocated Collections	23,062	23,062	23,062
Ending Unallocated Collections	23,062	23,062	23,062

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Revenue Source	FY 2006 Actual	FY 2007 Estimate	FY 2008 Request
<b>Diversity Fee (Border Security)</b>			
Carryforward Allocations	-	-	-
Prior Year Collections Unallocated	2,000	2,000	2,000
Current Year Collections Projected (Net)	15,100	15,100	15,100
Total Collections Available	17,100	17,100	17,100
Carryforward Allocations Planned	-	-	-
Current Year Allocation Plan	15,100	15,100	15,100
Total Allocations	15,100	15,100	15,100
Carryforward Allocations Returned	-	-	-
Unallocated Collections	2,000	2,000	2,000
Ending Unallocated Collections	2,000	2,000	2,000
<b>H-1B and L Visa Fraud Detection Fee</b>			
Carryforward Allocations	-	1,095	-
Prior Year Collections Unallocated	28,534	68,079	69,174
Current Year Collections Projected (Net)	43,745	31,800	31,800
Total Collections Available	72,279	100,974	100,974
Carryforward Allocations Planned	-	-	-
Current Year Allocation Plan	4,200	31,800	31,800
Total Allocations	4,200	31,800	31,800
Carryforward Allocations Returned	-	-	-
Unallocated Collections	68,079	69,174	69,174
Ending Unallocated Collections	68,079	69,174	69,174
<b>Visa Fingerprint Fees</b>			
Carryforward Allocations	-	-	-
Prior Year Collections Unallocated	10,799	14,687	16,047
Current Year Collections Projected (Net)	5,608	2,860	3,000
Total Collections Available	16,407	17,547	19,047
Carryforward Allocations Planned	-	-	-
Current Year Allocation Plan	1,720	1,500	1,500
Total Allocations	1,720	1,500	1,500
Carryforward Allocations Returned	-	-	-
Unallocated Collections	14,687	16,047	17,547
Ending Unallocated Collections	14,687	16,047	17,547
<b>Affidavit of Support Fees</b>			
Carryforward Allocations	-	-	-
Prior Year Collections Unallocated	33,993	37,890	36,690
Current Year Collections Projected (Net)	20,697	19,000	19,000
Total Collections Available	54,690	56,890	55,690
Carryforward Allocations Planned	-	-	-
Current Year Allocation Plan	16,800	20,200	21,200
Total Allocations	16,800	20,200	21,200
Carryforward Allocations Returned	-	-	-
Unallocated Collections	37,890	36,690	34,490
Ending Unallocated Collections	37,890	36,690	34,490

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Revenue Source	FY 2006 Actual	FY 2007 Estimate	FY 2008 Request
<b>Diversity Lottery Fees</b>			
Carryforward Allocations	-	429	-
Prior Year Collections Unallocated	5,251	7,702	6,131
Current Year Collections Projected (Net)	7,251	5,500	5,500
Total Collections Available	12,502	13,631	11,631
Carryforward Allocations Planned	-	-	-
Current Year Allocation Plan	4,800	7,500	7,500
Total Allocations	4,800	7,500	7,500
Carryforward Allocations Returned	-	429	-
Unallocated Collections	7,702	5,702	4,131
Ending Unallocated Collections	7,702	6,131	4,131
<b>Expedited Passport Fees</b>			
Carryforward Allocations	7,972	32,404	-
Prior Year Collections Unallocated	31,844	55,609	69,193
Current Year Collections Projected (Net)	177,254	202,000	238,000
Total Collections Available	217,070	290,013	307,193
Carryforward Allocations Planned	7,972	32,404	-
Current Year Allocation Plan	153,489	188,416	243,002
Total Allocations	161,461	120,820	243,002
Carryforward Allocations Returned	-	-	-
Unallocated Collections	55,609	69,193	64,191
Ending Unallocated Collections	55,609	69,193	64,191
<b>Defense Trade Control Fees</b>			
Carryforward Allocations	1,018	2,558	-
Prior Year Collections Unallocated	-	-	2,558
Current Year Collections Projected (Net)	9,447	7,310	7,310
Total Collections Available	10,465	9,868	9,868
Carryforward Allocations Planned	1,018	-	-
Current Year Allocation Plan	9,447	7,310	7,310
Total Allocations	10,465	7,310	7,310
Carryforward Allocations Returned	-	2,558	-
Unallocated Collections	-	-	2,558
Ending Unallocated Collections	-	2,558	2,558
<b>Commercial Service Fees</b>			
Carryforward Allocations	-	-	-
Prior Year Collections Unallocated	9	-	-
Current Year Collections Projected (Net)	7	20	20
Total Collections Available	16	20	20
Carryforward Allocations Planned	-	-	-
Current Year Allocation Plan	16	20	20
Total Allocations	16	20	20
Carryforward Allocations Returned	-	-	-
Unallocated Collections	-	-	-
Ending Unallocated Collections	-	-	-

## DEPARTMENT OF STATE FEE COLLECTIONS

Revenue Source	FY 2006 Actual	FY 2007 Estimate	FY 2008 Request
<b>Sec. 810 USI &amp; EE Act Fees</b>			
Carryforward Allocations	5,153	2,816	-
Prior Year Collections Unallocated	322	2,590	1,543
Current Year Collections Projected (Net)	5,781	6,000	6,000
Total Collections Available	11,256	11,406	7,543
Carryforward Allocations Planned	5,153	1,273	-
Current Year Allocation Plan	3,191	6,000	6,000
Total Allocations	8,344	7,273	6,000
Carryforward Allocations Returned	-	1,543	-
Unallocated Collections	2,590	-	1,543
Ending Unallocated Collections	2,590	1,543	1,543

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## *FY 2008 Budget Request*

### DIPLOMATIC AND CONSULAR PROGRAMS

For necessary expenses of the Department of State and the Foreign Service not otherwise provided for, including employment, without regard to civil service and classification laws, of persons on a temporary basis (not to exceed \$700,000 of this appropriation), as authorized by section 801 of the United States Information and Educational Exchange Act of 1948; representation to certain international organizations in which the United States participates pursuant to treaties ratified pursuant to the advice and consent of the Senate or specific Acts of Congress; arms control, nonproliferation and disarmament activities as authorized; acquisition by exchange or purchase of passenger motor vehicles as authorized by law; and for expenses of general administration, \$3,977,940,000: Provided, That of the amount made available under this heading, not to exceed \$10,000,000 may be transferred to, and merged with, funds in the “Emergencies in the Diplomatic and Consular Service” appropriations account, to be available only for emergency evacuations and terrorism rewards: Provided further, That funds available under this heading may be available for a United States Government interagency task force to examine, coordinate and oversee United States participation in the United Nations headquarters renovation project: Provided further, That funds appropriated under this heading are available, pursuant to 31 U.S.C. 1108(g), for the field examination of programs and activities in the United States funded from any account contained in this title.

In addition, not to exceed \$1,558,390 shall be derived from fees collected from other executive agencies for lease or use of facilities located at the International Center in accordance with section 4 of the International Center Act; in addition, as authorized by section 5 of such Act, \$490,000, to be derived from the reserve authorized by that section, to be used for the purposes set out in that section; in addition, as authorized by section 810 of the United States Information and Educational Exchange Act, not to exceed \$6,000,000, to remain available until expended, may be credited to this appropriation from fees or other payments received from English teaching, library, motion pictures, and publication programs and from fees from educational advising and counseling and exchange visitor programs; and, in addition, not to exceed \$15,000, which shall be derived from reimbursements, surcharges, and fees for use of Blair House facilities.

In addition, for the costs of worldwide security upgrades, \$964,760,000, to remain available until expended.

### CAPITAL INVESTMENT FUND

For necessary expenses of the Capital Investment Fund, \$70,743,000, to remain available until expended, as authorized: Provided, That section 135(e) of Public Law 103–236 shall not apply to funds available under this heading.

### EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

For necessary expenses for carrying out the Foreign Service Buildings Act of 1926 (22 U.S.C. 292–303), preserving, maintaining, repairing, and planning for buildings that are owned or directly leased by the Department of State, renovating, in addition to funds otherwise available, the Harry S Truman Building, and carrying out the Diplomatic Security Construction Program as authorized, \$792,534,000, to remain available until expended as authorized, of which not to exceed \$25,000 may be used for domestic and overseas representation as authorized: Provided, That none of the funds appropriated in this paragraph shall be available for acquisition of furniture, furnishings, or generators for other departments and agencies. In addition, for the costs of worldwide security upgrades, acquisition, and construction as authorized, \$806,900,000, to remain available until expended.

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### **OFFICE OF INSPECTOR GENERAL**

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

### **EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS**

For expenses of educational and cultural exchange programs, as authorized, \$486,400,000, to remain available until expended: Provided, That not to exceed \$5,000,000, to remain available until expended, may be credited to this appropriation from fees or other payments received from or in connection with English teaching, educational advising and counseling programs, and exchange visitor programs as authorized.

### **REPRESENTATION ALLOWANCES**

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

### **PROTECTION OF FOREIGN MISSIONS AND OFFICIALS**

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

### **EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE**

For expenses necessary to enable the Secretary of State to meet unforeseen emergencies arising in the Diplomatic and Consular Service, \$19,000,000, to remain available until expended as authorized, of which not to exceed \$1,000,000 may be transferred to and merged with the "Repatriation Loans Program Account", subject to the same terms and conditions.

### **REPATRIATION LOANS PROGRAM ACCOUNT**

For the cost of direct loans, \$678,000, as authorized: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974. In addition, for administrative expenses necessary to carry out the direct loan program, \$607,000, which may be paid to and merged with funds in the "Diplomatic and Consular Programs" account.

### **PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN**

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

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

For payment to the Foreign Service Retirement and Disability Fund, as authorized by law, \$122,500,000.

### **CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS**

For expenses, not otherwise provided for, necessary to meet annual obligations of membership in international multilateral organizations, pursuant to treaties ratified pursuant to the advice and consent of the Senate, conventions or specific Acts of Congress, \$1,354,400,000: Provided, That any payment of arrearages under this title shall be directed toward special activities that are mutually agreed upon by the United States and the respective international organization: Provided further, That none of the funds appropriated in this paragraph shall be available for a United States contribution to an international

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organization for the United States share of interest costs made known to the United States Government by such organization for loans incurred on or after October 1, 1984, through external borrowings, except that such restriction shall not apply to loans to the United Nations for renovation of its headquarters.

### **CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES**

For necessary expenses to pay assessed and other expenses of international peacekeeping activities directed to the maintenance or restoration of international peace and security, \$1,107,000,000, of which 15 percent shall remain available until September 30, 2009: Provided, That it is the sense of the Congress that at least 15 days in advance of voting for the new or expanded mission in the United Nations Security Council (or in an emergency as far in advance as is practicable): (1) the Committees on Appropriations and other appropriate committees of the Congress should be notified of the estimated cost and length of the mission, the national interest that will be served, and the planned exit strategy; (2) the Committees on Appropriations and other appropriate committees of the Congress should be notified that the United Nations has taken appropriate measures to prevent United Nations employees, contractor personnel, and peacekeeping forces serving in any United Nations peacekeeping mission from trafficking in persons, exploiting victims of trafficking, or committing acts of illegal sexual exploitation, and to hold accountable individuals who engage in such acts while participating in the peacekeeping mission; and (3) notification pursuant to section 605 of this Act should be submitted, and the procedures therein followed, setting forth the source of funds that will be used to pay for the cost of the new or expanded mission: Provided further, That funds shall be available for peacekeeping expenses only upon a certification by the Secretary of State to the appropriate committees of the Congress that American manufacturers and suppliers are being given opportunities to provide equipment, services, and material for United Nations peacekeeping activities equal to those being given to foreign manufacturers and suppliers.

### **INTERNATIONAL COMMISSIONS**

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

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

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

#### **SALARIES AND EXPENSES**

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

#### **CONSTRUCTION**

For a detailed plan, preparation, and construction of authorized projects, \$71,725,000, to remain available until expended, of which up to \$66,000,000 is for construction in the United States of secondary wastewater treatment capability at the South Bay International Wastewater Treatment Plant and which shall become available only after the International Boundary and Water Commission determines that negotiations to implement section 804 of P.L. 106-457, as amended, are terminated: Provided, That if the International Boundary and Water Commission executes an agreement pursuant to section 804, up to \$3,000,000 of the amount otherwise provided for the South Bay Plant may be transferred to “Salaries and Expenses,” International Boundary and Water Commission.

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### INTERNATIONAL FISHERIES COMMISSIONS

For necessary expenses for international fisheries commissions, not otherwise provided for, as authorized by law, \$21,000,000: Provided, That the United States' share of such expenses may be advanced to the respective commissions pursuant to 31 U.S.C. 3324.

### AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

For necessary expenses, not otherwise provided, for the International Joint Commission and the International Boundary Commission, United States and Canada, as authorized by treaties between the United States and Canada or Great Britain, and for the Border Environment Cooperation Commission as authorized by Public Law 103-182, \$10,395,000, of which not to exceed \$9,000 shall be available for representation expenses incurred by the International Joint Commission.

### PAYMENT TO THE ASIA FOUNDATION

For a grant to the Asia Foundation, as authorized by the Asia Foundation Act (22 U.S.C. 4402), \$10,000,000, to remain available until expended, as authorized.

### NATIONAL ENDOWMENT FOR DEMOCRACY

For grants made by the Department of State to the National Endowment for Democracy as authorized by the National Endowment for Democracy Act, \$80,000,000, to remain available until expended.

### EAST-WEST CENTER

To enable the Secretary of State to provide for carrying out the provisions of the Center for Cultural and Technical Interchange Between East and West Act of 1960, by grant to the Center for Cultural and Technical Interchange Between East and West in the State of Hawaii, \$10,000,000: Provided, That none of the funds appropriated herein shall be used to pay any salary, or enter into any contract providing for the payment thereof, in excess of the rate authorized by 5 U.S.C. 5376.

### CENTER FOR MIDDLE EASTERN-WESTERN DIALOGUE

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

### EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

For necessary expenses of Eisenhower Exchange Fellowships, Incorporated, as authorized by sections 4 and 5 of the Eisenhower Exchange Fellowship Act of 1990 (20 U.S.C. 5204-5205), all interest and earnings accruing to the Eisenhower Exchange Fellowship Program Trust Fund on or before September 30, 2008, to remain available until expended: Provided, That none of the funds appropriated herein shall be used to pay any salary or other compensation, or to enter into any contract providing for the payment thereof, in excess of the rate authorized by 5 U.S.C. 5376; or for purposes which are not in accordance with OMB Circulars A-110 (Uniform Administrative Requirements) and A-122 (Cost Principles for Non-profit Organizations), including the restrictions on compensation for personal services.

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### ISRAELI ARAB SCHOLARSHIP PROGRAM

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

### MIGRATION AND REFUGEE ASSISTANCE

For expenses, not otherwise provided for, necessary to enable the Secretary of State to provide, as authorized by law, a contribution to the International Committee of the Red Cross, assistance to refugees, including contributions to the International Organization for Migration and the United Nations High Commissioner for Refugees, and other activities to meet refugee and migration needs; salaries and expenses of personnel and dependents as authorized by the Foreign Service Act of 1980; allowances as authorized by sections 5921 through 5925 of title 5, United States Code; purchase and hire of passenger motor vehicles; and services as authorized by section 3109 of title 5, United States Code, \$773,500,000, to remain available until expended: Provided, That not more than \$23,000,000 may be available for administrative expenses.

### UNITED STATES EMERGENCY REFUGEE AND MIGRATION ASSISTANCE FUND

For necessary expenses to carry out the provisions of section 2(c) of the Migration and Refugee Assistance Act of 1962, as amended (22 U.S.C. 2601(c)), and notwithstanding section 2(c)(2) of such Act, \$55,000,000, to remain available until expended.

### GENERAL PROVISIONS—DEPARTMENT OF STATE AND RELATED AGENCY

SEC. 401. Funds appropriated under this title 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).

SEC. 402. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of State in this title may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: Provided, That not to exceed 5 percent of any appropriation made available for the current fiscal year for the Broadcasting Board of Governors in this title may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: Provided further, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 403. Funds appropriated or otherwise made available by this Act may be used to provide equipment, technical support consulting services, or any other form of assistance to the Palestinian Broadcasting Corporation (PBC) only if that assistance is directed at promoting reform, improving the professionalism of the PBC and its staff, and promoting messages of tolerance rather than incitement in PBC programming.

SEC. 404. (a) The Senior Policy Operating Group on Trafficking in Persons, established under section 105(f) of the Victims of Trafficking and Violence Protection Act of 2000 (22 U.S.C. 7103(f)) to coordinate agency activities regarding policies (including grants and grant policies) involving the international trafficking in persons, shall coordinate all such policies related to the activities of traffickers and victims of severe forms of trafficking.

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(b) None of the funds provided in this or any other Act shall be expended to perform functions that duplicate coordinating responsibilities of the Operating Group.

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

SEC. 405. (a) None of the funds appropriated or otherwise made available under this title shall be expended for any purpose for which appropriations are prohibited by section 616 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1999.

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

SEC. 406. (a) Except as provided in subsection (b), a project to construct a diplomatic facility of the United States may not include office space or other accommodations for an employee of a Federal agency or department if the Secretary of State determines that such department or agency has not provided to the Department of State the full amount of funding required by subsection (e) of section 604 of the Secure Embassy Construction and Counterterrorism Act of 1999 (as enacted into law by section 1000(a)(7) of Public Law 106–113 and contained in appendix G of that Act; 113 Stat. 1501A–453), as amended by section 629 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2005.

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

SEC. 407. Ceilings and earmarks contained in this title shall not be applicable to funds or authorities appropriated or otherwise made available by any subsequent Act unless such Act specifically so directs. Earmarks or minimum funding requirements contained in any other Act shall not be applicable to funds appropriated by this title.

SEC. 408. (a) In General. —Section 404(b)(2)(B) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995, as amended (22 U.S.C. 287e note) is further amended at the end by adding the following:

“(v) For assessments made during calendar years 2005, 2006, 2007, and 2008, 27.1 percent.”

## LEGISLATIVE LANGUAGE

### *FY 2007 Supplemental and Additional FY 2008 Funding Requests*

#### DIPLOMATIC AND CONSULAR PROGRAMS

(2007 supplemental now requested)

For an additional amount for “Diplomatic and Consular Programs,” \$912,996,000, to remain available until September 30, 2008, of which \$67,155,000 for World Wide Security Upgrades is available until expended.

(Additional 2008 funding now requested)

For an additional amount for “Diplomatic and Consular Programs,” \$1,881,608,000, to remain available until September 30, 2009.

#### OFFICE OF THE INSPECTOR GENERAL

(2007 supplemental now requested)

For an additional amount for “Office of Inspector General,” \$35,000,000, to remain available until December 31, 2008: Provided, That these funds shall be transferred to the Special Inspector General for Iraq Reconstruction for reconstruction oversight.

#### EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

(2007 supplemental now requested)

For an additional amount for “Educational and Cultural Exchange Programs,” \$20,000,000, to remain available until expended.

#### CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

(Additional 2008 funding now requested)

For an additional amount for “Contributions to International Organizations,” \$53,000,000.

#### CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

(2007 supplemental now requested)

For an additional amount for “Contributions for International Peacekeeping Activities,” \$200,000,000, to remain available until September 30, 2008.

#### MIGRATION AND REFUGEE ASSISTANCE

(2007 supplemental now requested)

For an additional amount for “Migration and Refugee Assistance,” \$71,500,000, to remain available until September 30, 2008.

(Additional 2008 funding now requested)

For an additional amount for “Migration and Refugee Assistance,” \$35,000,000, to remain available until expended.

## LEGISLATIVE LANGUAGE

### UNITED STATES EMERGENCY REFUGEE AND MIGRATION ASSISTANCE FUND

(2007 supplemental now requested)

For an additional amount for “United States Emergency Refugee and Migration Assistance Fund,” \$30,000,000, to remain available until expended.